

1998 NPDES 29 CFR OSHA - Stormwater  
Regulations

*W. J. [Signature]*

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Attached are:

1. Table of Contents for Multi Sector Permits
2. Fact Sheet for Airports
3. Permit Language:
  - a. "Front End" of the Regulations  
p 51111 thru 51125  
(Note language on SWPPP's included)
  - b. for Airports
  - c. Notice of Intent Form
4. Guide for Developing SWPPP's

Note: The Stormwater Construction Permit (and Baseline Permit) issued in 1992 EXPIRED Sept 9, 1997. The Const. Permit is about to be reissued. The Multi-Sector Permit is in effect.

The following is the Table of Contents to the EPA Storm Water Multi-Sector Storm Water Permit as published in the Federal Register, Vol. 60, No. 189, Friday, September 29, 1995, pages 50804-51319.

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EPA BASELINE CONSTRUCTION PERMIT REQUIREMENTS PRE-CONSTRUCTION CHECKLIST  
1992 EPA Storm Water Construction Permit

Use this checklist to verify all of the components of the storm water pollution prevention plan for construction are present. If there are any uncertainties, please review the permit language in Part IV of the storm water construction permit (Federal Register, Vol. 57, No. 175, Sept. 9, 1992, pg. 41219-41222).

While an erosion control plan contains many of the requirements of the permit, they do not contain all of the requirements of a storm water pollution prevention plan. If your plans are marked only as erosion control plans, carefully review them for compliance with the permit language.

- 1) A site description including:
  - The nature of the activity
  - Intended sequence of major construction
  - The total area of the site
  - The area of the site that is expected to undergo excavation
  - The runoff coefficient of the site after construction is complete
  - Existing soil or storm water data
  - A site map with:
    - Drainage patterns
    - Approximate slopes after major grading
    - Area of soil disturbance
    - Outline of areas which won't be disturbed
    - Location of major structural and non-structural controls
    - Areas where stabilization practices are expected to occur
    - Surface waters
    - Storm water discharge location(s)
    - The name of the receiving water(s)
  
- 2) A description of controls:
  - 2.1) Erosion and sediment controls, including:
    - Stabilization practices for all areas disturbed by construction
    - Structural practices for all drainage/discharge locations
  - 2.2) Erosion and sediment controls, including
    - Measures used to control pollutants occurring in storm water discharges after construction activities are complete
    - Velocity dissipation devices to provide nonerosive flow conditions from the discharge point along the length of any outfall channel
  - 2.3) Other controls including:
    - Waste disposal practices which prevent discharge of solid materials
    - Measures to minimize offsite tracking of sediments by construction vehicles
    - Measures to ensure compliance with State or local waste disposal, sanitary sewer, or septic system regulations
  - 2.4) Description of the timing during the construction when measures will be implemented.
  
- 3) Are State or local requirements incorporated into the plans?
- 4) Are maintenance procedures for control measures identified in the plan?
- 5) Identification of allowable non-storm water discharges and pollution prevention measures.
- 6) Contractor certification(s)
- 7) Plan certification(s)

CONSTRUCTION/IMPLEMENTATION CHECKLIST

- 1) Maintains Records of Construction Activities, including:
  - Dates when major grading activities will occur
  - Dates when construction activities temporarily cease on a portion of the site
  - Dates when construction activities permanently cease on a portion of the site
  - Dates when stabilization measures will be initiated on the site
  
- 2) Prepare Inspection reports summarizing:
  - Name of inspector(s)
  - Qualifications of inspector(s)
  - Measures/areas inspected
  - Observed conditions
  - Changes necessary to the SWPPP

\*\*\*\* Inspections must be documented and of the following frequencies:  
>20" annual rainfall: Weekly + within 24 hours after 1/2"+ rainfall  
<20" annual rainfall: Monthly
  
- 3) Report Releases of Reportable Quantities of Oil or Hazardous Materials (if they occur):
  - Notify National Response Center (800-424-8802)
  - Notify permitting authority in writing within 14 days
  - Modify the pollution prevention plan to include:
    - the date of the release
    - circumstances leading to the release
    - steps taken to prevent reoccurrence of the release
  
- 4) Modify Pollution Prevention Plan as necessary to:
  - Comply with minimum permit requirements when notified by EPA that the plan does not comply
  - Address a change in design, construction operation or maintenance which has an effect on the potential for discharge of pollutants
  - Prevent reoccurrence of reportable quantity releases of a hazardous material or oil.

## FINAL STABILIZATION/TERMINATION CHECKLIST

- 1) All soil disturbing activities are complete
- 2) Temporary erosion and sediment control measures have been removed or will be removed at an appropriate time
- 3) All areas of the construction site not otherwise covered by a permanent pavement or structure have been stabilized with a uniform perennial vegetative cover with a density of 70% or equivalent measures have been employed

chemical properties of the storm water discharged from the site, the examination will provide meaningful results upon which the facility may act quickly. The frequency of this visual examination will also allow for timely adjustments to be made to the plan. If BMPs are performing ineffectively, corrective action must be implemented. A set of tracking or follow-up procedures must be used to ensure that appropriate actions are taken in response to the examinations. The visual examination is intended to be performed by members of the pollution prevention team. This hands-on examination will enhance the staff's understanding of the storm water problems on that site and the effects of the management practices that are included in the plan.

*S. Storm Water Discharges Associated With Industrial Activity From Vehicle Maintenance Areas, Equipment Cleaning Areas, or Deicing Areas Located at Air Transportation Facilities*

1. Discharges Covered Under This Section

The conditions in this section apply to airports, airport terminals, airline carriers, and establishments engaged in servicing, repairing, or maintaining aircraft and ground vehicles, equipment cleaning and maintenance (including vehicle and equipment rehabilitation mechanical repairs, painting, fueling, lubrication) or deicing/anti-icing operations which conduct the above described activities (facilities generally classified as SIC code 45). For the purpose of this final permit, the term "deicing" is defined as the process to remove frost, snow, or ice and "anti-icing" is the process which prevents the accumulation of frost, snow, or ice. Both of these activities are covered under this permit.

When an industrial facility, described by the above coverage provisions of this section, has industrial activities being conducted onsite that meet the description(s) of industrial activities in another section(s), that industrial facility shall comply with any and all applicable monitoring and pollution prevention plan requirements of the other section(s) in addition to all applicable requirements in this section. The monitoring and pollution prevention plan terms and conditions of this multi-sector permit are additive for industrial activities being conducted at the same industrial facility (co-located industrial activities). The operator of the facility shall determine which other monitoring and pollution prevention

plan section(s) of this permit (if any) are applicable to the facility.

a. *Responsible Parties.* Airports typically operate under a single management organization known as the airport "authority" which in most cases is a public agency. Airline carriers and other fixed base operators (e.g., fueling companies and maintenance shops) that have contracts with the airport authority to conduct business on airport property are commonly referred to as "tenants" of the airport. Tenants may be of two types—those that are regulated as storm water dischargers associated with industrial activities under 40 CFR 122.26(b)(14) and those that are not. The operator and the tenants of the airport that conduct industrial activities as described above, or as described anywhere in 40 CFR 122.26(b)(14) and which have storm water discharges, are required to apply for coverage under an NPDES storm water permit for the discharges from their areas of operation. Where an airport has multiple operators (airport authority and tenants) that have storm water discharges associated with industrial activity, as described above, each operator is required to apply for coverage under an NPDES storm water permit. This may be done as separate operators or may be done as co-permittees. Regardless, each individual party, whether a co-permittee or a separate permittee, must submit a notice of intent (NOI) to be covered under today's permit. During implementation of the storm water pollution prevention plan, the airport authority should work cooperatively with tenants that are not required to have a NPDES permit for their storm water discharges. The airport authority may accomplish this through negotiated agreements, contractual requirements, or other means. Ultimately, the operator(s)/owner(s) (the airport authority) of the storm water outfalls from the airport is(are) responsible for compliance with all terms and conditions of this or other NPDES permits applicable to those outfalls. Storm water pollution prevention plans developed separately for areas of the airport facility occupied by tenants of the airport that are regulated under 40 CFR 122.26(b)(14) as a storm water discharge associated with industrial activity shall be integrated into the storm water pollution prevention plan for the entire airport facility.

The airport authority and tenants of the airport are encouraged to apply as co-permittees under today's permit, and to work in partnership in the development and implementation of a storm water pollution prevention plan.

2. Pollutants Found in Storm Water Discharges

In general, the quantitative data submitted thus far has not raised any particular areas of concern with respect to discharges of pollutants resulting from vehicle maintenance and/or deicing/anti-icing operations conducted at airport facilities. However, EPA believes that the part 2 sampling data does not provide justification that discharges resulting from deicing/anti-icing operations are not a significant source of pollutants. The sampling requirements for part 2 of the group application did not specify that facilities must sample storm water discharges from areas where deicing/anti-icing activities occur and/or during times when such operations were being conducted. As a result, only one facility indicated that the sampling data submitted was collected from areas where deicing activities were being conducted. After reviewing recent case studies on the effects of glycol discharges to receiving waters, EPA reports and the results of FAA surveys, EPA believes that additional information on the discharges of deicing/anti-icing chemicals to receiving waters as a result of aircraft and runway deicing/anti-icing operations is warranted and necessary.

Both ethylene and propylene glycols exert high oxygen demands when released into receiving waters. As such, this section requires that facilities report both the Biochemical Oxygen Demand (BOD) and Chemical Oxygen Demand (COD) of discharges sampled at facilities that use at least 100,000 gallons or more of glycol-based deicing/anti-icing chemicals. The concentration of nitrogen and possibly ammonia are the concern with respect to deicing/anti-icing operations where urea is used. Therefore, this section requires that facilities subject to the monitoring requirements in Part XI.S.5. of the permit also report the concentration of Total Kjeldahl Nitrogen (TKN) in discharges sampled.

The results of the storm water survey conducted by the FAA (June 1992) showed that 10 percent of the respondents who conduct deicing/anti-icing activities used more than 100,000 gallons of glycol-based deicing/anti-icing chemicals during winter seasons. In addition, those facilities using more than 100,000 gallons of glycol-based deicing/anti-icing chemicals accounted for 71 percent of the total amount of glycol-based deicing/anti-icing chemicals reported in the survey. In a similar survey conducted by the American Association of Airport



Executives, 4 percent of the airports conducting deicing/anti-icing activities used more than 100,000 gallons of ethylene glycol which represented approximately 76 percent of the total amount of ethylene glycol used by all airports surveyed.

### 3. Special Conditions

*a. Prohibition of Non-storm Water Discharges.* In addition to the non-storm water prohibitions described under Part III.A.2, today's permit clarifies in Part XI.S.2.a (Prohibition of Non-storm Water Discharges) that non-storm water discharges, including discharges from aircraft, ground vehicle and equipment washwaters, dry weather discharges from airport deicing/anti-icing operations, and dry weather discharges resulting from runway maintenance are not authorized under this permit. Dry weather discharges are generated from processes other than those described in the definition of storm water. The definition of storm water includes storm water runoff, snow melt runoff, and surface runoff and drainage. There is no limit on the time between the snowfall and snow melt for the purpose of including a snow melt discharge in the definition of storm water. All other discharges not included in the definition of storm water constitute non-storm water discharges. Operators of non-storm water discharges must obtain coverage under a separate NPDES wastewater permit if such discharges are a point source discharge to waters of the U.S. or are discharged through a municipal separate storm sewer system. In a related requirement, the permittee is required to attach a copy of the NPDES permit issued for the discharge of non-storm water runoff or, if an NPDES permit has not yet been issued, a copy of the pending application to the plan. For facilities that discharge the waters mentioned above to a sanitary sewer system, the operator of the sanitary sewer system must be notified. A copy of the notification letter must be attached to the plan. If an industrial user permit has been issued under a pretreatment program, a copy of the permit must be attached to the plan as does any other permit to which the facility's discharge waters are subject. This will help to prevent confusion and help to ensure that non-storm water discharges are not inadvertently authorized by this permit.

*b. Releases of Reportable Quantities of Hazardous Substances and Oil.* Today's permit clarifies in Part XI.S.2.b (Releases of Reportable Quantities of Hazardous Substances and Oil) that each individual permittee is required to report spills equal to or exceeding the

RQ levels specified at 40 CFR 110, 117 and 302. If the airport authority is the sole permittee, then the sum total of all spills at the airport must be assessed against the RQ. If the airport authority is a co-permittee with other deicing/anti-icing operators at the airport, such as numerous different airlines, the assessed amount must be the summation of spills by each co-permittee. If separate, distinct individual permittees exist at the airport, then the amount spilled by each separate permittee must be the assessed amount for the RQ determination.

### 4. Storm Water Pollution Prevention Plan Requirements

*a. Contents of the Plan.* The pollution prevention plan requirements described below are in addition to those found under Part VI.C.

*(1) Description of Potential Pollutant Sources.* In addition to the common pollution prevention plan requirements discussed in Part VI.C.2.a. (Drainage), the site map developed for an entire airport shall identify the location of each tenant of the facility describe their activities.

In addition to the pollution prevention requirements discussed in Part VI.C.2. (Description of Potential Pollutant Sources), airport facilities, including areas operated by tenants of the facility that conduct industrial activities, must address the following specific operations and areas where the operations occur:

*Aircraft Deicing/Anti-icing*—Includes both deicing to remove frost, snow or ice, and anti-icing which prevents the accumulation of frost, snow or ice. Deicing/anti-icing of an airplane is accomplished through the application of a freezing point depressant fluid, commonly ethylene glycol or propylene glycol, to the exterior surface of an aircraft. Both ethylene and propylene glycol have high biochemical oxygen demands (BOD) when discharged to receiving waters. Environmental impacts on surface waters due to glycol discharges includes glycol odors and glycol contaminated surface water and ground water systems, diminished dissolved oxygen levels and fish kills.

The Federal Aviation Administration (FAA) recently conducted a survey which focused on aircraft and runway deicing/anti-icing operations at U.S. airports. Ninety-six airports responded to the survey and results are summarized in a final report dated June 1, 1992. In summary, 65 airports indicated the amounts of ethylene glycol used for aircraft deicing for the winter periods of 1989-90 and 1990-91 and the volumes used by each airport

ranged significantly, from a few gallons to 520,000 gallons. The average annual volume of ethylene glycol used by all respondents for the winter periods of 1989-90 and 1990-91 was approximately 2.16 million gallons.

The FAA survey summary reported that the majority of aircraft deicing operations occur on the apron adjacent to the passenger terminal and runoff generally drains to a nearby storm water inlet. In fact, 31 of the respondents to the FAA survey indicated that 75 percent or more of the spent deicing chemicals were discharged to a storm sewer system. In general, the remainder of spent chemical resulting from aircraft deicing operations drained to ditches or open areas.

All aspects of aircraft deicing/anti-icing operations, including quantities used and stored, as well as application, handling and storage procedures are required to be addressed under the conditions of this section.

*(b) Runway Deicing/Anti-icing*—Includes both deicing and anti-icing operations conducted on runways, taxiways and ramps. Runway deicing/anti-icing commonly involves either the application of chemical fluids such as ethylene glycol or solid constituents such as pelletized urea. Urea has a high nitrogen content, therefore degradation of urea in a receiving water causes an increase in nutrient loadings resulting in an accelerated growth of algae and eutrophic conditions. Under certain ambient conditions, the degradation of urea in receiving waters can also result in ammonia concentrations toxic to aquatic life.

The FAA's storm water survey reported that, of the facilities that indicated using urea for runway deicing/anti-icing for the winter periods of 1989-90 and 1990-91, the amount of urea used during a single winter period ranged from 100 pounds to 1,450,000 pounds (715 tons). With regard to disposal of spent deicing/anti-icing chemicals from runways, taxiways and ramps, 20 airports indicated that they discharged 50 percent or more of runoff from deicing areas directly to a storm sewer system. In response to questions concerning collection and treatment of spent deicing chemicals from runway deicing/anti-icing activities, only five facilities indicated that runoff from runway deicing/anti-icing operations was collected and treated.

All aspects of runway deicing/anti-icing operations, including types of deicing/anti-icing chemicals, quantities used and stored, as well as application, handling and storage procedures are required to be addressed under the conditions of this section.

(c) *Aircraft Servicing*—Typically conducted on the apron area adjacent to the passenger terminal, the servicing of aircraft could potentially contribute pollutants to storm water. As a result of spills or leaks during the servicing of aircraft, fluids such as engine oil, hydraulic fluid, fuel and lavatory waste could potentially enter the storm water system and/or be discharged to receiving waters. All spillage other than potable water should be prevented from entering the storm sewer system.

(d) *Aircraft, Ground Vehicle and Equipment Maintenance and Washing*—Maintenance activities included in this section include both minor and major operations conducted either on the apron adjacent to the passenger terminal, or at dedicated maintenance facilities. Potential pollutant sources from all types of maintenance activities include spills and leaks of engine oils, hydraulic fluids, transmission oil, radiator fluids, and chemical solvents used for parts cleaning. In addition, the disposal of waste parts, batteries, oil and fuel filters, and oily rags also have a potential for contaminating storm water runoff from maintenance areas unless proper management practices and operating procedures are implemented. The spent wash water from aircraft and ground vehicle washing activities could potentially be contaminated with surface dirt, metals, and fluids (fuel, hydraulic fluid, oil, lavatory waste).

(e) *Runway Maintenance*—Over time, materials such as tire rubber, oil and grease, paint chips, and jet fuel can build up on the surface of a runway causing a reduction in the friction of the pavement surface. When the friction level of a runway falls below a specific level, then maintenance must be performed. The Federal Aviation Administration (FAA) recommends several methods for removing rubber deposits and other contaminants from a runway surface including high pressure water, chemical solvents, high velocity particle impact, and mechanical grinding. If not properly managed, the materials removed from the runway surface could be discharged into nearby surface waters. Similarly, if chemical solvents are used in the maintenance operation, improper management practices could result in discharges of the chemical solvents in the storm water runoff from runway areas to nearby surface waters.

(2) *Measures and Controls*. In addition to the common pollution prevention plan requirements discussed in Part VI.C.3. (Measures and Controls), this section specifies that permittees must address particular Best Management Practices (BMP) for

specific areas and operations identified as potential sources of pollutants. This section further specifies that a schedule for implementation shall be provided for each BMP selected. The BMPs specified in this section are not intended to be the only alternative management practices considered by operators, simply the minimum to be considered. In most cases, the BMPs specified are common sense approaches that are already in practice at many airport facilities. As such, operators may only need to include the information in their storm water pollution prevention plan. Specific areas and industrial operations mentioned in this section and the corresponding BMPs for such areas are the following:

(a) *Aircraft, Ground Vehicle and Equipment Maintenance Areas (including aircraft service areas)*—The plan must describe measures that prevent or minimize the contamination of storm water runoff from all areas used for aircraft, ground vehicle and equipment maintenance and servicing. Management practices such as performing all maintenance activities indoors, maintaining an organized inventory of materials used, draining all parts of fluids prior to disposal, prohibiting the practice of hosing down the apron or hangar floor, using dry cleanup methods in the event of spills, and/or collecting the storm water runoff from maintenance and/or service areas and providing treatment, or recycling should be considered.

(b) *Aircraft, Ground Vehicle, and Equipment Cleaning Areas*—The plan must describe measures that prevent or minimize the contamination of the storm water runoff from all areas used for aircraft, ground vehicle, and equipment maintenance. Management practices such as performing all cleaning operations indoors, and/or collecting the storm water runoff from the area and providing treatment or recycling should be considered.

(c) *Aircraft, Ground Vehicle, and Equipment Storage Areas*—The storage of aircraft, ground vehicles, and equipment awaiting maintenance must be confined to designated areas (delineated on the site map). The plan must describe measures that prevent or minimize the contamination of storm water runoff from these areas. Management practices such as indoor storage of aircraft and ground vehicles, the use of drip pans for the collection of fluid leaks, and perimeter drains, dikes or berms surrounding storage areas should be considered.

(d) *Material Storage Areas*—Storage units of all materials (e.g., used oils, hydraulic fluids, spent solvents and

waste aircraft fuel) must be maintained in good condition, so as to prevent contamination of storm water, and plainly labeled (e.g., "used oil," "Contaminated Jet-A," etc.). The plan must describe measures that prevent or minimize contamination of the storm water runoff from storage areas. Management practices such as indoor storage of materials, centralized storage areas for waste materials, and/or installation of berms and dikes around storage areas should be considered for implementation.

(e) *Airport Fuel System and Fueling Areas*—The plan must describe measures that prevent or minimize the discharge of fuels to the storm sewer resulting from fuel servicing activities or other operations conducted in support of the airport fuel system. Where the discharge of fuels into the storm sewer cannot be prevented, the plan shall indicate measures that will be employed to prevent or minimize the discharge of the contaminated runoff into receiving surface waters.

Where above ground storage timers are present, pollution prevention plan requirements shall be consistent with requirements established in 40 CFR 112.7 guidelines for the preparation and implementation of a spill prevention control and countermeasure (SPCC) plan. Where a SPCC plan already exists, the storm water pollution prevention plan may incorporate requirements into the PPP by reference.

(f) *Source Reduction*—This section specifies that facilities which conduct aircraft and/or runway (including taxiways and ramps) deicing/anti-icing operations shall evaluate present operating procedures to consider alternative practices which would reduce the overall amount of deicing/anti-icing chemical used and/or lessen the environmental impact of the pollutant source.

With regard to runway deicing operations, operators should begin by evaluating present chemical application rates to ensure against excessive over application. Devices which meter the amount of chemical being applied to runways help to prevent over application. Operators should also emphasize anti-icing operations which would preclude the need to deice; less chemical is required to prevent the formation of ice on a runway than is required to remove ice from a runway. To further assist in implementing anti-icing procedures, operators should also consider installing runway ice detection systems (RID) otherwise known as "pavement sensors" which monitor runway temperatures. Pavement sensors provide an indication of when runway

temperatures are approaching freezing conditions, thus alerting operators of the need to conduct anti-icing operations. Deicing/anti-icing chemicals applied during extremely cold, dry conditions, are often ineffective since they do not adhere to the ice surface and may be scattered as a result of windy conditions or aircraft movement. In an effort to improve the efficiency of the application, operators should consider pre-wetting the deicing chemical to improve the adhesion to the iced surface.

With regard to substitute deicing/chemicals for runway use, operators should consider using chemicals which have less of an environmental impact on receiving waters. Potassium acetate, has a lower oxygen demand than glycol, is nontoxic to aquatic habitat or humans, and was approved by the FAA for runway deicing operations in November, 1991 (AC No. 150/5200-30A CHG 1).

In considering alternative management practices for aircraft deicing/operations, operators should evaluate present application rates to ensure against excessive over application. In addition, operators may consider pretreating aircraft with hot water or forced air prior to the application of chemical deicer. The goal of this management practice is to reduce the amount of chemical deicer used during the operation. This management practice alone is not sufficient since discharges of small concentrations of glycol can have significant effects on receiving waters. It is, however, an effective measure to reduce the amount of glycol needed per operation.

*(g) Management of Runoff*—A number of reports including EPA's Guidance For Issuing NPDES Storm Water Permits For Airports, September 28, 1991 and Federal Aviation Administration (FAA) Advisory Circular (AC 150-5320-15) indicate that the most common location for deicing/anti-icing aircraft at U.S. airports is along the apron areas where mobile deicing vehicles operate from gate to gate. In a recent FAA survey of deicing/anti-icing operations at U.S. airports (June 1992), the majority of respondents indicated that spent deicer chemicals from aircraft deicing/anti-icing operations either drain to the storm sewer system, open areas, or are left to evaporate on the ramp.

This section specifies that operators shall provide a narrative description of BMPs to control or manage storm water runoff from areas where deicing/anti-icing operations occur in an effort to minimize or reduce the amount of pollutants being discharged from the site. For example, when deicing/anti-

icing operations are conducted on aircraft during periods of dry weather, operators should ensure that storm water inlets are blocked to prevent the discharge of deicing/anti-icing chemicals to the storm sewer system. Mechanical vacuum systems or other similar devices can then be used to collect the spent deicing chemical from the apron surface for proper disposal to prevent those materials from later becoming a source of storm water contamination. Establishing a centralized deicing station would also provide better control over aircraft deicing/anti-icing operations in that it enables operators to readily collect spent deicing/anti-icing chemicals.

Once spent deicer/anti-icer chemicals are collected, operators can then select from various methods of disposal such as:

*(i) Disposal to Sanitary Sewage Facility*—Because glycols are readily biodegradable, runoff can be treated along with sanitary sewage. The receiving treatment plant would, however, have to have the capacity to handle the hydraulic load as well as the additional biochemical oxygen demand associated with the deicing/anti-icing chemical. Measurements have shown that the average oxygen demand for glycol is between 400,000 and 600,000 mg O<sub>2</sub>/L even if diluted per fluid manufacturers specifications (FAA AC 150-5320-15 CHG 1, 1991). To lessen both the increased hydraulic and pollutant loads due to runoff from airport deicing/anti-icing operations, retention basins may be located at the airport facility.

*(ii) Retention and Detention Ponds*—Conversion of suitable unused airport land into retention or detention basins allows for collection of large volumes of glycol waste from pavement surface runoff. The design capacity for such basins should at least handle surface runoffs for winter months noting the decreased microbial activity during the winter season which is needed for biodegradation, plus additional capacity for runoff during thawing periods. Continuous aeration would supply required oxygen and allow for faster biodegradation and release of glycol waste, which may reduce capacity requirements. Metering the discharge of flow from an onsite basin allows the operator to better control the rate of flow during peak flight hours and to avoid BOD shock loadings to a sanitary treatment facility or a surface water.

*(iii) Recycling*—Glycol recycling provides operators with a chemical cost savings since recaptured glycol can be sold or reused for other non-aircraft applications (FAA AC 150-5320-15,

February 1991). Studies indicate that collected deicing chemicals which have glycol concentrations ranging from 15 to 25 percent can be cost effectively recycled. The optimal conditions for collecting the highest concentration of glycol in spent deicing fluid is directly from the apron or centralized deicing station when deicing operations are conducted during dry weather or light precipitation events. Deicing/anti-icing chemicals discharged to retention basins which are then allowed to mix with additional surface runoff typically result in glycol concentrations well below the acceptable range for recycling. There are, however, methods of physical separation presently available which increase the concentration of glycol and allow operators to recover a relatively reusable product.

*(h) Inspections*—In addition to the common pollution prevention plan requirements discussed in Part VI.C.3.d (Inspections), qualified personnel shall inspect equipment and areas involved in deicing/anti-icing operations on a weekly basis during periods when deicing/anti-icing operations are being conducted.

*(i) Pollution Prevention Training*—Pollution Prevention training programs shall inform management and personnel responsible for implementing activities identified in the storm water pollution prevention plan of the components and goals of the plan. Training should address topics such as spill response, good housekeeping, material management practices and deicing/anti-icing procedures. The pollution prevention plan shall identify periodic dates for such training. EPA recommends that facilities conduct training annually at a minimum. However, more frequent training may be necessary at facilities with high turnover of employees or where employee participation is essential to the storm water pollution prevention plan.

*(3) Comprehensive Site Compliance Evaluation.* The storm water pollution prevention plan must describe the scope and content of comprehensive site evaluation that qualified personnel will conduct to: (1) Confirm the accuracy of the description of potential pollution sources contained in the plan, (2) determine the effectiveness of the plan, and (3) assess compliance with the terms and conditions of the permit. Comprehensive site compliance evaluations must be conducted at least annually. The individual or individuals who will conduct the evaluations must be identified in the plan and should be members of the pollution prevention team. Evaluation reports must be

retained for a period of at least 3 years following the date of evaluation.

Based on the results of each evaluation, the description of potential pollution sources, and measures and controls, the plan must be revised as appropriate within 2 weeks after each inspection. Changes in the measures and controls must be implemented on the site in a timely manner, and no later than 12 weeks after completion of the inspection.

##### 5. Numeric Effluent Limitation

There are no additional numerical limitations beyond those in Part V.B. of this permit.

##### 6. Monitoring and Reporting Requirements

In general, the quantitative data submitted with part 2 of the group application was inadequate to clearly identify particular areas of concern with respect to discharges of pollutants resulting from vehicle maintenance and/or deicing/anti-icing operations conducted at airport facilities. EPA believes that the part 2 sampling data does not provide justification that discharges resulting from deicing/anti-icing operations are not a significant source of pollutants. The sampling requirements for part 2 of the group application did not specify that facilities must sample storm water discharges from areas where deicing/anti-icing activities occur and/or during times when such operations were being conducted. As a result, only one facility indicated that the sampling data submitted was collected from areas where deicing/anti-icing activities were being conducted. After reviewing recent case studies on the effects of glycol discharges to receiving waters, EPA reports, and the results of FAA surveys, EPA believes that additional information on the impacts of discharges of deicing/anti-icing chemicals to receiving waters resulting from aircraft and runway deicing/anti-icing operations is warranted and necessary.

Both ethylene and propylene glycols exert high oxygen demands when released into receiving waters. As such, this section requires that facilities report both the Biochemical Oxygen Demand (BOD) and Chemical Oxygen Demand (COD) of discharges sampled at facilities that use at least 100,000 gallons or more of glycol-based deicing/anti-icing chemicals. The concentration of nitrogen and possibly ammonia are the concern with respect to deicing/anti-icing operations where urea is used. Therefore, this section requires that facilities subject to the monitoring

requirements in Part XI.S.5. of the permit also report the concentration of Total Kjeldahl Nitrogen (TKN) in discharges sampled.

The results of the storm water survey conducted by FAA (June 1992) showed that 10 percent of the respondents who conduct deicing activities used more than 100,000 gallons of glycol-based deicing chemicals during winter seasons. In addition, those facilities using more than 100,000 gallons of glycol-based deicing chemicals accounted for 71 percent of the total amount of glycol-based deiced chemicals reported by all respondents in the survey. In a similar survey conducted by the American Association of Airport Executives, 4 percent of the airports conducting deicing activities used more than 100,000 gallons of ethylene glycol which represented approximately 76 percent of the total amount of ethylene glycol used by all airports surveyed.

*a. Annual Loading Estimates.* All facilities that use more than 100,000 gallons of glycol-based deicing/anti-icing chemicals and/or 100 tons or more of urea on an average annual basis shall prepare estimates of annual pollutant loadings resulting from discharges of spent deicing/anti-icing chemicals from the facility. The loading estimates shall reflect the amounts of deicing/anti-icing chemicals discharged to separate storm sewer systems or surface waters, prior to and after implementation of the facility's storm water pollution prevention plan. The purpose of these estimates is to calculate the net reduction in deicing/anti-icing chemical loadings to receiving streams. Such estimates shall be reviewed and certified by an environmental professional (engineer, scientist, etc.) with experience in storm water pollution prevention. The environmental professional need not be certified or registered, however, experience with development of storm water pollution prevention plans and with airport operations is critical to prepare accurate estimates. By means of the certification, the environmental professional, having examined the facility's deicing/anti-icing procedures and proposed control measures described in the storm water pollution prevention plan, shall attest that the loading estimates have been accurately prepared.

*b. Analytical Monitoring Requirements.* EPA believes that airports may reduce the level of pollutants in storm water runoff from their sites through the development and proper implementation of the storm water pollution prevention plan

requirements discussed in today's permit. In order to provide a tool for evaluating the effectiveness of the pollution prevention plan and to characterize the discharge for potential environmental impacts, the permit requires airport facilities that use 100,000 gallons or more of glycol-based deicing/anti-icing chemicals and/or 100 tons or more of urea on an average annual basis to collect and analyze samples of their storm water discharges from areas where deicing/anti-icing activities occur for the pollutants listed in Table S-1. Airport facilities which use less than 100,000 gallons of glycol-based deicing/anti-icing chemicals and/or less than 100 tons of urea on an average annual basis are not required to monitor discharges resulting from deicing/anti-icing activities.

In determining if an airport is subject to the monitoring requirements, airport authorities must determine the "average annual usage rate" of deicing/anti-icing chemicals at their particular facility. The "average annual usage rate" is determined by averaging the total amounts of deicing/anti-icing chemicals used at the facility for the three previous calendar years. The total amount of deicing/anti-icing chemicals used at an airport facility is the cumulative amount used by the airport authority and each tenant of the airport facility. EPA recognizes that glycol-based deicing/anti-icing chemicals are often diluted with water prior to deicing aircraft. In some cases, deicing/anti-icing chemicals may constitute only 50 percent of the applied volume of liquid to aircraft. Therefore, in determining the fluid amounts of deicing/anti-icing chemicals used at a facility, operators should use the pre-dilution volume.

At a minimum, storm water discharges from airport facilities that use 100,000 gallons or more of glycol-based deicing/anti-icing chemicals and/or 100 tons or more of urea on an average basis must be monitored four times during the second year of permit coverage when deicing/anti-icing activities are occurring and from outfalls that receive storm water runoff from those areas. At the end of the second year of permit coverage, a facility must calculate the average concentration for all grab samples analyzed for each parameter listed in Table S-1 on an outfall-by-outfall basis. If more than four different events are sampled during a monitoring period, then the average concentration for each parameter shall be determined using all grab samples analyzed.

TABLE S-1.—INDUSTRY MONITORING REQUIREMENTS

Parameter	Cut-off concentration
Biochemical Oxygen Demand (BOD <sub>5</sub> )	30 mg/L
Chemical Oxygen Demand (COD)	120 mg/L
Ammonia .....	19 mg/L
pH .....	6.0 to 9 s.u.

If the average concentration for all grab samples analyzed for a parameter is less than or equal to the value listed in Table S-1, then the permittee is not required to conduct quantitative analysis for that parameter during the fourth year of the permit. If, however, the average concentration for all grab samples analyzed for a parameter is greater than the cut-off concentration listed in Table S-1, then the permittee is required to conduct monitoring four times for that parameter while deicing/

anti-icing operations are occurring in the fourth year of the permit. Monitoring is not required during the first, third, and fifth year of the permit. The exclusion from monitoring in the fourth year of the permit is conditional on the facility maintaining industrial operations and BMPs that will ensure a quality of storm water discharges consistent with the average concentrations recorded during the second year of the permit.

TABLE S-2.—SCHEDULE OF MONITORING

2nd Year of Permit Coverage .....	<ul style="list-style-type: none"> <li>• Collect a minimum of four samples during months of deicing/anti-icing (December–February) Conduct monitoring for four separate events during months of deicing/anti-icing (December–February)</li> <li>• Calculate the average concentration on an outfall by outfall basis, for all parameters analyzed during this period</li> <li>• If average concentration is greater than the value listed in Table S-1, then sampling is required during the fourth year of the permit</li> <li>• If average concentration is less than or equal to the value listed in Table S-1, then no further sampling is required for that parameter</li> </ul>
4th Year of Permit Coverage .....	<ul style="list-style-type: none"> <li>• Conduct monitoring four times, on an outfall by outfall basis, during the months of deicing/anti-icing (December–February) for any parameter where the average concentration in year 2 of the permit is greater than the value listed in Table S-1</li> <li>• If industrial activities or the pollution prevention plan have been altered such that storm water discharges may be adversely affected, monitoring is required for all parameters of concern during the months of deicing/anti-icing (December–February)</li> </ul>

In cases where the average concentration for all grabs analyzed for a parameter exceeds the cut-off concentration, EPA expects permittees to place special emphasis on methods for reducing the presence of those parameters in storm water discharges. Quarterly monitoring in the fourth year of the permit will reassess the effectiveness of the adjusted pollution prevention plan.

EPA realizes that if a facility is inactive and unstaffed it may be difficult to collect storm water discharge samples when a qualifying event occurs. Today's final permit has been revised so that inactive, unstaffed facilities can exercise a waiver of the requirement to conduct quarterly chemical sampling.

*c. Alternative Certification.* The alternative certification provision discussed in other industry sectors described in Part VIII of this fact sheet are not applicable to discharges resulting from deicing/anti-icing operations. As structured, today's permit only requires monitoring from airports that use more than 100,000 gallons of glycol-based deicing/anti-icing chemicals and/or 100 tons of urea. In addition, airports that use less than the stated thresholds of deicing/anti-icing chemicals are not required to submit an alternative certification.

*d. Reporting Requirements.* Permittees are required to submit all monitoring

results obtained during the second and fourth year of permit coverage no later than the 31st day of March following the monitoring period. For each outfall, one signed Discharge Monitoring Report form must be submitted to the Director per storm event sampled. For facilities conducting monitoring beyond the minimum requirements an additional Discharge Monitoring Report Form must be filed for each analysis.

*e. Sample Type.* A minimum of one grab and one flow-weighted composite sample shall be taken from each outfall that collects runoff from areas where deicing/anti-icing activities occur. The required 72-hour storm event interval is waived where the preceding measurable storm event did not result in a measurable discharge from the facility. The required 72-hour storm event interval may also be waived where the permittee documents that less than a 72-hour interval is representative for local storm events during the season when sampling is being conducted. The grab sample is intended to provide information on the maximum expected concentrations of BOD<sub>5</sub>, COD, and ammonia as a result of deicing/anti-icing chemicals discharged during the precipitation event. The composite sample is intended to provide a measure of the BOD<sub>5</sub>, COD, ammonia loadings for the entire precipitation event as a result of the discharge of deicing/anti-

icing chemicals. It will also provide site-specific information necessary for calculating the estimates of the annual pollutant loadings also required by this permit. The recommended methodology for performing grab and composite sampling is described at 40 CFR 122.21(g)(7). The permittee has the option to submit site-specific deicing/anti-icing discharge monitoring protocol and methodology, better suited to the particular facility, to the Director for approval.

*f. Representative Discharge.* When a facility has two or more outfalls that, based on a consideration of industrial activity, significant materials, and management practices and activities within the area drained by the outfall, the permittee reasonably believes discharge substantially identical effluents, the permittee may test the effluent of one of such outfalls and report that the quantitative data also applies to the substantially identical outfall(s) provided that the permittee includes in the storm water pollution prevention plan a description of the location of the outfalls and explains in detail why the outfalls are expected to discharge substantially identical effluent. In addition, for each outfall that the permittee believes is representative, an estimate of the size of the drainage area (in square feet) and an estimate of the runoff coefficient of the



drainage area [e.g., low (under 40 percent), medium (40 to 65 percent), or high (above 65 percent)] shall be provided in the plan.

*T. Storm Water Discharges Associated With Industrial Activity From Treatment Works*

1. Discharges Covered Under this Section

On November 16, 1990 (55 FR 47990), the U.S. Environmental Protection Agency (EPA) promulgated the regulatory definition of "storm water discharges associated with industrial activity." This definition includes point source discharges of storm water from eleven categories of facilities, including " \* \* \* (ix) treatment works treating domestic sewage or any other sewage sludge or wastewater treatment device or system, used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated to the disposal of sewage sludge that are located within the confines of the facility, with a design flow of 1.0 M.G.D. or more or required to have an approved pretreatment program under 40 CFR part 403."

This section establishes special conditions for storm water discharges associated with industrial activity from treatment works treating domestic sewage with a design flow of 1.0 M.G.D. or more, or for treatment works that are required to have an approved pretreatment program under 40 CFR Part 403, or for those having land dedicated to the disposal of sewage sludge within the confines of the facility. Please note that storm water discharges from farm lands, domestic gardens, or lands used for sludge management where sludge is beneficially reused and which are not physically located in the confines of the facility, or areas that are in compliance with Section 405 of the Clean Water Act (CWA), are not currently regulated under the Federal storm water regulations.

When an industrial facility, described by the above coverage provisions of this section, has industrial activities being conducted onsite that meet the description(s) of industrial activities in

another section(s), that industrial facility shall comply with any and all applicable monitoring and pollution prevention plan requirements of the other section(s) in addition to all applicable requirements in this section. The monitoring and pollution prevention plan terms and conditions of this multi-sector permit are additive for industrial activities being conducted at the same industrial facility (co-located industrial activities). The operator of the facility shall determine which other monitoring and pollution prevention plan section(s) of this permit (if any) are applicable to the facility.

2. Industry Profile

Wastewater treatment plants remove organic and inorganic contaminants from domestic sewage and sludge. This section provides a description of the treatment processes for reducing pollutants in domestic sewage. The operations are basically the same at all treatment plants and may be categorized by three general processes: primary treatment, secondary treatment, and tertiary treatment.

*Primary Treatment*—The objective of primary treatment is the removal of settleable and suspended organic pollutants. This typically involves at least one of the following operations: screening, grit removal, and sedimentation. Chemical processes, such as disinfection, may also occur during primary treatment operations.

*Secondary Treatment*—The objective of secondary treatment is further removal of settleable solids and soluble organic matter. The operations employed during secondary treatment include biological oxidation via suspended growth or fixed film processes, such as activated sludge, rotating biological contractors or trickling filters.

*Tertiary Treatment*—The objectives of tertiary treatment include further treatment of wastewater, such as removal of suspended solids by filtration; removal of nutrients, such as phosphorus and nitrogen, typically through chemical additions and biological processes, or by selective ion exchange; and further removal of pollutants through activated carbon treatment.

Prior to discharge into a receiving water body, treated wastewater is disinfected using chlorination followed by dechlorination. Sludge produced during primary and secondary treatment is commonly combined, thickened, stabilized, and then mechanically dewatered. Sludge is aerobically or anaerobically stabilized by adjusting the pH with lime. This is followed by dewatering process where a polymer is added to condition the sludge for dewatering. Sludge is often stored onsite in piles exposed to weather, until final disposal (e.g., surface disposal, or incineration). When sludge is to be land applied, sludge drying beds or composting piles may be exposed to precipitation. In cases where sludge is incinerated onsite of the treatment plant, ash piles or impoundments may be exposed to precipitation.

3. Pollutants Found in Storm Water Discharges From Treatment Works

The impact of industrial activities at treatment works on storm water discharges will vary. Factors at a site which influence the water quality include geographic location, hydrogeology, the industrial activities exposed to storm water discharges, the facility's size, the types of pollution prevention measures/best management practices in place, and the type, duration, and intensity of storm events. Taken together or separately, these factors determine how polluted the storm water discharges will be at a given facility. For example, caustic soda may be significant source of pollutants at some facilities, while incinerator ash may be the primary pollutant source at others. Additionally, pollutant sources other than storm water, such as illicit connections, spills, and other improperly dumped materials, may increase the pollutant loading discharged into Waters of the United States.

Table T-1 lists industrial activities that commonly occur at treatment works, common pollutant sources at these facilities, and pollutants that are associated with these sources. Table T-1 identifies parameters as potential pollutants of concern associated with facilities covered by this section.

TABLE T-1.—DESCRIPTION OF INDUSTRIAL ACTIVITIES, POTENTIAL POLLUTANT SOURCES, AND POSSIBLE POLLUTANTS

Activity	Pollutant source	Pollutant
Preparation of biological and physical treatment processes.	Spills and leaks of process chemicals .....	Disinfectants, polymers and coagulants, alum, ferric chloride, soda ash, lime, sodium aluminate, sodium hypochlorite, caustic soda.

# PERMIT LANGUAGE

- 4. Numeric Effluent Limitations
- 5. Monitoring and Reporting Requirements
- Y. Storm Water Discharges Associated With Industrial Activity From Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries
  - 1. Discharges Covered Under This Section
  - 2. Special Conditions
  - 3. Storm Water Pollution Prevention Plan Requirements
  - 4. Numeric Effluent Limitations
  - 5. Monitoring and Reporting Requirements
- Z. Storm Water Discharges Associated With Industrial Activity From Leather Tanning and Finishing Facilities
  - 1. Discharges Covered Under This Section
  - 2. Special Conditions
  - 3. Storm Water Pollution Prevention Plan Requirements
  - 4. Numeric Effluent Limitations
  - 5. Monitoring and Reporting Requirements
- AA. Storm Water Discharges Associated With Industrial Activity From Fabricated Metal Products Industry
  - 1. Discharges Covered Under This Section
  - 2. Special Conditions
  - 3. Storm Water Pollution Prevention Plan Requirements
  - 4. Numeric Effluent Limitations
  - 5. Monitoring and Reporting Requirements
- AB. Storm Water Discharges Associated With Industrial Activity From Facilities That Manufacture Transportation Equipment, Industrial, or Commercial Machinery
  - 1. Discharges Covered Under This Section
  - 2. Prohibition of Non-storm Water Discharges
  - 3. Storm Water Pollution Prevention Plan Requirements
  - 4. Numeric Effluent Limitations
  - 5. Monitoring and Reporting Requirements
- AC. Storm Water Discharges Associated With Industrial Activity From Facilities That Manufacture Electronic and Electrical Equipment and Components, Photographic and Optical Goods
  - 1. Discharges Covered Under This Section
  - 2. Special Conditions
  - 3. Storm Water Pollution Prevention Plan Requirements
  - 4. Numeric Effluent Limitations
  - 5. Monitoring and Reporting Requirements
- XII. Coverage Under This Permit

- Region III
  - A. Federal Facilities in the District of Columbia (DCR05\*##F)
  - B. District of Columbia (DCR05\*###)
- Region VI
  - C. Louisiana (LAR05\*###)
  - D. New Mexico (NMR05\*###)
  - E. Oklahoma (OKR05\*###)
  - F. Texas (TXR05\*###)
- Region IX
  - G. Arizona (AZR05\*##F) and Federal Facilities in Arizona (AZR05\*##F)
- Region X
  - H. Washington (WAR05\*###)
- Addenda
  - Addendum A—Pollutants Identified in Tables II and III of Appendix D of 40 CFR Part 122
  - Addendum B—Notice of Intent Form Here
  - Addendum C—Notice of Termination (NOT) Form
  - Addendum D—Partial List of Large, Medium, and Designated Municipalities
  - Addendum E—Basic Format for Environmental Assessment
  - Addendum F—Section 313 Water Priority Chemicals
  - Addendum G—List of Applicable References
  - Addendum H—Endangered Species Guidance
- I. Coverage Under This Permit
  - A. Permit Area
    - The permit is being issued in the following areas:
      - Region I—the States of Maine, Massachusetts, and New Hampshire; Federal Indian Reservations located in Connecticut, Massachusetts, New Hampshire, Maine, Rhode Island, and Vermont; and Federal facilities located in Vermont.
      - Region II—the Commonwealth of Puerto Rico; and Federal facilities located in Puerto Rico.
      - Region III—the District of Columbia and Federal facilities located in Delaware and the District of Columbia.
      - Region IV—the State of Florida.
      - Region V—no areas.

Region VI—the States of Louisiana, New Mexico, Oklahoma, and Texas and Federal Indian Reservations located in Louisiana, New Mexico (except Navajo Reservation lands, which are handled by Region IX, and Ute Mountain Reservation lands, which are handled by Region VIII and are not being covered by this permit), Oklahoma, and Texas.

Region VII—no areas.

Region VIII—no areas.

Region IX—the State of Arizona; the Territories of Johnston Atoll, and Midway and Wake Island; all Federal Indian Reservations located in Arizona, California, and Nevada; those portions of the Duck Valley, Fort McDermitt, and Goshute Reservations located outside Nevada, those portions of the Navajo Reservation located outside Arizona; and Federal facilities located in Arizona, Johnston Atoll, and Midway and Wake Islands.

Region X—the State of Idaho; Federal Indian Reservations located in Alaska, Oregon (except for Fort McDermitt Reservation lands which are handled by Region IX), Idaho (except Duck Valley Reservation lands which are handled by Region IX), and Washington; and for Federal facilities located in Alaska, Idaho and Washington.

### B. Eligibility

1. *Discharges Covered.* Except for storm water discharges identified under paragraph I.B.3., this permit may cover all new and existing point source discharges of storm water to waters of the United States that are associated with industrial activity identified under the coverage sections contained in Part XI. (see Table 1). Military installations must comply with the permit and monitoring requirements for all sectors that describe industrial activities that such installations perform.

TABLE 1

Storm water discharges from	Are covered if listed in part
Timber Products Facilities .....	XI.A.1.
Paper and Allied Products Manufacturing Facilities .....	XI.B.1.
Chemical and Allied Products Manufacturing Facilities .....	XI.C.1.
Asphalt Paving, Roofing Materials, and Lubricant Manufacturing Facilities .....	XI.D.1.
Glass, Clay, Cement, Concrete, and Gypsum Product Manufacturing Facilities .....	XI.E.1.
Primary Metals Facilities .....	XI.F.1.
Metal Mines (Ore Mining and Dressing) .....	XI.G.1.
Coal Mines and Coal Mine-Related Facilities .....	XI.H.1.
Oil or Gas Extraction Facilities .....	XI.I.1.
Mineral Mining and Processing Facilities .....	XI.J.1.
Hazardous Waste Treatment Storage or Disposal Facilities .....	XI.K.1.
Landfills and Land Application Sites .....	XI.L.1.
Automobile Salvage Yards .....	XI.M.1.
Scrap Recycling and Waste and Recycling Facilities .....	XI.N.1.
Steam Electric Power Generating Facilities .....	XI.O.1.

TABLE 1—Continued

Storm water discharges from	Are covered if listed in part
Vehicle Maintenance or Equipment Cleaning areas at Motor Freight Transportation Facilities, Passenger Transportation Facilities, Petroleum Bulk Oil Stations and Terminals, the United States Postal Service, or Railroad Transportation Facilities.	XI.P.1.
Vehicle Maintenance Areas and Equipment Cleaning Areas of Water Transportation Facilities	XI.Q.1.
Ship or Boat Building and Repair Yards	XI.R.1.
Vehicle Maintenance Areas, Equipment Cleaning Areas or From Airport Deicing Operations located at Air Transportation Facilities.	XI.S.1.
Wastewater Treatment Works	XI.T.1.
Food and Kindred Products Facilities	XI.U.1.
Textile Mills, Apparel and other Fabric Product Manufacturing Facilities	XI.V.1.
Furniture and Fixture Manufacturing Facilities	XI.W.1.
Printing and Publishing Facilities	XI.X.1.
Rubber and Miscellaneous Plastic Product Manufacturing Facilities	XI.Y.1.
Leather Tanning and Finishing Facilities	XI.Z.1.
Facilities That Manufacture Metal Products including Jewelry, Silverware and Plated Ware	XI.AA.1.
Facilities That Manufacture Transportation Equipment, Industrial or Commercial Machinery	XI.AB.1.
Facilities That Manufacture Electronic and Electrical Equipment and Components, Photographic and Optical Goods	XI.AC.1.

2. *Construction.* This permit may authorize storm water discharges associated with industrial activity that are mixed with storm water discharges associated with industrial activity from construction activities provided that the storm water discharge from the construction activity is authorized by and in compliance with the terms of a different NPDES general permit or individual permit authorizing such discharges.

3. *Limitations on Coverage.* The following storm water discharges associated with industrial activity are not authorized by this permit:

a. Storm water discharges associated with industrial activities that are not listed under the coverage sections contained in Part XI. (see Table 1).

b. Storm water discharges subject to New Source Performance Standards except as provided in Part I.B.7. below.

c. Storm water discharges associated with industrial activity that are mixed with sources of non-storm water other than non-storm water discharges that are:

(1) In compliance with a different NPDES permit; or

(2) Identified by and in compliance with Part III.A. (Prohibition of Non-storm Water Discharges) of this permit.

d. Storm water discharges associated with industrial activity that are subject to an existing NPDES individual or general permit (except storm water discharges subject to the NPDES General Permit for Storm Water Discharges Associated With Industrial Activity published September 9, 1992 [57 FR 41297], or September 25, 1992 [57 FR 44438]).

e. Are located at a facility where an NPDES permit has been terminated (other than at the request of the permittee) or denied, or that are issued

a permit in accordance with Part VII.M (Requirements for Individual or Alternative General Permits) of this permit;

f. Storm water discharges associated with industrial activity that the Director [U.S. Environmental Protection Agency (EPA)] has determined to be or may reasonably be expected to be contributing to a violation of a water quality standard.

g. Discharges subject to storm water effluent guidelines, not described under Part XI.

h. Storm water discharges associated with industrial activity from inactive mining, inactive landfills, or inactive oil and gas operations occurring on Federal lands where an operator cannot be identified.

4. *Storm Water Not Associated With Industrial Activity.* Storm water discharges associated with industrial activity that are authorized by this permit may be combined with other sources of storm water that are not classified as associated with industrial activity pursuant to 40 CFR 122.26(b)(14).

5. *Endangered Species Protection.*

a. *Permit Coverage Restrictions:* In order to be eligible for coverage under this permit, the applicant must comply with the Endangered Species Act. A discharge of storm water associated with industrial activity may be covered under this permit only if either:

(1) The storm water discharge(s), and the construction of BMPs to control storm water runoff, are not likely to adversely affect species identified in Addendum H of this permit; or

(2) The applicant's activity has received previous authorization under the Endangered Species Act and established an environmental baseline that is unchanged; or,

(3) The applicant is implementing appropriate measures as required by the Director to address adverse effects.

b. All dischargers applying for coverage under this multi-sector storm water general permit must certify that their storm water discharge(s), and the construction of BMPs to control storm water runoff, are not likely to adversely affect species identified in Addendum H of this permit.

6. *National Historic Preservation Act.* In order to be eligible for coverage under this permit, the applicant must be in compliance with the National Historic Preservation Act. A discharge of storm water associated with industrial activity may be covered under this permit only if:

(i) The discharge does not affect a property that is listed or is eligible for listing in the National Historic Register maintained by the Secretary of Interior; or,

(ii) The applicant has obtained and is in compliance with a written agreement between the applicant and the State Historic Preservation Officer (SHPO) that outlines all measures to be undertaken by the applicant to mitigate or prevent adverse effects to the historic property.

7. *Discharges Subject to New Source Performance Standards.* Operators of facilities with storm water discharges subject to New Source Performance Standards<sup>1</sup> shall have documentation of

<sup>1</sup> Storm water discharges subject to New Source Performance Standards (NSPS) and that may be covered under this permit include: runoff from material storage piles at cement manufacturing facilities [40 CFR Part 411 Subpart C (established February 23, 1977)]; contaminated runoff from phosphate fertilizer manufacturing facilities [40 CFR Part 418 Subpart A (established April 8, 1974)]; coal pile runoff at steam electric generating facilities [40 CFR Part 423 (established November 19, 1982)]; and runoff from asphalt emulsion



a final EPA decision indicating that the Agency has determined that the storm water discharge has no direct or indirect impact. This documentation shall be obtained and retained on site prior to the submittal of the Notice of Intent. Operators of these facilities shall not be authorized under the terms and conditions of this permit until the submittal of a Notice of Intent to gain coverage under this permit. Where documentation of the Agency's decision has not been obtained for a facility subject to New Source Performance Standards, the operator must obtain such documentation prior to submitting a NOI. The permittee may use the format in Addendum E to submit information to EPA to initiate the process of the environmental review. The information shall be sent to the appropriate address listed in Part VI.B. of this permit. In order to maintain eligibility, the permittee must implement any mitigation required of the facility as a result of the National Environmental Policy Act (NEPA) review process. Failure to implement mitigation measures upon which the Agency's NEPA finding is based is grounds for termination of permit coverage.

### C. Authorization

Dischargers of storm water associated with industrial activity must submit a complete NOI in accordance with the requirements of Part II of this permit, using an NOI form as found in Addendum B (or photocopy thereof), to be authorized to discharge under this general permit. Unless notified by the Director to the contrary, owners or operators who submit such notification are authorized to discharge storm water associated with industrial activity under the terms and conditions of this permit 2 days after the date that the NOI is postmarked. The Director may deny coverage under this permit and require submittal of an application for an individual NPDES permit based on a review of the NOI or other information.

### D. Overview of the Multisector General Permit

Parts I–X apply to all facilities. Parts I and II describe eligibility requirements and the process for obtaining permit coverage. Parts III–X contain "basic" permit requirements.

facilities [40 CFR Part 443 Subpart A (established July 24, 1975)]. NSPS apply only to discharges from those facilities or installations that were constructed after the promulgation of NSPS. For example, storm water discharges from areas where the production of asphalt paving and roofing emulsions occurs are subject to NSPS only if the asphalt emulsion facility was constructed after July 24, 1975.

Part XI provides additional requirements for particular sectors of industrial activity. For example, primary metal facilities add Part XI.F., to the "universal" Parts I–X requirements.

Some facilities may have "co-located" activities that are described in more than one sector and need to comply with applicable conditions of each sector. For example, a chemical manufacturing facility could have a land application site and be subject to Part XI.C.—Chemical and Allied products Manufacturing sector (primary activity), with runoff from the land application site (co-located activity) also subject to conditions in the Part XI.L.—Landfills and Land Application Sites sector.

Part XII of the permit contains conditions (e.g., effluent limitations or special reporting requirements) that only apply to facilities located in a particular State, EPA Region, or other area. Those special conditions are in addition to, or in lieu of, the "generic" Parts I–XI permit requirements.

Part XII of the permit also contains differences in permit eligibility and availability. For example, only the permits for Louisiana, New Mexico, Oklahoma, and Texas allow coverage of certain mine dewatering discharges from construction sand and gravel, industrial sand, and crushed stone mines (subject to additional permit conditions) under Sector J.—Mineral Mining and Processing.

Addendum D lists large and medium municipal separate storm sewer systems (MS4s). Facilities located in these jurisdictions have special responsibilities (described in the permit) with regard to compliance with local requirements and providing information to the operator of the MS4).

## II. Notification Requirements

### A. Deadlines for Notification

1. *Existing Facility.* Except as provided in paragraphs II.A.4. (New Operator), and II.A.5. (Late Notification), individuals who intend to obtain coverage for an existing storm water discharge associated with industrial activity under this general permit shall submit an NOI in accordance with the requirements of this part on or before [insert date 90 days after permit finalization];

2. *New Facility.* Except as provided in paragraphs II.A.3. (Oil and Gas Operations), II.A.4. (New Operator), and II.A.5. (Late Notification), operators of facilities that begin industrial activity after [insert date 90 days after permit finalization] shall submit an NOI in accordance with the requirements of

this part at least 2 days prior to the commencement of the industrial activity at the facility;

3. *Oil and Gas Operations.* Operators of oil and gas exploration, production, processing, or treatment operations or transmission facilities, that are not required to submit a permit application as of [insert date 90 days after permit finalization] in accordance with 40 CFR 122.26(c)(1)(iii), but that after [insert date 90 days after permit finalization] have a discharge of a reportable quantity of oil or a hazardous substance for which notification is required pursuant to either 40 CFR 110.6, 40 CFR 117.21, or 40 CFR 302.6, must submit an NOI in accordance with the requirements of Part II.C. of this permit within 14 calendar days of the first knowledge of such release.

4. *New Operator.* Where the operator of a facility with a storm water discharge associated with industrial activity that is covered by this permit changes, the new operator of the facility must submit an NOI in accordance with the requirements of this part at least 2 days prior to the change.

5. *Late Notification.* An operator of a storm water discharge associated with industrial activity is not precluded from submitting an NOI in accordance with the requirements of this part after the dates provided in Parts II.A.1., 2., 3., or 4. (above) of this permit.

6. *Part II.A.6 Facilities Previously Subject to the Baseline General Permit.* Eligible facilities previously covered by EPA's 1992 Baseline General Permits for Storm Water Discharges Associated with Industrial Activity (57 FR 41297 or 57 FR 44438) may elect to be covered by this permit by submitting an NOI in accordance with the requirements of this Part within [insert date 90 days after permit finalization]. To avoid a lapse in permit coverage should reissuance or termination of the 1992 Baseline General Permits eliminate coverage for certain industries under those permits, NOIs from eligible facilities may also be submitted during the period 90 days prior to the expiration date of the applicable Baseline General Permit.

### B. Contents of Notice of Intent

The NOI shall be signed in accordance with Part VII.G. (Signatory Requirements) of this permit and shall include the following information:

1. *Permit.* An indication of which NPDES storm water general permit is being applied for (either baseline general, baseline construction, or multi-sector);

2. *Name.* The operator's name, address, telephone number, and status

as Federal, State, private, public, or other entity;

3. *Location.* The street address of the facility for which the notification is submitted. Also describe the location of the approximate center of the facility in terms of the latitude and longitude to the nearest 15 seconds, or the quarter section, township and range (to the nearest quarter section);

4. *Federal Indian Reservations.* An indication of whether the facility is located on Federal Indian Reservations;

*Receiving Water.* The name of the receiving water(s), or if the discharge is through a municipal separate storm sewer, the name of the municipal operator of the storm sewer and the ultimate receiving water(s) for the discharge through the municipal separate storm sewer;

6. *Co-permittee.* The storm water general permit number if such a number has been issued to a co-permittee;

7. *Monitoring.* The monitoring status of the facility;

8. *SIC Code.* Up to four 4-digit Standard Industrial Classification (SIC) codes that best represent the principal products produced or services rendered, or for hazardous waste treatment, storage or disposal facilities, land/disposal facilities that receive or have received any industrial waste, steam electric power generating facilities, or treatment works treating domestic sewage, a narrative identification of those activities;

9. *Other Permits.* The permit number(s) of additional NPDES permit(s) for any discharge(s) (including non-storm water discharges) from the site that are currently authorized by an NPDES permit;

10. *Presence of Endangered Species.* Based on the instructions in Addendum H, no species identified in Addendum H are in proximity to the storm water discharges to be covered under this permit, or the areas of BMP construction to control those storm water discharges.

11. *National Historic Preservation Act Compliance.* A yes or no response to the following statement: Applicant has obtained and is in compliance with Historic Preservation Agreement.

12. *Eligibility Certification.* The following certifications shall be signed in accordance with Part VII.G.

I certify under penalty of law that I have read and understand the Part I.B. eligibility requirements for coverage under the multi-sector storm water general permit including those requirements relating to the protection of species identified in Addendum H.

To the best of my knowledge the discharges covered under this permit, and the construction of BMPs to control storm water runoff, are not likely and will not

likely, adversely affect any species identified in Addendum H of this permit, or are otherwise eligible for coverage due to previous authorization under the Endangered Species Act.

To the best of my knowledge, I further certify that such discharges, and construction of BMPs to control storm water runoff, do not have an effect on properties listed or eligible for listing on the National Register of Historic Places under the National Historic Preservation Act, or are otherwise eligible for coverage due to a previous agreement under the National Historic Preservation Act.

I understand that continued coverage under the multi-sector storm water general permit is contingent upon maintaining eligibility as provided for in Part I.B.

13. *Pollution Prevention Plan Certification.* For any facility that begins to discharge storm water associated with industrial activity after [insert date 270 days after permit finalization], a certification that a storm water pollution prevention plan has been prepared for the facility in accordance with Part IV. of this permit must be included on the NOI. (Do not include a copy of the plan with the NOI submission.)

#### C. Where To Submit

Facilities that discharge storm water associated with industrial activity must use an NOI form provided by the Director (or photocopy thereof). NOIs must be signed in accordance with Part VII.G. (Signatory Requirements) of this permit. NOIs are to be submitted to the Director of the NPDES program at the following address: Storm Water Notice of Intent (4203), 401 M Street, S.W., Washington, D.C. 20460.

#### D. Additional Notification

Facilities that discharge storm water associated with industrial activity through large or medium municipal separate storm sewer systems (systems located in an incorporated city with a population of 100,000 or more, or in a county identified as having a large or medium system (see definition in Part X. of this permit and Addendum D of this notice)), or into a municipal separate storm sewer that has been designated by the permitting authority shall, in addition to filing copies of the NOI in accordance with paragraph II.C., submit signed copies of the NOI to the operator of the municipal separate storm sewer through which they discharge in accordance with the deadlines in Part II.A. (Deadlines for Notification) of this permit.

#### III. Special Conditions

##### A. Prohibition of Non-storm Water Discharges

1. *Storm Water Discharges.* Except as provided in paragraph III.A.2 (below),

all discharges covered by this permit shall be composed entirely of storm water.

2. *Non-storm Water Discharges. a.* Except as provided in paragraph III.A.2.b (below), discharges of material other than storm water must be in compliance with an NPDES permit (other than this permit) issued for the discharge.

b. The following non-storm water discharges may be authorized by this permit provided the non-storm water component of the discharge is in compliance with Part IV and Part XI: discharges from fire fighting activities; fire hydrant flushings; potable water sources including waterline flushings; drinking fountain water, uncontaminated compressor condensate, irrigation drainage; lawn watering; routine external building washdown that does not use detergents or other compounds; pavement washwaters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used; air conditioning condensate; compressor condensate; uncontaminated springs; uncontaminated ground water; and foundation or footing drains where flows are not contaminated with process materials such as solvents.

##### B. Releases in Excess of Reportable Quantities

1. *Hazardous Substances or Oil.* The discharge of hazardous substances or oil in the storm water discharge(s) from a facility shall be prevented or minimized in accordance with the applicable storm water pollution prevention plan for the facility. This permit does not relieve the permittee of the reporting requirements of 40 CFR Part 117 and 40 CFR Part 302. Except as provided in paragraph III.B.2 (Multiple Anticipated Discharges) of this permit, where a release containing a hazardous substance in an amount equal to or in excess of a reporting quantity established under either 40 CFR Part 117 or 40 CFR Part 302, occurs during a 24-hour period:

a. The discharger is required to notify the National Response Center (NRC) (800-424-8802; in the Washington, DC metropolitan area 202-426-2675) in accordance with the requirements of 40 CFR Part 117 and 40 CFR Part 302 as soon as he or she has knowledge of the discharge;

b. The storm water pollution prevention plan required under Part IV. (Storm Water Pollution Prevention Plans) of this permit must be modified within 14 calendar days of knowledge of the release to: provide a description of

the release, the circumstances leading to the release, and the date of the release. In addition, the plan must be reviewed by the permittee to identify measures to prevent the reoccurrence of such releases and to respond to such releases, and the plan must be modified where appropriate; and

c. The permittee shall submit within 14 calendar days of knowledge of the release a written description of: the release (including the type and estimate of the amount of material released), the date that such release occurred, the circumstances leading to the release, and steps to be taken in accordance with paragraph III.B.1.b. (above) of this permit to the appropriate EPA Regional Office at the address provided in Part VI.B. (Reporting: Where to Submit) of this permit.

**2. Multiple Anticipated Discharges.** Facilities that have more than one anticipated discharge per year containing the same hazardous substance in an amount equal to or in excess of a reportable quantity established under either 40 CFR Part 117 or 40 CFR Part 302, that occurs during a 24-hour period, where the discharge is caused by events occurring within the scope of the relevant operating system shall:

a. Submit notifications in accordance with Part III.B.1.b. (above) of this permit for the first such release that occurs during a calendar year (or for the first year of this permit, after submittal of an NOI); and

b. Shall provide in the storm water pollution prevention plan required under Part IV. (Storm Water Pollution Prevention Plans) a written description of the dates on which all such releases occurred, the type and estimate of the amount of material released, and the circumstances leading to the releases. In addition, the plan must be reviewed to identify measures to prevent or minimize such releases and the plan must be modified where appropriate.

**3. Spills.** This permit does not authorize the discharge of hazardous substances or oil resulting from an onsite spill.

#### C. Co-located Industrial Activity

In the case where a facility has industrial activities occurring onsite which are described by any of the activities in other sections of Part XI, those industrial activities are considered to be co-located industrial activities. Storm water discharges from co-located industrial activities are authorized by this permit, provided that the permittee complies with any and all additional pollution prevention plan and monitoring requirements from other

sections of Part XI applicable to the co-located industrial activity. The operator of the facility shall determine which additional pollution prevention plan and monitoring requirements are applicable to the co-located industrial activity by examining the narrative descriptions of each coverage section (Discharges Covered Under This Section) in Part XI of this permit.

#### IV. Storm Water Pollution Prevention Plans

A storm water pollution prevention plan shall be developed for each facility covered by this permit. Storm water pollution prevention plans shall be prepared in accordance with good engineering practices and in accordance with the factors outlined in 40 CFR 125.3(d)(2) or (3) as appropriate. The plan shall identify potential sources of pollution that may reasonably be expected to affect the quality of storm water discharges associated with industrial activity from the facility. In addition, the plan shall describe and ensure the implementation of practices that are to be used to reduce the pollutants in storm water discharges associated with industrial activity at the facility and to assure compliance with the terms and conditions of this permit. Facilities must implement the provisions of the storm water pollution prevention plan required under this part as a condition of this permit.

##### A. Deadlines for Plan Preparation and Compliance

**1. Existing Facilities.** Except as provided in paragraphs 3., 4., and 5. (below), all existing facilities and new facilities that begin operation on or before [insert date 270 days after permit finalization] shall prepare and implement the plan by [insert date 270 days after permit finalization].

**2. New Facilities.** Facilities that begin operation after [insert date 270 days after permit finalization] shall prepare and implement the plan prior to submitting the Notice of Intent.

**3. Oil and Gas Facilities.** Oil and gas exploration, production, processing or treatment facilities that are not required to submit a permit application on or before [insert date 90 days after permit finalization] in accordance with 40 CFR 122.26(c)(1)(iii), but after [insert date 270 days after permit finalization] have a discharge of a reportable quantity of oil or a hazardous substance for which notification is required pursuant to either 40 CFR 110.6 or 40 CFR 302.6, shall prepare and implement the plan on or before the date 60 calendar days after first knowledge of such release.

**4. Facilities Switching From the Baseline General Permit to This Permit.** Facilities previously subject to the NPDES General Permit for Storm Water Discharges Associated With Industrial Activity (57 FR 41297 or 57 FR 44438) that switch to coverage under this permit shall continue to implement the storm water pollution prevention plan required by that permit. The plan shall be revised as necessary to address requirements under Part XI. of this permit no later than [insert date 270 days after permit finalization]. The revisions made to the plan shall be implemented on or before [insert date 270 days after permit finalization].

**5. Facilities Electing Multi-Sector General Permit Upon Expiration of the Baseline General Permit.** Facilities electing to obtain coverage under this permit during the period 90 days prior to expiration of the Baseline General Permit shall revise the pollution prevention plan required by that permit as necessary to address requirements under Part XI. of this permit and implement the revised plan prior to submittal of the NOI.

**6. Measures That Require Construction.** In cases where construction is necessary to implement measures required by the plan, the plan shall contain a schedule that provides compliance with the plan as expeditiously as practicable, but no later than [insert date 3 years after permit finalization]. Where a construction compliance schedule is included in the plan, the schedule shall include appropriate non-structural and/or temporary controls to be implemented in the affected portion(s) of the facility prior to completion of the permanent control measure.

**7. Extensions.** Upon a showing of good cause, the Director may establish a later date in writing for preparing and compliance with a plan for a storm water discharge associated with industrial activity.

##### B. Signature and Plan Review

**1. Signature/Location.** The plan shall be signed in accordance with Part VII.G. (Signatory Requirements), and be retained onsite at the facility that generates the storm water discharge in accordance with Part VII.P.2. (Retention of Records) of this permit. For inactive facilities, the plan may be kept at the nearest office of the permittee.

**2. Availability.** The permittee shall make the storm water pollution prevention plan, annual site compliance inspection report, or other information available upon request to the Assistant Administrator for Fisheries for the National Oceanic and Atmospheric

Administration; the U.S. Fisheries and Wildlife Service Regional Director; or authorized representatives of these officials.

3. *Required Modifications.* The Director, or authorized representative, may notify the permittee at any time that the plan does not meet one or more of the minimum requirements of this part. Such notification shall identify those provisions of the permit that are not being met by the plan, and identify which provisions of the plan requires modifications in order to meet the minimum requirements of this part. Within 30 days of such notification from the Director, (or as otherwise provided by the Director), or authorized representative, the permittee shall make the required changes to the plan and shall submit to the Director a written certification that the requested changes have been made.

*C. Keeping Plans Current*

The permittee shall amend the plan whenever there is a change in design, construction, operation, or maintenance, that has a significant effect on the potential for the discharge of pollutants to the waters of the United States or if the storm water pollution prevention plan proves to be ineffective in eliminating or significantly minimizing pollutants from sources identified under Part IV.D. (Contents of the Plan) of this permit, or in otherwise achieving the general objectives of controlling pollutants in storm water discharges associated with industrial activity. New owners shall review the existing plan and make appropriate changes: Amendments to the plan may be reviewed by EPA in the same manner as Part IV.B. (above).

*D. Contents of the Plan*

The contents of the pollution prevention plan shall comply with the requirements listed in the appropriate section of Part XI. (Specific Requirements for Industrial Activities). Table 2 lists the location of the plan requirements for the respective industrial activities. These requirements are cumulative. If a facility has co-located activities that are covered in more than one section of Part XI., that facility's pollution prevention plan must comply with the requirements listed in all applicable sections of this permit.

TABLE 2.—POLLUTION PREVENTION PLAN REQUIREMENTS

Storm water discharges from	Are subject to pollution prevention plan requirements listed in part
Timber Products Facilities .....	XI.A.3
Paper and Allied Products Manufacturing Facilities.	XI.B.3
Chemical and Allied Products Manufacturing Facilities.	XI.C.4
Asphalt Paving, Roofing Materials, and Lubricant Manufacturing Facilities.	XI.D.3
Glass, Clay, Cement Concrete and Gypsum Product Manufacturing Facilities.	XI.E.3
Primary Metals Facilities .....	XI.F.3
Metal Mines (Ore Mining and Dressing).	XI.G.3
Coal Mines and Coal Mine-Related Facilities.	XI.H.3
Oil or Gas Extraction Facilities	XI.I.3
Mineral Mining and Processing Facilities.	XI.J.3
Hazardous Waste Treatment Storage or Disposal Facilities.	XI.K.3
Landfills and Land Application Sites.	XI.L.3
Automobile Salvage Yards .....	XI.M.2
Scrap and Waste Recycling Facilities.	XI.N.3
Steam Electric Power Generating Facilities.	XI.O.3
Vehicle Maintenance or Equipment Cleaning areas at Motor Freight Transportation Facilities, Passenger Transportation Facilities, Petroleum Bulk Oil Stations and Terminals, the United States Postal Service, or Railroad Transportation Facilities.	XI.P.3
Vehicle Maintenance Areas and Equipment Cleaning Areas of Water Transportation Facilities.	XI.Q.3
Ship or Boat Building and Repair Yards.	XI.R.3
Vehicle Maintenance Areas, Equipment Cleaning Areas or From Airport Deicing Operations located at Air Transportation Facilities.	XI.S.3
Wastewater Treatment Works	XI.T.3
Food and Kindred Products Facilities.	XI.U.3
Textile Mills, Apparel and other Fabric Product Manufacturing Facilities.	XI.V.3
Furniture and Fixture Manufacturing Facilities.	XI.W.3
Printing and Publishing Facilities.	XI.X.3
Rubber and Miscellaneous Plastic Product Manufacturing Facilities.	XI.Y.3
Leather Tanning and Finishing Facilities.	XI.Z.3

TABLE 2.—POLLUTION PREVENTION PLAN REQUIREMENTS—Continued

Storm water discharges from	Are subject to pollution prevention plan requirements listed in part
Facilities That Manufacture Metal Products including Jewelry, Silverware and Plated Ware.	XI.AA.3
Facilities That Manufacture Transportation Equipment, Industrial or Commercial Machinery.	XI.AB.3
Facilities That Manufacture Electronic and Electrical Equipment and Components, Photographic and Optical Goods.	XI.AC.3.

*E. Special Pollution Prevention Plan Requirements*

In addition to the minimum standards listed in Part XI. of this permit (Specific Requirements for Industrial Activities), the storm water pollution prevention plan shall include a complete discussion of measures taken to conform with the following applicable guidelines, other effective storm water pollution prevention procedures, and applicable State rules, regulations and guidelines:

1. *Additional Requirements for Storm Water Discharges Associated With Industrial Activity that Discharge Into or Through Municipal Separate Storm Sewer Systems Serving a Population of 100,000 or More.* a. In addition to the applicable requirements of this permit, facilities covered by this permit must comply with applicable requirements in municipal storm water management programs developed under NPDES permits issued for the discharge of the municipal separate storm sewer system that receives the facility's discharge, provided the discharger has been notified of such conditions.

b. Permittees that discharge storm water associated with industrial activity through a municipal separate storm sewer system serving a population of 100,000 or more, or a municipal system designated by the Director shall make plans available to the municipal operator of the system upon request.

2. *Additional Requirements for Storm Water Discharges Associated With Industrial Activity From Facilities Subject to EPCRA Section 313 Requirements.* In addition to the requirements of Part XI. of this permit and other applicable conditions of this permit, storm water pollution prevention plans for facilities subject to

reporting requirements under EPCRA Section 313 for chemicals that are classified as 'Section 313 water priority chemicals' in accordance with the definition in Part X. of this permit, except as provided in paragraph IV.E.2.c.(below), shall describe and ensure the implementation of practices that are necessary to provide for conformance with the following guidelines:

a. In areas where Section 313 water priority chemicals are stored, processed or otherwise handled, appropriate containment, drainage control and/or diversionary structures shall be provided unless otherwise exempted under Part IV.E.2.c. At a minimum, one of the following preventive systems or its equivalent shall be used:

(1) *Curbing, culverting, gutters, sewers, or other forms of drainage control to prevent or minimize the potential for storm water runoff to come into contact with significant sources of pollutants; or*

(2) *Roofs, covers or other forms of appropriate protection to prevent storage piles from exposure to storm water and wind.*

b. In addition to the minimum standards listed under Part IV.E.2.a. (above) of this permit, except as otherwise exempted under Part IV.E.2.c (below) of this permit, the storm water pollution prevention plan shall include a complete discussion of measures taken to conform with other effective storm water pollution prevention procedures, and applicable State rules, regulations, and guidelines:

(1) *Liquid Storage Areas Where Storm Water Comes Into Contact With Any Equipment, Tank, Container, or Other Vessel Used for Section 313 Water Priority Chemicals.* (a) No tank or container shall be used for the storage of a Section 313 water priority chemical unless its material and construction are compatible with the material stored and conditions of storage such as pressure and temperature, etc.

(b) Liquid storage areas for Section 313 water priority chemicals shall be operated to minimize discharges of Section 313 chemicals. Appropriate measures to minimize discharges of Section 313 chemicals may include secondary containment provided for at least the entire contents of the largest single tank plus sufficient freeboard to allow for precipitation, a strong spill contingency and integrity testing plan, and/or other equivalent measures.

(2) *Material Storage Areas for Section 313 Water Priority Chemicals Other Than Liquids.* Material storage areas for Section 313 water priority chemicals other than liquids that are subject to

runoff, leaching, or wind shall incorporate drainage or other control features that will minimize the discharge of Section 313 water priority chemicals by reducing storm water contact with Section 313 water priority chemicals.

(3) *Truck and Rail Car Loading and Unloading Areas for Liquid Section 313 Water Priority Chemicals.* Truck and rail car loading and unloading areas for liquid Section 313 water priority chemicals shall be operated to minimize discharges of Section 313 water priority chemicals. Protection such as overhangs or door skirts to enclose trailer ends at truck loading/unloading docks shall be provided as appropriate. Appropriate measures to minimize discharges of Section 313 chemicals may include: the placement and maintenance of drip pans (including the proper disposal of materials collected in the drip pans) where spillage may occur (such as hose connections, hose reels and filler nozzles) for use when making and breaking hose connections; a strong spill contingency and integrity testing plan; and/or other equivalent measures.

(4) *Areas Where Section 313 Water Priority Chemicals Are Transferred, Processed, or Otherwise Handled.* Processing equipment and materials handling equipment shall be operated so as to minimize discharges of Section 313 water priority chemicals. Materials used in piping and equipment shall be compatible with the substances handled. Drainage from process and materials handling areas shall minimize storm water contact with Section 313 water priority chemicals. Additional protection such as covers or guards to prevent exposure to wind, spraying or releases from pressure relief vents from causing a discharge of Section 313 water priority chemicals to the drainage system shall be provided as appropriate. Visual inspections or leak tests shall be provided for overhead piping conveying Section 313 water priority chemicals without secondary containment.

(5) *Discharges From Areas Covered by Paragraphs (1), (2), (3), or (4).* (a) Drainage from areas covered by paragraphs (1), (2), (3), or (4) of this part should be restrained by valves or other positive means to prevent the discharge of a spill or other excessive leakage of Section 313 water priority chemicals. Where containment units are employed, such units may be emptied by pumps or ejectors; however, these shall be manually activated.

(b) Flapper-type drain valves shall not be used to drain containment areas. Valves used for the drainage of containment areas should, as far as is

practical, be of manual, open-and-closed design.

(c) If facility drainage is not engineered as above, the final discharge of all in-facility storm sewers shall be equipped to be equivalent with a diversion system that could, in the event of an uncontrolled spill of Section 313 water priority chemicals, return the spilled material to the facility.

(d) Records shall be kept of the frequency and estimated volume (in gallons) of discharges from containment areas.

(6) *Facility Site Runoff Other Than From Areas Covered By (1), (2), (3), or (4).* Other areas of the facility (those not addressed in paragraphs (1), (2), (3), or (4)), from which runoff that may contain Section 313 water priority chemicals or spills of Section 313 water priority chemicals could cause a discharge shall incorporate the necessary drainage or other control features to prevent discharge of spilled or improperly disposed material and ensure the mitigation of pollutants in runoff or leachate.

(7) *Preventive Maintenance and Housekeeping.* All areas of the facility shall be inspected at specific intervals identified in the plan for leaks or conditions that could lead to discharges of Section 313 water priority chemicals or direct contact of storm water with raw materials, intermediate materials, waste materials or products. In particular, facility piping, pumps, storage tanks and bins, pressure vessels, process and material handling equipment, and material bulk storage areas shall be examined for any conditions or failures that could cause a discharge. Inspection shall include examination for leaks, wind blowing, corrosion, support or foundation failure, or other forms of deterioration or noncontainment. Inspection intervals shall be specified in the plan and shall be based on design and operational experience. Different areas may require different inspection intervals. Where a leak or other condition is discovered that may result in significant releases of Section 313 water priority chemicals to waters of the United States, action to stop the leak or otherwise prevent the significant release of Section 313 water priority chemicals to waters of the United States shall be immediately taken or the unit or process shut down until such action can be taken. When a leak or noncontainment of a Section 313 water priority chemical has occurred, contaminated soil, debris, or other material must be promptly removed and disposed in accordance with Federal, State, and local requirements and as described in the plan.



(8) *Facility Security.* Facilities shall have the necessary security systems to prevent accidental or intentional entry that could cause a discharge. Security systems described in the plan shall address fencing, lighting, vehicular traffic control, and securing of equipment and buildings.

(9) *Training.* Facility employees and contractor personnel that work in areas where Section 313 water priority chemicals are used or stored shall be trained in and informed of preventive measures at the facility. Employee training shall be conducted at intervals specified in the plan, but not less than once per year. Training shall address: pollution control laws and regulations, the storm water pollution prevention plan and the particular features of the facility and its operation that are designed to minimize discharges of Section 313 water priority chemicals. The plan shall designate a person who is accountable for spill prevention at the facility and who will set up the necessary spill emergency procedures and reporting requirements so that spills and emergency releases of Section 313 water priority chemicals can be isolated and contained before a discharge of a Section 313 water priority chemical can occur. Contractor or temporary personnel shall be informed of facility operation and design features in order to prevent discharges or spills from occurring.

c. Facilities subject to reporting requirements under EPCRA Section 313 for chemicals that are classified as "Section 313 water priority chemicals" in accordance with the definition in Part X. of this permit that are handled and stored onsite only in gaseous or non-soluble liquid or solid (at atmospheric pressure and temperature) forms may provide a certification as such in the pollution prevention plan in lieu of the additional requirements in Part IV.E.2. Such certification shall include a narrative description of all water priority chemicals and the form in which they are handled and stored, and shall be signed in accordance with Part VII.G. (Signatory Requirements) of this permit.

d. The storm water pollution prevention plan shall be certified in accordance with Section VII.G (Signatory Requirements) of this permit.

3. *Additional Requirements for Salt Storage.* Storage piles of salt used for deicing or other commercial or industrial purposes and that generate a storm water discharge associated with industrial activity that is discharged to waters of the United States shall be enclosed or covered to prevent exposure to precipitation, except for exposure

resulting from adding or removing materials from the pile. Dischargers shall demonstrate compliance with this provision as expeditiously as practicable, but in no event later than [insert date 3 years after permit finalization]. Dischargers with previous coverage under the Baseline general permit for storm water shall be compliant with this provision upon submittal of the NOI. Piles do not need to be enclosed or covered where storm water from the pile is not discharged to waters of the United States.

4. *Consistency With Other Plans.* Storm water pollution prevention plans may reference the existence of other plans for Spill Prevention Control and Countermeasure (SPCC) plans developed for the facility under Section 311 of the CWA or Best Management Practices (BMP) Programs otherwise required by an NPDES permit for the facility as long as such requirement is incorporated into the storm water pollution prevention plan.

#### V. Numeric Effluent Limitations

##### A. Discharges Associated With Specific Industrial Activity

Numeric effluent limitations for storm water discharges associated with a specific industrial activity are described in Part XI. of this permit.

##### B. Coal Pile Runoff

Any discharge composed of coal pile runoff shall not exceed a maximum concentration for any time of 50 mg/L total suspended solids. Coal pile runoff shall not be diluted with storm water or other flows in order to meet this limitation. The pH of such discharges shall be within the range of 6.0 to 9.0. Runoff from coal piles located at steam electric generating facilities shall be in compliance with these limits upon submittal of the Notice of Intent (NOI). Runoff from coal piles at all other types of facilities shall comply with these limitations as expeditiously as practicable, but in no case later than [insert date 3 years after permit finalization]. Dischargers with previous coverage under the Baseline general permit for storm water shall be compliant with this provision upon submittal of the NOI. Any untreated overflow from facilities designed, constructed and operated to treat the volume of coal pile runoff that is associated with a 10-year, 24-hour rainfall event shall not be subject to the 50 mg/L limitation for total suspended solids.

#### VI. Monitoring and Reporting Requirements

##### A. Monitoring Requirements

1. *Limitations on Monitoring Requirements.* a. Except as required by paragraph b., only those facilities with discharges or activities identified in Part VI.C. and Part XI. are required to conduct sampling of their storm water discharges associated with industrial activity. Monitoring requirements under parts VI.C. and XI. are additive. Facilities with discharges or activities described in more than one monitoring section are subject to all applicable monitoring requirements from each section.

b. The Director can provide written notice to any facility otherwise exempt from the sampling requirements of Parts VI.C. and XI. that it shall conduct discharge sampling for a specific monitoring frequency for specific parameters.

##### B. Reporting: Where To Submit

1. *Location.* Signed copies of discharge monitoring reports required under Parts XI. and VI.C., individual permit applications, and all other reports required herein, shall be submitted to the Director of the NPDES program at the address of the appropriate Regional Office:

- a. *CT, MA, ME, NH, RI, VT*  
EPA, Region I, Water Management Division, (WCP), Storm Water Staff, JFK Federal Building, Boston, MA 02203
- b. *PR*  
EPA, Region II, Water Management Division, (2WM-WPC), Storm Water Staff, 290 Broadway, New York, NY 10007-1866
- c. *DE, DC*  
EPA, Region III, Water Management Division, (3WM55), Storm Water Staff, 841 Chestnut Building, Philadelphia, PA 19107
- d. *FL*  
EPA, Region IV, Water Management Division, Permits Section (WPEB-7), 345 Courtland Street, NE., Atlanta, GA 30365
- e. *LA, NM (except see Region IX for Navajo lands), OK, TX*  
EPA, Region VI, Enforcement and Compliance Assurance Division (GEN-WC), EPA SW MSGP, First Interstate Bank Tower at Fountain Place, P.O. Box 50625, Dallas, TX 75205
- f. *AZ, CA, NV, Johnson Atoll, Midway Island, Wake Island, the Goshute Reservation in UT and NV, the Navajo Reservation in UT, NM, and AZ, the Fort McDermitt Reservation*

in OR, the Duck Valley Reservation in NV and ID

EPA, Region IX, Water Management Division, (W-5-3), Storm Water Staff, 75 Hawthorne Street, San Francisco, CA 94105

g. *AK Indian Reservations, ID (except see Region IX for Duck Valley Reservation lands), OR (except see Region IX for Fort McDermitt Reservation lands), WA*

EPA, Region X, Water Division, (WD-134), Storm Water Staff, 1200 Sixth Avenue, Seattle, WA 98101

For each outfall, one Discharge Monitoring Report form must be submitted per storm event sampled.

2. *Additional Notification.* In addition to filing copies of discharge monitoring reports in accordance with Part VI.B. (Reporting: Where to Submit), facilities with at least one storm water discharge associated with industrial activity through a large or medium municipal separate storm sewer system (systems serving a population of 100,000 or more) or a municipal system designated by the Director must submit signed copies of discharge monitoring reports to the operator of the municipal separate storm sewer system in accordance with the dates provided in Part XI. Facilities not required to report monitoring data under Part XI. and facilities that are not otherwise required to monitor their discharges, need not comply with this provision.

#### C. *Special Monitoring Requirements for Coal Pile Runoff*

During the period beginning on the effective date and lasting through the expiration date of this permit, permittees with storm water discharges containing coal pile runoff shall monitor such storm water for: pH and TSS (mg/l) at least annually (1 time per year). Permittees with discharges containing coal pile runoff must report in accordance with Part V.B (Numeric Effluent Limitations) and Part VI.B. (Reporting: Where to Submit). In addition to the parameters listed above, the permittee shall provide the date and duration (in hours) of the storm event(s) samples; rainfall measurements or estimates (in inches) of the storm event that generated the sampled runoff; the duration between the storm event samples and the end of the previous measurable (greater than 0.1 inch rainfall) storm event; and an estimate of the total volume (in gallons) of the discharge samples.

1. *Sample Type.* For discharges containing coal pile runoff from holding ponds or other impoundments with a retention period greater than 24 hours (estimated by dividing the volume of the

detention pond by the estimated volume of water discharged during the 24 hours previous to the time that the sample is collected), a minimum of one grab sample may be taken. For all other discharges containing coal pile runoff, data shall be reported for a grab sample. All such 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. The required 72-hour storm event interval is waived where the preceding measurable storm event did not result in a measurable discharge from the facility. The required 72-hour storm event interval may also be waived where the permittee documents that less than a 72-hour interval is representative for local storm events during the season when sampling is being conducted. The grab sample shall be taken during the first 30 minutes of the discharge. If the collection of a grab sample during the first 30 minutes is impracticable, a grab sample can be taken during the first hour of the discharge, and the discharger shall submit with the monitoring report a description of why a grab sample during the first 30 minutes was impracticable.

2. *Sampling Waiver.* When a discharger is unable to collect samples of coal pile runoff due to adverse climatic conditions, the discharger shall collect a substitute sample from a separate qualifying event in the next period and submit this data along with the data for the routine sample in that period. Adverse weather conditions that may prohibit the collection of samples include weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricane, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (drought, extended frozen conditions, etc.).

3. *Representative Discharge.* When a facility has two or more outfalls containing coal pile runoff that, based on a consideration of the other industrial activity, and significant materials, and upon management practices and activities within the area drained by the outfall, and the permittee reasonably believes substantially identical effluents are discharged, the permittee may test the effluent of one of such outfalls and report that the quantitative data also applies to the substantially identical outfalls provided that the permittee includes in the storm water pollution prevention plan a description of the location of the outfalls and explains in detail why the outfalls are expected to discharge

substantially identical effluents. In addition, for each outfall that the permittee believes is representative, an estimate of the size of the drainage area (in square feet) and an estimate of the runoff coefficient of the drainage area (e.g., low (under 40 percent), medium (40 to 65 percent) or high (above 65 percent)) shall be provided in the plan. Permittees required to submit monitoring information under Part VIII. of this permit shall include the description of the location of the outfalls, explanation of why outfalls are expected to discharge substantially identical effluents, and estimate of the size of the drainage area and runoff coefficient with the Discharge Monitoring Report. This representative discharge provision is not applicable to storm water discharges from coal piles regulated under the national effluent limitations guidelines.

4. *Alternative Certification.* Facilities with storm water discharges containing coal pile runoff may not submit alternative certification in lieu of the required monitoring data.

5. *When to Submit.* Permittees with discharges containing coal pile runoff shall submit monitoring results annually no later than the 28th day of [insert month following permit finalization].

## VII. Standard Permit Conditions

### A. *Duty to Comply*

1. *Permittee's Duty to Comply.* The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act (CWA) and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

### 2. *Penalties for Violations of Permit Conditions.*

#### a. *Criminal.*

(1) *Negligent Violations.* The CWA provides that any person who negligently violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the 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.

(2) *Knowing Violations.* The CWA provides that any person who knowingly violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a fine of not less than \$5,000 nor more than \$50,000 per day of violation, or by imprisonment for not more than 3 years, or both.

(3) *Knowing Endangerment.* The CWA provides that any person who

knowingly violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act and who knows at that time that he is placing another person in imminent danger of death or serious bodily injury is subject to a fine of not more than \$250,000, or by imprisonment for not more than 15 years, or both.

(4) *False Statement.* The CWA provides that any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under the Act or who knowingly falsifies, tampers with, or renders inaccurate, any monitoring device or method required to be maintained under the Act, shall upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment for not more than 2 years, or by both. If a conviction is for a violation committed after a first conviction of such person under this paragraph, punishment shall be by a fine of not more than \$20,000 per day of violation, or by imprisonment for not more than 4 years, or by both. (See Section 309(c)(4) of the Clean Water Act).

b. *Civil Penalties.* The CWA provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a civil penalty not to exceed \$25,000 per day for each violation.

c. *Administrative Penalties.* The CWA provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to an administrative penalty, as follows:

(1) *Class I Penalty.* Not to exceed \$10,000 per violation nor shall the maximum amount exceed \$25,000.

(1) *Class II Penalty.* Not to exceed \$10,000 per day for each day during which the violation continues nor shall the maximum amount exceed \$125,000.

#### *B. Continuation of the Expired General Permit*

This permit expires on [insert date 5 years after permit finalization]. However, an expired general permit continues in force and effect until a new general permit is issued. Permittees that choose, or are required, to obtain an individual permit must submit an application (Forms 1 and 2F and any other applicable forms) 180 days prior to expiration of this permit. Permittees that are eligible and choose to be covered by a new general permit must submit an NOI by the date specified in that permit.

#### *C. 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 this permit.

#### *D. Duty to Mitigate*

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

#### *E. Duty to Provide Information*

The permittee shall furnish to the Director, within a time specified by the Director, any information that the Director may request 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.

#### *F. Other Information*

When the permittee becomes aware that he or she failed to submit any relevant facts or submitted incorrect information in the NOI or in any other report to the Director, he or she shall promptly submit such facts or information.

#### *G. Signatory Requirements*

All Notices of Intent, Notices of Termination, storm water pollution prevention plans, reports, certifications or information either submitted to the Director (and/or the operator of a large or medium municipal separate storm sewer system), or that this permit requires be maintained by the permittee, shall be signed.

1. *Signature.* All reports required by the permit and other information requested by the Director shall be signed as follows:

a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (1) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or (2) the manager of one or more manufacturing, production or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25,000,000 (in second-quarter 1980 dollars) if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

c. For a municipality, State, Federal, or other public facility: by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes (1) the chief executive officer of the agency, or (2) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

2. *Authorized Representative.* All reports required by the permit and other information requested by the Director shall be signed by a person described in Section VII.G.1. above or be signed by a duly authorized representative of that person. A person is a duly authorized representative only if:

a. The authorization is made in writing by a person described above and submitted to the Director.

b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of manager, operator, superintendent, or position of equivalent responsibility or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position).

c. *Changes to Authorization.* If an authorization under paragraph VII.G.2. is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new NOI satisfying the requirements of paragraph II.B. (Contents of NOI) must be submitted to the Director prior to or together with any reports, information, or applications to be signed by an authorized representative.

d. *Certification.* Any person signing documents under this section shall make the following certification:

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 gathered and evaluated 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 fine and imprisonment for knowing violations.



**H. Penalties for Falsification of Reports**

Section 309(c)(4) of the Clean Water Act provides that any person who knowingly makes any false material statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than 2 years, or by both.

**I. Penalties for Falsification of Monitoring Systems**

The CWA provides that 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 fines and imprisonment described in Section 309 of the CWA.

**J. Oil and Hazardous Substance Liability**

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 to which the permittee is or may be subject under Section 311 of the CWA or Section 106 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA).

**K. Property Rights**

The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State, or local laws or regulations.

**L. Severability**

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

**M. Requiring an Individual Permit or an Alternative General Permit**

**1. Director Designation.** The Director may require any person authorized by this permit to apply for and/or obtain either an individual NPDES permit or an alternative NPDES general permit. Any interested person may petition the Director to take action under this paragraph. The Director may require any owner or operator authorized to discharge under this permit to apply for an individual NPDES permit only if the

owner or operator has been notified in writing that a permit application is required. This notice shall include a brief statement of the reasons for this decision, an application form, a statement setting a deadline for the owner or operator to file the application, and a statement that on the effective date of issuance or denial of the individual NPDES permit or the alternative general permit as it applies to the individual permittee, coverage under this general permit shall automatically terminate. Individual permit applications shall be submitted to the address of the appropriate Regional Office shown in Part VI.B. (Reporting: Where to Submit) of this permit. The Director may grant additional time to submit the application upon request of the applicant. If an owner or operator fails to submit in a timely manner an individual NPDES permit application as required by the Director, then the applicability of this permit to the individual NPDES permittee is automatically terminated at the end of the day specified for application submittal.

**2. Individual Permit Application.** Any owner or operator authorized by this permit may request to be excluded from the coverage of this permit by applying for an individual permit. The owner or operator shall submit an individual application (Form 1 and Form 2F) with reasons supporting the request to the Director. Individual permit applications shall be submitted to the address of the appropriate Regional Office shown in Part VI.B. of this permit. The request may be granted by the issuance of any individual permit or an alternative general permit if the reasons cited by the owner or operator are adequate to support the request.

**3. Individual/Alternative General Permit Issuance.** When an individual NPDES permit is issued to an owner or operator otherwise subject to this permit, or the owner or operator is authorized for coverage under an alternative NPDES general permit, the applicability of this permit to the individual NPDES permittee is automatically terminated on the effective date of the individual permit or the date of authorization of coverage under the alternative general permit, whichever the case may be. When an individual NPDES permit is denied to an owner or operator otherwise subject to this permit, or the owner or operator is denied for coverage under an alternative NPDES general permit, the applicability of this permit to the individual NPDES permittee is automatically terminated on the date of

such denial, unless otherwise specified by the Director.

**N. State/Environmental Laws**

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 any applicable State law or regulation under authority preserved by Section 510 of the Act.

No condition of this permit shall release the permittee from any responsibility or requirements under other environmental statutes or regulations.

**O. 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) that are installed or used by the permittee to achieve compliance with the conditions of this permit and with the requirements of storm water pollution prevention plans. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the operation of backup or auxiliary facilities or similar systems, installed by a permittee only when necessary to achieve compliance with the conditions of the permit.

**P. Monitoring and Records**

**1. Representative Samples/Measurements.** Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

**2. Retention of Records.**

**a.** The permittee shall retain records of all monitoring information, copies of all reports required by this permit, and records of all data used to complete the application of this permit for a period of at least three (3) years from the date of sample, measurement, evaluation or inspection, report, or application. This period may be extended by request of the Director at any time. Permittees must submit any such records to the Director upon request.

**b.** The permittee shall retain the pollution prevention plan developed in accordance with Parts IV. and XI. of this permit until a date 3 years after the last modification or amendment is made to the plan, and at least 1 year after coverage under this permit terminates.

**3. Records Contents.** Records of monitoring information shall include:

**a.** The date, exact place, and time of sampling or measurements;

b. The initials or name(s) of the individual(s) who performed the sampling or measurements;

c. The date(s) analyses were performed;

d. The time(s) analyses were initiated;

e. The initials or name(s) of the individual(s) who performed the analyses;

f. References and written procedures, when available, for the analytical techniques or methods used; and

g. The results of such analyses, including the bench sheets, instrument readouts, computer disks or tapes, etc., used to determine these results.

#### 4. *Approved Monitoring Methods.*

Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit.

#### Q. *Inspection and Entry*

The permittee shall allow the Director or an authorized representative of EPA, the State environmental agency, or, in the case of a facility that discharges through a municipal separate storm sewer, an authorized representative of the municipal operator or the separate storm sewer receiving the discharge, upon the presentation of credentials and other documents as may be required by law, to: enter upon the permittee's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit; have access to and copy at reasonable times, any records that must be kept under the conditions of this permit; and inspect at reasonable times any facilities or equipment (including monitoring and control equipment).

#### R. *Permit Actions*

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

#### S. *Bypass of Treatment Facility*

##### 1. *Notice.*

a. *Anticipated Bypass.* If a permittee subject to the numeric effluent limitations of Parts V. and XI. of this permit knows in advance of the need for a bypass, he or she shall submit prior notice, if possible, at least 10 days before the date of the bypass; including an evaluation of the anticipated quality and effect of the bypass.

b. *Unanticipated Bypass.* The permittee subject to the numeric

effluent limitations of Parts V. and XI. of this permit shall submit notice of an unanticipated bypass. Any information regarding the unanticipated bypass shall be provided orally within 24 hours from the time the permittee became aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee became aware of the circumstances. The written submission shall contain a description of the bypass and its cause; the period of the bypass; including exact dates and times, and if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.

##### 2. *Prohibition of Bypass.*

a. Bypass is prohibited and the Director may take enforcement action against a permittee for a bypass. Unless:

(1) The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(2) There were no feasible alternatives to the bypass, such as the use of auxiliary facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if the permittee should, in the exercise of reasonable engineering judgement, have installed adequate backup equipment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance; and

(3) The permittee submitted notices of the bypass.

b. 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 Part VII.S.2.a.

#### T. *Upset Conditions*

1. *Affirmative Defense.* An upset constitutes an affirmative defense to an action brought for noncompliance with technology-based numeric effluent limitations in Parts V. and XI. of this permit if the requirements of paragraph 2 below 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.

2. *Required Defense.* A permittee who wishes to establish the affirmative defense of an upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence, that:

a. An upset occurred and that the permittee can identify the specific cause(s) of the upset;

b. The permitted facility was at the time being properly operated; and

c. The permittee provided oral notice of the upset to EPA within 24 hours from the time the permittee became aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee became aware of the circumstances. The written submission shall contain a description of the upset and its cause; the period of the upset; including exact dates and times, and if the upset has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the upset.

3. *Burden of Proof.* In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

#### VIII. *Reopener Clause*

##### A. *Potential or Realized Impacts on Water Quality*

If there is evidence indicating potential or realized impacts on water quality or on a listed endangered species due to any storm water discharge associated with industrial activity covered by this permit, the owner or operator of such discharge may be required to obtain an individual permit or an alternative general permit in accordance with Part VII.M. (Requiring an Individual Permit or an Alternative General Permit) of this permit or the permit may be modified to include different limitations and/or requirements.

##### B. *Applicable Regulations*

Permit modification or revocation will be conducted according to 40 CFR 122.62, 122.63, 122.64, and 124.5.

#### IX. *Termination of Coverage*

##### A. *Notice of Termination*

Where all storm water discharges associated with industrial activity that are authorized by this permit are eliminated, or where the operator of storm water discharges associated with industrial activity at a facility changes, the operator of the facility may submit a Notice of Termination that is signed in accordance with Part VII.C. (Signatory Requirements) of this permit. The Notice of Termination shall include the following information:

1. *Facility Information.* Name, mailing address, and location of the facility for which the notification is submitted. Describe the location of the approximate center of the site in terms of the latitude and longitude to the nearest 15 seconds, or the section,

township and range to the nearest quarter section;

2. *Operator Information.* The name, address, and telephone number of the operator addressed by the Notice of Termination;

3. *Permit Number.* The NPDES permit number for the storm water discharge associated with industrial activity identified by the Notice of Termination;

4. *Reason for Termination.* An indication of whether the storm water discharges associated with industrial activity have been eliminated or the operator of the discharges has changed; and

5. *Certification.* The following certification signed in accordance with Part VII.G. (Signatory Requirements) of this permit:

I certify under penalty of law that all storm water discharges associated with industrial activity from the identified facility that are authorized by an NPDES general permit have been eliminated or that I am no longer the operator of the industrial activity. I understand that by submitting this notice of termination, that I am no longer authorized to discharge storm water associated with industrial activity under this general permit, and that discharging pollutants in storm water associated with industrial activity to waters of the United States is unlawful under the Clean Water Act where the discharge is not authorized by an NPDES permit. I also understand that the submittal of this notice of termination does not release an operator from liability for any violations of this permit or the Clean Water Act.

#### B. Addresses

All Notices of Termination are to be sent, using the form provided by the Director (or a photocopy thereof),<sup>2</sup> to the Director of the NPDES program at the following address: Storm Water Notice of Termination (4203), 401 M Street, S.W., Washington, D.C. 20460.

#### X. Definitions

*Best Management Practices* ("BMPs") means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control facility site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

*Bypass* means the intentional diversion of waste streams from any portion of a treatment facility.

*Coal pile runoff* means the rainfall runoff from or through any coal storage pile

*Co-located industrial activity* means when a facility has industrial activities being conducted onsite that are described under more than one of the coverage sections of Part XI in this permit (Discharges Covered Under This Section). Facilities with co-located industrial activities shall comply with all applicable monitoring and pollution prevention plan requirements of each section in which a co-located industrial activity is described.

*CWA* means Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972).

*Commercial Treatment and Disposal Facilities* means facilities that receive, on a commercial basis, any produced hazardous waste (not their own) and treat or dispose of those wastes as a service to the generators. Such facilities treating and/or disposing exclusively residential hazardous wastes are not included in this definition.

*Director* means the Regional Administrator or an authorized representative.

*Flow-weighted composite sample* means a composite sample consisting of a mixture of aliquots collected at a constant time interval, where the volume of each aliquot is proportional to the flow rate of the discharge.

*Landfill* means an area of land or an excavation in which wastes are placed for permanent disposal, and that is not a land application unit, surface impoundment, injection well, or waste pile.

*Land application unit* means an area where wastes are applied onto or incorporated into the soil surface (excluding manure spreading operations) for treatment or disposal.

*Large and medium municipal separate storm sewer system* means all municipal separate storm sewers that are either:

(i) located in an incorporated place (city) with a population of 100,000 or more as determined by the latest Decennial Census by the Bureau of Census (these cities are listed in Appendices F and G of 40 CFR Part 122); or

(ii) located in the counties with unincorporated urbanized populations of 100,000 or more, except municipal separate storm sewers that are located in the incorporated places, townships or towns within such counties (these counties are listed in Appendices H and I of 40 CFR Part 122); or

(iii) owned or operated by a municipality other than those described in paragraph (i) or (ii) and that are designated by the Director as part of the

large or medium municipal separate storm sewer system.

*NOT* means notice of termination (see Part IX.A. of this permit.)

*Point source* means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

*Section 313 water priority chemical* means a chemical or chemical categories that: (1) Are listed at 40 CFR 372.65 pursuant to Section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA) (also known as Title III of the Superfund Amendments and Reauthorization Act (SARA) of 1986); (2) are present at or above threshold levels at a facility subject to EPCRA Section 313 reporting requirements; and (3) meet at least one of the following criteria: (i) are listed in Appendix D of 40 CFR Part 122 on either Table II (organic priority pollutants), Table III (certain metals, cyanides, and phenols) or Table V (certain toxic pollutants and hazardous substances); (ii) are listed as a hazardous substance pursuant to Section 311(b)(2)(A) of the CWA at 40 CFR 116.4; or (iii) are pollutants for which EPA has published acute or chronic water quality criteria. See Addendum A of this permit. This addendum was revised based on final rulemaking EPA published in the Federal Register November 30, 1994.

*Significant materials* includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under Section 101(14) of CERCLA; any chemical the facility is required to report pursuant to EPCRA Section 313; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with storm water discharges.

*Significant spills* includes, but is not limited to: releases of oil or hazardous substances in excess of reportable quantities under Section 311 of the Clean Water Act (see 40 CFR 110.10 and CFR 117.21) or Section 102 of CERCLA (see 40 CFR 302.4).

*Storm water* means storm water runoff, snow melt runoff, and surface runoff and drainage.

<sup>2</sup> A copy of the approved NOT form is provided in Addendum C of this notice.

*Storm water associated with industrial activity* means the discharge from any conveyance that is used for collecting and conveying storm water and that is directly related to manufacturing, processing or raw materials storage areas at an industrial plant. The term does not include discharges from facilities or activities excluded from the NPDES program. For the categories of industries identified in paragraphs (i) through (x) of this definition, the term includes, but is not limited to, storm water discharges from industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process waste waters (as defined at 40 CFR Part 401); sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials, and intermediate and finished products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to storm water. For the categories of industries identified in paragraph (xi) of this definition, the term includes only storm water discharges from all areas (except access roads and rail lines) listed in the previous sentence where material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, or industrial machinery are exposed to storm water. For the purposes of this paragraph, material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, finished product, by-product or waste product. The term excludes areas located on plant lands separate from the plant's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with storm water drained from the above described areas. Industrial facilities (including industrial facilities that are Federally, State, or municipally owned or operated that meet the description of the facilities listed in paragraphs (i) to (xi) of this definition) include those facilities designated under 122.26(a)(1)(v). The following categories of facilities are considered to be engaging in "industrial activity" for purposes of this subsection:

(i) Facilities subject to storm water effluent limitations guidelines, new source performance standards, or toxic pollutant effluent standards under 40 CFR Subchapter N (except facilities with toxic pollutant effluent standards that are exempted under category (xi) of this definition);

(ii) Facilities classified as Standard Industrial Classifications 24 (except 2434), 26 (except 265 and 267), 28 (except 283 and 285), 29, 311, 32 (except 323), 33, 3441, 373;

(iii) Facilities classified as Standard Industrial Classifications 10 through 14 (mineral industry) including active or inactive mining operations (except for areas of coal mining operations no longer meeting the definition of a reclamation area under 40 CFR 434.11(i) because the performance bond issued to the facility by the appropriate SMCRA authority has been released, or except for areas of noncoal mining operations that have been released from applicable State or Federal reclamation requirements after December 17, 1990) and oil and gas exploration, production, processing, or treatment operations, or transmission facilities that discharge storm water contaminated by contact with or that has come into contact with, any overburden, raw material, intermediate products, finished products, byproducts or waste products located on the site of such operations; inactive mining operations are mining sites that are not being actively mined, but that have an identifiable owner/operator;

(iv) Hazardous waste treatment, storage, or disposal facilities, including those that are operating under interim status or a permit under Subtitle C of RCRA;

(v) Landfills, land application sites, and open dumps that have received any industrial wastes (waste that is received from any of the facilities described under this subsection) including those that are subject to regulation under Subtitle D of RCRA;

(vi) Facilities involved in the recycling of materials, including metal scrapyards, battery reclaimers, salvage yards, and automobile junkyards, including but limited to those classified as Standard Industrial Classification 5015 and 5093;

(vii) Steam electric power generating facilities, including coal handling sites;

(viii) Transportation facilities classified as Standard Industrial Classifications 40, 41, 42 (except 4221-25), 43, 44, 45 and 5171 that have vehicle maintenance shops, equipment cleaning operations, or airport deicing operations. Only those portions of the facility that are either involved in

vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication), equipment cleaning operations, airport deicing operations, or that are otherwise identified under paragraphs (i) to (vii) or (ix) to (xi) of this subsection are associated with industrial activity;

(ix) Treatment works treating domestic sewage or any other sewage sludge or wastewater treatment device or system, used in the storage treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated to the disposal of sewage sludge that are located within the confines of the facility, with a design flow of 1.0 mgd or more, or required to have an approved pretreatment program under 40 CFR Part 403. Not included are farm lands, domestic gardens or lands used for sludge management where sludge is beneficially reused and that are not physically located in the confines of the facility, or areas that are in compliance with 40 CFR Part 503;

(x) Construction activity including clearing, grading and excavation activities except: operations that result in the disturbance of less than 5 acres of total land area that are not part of a larger common plan of development or sale;

(xi) Facilities under Standard Industrial Classifications 20, 21, 22, 23, 2434, 25, 265, 267, 27, 283, 285, 30, 31 (except 311), 323, 34 (except 3441), 35, 36, 37 (except 373), 38, 39, 4221-25, (and that are not otherwise included within categories (i) to (x)).<sup>3</sup>

*Time-weighted composite* means a composite sample consisting of a mixture of equal volume aliquots collected at a constant time interval.

*Upset* means an exceptional incident in which there is unintentional and temporary noncompliance with the numeric effluent limitations of Parts V, and XI, of this permit 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 preventive maintenance, or careless or improper operation.

*Waste pile* means any noncontainerized accumulation of solid, nonflowing waste that is used for treatment or storage.

*Waters of the United States* means:

<sup>3</sup>On June 4, 1992, the United States Court of Appeals for the Ninth Circuit remanded the exclusion for manufacturing facilities in category (xi) that do not have materials or activities exposed to storm water to the EPA for further rulemaking. (Nos. 90-70671 and 91-70200.)

a. All waters that are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters that are subject to the ebb and flow of the tide;

b. All interstate waters, including interstate wetlands;

c. All other waters such as interstate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters:

1. That are or could be used by interstate or foreign travelers for recreational or other purposes;

2. From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or

3. That are used or could be used for industrial purposes by industries in interstate commerce;

d. All impoundments of waters otherwise defined as waters of the United States under this definition;

e. Tributaries of waters identified in paragraphs (a) through (d) of this definition;

f. The territorial sea; and

g. Wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs (a) through (f) of this definition.

(Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of CWA are not waters of the United States.)

#### Specific Requirements for Industrial Activities

##### A. Storm Water Discharges Associated With Industrial Activity From Timber Products Facilities

1. *Discharges Covered Under This Section.* The requirements listed under this section shall apply to storm water discharges from the following activities: establishments [generally classified under Standard Industrial Classification (SIC) Major Group 24] that are engaged in cutting timber and pulpwood, merchant sawmills, lath mills, shingle mills, cooperage stock mills, planing mills, and plywood and veneer mills engaged in producing lumber and wood basic materials; and establishments engaged in wood preserving or in manufacturing finished articles made entirely of wood or related materials, except for wood kitchen cabinet manufacturers (SIC Code 2434), which are addressed under Part XI.W. of this permit.

When an industrial facility, described by the above coverage provisions of this

section, has industrial activities being conducted onsite that meet the description(s) of industrial activities in another section(s), that industrial facility shall comply with any and all applicable monitoring and pollution prevention plan requirements of the other section(s) in addition to all applicable requirements in this section. The monitoring and pollution prevention plan terms and conditions of this multi-sector permit are additive for industrial activities being conducted at the same industrial facility (co-located industrial activities). The operator of the facility shall determine which other monitoring and pollution prevention plan section(s) of this permit (if any) are applicable to the facility.

##### 2. Special Conditions.

###### a. Prohibition of Non-storm Water Discharges.

(1) Discharges of boiler blowdown and water treatment wastewaters, noncontact and contact cooling waters, wash down waters from treatment equipment, and storm water that has come in contact with areas where spraying of chemical formulations designed to provide surface protection, to waters of the United States, or through municipal separate storm sewer systems are not authorized by this permit. The operators of such discharges must obtain coverage under a separate NPDES discharge permit.

(2) In addition to the discharges described in part III.A.2., the following non-storm water discharges may be authorized by this permit provided the non-storm water component of the discharge is in compliance with paragraph XI.A.3.a.(3)(g)(i) (Measures and Controls for Non-storm Water Discharges): discharges from the spray down of lumber and wood product storage yards where no chemical additives are used in the spray down waters and no chemicals are applied to the wood during storage.

##### 3. Storm Water Pollution Prevention Plan Requirements.

a. *Contents of Plan.* The plan shall include, at a minimum, the following items:

(1) *Pollution Prevention Team.* Each plan shall identify a specific individual or individuals within the facility organization as members of a storm water Pollution Prevention Team that are responsible for developing the storm water pollution prevention plan and assisting the facility or plant manager in its implementation, maintenance, and revision. The plan shall clearly identify the responsibilities of each team member. The activities and responsibilities of the team shall

address all aspects of the facility's storm water pollution prevention plan.

(2) *Description of Potential Pollutant Sources.* Each plan shall provide a description of potential sources that may reasonably be expected to add significant amounts of pollutants to storm water discharges or that may result in the discharge of pollutants during dry weather from separate storm sewers draining the facility. Each plan shall identify all activities and significant materials that may potentially be significant pollutant sources. Each plan shall include, at a minimum:

###### (a) Drainage.

(i) A site map indicating the location of outfalls covered by the permit, the types of discharges contained in the drainage areas of the outfalls, an outline of the portions of the drainage area of each storm water outfall that are within the facility boundaries, each existing structural control measure to reduce pollutants in storm water runoff, surface water bodies, locations where significant materials are exposed to precipitation, locations where major spills or leaks identified under Part XI.A.3.a.(2)(c) (Spills and Leaks) of this permit have occurred, and the locations of the following activities where such activities are exposed to precipitation: fueling stations; vehicle and equipment maintenance and/or cleaning areas; loading/unloading areas; material handling areas; locations used for the treatment, storage, or disposal of wastes; liquid storage tanks; processing areas; treatment chemical storage areas; treated wood and residue storage areas; wet decking areas; dry decking areas; untreated wood and residue storage areas; and treatment equipment storage areas.

(ii) For each area of the facility that generates storm water discharges associated with industrial activity with a reasonable potential for containing significant amounts of pollutants, a prediction of the direction of flow, and an identification of the types of pollutants that are likely to be present in storm water discharges associated with industrial activity. Factors to consider include the toxicity of chemicals; quantity of chemicals used, produced or discharged; the likelihood of contact with storm water; and history of significant leaks or spills of toxic or hazardous pollutants. Flows with a significant potential for causing erosion shall be identified.

(b) *Inventory of Exposed Materials—* An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative



climatic conditions, the discharger must document the reason for not performing the visual examination. Adverse weather conditions which may prohibit the collection of samples include weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricane, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (drought, extended frozen conditions, etc.).

(6) When a discharger is unable to conduct visual storm water examinations at an inactive and unstaffed site, the operator of the facility may exercise a waiver of the monitoring requirement as long as the facility remains inactive and unstaffed. The facility must maintain a certification with the pollution prevention plan stating that the site is inactive and unstaffed so that performing visual examinations during a qualifying event is not feasible.

*S. Storm Water Discharges Associated With Industrial Activity From Vehicle Maintenance Areas, Equipment Cleaning Areas, or Deicing Areas Located at Air Transportation Facilities*

**1. Discharges Covered Under This Section**

The requirements listed under this section shall apply to storm water discharges from establishments and/or facilities including airports, air terminals, air carriers, flying fields, and establishments engaged in servicing or maintaining airports and/or aircraft (generally classified under Standard Industrial Classification (SIC) code 45) which have vehicle maintenance shops, material handling facilities, equipment cleaning operations or airport and/or aircraft deicing/anti-icing operations. For the purpose of this permit, the term "deicing" is defined as the process to remove frost, snow, or ice and "anti-icing" is the process which prevents the accumulation of frost, snow, or ice.

(a) *Coverage.* Only those portions of the facility or establishment that are either involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication), equipment cleaning operations, or deicing/anti-icing operations are addressed under this section.

When an industrial facility, described by the above coverage provisions of this section, has industrial activities being conducted onsite that meet the description(s) of industrial activities in another section(s), that industrial facility shall comply with any and all applicable monitoring and pollution

prevention plan requirements of the other section(s) in addition to all applicable requirements in this section. The monitoring and pollution prevention plan terms and conditions of this multi-sector permit are additive for industrial activities being conducted at the same industrial facility (co-located industrial activities). The operator of the facility shall determine which other monitoring and pollution prevention plan section(s) of this permit (if any) are applicable to the facility.

**2. Special Conditions**

(a) *Prohibition of Non-storm Water Discharges.* In addition to those discharges prohibited under Part III.A.2, non-storm water discharges including aircraft, ground vehicle, runway and equipment washwaters, and dry weather discharges of deicing/anti-icing chemicals are not authorized by this permit. Dry weather discharges are those discharges generated by processes other than those included in the definition of storm water. The definition of storm water includes storm water runoff, snow melt runoff, and surface runoff and drainage. All other discharges constitute non-storm water discharges. Operators of non-storm water discharges must obtain coverage under a separate National Pollutant Discharge Elimination System (NPDES) permit if discharged to waters of the United States or through a municipal separate storm sewer system.

(b) *Releases of Reportable Quantities of Hazardous Substances and Oil.* Each individual permittee is required to report spills equal to or exceeding the reportable quantity levels specified at 40 CFR 110, 117, and 302 as described at Part VLB.2. If an airport authority is the sole permittee, then the sum total of all spills at the airport must be assessed against the RQ. If the airport authority is a co-permittee with other deicing/anti-icing operators at the airport, such as numerous different airlines, the assessed amount must be the summation of spills by each co-permittee. If separate, distinct individual permittees exist at the airport, then the amount spilled by each separate permittee must be the assessed amount for the RQ determination.

**3. Storm Water Pollution Prevention Plan Requirements**

Storm water pollution prevention plans developed for areas of the facility occupied by tenants of the airport shall be integrated with the plan for the entire airport. For the purposes of today's permit, tenants of the airport facility include airline companies, fixed based operators and other parties which have

contracts with the airport authority to conduct business operations on airport property which result in storm water discharges associated with industrial activity as described in paragraph 1 of this section. Plans should be developed in accordance with Part IV. Storm Water Pollution Prevention Plans).

(a) *Contents of Plan.* Each plan shall include, at a minimum, the following items:

(1) *Pollution Prevention Team.* Each plan shall identify a specific individual or individuals as member(s) of a storm water Pollution Prevention Team who are responsible for developing the storm water pollution prevention plan and assisting the facility management in its implementation, maintenance, and revision. The plan shall clearly identify the responsibilities of each team member. The activities and responsibilities of the team shall address all aspects of the facility's storm water pollution prevention plan.

(2) *Description of Potential Pollutant Sources.* Each plan shall provide a description of potential sources which may reasonably be expected to add significant amounts of pollutants to storm water discharges or which may result in the discharge of pollutants during dry weather from separate storm sewers draining the facility. Each plan shall identify all activities and significant materials which may potentially be significant pollutant sources. Each plan shall include, at a minimum:

(a) *Drainage.*

(i) A site map indicating an outline of the drainage area of each storm water outfall within the facility boundaries, each existing structural control measure to reduce pollutants in storm water runoff, surface water bodies, locations where significant materials are exposed to precipitation, locations where major spills or leaks identified under paragraph XI.S.3.a.(2)(c) (Spills and Leaks) of this section have occurred, and the locations of the following activities where such activities are exposed to precipitation: aircraft and runway deicing/anti-icing operations; fueling stations; aircraft, ground vehicle and equipment maintenance and/or cleaning areas; storage areas for aircraft, ground vehicles and equipment awaiting maintenance; loading/unloading areas; locations used for the treatment, storage or disposal of wastes, liquid storage tanks, processing areas and storage areas. The map must indicate the outfall locations and the types of discharges contained in the drainage areas of the outfalls.

(ii) For each area of the facility that generates storm water discharges

associated with industrial activity with a reasonable potential for containing significant amounts of pollutants, a prediction of the direction of flow, and an identification of the types of pollutants which are likely to be present in storm water discharges associated with industrial activity. Factors to consider include the toxicity of chemical; quantity of chemicals used, produced or discharged; the likelihood of contact with storm water; and history of significant leaks or spills of toxic or hazardous pollutants. Flows with a significant potential for causing erosion shall be identified.

(iii) The site map developed for the entire airport shall indicate the location of each tenant of the facility that conducts industrial activities as described in Part XLS.1.a., and incorporate information from the tenants site map (including a description of industrial activities, significant materials exposed, and existing management practices).

(b) *Inventories of Exposed Materials*—An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; method and location of onsite storage or disposal; materials management practices employed to minimize contact of materials with storm water runoff between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; the location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and a description of any treatment of storm water runoff.

(c) *Spills and Leaks*—A list of significant spills and significant leaks of toxic or hazardous pollutants that occurred at areas that are exposed to precipitation or that otherwise drain to a storm water conveyance at the facility after the date of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit. Such list shall be updated as appropriate during the term of the permit.

(d) *Sampling Data*—A summary of existing discharge sampling data describing pollutants in storm water discharges from the facility, including a summary of sampling data collected during the term of this permit.

(e) *Risk Identification and Summary of Potential Pollutant Sources*—A narrative description of the potential pollutant sources from the following activities: aircraft, runway, ground vehicle and equipment maintenance and cleaning; aircraft and runway deicing/anti-icing operations (including apron and centralized aircraft deicing/anti-icing stations, runways, taxiways and ramps); outdoor storage activities; loading and unloading operations; and onsite waste disposal. The description shall specifically list any significant potential source of pollutants at the facility and for each potential source, any pollutant or pollutant parameter [e.g., biochemical oxygen demand (BOD<sub>5</sub>), oil and grease, etc.] of concern shall be identified.

Facilities which conduct deicing/anti-icing operations shall maintain a record of the types [including the Material Safety Data Sheets (MSDS)] and monthly quantities of deicing/anti-icing chemicals used. Tenants and fixed-base operators who conduct deicing/anti-icing operations shall provide the above information to the airport authority for inclusion in the storm water pollution prevention plan for the entire facility.

(3) *Measures and Controls*. Operators covered by this permit shall develop a description of storm water management controls appropriate for their areas of operation, and implement such controls. The priority in selecting controls shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls shall address the following minimum components, including a schedule for implementing such controls:

(a) *Good Housekeeping*—Good housekeeping requires the maintenance of areas which may contribute pollutants to storm water discharges in a clean, orderly manner.

(i) *Aircraft, Ground Vehicle and Equipment Maintenance Areas*—Permittees should ensure the maintenance of equipment is conducted in designated areas only and clearly identify these areas on the ground and delineate them on the site map. The plan must describe measures that prevent or minimize the contamination of the storm water runoff from all areas used for aircraft, ground vehicle and equipment maintenance (including the maintenance conducted on the terminal apron and in dedicated hangars). Management practices or equivalent measures such as performing maintenance activities indoors, maintaining an organized inventory of materials used in the maintenance areas, draining all parts of fluids prior to

disposal, preventing the practice of hosing down the apron or hangar floor, using dry cleanup methods, and/or collecting the storm water runoff from the maintenance area and providing treatment or recycling should be considered.

(ii) *Aircraft, Ground Vehicle and Equipment Cleaning Areas*—Permittees should ensure that cleaning of equipment is conducted in designated areas only and clearly identify these areas on the ground and delineate them on the site map. The plan must describe measures that prevent or minimize the contamination of the storm water runoff from all areas used for aircraft, ground vehicle and equipment cleaning. Management practices such as performing cleaning operations indoors, and/or collecting the storm water runoff from the cleaning area and providing treatment or recycling should be considered.

(iii) *Aircraft, Ground Vehicle and Equipment Storage Areas*—The storage of aircraft, ground vehicles and equipment awaiting maintenance must be confined to designated areas (delineated on the site map). The plan must describe measures that prevent or minimize the contamination of the storm water runoff from these areas. Management practices such as indoor storage of aircraft and ground vehicles, the use of drip pans for the collection of fluid leaks, and perimeter drains, dikes or berms surrounding storage areas should be considered.

(iv) *Material Storage Areas*—Storage units of all materials (e.g., used oils, hydraulic fluids, spent solvents, and waste aircraft fuel) must be maintained in good condition, so as to prevent or minimize contamination of storm water, and plainly labeled (e.g., "used oil," "Contaminated Jet A," etc.). The plan must describe measures that prevent or minimize contamination of the storm water runoff from storage areas. Management practices or equivalent measures such as indoor storage of materials, centralized storage areas for waste materials, and/or installation of berming and diking around storage areas should be considered for implementation.

(v) *Airport Fuel System and Fueling Areas*—The plan must describe measures that prevent or minimize the discharge of fuels to the storm sewer resulting from fuel servicing activities or other operations conducted in support of the airport fuel system. Where the discharge of fuels into the storm sewer cannot be prevented, the plan shall indicate measures that will be employed to prevent or minimize the discharge of the contaminated runoff into receiving

surface waters. Management practices or equivalent measures such as implementing spill and overflow practices (e.g., placing sorptive materials beneath aircraft during fueling operations), using dry cleanup methods, and/or collecting the storm water runoff should be considered.

(b) *Preventive Maintenance*—A preventive maintenance program shall involve timely inspection and maintenance of storm water management devices (e.g., cleaning oil/water separators, removing debris from catch basins) as well as inspecting and testing facility equipment and systems to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters, and ensuring appropriate maintenance of such equipment and systems.

(c) *Spill Prevention and Response Procedures*—Areas where potential spills which can contribute pollutants to storm water discharges can occur, and their accompanying drainage points shall be identified clearly in the storm water pollution prevention plan. The plan shall describe material handling procedures, storage requirements, and consider the use of equipment such as diversion valves. Procedures for cleaning up spills shall be identified in the plan and made available to the appropriate personnel. The necessary equipment to implement a clean up should be available to personnel.

(d) *Source Reduction*—Operators who conduct aircraft and/or runway (including taxiways and ramps) deicing/anti-icing operations shall evaluate present operating procedures to consider alternative practices to reduce the overall amount of deicing/anti-icing chemicals used and/or lessen the environmental impact of the pollutant source.

(i) With regard to runway deicing operations, operators, at a minimum, shall evaluate: present application rates to ensure against excessive over application; metered application of deicing chemical; pre-wetting dry chemical constituents prior to application; installation of runway ice detection systems; implementing anti-icing operations as a preventive measure against ice buildup; the use of substitute deicing compounds such as potassium acetate in lieu of ethylene glycol, propylene glycol and/or urea.

(ii) In considering source reduction management practices for aircraft deicing operations, operators, at a minimum, should evaluate current application rates and practices to ensure against excessive over application, and consider pretreating aircraft with hot

water prior to the application of a deicing chemical, thus reducing the overall amount of chemical used per operation.

Source reduction measures that the operator determines to be reasonable and appropriate shall be implemented and maintained. The plan shall provide a narrative explanation of the options considered and the reasoning for whether or not to implement them.

(e) *Management of Runoff*—The plan shall contain a narrative consideration of the appropriateness of traditional storm water management practices (practices other than those which prevent or reduce source(s) of pollutants) used to divert, infiltrate, reuse, or otherwise manage storm water runoff in a manner that reduces pollutants in storm water discharges from the site. The potential of various sources at the facility to contribute pollutants to storm water discharges associated with industrial activity [see paragraph XI.S.3.a.(2) (Description of Potential Pollutant Sources)] shall be considered. Appropriate measures or equivalent measures may include: vegetative swales, reuse of collected storm water (such as for a process or as an irrigation source), inlet controls (such as oil/water separators), snow management activities, infiltration devices, and wet detention/retention devices. Measures that the permittee determines to be reasonable and appropriate shall be implemented and maintained.

(f) Operators that conduct aircraft and/or runway deicing/anti-icing operations shall also provide a narrative consideration of management practices to control or manage contaminated runoff from areas where deicing/anti-icing operations occur to reduce the amount of pollutants being discharged from the site. Structural controls such as establishing a centralized aircraft deicing facility, and/or collection of contaminated runoff for treatment or recycling should be considered. Collection and treatment alternatives include, but are not limited to, retention basins, detention basins with metered controlled release, Underground Storage Tanks (USTs) and/or disposal to Publicly Owned Treatment Works (POTW) by way of sanitary sewer or hauling tankers. Runoff management controls that the operator determines to be reasonable and appropriate shall be implemented and maintained. The plan should consider the recovery of deicing/anti-icing materials when these materials are applied during non-precipitation events to prevent these materials from later becoming a source of storm water contamination. The plan

shall provide a narrative explanation of the controls selected and the reasons for their selection.

(f) *Inspections*—In addition to or as part of the comprehensive site evaluation required under paragraph XI.S.3.a.(4) of this section, qualified facility personnel shall be identified to inspect designated equipment and areas of the facility specified in the plan. The inspection frequency shall be specified in the plan, but at a minimum be conducted once per week during deicing/anti-icing application periods for areas where deicing/anti-icing operations are being conducted. A set of tracking or follow-up procedures shall be used to ensure that appropriate actions are taken in response to the inspections. Records of inspections shall be maintained. The use of a checklist developed by the pollution prevention team is encouraged.

(g) *Pollution Prevention Training*—Pollution prevention training programs shall be developed to inform management and personnel responsible for implementing activities identified in the storm water pollution prevention plan of the components and goals of the plan. Training should address topics such as spill response, good housekeeping, aircraft and runway deicing/anti-icing procedures, and material management practices. The pollution prevention plan shall identify periodic dates for such training.

(h) *Recordkeeping and Internal Reporting Procedures*—A description of incidents (such as spills, or other discharges), along with other information describing the quality and quantity of storm water discharges shall be included in the plan. Inspections and maintenance activities shall be documented and records shall be incorporated into the plan.

(i) *Non-storm Water Discharges.*

(i) The plan shall include a certification that the discharge points have been tested or evaluated for the presence of non-storm water discharges. The certification shall include the identification of potential significant sources of non-storm water at the site, a description of the results of any test and/or evaluation for the presence of non-storm water discharges, the evaluation criteria or testing method used, the date of any testing and/or evaluation, and the onsite drainage points that were directly observed during the test. Certifications shall be signed in accordance with Part VII.G. of this permit. Such certification may not be feasible if the facility operating the storm water discharge associated with industrial activity does not have access to an outfall, manhole, or other point of



access to the ultimate conduit which receives the discharge. In such cases, the source identification section of the storm water pollution prevention plan shall indicate why the certification required by this part was not feasible, along with the identification of potential significant sources of non-storm water at the site. A discharger that is unable to provide the certification required by this paragraph must notify the Director in accordance with paragraph XI.S.3.a.(3)(iii) (below).

(ii) Except for flows from fire fighting activities, other sources of non-storm water listed in Part III.A.2 (Non-storm Water Discharges) of this permit that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge.

(iii) *Failure to Certify*—Any facility that is unable to provide the certification required (testing for non-storm water discharges), must notify the Director by [insert date 270 days after permit issuance] or, for facilities which begin to discharge storm water associated with industrial activity after [insert date 270 days after permit issuance], 180 days after submitting a notice of intent to be covered by this permit. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notification shall describe: the procedure of any test conducted for the presence of non-storm water discharges; the results of such test or other relevant observations; potential sources of non-storm water discharges to the storm sewer; and why adequate tests for such storm sewers were not feasible. Non-storm water discharges to waters of the United States which are not authorized by an NPDES permit are unlawful, and must be terminated.

(j) *Sediment and Erosion Control*—The plan shall identify areas which, due to topography, activities, or other factors, have a high potential for significant soil erosion, and identify structural, vegetative, and/or stabilization measures to be used to limit erosion.

(4) *Comprehensive Site Compliance Evaluation*. Qualified personnel shall conduct site compliance evaluations during periods of deicing/anti-icing operations at appropriate intervals specified in the plan, but in no case less than once a year. Such evaluations shall provide:

(a) Areas contributing to a storm water discharge associated with industrial activity shall be visually inspected for evidence of, or the

potential for, pollutants entering the drainage system. Measures to reduce pollutant loadings shall be evaluated to determine whether they are adequate and properly implemented in accordance with the terms of the permit or whether additional control measures are needed. Structural storm water management measures, sediment and erosion control measures, and other structural pollution prevention measures identified in the plan shall be observed to ensure that they are operating correctly. A visual inspection of equipment needed to implement the plan, such as spill response equipment, shall be made.

(b) Based on the results of the evaluation, the description of potential pollutant sources identified in the plan in accordance with paragraph XI.S.3.a.(2) of this section (Description of Potential Pollutant Sources) and pollution prevention measures and controls identified in the plan in accordance with paragraph XI.S.3.a.(3) of this section (Measures and Controls) shall be revised as appropriate within 2 weeks of such evaluation and shall provide for implementation of any changes to the plan in a timely manner, but in no case more than 12 weeks after the evaluation.

(c) A report summarizing the scope of the evaluation, personnel making the evaluation, the date(s) of the evaluation, major observations relating to the implementation of the storm water pollution prevention plan, and actions taken in accordance with paragraph XI.S.3.a.(4)(b) (above) of the permit shall be made and retained as part of the storm water pollution prevention plan for at least 3 years from the date of the evaluation. The report shall identify any incidents of noncompliance. Where a report does not identify any incidents of noncompliance, the report shall contain a certification that the facility is in compliance with the storm water pollution prevention plan and this permit. The report shall be signed in accordance with Part VII.G. (Signatory Requirements) of this permit.

(d) Where compliance evaluation schedules overlap with inspections required under 3.a.(3)(f), the compliance evaluation may be conducted in place of one such inspection.

#### 4. Numeric Effluent Limitations

There are no additional numeric effluent limitations beyond those in Part V.B of this permit.

#### 5. Monitoring and Reporting Requirements

a. During the period beginning on the effective date and lasting through the

expiration date of this permit, (airports that use more than 100,000 gallons of glycol-based deicing/anti-icing) chemicals and/or 100 tons or more of urea on an average annual basis):

(1) Shall prepare estimates for annual pollutant loadings resulting from discharges of spent deicing/anti-icing chemicals from the entire airport. The loading estimates shall reflect the amounts of deicing/anti-icing chemicals discharged to separate storm sewer systems or surface waters, prior to and after implementation of the facility's storm water pollution prevention plan. Such estimates shall be reviewed by an environmental professional, and certified by such professional. By means of the certification, the environmental professional, having examined the facility's deicing/anti-icing procedures, and proposed control measures described in the storm water pollution prevention plan, shall attest that the loading estimates have been accurately prepared. Certified loading estimates are to be retained at the airport facility and attached to the storm water pollution prevention plan.

b. *Analytical Monitoring Requirements*. During the period beginning [insert date 1 year after permit issuance] lasting through [insert date 2 years after permit issuance] and the period beginning [insert date 3 years after permit issuance] lasting through [insert date 4 years after permit issuance], airports that use more than 100,000 gallons of glycol-based deicing/anti-icing chemicals and/or 100 tons or more of urea on an average annual basis shall monitor outfalls from the airport facility that collect runoff from areas where deicing/anti-icing activities occur, except as provided in paragraph 5.a.(3) (Sampling Waiver). Airports which are subject to these monitoring requirements must sample their storm water discharges for the parameters listed in Table S-1 below. Such facilities must report in accordance with 5.b. (Reporting). In addition to the parameters listed in Table S-1 below, the permittee shall provide the date and duration (in hours) of the precipitation event(s) sampled; measurements or estimates (in inches) of the precipitation event that generated the sampled runoff; the duration between the event sampled and the end of the previous measurable (greater than 0.1 inch rainfall) event; and an estimate of the total volume (in gallons) of the discharge sampled.

TABLE S-1.—MONITORING REQUIREMENTS

Pollutants of concern	Monitoring cut-off concentration
Biochemical Oxygen Demand (BOD <sub>5</sub> ).	30 mg/L
Chemical Oxygen Demand (COD).	120 mg/L
Ammonia .....	19 mg/L
pH .....	6.0 to 9 s.u.

For the purposes of today's final permit, the "average annual" usage rate of deicing/anti-icing chemicals is determined by averaging the cumulative amount of deicing/anti-icing chemicals used by all operators at the airport facility in the 3 previous calendar years.

(1) *Monitoring Periods.* Airports where more than 100,000 gallons of glycol-based deicing/anti-icing chemicals and/or 100 tons or more of urea are used on an average annual basis shall monitor outfalls from the facility that collect runoff from areas where deicing/anti-icing activities occur four times per year during the months of December, January, and February when deicing/anti-icing activities are occurring, in the years specified in paragraph b. (above).

(2) *Sample Type.* A minimum of one grab sample and one flow-weighted composite sample shall be taken from each outfall that collects runoff from areas where deicing/anti-icing activities occur. All such samples shall be collected from a discharge resulting from a precipitation 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) precipitation event. The required 72-hour storm event interval is waived where the preceding measurable storm event did not result in a measurable discharge from the facility. The required 72-hour storm event interval may also be waived where the permittee documents that less than a 72-hour interval is representative for local storm events during the season when sampling is being conducted. The grab sample should be taken when pollutant concentrations in the storm water/melt water discharges from deicing/anti-icing operations are expected to be at a maximum. The recommended methodology for performing grab and flow-weighted composite sampling is described at 40 CFR 122.21(g)(7). The permittee has the option to submit site-specific deicing/anti-icing discharge monitoring protocol and methodology, better suited to the particular facility, to the Director for approval.

(3) *Sampling Waiver.*

(a) *Adverse Conditions*—Adverse weather conditions that may prohibit the collection of samples include weather conditions that create dangerous conditions for personnel (such as high winds, blizzard conditions, ice storms, etc.) or otherwise make the collection of a sample impracticable (extended frozen conditions, etc.).

(b) *Low Concentration Waiver*—When the average concentration for a parameter calculated from all grab samples collected during the monitoring period [insert date 1 year after permit issuance] lasting through [insert date 2 years after permit issuance] is less than the corresponding value for that parameter listed in Table S-1 under the column Monitoring Cut-off Concentration, a facility may waive monitoring and reporting requirements in the monitoring period beginning [insert date 3 years after permit issuance] lasting through [insert date 4 years after permit issuance]. The facility must submit to the Director, in lieu of the monitoring data, a certification that there has not been a significant change in industrial activity or the pollution prevention measures in area of the facility which drains to the outfall for which sampling was waived.

(c) When a discharger is unable to conduct quarterly chemical storm water sampling at an inactive and unstaffed site, the operator of the facility may exercise a waiver of the monitoring requirements as long as the facility remains inactive and unstaffed. The facility must submit to the Director, in lieu of monitoring data, a certification statement on the DMR stating that the site is inactive and unstaffed so that collecting a sample during a qualifying event is not possible.

(4) *Representative Discharge.* When a facility has two or more outfalls that, based on a consideration of industrial activity, significant materials, and management practices and activities within the area drained by the outfall, the permittee reasonably believes discharge substantially identical effluents, the permittee may test the effluent of one of such outfalls and report that the quantitative data also applies to the substantially identical outfall(s) provided that the permittee includes in the storm water pollution prevention plan a description of the location of the outfalls and explains in detail why the outfalls are expected to discharge substantially identical effluents. In addition, for each outfall that the permittee believes is representative, an estimate of the size of the drainage area (in square feet) and an estimate of the runoff coefficient of the

drainage area [e.g., low (under 40 percent), medium (40 to 65 percent), or high (above 65 percent)] shall be provided in the plan. The permittee shall include the description of the location of the outfalls, explanation of why outfalls are expected to discharge substantially identical effluents, and estimate of the size of the drainage area and runoff coefficient with the Discharge Monitoring Report.

(5) *Alternative Certification.* The Alternative Certification provision discussed in other sections of Part XI is not applicable to discharges included under Part XI.S. (Storm Water Discharges Associated with Industrial Activity from Vehicle Maintenance Areas, Equipment Cleaning Areas, or Deicing/Anti-icing Areas Located at Air Transportation Facilities).

(c) *Reporting.* Airports identified in Part XI.S.5.6 shall submit monitoring results obtained during the reporting period beginning [insert date 1 year after permit issuance] lasting through [insert date 2 years after permit issuance] on Discharge Monitoring Report Form(s) postmarked no later than the 31st day of March [insert the date 2 years after permit issuance]. Monitoring results obtained during the period beginning [insert date 3 years after permit issuance] lasting through [insert date 4 years after permit issuance] shall be submitted on Discharge Monitoring Report Form(s) postmarked no later than the 31st day of March [insert date 4 years after permit issuance]. A separate Discharge Monitoring Report Form is required for each sampling period. For each outfall, one signed Discharge Monitoring Report form must be submitted to the Director per storm event sampled. Signed copies of Discharge Monitoring Reports, or waiver, shall be submitted to the Director of the NPDES program at the address of the appropriate Regional Office listed in Part VI.G. of the fact sheet.

(1) *Additional Notification.* In addition to filing copies of discharge monitoring reports in accordance with paragraph cb (above), facilities identified in Part XI.S.5.6 that discharge storm water to a large or medium municipal separate storm sewer system (systems serving a population of 100,000 or more) must submit signed copies of discharge monitoring reports to the operator of the municipal separate storm sewer system in accordance with the dates provided in paragraph bc (above).

<b>THIS FORM REPLACES PREVIOUS FORM 3510-6 (8-92)</b> Form Approved. <small>CMS No. 2040-0088</small> See Reverse for Instructions      Approval expires: 6-31-98		
<b>NPDES FORM</b>		United States Environmental Protection Agency Washington, DC 20460 <b>Notice of Intent (NOI) for Storm Water Discharges Associated with Industrial Activity Under a NPDES General Permit</b>
Submission of this Notice of Intent constitutes notice that the party identified in Section II of this form intends to be authorized by a NPDES permit issued for storm water discharges associated with industrial activity in the State identified in Section III of this form. Becoming a permittee obligates such discharger to comply with the terms and conditions of the permit. <b>ALL NECESSARY INFORMATION MUST BE PROVIDED ON THIS FORM.</b>		
<b>I. Permit Selection: You must indicate the NPDES Storm Water general permit under which you are applying for coverage. Check one of these.</b>		
Baseline Industrial <input type="checkbox"/>	Baseline Construction <input type="checkbox"/>	Multi-Sector (Group Permit) <input type="checkbox"/>
<b>II. Facility Operator Information</b>		
Name: _____		Phone: _____
Address: _____		Status of Owner/Operator: <input type="checkbox"/>
City: _____	State: _____	ZIP Code: _____
<b>III. Facility/Site Location</b>		
Name: _____		Is the facility located on Indian Lands? (Y or N) <input type="checkbox"/>
Address: _____		
City: _____	State: _____	ZIP Code: _____
Latitude: _____	Longitude: _____	Quarter: _____ Section: _____ Township: _____ Range: _____
<b>IV. Site Activity Information</b>		
MS4 Operator Name: _____		
Receiving Water Body: _____		
If you are filing as a co-permittee, enter storm water general permit number: _____		<b>Multi-Sector Permit Applicants Only:</b> Based on the instructions provided in Addendum H of the Multi-Sector permit, are species identified in Addendum H in proximity to the storm water discharges to be covered under this permit, or the areas of BMP construction to control those storm water discharges? (Y or N) <input type="checkbox"/>  Will construction (and disturbing activities) be conducted for storm water controls? (Y or N) <input type="checkbox"/>  Is applicant subject to and in compliance with a written historic preservation agreement? (Y or N) <input type="checkbox"/>
SIC or Designated Activity Code: Primary: _____ 2nd: _____		
Is the facility required to submit monitoring data? (1, 2, 3, or 4) <input type="checkbox"/>		
If You Have Another Existing NPDES Permit, Enter Permit Number: _____		
<b>V. Additional Information Required for Construction Activities Only</b>		
Project Start Date: _____	Completion Date: _____	Estimated Area to be Disturbed (in Acres): _____
		Is the Storm Water Pollution Prevention Plan in compliance with State and/or Local sediment and erosion plans? (Y or N) <input type="checkbox"/>
<b>VI. Certification:</b> The certification statement in Box 1 applies to all applicants. The certification statement in Box 2 applies only to facilities applying for the Multi-Sector storm water general permit.		
<b>BOX 1</b> <b>ALL APPLICANTS:</b> 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 fine and imprisonment for knowing violations.	<b>BOX 2</b> <b>MULTI-SECTOR STORM WATER GENERAL PERMIT APPLICANTS ONLY:</b> I certify under penalty of law that I have read and understand the Part I.B. eligibility requirements for coverage under the Multi-Sector storm water general permit, including these requirements relating to the protection of species identified in Addendum H.  To the best of my knowledge, the discharges covered under this permit, and construction of BMPs to control storm water run-off, are not likely to and will not likely adversely affect any species identified in Addendum H of the Multi-Sector storm water general permit or are otherwise eligible for coverage due to previous authorization under the Endangered Species Act.  To the best of my knowledge, I further certify that such discharges, and construction of BMPs to control storm water run-off, do not have an effect on properties listed or eligible for listing on the National Register of Historic Places under the National Historic Preservation Act, or are otherwise eligible for coverage due to a previous agreement under the National Historic Preservation Act.  I understand that continued coverage under the Multi-Sector general permit is contingent upon maintaining eligibility as provided for in Part I.B.	
Print Name: _____		Date: _____
Signature: _____		

<b>VIII. The Intermodal Surface Transportation Efficiency Act of 1991 (Transportation Act)</b>
--

89. How did the Transportation Act affect permitting requirements for municipalities under 100,000?
- A. Storm water discharges from certain industrial activities owned or operated by municipalities with a population of less than 100,000 people were granted a moratorium from the October 1, 1992 deadline for storm water permit applications. Exceptions to this moratorium include discharges from powerplants, airports and uncontrolled sanitary landfills.
90. How does the Transportation Act impact privately owned or operated industrial activities located in municipalities under 100,000?
- A. The provisions of the Transportation Act specifically address publicly owned or operated industrial activities. Privately owned facilities that have storm water discharges associated with industrial activity, as defined at 40 CFR 122.26(b)(14), must submit a permit application regardless of the size of the population of the municipality in which they are located.
91. What is an "uncontrolled sanitary landfill?"
- A. An uncontrolled sanitary landfill (discussed in the 4/2/92 Federal Register, page 11410) is a landfill or open dump, whether in operation or closed, that does not satisfy the runoff/runoff requirements established pursuant to subtitle D of the Solid Waste Disposal Act. However, landfills closed prior to October 9, 1991 are not subject to RCRA runoff/runoff requirements, and therefore need not submit storm water permit applications if they are located in municipalities of less than 100,000 population. Landfills closed after October 9, 1991 and others that meet the above definition would be subject to the storm water permit application requirements.
92. If a municipally-owned sewage treatment plant is located in a municipality with a population of less than 100,000 people, but the service population is greater than 100,000 people, is the facility subject to the permitting requirements?
- A. Yes, because service populations are used in determining population for publicly-owned treatment works (POTWs) (April 2, 1992 Federal Register page 11394). Additionally, where one sewer district operates a number of POTWs, the entire service population of the district will be used to determine the applicable population classification of all the POTWs operated by the district. For example, if a district with a cumulative

service population of 160,000 operates two sewage treatment plants, one of which serves 120,000 and the other which serves 40,000, both plants will be considered to be owned or operated by a municipality with a population of 100,000 or more.

93. If a construction operation disturbing five or more acres is owned by a small municipality (a population of less than 100,000 people) but operated by a private contractor, is the activity regulated?
- A. No. If the construction activity is either owned or operated by a municipality with a population of less than 100,000 it would not be required to obtain a storm water permit during Phase I of the storm water program. Some States, however, may require that an application be submitted.

<b>IX. 9th Circuit U.S. Court of Appeals Decision</b>
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94. What is the current status of light manufacturing facilities without exposure and construction activities under five acres, pursuant to the 9th Circuit Court decision?
- A. The 9th Circuit Court decision remanded two "exemptions" provided in the NPDES storm water permit application regulations for light manufacturing facilities without exposure and construction activities under five acres (11/16/90 Federal Register page 48066). Both exemptions were remanded for further proceedings. In response to these two remands, the Agency intends to conduct further rulemakings on both the light manufacturing and construction activities under five acres. In the December 18, 1992, Federal Register, the Agency stated that it is not requiring permit applications from construction activity under five acres or light industry without exposure until this further rulemaking is completed.

<b>X. Phase II of the Storm Water Program</b>
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95. What is the difference between Phase I and Phase II of the NPDES storm water program?
- A. In the Water Quality Act of 1987, Congress mandated that EPA establish storm water control programs in two phases. While the first Phase I was defined on November 16, 1990, Phase II regulations were to be promulgated by October 1, 1992. However, the Water Resources Development Act (WRDA) of 1992 extended deadlines for Phase II of the

# FAX TRANSMITTAL

# OF PAGES 2 (INCLUDING COVER PAGE)

TO: <i>Jim Pierce</i>	FROM: <i>Claudia Hosh</i> USEPA, REGION 6
DEPT. / AGENCY / BUSINESS <i>Town of Addison</i>	MAIL CODE: <i>6WQ-3 PP</i> PHONE# <i>(214) 665-6464</i>
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## **A BRIEF GUIDE TO REQUIREMENTS FOR DEVELOPING AND IMPLEMENTING POLLUTION PREVENTION PLANS FOR INDUSTRIAL ACTIVITIES**

Storm water runoff is part of the natural hydrologic cycle. However, human activities, particularly urbanization, can alter natural drainage patterns and add pollutants to the rainwater and snowmelt that run off the earth's surface and enter our Nation's rivers, lakes, streams, and coastal waters. In fact, recent studies have shown that storm water runoff is a major source of the pollutants that are damaging our sport and commercial fisheries, restricting swimming, and affecting the navigability of many of our Nation's waters.

The States and many municipalities have been taking the initiative to manage storm water discharges more effectively. Recognizing the importance of this problem, Congress also directed the U.S. Environmental Protection Agency (EPA) to develop a Federal program under the Clean Water Act to regulate certain high-priority storm water sources. The issuance of storm water discharge permits under the National Pollutant Discharge Elimination System (NPDES) is a major part of the Agency's efforts to restore and maintain the Nation's water quality.

Under the **NPDES General Permit for Storm Water Discharges** Associated with Industrial Activity, EPA requires the development and implementation of a pollution prevention plan — designed to reduce pollution at the source, before it can cause environmental problems that cost the public and private sectors in terms of lost resources and expensive environmental restoration activities.

### ***OVERVIEW OF POLLUTION PREVENTION PLAN REQUIREMENTS***

As shown on the chart on the following page, pollution prevention plan requirements have been organized to provide you with a step-by-step process for ensuring that pollutants are not making their way into the storm water discharges from your site. Toward this end, you will be selecting and implementing Best Management Practices (BMPs). BMPs include schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution in runoff from your site. The five major phases of the developing a pollution prevention plan are (1) planning and organization; (2) assessment; (3) BMP selection and plan design; (4) implementation; and (5) evaluation and site inspection. All permit holders must meet a number of general requirements. In addition, permittees who are subject to reporting requirements under Section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA), (also known as Title 3 of the Superfund Amendment and Reauthorization Act [SARA]), will have to meet special requirements under EPA's general permit. These requirements are listed in boxes throughout this guide, and then elaborated upon in the final section.

This guide provides background information on pollution prevention planning requirements for permittees under the general permit. To walk you through the requirements, the guide is organized according to the phases of the pollution prevention planning process. A set of worksheets and a model plan at the end of the document are provided to further clarify requirements. A detailed manual on how to develop and implement your pollution prevention plan is available at a modest cost from the National Technical Information Service. The manual, titled *Storm Water Management for Industrial Activities: Developing Pollution Prevention Plans and Best Management Practices*, provides much more specific information than this brief guide. Instructions for ordering the detailed manual and a listing of other references that you may find useful can be found at the end of this guide.

**Full page graphic goes here**

**DEVELOPING AND IMPLEMENTING A STORM WATER  
POLLUTION PREVENTION PLAN FOR INDUSTRY**



## PLANNING AND ORGANIZATION PHASE

Before you start putting your Storm Water Pollution Prevention Plan together, there are two steps that will facilitate the development of your plan. These steps are designed to help you organize your staff and make preliminary decisions: (A) decide who will be responsible for developing and implementing your Storm Water Pollution Prevention Plan, and (B) look at other existing environmental facility plans for consistency and overlap.

### (A) Forming Your Pollution Prevention Team

As part of developing and implementing your pollution plan, you should (1) designate a specific individual or team who will develop, implement, maintain, and revise your pollution prevention plan, and (2) identify these individuals and describe each person's responsibilities at the site.

Since facilities differ in size and capacity, the number of team members will also vary. Designating one person may be appropriate as long as that individual is qualified to design and implement the plan. The plan should identify those people on site who are most familiar with the facility and its operations; these people, in turn, should provide structure and direction to the storm water management program. In all cases, someone in a senior management position must have overall responsibility for the plan.

The pollution prevention team is responsible for the following:

- **Implementing** all general permit and pollution prevention plan requirements
- **Defining** and agreeing upon an appropriate set of goals for the facility's storm water management program
- **Being aware** of any changes that are made in plant operations to determine whether any changes must be made to the Storm Water Pollution Prevention Plan
- **Maintaining** a clear line of communication with plant management to ensure a cooperative partnership.

**Worksheet #1** (located at the end of this guide) is an example of an appropriate form on which to list the team members. To complete this worksheet, list the pollution prevention team members by name, facility position (title), and phone number; include a brief description of each member's specific responsibilities. This list can be directly incorporated into the Storm Water Pollution Prevention Plan, but it should also be displayed or posted within the facility so that other plant employees are aware of who is responsible for storm water management.

### (B) Building on Existing Environmental Management Plans

The pollution prevention team also must evaluate existing environmental management plans for consistency and determine which, if any, provisions can be incorporated into the Storm Water Pollution Prevention Plan.

Other related plans may include the Preparedness, Prevention and Contingency Plan (40 CFR Parts 264 and 265), the Spill Control and Countermeasures requirements (40 CFR Part 112), the National Pollutant Discharge Elimination System Toxic Organic Management Plan (40 CFR Parts 413, 433, and 469), and the Occupational Safety and Health Administration (OSHA) Emergency Action Plan (29 CFR Part 1910).

Although you should build on relevant portions of other environmental plans as appropriate, it is important to note that your Storm Water Pollution Prevention Plan must be a comprehensive, stand-alone document.

**ADDITIONAL REQUIREMENTS FOR FACILITIES SUBJECT TO REPORTING UNDER EPCRA, SECTION 313, FOR WATER PRIORITY CHEMICALS**—EPCRA contains additional reporting requirements for designated hazardous waste management facilities. EPA's Baseline General Permit contains the following specific requirements for such facilities:

- The team must designate a person who will be accountable for spill prevention at the facility and identify this person in the plan.
- The designated person is responsible for setting up necessary spill emergency procedures and reporting requirements to isolate, contain, and clean up spills and emergency releases of Section 313 water priority chemicals.

## ASSESSMENT PHASE

After identifying who is responsible for developing and implementing your plan and organizing your planning process, you should proceed to this next step—a pollutant source assessment. This is where you take a look at your facility and determine what materials or practices are (or may be) a source of contaminants to the storm water running off your site. To complete this phase, you will (A) create a map of the facility site to locate pollutant sources and determine storm water management opportunities, (B) conduct a material inventory, (C) evaluate past spills and leaks, (D) identify non-storm water discharges and illicit connections, (E) collect or evaluate storm water quality data, and (F) summarize the findings of this assessment. To select the most appropriate and effective control measures, consider that potential pollutant sources include areas where materials are handled or stored, outdoor processing areas, loading and unloading areas, and onsite waste management and disposal areas.

### (A) Developing a Site Map

A site map is a complete illustration of site features. At a minimum, the site map must include information on the following:

- Discharge points ("outfalls")
- Drainage patterns
- Identification of the types of pollutants likely to be discharged for each drainage area
- Direction of flow
- Surface water bodies, including any proximate stream, river, lake, or other water body receiving storm water discharges from the site
- Structural control measures (physically constructed features used to control storm water flows)
- Locations of significant materials exposed to storm water
- Locations of industrial activities (such as fueling stations, loading and unloading areas, vehicle or equipment maintenance areas, waste disposal areas, storage areas).

**Worksheet #2** (located at the end of this guide) provides guidance on completing your site map.

### (B) Materials Inventory

Each facility must inventory the types of materials that are handled, stored, or processed onsite. "Significant materials" are of particular concern and are defined as follows:

**Significant Materials:** *Raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under section 101(14) of CERCLA; any chemical the facility is required to report pursuant to EPCRA, Section 313; fertilizers; pesticides; and waste products such as ashes, slag, and sludge that have the potential to be released with storm water discharges [40 CFR 122.26(b)(12)].*

To complete the materials inventory, the facility must do two specific tasks:

- **List** materials that have been exposed to storm water in the past 3 years (focus on areas where materials are stored, processed, transported, or transferred).
- **Provide** a narrative description of methods and location of storage and disposal areas, materials management practices, treatment practices, and any structural/nonstructural control measures.
  - Structural practices are fixed equipment such as berms, detention ponds, or grassed swales.
  - Nonstructural practices may include regularly scheduled actions such as sweeping or inspections.

**Worksheet #3** (located at the end of this guide) will assist you in conducting a material inventory for your Storm Water Pollution Prevention Plan. If any of the significant materials on your site have been exposed to storm water in the 3 years prior to the effective date of your permit, complete **Worksheet #3A** and include it in your plan.

### (C) Identifying Past Spills and Leaks

Provide a list of significant spills and leaks of toxic or hazardous that have occurred in the past 3 years. "Significant spills" includes releases in excess of reportable quantities defined as follows:

**Reportable Quantity (RQ) Discharge:** *An RQ release occurs when a quantity of a hazardous substance or oil is spilled or released within a 24-hour period of time and exceeds the RQ level assigned to that substance under CERCLA or the Clean Water Act. These levels or quantities are defined in terms of gallons or pounds. Regulations listing these quantities are contained at 40 CFR 302.4, 40 CFR 117.21 and 40 CFR 110.10.*

Permittees are encouraged to list spills and leaks of nonhazardous materials as well as spills of hazardous materials.

**Worksheet #4** (located at the end of this guide) can help you organize this list of leaks and spills. The areas on your site where significant leaks or spills have occurred are areas on which you should focus very closely when selecting BMPs.

### (D) Non-Storm Water Discharges

To certify that your facility has been tested or evaluated for non-storm water discharges, you must:

- **Identify** potential non-storm water discharges
- **Describe** the method used and results of any test and/or evaluation for such discharges
- **Indicate** the location of the onsite drainage points that were checked during the test or evaluation
- **Provide** the date of the test or evaluation. (If you cannot test or evaluate potential non-storm water discharges, notice must still be made by certification.)

Examples of non-storm water discharges include any water used directly in the manufacturing process (process water), air conditioner condensate, noncontact cooling water, vehicle wash water, or sanitary wastes.

To check for non-storm water discharges, you can use one of the following three common dry weather tests: visual inspection; plant schematic review; and/or dye testing.

**Worksheet #5** (located at the end of this guide) will assist you in conducting a non-storm water discharge assessment and certification for outfalls at your site. If you are unable to test and/or provide certification for the presence of non-storm water discharges, please refer to **Worksheet #6**.

### **(E) Existing Monitoring Data**

Where existing storm water sampling data are available, the facility must (1) **provide** a summary of any existing storm water sampling data and (2) **describe** the sample collection procedures used.

### **(F) Site Evaluation Summary**

This step is critical, as it will become the foundation for the rest of the Storm Water Pollution Prevention Plan. Facilities must fulfill the following requirements:

- **Provide** a narrative description of activities with a high potential to contaminate storm water at your site, including those associated with materials loading and unloading, outdoor storage, outdoor manufacturing or processing, onsite waste disposal, and significant dust or particulate generating activities
- **Describe** any pollutants of concern that may be associated with such activities.

Once you have completed the above steps in your pollutant source assessment, you should have enough information to determine which areas, activities, or materials may contribute pollutants to storm water runoff from your site. With this information, you can select the most appropriate BMPs to prevent or control pollutants from these areas.

## **BMP/SELECTION AND PLAN DESIGN PHASE**

Once you have identified and assessed potential and existing sources of storm water contamination at your facility, the next step is to select the proper Best Management Practices (BMPs) that will address these pollutant sources. To satisfy the requirements of this phase, you must provide a narrative description of the BMPs you have selected for your site. At a minimum, your plan must incorporate the following eight "baseline" BMPs: (A) good housekeeping, (B) preventive maintenance, (C) visual inspections, (D) spill prevention and response, (E) sediment and erosion prevention, (F) traditional storm water management practices, (G) other BMPs as appropriate, (H) employee training, and (I) recordkeeping and reporting. A number of these BMPs are discussed below.

### **(A) Good Housekeeping**

Good housekeeping practices are designed to maintain a clean and orderly work environment. Often the most effective first step towards preventing pollution in storm water from industrial sites involves merely using good common sense to improve the facility's basic housekeeping methods. The following are some simple procedures that a facility can consider incorporating into an effective good housekeeping program:

- **Improve** operation and maintenance of industrial machinery and processes.
- **Implement** careful material storage practices.
- **Maintain** up-to-date material inventory.
  - Identify all chemical substances present in the workplace.
  - Label all containers showing name and type of substance, stock number, etc.
- **Schedule** routine cleanup operations.
- **Maintain** well-organized work areas.
- **Train** employees about good housekeeping practices.

### **(B) Preventive Maintenance**

Each permittee must develop a preventive maintenance program that involves inspections and maintenance of storm water management devices and routine inspections of facility operations to detect faulty equipment. Equipment (such as tanks, containers, and drums) should be checked regularly for signs of deterioration.

**EPCRA, SECTION 313, FACILITY PREVENTIVE MAINTENANCE INSPECTION REQUIREMENTS**—All areas of the facility must be inspected for the following at appropriate intervals as specified in the plan:

- Leaks or conditions that would lead to discharges of Section 313 water priority chemicals
- Conditions that could lead to direct contact of storm water with raw materials, intermediate materials, waste materials or products
- Piping, pumps, storage tanks and bins, pressure vessels, process and material handling equipment, and material bulk storage areas for leaks, wind blowing, corrosion, support or foundation failure, or other deterioration or noncontainment.

### **(C) Visual Inspections**

Regular visual inspections are your means to ensure that all of the elements of the plan are in place and working properly to prevent pollution of storm water runoff from your facility. Consider the following when conducting visual inspections:

- **Designate** qualified, trained plant personnel to regularly inspect the facility's equipment and areas, track results of inspections, make necessary changes, and maintain records of all inspections
- **Ensure** that inspection records note when inspections were done, who conducted the inspection, what areas were inspected, what problems were found, and what steps were taken to correct any problems.

These records should be kept with the plan. EPA's general permit requires that records be kept until at least one year after coverage under the permit expires.

### **(D) Spill Prevention and Response**

Areas where spills are likely to occur and their drainage points must be clearly identified in the storm water pollution prevention plan. You should ensure that employees are aware of response procedures, including material handling and storage requirements. Also ensure that there is access to appropriate spill cleanup equipment.

#### **SPILL PREVENTION PLAN CONSIDERATIONS:**

- **Install** leak detection devices.
- **Adopt** good housekeeping practices.
- **Perform** regular visual inspections to identify areas for potential leaks or spills.
- **Recycle, reduce, and reuse** process materials to minimize waste onsite.

#### **SPILL RESPONSE PLAN CONSIDERATIONS:**

- **Identify** a spill response team to implement the spill response plan.
- **Identify** safety measures.

- **Include** procedures for notifying appropriate authorities (police, fire, hospital, Publicly Owned Treatment Works [POTW], etc.) in the event of a spill.
- **Describe** spill containment, diversion, isolation, and cleanup practices.

**EPCRA, SECTION 313, FACILITY SPILL PREVENTION AND RESPONSE REQUIREMENTS**—When a leak or spill of a Section 313 water priority chemical has occurred, the contaminated soil, material, or debris must be removed promptly and disposed of in accordance with Federal, State, and local requirements and as described in the Storm Water Pollution Prevention Plan. These facilities are also required to designate a person responsible for spill prevention, response, and reporting procedures.

### **(E) Sediment and Erosion Control**

The facility's pollution prevention plan must identify activities that present a potential for significant soil erosion and measures taken to control such erosion. More information on sediment and erosion control BMPs can be found in the reference section of this guide.

### **(F) Management of Runoff**

Permittees must describe existing storm water controls found at the facility and any additional measures that can be implemented to improve the prevention and control of polluted storm water. Examples include: vegetative swales, reuse of collected storm water, infiltration trenches, and detention ponds.



## IMPLEMENTATION PHASE

At this point, you have designed your Storm Water Pollution Prevention Plan and the plan has been approved by facility management. Under the implementation phase, you must (A) implement the selected storm water BMPs, and (B) train all employees to carry out the goals of the plan.

### (A) Implementing Appropriate Controls

In implementing the plan, a facility will:

- **Develop** a schedule for implementation. For example, your schedule might include a deadline for putting improved housekeeping measures into practice. Some controls may be immediately put into action; others will be phased in.
- **Assign** specific individuals with responsibility for implementing aspects of the plan and/or monitoring implementation.
- **Ensure** that management approves of your implementation schedule and strategy, and schedule regular times for reporting progress to management.

### (B) Employee Training

Permittees must develop an employee training program that covers such topics as spill prevention and response, good housekeeping, and material management practices.

The goals of a training program are to teach personnel, at all levels of responsibility, the components and goals of the storm water pollution prevention plan and to create overall sensitivity to storm water pollution prevention concerns. The plan must include a schedule for training programs.

**EPCRA, SECTION 313, FACILITY REQUIREMENTS**—There are additional training requirements for employees and contractor personnel who work in areas where EPCRA, Section 313, water priority chemicals are used or stored. These individuals must be trained in the following areas, at least once per year:

- Preventive measures, including spill prevention and response and preventive maintenance
- Pollution control laws and regulations
- The facility's Storm Water Pollution Prevention Plan
- Features and operations of the facility that are designed to minimize discharges of Section 313 water priority chemicals, particularly spill prevention procedures.

## EVALUATION PHASE

Now that your Storm Water Pollution Prevention Plan has been put to action, you must keep it up-to-date by regularly evaluating the information you collected in the Assessment Phase and the controls you selected in the Plan Design Phase. Specifically, you must (A) conduct site evaluations, (B) keep records of all inspections and reports, and (C) revise the plan as needed.

### (A) Annual Site Compliance Evaluation

Qualified personnel must conduct site compliance evaluations at appropriate intervals, but at least once a year (at least once in 3 years for inactive mining sites). As part of your compliance evaluations, you are required to carry out the following:

- **Inspect** storm water drainage areas for evidence of pollutants entering the drainage system.
- **Evaluate** the effectiveness of BMPs (for example, is your site cleaner? Are your employees more familiar with good housekeeping measures and spill prevention and response practices?)
- **Observe** structural measures, sediment controls, and other storm water BMPs to ensure proper operation.
- **Revise** the plan as needed within 2 weeks of inspection, and implement any necessary changes within 12 weeks of the inspection.
- **Prepare** a report summarizing inspection results and followup actions, identifying the date of inspection and personnel who conducted the inspection.
- **Sign** the report and keep it with the plan.

### (B) Recordkeeping and Internal Reporting

Your facility must record and maintain records of spills, leaks, inspections, and maintenance activities for at least one year after the permit expires. For spills and leaks, records should include information such as the date and time of the incident, weather conditions, cause, and resulting environmental problems.

### (C) Plan Revisions

Major changes in a facility's design, construction, operation, or maintenance will necessitate changes in that facility's Storm Water Pollution Prevention Plan.

## GENERAL REQUIREMENTS

This section provides guidance on some of the administrative requirements related to organizing and developing your Storm Water Pollution Prevention Plan. The guidance covers (A) deadlines for plan development and implementation, (B) required signatures, (C) requirements for plan location and access, and (D) Director-required plan modifications.

### (A) Deadlines for Plan Development and Implementation

<b>Schedule for Plan Development and Implementation</b>		
<b>Part IV.A.</b>		
<b>Type of Facility</b>	<b>Deadline for Plan Development</b>	<b>Deadline for Plan Implementation</b>
Facilities discharging storm water associated with industrial activity on or before October 1, 1992	April 1, 1993	October 1, 1993
Facilities beginning to discharge storm water after October 1, 1992, but on or before December 31, 1992	60 days after commencement of discharge	60 days after commencement of discharge
Facilities beginning to discharge storm water associated with industrial activity on or after January 1, 1993	48 hours prior to commencement of discharge (upon submittal of NOI)	48 hours prior to commencement of discharge (upon submittal of NOI)
Oil and gas exploration, production, processing, or treatment operations discharging a reportable quantity release in storm water after October 1, 1992	60 days after release	60 days after release
Industrial facilities rejected or denied from the group application process	365 days after date of rejection or denial	545 days after date of rejection or denial
Note: The Director may grant a written extension for plan preparation and compliance for new dischargers (after October 1, 1992) upon showing of good cause.		

### (B) Required Signatures

As with the Notice of Intent (NOI), your plan must be signed by an "authorized representative," who is a person at or near the top of your facility's management chain (the president, vice president, or a production manager) who has been delegated the authority to sign and certify this type of document.

**EPCRA, Section 313, Facility Plan Certification Requirements**—The plan must be reviewed and certified by a Registered Professional Engineer and recertified every 3 years or after the plan is significantly changed. This certification that the plan was prepared in accordance with good engineering practices does not relieve the facility owner or operator of responsibility to prepare and implement the plan, however.

### **(C) Plan Location and Public Access**

Although all plans are required to be maintained onsite, some NPDES storm water permits may require that facilities submit copies of their Storm Water Pollution Prevention Plans to the Director for review. Examine your permit carefully to determine what submittal requirements apply to your facility. Plans and all required records must also be kept at least one year after the permit expires.

### **(D) Director-Required Plan Modifications**

Upon reviewing your plan, the permitting authority may find that it does not meet one or more of the minimum standards established by the pollution prevention plan requirements. In this case, the permitting authority will notify you of the changes that you must make to improve the plan.

## SPECIAL REQUIREMENTS

In addition to the minimum "baseline" BMPs discussed in previous sections, facilities may be subject to additional "special" requirements. Not all facilities will have to include these special requirements in their Storm Water Pollution Prevention Plan. Be sure to check your permit closely for these conditions. In particular, EPA's general permit includes special requirements for (A) facilities that discharge storm water through municipal separate storm sewer systems, (B) facilities subject to EPCRA, Section 313, reporting requirements, and (C) facilities with salt storage piles.

### (A) Special Requirements for Discharges Through Municipal Separate Storm Sewer Systems

Industrial facilities that discharge storm water through a large or medium municipal separate storm sewer system (serving a population of 100,000 or more) must comply with any applicable conditions established by the municipality's storm water management program. These facilities will be notified by the municipality. Examples of conditions could include additional monitoring requirements and/or additional source control requirements.

### (B) Special Requirements for EPCRA, Section 313, Reporting Facilities

In addition to the other special requirements identified in this guide, the following specific control requirements must be practiced in areas where Section 313 water priority chemicals are stored, handled, processed, or transferred:

- **Provide containment, drainage control, and/or diversionary structures** (prevent or minimize runoff by installing curbing, culverting, gutters, sewers, or other controls, and/or prevent or minimize exposure by covering storage piles).
- **Prevent discharges from liquid storage areas** (store liquid materials in compatible storage containers and/or provide secondary containment designed to hold the volume of the largest storage tank plus precipitation).
- **Prevent discharges from material storage areas** (install drainage and/or other control measures).
- **Prevent discharges from loading/unloading areas** (use drip pans and/or implement a strong spill contingency and integrity testing plan).
- **Prevent discharges from handling/processing/transferring areas** (use covers, guards, overhangs, door skirts and/or conduct visual inspections or leak tests for overhead piping).
- **Prevent discharges from all the above areas** (use manually activated valves with drainage controls in all areas, and/or equip the plant with a drainage system to return spilled material to the facility).
- **Introduce facility security programs to prevent spills** (use fencing, lighting, traffic control, and/or secure equipment and buildings).

### (C) Special Requirements for Salt Storage Piles

Salt storage piles used for deicing or other commercial purposes must be enclosed or covered to prevent exposure to storm water (except when salt is being added or removed from the pile). Please note that piles do not need to be enclosed or covered where storm water is not discharged to waters of the United States. Compliance with this requirement must be met as expeditiously as practicable, but no later than 3 years after the NOI is submitted.

**POLLUTION PREVENTION TEAM**

**Worksheet #1**

**Completed by:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**MEMBER ROSTER**

**Leader:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Office Phone:** \_\_\_\_\_

**Responsibilities:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Members:**

**(1)** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Office Phone:** \_\_\_\_\_

**Responsibilities:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**(2)** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Office Phone:** \_\_\_\_\_

**Responsibilities:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**(3)** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Office Phone:** \_\_\_\_\_

**Responsibilities:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**(4)** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Office Phone:** \_\_\_\_\_

**Responsibilities:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## DEVELOPING A SITE MAP

Worksheet #2

Completed by: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Instructions: Draw a map of your site including a footprint of all buildings, structures, paved areas, and parking lots. The information below describes additional elements required by EPA's General Permit.

EPA's General Permit requires that you indicate the following features on your site map:

- All outfalls and storm water discharges
- Drainage areas of each storm water outfall
- Structural storm water pollution control measures, such as:
  - Flow diversion structures
  - Retention/detention ponds
  - Vegetative swales
  - Sediment traps
- Name of receiving waters (or if through a Municipal Separate Storm Sewer System)
- Locations of exposed significant materials
- Locations of past spills and leaks
- Locations of high-risk, waste-generating areas and activities common on industrial sites such as:
  - Fueling stations
  - Vehicle/equipment washing and maintenance areas
  - Area for unloading/loading materials
  - Above-ground tanks for liquid storage
  - Industrial waste management areas (landfills, waste piles, treatment plants, disposal areas)
  - Outside storage areas for raw materials, by-products, and finished products
  - Outside manufacturing areas
  - Other areas of concern (specify: \_\_\_\_\_)







**NON-STORM WATER DISCHARGE  
ASSESSMENT AND CERTIFICATION**

**Worksheet #5**

**Completed by:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Date:** \_\_\_\_\_

Date of Test or Evaluation	Outfall Directly Observed During the Test (Identify as indicated on the site map)	Method Used to Test or Evaluate Discharge	Describe Results from Test for the Presence of Non-Storm Water Discharge	Identify Potential Significant Sources	Name of Person Who Conducted the Test or Evaluation

**CERTIFICATION**

I, \_\_\_\_\_ (responsible corporate official), 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 fine and imprisonment for knowing violations.

A. Name & Official Title (type or print)

B. Area Code and Telephone No.

C. Signature

D. Date Signed

**NON-STORM WATER DISCHARGE ASSESSMENT AND  
FAILURE TO CERTIFY NOTIFICATION**

**Worksheet #6**  
**Completed by:** \_\_\_\_\_  
**Title:** \_\_\_\_\_  
**Date:** \_\_\_\_\_

Directions: If you cannot feasibly test or evaluate an outfall, fill in the table below with the appropriate information and sign this form to certify the accuracy of the included information.

List all outfalls not tested or evaluated, describe any potential sources of non-storm water pollution from listed outfalls, and state the reason(s) why certification is not possible. Use the key from your site map to identify each outfall.

**Important Notice: A copy of this notification must be signed and submitted to the Director within 180 days of the effective date of this permit.**

Identify Outfall Not Tested/Evaluated	Description of Why Certification Is Infeasible	Description of Potential Sources of Non-Storm Water Pollution

**CERTIFICATION**

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 ensure 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 fine and imprisonment for knowing violations, and that such notification has been made to the Director within 180 days of \_\_\_\_\_ (date permit was issued), the effective date of this permit.

A. Name & Official Title (type or print)

B. Area Code and Telephone No.

C. Signature

D. Date Signed