



**PDHonline Course C314 (6 PDH)**

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**Stormwater – Preparing an Effective  
Industrial Stormwater Pollution  
Prevention Plan**

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**2020**

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Signed and issued this 15th day of September, 2000.

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Signed and issued this 15th day of September, 2000.

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## **NPDES Multi-Sector General Permits for Storm Water Discharges Associated With Industrial Activities**

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- Note:** In the Spirit of the Agency’s “Readable Regulations” policy, this permit was written as much as practicable in a more reader-friendly, plain language format that should make it easier for people less familiar with traditional EPA permits and regulations to read and understand the permit requirements. Terms like “you” and “your” are used to refer to the party(ies) that are operators of a discharge, applicants, permittees, etc. Terms like “must” are used

instead of "shall." Phrasing such as "If you. \* \* \* " is used to identify conditions that may not apply to all permittees.

**1. Coverage Under This Permit**

**1.1 Permit Area**

The permit language is structured as if it were a single permit, with State, Indian country land or other area-specific conditions contained in Part 13.

Permit coverage is actually provided by legally separate and distinctly numbered permits, all of which are contained herein, and which cover each of the areas listed in Parts 1.1.1 through 1.1.10.

**Note:** EPA can only provide permit coverage for areas and classes of discharges not within the scope of a State's NPDES authorization. For discharges not described

in an area of coverage below, please contact the appropriate State NPDES permitting authority to obtain a permit.

**1.1.1 EPA Region 1: CT, MA, ME, NH, RI, VT**

The states of Connecticut, Rhode Island, and Vermont are the NPDES Permitting Authority for the majority of discharges within their respective states.

Permit No.	Areas of coverage/where EPA is permitting authority
CTR05*##I .....	Indian country lands within the State of Connecticut.
MAR05*### .....	Commonwealth of Massachusetts, except Indian country lands.
MAR05*##I .....	Indian country lands within the Commonwealth of Massachusetts.
MER05*### .....	State of Maine, except Indian country lands.
MER05*##I .....	Indian country lands within the State of Maine.
NHR05*### .....	State of New Hampshire.
RIR05*##I .....	Indian country lands within the State of Rhode Island.
VTR05*##F .....	Federal Facilities in the State of Vermont.

**1.1.2 EPA Region 2: NJ, NY, PR, VI**

The state of New York is the NPDES Permitting Authority for the majority of discharges within that state. New Jersey and the Virgin Islands are the NPDES Permitting Authority for all discharges within their respective states.

Permit No.	Areas of coverage/where EPA is permitting authority
PRR05*### .....	The Commonwealth of Puerto Rico.

**1.1.3 EPA REGION 3: DE, DC, MD, PA, VA, WV**

The state of Delaware is the NPDES Permitting Authority for the majority of discharges within that state. Maryland, Pennsylvania, and Virginia, West Virginia are the NPDES Permitting Authority for all discharges within these states.

Permit No.	Areas of coverage/where EPA is permitting authority
DCR05*### .....	The District of Columbia.
DER05*##F .....	Federal Facilities in the State of Delaware.

**1.1.4 EPA Region 4: AL, FL, GA, KY, MS, NC, SC, TN**

The states of Alabama, Florida, Mississippi, and North Carolina are the NPDES Permitting Authority for the majority of discharges within their respective states. Georgia, Kentucky, South Carolina and Tennessee are the NPDES Permitting Authority for all discharges within their respective states.

Permit No.	Areas of coverage/where EPA is permitting authority
ALR05*##I .....	Indian country lands within the State of Alabama.
FLR05*##I .....	Indian country lands within the State of Florida.
MSR05*##I .....	Indian country lands within the State of Mississippi.
NCR05*##I .....	Indian country lands within the State of North Carolina.

**1.1.5 EPA Region 5: IL, IN, MI, MN, OH, WI**

Coverage Not Available.

**1.1.6 EPA Region 6: AR, LA, OK, TX, NM (Except See Region 9 for Navajo Lands, and See Region 8 for Ute Mountain Reservation Lands)**

The states of Louisiana, Oklahoma, and Texas are the NPDES Permitting Authority for the majority of discharges within their respective states. Arkansas is the NPDES Permitting Authority for all discharges within that state.

Permit No.	Areas of coverage/where EPA is permitting authority
LAR05*##I .....	Indian country lands within the State of Louisiana.
NMR05*### .....	The State of New Mexico, except Indian country lands.
NMR05*##I .....	Indian country lands within the State of New Mexico, except Navajo Reservation Lands that are covered under Arizona permit AZR05*##I listed in Part 1.1.9 and Ute Mountain Reservation Lands that are covered under Colorado permit COR05*##I listed in Part 1.1.8.
OKR05*##I .....	Indian country lands within the State of Oklahoma.
OKR05*##F .....	Facilities in the State of Oklahoma not under the jurisdiction of the Oklahoma Department of Environmental Quality, except those on Indian country lands. EPA-jurisdiction facilities include SIC codes 1311, 1381, 1382, 1389 and 5171 and point source (but not non-point source) discharges associated with agricultural production, services, and silviculture.

Permit No.	Areas of coverage/where EPA is permitting authority
TXR05*##F .....	Facilities in the State of Texas not under the jurisdiction of the Texas Natural Resource Conservation Commission, except those on Indian country lands. EPA-jurisdiction facilities include SIC codes 1311, 1321, 1381, 1382, and 1389 (other than oil field service company "home base" facilities).
TXR05*##I .....	Indian country lands within the State of Texas.

#### 1.1.7 EPA Region 7: IA, KS, MO, NE

Coverage Not Available.

#### 1.1.8 EPA Region 8: CO, MT, ND, SD, WY, UT (Except See Region 9 for Goshute Reservation and Navajo Reservation Lands), the Ute Mountain Reservation in NM, and the Pine Ridge Reservation in NE

The states of Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming are the NPDES Permitting Authority for the majority of discharges within their respective states.

Permit No.	Areas of coverage/where EPA is permitting authority
COR05*##F .....	Federal Facilities in the State of Colorado, except those located on Indian country lands which are covered under Colorado permit COR05*##I below.
COR05*##I .....	Indian country lands within the State of Colorado, including the portion of the Ute Mountain Reservation located in New Mexico.
MTR05*##I .....	Reserved.
NDR05*##I .....	Indian country lands within the State of North Dakota, including that portion of the Standing Rock Reservation located in South Dakota except Indian country within the former boundaries of the Lake Traverse Reservation that is covered under South Dakota permit SDR05*##I listed below.
SDR05*##I .....	Indian country lands within the State of South Dakota, including the portion of the Pine Ridge Reservation located in Nebraska and the portion of Indian country within the former boundaries of the Lake Traverse Reservation located in North Dakota except for the Standing Rock Reservation that is covered under North Dakota permit NDR05*##I listed above.
UTR05*##I .....	Indian country lands within the State of Utah, except Goshute and Navajo Reservation lands that are covered under Arizona permit AZR05*##I (Goshute) listed in Part 1.1.9 and Nevada permit NVR05*##I (Navajo) listed in Part 1.1.9.
WYR05*##I .....	Indian country lands within the State of Wyoming.

#### 1.1.9 EPA Region 9: CA, HI, NV, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Goshute Reservation in UT and NV, the Navajo Reservation in UT, NM, and AZ, the Duck Valley Reservation in ID, and the Fort McDermitt Reservation in OR

The states of California and Nevada are the NPDES Permitting Authority for the majority of discharges within their respective states. Hawaii is the NPDES Permitting Authority for all discharges within that state.

Permit No.	Areas of coverage/where EPA is permitting authority
ASR05*### .....	The Island of American Samoa.
AZR05*### .....	The State of Arizona, except Indian country lands.
AZR05*##I .....	Indian country lands within the State of Arizona, including Navajo Reservation lands in New Mexico and Utah.
CAR05*##I .....	Indian country lands within the State of California.
GUR05*### .....	The Island of Guam.
JAR05*### .....	Johnston Atoll.
MWR05*### .....	Midway Island and Wake Island.
NIR05*### .....	Commonwealth of the Northern Mariana Islands.
NVR05*##I .....	Indian country lands within the State of Nevada, including the Duck Valley Reservation in Idaho, the Fort McDermitt Reservation in Oregon and the Goshute Reservation in Utah.

#### 1.1.10 Region 10: AK, ID (Except See Region 9 for Duck Valley Reservation Lands), OR (Except See Region 9 for Fort McDermitt Reservation), WA

The states of Oregon and Washington are the NPDES Permitting Authority for the majority of discharges within their respective states. The 1995 Multi-Sector General Permit was issued in the State of Alaska on February 9, 1996 (61 FR 5247) and the terms and conditions of the 1995 permit are effective for facilities in Alaska through February 9, 2001. EPA will reissue this permit for the State of Alaska at a future date.

Permit No.	Areas of coverage/where EPA is permitting authority
AKR05*##I .....	Indian country lands within Alaska.
IDR05*### .....	The State of Idaho, except Indian country lands.
IDR05*##I .....	Indian country lands within the State of Idaho, except Duck Valley Reservation lands which are covered under Nevada permit NVR05*##I listed in Part 1.1.9.
ORR05*##I .....	Indian country lands within the State of Oregon except Fort McDermitt Reservation lands that are covered under Nevada permit NVR05*##I listed in Part 1.1.9.
WAR05*##I .....	Indian country lands within the State of Washington.
WAR05*##F .....	Federal Facilities in the State of Washington, except those located on Indian country lands.

**1.2 Eligibility**

You must maintain permit eligibility to discharge under this permit. Any discharges that are not compliant with the eligibility conditions of this permit are not authorized by the permit and you must either apply for a separate permit to cover those ineligible discharges or take necessary steps to make the discharges eligible for coverage.

**1.2.1 Facilities Covered**

Your permit eligibility is limited to discharges from facilities in the “sectors” of industrial activity based on Standard Industrial Classification (SIC) codes and Industrial Activity Codes summarized in Table 1–1. References to “sectors” in this permit (e.g., sector-specific monitoring requirements, etc.) refer to these sectors.

**TABLE 1–1.—SECTORS OF INDUSTRIAL ACTIVITY COVERED BY THIS PERMIT**

SIC code or activity code <sup>1</sup>	Activity represented
<b>Sector A: Timber Products</b>	
2411 .....	Log Storage and Handling (Wet deck storage areas only authorized if no chemical additives are used in the spray water or applied to the logs).
2421 .....	General Sawmills and Planning Mills.
2426 .....	Hardwood Dimension and Flooring Mills.
2429 .....	Special Product Sawmills, Not Elsewhere Classified.
2431–2439 (except 2434) .....	Millwork, Veneer, Plywood, and Structural Wood (see Sector W).
2448, 2449 .....	Wood Containers.
2451, 2452 .....	Wood Buildings and Mobile Homes.
2491 .....	Wood Preserving.
2493 .....	Reconstituted Wood Products.
2499 .....	Wood Products, Not Elsewhere Classified.
<b>Sector B: Paper and Allied Products</b>	
2611 .....	Pulp Mills.
2621 .....	Paper Mills.
2631 .....	Paperboard Mills.
2652–2657 .....	Paperboard Containers and Boxes.
2671–2679 .....	Converted Paper and Paperboard Products, Except Containers and Boxes.
<b>Sector C: Chemical and Allied Products</b>	
2812–2819 .....	Industrial Inorganic Chemicals.
2821–2824 .....	Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers Except Glass.
2833–2836 .....	Medicinal chemicals and botanical products; pharmaceutical preparations; in vitro and in vivo diagnostic substances; biological products, except diagnostic substances.
2841–2844 .....	Soaps, Detergents, and Cleaning Preparations; Perfumes, Cosmetics, and Other Toilet Preparations.
2851 .....	Paints, Varnishes, Lacquers, Enamels, and Allied Products.
2861–2869 .....	Industrial Organic Chemicals.
2873–2879 .....	Agricultural Chemicals.
2873 .....	Facilities that Make Fertilizer Solely from Leather Scraps and Leather Dust.
2891–2899 .....	Miscellaneous Chemical Products.
3952 (limited to list) .....	Inks and Paints, Including China Painting Enamels, India Ink, Drawing Ink, Platinum Paints for Burnt Wood or Leather Work, Paints for China Painting, Artist's Paints and Artist's Watercolors.
<b>Sector D: Asphalt Paving and Roofing Materials and Lubricants</b>	
2951, 2952 .....	Asphalt Paving and Roofing Materials.
2992, 2999 .....	Miscellaneous Products of Petroleum and Coal.
<b>Sector E: Glass Clay, Cement, Concrete, and Gypsum Products</b>	
3211 .....	Flat Glass.
3221, 3229 .....	Glass and Glassware, Pressed or Blown.
3231 .....	Glass Products Made of Purchased Glass.
3241 .....	Hydraulic Cement.
3251–3259 .....	Structural Clay Products.
3261–3269 .....	Pottery and Related Products.
3271–3275 .....	Concrete, Gypsum and Plaster Products.
3291–3299 .....	Abrasive, Asbestos, and Miscellaneous Nonmetallic Mineral Products.
<b>Sector F: Primary Metals</b>	
3312–3317 .....	Steel Works, Blast Furnaces, and Rolling and Finishing Mills.
3321–3325 .....	Iron and Steel Foundries.
3331–3339 .....	Primary Smelting and Refining of Nonferrous Metals.
3341 .....	Secondary Smelting and Refining of Nonferrous Metals.
3351–3357 .....	Rolling, Drawing, and Extruding of Nonferrous Metals.

TABLE 1-1.—SECTORS OF INDUSTRIAL ACTIVITY COVERED BY THIS PERMIT—Continued

SIC code or activity code <sup>1</sup>	Activity represented
3363-3369 .....	Nonferrous Foundries (Castings).
3398, 3399 .....	Miscellaneous Primary Metal Products.
<b>Sector G: Metal Mining (Ore Mining and Dressing)</b>	
1011 .....	Iron Ores.
1021 .....	Copper Ores.
1031 .....	Lead and Zinc Ores.
1041, 1044 .....	Gold and Silver Ores.
1061 .....	Ferroalloy Ores, Except Vanadium.
1081 .....	Metal Mining Services.
1094, 1099 .....	Miscellaneous Metal Ores.
<b>Sector H: Coal Mines and Coal Mining Related Facilities</b>	
1221-1241 .....	Coal Mines and Coal Mining-Related Facilities.
<b>Sector I: Oil and Gas Extraction and Refining</b>	
1311 .....	Crude Petroleum and Natural Gas.
1321 .....	Natural Gas Liquids.
1381-1389 .....	Oil and Gas Field Services.
2911 .....	Petroleum Refineries.
<b>Sector J: Mineral Mining and Dressing</b>	
1411 .....	Dimension Stone.
1422-1429 .....	Crushed and Broken Stone, Including Rip Rap.
1442, 1446 .....	Sand and Gravel
1455, 1459 .....	Clay, Ceramic, and Refractory Materials.
1474-1479 .....	Chemical and Fertilizer Mineral Mining.
1481 .....	Nonmetallic Minerals Services, Except Fuels.
1499 .....	Miscellaneous Nonmetallic Minerals, Except Fuels.
<b>Sector K: Hazardous Waste Treatment, Storage, or Disposal Facilities</b>	
HZ .....	Hazardous Waste Treatment Storage or Disposal.
<b>Sector L: Landfills and Land Application Sites</b>	
LF .....	Landfills, Land Application Sites, and Open Dumps.
<b>Sector M: Automobile Salvage Yards</b>	
5015 .....	Automobile Salvage Yards.
<b>Sector N: Scrap Recycling Facilities</b>	
5093 .....	Scrap Recycling Facilities.
<b>Sector O: Steam Electric Generating Facilities</b>	
SE .....	Steam Electric Generating Facilities.
<b>Sector P: Land Transportation and Warehousing</b>	
4011, 4013 .....	Railroad Transportation.
4111-4173 .....	Local and Highway Passenger Transportation.
4212-4231 .....	Motor Freight Transportation and Warehousing.
4311 .....	United States Postal Service.
5171 .....	Petroleum Bulk Stations and Terminals.
<b>Sector Q: Water Transportation</b>	
4412-4499 .....	Water Transportation.
<b>Sector R: Ship and Boat Building or Repairing Yards</b>	
3731,3732 .....	Ship and Boat Building or Repairing Yards.
<b>Sector S: Air Transportation</b>	
4512-4581 .....	Air Transportation Facilities.

TABLE 1-1.—SECTORS OF INDUSTRIAL ACTIVITY COVERED BY THIS PERMIT—Continued

SIC code or activity code <sup>1</sup>	Activity represented
<b>Sector T: Treatment Works</b>	
TW .....	Treatment Works.
<b>Sector U: Food and Kindred Products</b>	
2011–2015 .....	Meat Products.
2021–2026 .....	Dairy Products.
2032 .....	Canned, Frozen and Preserved Fruits, Vegetables and Food Specialties.
2041–2048 .....	Grain Mill Products.
2051–2053 .....	Bakery Products.
2061–2068 .....	Sugar and Confectionery Products.
2074–2079 .....	Fats and Oils.
2082–2087 .....	Beverages.
2091–2099 .....	Miscellaneous Food Preparations and Kindred Products.
2111–2141 .....	Tobacco Products.
<b>Sector V: Textile Mills, Apparel, and Other Fabric Product Manufacturing, Leather and Leather Products</b>	
2211–2299 .....	Textile Mill Products.
2311–2399 .....	Apparel and Other Finished Products Made From Fabrics and Similar Materials.
3131–3199 (except 3111) .....	Leather and Leather Products, except Leather Tanning and Finishing (see Sector Z).
<b>Sector W: Furniture and Fixtures</b>	
2434 .....	Wood Kitchen Cabinets.
2511–2599 .....	Furniture and Fixtures.
<b>Sector X: Printing and Publishing</b>	
2711–2796 .....	Printing, Publishing, and Allied Industries.
<b>Sector Y: Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries.</b>	
3011 .....	Tires and Inner Tubes.
3021 .....	Rubber and Plastics Footwear.
3052, 3053 .....	Gaskets, Packing, and Sealing Devices and Rubber and Plastics Hose and Belting.
3061, 3069 .....	Fabricated Rubber Products, Not Elsewhere Classified.
3081–3089 .....	Miscellaneous Plastics Products.
3931 .....	Musical Instruments.
3942–3949 .....	Dolls, Toys, Games and Sporting and Athletic Goods.
3951–3955 (except 3952 facilities as specified in Sector C).	Pens, Pencils, and Other Artists' Materials.
3961, 3965 .....	Costume Jewelry, Costume Novelties, Buttons, and Miscellaneous Notions, Except Precious Metal.
3991–3999 .....	Miscellaneous Manufacturing Industries.
3411–3499 .....	Fabricated Metal Products, Except Machinery and Transportation Equipment.
3911–3915 .....	Jewelry, Silverware, and Plated Ware.
<b>Sector AB: Transportation Equipment, Industrial or Commercial Machinery</b>	
3511–3599 (except 3571–3579) .....	Industrial and Commercial Machinery (except Computer and Office Equipment) (see Sector AC).
3711–3799 (except 3731, 3732) .....	Transportation Equipment (except Ship and Boat Building and Repairing) (see Sector R).
<b>Sector AC: Electronic, Electrical, Photographic, and Optical Goods</b>	
3571–3579 .....	Computer and Office Equipment.
3612–3699 .....	Electronic, Electrical Equipment and Components, except Computer Equipment.
3812 .....	Measuring, Analyzing and Controlling Instrument; Photographic and Optical Goods.
<b>Sector AD: Non-Classified Facilities</b>	
N/A .....	Other storm water discharges designated by the Director as needing a permit (see 40 CFR 122.26(g)(1)(I)) or any facility discharging storm water associated with industrial activity not described by any of Sectors A–AC. <b>Note:</b> Facilities may not elect to be covered under Sector AD. Only the Director may assign a facility to Sector AD.

<sup>1</sup> A complete list of SIC codes (and conversions from the newer North American Industry Classification System (NAICS)) can be obtained from the Internet at <http://www.census.gov/epcd/www/naics.html> or in paper form from various locations in the document entitled "Handbook of Standard Industrial Classifications," Office of Management and Budget, 1987. Industrial activity codes are provided on the Multi-Sector General Permit Notice of Intent (NOI) application form (EPA Form Number 3510-6).

1.2.1.1 *Co-located Activities.* If you have co-located industrial activities on-site that are described in a sector(s) other than your primary sector, you must comply with all other applicable sector-specific conditions found in Part 6 for the co-located industrial activities. The extra sector-specific requirements are applied only to those areas of your facility where the extra-sector activities occur. An activity at a facility is not considered co-located if the activity, when considered separately, does not meet the description of a category of industrial activity covered by the storm water regulations, and identified by the MSGP-2000 SIC code list. For example, unless you are actually hauling substantial amounts of freight or materials with your own truck fleet or are providing a trucking service to outsiders, simple maintenance of vehicles used at your facility is unlikely to meet the SIC code group 42 description of a motor freight transportation facility. Even though Sector P may not apply, the runoff from your vehicle maintenance facility would likely still be considered storm water associated with industrial activity. As

such, your SWPPP must still address the runoff from the vehicle maintenance facility—although not necessarily with the same degree of detail as required by Sector P—but you would not be required to monitor as per Sector P.

If runoff from co-located activities commingles, you must monitor the discharge as per the requirements of all applicable sectors (regardless of the actual location of the discharge). If you comply with all applicable requirements from all applicable sections of Part 6 for the co-located industrial activities, the discharges from these co-located activities are authorized by this permit.

**1.2.2 Discharges Covered**

1.2.2.1 *Allowable Storm Water Discharges.* Subject to compliance with the terms and conditions of this permit, you are authorized to discharge pollutants in:

1.2.2.1.1 Discharges of storm water runoff associated with industrial activities as defined in 40 CFR 122.26 (b)(14)(i–ix and xi) from the sectors of industry described in Table 1–1, and that are specifically identified by outfall or discharge location in the Storm Water

Pollution Prevention Plan (see Part 4.2.2.3.7);

1.2.2.1.2 Non-storm water discharges as noted in Part 1.2.2.2 or otherwise specifically allowed by the permit;

1.2.2.1.3 Discharges subject to an effluent guideline listed in Table 1–2 that also meet all other eligibility requirements of the permit. Interim coverage is also available for discharges subject to a new storm water effluent limitation guideline promulgated after the effective date of this permit.

Discharges subject to a New Source Performance Standard (NSPS) effluent guideline must also meet the requirements of Part 1.2.4.;

1.2.2.1.4 Discharges designated by the Director as needing a storm water permit under 40 CFR 122.26(a)(1)(v) or under 122.26(a)(9) and 122.26(g)(1)(i); and

1.2.2.1.5 Discharges comprised of a discharge listed in Parts 1.2.2.1.1 to 1.2.2.1.4 above commingled with a discharge authorized by a different NPDES permit and/or a discharge that does not require NPDES permit authorization.

TABLE 1–2.—EFFLUENT GUIDELINES APPLICABLE TO DISCHARGES THAT MAY BE ELIGIBLE FOR PERMIT COVERAGE

Effluent guideline	New source performance standards included in effluent guidelines?	Sectors with affected facilities
Runoff from material storage piles at cement manufacturing facilities [40 CFR Part 411 Subpart C (established February 23, 1977)].	Yes .....	E
Contaminated runoff from phosphate fertilizer manufacturing facilities [40 CFR Part 418 Subpart A (established April 8, 1974)].	Yes .....	C
Coal pile runoff at steam electric generating facilities [40 CFR Part 423 (established November 19, 1982)] .....	Yes .....	O
Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas [40 CFR Part 429, Subpart I (established January 26, 1981)].	Yes .....	A
Mine dewatering discharges at crushed stone mines [40 CFR part 436, Subpart B] .....	No .....	J
Mine dewatering discharges at construction sand and gravel mines [40 CFR part 436, Subpart C] .....	No .....	J
Mine dewatering discharges at industrial sand mines [40 CFR part 436, Subpart D] .....	No .....	J
Runoff from asphalt emulsion facilities [40 CFR Part 443 Subpart A (established July 24, 1975)] .....	Yes .....	D
Runoff from landfills, [40 CFR Part 445, Subpart A and B (established February 2, 2000)] .....	Yes .....	K & L

1.2.2.2 *Allowable Non-Storm Water Discharges.* You are also authorized for the following non-storm water discharges, provided the non-storm water component of your discharge is in compliance with Part 4.4.2 (non-storm water discharges):

- 1.2.2.2.1 Discharges from fire fighting activities;
- 1.2.2.2.2 Fire hydrant flushings;
- 1.2.2.2.3 Potable water including water line flushings;
- 1.2.2.2.4 Uncontaminated air conditioning or compressor condensate;
- 1.2.2.2.5 Irrigation drainage;
- 1.2.2.2.6 Landscape watering provided all pesticides, herbicides, and

fertilizer have been applied in accordance with manufacturer's instructions;

1.2.2.2.7 Pavement wash waters where no detergents are used and no spills or leaks of toxic or hazardous materials have occurred (unless all spilled material has been removed);

1.2.2.2.8 Routine external building wash down which does not use detergents;

1.2.2.2.9 Uncontaminated ground water or spring water;

1.2.2.2.10 Foundation or footing drains where flows are not contaminated with process materials such as solvents;

1.2.2.2.11 Incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of your facility, but NOT intentional discharges from the cooling tower (e.g., "piped" cooling tower blowdown or drains).

**1.2.3 Limitations on Coverage**

1.2.3.1 *Prohibition on Discharges Mixed with Non-Storm Water.* You are not authorized for discharges that are mixed with sources of non-storm water. This exclusion does not apply to discharges identified in Part 1.2.2.2, provided the discharges are in compliance with Part 4.4.2 (Storm



Water Pollution Prevention Plan requirements for authorized non-storm water discharges), and to any discharge explicitly authorized by the permit.

1.2.3.2 *Storm Water Discharges Associated with Construction Activity.* You are not authorized for storm water discharges associated with construction activity as defined in 40 CFR 122.26(b)(14)(x) or 40 CFR 122.26(b)(15).

1.2.3.3 *Discharges Currently or Previously Covered by Another Permit.* You are not authorized for the following:

1.2.3.3.1 Storm water discharges associated with industrial activity that are currently covered under an individual permit or an alternative general permit.

1.2.3.3.2 Discharges previously covered by an individual permit or alternative general permit (except the 1992 "Baseline" or the 1995 Multi-Sector NPDES General Permits for Storm Water Discharges Associated With Industrial Activity) that has expired, or been terminated at the request of the permittee unless:

1.2.3.3.2.1 The individual permit did not contain numeric water quality-based limitations developed for the storm water component of the discharge; and

1.2.3.3.2.2 The permittee includes any specific BMPs for storm water required under the individual permit in the SWPPP required under Part 4 of this permit.

1.2.3.3.3 Storm water discharges associated with industrial activity from facilities where any NPDES permit has been or is in the process of being denied, terminated, or revoked by the Director (other than in a replacement permit issuance process). Upon request, the Director may waive this exclusion if operator of the facility has since passed to a different owner/operator and new circumstances at the facility justify a waiver.

1.2.3.4 *Discharges Subject to Effluent Limitations Guidelines.* You are not authorized for discharges subject to any effluent limitation guideline that is not included in Table 1–2. For discharges subject to a New Source Performance Standard (NSPS) effluent guideline identified in Table 1–2, you must comply with Part 1.2.4 prior to being eligible for permit coverage.

1.2.3.5 *Discharge Compliance with Water Quality Standards.* You are not authorized for storm water discharges that the Director determines will cause, or have reasonable potential to cause or contribute to, violations of water quality standards. Where such determinations have been made, the Director may notify

you that an individual permit application is necessary in accordance with Part 9.12. However, the Director may authorize your coverage under this permit after you have included appropriate controls and implementation procedures designed to bring your discharges into compliance with water quality standards in your Storm Water Pollution Prevention Plan.

1.2.3.6 *Endangered and Threatened Species or Critical Habitat Protection.* You are not authorized for discharges that do not avoid unacceptable effects on Federally listed endangered and threatened ("listed") species or designated critical habitat ("critical habitat").

**Caution:** Additional endangered and threatened species have been listed and critical habitat designated since the 1995 MSGP was issued. Even if you were previously covered by the 1995 MSGP, you must determine eligibility for this permit through the processes described below and in Addendum A. Where applicable, you may incorporate information from your previous endangered species analysis in your documentation of eligibility for this permit.

1.2.3.6.1 Coverage under this permit is available only if your storm water discharges, allowable non-storm water discharges, and discharge-related activities are not likely to jeopardize the continued existence of any species that are listed as endangered or threatened ("listed") under the ESA or result in the adverse modification or destruction of habitat that is designated or proposed to be designated as critical under the ESA ("critical habitat"). Submission of a signed NOI will be deemed to also constitute your certification of eligibility.

1.2.3.6.2 "Discharge-related activities" include: activities which cause, contribute to, or result in storm water point source pollutant discharges; and measures to control storm water discharges including the siting, construction and operation of best management practices (BMPs) to control, reduce or prevent storm water pollution.

1.2.3.6.3 *Determining Eligibility:* You must use the most recent Endangered and Threatened Species County-Species List available from EPA and the process in Addendum A (ESA Screening Process) to determine your eligibility *PRIOR* to submittal of your NOI. As of the effective date of this permit, the most current version of the List is located on the EPA Office of Water Web site at <http://www.epa.gov/owm/esalst2.htm>. You must meet one or more of the criteria in 1.2.3.6.3.1 through 1.2.3.6.3.5 below for the entire term of coverage under the permit. You

must include a certification of eligibility and supporting documentation on the eligibility determination in your Storm Water Pollution Prevention Plan.

1.2.3.6.3.1 *Criteria A:* No endangered or threatened species or critical habitat are in proximity to your facility or the point where authorized discharges reach the receiving water; or

1.2.3.6.3.2 *Criteria B:* In the course of a separate federal action involving your facility (e.g., EPA processing request for an individual NPDES permit, issuance of a CWA § 404 wetlands dredge and fill permit, etc.), formal or informal consultation with the Fish and Wildlife Service and/or the National Marine Fisheries Service (the "Services") under section 7 of the Endangered Species Act (ESA) has been concluded and that consultation:

(a) Addressed the effects of your storm water discharges, allowable non-storm water discharges, and discharge-related activities on listed species and critical habitat and

(b) The consultation resulted in either a no jeopardy opinion or a written concurrence by the Service on a finding that your storm water discharges, allowable non-storm water discharges, and discharge-related activities are not likely to adversely affect listed species or critical habitat; or

1.2.3.6.3.3 *Criteria C:* Your activities are authorized under section 10 of the ESA and that authorization addresses the effects of your storm water discharges, allowable non-storm water discharges, and discharge-related activities on listed species and critical habitat; or

1.2.3.6.3.4 *Criteria D:* Using best judgement, you have evaluated the effects of your storm water discharges, allowable non-storm water discharges, and discharge-related activities on listed endangered or threatened species and critical habitat and do not have reason to believe listed species or critical habitat would be adversely affected.

1.2.3.6.3.5 *Criteria E:* Your storm water discharges, allowable non-storm water discharges, and discharge-related activities were already addressed in another operator's certification of eligibility under Part 1.2.3.6.3.1 through 1.2.3.6.3.4 which included your facility's activities. By certifying eligibility under this Part, you agree to comply with any measures or controls upon which the other operator's certification was based;

1.2.3.6.4 The Director may require any permittee or applicant to provide documentation of the permittee or applicant's determination of eligibility for this permit using the procedures in Addendum A where EPA or the Fish

and Wildlife and/or National Marine Fisheries Services determine that there is a potential impact on endangered or threatened species or a critical habitat.

1.2.3.6.5 You are not authorized to discharge if the discharges or discharge-related activities cause a prohibited "take" of endangered or threatened species (as defined under section 3 of the Endangered Species Act and 50 CFR 17.3), unless such takes are authorized under sections 7 or 10 of the Endangered Species Act.

1.2.3.6.6 You are not authorized for any discharges where the discharges or discharge-related activities are likely to jeopardize the continued existence of any species that are listed as endangered or threatened under the ESA or result in the adverse modification or destruction of habitat that is designated or proposed to be designated as critical under the ESA.

1.2.3.6.7 The Endangered Species Act (ESA) provisions upon which part 1.2.3.6 is based do not apply to state-issued permits. Should administration of all or a portion of this permit be transfer to a State as a result of that State assuming the NPDES program pursuant to Clean Water Act § 402(b), Part 1.2.3.6 will not apply to any new NOIs submitted to the State after the State assumes administration of the permit (unless otherwise provided in the state program authorization agreement). Likewise, any other permit conditions based on Part 1.2.3.6 will no longer apply to new NOIs accepted by the NPDES-authorized state.

1.2.3.7 *Storm water Discharges and Storm Water Discharge-Related Activities with Unconsidered Adverse Effects on Historic Properties.*

1.2.3.7.1 *Determining Eligibility:* In order to be eligible for coverage under this permit, you must be in compliance with the National Historic Preservation Act. Your discharges may be authorized under this permit only if:

1.2.3.7.1.1 *Criteria A:* Your storm water discharges, allowable non-storm water discharges, and discharge-related activities do not affect a property that is listed or is eligible for listing on the National Register of Historic Places as maintained by the Secretary of the Interior; or

1.2.3.7.1.2 *Criteria B:* You have obtained and are in compliance with a written agreement with the State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Officer (THPO) that outlines all measures you will undertake to mitigate or prevent adverse effect to the historic property.

1.2.3.7.2 Addendum B of this permit provides guidance and references to

assist you with determining your permit eligibility concerning this provision.

1.2.3.8 *Discharges to Water Quality-Impaired or Water Quality-Limited Receiving Waters.*

1.2.3.8.1 You are not authorized to discharge if your discharge is prohibited under 40 CFR 122.4(i).

1.2.3.8.2 You are not authorized to discharge any pollutant into any water for which a Total Maximum Daily Load (TMDL) has been either established or approved by the EPA unless your discharge is consistent with that TMDL.

1.2.3.9 *Storm Water Discharges Subject to Anti-degradation Water Quality Standards.* You are not authorized for discharges that do not comply with your State or Tribe's anti-degradation policy for water quality standards. State and Tribal anti-degradation policies can be obtained from the appropriate State or Tribal environmental office or their Internet sites.

#### 1.2.4 Discharges Subject to New Source Performance Standards (NSPS)<sup>1 2</sup>

1.2.4.1 *Documentation of New Source Review.* If you have a discharge(s) subject to a NSPS effluent guideline, you must obtain and retain the following on site prior to the submittal of your Notice of Intent:

1.2.4.1.1 Documentation from EPA of "No Significant Impact" or

1.2.4.1.2 A completed Environmental Impact Statement in accordance with an environmental review conducted by EPA pursuant to 40 CFR 6.102(a)(6).

1.2.4.2 *Initiating a New Source Review.* If the Agency's decision has not been obtained, you may use the format and procedures specified in Addendum C to submit information to EPA to initiate the process of the environmental review.

To maintain eligibility, you 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

<sup>1</sup> 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.

<sup>2</sup> The provisions specified in Part 1.2.2.3 and Part 1.2.4 related to documenting New Source reviews are requirements of Federal programs under the National Environmental Policy Act of 1969 and will not apply to such facilities in the event that authority for the NPDES program has been assumed by the State/Tribe agency and administration of this permit has been transferred to the State/Tribe.

grounds for termination of permit coverage.

1.2.4.3 *NEPA Requirements after State Assumption of this Permit.* The National Environmental Policy Act (NEPA) provisions upon which part 1.2.4 is based do not apply to state-issued permits. Should administration of all or a portion of this permit be transfer to a State as a result of that State assuming the NPDES program pursuant to Clean Water Act § 402(b), Part 1.2.4 will not apply to any new NOIs submitted to the State after the State assumes administration of the permit. Likewise, any other permit conditions based on Part 1.2.4 will no longer apply to new NOIs accepted by the NPDES-authorized state.

### 1.3 How To Obtain Authorization Under This Permit

#### 1.3.1 Basic Eligibility

You may be authorized under this permit only if you have a discharge of storm water associated with industrial activity from your facility. In order to obtain authorization under this permit, you must:

1.3.1.1 Meet the Part 1.2 eligibility requirements; and

1.3.1.2 Develop and implement a Storm Water Pollution Prevention Plan (SWPPP) (see definition in Part 12) according to the requirements in Part 4 of this permit.

1.3.1.3 Submit a complete Notice of Intent (NOI) in accordance with the requirements of Part 2 of this permit. Any new operator at a facility, including those who replace an operator who has previously obtained permit coverage, must submit an NOI to be covered for discharges for which they are the operator.

#### 1.3.2 Effective Date of Permit Coverage

Unless notified by the Director to the contrary, if you submit a correctly completed NOI in accordance with the requirements of this permit, you are authorized to discharge under the terms and conditions of this permit two (2) days after the date the NOI is postmarked (but in no event, earlier than the effective date of the permit). The Director may deny coverage under this permit and require submission of an application for an individual NPDES permit based on a review of your NOI or other information (see Part 9.12). Authorization to discharge is not automatically granted two days after the NOI is mailed if your NOI is materially incomplete (*e.g.*, critical information left off, NOI unsigned, *etc.*) or if your discharge(s) is not eligible for coverage by the permit.

**1.4 Terminating Coverage**

**1.4.1 Submitting a Notice of Termination**

If you wish to terminate coverage under this permit, you must submit a Notice of Termination (NOT) in accordance with Part 11 of this permit. You must continue to comply with this permit until you submit an NOT. Your authorization to discharge under the permit terminates at midnight of the day the NOT is signed.

**1.4.2 When to Submit an NOT**

You must submit an NOT within thirty (30) days after one or more of the following conditions have been met:

- 1.4.2.1 A new owner/operator has assumed responsibility for the facility
- 1.4.2.2 You have ceased operations at the facility and there no longer are discharges of storm water associated with industrial activity from the facility and you have already implemented necessary sediment and erosion controls as required by Part 4.2.7.2.2.1

**1.4.3 Discharges After the NOT Is Submitted**

Enforcement actions may be taken if you submit an NOT without meeting one or more of these conditions, unless you have obtained coverage under an alternate permit or have satisfied the requirements of Part 1.5.

**1.5 Conditional Exclusion for No Exposure**

If you are covered by this permit, but later are able to file a "no exposure" certification to be excluded from permitting under 40 CFR 122.26(g), you are no longer authorized by nor required to comply with this permit. If you are no longer required to have permit coverage due to a "no exposure" exclusion, you are not required to submit a Notice of Termination.

**2. Notice of Intent Requirements**

**2.1 Notice of Intent (NOI) Deadlines**

Your NOI must be submitted in accordance with the deadlines in Table 2-1. You must meet all applicable eligibility conditions of Part 1.2 before you submit your NOI.

TABLE 2.-1—DEADLINES FOR NOI SUBMITTAL

Category	Deadline
1. Existing discharges covered under the 1995 MSGP (see also Part 2.1.2—Interim Coverage).	December 29, 2000.

TABLE 2.-1—DEADLINES FOR NOI SUBMITTAL—Continued

Category	Deadline
2. New discharges ....	Two (2) days prior to commencing operation of the facility with discharges of storm water associated with industrial activity.
3. New owner/operator of existing discharges.	Two (2) days prior to taking operational control of the facility.
4. Continued coverage when the permit expires in 2005.	See Part 9.2

Only one NOI need be submitted to cover all of your activities at the facility (e.g., you do not need to submit a separate NOI for each separate type of industrial activity located at a facility or industrial complex, provided your SWPPP covers each area for which you are an operator).

**2.1.1 Submitting a Late NOI**

You are not prohibited from submitting an NOI after the dates provided in Table 2-1. If a late NOI is submitted, your authorization is only for discharges that occur after permit coverage is granted. The Agency reserves the right to take appropriate enforcement actions for any unpermitted discharges.

**2.1.2 Interim Permit Coverage for 1995 MSGP Permittees**

If you had coverage for your facility under the 1995 MSGP, you may be eligible for continued coverage under this permit on an interim basis.

2.1.2.1 *Discharges Authorized Under the 1995 MSGP.* If permit coverage for your facility under the 1995 MSGP was effective as of the date the 1995 MSGP expired (or the date this permit replaced the 1995 MSGP if earlier), your authorization is automatically continued into this replacement permit on an interim basis for up to ninety (90) days from the effective date of the permit. Interim coverage will terminate earlier than the 90 days when an NOI has been submitted and coverage either granted or denied; or after submittal of an NOT.

2.1.2.2 *Discharges Authorized Under the 1995 MSGP, But Not Clearly Eligible for Coverage Under This Permit.* If you were previously covered by the 1995 MSGP, but cannot meet (or cannot immediately determine if you meet) the eligibility requirements of this permit, you may nonetheless be authorized

under this permit for a period not to exceed 270 days from the date this permit is published in the **Federal Register**, provided you submit an application for an alternative permit within 90 days from the permit publication date.

2.1.2.3 *Interim Coverage Permit Requirements.* While you are operating under interim coverage status, you must:

- 2.1.2.3.1 Submit a complete NOI (see Part 2.2) by the deadlines listed in Table 2-1 or Part 2.1.2.2 above.
- 2.1.2.3.2 Comply with the terms and conditions of the 1995 MSGP.
- 2.1.2.3.3 Update your Storm Water Pollution Prevention Plan to comply with the requirements of this permit within 90 days after the effective date of this permit.

**2.2 Contents of Notice of Intent (NOI)**

Your NOI for coverage under this permit must include the following information:

**2.2.1 Permit Selection**

2.2.1.1 If you were covered under the previous MSGP, provide the permit number assigned to your facility.

**2.2.2 Owner/Operator Information**

2.2.2.1 The name, address, and telephone number of the operator (e.g., your company, etc.) filing the NOI for permit coverage;

**2.2.3 Facility Information**

- 2.2.3.1 The name (or other identifier), address, county, and latitude/longitude of the facility for which the NOI is submitted;
- 2.2.3.2 An indication of whether you are a Federal, State, Tribal, private, or other public entity;
- 2.2.3.3 An indication of whether the facility is located on Indian country lands;
- 2.2.3.4 Certification that a Storm Water Pollution Prevention Plan (SWPPP) meeting the requirements of Part 4 has been developed (including attaching a copy of this permit to the plan);
- 2.2.3.5 The name of the receiving water(s);
- 2.2.3.6 The name of the municipal operator if the discharge is through a municipal separate storm sewer system, unless you are the owner/operator of that municipal separate storm sewer system;
- 2.2.3.7 Identification of applicable sector(s) in this permit, as designated in Table 1-1, that cover the discharges associated with industrial activity you wish to cover under this permit;
- 2.2.3.8 Up to four 4-digit Standard Industrial Classification (SIC) codes or

the 2-letter Activity Codes for hazardous waste treatment, storage, or disposal activities (HZ); land/disposal facilities that receive or have received any industrial waste (LF); steam electric power generating facilities (SE); or treatment works treating domestic sewage (TW) that best represent the principal products produced or services rendered by your facility and major co-located activities;

#### 2.2.4 Eligibility Screening

2.2.4.1 Based on the instructions in Addendum A, whether any listed or proposed threatened or endangered species, or designated critical habitat, are in proximity to the storm water discharges or storm water discharge-related activities to be covered by this permit;

2.2.4.2 Whether any historic property listed or eligible for listing on the National Register of Historic Places is located on the facility or in proximity to the discharge;

2.2.4.3 A signed and dated certification, signed by a authorized representative of your facility and maintained with your SWPPP, as detailed in Part 9.7 that certifies the following:

"I certify under penalty of law that I have read and understand the Part 1.2 eligibility requirements for coverage under the multi-sector storm water general permit including those requirements relating to the protection of endangered or threatened species or critical habitat. To the best of my knowledge, the storm water and allowable non-storm discharges authorized by this permit (and discharged related activities), pose no jeopardy to endangered or threatened species or critical habitat, or are otherwise eligible for coverage under Part 1.2.3.6 of the permit. To the best of my knowledge, I further certify that such discharges and discharge related activities do not have an effect on properties listed or eligible for listing on the National Register or Historic Places under the National Historic Preservation Act, or are otherwise eligible for coverage under Part 1.2.3.7 of the permit. I understand that continued coverage under the multi-sector storm water general permit is contingent upon maintaining eligibility as provided for in Part 1.2"

#### 2.3 Use of NOI Form

You must submit the information required under Part 2.2 on the latest version of the NOI form (or photocopy thereof) contained in Addendum D. Your NOI must be signed and dated in accordance with Part 9.7 of this permit.

**Note:** If EPA notifies dischargers (either directly, by public notice, or by making information available on the Internet) of other NOI form options that become available at a later date (e.g., electronic submission of forms), you may take advantage of those options to satisfy the NOI use and submittal requirements of Part 2.

#### 2.4 Where To Submit

Your NOI must be signed in accordance with Part 9.7 of this permit and submitted to the Director of the NPDES Permitting Program at the following address: Storm Water Notice of Intent (4203), US EPA, 1200 Pennsylvania Avenue NW, Washington, DC 20460.

#### 2.5 Additional Notification

If your facility discharges through a large or medium municipal separate storm sewer system (MS4), or into a MS4 that has been designated by the permitting authority, you must also submit a signed copy of the NOI to the operator of that MS4 upon request by the MS4 operator.

#### 3. Special Conditions

##### 3.1 Hazardous Substances or Oil

You must prevent or minimize the discharge of hazardous substances or oil in your discharge(s) in accordance with the Storm Water Pollution Prevention Plan for your facility. This permit does not relieve you of the reporting requirements of 40 CFR 110, 40 CFR 117 and 40 CFR 302 relating to spills or other releases of oils or hazardous substances.

##### 3.1.1 Single Releases and Spills

Where a release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under either 40 CFR 110, 40 CFR 117 or 40 CFR 302, occurs during a 24 hour period:

3.1.1.1 You must notify the National Response Center (NRC) (800-424-8802; in the Washington, DC, metropolitan area call 202-426-2675) in accordance with the requirements of 40 CFR 110, 40 CFR 117 and 40 CFR 302 as soon as he or she has knowledge of the discharge;

3.1.1.2 You must modify your Storm Water Pollution Prevention Plan required under Part 4 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, you must review your plan to identify measures to prevent the reoccurrence of such releases and to respond to such releases, and you must modify your plan where appropriate.

##### 3.1.2 Anticipated Discharges

Anticipated discharges containing a hazardous substance in an amount equal to or in excess of reporting quantities are those caused by events occurring within the scope of the relevant operating system. If your facilities has (or will have) more than one anticipated

discharge per year containing a hazardous substance in an amount equal to or in excess of a reportable quantity, you must:

3.1.2.1 Submit notifications of the first release that occurs during a calendar year (or for the first year of this permit, after submittal of an NOI); and

3.1.2.2 Provide a written description in the SWPPP of the dates on which such releases occurred, the type and estimate of the amount of material released, and the circumstances leading to the releases. In addition, your SWPPP must address measures to minimize such releases.

3.1.2.3 Where a discharge of a hazardous substance or oil in excess of reporting quantities is caused by a non-storm water discharge (e.g., a spill of oil into a separate storm sewer), that discharge is not authorized by the MSGP and you must report the discharge as required under 40 CFR Part 110, 40 CFR Part 117, or 40 CFR Part 302 (see Part 3.1.1. above). In the event of a spill, the requirements of Section 311 of the CWA and other applicable provisions of Sections 301 and 402 of the CWA continue to apply.

#### 3.2 Additional Requirements for Salt Storage

If you have storage piles of salt used for deicing or other commercial or industrial purposes, they must be enclosed or covered to prevent exposure to precipitation (except for exposure resulting from adding or removing materials from the pile). Piles do not need to be enclosed or covered where storm water from the pile is not discharged to waters of the United States or the discharges from the piles are authorized under another permit.

#### 3.3 Discharge Compliance With Water Quality Standards

Your discharges must not be causing or have the reasonable potential to cause or contribute to a violation of a water quality standard. Where a discharge is already authorized under this permit and is later determined to cause or have the reasonable potential to cause or contribute to the violation of an applicable water quality standard, the Director will notify you of such violation(s). You must take all necessary actions to ensure future discharges do not cause or contribute to the violation of a water quality standard and document these actions in the Storm Water Pollution Prevention Plan. If violations remain or re-occur, then coverage under this permit may be terminated by the Director, and an alternative general permit or individual permit may be issued. Compliance with

this requirement does not preclude any enforcement activity as provided by the Clean Water Act for the underlying violation.

#### 4. Storm Water Pollution Prevention Plans

##### 4.1 Storm Water Pollution Prevention Plan Requirements

You must prepare a Storm Water Pollution Prevention Plan (SWPPP) for your facility before submitting your Notice of Intent for permit coverage. Your SWPPP must be prepared in accordance with good engineering practices. Use of a registered professional engineer for SWPPP preparation is not required by the permit, but may be independently required under state law and/or local ordinance. Your SWPPP must:

4.1.1 Identify potential sources of pollution which may reasonably be expected to affect the quality of storm water discharges from your facility;

4.1.2 Describe and ensure implementation of practices which you will use to reduce the pollutants in storm water discharges from the facility; and

4.1.3 assure compliance with the terms and conditions of this permit.

**Note:** At larger installations such as military bases where there are well-defined industrial versus non-industrial areas, the SWPPP required under this Part need only address those areas with discharges of storm water associated with industrial activity. (e.g., under this permit, a U.S. Air Force Base would need to address the vehicle maintenance areas associated with the "airport" portion of the base in the SWPPP, but would not need to address a car wash that served only the on-base housing areas.)

#### 4.2 Contents of Plan

##### 4.2.4.2.1 Pollution Prevention Team

You must identify the staff individual(s) (by name or title) that comprise the facility's storm water Pollution Prevention Team. Your Pollution Prevention Team is responsible for assisting the facility/plant manager in developing, implementing, maintaining and revising the facility's SWPPP. Responsibilities of each staff individual on the team must be listed.

##### 4.2.2 Site Description

Your SWPPP must include the following:

4.2.2.1 *Activities at Facility.* description of the nature of the industrial activity(ies) at your facility;

4.2.2.2 *General Location Map.* a general location map (e.g., U.S.G.S. quadrangle, or other map) with enough detail to identify the location of your

facility and the receiving waters within one mile of the facility;

4.2.2.3 *A legible site map identifying the following:*

4.2.2.3.1 Directions of storm water flow (e.g. use arrows to show which ways storm water will flow);

4.2.2.3.2 Locations of all existing structural BMPs;

4.2.2.3.3 Locations of all surface water bodies;

4.2.2.3.4 Locations of potential pollutant sources identified under 4.2.4 and where significant materials are exposed to precipitation;

4.2.2.3.5 Locations where major spills or leaks identified under 4.2.5 have occurred;

4.2.2.3.6 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, locations used for the treatment, storage or disposal of wastes, and liquid storage tanks;

4.2.2.3.7 Locations of storm water outfalls and an approximate outline of the area draining to each outfall;

4.2.2.3.8 Location and description of non-storm water discharges;

4.2.2.3.9 Locations of the following activities where such activities are exposed to precipitation: processing and storage areas; access roads, rail cars and tracks; the location of transfer of substance in bulk; and machinery;

4.2.2.3.10 Location and source of runoff from adjacent property containing significant quantities of pollutants of concern to the facility (an evaluation of how the quality of the storm water running onto your facility impacts your storm water discharges may be included).

##### 4.2.3 Receiving Waters and Wetlands

You must provide the name of the nearest receiving water(s), including intermittent streams, dry sloughs, arroyos and the areal extent and description of wetland or other "special aquatic sites" (see Part 12 for definition) that may receive discharges from your facility.

##### 4.2.4 Summary of Potential Pollutant Sources

You must identify each separate area at your facility where industrial materials or activities are exposed to storm water. Industrial materials or activities include, but are not limited to, material handling equipment or activities, industrial machinery, raw materials, intermediate products, by-products, final products, or waste products. Material handling activities include the storage, loading and

unloading, transportation, or conveyance of any raw material, intermediate product, final product or waste product. For each, separate area identified, the description must include:

4.2.4.1 *Activities in Area.* A list of the activities (e.g., material storage, equipment fueling and cleaning, cutting steel beams); and

4.2.4.2 *Pollutants.* A list of the associated pollutant(s) or pollutant parameter(s) (e.g., crankcase oil, iron, biochemical oxygen demand, pH, etc.) for each activity. The pollutant list must include all significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of three (3) years before being covered under this permit and the present.

##### 4.2.5 Spills and Leaks

You must clearly identify areas where potential spills and leaks, which can contribute pollutants to storm water discharges, can occur, and their accompanying drainage points. For areas that are exposed to precipitation or that otherwise drain to a storm water conveyance at the facility to be covered under this permit, you must provide a list of significant spills and leaks of toxic or hazardous pollutants that occurred during the three (3) year period prior to the date of the submission of a Notice of Intent (NOI). Your list must be updated if significant spills or leaks occur in exposed areas of your facility during the time you are covered by the permit.

Significant spills and leaks include, but are not limited to releases of oil or hazardous substances in excess of quantities that are reportable under CWA § 311 (see 40 CFR 110.10 and 40 CFR 117.21) or section 102 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). Significant spills may also include releases of oil or hazardous substances that are not in excess of reporting requirements.

##### 4.2.6 Sampling Data

You must provide a summary of existing storm water discharge sampling data taken at your facility. All storm water sampling data collected during the term of this permit must also be summarized and included in this part of the SWPPP.

##### 4.2.7 Storm Water Controls

4.2.7.1 *Description of Existing and Planned BMPs.* Describe the type and location of existing non-structural and structural best management practices (BMPs) selected for each of the areas where industrial materials or activities

are exposed to storm water. All the areas identified in Part 4.2.4 should have a BMP(s) identified for the area's discharges. For areas where BMPs are not currently in place, describe appropriate BMPs that you will use to control pollutants in storm water discharges. Selection of BMPs should take into consideration:

4.2.7.1.1 The quantity and nature of the pollutants, and their potential to impact the water quality of receiving waters;

4.2.7.1.2 Opportunities to combine the dual purposes of water quality protection and local flood control benefits (including physical impacts of high flows on streams—e.g., bank erosion, impairment of aquatic habitat, etc.);

4.2.7.1.3 Opportunities to offset the impact of impervious areas of the facility on ground water recharge and base flows in local streams (taking into account the potential for ground water contamination—See "User's Guide to the MSGP-2000" section on groundwater considerations).

4.2.7.2 *BMP Types to be Considered.* The following types of structural, non-structural and other BMPs must be considered for implementation at your facility. Describe how each is, or will be, implemented. This requirement may have been fulfilled with the area-specific BMPs identified under Part 4.2.7.2, in which case the previous description is sufficient. However, many of the following BMPs may be more generalized or non site-specific and therefore not previously considered. If you determine that any of these BMPs are not appropriate for your facility, you must include an explanation of why they are not appropriate. The BMP examples listed below are not intended to be an exclusive list of BMPs that you may use. You are encouraged to keep abreast of new BMPs or new applications of existing BMPs to find the most cost effective means of permit compliance for your facility. If BMPs are being used or planned at the facility which are not listed here (e.g., replacing a chemical with a less toxic alternative, adopting a new or innovative BMP, etc.), include descriptions of them in this section of the SWPPP.

4.2.7.2.1 *Non-Structural BMPs.*

4.2.7.2.1.1 *Good Housekeeping:* You must keep all exposed areas of the facility in a clean, orderly manner where such exposed areas could contribute pollutants to storm water discharges. Common problem areas include: around trash containers, storage areas and loading docks. Measures must also include: a schedule for regular pickup and disposal of

garbage and waste materials; routine inspections for leaks and conditions of drums, tanks and containers.

4.2.7.2.1.2 *Minimizing Exposure:* Where practicable, industrial materials and activities should be protected by a storm resistant shelter to prevent exposure to rain, snow, snowmelt, or runoff.

**Note:** Eliminating exposure at all industrial areas may make the facility eligible for the 40 CFR 122.26(g) "No Exposure" exclusion from needing to have a permit.

4.2.7.2.1.3 *Preventive Maintenance:* You must have a preventive maintenance program which includes timely inspection and maintenance of storm water management devices, (e.g., cleaning oil/water separators, catch basins) as well as inspecting, testing, maintaining and repairing facility equipment and systems to avoid breakdowns or failures that may result in discharges of pollutants to surface waters.

4.2.7.2.1.4 *Spill Prevention and Response Procedures:* You must describe the procedures which will be followed for cleaning up spills or leaks. Those procedures, and necessary spill response equipment, must be made available to those employees that may cause or detect a spill or leak. Where appropriate, you must explain existing or planned material handling procedures, storage requirements, secondary containment, and equipment (e.g., diversion valves), which are intended to minimize spills or leaks at the facility. Measures for cleaning up hazardous material spills or leaks must be consistent with applicable RCRA regulations at 40 CFR Part 264 and 40 CFR Part 265.

4.2.7.2.1.5 *Routine Facility Inspections:* In addition to or as part of the comprehensive site evaluation required under Part 4.9, you must have qualified facility personnel inspect all areas of the facility where industrial materials or activities are exposed to storm water. The inspections must include an evaluation of existing storm water BMPs. Your SWPPP must identify how often these inspections will be conducted. You must correct any deficiencies in implementation of your SWP3 you find as soon as practicable, but not later than within 14 days of the inspection. You must document in your SWPPP the results of your inspections and the corrective actions you took in response to any deficiencies or opportunities for improvement that you identify.

4.2.7.2.1.6 *Employee Training:* You must describe the storm water employee training program for the facility. The

description should include the topics to be covered, such as spill response, good housekeeping and material management practices, and must identify periodic dates (e.g., every 6 months during the months of July and January) for such training. You must provide employee training for all employees that work in areas where industrial materials or activities are exposed to storm water, and for employees that are responsible for implementing activities identified in the SWPPP (e.g., inspectors, maintenance people). The employee training should inform them of the components and goals of your SWPPP.

4.2.7.2.2 *Structural BMPs.*

4.2.7.2.2.1 *Sediment and Erosion Control:* You must identify the areas at your facility which, due to topography, land disturbance (e.g., construction), or other factors, have a potential for significant soil erosion. You must describe the structural, vegetative, and/or stabilization BMPs that you will be implementing to limit erosion.

4.2.7.2.2.2 *Management of Runoff:* You must describe the traditional storm water management practices (permanent structural BMPs other than those which control the generation or source(s) of pollutants) that currently exist or that are planned for your facility. These types of BMPs typically are used to divert, infiltrate, reuse, or otherwise reduce pollutants in storm water discharges from the site. All BMPs that you determine are reasonable and appropriate, or are required by a State or local authority; or are necessary to maintain eligibility for the permit (see Part 1.2.3—Limitations on Coverage) must be implemented and maintained. Factors to consider when you are selecting appropriate BMPs should include: (1) The industrial materials and activities that are exposed to storm water, and the associated pollutant potential of those materials and activities; and (2) the beneficial and potential detrimental effects on surface water quality, ground water quality, receiving water base flow (dry weather stream flow), and physical integrity of receiving waters. (See "User's Guide to the MSGP-2000" for Considerations in Selection of BMPs) Structural measures should be placed on upland soils, avoiding wetlands and floodplains, if possible. Structural BMPs may require a separate permit under section 404 of the CWA before installation begins.

4.2.7.2.2.3 *Example BMPs:* BMPs you could use include but are not limited to: storm water detention structures (including wet ponds); storm water retention structures; flow attenuation by use of open vegetated swales and natural depressions;

infiltration of runoff onsite; and sequential systems (which combine several practices).

4.2.7.2.3 *Other Controls.* No solid materials, including floatable debris, may be discharged to waters of the United States, except as authorized by a permit issued under section 404 of the CWA. Off-site vehicle tracking of raw, final, or waste materials or sediments, and the generation of dust must be minimized. Tracking or blowing of raw, final, or waste materials from areas of no exposure to exposed areas must be minimized. Velocity dissipation devices must be placed at discharge locations and along the length of any outfall channel if they are necessary to provide a non-erosive flow velocity from the structure to a water course.

### 4.3 Maintenance

All BMPs you identify in your SWPPP must be maintained in effective operating condition. If site inspections required by Part 4.9 identify BMPs that are not operating effectively, maintenance must be performed before the next anticipated storm event, or as necessary to maintain the continued effectiveness of storm water controls. If maintenance prior to the next anticipated storm event is impracticable, maintenance must be scheduled and accomplished as soon as practicable. In the case of non-structural BMPs, the effectiveness of the BMP must be maintained by appropriate means (*e.g.*, spill response supplies available and personnel trained, *etc.*).

### 4.4 Non-Storm Water Discharges

#### 4.4.1 Certification of Non-Storm Water Discharges

4.4.1.1 Your SWPPP must include a certification that all discharges (*i.e.*, outfalls) have been tested or evaluated for the presence of non-storm water. The certification must be signed in accordance with Part 9.7 of this permit, and include:

4.4.1.1.1 The date of any testing and/or evaluation;

4.4.1.1.2 Identification of potential significant sources of non-storm water at the site;

4.4.1.1.3 A description of the results of any test and/or evaluation for the presence of non-storm water discharges;

4.4.1.1.4 A description of the evaluation criteria or testing method used; and

4.4.1.1.5 A list of the outfalls or onsite drainage points that were directly observed during the test.

4.4.1.2 You do not need to sign a new certification if one was already completed for either the 1992 baseline

Industrial General Permit or the 1995 Multi-sector General Permit and you have no reason to believe conditions at the facility have changed.

4.4.1.3 If you are unable to provide the certification required (testing for non-storm water discharges), you must notify the Director 180 days after submitting an NOI to be covered by this permit. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notification must describe:

4.4.1.3.1 Reason(s) why certification was not possible;

4.4.1.3.2 The procedure of any test attempted;

4.4.1.3.3 The results of such test or other relevant observations; and

4.4.1.3.4 Potential sources of non-storm water discharges to the storm sewer.

4.4.1.4 A Copy of the notification must be included in the SWPPP at the facility. Non-storm water discharges to waters of the United States which are not authorized by an NPDES permit are unlawful, and must be terminated.

#### 4.4.2 Allowable Non-Storm Water Discharges

4.4.2.1 Certain sources of non-storm water are allowable under this permit (see 1.2.2.2—Allowable Non-Storm Water Discharges). In order for these discharges to be allowed, your SWPPP must include:

4.4.2.1.1 Identification of each allowable non-storm water source;

4.4.2.1.2 The location where it is likely to be discharged; and

4.4.2.1.3 Descriptions of appropriate BMPs for each source.

4.4.2.2 Except for flows from fire fighting activities, you must identify in your SWPPP all sources of allowable non-storm water that are discharged under the authority of this permit.

4.4.2.3 If you include mist blown from cooling towers amongst your allowable non-storm water discharges, you must specifically evaluate the potential for the discharges to be contaminated by chemicals used in the cooling tower and determined that the levels of such chemicals in the discharges would not cause or contribute to a violation of an applicable water quality standard after implementation of the BMPs you have selected to control such discharges.

#### 4.5 Documentation of Permit Eligibility Related to Endangered Species

Your SWPPP must include documentation supporting your determination of permit eligibility with regard to Part 1.2.3.6 (Endangered Species), including:

4.5.1 Information on whether listed endangered or threatened species, or critical habitat, are found in proximity to your facility;

4.5.2 Whether such species may be affected by your storm water discharges or storm water discharge-related activities;

4.5.3 Results of your Addendum A endangered species screening determinations; and

4.5.4 A description of measures necessary to protect listed endangered or threatened species, or critical habitat, including any terms or conditions that are imposed under the eligibility requirements of Part 1.2.3.6. If you fail to describe and implement such measures, your discharges are ineligible for coverage under this permit.

#### 4.6 Documentation of Permit Eligibility Related to Historic Places

Your SWPPP must include documentation supporting your determination of permit eligibility with regard to Part 1.2.3.7 (Historic Places), including:

4.6.1 Information on whether your storm water discharges or storm water discharge-related activities would have an effect on a property that is listed or eligible for listing on the National Register of Historic Places;

4.6.2 Where effects may occur, any written agreements you have made with the State Historic Preservation Officer, Tribal Historic Preservation Officer, or other Tribal leader to mitigate those effects;

4.6.3 Results of your Addendum B historic places screening determinations; and

4.6.4 Description of measures necessary to avoid or minimize adverse impacts on places listed, or eligible for listing, on the National Register of Historic Places, including any terms or conditions that are imposed under the eligibility requirements of Part 1.2.3.7 of this permit. If you fail to describe and implement such measures, your discharges are ineligible for coverage under this permit.

#### 4.7 Copy of Permit Requirements

You must include a copy of this permit in your SWPPP.

**Note:** The confirmation of coverage letter you receive from the NOI Processing Center assigning your permit number IS NOT your permit—it merely acknowledges that your NOI has been accepted and you have been authorized to discharge subject to the terms and conditions of today's permit.

#### 4.8 Applicable State, Tribal or Local Plans

Your SWPPP must be consistent (and updated as necessary to remain



consistent) with applicable State, Tribal and/or local storm water, waste disposal, sanitary sewer or septic system regulations to the extent these apply to your facility and are more stringent than the requirements of this permit.

#### **4.9 Comprehensive Site Compliance Evaluation**

##### **4.9.1 Frequency and Inspectors**

You must conduct facility inspections at least once a year. The inspections must be done by qualified personnel provided by you. The qualified personnel you use may be either your own employees or outside consultants that you have hired, provided they are knowledgeable and possess the skills to assess conditions at your facility that could impact storm water quality and assess the effectiveness of the BMPs you have chosen to use to control the quality of your storm water discharges. If you decide to conduct more frequent inspections, your SWPPP must specify the frequency of inspections.

##### **4.9.2 Scope of the Compliance Evaluation**

Your inspections must include all areas where industrial materials or activities are exposed to storm water, as identified in 4.2.4, and areas where spills and leaks have occurred within the past 3 years. Inspectors should look for: (a) Industrial materials, residue or trash on the ground that could contaminate or be washed away in storm water; (b) leaks or spills from industrial equipment, drums, barrels, tanks or similar containers; (c) offsite tracking of industrial materials or sediment where vehicles enter or exit the site; (d) tracking or blowing of raw, final, or waste materials from areas of no exposure to exposed areas and (e) for evidence of, or the potential for, pollutants entering the drainage system. Results of both visual and any analytical monitoring done during the year must be taken into consideration during the evaluation. Storm water BMPs identified in your SWPPP must be observed to ensure that they are operating correctly. Where discharge locations or points are accessible, they must be inspected to see whether BMPs are effective in preventing significant impacts to receiving waters. Where discharge locations are inaccessible, nearby downstream locations must be inspected if possible.

##### **4.9.3 Follow-Up Actions**

Based on the results of the inspection, you must modify your SWPPP as necessary (e.g., show additional controls on map required by Part 4.2.2.3; revise description of controls required by Part

4.2.7 to include additional or modified BMPs designed to correct problems identified. You must complete revisions to the SWPPP within 14 calendar days following the inspection. If existing BMPs need to be modified or if additional BMPs are necessary, implementation must be completed before the next anticipated storm event, if practicable, but not more than twelve (12) weeks after completion of the comprehensive site evaluation.

##### **4.9.4 Compliance Evaluation Report**

You must insure a report summarizing the scope of the inspection, name(s) of personnel making the inspection, the date(s) of the inspection, and major observations relating to the implementation of the SWPPP is completed and retained as part of the SWPPP for at least three years from the date permit coverage expires or is terminated. Major observations should include: the location(s) of discharges of pollutants from the site; location(s) of BMPs that need to be maintained; location(s) of BMPs that failed to operate as designed or proved inadequate for a particular location; and location(s) where additional BMPs are needed that did not exist at the time of inspection. You must retain a record of actions taken in accordance with Part 4.9 of this permit as part of the Storm Water Pollution Prevention Plan for at least three years from the date that permit coverage expires or is terminated. The inspection reports must identify any incidents of non-compliance. Where an inspection report does not identify any incidents of non-compliance, the report must contain a certification that the facility is in compliance with the Storm Water Pollution Prevention Plan and this permit. Both the inspection report and any reports of follow-up actions must be signed in accordance with Part 9.7 (reporting) of this permit.

##### **4.9.5 Credit As a Routine Facility Inspection**

Where compliance evaluation schedules overlap with inspections required under Part 4.2.7.2.1.5, your annual compliance evaluation may also be used as one of the Part 4.2.7.5 routine inspections.

##### **4.10 Maintaining Updated SWPPP**

You must amend the Storm Water Pollution Prevention Plan whenever:

4.10.1 there is a change in design, construction, operation, or maintenance at your facility which has a significant effect on the discharge, or potential for discharge, of pollutants from your facility;

4.10.2 During inspections, monitoring, or investigations by you or by local, State, Tribal or Federal officials it is determined the SWPPP is ineffective in eliminating or significantly minimizing pollutants from sources identified under 4.2.4, or is otherwise not achieving the general objectives of controlling pollutants in discharges from your facility.

##### **4.11 Signature, Plan Review and Making Plans Available**

4.11.1 You must sign your SWPPP in accordance with Part 9.7, and retain the plan on-site at the facility covered by this permit (see Part 8 for records retention requirements).

4.11.2 You must keep a copy of the SWPPP on-site or locally available to the Director for review at the time of an on-site inspection. You must make your SWPPP available upon request to the Director, a State, Tribal or local agency approving storm water management plans, or the operator of a municipal separate storm sewer receiving discharge from the site. Also, in the interest of the public's right to know, you must provide a copy of your SWPPP to the public if requested in writing to do so.

4.11.3 The Director may notify you at any time that your SWPPP does not meet one or more of the minimum requirements of this permit. The notification will identify provisions of this permit which are not being met, as well as the required modifications. Within thirty (30) calendar days of receipt of such notification, you must make the required changes to the SWPPP and submit to the Director a written certification that the requested changes have been made.

4.11.4 You must make the SWPPP available to the USFWS or NMFS upon request.

##### **4.12 Additional Requirements for Storm Water Discharges Associated With Industrial Activity From Facilities Subject to EPCRA Section 313 Reporting Requirements**

Potential pollutant sources for which you have reporting requirements under EPCRA 313 must be identified in your summary of potential pollutant sources as per Part 4.2.4. Note this additional requirement only applies to you if you are subject to reporting requirements under EPCRA 313.

##### **5. Monitoring Requirements and Numeric Limitations**

There are five individual and separate categories of monitoring requirements and numeric limitations that your facility may be subject to under this



permit. The monitoring requirements and numeric limitations applicable to your facility depend on a number of factors, including: (1) The types of industrial activities generating storm water runoff from your facility, and (2) the state or tribe where your facility is located. Part 6 identifies monitoring requirements applicable to specific sectors of industrial activity. Part 13 contains additional requirements that apply only to facilities located in a particular State or Indian country land. You must review Parts 5, 6 and 13 of the permit to determine which monitoring requirements and numeric limitations apply to your facility. Unless otherwise specified, limitations and monitoring requirements under Parts 5, 6, and 13 are additive.

Sector-specific monitoring requirements and limitations are applied discharge by discharge at facilities with co-located activities. Where storm water from the co-located activities are co-mingled, the monitoring requirements and limitations are additive. Where more than one numeric limitation for a specific parameter applies to a discharge, compliance with the more restrictive limitation is required. Where monitoring requirements for a monitoring quarter overlap (e.g., need to monitor TSS 1/ year for a limit and also 1/quarter for benchmark monitoring), you may use a single sample to satisfy both monitoring requirements.

**5.1 Types of Monitoring Requirements and Limitations**

**5.1.1 Quarterly Visual Monitoring**

The requirements and procedures for quarterly visual monitoring are applicable to all facilities covered under this permit, regardless of your facility's sector of industrial activity.

5.1.1.1 You must perform and document a quarterly visual examination of a storm water discharge associated with industrial activity from each outfall, except discharges exempted below. The visual examination must be made during daylight hours (e.g., normal working hours). If no storm event resulted in runoff from the facility during a monitoring quarter, you are excused

from visual monitoring for that quarter provided you document in your monitoring records that no runoff occurred. You must sign and certify the documentation in accordance with Part 9.7.

5.1.1.2 Your visual examinations must be made of samples collected within the first 30 minutes (or as soon thereafter as practical, but not to exceed 1 hour) of when the runoff or snowmelt begins discharging from your facility. The examination must document observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution. The examination must be conducted in a well lit area. No analytical tests are required to be performed on the samples. All such samples must 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 72-hour storm interval is waived when the preceding measurable storm did not yield a measurable discharge, or if you are able to document that less than a 72-hour interval is representative for local storm events during the sampling period. Where practicable, the same individual should carry out the collection and examination of discharges for the entire permit term. If no qualifying storm event resulted in runoff from the facility during a monitoring quarter, you are excused from visual monitoring for that quarter provided you document in your monitoring records that no qualifying storm event occurred that resulted in storm water runoff during that quarter. You must sign and certify the documentation in accordance with Part 9.7.

5.1.1.3 You must maintain your visual examination reports onsite with the Storm Water Pollution Prevention Plan. The report must include the examination date and time, examination personnel, the nature of the discharge (i.e., runoff or snow melt), visual quality of the storm water discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other

obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.

5.1.1.4 Inactive and Unstaffed Sites: When you are unable to conduct visual storm water examinations at an inactive and unstaffed site, you may exercise a waiver of the monitoring requirement as long as the facility remains inactive and unstaffed. If you exercise this waiver, you must maintain a certification with the Storm Water Pollution Prevention Plan stating that the site is inactive and unstaffed and that performing visual examinations during a qualifying event is not feasible. You must sign and certify the waiver in accordance with Part 9.7.

**5.1.2 Benchmark Monitoring of Discharges Associated With Specific Industrial Activities**

Table 5-1 identifies the specific industrial sectors subject to the Benchmark Monitoring requirements of this permit and the industry-specific pollutants of concern. You must refer to the tables found in the individual Sectors in Part 6 for Benchmark Monitoring Cut-Off Concentrations. If your facility has co-located activities (see Part 1.2.1.1) described in more than one sector in Part 6, you must comply with all applicable benchmark monitoring requirements from each sector.

The results of benchmark monitoring are primarily for your use to determine the overall effectiveness of your SWPPP in controlling the discharge of pollutants to receiving waters. Benchmark values, included in Part 6 of this permit, are not viewed as effluent limitations. An exceedance of a benchmark value does not, in and of itself, constitute a violation of this permit. While exceedance of a benchmark value does not automatically indicate that violation of a water quality standard has occurred, it does signal that modifications to the SWPPP may be necessary. In addition, exceedance of benchmark values may identify facilities that would be more appropriately covered under an individual, or alternative general permit where more specific pollution prevention controls could be required.

TABLE 5-1.—INDUSTRY SECTORS/SUB-SECTORS SUBJECT TO BENCHMARK MONITORING

MSGP sector <sup>1</sup>	Industry sub-sector	Required parameters for benchmark monitoring
A .....	General Sawmills and Planing Mills .....	COD, TSS, Zinc.
	Wood Preserving Facilities .....	Arsenic, Copper.
	Log Storage and Handling .....	TSS.
	Hardwood Dimension and Flooring Mills .....	COD, TSS.
B .....	Paperboard Mills .....	COD.

TABLE 5-1.—INDUSTRY SECTORS/SUB-SECTORS SUBJECT TO BENCHMARK MONITORING—Continued

MSGP sector <sup>1</sup>	Industry sub-sector	Required parameters for benchmark monitoring
C	Industrial Inorganic Chemicals Plastics, Synthetic Resins, etc. Soaps, Detergents, Cosmetics, Perfumes Agricultural Chemicals	Aluminum, Iron, Nitrate + Nitrite N. Zinc. Nitrate + Nitrite N, Zinc. Nitrate + Nitrite N, Lead, Iron, Zinc, Phosphorus.
D	Asphalt Paving and Roofing Materials	TSS.
E	Clay Products Concrete Products	Aluminum. TSS, Iron.
F	Steel Works, Blast Furnaces, and Rolling and Finishing Mills. Iron and Steel Foundries Non-Ferrous Rolling and Drawing Non-Ferrous Foundries (Castings)	Aluminum, Zinc. Aluminum, TSS, Copper, Iron, Zinc. Copper, Zinc. Copper, Zinc.
G <sup>2</sup>	Copper Ore Mining and Dressing	COD, TSS, Nitrate + Nitrite N
H	Coal Mines and Coal-Mining Related Facilities	TSS, Aluminum, Iron
J	Dimension Stone, Crushed Stone, and Nonmetallic Minerals (except fuels). Sand and Gravel Mining	TSS. Nitrate + Nitrite N, TSS.
K	Hazardous Waste Treatment Storage or Disposal	Ammonia, Magnesium, COD, Arsenic, Cadmium, Cyanide, Lead, Mercury, Selenium, Silver.
L	Landfills, Land Application Sites, and Open Dumps	Iron, TSS.
M	Automobile Salvage Yards	TSS, Aluminum, Iron, Lead.
N	Scrap Recycling	Copper, Aluminum, Iron, Lead, Zinc, TSS, COD.
O	Steam Electric Generating Facilities	Iron.
Q	Water Transportation Facilities	Aluminum, Iron, Lead, Zinc.
S	Airports with deicing activities <sup>3</sup>	BOD, COD, Ammonia, pH.
U	Grain Mill Products Fats and Oils	TSS. BOD, COD, Nitrate + Nitrite N, TSS.
Y	Rubber Products	Zinc.
AA	Fabricated Metal Products Except Coating Fabricated Metal Coating and Engraving	Iron, Aluminum, Zinc, Nitrate + Nitrite N. Zinc, Nitrate + Nitrite N.

<sup>1</sup> Table does not include parameters for compliance monitoring under effluent limitations guidelines.

<sup>2</sup> See Sector G (Part 6.G) for additional monitoring discharges from waste rock and overburden piles from active ore mining or dressing facilities.

<sup>3</sup> Monitoring requirement is for airports with deicing activities that utilize more than 100 tons of urea or more than 100,000 gallons of ethylene glycol per year.

5.1.2.1 *Monitoring Periods for Benchmark Monitoring.* Unless otherwise specified in Part 6, benchmark monitoring periods are October 1, 2001 to September 30, 2002 (year two of the permit) and October 1, 2003 to September 30, 2004 (year four of the permit). If your facility falls within a Sector(s) required to conduct benchmark monitoring, you must monitor quarterly (4 times a year) during at least one, and potentially both, monitoring periods; unless otherwise specified in the sector-specific requirements of Part 6. Depending on the results of the 2001–2002 monitoring year, you may not be required to conduct benchmark monitoring in the 2003–2004 monitoring year (see Part 5.1.2.2).

5.1.2.2 *Benchmark Monitoring Year 2003–2004 Waivers for Facilities Testing Below Benchmark Values.* All of the provisions of Part 5.1.2.2 are available to permittees except as noted in Part 6. Waivers from benchmark monitoring are

available to facilities whose discharges are below benchmark values, thus there is an incentive for facilities to improve the effectiveness of their SWPPPs in eliminating discharges of pollutants and avoid the cost of monitoring.

On both a parameter by parameter and outfall by outfall basis, you are not required to conduct sector-specific benchmark monitoring in the 2003–2004 monitoring year provided:

- You collected samples for all four quarters of the 2001–2002 monitoring year and the average concentration was below the benchmark value in Part 6; and
- You are not subject to a numeric limitation or State/Tribal-specific monitoring requirement for that parameter established in Part 5.2 or Part 13; and
- You include a certification in the SWPPP that based on current potential pollutant sources and BMPs used, discharges from the facility are reasonably expected to be essentially the same (or cleaner) compared to when

the benchmark monitoring for the 2001–2002 monitoring year was done.

5.1.2.3 *Inactive and Unstaffed Sites.* If you are unable to conduct benchmark monitoring at an inactive and unstaffed site, you may exercise a waiver of the monitoring requirement as long as the facility remains inactive and unstaffed. If you exercise this waiver, you must maintain a certification with your Storm Water Pollution Prevention Plan stating that the site is inactive and unstaffed and that performing benchmark monitoring during a qualifying storm event is not feasible. You must sign and certify the waiver in accordance with Part 9.7.

### 5.1.3 Coal Pile Runoff

5.1.3.1 If your facility has discharges of storm water from coal storage piles, you must comply with the limitations and monitoring requirements of Table 5–2 for all discharges containing the coal pile runoff, regardless of your facility's sector of industrial activity.

TABLE 5-2.—NUMERIC LIMITATIONS FOR COAL PILE RUNOFF

Parameter	Limit	Monitoring frequency	Sample type
Total Suspended Solids (TSS) .....	50 mg/L, max .....	1/year .....	Grab.
pH .....	6.0–9.0 min. and max .....	1/year .....	Grab.

5.1.3.2 You must not dilute coal pile runoff with storm water or other flows in order to meet this limitation.

5.1.3.3 If your facility is designed, constructed and operated to treat the volume of coal pile runoff that is associated with a 10-year, 24-hour rainfall event, any untreated overflow of coal pile runoff from the treatment unit is not subject to the 50 mg/L limitation for total suspended solids.

5.1.3.4 You must collect and analyze your samples in accordance with Part 5.2.2. Results of the testing must be retained and reported in accordance with Part 8 and 9.16.

**5.1.4 Compliance Monitoring for Discharges Subject to Numerical Effluent Limitation Guidelines**

Table 1–2 of Part 1.2.2.1.3 of the permit identifies storm water discharges subject to effluent limitation guidelines that are authorized for coverage under the permit. Facilities subject to storm water effluent limitation guidelines are required to monitor such discharges to evaluate compliance with numerical effluent limitations. Industry-specific numerical limitations and compliance monitoring requirements are described in Part 6 of the permit.

**5.1.5 Monitoring for Limitations Required by a State or Tribe**

Unless otherwise specified in Part 13 (state/tribal-specific permit conditions), you must sample once per year for any permit limit established as a result of a state or tribe’s conditions for certification of this permit under CWA § 401.

**5.2 Monitoring Instructions**

**5.2.1 Monitoring Periods**

If you are required to conduct monitoring on an annual or quarterly basis, you must collect your samples within the following time periods (unless otherwise specified in Part 6):

- The monitoring year is from October 1 to September 30
- If your permit coverage was effective less than one month from the end of a quarterly or yearly monitoring period, your first monitoring period starts with the next respective monitoring period. (e.g., if permit coverage begins June 5th, you would not need to start quarterly sampling until the July—September quarter, but you

would only have from June 5th to September 30th to complete that year’s annual monitoring )

**5.2.2 Collection and Analysis of Samples**

You must assess your sampling requirements on an outfall by outfall basis. You must collect and analyze your samples in accordance with the requirements of Part 9.16.

5.2.2.1 *When and How to Sample.* Take a minimum of one grab sample from the discharge associated with industrial activity resulting from a storm event with at least 0.1 inch of precipitation (defined as a “measurable” event), providing the interval from the preceding measurable storm is at least 72 hours. The 72-hour storm interval is waived when the preceding measurable storm did not yield a measurable discharge, or if you are able to document that less than a 72-hour interval is representative for local storm events during the sampling period.

Take the grab sample during the first 30 minutes of the discharge. If it is not practicable to take the sample during the first 30 minutes, sample during the first hour of discharge and describe why a grab sample during the first 30 minutes was impracticable. Submit this information on or with the discharge monitoring report (see Part 7.1). If the sampled discharge commingles with process or non-process water, attempt to sample the storm water discharge before it mixes with the non-storm water.

To get help with monitoring, consult the *Guidance Manual for the Monitoring and Reporting Requirements of the NPDES Storm Water Multi-Sector General Permit* which can be downloaded from the EPA Web Site at [www.epa.gov/OWM/sw/industry/index.htm](http://www.epa.gov/OWM/sw/industry/index.htm). It can also be ordered from the Office of Water Resource Center by calling 202–260–7786.

**5.2.3 Storm Event Data**

Along with the results of your monitoring, you must 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.

**5.2.4 Representative Outfalls—Essential Identical Discharges**

If your facility has two (2) or more outfalls that you believe discharge substantially identical effluents, based on similarities of the industrial activities, significant materials or storm water management practices occurring within the outfalls’ drainage areas, you may test the effluent of just one of the outfalls and report that the quantitative data also applies to the substantially identical outfall(s). For this to be permissible, you must describe in the Storm Water Pollution Prevention Plan and include in the Discharge Monitoring Report the following: locations of the outfalls; why the outfalls are expected to discharge substantially identical effluents; estimates of the size of the drainage area (in square feet) for each of the outfalls; and an estimate of the runoff coefficient of the drainage areas (low: under 40 percent; medium: 40 to 65 percent; high: above 65 percent). Note: Page 107 of the *NPDES Storm Water Sampling Guidance Document* (EPA 800/B–92–001) lists criteria for substantially identical outfalls (available on EPA’s web site at <http://www.epa.gov/owm/sw/industry/>).

**5.3 General Monitoring Waivers**

Unless specifically stated otherwise, the following waivers may be applied to any monitoring required under this permit.

**5.3.1 Adverse Climatic Conditions Waiver**

When adverse weather conditions prevent the collection of samples, take a substitute sample during a qualifying storm event in the next monitoring period, or four samples per monitoring year when weather conditions do not allow for samples to be spaced evenly during the year. Adverse conditions (i.e., those which are dangerous or create inaccessibility for personnel) may include such things as local flooding, high winds, electrical storms, or situations which otherwise make sampling impracticable such as drought or extended frozen conditions.

### 5.3.2 Alternative Certification of "Not Present or No Exposure"

You are not subject to the analytical monitoring requirements of Part 5.1.2 provided:

5.3.2.1 You make a certification for a given outfall, or on a pollutant-by-pollutant basis in lieu of monitoring required under Part 5.1.2, that material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, industrial machinery or operations, or significant materials from past industrial activity that are located in areas of the facility within the drainage area of the outfall are not presently exposed to storm water and are not expected to be exposed to storm water for the certification period; and

5.3.2.2 Your certification is signed in accordance with Part 9.7, retained in the Storm Water Pollution Prevention Plan, and submitted to EPA in accordance with Part 7. In the case of certifying that a pollutant is not present, the permittee must submit the certification along with the monitoring reports required Part 7; and

5.3.2.3 If you cannot certify for an entire period, you must submit the date exposure was eliminated and any monitoring required up until that date; and

5.3.2.4 No numeric limitation or State-specific monitoring requirement for that parameter is established in Part 5 or Part 13.

### 5.4 Monitoring Required by the Director

The Director may provide written notice to any facility, including those otherwise exempt from the sampling requirements of Parts 5, 6 and 12, requiring discharge sampling for a specific monitoring frequency for specific parameters. Any such notice will briefly state the reasons for the monitoring, parameters to be monitored, frequency and period of monitoring, sample types, and reporting requirements.

### 5.5 Reporting Monitoring Results

Deadlines and procedures for submitting monitoring reports are contained in Part 7.

## 6. Sector-Specific Requirements for Industrial Activity

You only need to comply with the additional requirements of Part 6 that

apply to the sector(s) of industrial activity at your facility. These sector-specific requirements are in addition to the "basic" requirements specified in Parts 1–5 and 7–13 of this permit.

### 6.A Sector A—Timber Products

#### 6.A.1 Covered Storm Water Discharges

The requirements in Part 6.A apply to storm water discharges associated with industrial activity from Timber Products facilities as identified by the SIC Codes specified under Sector A in Table 1–1 of Part 1.2.1.

#### 6.A.2 Industrial Activities Covered by Sector A

The types of activities that permittees under Sector A are primarily engaged in are:

6.A.2.1 Cutting timber and pulpwood (those that have log storage or handling areas);

6.A.2.2 Mills, including merchant, lath, shingle, cooperage stock, planing, plywood and veneer;

6.A.2.3 Producing lumber and wood basic materials;

6.A.2.4 Wood preserving;

6.A.2.5 Manufacturing finished articles made entirely of wood or related materials except wood kitchen cabinet manufacturers (covered under Part 6.23);

6.A.2.6 Manufacturing wood buildings or mobile homes.

#### 6.A.3 Special Coverage Conditions

6.A.3.1 *Prohibition of Discharges.* (See also Part 1.2.3.1) Not covered by this permit: storm water discharges from areas where there may be contact with the chemical formulations sprayed to provide surface protection. These discharges must be covered by a separate NPDES permit.

6.A.3.2 *Authorized Non-Storm Water Discharges.* (See also Part 1.2.3.1) Also authorized by this permit, provided the non-storm water component of the discharge is in compliance with SWPPP requirements in Part 4.2.7 (Controls): 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.

### 6.A.4 Storm Water Pollution Prevention Plan (SWPPP) Requirements

In addition to the following requirements, you must also comply with the requirements listed in Part 4.

6.A.4.1 *Drainage Area Site Map.* (See also Part 4.2.2.3) Also identify where any of the following may be exposed to precipitation/surface runoff: 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.

6.A.4.2 *Inventory of Exposed Materials.* (See also Part 4.2.4) Where such information exists, if your facility has used chlorophenolic, creosote or chromium-copper-arsenic formulations for wood surface protection or preserving, identify the following: areas where contaminated soils, treatment equipment and stored materials still remain, and the management practices employed to minimize the contact of these materials with storm water runoff.

6.A.4.3 *Description of Storm Water Management Controls.* (See also Part 4.2.7). Describe and implement measures to address the following activities/sources: log, lumber and wood product storage areas; residue storage areas; loading and unloading areas; material handling areas; chemical storage areas; and equipment/vehicle maintenance, storage and repair areas. If your facility performs wood surface protection/preservation activities, address the specific BMPs for these activities.

6.A.4.4 *Good Housekeeping.* (See also Part 4.2.7.2.1.1). In areas where storage, loading/unloading and material handling occur, perform good housekeeping to limit the discharge of wood debris; minimize the leachate generated from decaying wood materials; and minimize the generation of dust.

6.A.4.5 *Inspections.* (See also Part 4.2.7.2.1.5). If your facility performs wood surface protection/preservation activities, inspect processing areas, transport areas and treated wood storage areas monthly to assess the usefulness of practices to minimize the deposit of treatment chemicals on unprotected soils and in areas that will come in contact with storm water discharges.

#### 6.A.5 Monitoring and Reporting Requirements (See also Part 5)

TABLE A-1.—SECTOR-SPECIFIC NUMERIC LIMITATIONS AND BENCHMARK MONITORING  
[Sector of permit affected/supplemental requirements]

Subsector (Discharge may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark monitoring cutoff concentration <sup>1</sup>	Numeric limitation <sup>2</sup>
General Sawmills and Planning Mills (SIC 2421) .....	Chemical Oxygen Demand (COD).	120.0 mg/L.	6.0–9.0 s.u.  No Discharge of debris that will not pass through a 2.54 cm (1") diameter round opening.
Wood Preserving (SIC 2491) .....	Total Suspended Solids (TSS).	100 mg/L.	
	Total Zinc .....	0.117 mg/L.	
	Total Arsenic .....	0.16854 mg/L.	
Log Storage and Handling (SIC 2411) .....	Total Copper .....	0.0636 mg/L.	
	Total Suspended Solids (TSS).	100 mg/L.	
Wet Decking Discharges at Log Storage and Handling Areas (SIC 2411).	pH .....	.....	
	Debris (woody material such as bark, twigs, branches, heartwood, or sapwood).	.....	
Hardwood Dimension and Flooring Mills; Special Products Sawmills, not elsewhere classified; Millwork, Veneer, Plywood and Structural Wood; Wood Containers; Wood Buildings and Mobile Homes; Reconstituted Wood Products; and Wood Products Facilities not elsewhere classified (SIC Codes 2426, 2429, 2431–2439 (except 2434), 2448, 2449, 2451, 2452, 2593, and 2499).	Chemical Oxygen Demand (COD).	120.0 mg/L.	
	Total Suspended Solids (TSS).	100.0 mg/L.	

<sup>1</sup> Monitor once/quarter for the year 2 and year 4 monitoring years.

<sup>2</sup> Monitor once per year for each monitoring year.

**6.B Sector B—Paper and Allied Products Manufacturing**

**6.B.1 Covered Storm Water Discharges**

The requirements in Part 6.B apply to storm water discharges associated with industrial activity from Paper and Allied Products Manufacturing facilities as identified by the SIC Codes specified

under Sector B in Table 1–1 of Part 1.2.1.

**6.B.2 Industrial Activities Covered by Sector B**

The types of activities that permittees under Sector B are primarily engaged in are:

6.B.2.1 Manufacture of pulps from wood and other cellulose fibers and from rags;

6.B.2.2 Manufacture of paper and paperboard into converted products, *i.e.* paper coated off the paper machine, paper bags, paper boxes and envelopes;

6.B.2.3 Manufacture of bags of plastic film and sheet.

**6.B.3 Monitoring and Reporting Requirements (See also Part 5)**

TABLE B-1.—SECTOR-SPECIFIC NUMERIC EFFLUENT LIMITATIONS AND BENCHMARK MONITORING

Subsector (Discharges may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark monitoring and cutoff concentration <sup>1</sup>	Numeric limitation
<b>Part of Permit Affected/Supplemental Requirements</b>			
Paperboard Mills (SIC Code 2631) .....	COD .....	120.0 mg/L.	

<sup>1</sup> Monitor once/quarter for the year 2 and year 4 monitoring years

**6.C Sector C—Chemical and Allied Products Manufacturing**

**6.C.1 Covered Storm Water Discharges**

The requirements in Part 6.C apply to storm water discharges associated with industrial activity from Chemical and Allied Products Manufacturing facilities as identified by the SIC Codes specified under Sector C in Table 1–1 of Part 1.2.1.

**6.C.2 Industrial Activities Covered by Sector C**

The requirements listed under this Part apply to storm water discharges associated with industrial activity from a facility engaged in manufacturing the following products:

6.C.2.1 basic industrial inorganic chemicals;

6.C.2.2 plastic materials and synthetic resins, synthetic rubbers, and

cellulosic and other human made fibers, except glass;

6.C.2.3 soap and other detergents, including facilities producing glycerin from vegetable and animal fats and oils; speciality cleaning, polishing and sanitation preparations; surface active preparations used as emulsifiers, wetting agents and finishing agents, including sulfonated oils; and perfumes, cosmetics and other toilet preparations;

6.C.2.4 paints (in paste and ready mixed form); varnishes; lacquers; enamels and shellac; putties, wood fillers, and sealers; paint and varnish removers; paint brush cleaners; and allied paint producers;

6.C.2.5 industrial organic chemicals;

6.C.2.6 industrial and household adhesives, glues, caulking compounds, sealants, and linoleum, tile and rubber cements from vegetable, animal or synthetic plastic materials; explosives; printing ink, including gravure, screen process and lithographic inks; miscellaneous chemical preparations such as fatty acids, essential oils, gelatin (except vegetable), sizes, bluing, laundry sours, writing and stamp pad ink, industrial compounds such as boiler and heat insulating compounds, and chemical supplies for foundries;

6.C.2.7 ink and paints, including china painting enamels, indian ink, drawing ink, platinum paints for burnt wood or leather work, paints for china painting, artists' paints and artists' water colors;

6.C.2.8 nitrogenous and phosphatic basic fertilizers, mixed fertilizers,

pesticides and other agricultural chemicals.

**6.C.3 Limitations on Coverage**

6.C.3.1 *Prohibition of Non-Storm Water Discharges.* (See also Part 1.2.3.3) Not covered by this permit: non-storm water discharges containing inks, paints or substances (hazardous, nonhazardous, etc.) resulting from an onsite spill, including materials collected in drip pans; washwater from material handling and processing areas; and washwater from drum, tank or container rinsing and cleaning.

**6.C.4 Storm Water Pollution Prevention Plan (SWPPP) Requirements**

In addition to the following requirements, you must also comply with the requirements listed in Part 4.

6.C.4.1 *Drainage Area Site Map.* (See also Part 4.2.2.3) Also identify where any of the following may be exposed to precipitation/surface runoff: processing and storage areas; access roads, rail cars and tracks; areas where substances are transferred in bulk; and operating machinery.

6.C.4.2 *Potential Pollutant Sources.* (See also Part 4.2.4) Describe the

following sources and activities that have potential pollutants associated with them: loading, unloading and transfer of chemicals; outdoor storage of salt, pallets, coal, drums, containers, fuels, fueling stations; vehicle and equipment maintenance/cleaning areas; areas where the treatment, storage or disposal (on- or off-site) of waste/wastewater occur; storage tanks and other containers; processing and storage areas; access roads, rail cars and tracks; areas where the transfer of substances in bulk occurs; and areas where machinery operates.

6.C.4.3 *Good Housekeeping Measures.* (See also Part 4.2.7.2.1.1) As part of your good housekeeping program, include a schedule for regular pickup and disposal of garbage and waste materials, or adopt other appropriate measures to reduce the potential for discharging storm water that has contacted garbage or waste materials. Routinely inspect the condition of drums, tanks and containers for potential leaks.

**6.C.5 Monitoring and Reporting Requirements (See also Part 5)**

TABLE C-1.—SECTOR-SPECIFIC NUMERIC EFFLUENT LIMITATIONS AND BENCHMARK MONITORING

Subsector (Discharges may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark monitoring cut-off concentration <sup>1</sup>	Numeric limitation <sup>2</sup>
<b>Part of Permit Affected/Supplemental Requirements</b>			
Phosphate Subcategory of the Fertilizer Manufacturing Point Source Category (40 CFR § 418.10)—applies to precipitation runoff, that during manufacturing or processing, comes into contact with any raw materials, intermediate product, finished product, by-products or waste product (SIC 2874).	Total Phosphorus (as P) ...	.....	105.0 mg/L, daily max. 35 mg/L, 30-day avg.
	Fluoride .....	.....	75.0 mg/L, daily max. 25.0 mg/L, 30-day avg.
Agricultural Chemicals (2873–2879) .....	Nitrate plus Nitrite Nitrogen	0.68 mg/L.	Nitrate plus Nitrite Nitrogen
	Total Recoverable Lead ....	0.0816 mg/L. ....	
	Total Recoverable Iron ....	1.0 mg/L. ....	
	Total Recoverable Zinc ....	0.117 mg/L. ....	
Industrial Inorganic Chemicals (2812–2819) .....	Phosphorus .....	2.0 mg/L. ....	Nitrate plus Nitrite Nitrogen
	Total Recoverable Aluminum	0.75 mg/L	
Soaps, Detergents, Cosmetics, and Perfumes (SIC 2841–2844).	Total Recoverable Iron. ....	1.0 mg/L .....	Nitrate plus Nitrite Nitrogen
	Nitrate plus Nitrite Nitrogen	0.68 mg/L.	
Plastics, Synthetics, and Resins (SIC 2821–2824) .....	Total Recoverable Zinc ....	0.117 mg/L.	Nitrate plus Nitrite Nitrogen
	Total Recoverable Zinc ....	0.117 mg/L.	

<sup>1</sup> Monitor once/quarter for the year 2 and year 4 Monitoring Years.

<sup>2</sup> Monitor once/year for each Monitoring Year.

**6.D Sector D—Asphalt Paving and Roofing Materials and Lubricant Manufacturers**

**6.D.1 Covered Storm Water Discharges**

The requirements in Part 6.D apply to storm water discharges associated with industrial activity from Asphalt Paving

and Roofing Materials and Lubricant Manufacturers facilities as identified by the SIC Codes specified under Sector D in Table 1–1 of Part 1.2.1.

**6.D.2 Industrial Activities Covered by Sector D**

The types of activities that permittees under Sector D are primarily engaged in are:

6.D.2.1 manufacturing asphalt paving and roofing materials;

- 6.D.2.2 portable asphalt plant facilities;
- 6.D.2.3 manufacturing lubricating oils and greases.

**6.D.3 Limitations on Coverage**

The following storm water discharges associated with industrial activity are not authorized by this permit:

- 6.D.3.1 discharges from petroleum refining facilities, including those that manufacture asphalt or asphalt products that are classified as SIC code 2911;

- 6.D.3.2 discharges from oil recycling facilities;
- 6.D.3.3 discharges associated with fats and oils rendering.

**6.D.4 Storm Water Pollution Prevention Plan (SWPPP) Requirements**

In addition to the following requirements, you must also comply with the requirements listed in Part 4.

- 6.D.4.1 *Inspections.* (See also Part 4.2.7.2.1.5) Inspect at least once per month, as part of the maintenance

program, the following areas: Material storage and handling areas, liquid storage tanks, hoppers/silos, vehicle and equipment maintenance, cleaning and fueling areas, material handling vehicles, equipment and processing areas. Ensure appropriate action is taken in response to the inspection by implementing tracking or follow up procedures.

**6.D.5 Monitoring and Reporting Requirements. (See also part 5)**

TABLE D-1.—SECTOR-SPECIFIC NUMERIC LIMITATIONS AND BENCHMARK MONITORING

Subsector (Discharges may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark monitoring cut-off concentration <sup>1</sup>	Numeric Limitation <sup>2</sup>
<b>Sector of Permit Affected/Supplemental Requirements</b>			
Asphalt Paving and Roofing Materials (SIC 2951, 2952)	Total Suspended Solids (TSS).	100mg/L.	
Discharges from areas where production of asphalt paving and roofing emulsions occurs (SIC 2951, 2952).	TSS .....	.....	23.0 mg/L, daily max 15.0 mg/L 30-day avg.
	Oil and Grease .....	.....	15.0 mg/L daily max. 10mg/L, 30-day avg.
	pH .....	.....	6.0-9.0

<sup>1</sup> Monitor once/quarter for the year 2 and year 4 monitoring years.

<sup>2</sup> Monitor once per year for each monitoring year.

**6.E Sector E—Glass, Clay, Cement, Concrete, and Gypsum Products**

**6.E.1 Covered Storm Water Discharges**

The requirements in Part 6.E apply to storm water discharges associated with industrial activity from Glass, Clay, Cement, Concrete, and Gypsum Products facilities as identified by the SIC Codes specified under Sector E in Table 1-1 of part 1.2.1.

**6.E.2 Industrial Activities Covered by Sector E**

The requirements listed under this permit apply to storm water discharges associated with industrial activity from a facility engaged in either manufacturing the following products or performing the following activities:

- 6.E.2.1 flat, pressed, or blown glass or glass containers;
- 6.E.2.2 hydraulic cement;
- 6.E.2.3 clay products including tile and brick;
- 6.E.2.4 pottery and porcelain electrical supplies;
- 6.E.2.5 concrete products;
- 6.E.2.6 gypsum products;
- 6.E.2.7 minerals and earths, ground or otherwise treated;
- 6.E.2.8 non-clay refractories;
- 6.E.2.9 lime manufacturing
- 6.E.2.10 cut stone and stone products

- 6.E.2.11 asbestos products
- 6.E.2.12 mineral wool and mineral wool insulation products.

**6.E.3 Storm Water Pollution Prevention Plan (SWPPP) Requirements**

In addition to the following requirements, you must also comply with the requirements listed in Part 4.

- 6.E.3.1 *Drainage Area Site Map.* (See also Part 4.2.2.3) Identify the locations of the following, as applicable: bag house or other dust control device; recycle/sedimentation pond, clarifier or other device used for the treatment of process wastewater, and the areas that drain to the treatment device.

- 6.E.3.2 *Good Housekeeping Measures.* (See also Part 4.2.2.3) With good housekeeping prevent or minimize the discharge of: spilled cement; aggregate (including sand or gravel); kiln dust; fly ash; settled dust; or other significant material in storm water from paved portions of the site that are exposed to storm water. Consider using regular sweeping or other equivalent measures to minimize the presence of these materials. Indicate in your SWPPP the frequency of sweeping or equivalent measures. Determine the frequency from the amount of industrial activity occurring in the area and the frequency of precipitation, but it must be

performed at least once a week if cement, aggregate, kiln dust, fly ash or settled dust are being handled/processed. You must also prevent the exposure of fine granular solids (cement, fly ash, kiln dust, etc.) to storm water where practicable, by storing these materials in enclosed silos/hoppers, buildings or under other covering.

- 6.E.3.3 *Inspections.* (See also Part 4.2.7.2.1.5) Perform inspections while the facility is in operation and include all of the following areas exposed to storm water: material handling areas, above ground storage tanks, hoppers or silos, dust collection/containment systems, truck wash down/equipment cleaning areas.

- 6.E.3.4 *Certification.* (See also Part 4.4.1) For facilities producing ready-mix concrete, concrete block, brick or similar products, include in the non-storm water discharge certification a description of measures that insure that process waste water resulting from truck washing, mixers, transport buckets, forms or other equipment are discharged in accordance with NPDES requirements or are recycled.

**6.E.4 Monitoring and Reporting Requirements. (See also Part 5)**

TABLE E-1.—SECTOR-SPECIFIC NUMERIC LIMITATIONS AND BENCHMARK MONITORING

Subsector (Discharges may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark monitoring cut-off concentration <sup>1</sup>	Numeric limitaiton <sup>2</sup>
<b>Sector of Permit Affected/Supplemental Requirements</b>			
Clay Product Manufacturers ..... (SIC 3245–3259,3261–3269) ..... Concrete and Gypsum Product Manufacturers (SIC 3271–3275). Cement Manufacturing Facility, Material Storage Runoff: Any discharge composed of runoff that derives from the storage of materials including raw materials, intermediate products, finished products, and waste materials that are used in or derived from the manufacture of cement.	Total Recoverable Aluminum. TSS ..... Total Recoverable Iron ..... Total Suspended Solids (TTS≤.  pH .....	0.75 mg/L  100 mg/L 1.0 mg/L 50 mg/L daily max..  .....	.....      6.0–9.0 S.U.

<sup>1</sup> Monitor once/quarter for the year 2 and year 4 monitoring years.  
<sup>2</sup> Monitor once per year for each monitoring year.

**6.F Sector F—Primary Metals**

**6.F.1 Covered Storm Water Discharges**

The requirements in Part 6.F apply to storm water discharges associated with industrial activity from Primary Metals facilities as identified by the SIC Codes specified under Sector F in Table 1–1 of Part 1.2.1.

**6.F.2 Industrial Activities Covered by Sector F**

The types of activities under this Part are facilities primarily engaged in are:

- 6.F.2.1 Steel works, blast furnaces, and rolling and finishing mills including: steel wire drawing and steel nails and spikes; cold-rolled steel sheet, strip, and bars; and steel pipes and tubes;
- 6.F.2.2 Iron and steel foundries, including: gray and ductile iron, malleable iron, steel investment, and steel foundries not elsewhere classified;
- 6.F.2.3 Primary smelting and refining of nonferrous metals, including: primary smelting and refining of copper, and primary production of aluminum;
- 6.F.2.4 Secondary smelting and refining of nonferrous metals;
- 6.F.2.5 Rolling, drawing, and extruding of nonferrous metals, including: rolling, drawing, and extruding of copper; rolling, drawing and extruding of nonferrous metals except copper and aluminum; and drawing and insulating of nonferrous wire;
- 6.F.2.6 Nonferrous foundries (castings), including: aluminum die-casting, nonferrous die-casting, except aluminum, aluminum foundries, copper foundries, and nonferrous foundries, except copper and aluminum;
- 6.F.2.7 Miscellaneous primary metal products, not elsewhere classified, including: metal heat treating, and

primary metal products not elsewhere classified;  
Activities covered include but are not limited to storm water discharges associated with cooking operations, sintering plants, blast furnaces, smelting operations, rolling mills, casting operations, heat treating, extruding, drawing, or forging all types of ferrous and nonferrous metals, scrap and ore.

**6.F.3 Storm Water Pollution Prevention Plan (SWPPP) Requirements**

- In addition to the following requirements, you must also comply with the requirements listed in Part 4.
- 6.F.3.1 *Drainage Area Site Map.* (See also Part 4.2.2.3) Also identify where any of the following activities may be exposed to precipitation/surface runoff: storage or disposal of wastes such as spent solvents/baths, sand, slag/dross; liquid storage tanks/drums; processing areas including pollution control equipment (e.g., baghouses); and storage areas of raw material such as coal, coke, scrap, sand, fluxes, refractories or metal in any form. In addition, indicate where an accumulation of significant amounts of particulate matter could occur from such sources as furnace or oven emissions, losses from coal/coke handling operations, etc., and which could result in a discharge of pollutants to waters of the United States.
- 6.F.3.2 *Inventory of Exposed Material.* (See also Part 4.2.4) Include in the inventory of materials handled at the site that potentially may be exposed to precipitation/runoff, areas where deposition of particulate matter from process air emissions or losses during material handling activities are possible.
- 6.F.3.3 *Good Housekeeping Measures.* (See also Part 4.2.7.2.1.1) As part of your good housekeeping program, include: a cleaning/

maintenance program for all impervious areas of the facility where particulate matter, dust or debris may accumulate, especially areas where material loading/unloading, storage, handling and processing occur; the paving of areas where vehicle traffic or material storage occur but where vegetative or other stabilization methods are not practicable (institute a sweeping program in these areas too). For unstabilized areas where sweeping is not practicable, consider using storm water management devices such as sediment traps, vegetative buffer strips, filter fabric fence, sediment filtering boom, gravel outlet protection or other equivalent measures that effectively trap or remove sediment.

6.F.3.4 *Inspections.* (See also Part 4.2.7.2.1.5) Conduct inspections routinely, or at least on a quarterly basis, and address all potential sources of pollutants, including (if applicable): air pollution control equipment (e.g., baghouses, electrostatic precipitators, scrubbers and cyclones) for any signs of degradation (e.g., leaks, corrosion or improper operation) that could limit their efficiency and lead to excessive emissions. Consider monitoring air flow at inlets/outlets (or use equivalent measures) to check for leaks (e.g., particulate deposition) or blockage in ducts. Also inspect all process and material handling equipment (e.g., conveyors, cranes and vehicles) for leaks, drips or the potential loss of material; and material storage areas (e.g., piles, bins or hoppers for storing coke, coal, scrap or slag, as well as chemicals stored in tanks/drums) for signs of material losses due to wind or storm water runoff.

**6.F.4 Monitoring and Reporting Requirements. (See also Part 5)**



TABLE F-1.—SECTOR-SPECIFIC NUMERIC EFFLUENT LIMITATIONS AND BENCHMARK MONITORING

Sector of permit affected/supplemental requirements—			
Subsector (Discharges may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark monitoring cutoff concentration <sup>1</sup>	Numeric limitation
Steel Works, Blast Furnaces, and Rolling and Finishing Mills (SIC 3312–3317). Iron and Steel Foundries (SIC 3321–3325) .....	Total Recoverable Aluminum .....	0.75 mg/L	
	Total Recoverable Zinc .....	0.117 mg/L.	
	Total Recoverable Aluminum .....	0.75 mg/L.	
	Total Suspended Solids .....	100 mg/L	
	Total Recoverable Copper .....	0.0636 mg/L	
	Total Recoverable Iron .....	1.0 mg/L	
Rolling, Drawing, and Extruding of Non-Ferrous Metals (SIC 3351–3357).	Total Recoverable Zinc .....	0.117 mg/L.	
	Total Recoverable Copper .....	0.0636 mg/L	
	Total Recoverable Zinc .....	0.117 mg/L.	
Non-Ferrous Foundries (SIC 3363–3369) .....	Total Recoverable Copper .....	0.636 mg/L.	
	Total Recoverable Zinc .....	0.117 mg/L.	
	Total Recoverable Zinc .....	0.117 mg/L.	

<sup>1</sup> Monitor once/quarter for the year 2 and year 4 Monitoring Years.

**6.G Sector G—Metal Mining (Ore Mining and Dressing)**

**6.G.1 Covered Storm Water Discharges**

The requirements in Part 6.G apply to storm water discharges associated with industrial activity from active, temporarily inactive and inactive metal mining and ore dressing facilities, including mines abandoned on Federal Lands, as identified by the SIC Codes specified under Sector G in Table 1–1 of Part 1.2.1. Coverage is required for facilities that discharge storm water contaminated by contact with or that has come into contact with, any overburden, raw material, intermediate product, finished product, byproduct, or waste product located on the site of the operation.

6.G.1.1 *Covered Discharges from Inactive Facilities:* All storm water discharges.

6.G.1.2 *Covered Discharges from Active and Temporarily Inactive Facilities:* Only the storm water discharges from the following areas are covered: waste rock/overburden piles if composed entirely of storm water and not combining with mine drainage; topsoil piles; offsite haul/access roads; onsite haul/access roads constructed of waste rock/overburden/spent ore if composed entirely of storm water and not combining with mine drainage; onsite haul/access roads not constructed of waste rock/overburden/spent ore except if mine drainage is used for dust control; runoff from tailings dams/dikes when not constructed of waste rock/tailings and no process fluids are present; runoff from tailings dams/dikes when constructed of waste rock/tailings if and no process fluids are present if composed entirely of storm water and not combining with mine drainage; concentration building if no contact with material piles; mill site if no

contact with material piles; office/administrative building and housing if mixed with storm water from industrial area; chemical storage area; docking facility if no excessive contact with waste product that would otherwise constitute mine drainage; explosive storage; fuel storage; vehicle/equipment maintenance area/building; parking areas (if necessary); power plant; truck wash areas if no excessive contact with waste product that would otherwise constitute mine drainage; unreclaimed, disturbed areas outside of active mining area; reclaimed areas released from reclamation bonds prior to December 17, 1990; and partially/inadequately reclaimed areas or areas not released from reclamation bonds.

**6.G.2 Industrial Activities Covered by Sector G**

**Note:** “metal mining” will connote any of the separate activities listed in Part 6.G.2. The types of activities that permittees under Sector G are primarily engaged in are:

- 6.G.2.1 exploring for metallic minerals (ores), developing mines and the mining of ores;
- 6.G.2.2 ore dressing and beneficiating, whether performed at co-located, dedicated mills or separate (*i.e.*, custom) mills.

**6.G.3 Limitations on Coverage**

6.G.3.1 *Prohibition of Storm Water Discharges.*

Storm water discharges not authorized by this permit: discharges from active metal mining facilities which are subject to effluent limitation guidelines for the Ore Mining and Dressing Point Source Category (40 CFR Part 440).

**Note:** discharges that come in contact with overburden/waste rock are subject to 40 CFR Part 440, providing: the discharges drain to a point source (either naturally or as a result of intentional diversion) and they combine with “mine drainage” that is otherwise

regulated under the Part 440 regulations. Discharges from overburden/waste rock can be covered under this permit if they are composed entirely of storm water, do not combine with sources of mine drainage that are subject to 40 CFR Part 440, and meet other eligibility criteria contained in Part 1.2.2.1.

6.G.3.2 *Prohibition of Non-Storm Water Discharges.*

Not authorized by this permit: adit drainage and contaminated springs or seeps (see also the standard Limitations on Coverage in Part 1.2.3).

**6.G.4 Definitions**

6.G.4.1 *Mining Operation*—typically consists of three phases, any one of which individually qualifies as a “mining activity.” The phases are the exploration and construction phase, the active phase, and the reclamation phase.

6.G.4.2 *Exploration and Construction Phase*—entails exploration and land disturbance activities to determine the financial viability of a site. Construction includes the building of site access roads and removal of overburden and waste rock to expose mineable minerals.

6.G.4.3 *Active Phase*—activities including each step from extraction through production of a salable product.

6.G.4.4 *Reclamation Phase*—activities intended to return the land to its pre-mining use

The following definitions are not intended to supercede the definitions of active and inactive mining facilities established by 40 CFR 122.26(b)(14)(iii).

6.G.4.5 *Active Metal Mining Facility*—a place where work or other activity related to the extraction, removal or recovery of metal ore is being conducted. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun.

6.G.4.6 *Inactive Metal Mining Facility*—a site or portion of a site where metal mining and/or milling occurred in the past but is not an active facility as defined above, and where the inactive portion is not covered by an active mining permit issued by the applicable State or Federal government agency.

6.G.4.7 *Temporarily Inactive Metal Mining Facility*—a site or portion of a site where metal mining and/or milling occurred in the past but currently are not being actively undertaken, and the facility is covered by an active mining permit issued by the applicable State or Federal government agency.

### 6.G.5 Clearing, Grading and Excavation Activities

Clearing, grading and excavation activities being conducted as part of the exploration and construction phase of a mining operation cannot be covered under this permit if these activities will disturb one or more acre of land. Instead, coverage for these activities must be under the latest version of EPA's General Permit for Storm Water Discharges from Construction Activities (the "Construction General Permit;" **Federal Register**, Vol. 63, p. 7858 and for Region 6, **Federal Register**, Vol. 63, p. 36490), or an individual construction permit. If the area of disturbance during the initial phase is less than one acre, you must continue to comply with the requirements of the MSGP-2000.

6.G.5.1 *Requirements for Activities Disturbing 5 or More Acres of Earth*. If the one-acre limit as defined in Part 6.G.5 is attained, coverage for these activities must be under the latest version of EPA's Construction General Permit (or individual permit). You must first obtain and comply with the Construction General Permit's requirements before submitting the separate Construction General Permit Notice of Intent (NOI) form (EPA Form 3510-9). The February 17, 1998 version of the permit can be downloaded from the EPA's Web Site at [www.epa.gov/owm/sw/construction/cgp/cgp-nat.pdf](http://www.epa.gov/owm/sw/construction/cgp/cgp-nat.pdf) and Region 6's July 6, 1998 version of the permit at [www.epa.gov/owm/sw/construction/cgp/cgp-reg6.pdf](http://www.epa.gov/owm/sw/construction/cgp/cgp-reg6.pdf) or obtained from the Office of Water Resource Center at (202) 260-7786. The NOI form is also available from the Web Site at [www.epa.gov/owm/sw/construction/connoi.pdf](http://www.epa.gov/owm/sw/construction/connoi.pdf) or from your EPA Regional office at the address listed under Part 8.3. Discharges in compliance with the provisions of the Construction General Permit are also authorized under the MSGP.

6.G.5.2 *Cessation of Earth Disturbing Activities*. If exploration phase clearing,

grading and excavation activities are completed and no further mining activities will occur at the site, you must comply with the requirements for terminating the Construction General Permit, *i.e.*, stabilize and revegetate the disturbed land, submit a Notice of Termination, etc. If active mining activities will ensue, you must apply for coverage under the MSGP-2000 for your storm water discharges and be prepared to implement any new requirements prior to beginning the active phase. It is recommended you terminate your coverage under the Construction General Permit, but it is not mandatory that you do so. If you choose not to terminate your construction General Permit, you will be responsible for complying with all permit conditions of the construction permit in addition to those of the MSGP-2000. The Notice of Termination form is Addendum E to this permit and is available at <http://www.epa.gov/owm/sw/industry/msgp/notform.pdf>.

### 6.G.6 Storm Water Pollution Prevention Plan (SWPPP) Requirements

In addition to the following requirements, you must also comply with the requirements listed in Part 4.

6.G.6.1 *SWPPP Requirements for Active and Temporarily Inactive Metal Mining Facilities*.

6.G.6.1.1 *Nature of Industrial Activities*. (See also Part 4.2.2.1 ) Briefly describe the mining and associated activities that can potentially affect the storm water discharges covered by this permit, including: the total acreage within the mine site; the estimated acreage of disturbed land; the estimated acreage of land proposed to be disturbed throughout the life of the mine; and a general description of the location of the site relative to major transportation routes and communities.

6.G.6.1.2 *Site Map*. (See also Part 4.2.2.3) Also identify the locations of the following (as appropriate): mining/milling site boundaries; access and haul roads; outline of the drainage areas of each storm water outfall within the facility and indicate the types of discharges from the drainage areas; equipment storage, fueling and maintenance areas; materials handling areas; outdoor manufacturing, storage or material disposal areas; chemicals and explosives storage areas; overburden, materials, soils or waste storage areas; location of mine drainage (where water leaves mine) or other process water; tailings piles/ponds (including proposed ones); heap leach pads; off-site points of discharge for mine drainage/process water; surface waters; and boundary of tributary areas that are

subject to effluent limitations guidelines.

6.G.6.1.3 *Potential Pollutant Sources*. (See also Part 4.2.4) For each area of the mine/mill site where storm water discharges associated with industrial activities occur, identify the types of pollutants (e.g., heavy metals, sediment) likely to be present in significant amounts. Consider these factors: the mineralogy of the ore and waste rock (e.g., acid forming); toxicity and quantity of chemicals used, produced or discharged; the likelihood of contact with storm water; vegetation of site (if any); history of significant leaks/spills of toxic or hazardous pollutants. Also include a summary of any existing ore or waste rock/overburden characterization data and test results for potential generation of acid rock. If any new data is acquired due to changes in ore type being mined, update your SWPPP with this information.

6.G.6.1.4 *Site Inspections*. (See also Part 4.2.7.2.1.5) Inspect active mining sites at least monthly. Inspect temporarily inactive sites at least quarterly unless adverse weather conditions make the site inaccessible.

6.G.6.1.5 *Employee Training*. (See also Part 4.2.7.2.1.6) Conduct employee training at least annually at active mining and temporarily inactive sites.

6.G.6.1.6 *Controls*. (See also Part 4.2.7) Consider each of the following BMPs. The potential pollutants identified in Part 6.G.6.1.3 shall determine the priority and appropriateness of the BMPs selected. If you determine that one or more of these BMPs are not appropriate for your facility, explain why it is not appropriate. If BMPs are implemented or planned but are not listed here (e.g., substituting a less toxic chemical for a more toxic one), include descriptions of them in your SWPPP.

6.G.6.1.6.1 *Storm Water Diversions*. Consider diverting storm water away from potential pollutant sources. BMP options: interceptor/diversion controls (e.g., dikes, swales, curbs or berms); pipe slope drains; subsurface drains; conveyance systems (e.g., channels or gutters, open top box culverts and waterbars; rolling dips and road sloping; roadway surface water deflector, and culverts); or their equivalents.

6.G.6.1.6.2 *Sediment and Erosion Control*. (See also Part 4.2.7.2.2.1) At active and temporarily inactive sites consider a range of erosion controls within the broad categories of: flow diversion (e.g., swales); stabilization (e.g., temporary or permanent seeding); and structural controls (e.g., sediment traps, dikes, silt fences).

6.G.6.1.6.3 *Management of Runoff.* (See also Part 4.2.7.2.2.) Consider the potential pollutant sources given in Part 6.G.6.1.3 when determining reasonable and appropriate measures for managing runoff.

6.G.6.1.6.4 *Capping.* When capping is necessary to minimize pollutant discharges in storm water, identify the source being capped and the material used to construct the cap.

6.G.6.1.6.5 *Treatment.* If treatment of storm water (e.g., chemical or physical systems, oil/water separators, artificial wetlands, etc.) from active and temporarily inactive sites is necessary to protect water quality, describe the type and location of treatment used.

6.G.6.1.6.6 *Certification of Discharge Testing.* (See also Part 4.4.1) Test or evaluate for the presence of specific mining-related non-storm water discharges such as seeps or adit discharges or discharges subject to effluent limitations guidelines (e.g., 40 CFR Part 440), such as mine drainage or process water. Alternatively (if applicable), you may certify in your SWPPP that a particular discharge comprised of commingled storm water and non-storm water is covered under a separate NPDES permit; and that permit subjects the non-storm water portion to effluent limitations prior to any commingling. This certification shall identify the non-storm water discharges, the applicable NPDES permit(s), the effluent limitations placed on the non-storm water discharge by the permit(s), and the points at which the limitations are applied.

**6.G.6.2 SWPPP Requirements for Inactive Metal Mining Facilities.**

6.G.6.2.1 *Nature of Industrial Activities.* (See also Part 4.2.2.1) Briefly describe the mining and associated activities that took place at the site that can potentially affect the storm water discharges covered by this permit. Include: approximate dates of operation; total acreage within the mine and/or processing site; estimate of acres of disturbed earth; activities currently occurring onsite (e.g., reclamation); a general description of site location with respect to transportation routes and communities.

6.G.6.2.2 *Site Map.* (See also Part 4.2.2.3) See Part 6.G.6.1.2 for requirements.

6.G.6.2.3 *Potential Pollutant Sources.* (See also Part 4.2.4) See Part 6.G.6.1.3 for requirements.

6.G.6.2.4 *Controls.* (See also Part 4.2.7) Consider each of the following BMPs. The potential pollutants identified in Part 6.G.6.2.3 shall determine the priority and appropriateness of the BMPs selected. If you determine that one or more of these BMPs are not appropriate for your facility, explain why it is not appropriate. If BMPs are implemented or planned but are not listed here (e.g., substituting a less toxic chemical for a more toxic one), include descriptions of them in your SWPPP. The non-structural controls in the general requirements at Part 4.2.7.2.1 are not required for inactive facilities.

6.G.6.2.4.1 *Storm Water Diversions.* See Part 6.G.6.1.6.2 for requirements.

6.G.6.2.4.2 *Sediment and Erosion Control.* (See also Part 4.2.7.2.2.1) See Part 6.G.6.1.6 for requirements.

6.G.6.2.4.3 *Management of Runoff.* (See also Part 4.2.7.2.2.2)

Also consider the potential pollutant sources as described in Part 6.G.6.2.3 (Summary of Potential Pollutant Sources) when determining reasonable and appropriate measures for managing runoff.

6.G.6.2.4.4 *Capping.* See Part 6.G.6.1.7 for requirements.

6.G.6.2.4.5 *Treatment.* See Part 6.G.6.1.8 for requirements.

6.G.6.2.5 *Comprehensive Site Compliance Evaluation.* (See also Part 4.9)

Annual site compliance evaluations may be impractical for inactive mining sites due to remote location/inaccessibility of the site; in which case conduct the evaluation at least once every 3 years. Document in the SWPPP why annual compliance evaluations are not possible. If the evaluations will be conducted more often than every 3 years, specify the frequency of evaluations.

**6.G.7 Monitoring and Reporting Requirements. (See also Part 5)**

6.G.7.1 *Analytic Monitoring for Copper Ore Mining and Dressing Facilities.* Active copper ore mining and dressing facilities must sample and analyze storm water discharges for the pollutants listed in Table G-1.

TABLE G-1.—SECTOR-SPECIFIC NUMERIC EFFLUENT LIMITATIONS AND BENCHMARK MONITORING FOR COPPER ORE MINING AND DRESSING FACILITIES

Subsector (Discharges may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark monitoring cut-off concentration <sup>1</sup>	Numeric limitation
<b>Part of Permit Affected/Supplemental Requirements</b>			
Copper Ore Mining and Dressing Facilities ..... (SIC 1021) .....	Total Suspended Solids (TSS). Nitrate plus Nitrite Nitrogen Chemical Oxygen Demand (COD).	100 mg/L. 0.68 mg/L. 120 mg/L.	

<sup>1</sup> Monitor once/quarter for the year 2 and year 4 Monitoring Years.

6.G.7.2 *Analytic Monitoring Requirements for Discharges From Waste Rock and Overburden Piles at Active Ore Mining and Dressing Facilities.* For discharges from waste rock and overburden piles, perform analytic monitoring at least once within the first year of permit coverage for the parameters listed in Table G-2, and twice annually thereafter for any

parameters measured above the benchmark value (based on the initial sampling event) listed in Table G-2. Permittees must also conduct analytic monitoring twice annually for the parameters listed in Table G-3. The twice annual samples must be collected once between January 1 and June 30 and once between July 1 and December 31, with at least 3 months separating the

storm events. The director may, however, notify you that you must perform additional monitoring to accurately characterize the quality and quantity of pollutants discharged from your waste rock/overburden piles. Monitoring requirements for discharges from waste rock and overburden piles are not eligible for the waivers in Part 5.3.2.

TABLE G-2.—SECTOR-SPECIFIC NUMERIC EFFLUENT LIMITATIONS AND BENCHMARK MONITORING FOR DISCHARGES FROM WASTE ROCK AND OVERBURDEN PILES FROM ACTIVE ORE MINING OR DRESSING FACILITIES

Part of permit affected/supplemental requirements—			
Subsector (Discharges may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark monitoring cutoff concentration <sup>1</sup>	Numeric limitation
Iron Ores; Copper Ores; Lead and Zinc Ores; Gold and Silver Ores; Ferroalloy Ores Except Vanadium; Miscellaneous Metal Ores (SIC Codes 1011, 1021, 1031, 1041, 1044, 1061, 1081, 1094, 1099). See above, as applicable	Total Suspended Solids (TSS)	100 mg/L.	
	Turbidity (NTUs)	5 NTUs above background.	
	pH	6.0–9.0 standard units.	
	Hardness (as CaCO <sub>3</sub> )	no benchmark value.	
	Antimony, Total	0.636 mg/L.	
	Arsenic, Total	0.16854 mg/L.	
	Beryllium, Total	0.13 mg/L.	
	Cadmium, Total (hardness dependent)	0.0159 mg/L.	
	Copper, Total (hardness dependent)	0.0636 mg/L.	
	Iron, Total	1.0 mg/L.	
	Lead, Total (hardness dependent)	0.0816 mg/L.	
	Manganese, Total	1.0 mg/L.	
	Mercury, Total	0.0024 mg/L.	
	Nickel, Total (hardness dependent)	1.417 mg/L.	
	Selenium, Total	0.2385 mg/L.	
	Silver, Total (hardness dependent)	0.318 mg/L.	
Zinc, Total (hardness dependent)	0.117 mg/L.		

<sup>1</sup> Monitor at least once during the first year of permit coverage, and twice annually thereafter for any parameter that exceeds the benchmark value. Facilities that monitored for the full list of Table G-2 parameters during the previous permit need not sample the entire list again, however they must continue twice annual monitoring for parameters that exceeded the benchmark values in the initial sampling event.

6.G.7.2.1 Additional Analytic Monitoring Requirements for Discharges From Waste Rock and Overburden Piles. Table G-3 contains additional monitoring requirements for specific ore mine categories. Perform the monitoring twice annually using the schedule established in Part 6.G.7.2. The initial sampling event for a pollutant parameter required in Table G-2 satisfies the requirement for the first sample of any pollutant measurement in Table G-3.

TABLE G-3.—ADDITIONAL MONITORING REQUIREMENTS FOR DISCHARGES FROM WASTE ROCK AND OVERBURDEN PILES FROM ACTIVE ORE MINING OR DRESSING FACILITIES

Supplemental requirements—			
Type of Ore mined	Pollutants of concern		
	Total suspended solids (TSS)	pH	Metals, total
Tungsten Ore	X	X	Arsenic, Cadmium (H), Copper (H), Lead (H), Zinc (H).
Nickel Ore	X	X	Arsenic, Cadmium (H), Copper (H), Lead (H), Zinc (H).
Aluminum Ore	X	X	Iron.
Mercury Ore	X	X	Nickel (H).
Iron Ore	X	X	Iron (Dissolved).
Platinum Ore			Cadmium (H), Copper (H), Mercury, Lead (H), Zinc (H).
Titanium Ore	X	X	Iron, Nickel (H), Zinc (H).
Vanadium Ore	X	X	Arsenic, Cadmium (H), Copper (H), Zinc (H).
Copper, Lead, Zinc, Gold, Silver and Molybdenum	X	X	Arsenic, Cadmium (H), Copper (H), Lead, Mercury, Zinc (H).
Uranium, Radium and Vanadium	X	X	Chemical Oxygen Demand, Arsenic, Radium (Dissolved and Total), Uranium, Zinc (H).

Note: (H) indicates that hardness must also be measured when this pollutant is measured.

6.G.7.2.2 Reporting Requirements Storm Water Discharges From Waste Rock And Overburden Piles From Active Ore Mining or Dressing Facilities. From active ore mining and dressing facilities, submit monitoring results for each outfall discharging storm water from waste rock and overburden piles, or certifications in accordance with Part 7. Submit monitoring reports on discharge monitoring report (DMR) forms postmarked no later than January 28 of the next year after the samples were collected.

TABLE G-4.—APPLICABILITY OF THE MULTI-SECTOR GENERAL PERMIT TO STORM WATER RUNOFF FROM ACTIVE ORE (METAL) MINING AND DRESSING SITES

Discharge/source of discharge	Note/comment
<b>Piles</b>	
Waste rock/overburden .....	If composed entirely of storm water and not combining with mine drainage. See Note below.
Topsoil	
<b>Roads constructed of waste rock or spent ore</b>	
Onsite haul roads .....	If composed entirely of storm water and not combining with mine drainage. See Note below.
Offsite haul/access roads	
<b>Roads not constructed of waste rock or spent ore</b>	
Onsite haul roads .....	Except if "mine drainage" is used for dust control.
Offsite haul/access roads	
<b>Milling/concentrating</b>	
Runoff from tailings dams/dikes when constructed of waste rock/tailings .....	Except if process fluids are present and only if composed entirely of storm water and not combining with mine drainage. See Note below.
Runoff from tailings dams/dikes when not constructed of waste rock/tailings .....	Except if process fluids are present.
Concentration building .....	If storm water only and no contact with piles.
Mill site .....	If storm water only and no contact with piles.
<b>Ancillary areas</b>	
Office/administrative building and housing .....	If mixed with storm water from the industrial area.
Chemical storage area	
Docking facility .....	Except if excessive contact with waste product that would otherwise constitute "mine drainage".
Explosive storage	
Fuel storage (oil tanks/coal piles)	
Vehicle/equipment maintenance area/building	
Parking areas .....	But coverage unnecessary if only employee and visitor-type parking.
Power plant	
Truck wash area .....	Except when excessive contact with waste product that would otherwise constitute "mine drainage".
<b>Reclamation-related areas</b>	
Any disturbed area (unreclaimed) .....	Only if not in active mining area.
Reclaimed areas released from reclamation bonds prior to Dec. 17 1990.	
Partially/inadequately reclaimed areas or areas not released from reclamation bond.	

Note: Storm water runoff from these sources are subject to the NPDES program for storm water unless mixed with discharges subject to the 40 CFR Part 440 that are not regulated by another permit prior to mixing. Non-storm water discharges from these sources are subject to NPDES permitting and may be subject to the effluent limitation guidelines under 40 CFR Part 440.

Discharges from overburden/waste rock and overburden/waste rock-related areas are not subject to 40 CFR Part 440 unless: (1) it drains naturally (or is intentionally diverted) to a point source; and (2) combines with "mine drainage" that is otherwise regulated under the Part 440 regulations. For such sources, coverage under this permit would be available if the discharge composed entirely of storm water does not combine with other sources of mine drainage that are not subject to 40 CFR Part 440, as well as meeting other eligibility criteria contained in Part I.B. of the permit. Permit applicants bear the initial responsibility for determining the applicable technology-based standard for such discharges. EPA recommends that permit applicants contact the relevant NPDES permit issuance authority for assistance to determine the nature and scope of the "active mining area" on a mine-by-mine basis, as well as to determine the appropriate permitting mechanism for authorizing such discharges.

**6.H Sector H—Coal Mines and Coal Mining Related Facilities**

**6.H.1 Covered Storm Water Discharges**

The requirements in Part 6.H apply to storm water discharges associated with industrial activity from Coal Mines and Coal Mining Related facilities as identified by the SIC Codes specified under Sector H in Table 1–1 of Part 1.2.1.

**6.H.2 Industrial Activities Covered by Sector H**

Storm water discharges from the following portions of coal mines may be eligible for this permit:

6.H.2.1 Haul roads (nonpublic roads on which coal or coal refuse is conveyed);

6.H.2.2 Access roads (nonpublic roads providing light vehicular traffic within the facility property and to public roadways);

6.H.2.3 Railroad spurs, siding and internal haulage lines (rail lines used for hauling coal within the facility property and to offsite commercial railroad lines or loading areas);

6.H.2.4 Conveyor belts, chutes and aerial tramway haulage areas (areas under and around coal or refuse conveyer areas, including transfer stations); and

6.H.2.5 Equipment storage and maintenance yards, coal handling buildings and structures, and inactive coal mines and related areas (abandoned and other inactive mines, refuse disposal sites and other mining-related areas).

**6.H.3 Limitation on Coverage**

6.H.3.1 *Prohibition of Non-Storm Water Discharges.* (See also Part 1.2.2.2) Not covered by this permit: discharges from pollutant seeps or underground drainage from inactive coal mines and refuse disposal areas that do not result from precipitation events; and discharges from floor drains in maintenance buildings and other similar

drains in mining and preparation plant areas.

6.H.3.2 *Discharges Subject to Storm Water Effluent Guidelines.* (See also Part 1.2.3.4) Not authorized by this permit: storm water discharges subject to an existing effluent limitation guideline at 40 CFR Part 434.

**6.H.4 Storm Water Pollution Prevention Plan (SWPPP) Requirements**

In addition to the following requirements, you must also comply with the requirements listed in Part 4 of the MSGP.

6.H.4.1 *Other Applicable Regulations.* Most active coal mining-related areas (SIC Codes 1221–1241) are subject to sediment and erosion control regulations of the U.S. Office of Surface Mining (OSM) that enforces the Surface Mining Control and Reclamation Act (SMCRA). OSM has granted authority to most coal producing states to implement SMCRA through State SMCRA regulations. All SMCRA requirements regarding control of storm water-related pollutant discharges must be addressed in the SWPPP (directly or by reference).

6.H.4.2 *Drainage Area Site Map.* (See also Part 4.2.2.3) Also identify where any of the following may be exposed to precipitation/surface runoff: all applicable mining related areas described in Part 6.H.2; acidic spoil, refuse or unreclaimed disturbed areas, and liquid storage tanks containing pollutants such as caustics, hydraulic fluids and lubricants.

6.H.4.3 *Potential Pollutant Sources.* (See also Part 4.2.4) Describe the following sources and activities that have potential pollutants associated with them: truck traffic on haul roads and resulting generation of sediment subject to runoff and dust generation; fuel or other liquid storage; pressure lines containing slurry, hydraulic fluid or other potential harmful liquids; and loading or temporary storage of acidic refuse/spoil.

6.H.4.4 *Good Housekeeping Measures.* (See also Part 4.2.7.2.1.1) As part of your good housekeeping program, consider: using sweepers; covered storage; watering haul roads to minimize dust generation; and conserving vegetation (where possible) to minimize erosion.

6.H.4.5 *Preventive Maintenance.* (See also Part 4.2.7.2.1.3) Also perform inspections of storage tanks and pressure lines of fuels, lubricants, hydraulic fluid or slurry to prevent leaks due to deterioration or faulty connections; or other equivalent measures.

6.H.4.6 *Inspections of Active Mining-Related Areas and Inactive Areas Under SMCRA Bond Authority.* (See also Part 4.2.7.2.1.5) Perform quarterly inspections of areas covered by this permit, corresponding with the inspections, as performed by SMCRA inspectors, of all mining-related areas required by SMCRA. Also maintain the records of the SMCRA authority representative.

6.H.4.7 *Sediment and Erosion Control.* (See also Part 4.2.7.2.2.1) As indicated in Part 6.H.4.1 above, SMCRA requirements regarding sediment and erosion control measures are primary requirements of the SWPPP for mining-related areas subject to SMCRA authority.

6.H.4.8 *Comprehensive Site Compliance Evaluation.* (See also Part 4.9.2) Include in your evaluation program, inspections for pollutants entering the drainage system from activities located on or near coal mining-related areas. Among the areas to be inspected: haul and access roads; railroad spurs, sliding and internal hauling lines; conveyor belts, chutes and aerial tramways; equipment storage and maintenance yards; coal handling buildings/structures; and inactive mines and related areas.

**6.H.6 Monitoring and Reporting Requirements. (See also Part 5)**

TABLE H–1.—SECTOR-SPECIFIC NUMERIC EFFLUENT LIMITATIONS AND BENCHMARK MONITORING

Subsector (Discharges may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark monitoring cutoff concentration <sup>1</sup>	Numeric limitation
<b>Part of Permit Affected/Supplemental Requirements</b>			
Coal Mines and Related Areas ..... (SIC 1221–1241) .....	Total Recoverable Aluminum .....	0.75 mg/L.	
	Total Recoverable Iron .....	1.0 mg/L.	
	Total Suspended Solids .....	100 mg/L..	

<sup>1</sup> Monitor once/quarter for the year 2 and year 4 Monitoring Years.

## 6.I Sector I—Oil and Gas Extraction and Refining

### 6.I.1 Covered Storm Water Discharges

The requirements in Part 6.I apply to storm water discharges associated with industrial activity from Oil and Gas Extraction and Refining facilities as identified by the SIC Codes specified under Sector I in Table 1–1 of Part 1.2.1.

### 6.I.2 Industrial Activities Covered By Sector I

The types of activities that permittees under Sector I are primarily engaged in are:

- 6.I.2.1 Oil and gas exploration, production, processing or treatment operations, or transmission facilities;
- 6.I.2.2 Extraction and production of crude oil, natural gas, oil sands and shale; the production of hydrocarbon liquids and natural gas from coal; and associated oil field service, supply and repair industries.

### 6.I.3 Limitations On Coverage

6.I.3.1 *Prohibition of Storm Water Discharges.* This permit does not authorize contaminated storm water discharges from petroleum refining or drilling operations that are subject to nationally established BAT or BPT guidelines found at 40 CFR Parts 419 and 435, respectively. Note: most contaminated discharges at petroleum refining and drilling facilities are subject to these effluent guidelines and are not eligible for coverage by this permit.

6.I.3.2 *Prohibition of Non-Storm Water Discharges.* Not authorized by this permit: discharges of vehicle and equipment washwater, including tank cleaning operations.

Alternatively, washwater discharges must be authorized under a separate NPDES permit, or be discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements.

### 6.I.4 Storm Water Pollution Prevention Plan (SWPPP) Requirements

In addition to the following requirements, you must also comply with the requirements listed in Part 4.

6.I.4.1 *Drainage Area Site Map.* (See also Part 4.2.2.3) Identify where any of the following may be exposed to precipitation/surface runoff: Reportable Quantity (RQ) releases; locations used for the treatment, storage or disposal of wastes; processing areas and storage areas; chemical mixing areas; construction and drilling areas; all areas subject to the effluent guidelines requirements for “No Discharge” in accordance with 40 CFR 435.32; and the

structural controls to achieve compliance with the “No Discharge” requirements.

6.I.4.2 *Potential Pollutant Sources.* (See also Part 4.2.4)

Also describe the following sources and activities that have potential pollutants associated with them: chemical, cement, mud or gel mixing activities; drilling or mining activities; and equipment cleaning and rehabilitation activities. In addition, include information about the RQ release that triggered the permit application requirements; the nature of release (e.g., spill of oil from a drum storage area); the amount of oil or hazardous substance released; amount of substance recovered; date of the release; cause of the release (e.g., poor handling techniques and lack of containment in the area); areas affected by the release (i.e., land and water); procedure to clean up release; actions or procedures implemented to prevent or improve response to a release; and remaining potential contamination of storm water from release (taking into account human health risks, the control of drinking water intakes and the designated uses of the receiving water).

6.I.4.3 *Inspections.* (See also Part 4.2.7.2.1.5)

6.I.4.3.1 *Inspection Frequency.* Inspect all equipment and areas addressed in the SWPPP at a minimum of 6-month intervals. Routinely (but not less than quarterly) inspect equipment and vehicles which store, mix (including all on and offsite mixing tanks) or transport chemicals/hazardous materials (including those transporting supplies to oil field activities).

6.I.4.3.2 *Temporarily or Permanently Inactive Oil and Gas Extraction Facilities.* For these facilities that are remotely located and unstaffed, perform the inspections at least annually.

6.I.4.4 *Sediment and Erosion Control.* (See also Part 4.2.7.2.2.1) Unless covered by the General Permit for Construction Activity, the additional sediment and erosion control requirements for well drillings, and sand/shale mining areas include the following:

6.I.4.4.1 *Site Description:* Also include: a description of the nature of the exploration activity; estimates of the total area of site and area disturbed due to exploration activity; an estimate of runoff coefficient of the site; site drainage map, including approximate slopes; and the name of all receiving waters. All sediment and erosion control measures must be inspected once every seven days.

6.I.4.4.2 *Vegetative Controls:* Describe and implement vegetative practices designed to preserve existing vegetation where attainable and revegetate open areas as soon as practicable after grade drilling. Consider the following (or equivalent measures): temporary or permanent seeding, mulching, sod stabilization, vegetative buffer strips, tree protection practices. Begin implementing appropriate vegetative practices on all disturbed areas within 14 days following the last activity in that area.

6.I.4.5 *Good Housekeeping Measures.* (See also Part 4.2.7.2.1.1)

6.I.4.5.1 *Vehicle and Equipment Storage Areas.* Confine vehicles/equipment awaiting or having undergone maintenance to designated areas (as marked on site map). Describe and implement measures to minimize contaminants from these areas (e.g., drip pans under equipment, indoor storage, use of berms or dikes, or other equivalent measures).

6.I.4.5.2 *Material and Chemical Storage Areas.* Maintain these areas in good conditions to prevent contamination of storm water. Plainly label all hazardous materials.

6.I.4.5.3 *Chemical Mixing Areas.* (See also Part 4.4)

Describe and implement measures that prevent or minimize contamination of storm water runoff from chemical mixing areas.

## 6.J Sector J—Mineral Mining and Dressing

### 6.J.1 Covered Storm Water Discharges

The requirements in Part 6.J apply to storm water discharges associated with industrial activity from active and inactive mineral mining and dressing facilities as identified by the SIC Codes specified under Sector J in Table 1–1 of Part 1.2.1.

### 6.J.2 Industrial Activities Covered by Sector J

The types of activities that permittees under Sector J are primarily engaged in are:

- 6.J.2.1 exploring for minerals (e.g., stone, sand, clay, chemical and fertilizer minerals, non-metallic minerals, etc.), developing mines and the mining of minerals; and
- 6.J.2.2 mineral dressing, and non-metallic mineral services.

### 6.J.3 Limitations on Coverage

Not authorized by this permit: most storm water discharges subject to an existing effluent limitation guideline at 40 CFR part 436. The exceptions to this limitation and which are therefore covered by the MSGP–2000 are mine

dewatering discharges composed entirely of storm water or ground water seepage from: construction sand and gravel, industrial sand, and crushed stone mining facilities in Regions 1, 2, 3, 6, 8, 9, and 10.

**6.J.4 Definitions**

6.J.4.1 *Mining Operation*—typically consists of three-phases, any one of which individually qualifies as a “mining activity.” The phases are the exploration and construction phase, the active phase and the reclamation phase.

6.J.4.2 *Exploration and Construction Phase*—entails exploration and land disturbance activities to determine the financial viability of a site. Construction includes the building of site access roads and removal of overburden and waste rock to expose mineable minerals.

6.J.4.3 *Active Phase*—activities including each step from extraction through production of a salable product.

6.J.4.4 *Reclamation phase*—activities intended to return the land to its pre-mining state.

**Note:** The following definitions are not intended to supercede the definitions of active and inactive mining facilities established by 40 CFR 122.26(b)(14)(iii).

6.J.4.5 *Active Mineral Mining Facility*—a place where work or other activity related to the extraction, removal or recovery of minerals is being conducted. This definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun.

6.J.4.6 *Inactive Mineral Mining Facility*—a site or portion of a site where mineral mining and/or dressing occurred in the past but is not an active facility as defined above, and where the inactive portion is not covered by an active permit issued by the applicable State or Federal government agency.

6.J.4.7 *Temporarily Inactive Mineral Mining Facility*—a site or portion of a site where mineral mining and/or dressing occurred in the past but currently are not being actively undertaken, and the facility is covered by an active mining permit issued by

the applicable State or Federal government agency.

**6.J.5 Clearing, Grading and Excavation Activities**

Clearing, grading and excavation activities being conducted as part of the exploration and construction phase of a mineral mining operation cannot be covered under this permit if these activities will disturb one or more acre of land. Instead, coverage for these activities must be under the latest version of EPA’s General Permit for Storm Water Discharges from Construction Activities (the “Construction General Permit;” **Federal Register**, Vol. 63, p. 7858) and, for Region 6, **Federal Register**, Vol. 63, p. 36490), or an individual construction permit. If the area of disturbance during the initial phase is less than one acre, you must continue to comply with the requirements of the MSGP–2000.

6.J.5.1 *Obtaining Coverage Under the Construction General Permit.* If the one-acre limit as described in Part 6.J.5 is attained, coverage for these activities must be under the latest version of EPA’s Construction General Permit (or individual permit). You must first obtain and comply with the Construction General Permit’s requirements before submitting the separate Construction General Permit Notice of Intent (NOI) form (EPA Form 3510–9). The February 17, 1998 version of the permit can be downloaded from the EPA’s Web Site at <http://www.epa.gov/owm/sw/construction/cgp/cgp-nat.pdf> or obtained from the Office of Water Resource Center at (202) 260–7786. The NOI form is also available from the Web Site at <http://www.epa.gov/owm/sw/construction/connoi.pdf> or from your EPA Regional office at the address listed under Part 8.3. Discharges in compliance with the provisions of the Construction General Permit are also authorized under the MSGP.

6.J.5.2 *Cessation of Exploration and Construction Activities.* If exploration

phase clearing, grading and excavation activities are completed and no further mining activities will occur at the site, you must comply with the requirements for terminating the Construction General Permit, *i.e.*, stabilize and revegetate the disturbed land, submit a Notice of Termination, etc. If active mining operations will ensue, you must apply for coverage under the MSGP–2000 for your storm water discharges and be prepared to implement any new requirements prior to beginning the active phase. It is recommended you terminate your coverage under the construction general permit, but you are not required to do so. If you choose to not terminate, you will be responsible for complying with all permit conditions of the construction permit in addition to those of the MSGP–2000. The Notice of Termination form is available in Addendum F to this permit and at <http://www.epa.gov/owm/sw/industry/msgp/notform.pdf>.

**6.J.6 Storm Water Pollution Prevention Plan (SWPPP) Requirements**

In addition to the following requirements, you must also comply with the requirements listed in Part 4 of the MSGP.

6.J.6.1 *Inspections.* (See also Part 4.2.7.2.1.5) Conduct quarterly visual inspections of all BMPs at active mining facilities. At temporarily or permanently inactive facilities, perform annual inspections. Include in your inspection program: assessment of the integrity of storm water discharge diversions, conveyance systems, sediment control and collection systems and containment structures; inspections to determine if soil erosion has occurred at, or as a result of vegetative BMPs, serrated slopes and benched slopes; inspections of material handling and storage areas and other potential sources of pollution for evidence of actual or potential discharges of contaminated storm water.

**6.J.7 Monitoring and Reporting Requirements. (See also Part 5)**

TABLE J–1.—SECTOR-SPECIFIC NUMERIC EFFLUENT LIMITATIONS AND BENCHMARK MONITORING

Subsector (Discharges may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark monitoring cut-off concentration <sup>1</sup>	Numeric limitation <sup>2</sup>
<b>Part of Permit Affected/Supplemental Requirements</b>			
Mine Dewatering Activities at Construction Sand and Gravel; Industrial Sand; and Crushed Stone Mining Facilities (SIC 1422–1429, 1442, 1446).	Total Suspended Solids .... pH .....	.....	25 mg/L, monthly avg. 45 mg/L, daily max 6.0–9.0
Sand and Gravel Mining (SIC 1442, 1446) .....	Nitrate plus Nitrogen .....	0.68 mg/L.	
	Total Suspended Solids ....	100 mg/L.	



TABLE J-1.—SECTOR-SPECIFIC NUMERIC EFFLUENT LIMITATIONS AND BENCHMARK MONITORING—Continued

Subsector (Discharges may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark monitoring cut-off concentration <sup>1</sup>	Numeric limitation <sup>2</sup>
Dimension and Crushed Stone and Nonmetallic Minerals (except fuels) (SIC 1411, 1422–1429, 1481, 1499).	Total Suspended Solids ....	100 mg/L.	

<sup>1</sup> Monitor once/quarter for the year 2 and year 4 Monitoring Years.

<sup>2</sup> Monitor once/year for Each Monitoring Year.

## 6.K Sector K—Hazardous Waste Treatment, Storage or Disposal Facilities

### 6.K.1 Covered Storm Water Discharges

The requirements in Part 6.K apply to storm water discharges associated with industrial activity from Hazardous Waste Treatment, Storage or Disposal facilities as identified by the Activity Code specified under Sector K in Table 1–1 of Part 1.2.1.

### 6.K.2 Industrial Activities Covered by Sector K

This permit authorizes storm water discharges associated with industrial activity from facilities that treat, store or dispose of hazardous wastes, including those that are operating under interim status or a permit under subtitle C of RCRA.

### 6.K.3 Limitations on Coverage

For facilities located in Region 6, coverage is limited to Hazardous Waste Treatment Storage or Disposal Facilities (TSDF's) that are self-generating or handle residential wastes only and to those facilities that only store hazardous wastes and do not treat or dispose. Those permits are issued by EPA Region 6 for Louisiana (LAR05\*###), New Mexico (NMR05\*###), Oklahoma (OKR05\*###), and Federal Indian Reservations in these States (LAR05\*##F, NMR05\*##F, OKR05\*##F, or TXR05\*##F). Coverage under this permit is not available to commercial hazardous waste disposal/treatment facilities located in Region 6 that dispose and treat on a commercial basis any produced hazardous wastes (not their own) as a service to generators.

6.K.3.1 *Prohibition of Non-Storm Water Discharges.* (See also Part 1.2.3.1) Not authorized by this permit: leachate, gas collection condensate, drained free liquids, contaminated ground water,

laboratory-derived wastewater and contact washwater from washing truck and railcar exteriors and surface areas which have come in direct contact with solid waste at the landfill facility.

### 6.K.4 Definitions

6.K.4.1 *Contaminated storm water*—storm water which comes in direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater as defined in Part 6.K.4.5. Some specific areas of a landfill that may produce contaminated storm water include (but are not limited to): the open face of an active landfill with exposed waste (no cover added); the areas around wastewater treatment operations; trucks, equipment or machinery that has been in direct contact with the waste; and waste dumping areas.

6.K.4.2 *Drained free liquids*—aqueous wastes drained from waste containers (e.g., drums, etc.) prior to landfilling.

6.K.4.3 *Land treatment facility*—a facility or part of a facility at which hazardous waste is applied onto or incorporated into the soil surface; such facilities are disposal facilities if the waste will remain after closure.

6.K.4.4 *Landfill*—an area of land or an excavation in which wastes are placed for permanent disposal, that is not a land application or land treatment unit, surface impoundment, underground injection well, waste pile, salt dome formation, a salt bed formation, an underground mine or a cave as these terms are defined in 40 CFR 257.2, 258.2 and 260.10.

6.K.4.5 *Landfill wastewater*—as defined in 40 CFR Part 445 (Landfills Point Source Category) all wastewater associated with, or produced by, landfilling activities except for sanitary wastewater, non-contaminated storm water, contaminated groundwater, and

wastewater from recovery pumping wells. Landfill wastewater includes, but is not limited to, leachate, gas collection condensate, drained free liquids, laboratory derived wastewater, contaminated storm water and contact washwater from washing truck, equipment, and railcar exteriors and surface areas which have come in direct contact with solid waste at the landfill facility.

6.K.4.6 *Leachate*—liquid that has passed through or emerged from solid waste and contains soluble, suspended, or miscible materials removed from such waste.

6.K.4.7 *Non-contaminated storm water*—storm water which does not come into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater as defined in Part 6.K.4.5. Non-contaminated storm water includes storm water which flows off the cap, cover, intermediate cover, daily cover, and/or final cover of the landfill.

6.K.4.8 *Pile*—any non-containerized accumulation of solid, nonflowing hazardous waste that is used for treatment or storage and that is not a containment building.

6.K.4.9 *Surface impoundment*—a facility or part of a facility which is a natural topographic depression, man-made excavation or diked area formed primarily of earthen materials (although it may be lined with man-made materials), which is designed to hold an accumulation of liquid wastes or wastes containing free liquids, and which is not an injection well. Examples of surface impoundments are holding, storage, settling, and aeration pits, ponds and lagoons.

**6.K.5 Numeric Limitations, Monitoring and Reporting Requirements. (See also Part 5)**

TABLE K-1.—SECTOR-SPECIFIC NUMERIC EFFLUENT LIMITATIONS AND BENCHMARK AND COMPLIANCE MONITORING

Subsector (Discharges may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark monitoring cutoff concentration <sup>1</sup>	Numeric limitation <sup>2</sup>
<b>Part of Permit Affected/Supplemental Requirements</b>			
ALL—Industrial Activity Code ..... “HZ” (Note: permit coverage limited in some States) ....	Ammonia .....	19.0 mg/L	
	Total Recoverable Magnesium.	0.0636 mg/L	
	Chemical Oxygen Demand (COD).	120.0 mg/L	
	Total Recoverable Arsenic	0.16854 mg/L	
	Total Recoverable Cadmium.	0.0159 mg/L	
	Total Cyanide .....	0.0636 mg/L	
	Total Recoverable Lead ....	0.0816 mg/L	
	Total Recoverable Mercury	0.0024 mg/L	
	Total Recoverable Selenium.	0.2385 mg/L	
	Total Recoverable Silver ...	0.0318 mg/L	
ALL—Industrial Activity Code ..... “HZ” Subject to the Provisions of 40 CFR Part 445 Subpart A.	BOD5 .....		220 mg/l, daily max. 56 mg/l, monthly avg. maximum.
	TSS .....		88 mg/l, daily max. 27 mg/l, monthly avg. maximum.
	Ammonia .....		10 mg/l, daily maximum. 4.9 mg/l, monthly avg. maximum.
	Alpha Terpineol .....		0.042 mg/l, daily max. 0.019 mg/l, monthly avg. maximum.
	Aniline .....		0.024 mg/l, daily max. 0.015 mg/l, monthly avg. maximum.
	Benzoic Acid .....		0.119 mg/l, daily max. 0.073 mg/l, monthly avg. maximum.
	Naphthalene .....		0.059 mg/l, daily max. 0.022 mg/l, monthly avg. maximum.
	p-Cresol .....		0.024 mg/l, daily max. 0.015 mg/l, monthly avg. maximum.
	Phenol .....		0.048 mg/l, daily max. 0.029 mg/l, monthly avg. maximum.
	Pyridine .....		0.072 mg/l, daily max. 0.025 mg/l, monthly avg. maximum.
	Arsenic (Total) .....		1.1 mg/l, daily maximum. 0.54 mg/l, monthly avg. maximum.
	Chromium (Total) .....		1.1 mg/l, daily maximum. 0.46 mg/l, monthly avg. maximum.
	Zinc (Total) .....		0.535 mg/l, daily max. 0.296 mg/l, monthly avg. maximum.
	pH .....		Within the range of 6–9 pH units.

<sup>1</sup> These benchmark monitoring cutoff concentrations apply to storm water discharges associated with industrial activity other than contaminated storm water discharges from landfills subject to the numeric effluent limitations set forth in Table K-1. Monitor once/quarter for the year 2 and year 4 monitoring years.

<sup>2</sup> As set forth at 40 CFR Part 445 Subpart A, these numeric limitations apply to contaminated storm water discharges from hazardous waste landfills subject to the provisions of RCRA Subtitle C at 40 CFR Parts 264 (Subpart N) and 265 (Subpart N) except for any of the facilities described below:

(a) Landfills operated in conjunction with other industrial or commercial operations when the landfill only receives wastes generated by the industrial or commercial operation directly associated with the landfill;

(b) Landfills operated in conjunction with other industrial or commercial operations when the landfill receives wastes generated by the industrial or commercial operation directly associated with the landfill and also receives other wastes provided the other wastes received for disposal are generated by a facility that is subject to the same provisions in 40 CFR Subchapter N as the industrial or commercial operation or the other wastes received are of similar nature to the wastes generated by the industrial or commercial operation;

(c) Landfills operated in conjunction with Centralized Waste Treatment (CWT) facilities subject to 40 CFR Part 437 so long as the CWT facility commingles the landfill wastewater with other non-landfill wastewater for discharge. A landfill directly associated with a CWT facility is subject to this part if the CWT facility discharges landfill wastewater separately from other CWT wastewater or commingles the wastewater from its landfill only with wastewater from other landfills; or

(d) Landfills operated in conjunction with other industrial or commercial operations when the landfill receives wastes from public service activities so long as the company owning the landfill does not receive a fee or other remuneration for the disposal service.

For the discharges subject to the numeric effluent limitations, monitoring for the specified parameters is required once/year during each year of the term of the permit.

## **6.L Sector L—Landfills, Land Application Sites and Open Dumps**

### **6.L.1 Covered Storm Water Discharges**

The requirements in Part 6.L apply to storm water discharges associated with industrial activity from Landfills and Land Application Sites and Open Dumps as identified by the Activity Codes specified under Sector L in Table 1–1 of Part 1.2.1.

### **6.L.2 Industrial Activities Covered by Sector L**

This permit may authorize storm water discharges for Sector L facilities associated with waste disposal at landfills, land application sites and open dumps that receive or have received industrial waste, including sites subject to regulation under Subtitle D of RCRA.

### **6.L.3 Limitations on Coverage**

#### **6.L.3.1 Prohibition of Non-Storm Water Discharges.** (See also Part 1.2.3.1)

Not authorized by this permit: leachate, gas collection condensate, drained free liquids, contaminated ground water, laboratory wastewater, and contact washwater from washing truck and railcar exteriors and surface areas which have come in direct contact with solid waste at the landfill facility.

### **6.L.4 Definitions**

**6.L.4.1 Contaminated storm water**—storm water which comes in direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater. Some specific areas of a landfill that may produce contaminated storm water include (but are not limited to): the open face of an active landfill with exposed waste (no cover added); the areas around wastewater treatment operations; trucks, equipment or machinery that has been in direct contact with the waste; and waste dumping areas.

**6.L.4.2 Drained free liquids**—aqueous wastes drained from waste containers (e.g., drums, etc.) prior to landfilling.

**6.L.4.3 Landfill wastewater**—as defined in 40 CFR Part 445 (Landfills Point Source Category) all wastewater

associated with, or produced by, landfilling activities except for sanitary wastewater, non-contaminated storm water, contaminated groundwater, and wastewater from recovery pumping wells. Landfill process wastewater includes, but is not limited to, leachate, gas collection condensate, drained free liquids, laboratory derived wastewater, contaminated storm water and contact washwater from washing truck, equipment and railcar exteriors and surface areas which have come in direct contact with solid waste at the landfill facility.

**6.L.4.4 Leachate**—liquid that has passed through or emerged from solid waste and contains soluble, suspended or miscible materials removed from such waste.

**6.L.4.5 Non-contaminated storm water**—storm water which does not come in direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater. Non-contaminated storm water includes storm water which flows off the cap, cover, intermediate cover, daily cover, and/or final cover of the landfill.

### **6.L.5 Storm Water Pollution Prevention Plan (SWPPP) Requirements**

In addition to the following requirements, you must also comply with the requirements listed in Part 4.

#### **6.L.5.1 Drainage Area Site Map.** (See also Part 4.2.2.3)

Identify where any of the following may be exposed to precipitation/surface runoff: Active and closed landfill cells or trenches, active and closed land application areas, locations where open dumping is occurring or has occurred, locations of any known leachate springs or other areas where uncontrolled leachate may commingle with runoff, leachate collection and handling systems.

#### **6.L.5.2 Summary of Potential Pollutant Sources.** (See also Part 4.2.4)

Describe the following sources and activities that have potential pollutants associated with them: fertilizer, herbicide and pesticide application; earth/soil moving; waste hauling and loading/unloading; outdoor storage of significant materials including daily, interim and final cover material stockpiles as well as temporary waste storage areas; exposure of active and inactive landfill and land application areas; uncontrolled leachate flows;

failure or leaks from leachate collection and treatment systems.

#### **6.L.5.3 Good Housekeeping Measures.** (See also Part 4.2.7.2.1.1)

As part of your good housekeeping program, consider providing protected storage areas for pesticides, herbicides, fertilizer and other significant materials.

#### **6.L.5.4 Preventative Maintenance Program.** (See also Part 4.2.7.1)

As part of your preventive maintenance program, maintain: all containers used for outdoor chemical/significant materials storage to prevent leaking; all elements of leachate collection and treatment systems to prevent commingling of leachate with storm water; the integrity and effectiveness of any intermediate or final cover (including repairing the cover as necessary to minimize the effects of settlement, sinking and erosion).

#### **6.L.5.5 Inspections.**

**6.L.5.5.1 Inspections of Active Sites.** (See also Part 4.2.7.2.1.5) Inspect operating landfills, open dumps and land application sites at least once every 7 days. Focus on areas of landfills that have not yet been finally stabilized, active land application areas, areas used for storage of material/wastes that are exposed to precipitation, stabilization and structural control measures, leachate collection and treatment systems, and locations where equipment and waste trucks enter/exit the site. Ensure that sediment and erosion control measures are operating properly. For stabilized sites and areas where land application has been completed, or where the climate is seasonally arid (annual rainfall averages from 0 to 10 inches) or semi-arid (annual rainfall averages from 10 to 20 inches), conduct inspections at least once every month.

**6.L.5.5.2 Inspections of Inactive Sites.** (See also Part 4.2.7.2.1.5) Inspect inactive landfills, open dumps and land application sites at least quarterly. Qualified personnel must inspect landfill (or open dump) stabilization and structural erosion control measures and leachate collection and treatment systems, and all closed land application areas.

**6.L.5.6 Recordkeeping and Internal Reporting.** Implement a tracking system for the types of wastes disposed of in each cell or trench of a landfill or open dump. For land application sites, track

the types and quantities of wastes applied in specific areas.

6.L.5.7 *Non-Storm Water Discharge Test Certification.* (See also Part 4.) The discharge test and certification must also be conducted for the presence of leachate and vehicle washwater.

6.L.5.8 *Sediment and Erosion Control Plan.* (See also Part 4.2.7.2.2.1) Provide temporary stabilization (e.g., consider temporary seeding, mulching

and placing geotextiles on the inactive portions of stockpiles); for materials stockpiled for daily, intermediate and final cover; for inactive areas of the landfill or open dump; for any landfill or open dump area that have gotten final covers but where vegetation has yet to established itself; and where waste application has been completed at land application sites but final vegetation has not yet been established.

6.L.5.9 *Comprehensive Site Compliance Evaluation.* (See also Part 4.9.2) Evaluate areas contributing to a storm water discharge associated with industrial activities at landfills, open dumps and land application sites for evidence of, or the potential for, pollutants entering the drainage system.

**6.L.6 Numeric Limitations, Monitoring and Reporting Requirements. (See also Part 5)**

TABLE L-1.—SECTOR-SPECIFIC NUMERIC EFFLUENT LIMITATIONS AND BENCHMARK AND COMPLIANCE MONITORING

Subsector (Discharges may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark monitoring cut-off concentration <sup>1</sup>	Numeric limitation <sup>2</sup>
<b>Section of Permit Affected/Supplemental Requirements</b>			
All Landfill, Land Application Sites and Open Dumps (Industrial Activity Code "LF").	Total Suspended Solids (TSS).	100 mg/L.	
All Landfill, Land Application Sites and Open Dumps, Except Municipal Solid Waste Landfill (MSWLF) Areas Closed in Accordance with 40 CFR 258.60 (Industrial Activity Code "LF").	Total Recoverable Iron .....	1.0mg/L.	
All Landfills Which are Subject to the Requirements of 40 CFR Part 445 Subpart B (Industrial Activity Code "LF").	BOD5 .....		140 mg/1, daily max. 37 mg/1, monthly ave maximum
	TSS .....		88 mg/1, daily max. 27 mg/1, monthly ave maximum.
	Ammonia .....		10 mg/1, daily max. 4.9 mg/1, monthly ave maximum.
	Alpha Terpeneol .....		0.033 mg/1, daily max. 0.016 mg/1, monthly ave maximum.
	Benzoic Acid .....		0.12 mg/1, daily max. 0.071 mg/1, monthly ave maximum.
	p-Cresol .....		0.025 mg/1, daily max. 0.014 mg/1, monthly ave maximum.
	Phenol .....		0.026 mg/1, daily max. 0.015 mg/1, monthly ave maximum.
	Zinc (Total) .....		0.20 mg/1, daily max. 0.11 mg/1, monthly ave maximum.
	pH .....		Within the range of 6–9 pH units.

<sup>1</sup> These benchmark monitoring cutoff concentrations apply to storm water discharges associated with industrial activity other than contaminated storm water discharges from landfills subject to the numeric effluent limitations set forth in Table L-1. Monitor once/quarter for the year 2 and year 4 monitoring years.

<sup>2</sup> As set forth at 40 CFR Part 445 Subpart B, these numeric limitations apply to contaminated storm water discharges from MSWLFs which have not been closed in accordance with 40 CFR 258.60, and contaminated storm water discharges from those landfills which are subject to the provisions of 40 CFR Part 257 except for discharges from any of facilities described in (a) through (d) below:

- (a) landfills operated in conjunction with other industrial or commercial operations when the landfill only receives wastes generated by the industrial or commercial operation directly associated with the landfill;
- (b) landfills operated in conjunction with other industrial or commercial operations when the landfill receives wastes generated by the industrial or commercial operation directly associated with the landfill and also receives other wastes provided the other wastes received for disposal are generated by a facility that is subject to the same provisions in 40 CFR Subchapter N as the industrial or commercial operation or the other wastes received are of similar nature to the wastes generated by the industrial or commercial operation;
- (c) landfills operated in conjunction with Centralized Waste Treatment (CWT) facilities subject to 40 CFR Part 437 so long as the CWT facility commingles the landfill wastewater with other non-landfill wastewater for discharge. A landfill directly associated with a CWT facility is subject to this part if the CWT facility discharges landfill wastewater separately from other CWT wastewater or commingles the wastewater from its landfill only with wastewater from other landfills; or
- (d) landfills operated in conjunction with other industrial or commercial operations when the landfill receives wastes from public service activities so long as the company owning the landfill does not receive a fee or other remuneration for the disposal service.

For the discharges subject to the numeric effluent limitations, monitoring for the specified parameters is required once/year during each year of the term of the permit.

**6.M Sector M—Automobile Salvage Yards**

**6.M.1 Covered Storm Water Discharges**

The requirements in Part 6.M apply to storm water discharges associated with industrial activity from Automobile Salvage Yards as identified by the Activity Code specified under Sector M in Table 1–1 of Part 1.2.1.

**6.M.2 Industrial Activities Covered by Sector M**

The types of activities that permittees under Sector M are primarily engaged in are dismantling or wrecking used motor vehicles for parts recycling/resale and for scrap.

**6.M.3 Storm Water Pollution Prevention Plan (SWPPP) Requirements**

In addition to the following requirements, you must also comply with the requirements listed in Part 4.

6.M.3.1 *Drainage Area Site Map.* (See also Part 4.2.2.3) Indicate the

location of each monitoring point, and estimate the total acreage used for industrial activity including, but not limited to, dismantling, storage and maintenance of used motor vehicle parts. Also identify where any of the following may be exposed to precipitation/surface runoff: Dismantling areas; parts (e.g., engine blocks, tires, hub caps, batteries, hoods, mufflers) storage areas; liquid storage tanks and drums for fuel and other fluids.

6.M.3.2 *Potential Pollutant Sources.* (See also Part 4.2.4) Assess the potential for the following to contribute pollutants to storm water discharges: Vehicle storage areas; dismantling areas; parts storage area (e.g., engine blocks, tires, hub caps, batteries, hoods, mufflers); fueling stations.

6.M.3.3 *Spill and Leak Prevention Procedures.* (See also Part 4.2.7.2.1.4) Drain vehicles intended to be dismantled of all fluids upon arrival at the site (or as soon thereafter as feasible); or employ some other equivalent means to prevent spills/leaks.

6.M.3.4 *Inspections.* (See also Part 4.2.7.2.1.5) Immediately (or as soon thereafter as feasible) inspect vehicles

arriving at the site for leaks. Inspect quarterly for signs of leakage, all equipment containing oily parts, hydraulic fluids or any other types of fluids. Also inspect quarterly for signs of leakage, all vessels and areas where fluids are stored, including, but not limited to, brake fluid, transmission fluid, radiator water and antifreeze.

6.M.3.5 *Employee Training.* (See also Part 4.2.7.2.1.6) If applicable to your facility, address the following areas (at a minimum) in your employee training program: Proper handling (collection, storage, and disposal) of oil, used mineral spirits, anti-freeze and solvents.

6.M.3.6 *Management of Runoff.* (See also Part 4.2.7.2.2.2) Consider the following management practices: Berms or drainage ditches on the property line (to help prevent run-on from neighboring properties); berms for uncovered outdoor storage of oily parts, engine blocks and above-ground liquid storage; installation of detention ponds; and the installation of filtering devices and oil/water separators.

**6.M.4 Monitoring and Reporting Requirements. (See also Part 5)**

TABLE M–1.—SECTOR-SPECIFIC NUMERIC LIMITATIONS AND BENCHMARK MONITORING

Subsector (Discharges may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark monitoring cut-off concentration <sup>1</sup>	Numeric limitation
<b>Sector of Permit Affected/Supplemental Requirements</b>			
Automobile Salvage Yards (SIC 5015) .....	Total Suspended Solids (TSS). Total Recoverable Aluminum. Total Recoverable Iron ..... Total Recoverable Lead ....	100.0 mg/L. 0.75 mg/L. 1.0 mg/L. 0.0816 mg/L.	

<sup>1</sup> Monitor once/quarter for the year 2 and year 4 monitoring years.

**6.N Sector N—Scrap Recycling and Waste Recycling Facilities**

**6.N.1 Covered Storm Water Discharges**

The requirements in Part N apply to storm water discharges associated with industrial activity from Scrap Recycling and Waste Recycling facilities as identified by the SIC Codes specified under Sector N in Table 1–1 of Part 1.2.1.

**6.N.2 Industrial Activities Covered by Sector N**

The types of activities that permittees under Sector N are primarily engaged in are:

6.N.2.1 processing, reclaiming and wholesale distribution of scrap and

waste materials such as ferrous and nonferrous metals, paper, plastic, cardboard, glass, animal hides;

6.N.2.2 reclaiming and recycling liquid wastes such as used oil, antifreeze, mineral spirits and industrial solvents.

**6.N.3 Coverage Under This Permit**

Separate permit requirements have been established for recycling facilities that only receive source-separated recyclable materials primarily from non-industrial and residential sources (i.e., common consumer products including paper, newspaper, glass, cardboard, plastic containers, aluminum and tin cans). This includes recycling facilities commonly referred to as material recovery facilities (MRF).

6.N.3.1 *Prohibition of Non-Storm Water Discharges.* (See also Part 1.2.2.2) Not covered by this permit: non-storm water discharges from turnings containment areas (see also Part 6.N.5.1.3). Discharges from containment areas in the absence of a storm event are prohibited unless covered by a separate NPDES permit.

**6.N.4 Storm Water Pollution Prevention Plan (SWPPP) Requirements**

In addition to the following requirements, you must also comply with the requirements listed in Part 4 of the MSGP. Part 6.N.4.1 contains a requirement that applies to all recycling facilities and is followed by Parts 6.N.4.2 to 6.N.4.4.4, which have requirements for specific types of

recycling facilities. Implement and describe in your SWPPP a program to address those items that apply. Included are lists of BMP options which, along with any functional equivalents, should be considered for implementation. Selection or deselection of a particular BMP or approach is up to the best professional judgement of the operator, as long as the objective of the requirement is met.

**6.N.4.1 Drainage Area Site Map.**  
(See also Part 4.2.2.3)

Identify the locations of any of the following activities or sources which may be exposed to precipitation/surface runoff: scrap and waste material storage, outdoor scrap and waste processing equipment, and containment areas for turnings exposed to cutting fluids.

**6.N.4.2 Scrap and Waste Recycling Facilities (Non-Source Separated, Non-Liquid Recyclable Materials).** Requirements for facilities that receive, process and do wholesale distribution of non-liquid recyclable wastes (e.g., ferrous and nonferrous metals, plastics, glass, cardboard and paper). These facilities may receive both non-recyclable and recyclable materials. This section is not intended for those facilities that only accept recyclables from primarily non-industrial and residential sources.

**6.N.4.2.1 Inbound Recyclable and Waste Material Control Program.** Minimize the chance of accepting materials that could be significant sources of pollutants by conducting inspections of inbound recyclables and waste materials. BMP options: (a) Provide information/education to suppliers of scrap and recyclable waste materials on draining and properly disposing of residual fluids (e.g., from vehicles and equipment engines, radiators and transmissions, oil filled transformers and individual containers or drums), prior to delivery to your facility; (b) procedures to minimize the potential of any residual fluids from coming into contact with precipitation/runoff; (c) procedures for accepting scrap lead-acid batteries (additional requirements for the handling, storage and disposal or recycling of batteries are contained in the scrap lead-acid battery program provisions in N.5.1.6); (d) training targeted for those personnel engaged in the inspection and acceptance of inbound recyclable materials. In addition, (e) liquid wastes, including used oil, must be stored in materially compatible and non-leaking containers and disposed or recycled in accordance with RCRA.

**6.N.4.2.2 Scrap and Waste Material Stockpiles/Storage (Outdoor).** Minimize contact of storm water runoff with

stockpiled materials, processed materials and non-recyclable wastes. BMP options: (a) Permanent or semi-permanent covers; (b) to facilitate settling or filtering of pollutants: sediment traps, vegetated swales and strips, catch basin filters and sand filters; (c) divert runoff away from storage areas via dikes, berms, containment trenches, culverts and surface grading; (d) silt fencing; (e) oil/water separators, sumps and dry absorbents for areas where potential sources of residual fluids are stockpiled (e.g., automobile engine storage areas).

**6.N.4.2.3 Stockpiling of Turnings Exposed to Cutting Fluids (Outdoor).** Minimize contact of surface runoff with residual cutting fluids. BMP options (use singularly or in combination): (a) Store all turnings exposed to cutting fluids under some form of permanent or semi-permanent cover. Storm water discharges from these areas are permitted provided the runoff is first treated by an oil/water separator or its equivalent. Identify procedures to collect, handle and dispose/recycle residual fluids which may be present; (b) establish dedicated containment areas for all turnings that have been exposed to cutting fluids. Storm water runoff from these areas can be discharged provided: The containment areas are constructed of either concrete, asphalt or other equivalent types of impermeable material; there is a barrier around the perimeter of the containment areas (e.g., berms, curbing, elevated pads, etc.) to prevent contact with storm water run-on; there is a drainage collection system for runoff generated from containment areas; you have a schedule to maintain the oil/water separator (or its equivalent); and you identify procedures for properly disposing or recycling collected residual fluids.

**6.N.4.2.4 Scrap and Waste Material Stockpiles/Storage (Covered or Indoor Storage).** Minimize contact of residual liquids and particulate matter from materials stored indoors or under cover with surface runoff. BMP options: (a) Good housekeeping measures including the use of dry absorbent or wet vacuuming to contain or dispose/recycle residual liquids originating from recyclable containers; (b) not allowing washwater from tipping floors or other processing areas to discharge to the storm sewer system; (c) disconnect or seal off all floor drains connected to the storm sewer system.

**6.N.4.2.5 Scrap and Recyclable Waste Processing Areas.** Minimize surface runoff from coming in contact with scrap processing equipment. Pay attention to operations that generate

visible amounts of particulate residue (e.g., shredding) to minimize the contact of accumulated particulate matter and residual fluids with runoff (i.e., through good housekeeping, preventive maintenance, etc.). BMP options: (a) Regularly inspect equipment for spills/leaks, and malfunctioning/worn/corroded parts or equipment; (b) a preventive maintenance program for processing equipment; (c) use of dry-absorbents or other cleanup practices to collect and dispose/recycle spilled/leaking fluids; (e) on unattended hydraulic reservoirs over 150 gallons in capacity, install such protection devices as low-level alarms or other equivalent devices, or, alternatively, secondary containment that can hold the entire volume of the reservoir; (f) containment or diversion structures such as dikes, berms, culverts, trenches, elevated concrete pads, grading to minimize contact of storm water runoff with outdoor processing equipment or stored materials; (g) oil/water separators or sumps; (h) permanent or semi-permanent covers in processing areas where there are residual fluids and grease; (i) retention/detention ponds or basins; sediment traps, vegetated swales or strips (for pollutant settling/filtration); (j) catch basin filters or sand filters.

**6.N.4.2.6 Scrap Lead-Acid Battery Program.** Properly handle, store and dispose of scrap lead-acid batteries. BMP options: (a) Segregate scrap lead-acid batteries from other scrap materials; (b) proper handling, storage and disposal of cracked or broken batteries; (c) collect and dispose leaking lead-acid battery fluid; (d) minimize/eliminate (if possible) exposure of scrap lead-acid batteries to precipitation or runoff; (e) employee training for the management of scrap batteries.

**6.N.4.2.7 Spill Prevention and Response Procedures.** (See also Part 4.2.7.2.1.4) Minimize storm water contamination at loading/unloading areas, and from equipment or container failures. BMP options: (a) Prevention and response measures for areas that are potential sources of fluid leaks/spills; (b) immediate containment and clean up of spills/leaks. If malfunctioning equipment is responsible for the spill/leak, repairs should also be conducted as soon as possible; (c) cleanup measures including the use of dry absorbents. If this method is employed, there should be an adequate supply of dry absorbent materials kept onsite and used absorbent must be properly disposed of; (d) store drums containing liquids—especially oil and lubricants—either: Indoors, in a bermed area, in overpack containers or spill pallets, or

in other containment devices; (e) install overflow prevention devices on fuel pumps or tanks; (f) place drip pans or equivalent measures under leaking stationary equipment until the leak is repaired. The drip pans should be inspected for leaks and potential overflow and all liquids must be properly disposed of (as per RCRA); (g) install alarms and/or pump shut off systems on outdoor equipment with hydraulic reservoirs exceeding 150 gallons in the event of a line break. Alternatively, a secondary containment system capable of holding the entire contents of the reservoir plus room for precipitation can be used.

**6.N.4.2.8 Quarterly Inspection Program.** (See also Part 4.2.7.2.1.5) Inspect all designated areas of the facility and equipment identified in the plan quarterly.

**6.N.4.2.9 Supplier Notification Program.** As appropriate, notify major suppliers which scrap materials will not be accepted at the facility or are only accepted under certain conditions.

**6.N.4.3 Waste Recycling Facilities (Liquid Recyclable Materials).**

**6.N.4.3.1 Waste Material Storage (Indoor).** Minimize/eliminate contact between residual liquids from waste materials stored indoors and surface runoff. The plan may refer to applicable portions of other existing plans such as SPCC plans required under 40 CFR Part 112. BMP options: (a) procedures for material handling (including labeling and marking); (b) clean up spills/leaks with dry-absorbent materials or a wet vacuum system; (c) appropriate containment structures (trenching, curbing, gutters, etc.); (d) a drainage system, including appurtenances (e.g., pumps or ejectors, manually operated valves), to handle discharges from diked or bermed areas. Drainage should be discharged to an appropriate treatment facility, sanitary sewer system, or otherwise disposed of properly. These discharges may require coverage under a separate NPDES wastewater permit or industrial user permit under the pretreatment program.

**6.N.4.3.2 Waste Material Storage (Outdoor).** Minimize contact between

stored residual liquids and precipitation or runoff. The plan may refer to applicable portions of other existing plans such as SPCC plans required under 40 CFR Part 112. Discharges of precipitation from containment areas containing used oil must also be in accordance with applicable sections of 40 CFR Part 112. BMP options: (a) appropriate containment structures (e.g., dikes, berms, curbing, pits) to store the volume of the largest tank with sufficient extra capacity for precipitation; (b) drainage control and other diversionary structures; (c) for storage tanks, provide corrosion protection and/or leak detection systems; (d) use dry-absorbent materials or a wet vacuum system to collect spills.

**6.N.4.3.3 Trucks and Rail Car Waste Transfer Areas.** Minimize pollutants in discharges from truck and rail car loading/unloading areas. Include measures to clean up minor spills/leaks resulting from the transfer of liquid wastes. BMP options: (a) containment and diversionary structures to minimize contact with precipitation or runoff; (b) use dry-clean up methods, wet vacuuming, roof coverings, or runoff controls.

**6.N.4.3.4 Quarterly Inspections.** (See also Part 4.2.7.2.1.5) At a minimum, the inspections must also include all areas where waste is generated, received, stored, treated or disposed and that are exposed to either precipitation or storm water runoff.

**6.N.4.4 Recycling Facilities (Source Separated Materials).** The following identifies considerations for facilities that receive only source-separated recyclables, primarily from non-industrial and residential sources.

**6.N.4.4.1 Inbound Recyclable Material Control.** Minimize the chance of accepting non-recyclables (e.g., hazardous materials) which could be a significant source of pollutants by conducting inspections of inbound materials. BMP options: (a) information/education measures to inform suppliers of recyclables which materials are acceptable and which are not; (b) training drivers responsible for pickup of recycled material; (c) clearly marking

public drop-off containers regarding which materials can be accepted; (d) reject non-recyclable wastes or household hazardous wastes at the source; (e) procedures for handling and disposal of non-recyclable material.

**6.N.4.4.2 Outdoor Storage.** Minimize exposure of recyclables to precipitation and runoff. Use good housekeeping measures to prevent accumulation of particulate matter and fluids, particularly in high traffic areas. Other BMP options: (a) provide totally-enclosed drop-off containers for the public; (b) install a sump/pump with each container pit and treat or discharge collected fluids to a sanitary sewer system; (c) provide dikes and curbs for secondary containment (e.g., around bales of recyclable waste paper); (d) divert surface water runoff away from outside material storage areas; (e) provide covers over containment bins, dumpsters, roll-off boxes; (f) store the equivalent one days' volume of recyclable material indoors.

**6.N.4.4.3 Indoor Storage and Material Processing.** Minimize the release of pollutants from indoor storage and processing areas. BMP options: (a) schedule routine good housekeeping measures for all storage and processing areas; (b) prohibit tipping floor washwater from draining to the storm sewer system; (c) provide employee training on pollution prevention practices.

**6.N.4.4.4 Vehicle and Equipment Maintenance.** BMP options for those areas where vehicle and equipment maintenance are occurring outdoors: (a) prohibit vehicle and equipment washwater from discharging to the storm sewer system; (b) minimize or eliminate outdoor maintenance areas whenever possible; (c) establish spill prevention and clean-up procedures in fueling areas; (d) avoid topping off fuel tanks; (e) divert runoff from fueling areas; (f) store lubricants and hydraulic fluids indoors; (g) provide employee training on proper handling, storage of hydraulic fluids and lubricants.

**6.N.5 Monitoring and Reporting Requirements. (See also Part 5)**

TABLE N-1.—SECTOR-SPECIFIC NUMERIC EFFLUENT LIMITATIONS AND BENCHMARK MONITORING

Subsector (Discharges may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark monitoring cut-off concentration <sup>1</sup>	Numeric limitation
<b>Part of Permit Affected/Supplemental Requirements</b>			
Scrap Recycling Facility (SIC 5093) .....	Chemical Oxygen Demand (COD). Total Suspended Solids (TSS). Total Recoverable Aluminum. Total Recoverable Copper Total Recoverable Iron ..... Total Recoverable Lead .... Total Recoverable Zinc .....	120 mg/L. 100 mg/L. 0.75 mg/L. 0.0636 mg/L. 1.0 mg/L. 0.0816 mg/L. 0.117 mg/L.	

<sup>1</sup> Monitor once/quarter for the year 2 and year 4 Monitoring Years.

**6.O Sector O—Steam Electric Generating Facilities**

**6.O.1 Covered Storm Water Discharges**

The requirements in Part 6.O apply to storm water discharges associated with industrial activity from Steam Electric Power Generating Facilities as identified by the Activity Code specified under Sector O in Table 1–1 of Part 1.2.1.

**6.O.2 Industrial Activities Covered by Sector O**

This permit authorizes storm water discharges from the following industrial activities at Sector O facilities:

6.O.2.1 Steam electric power generation using coal, natural gas, oil, nuclear energy, etc. to produce a steam source, including coal handling areas;

6.O.2.2 Coal pile runoff, including effluent limitations established by 40 CFR Part 423;

6.O.2.3 Dual fuel co-generation facilities.

**6.O.3 Limitations on Coverage**

6.O.3.1 *Prohibition of Non-Storm Water Discharges.* Not covered by this permit: non-storm water discharges subject to effluent limitations guidelines.

6.O.3.2 *Prohibition of Storm Water Discharges.* Not covered by this permit: storm water discharges from ancillary facilities (e.g., fleet centers, gas turbine stations and substations) that are not contiguous to a steam electric power generating facility; and heat capture co-generation facilities.

**6.O.4 Storm Water Pollution Prevention Plan (SWPPP) Requirements**

In addition to the following requirements, you must also comply with the requirements listed in Part 4.

6.O.4.1 *Drainage Area Site Map.* (See also Part 4.2.2.3) Identify the locations of any of the following

activities or sources which may be exposed to precipitation / surface runoff: storage tanks, scrap yards, general refuse areas; short and long term storage of general materials (including but not limited to: supplies, construction materials, paint equipment, oils, fuels, used and unused solvents, cleaning materials, paint, water treatment chemicals, fertilizer and pesticides); landfills, construction sites; stock piles areas (e.g., coal or limestone piles).

6.O.4.2 *Good Housekeeping Measures.* (See also Part 4.2.7.2.1.1)

6.O.4.2.1 *Fugitive Dust Emissions.* Describe and implement measures that prevent or minimize fugitive dust emissions from coal handling areas. Consider such procedures to minimize the tracking of coal dust offsite as installing specially designed tires, or washing vehicles in a designated area before they leave the site and controlling the wash water.

6.O.4.2.2 *Delivery Vehicles.* Describe and implement measures that prevent or minimize contamination of storm water runoff from delivery vehicles arriving at the plant site. Consider the following: procedures to inspect delivery vehicles arriving at the plant site and ensure overall integrity of the body or container; and procedures to deal with leakage / spillage from vehicles or containers.

6.O.4.2.3 *Fuel Oil Unloading Areas.* Describe and implement measures that prevent or minimize contamination of precipitation / surface runoff from fuel oil unloading areas. Consider, at a minimum (or their equivalents): using containment curbs in unloading areas; having personnel familiar with spill prevention and response procedures present during deliveries to ensure that any leaks / spills are immediately contained and cleaned up; using spill and overflow protection (e.g., drip pans,

drip diapers or other containment devices placed beneath fuel oil connectors to contain potential spillage during deliveries or from leaks at the connectors).

6.O.4.2.4 *Chemical Loading / Unloading.* Describe and implement measures that prevent or minimize contamination of precipitation / surface runoff from chemical loading / unloading areas. Consider, at a minimum (or their equivalents): using containment curbs at chemical loading / unloading areas to contain spill; having personnel familiar with spill prevention and response procedures present during deliveries to ensure that any leaks / spills are immediately contained and cleaned up; and load / unload in covered areas and store chemicals indoors.

6.O.4.2.5 *Miscellaneous Loading / Unloading Areas.* Describe and implement measures that prevent or minimize contamination of precipitation / surface runoff from loading / unloading areas. Consider, at a minimum (or their equivalents): covering the loading area; grading, berming, or curbing around the loading area to divert run-on; or locating the loading / unloading equipment and vehicles so leaks are contained in existing containment and flow diversion systems.

6.O.4.2.6 *Liquid Storage Tanks.* Describe and implement measures that prevent or minimize contamination of surface runoff from above ground liquid storage tanks. Consider using, at a minimum (or their equivalents): protective guards around tank; containment curbs; spill and overflow protection; and dry cleanup methods.

6.O.4.2.7 *Large Bulk Fuel Storage Tanks.* Describe and implement measures that prevent or minimize contamination of surface runoff from large bulk fuel storage tanks. Consider,



at a minimum, using containment berms (or its equivalent). You must also comply with applicable State and Federal laws, including Spill Prevention Control and Countermeasures (SPCC).

**6.O.4.2.8 Spill Reduction Measures.** Describe and implement measures to reduce the potential for an oil / chemical spill or reference the appropriate Part of your SPCC plan. At a minimum, visually inspect on a weekly basis, the structural integrity of all above ground tanks, pipelines, pumps and other related equipment, and effect any necessary repairs immediately.

**6.O.4.2.9 Oil Bearing Equipment in Switchyards.** Describe and implement measures that prevent or minimize contamination of surface runoff from oil bearing equipment in switchyard areas. Consider using level grades and gravel surfaces to retard flows and limit the spread of spills or collecting runoff in perimeter ditches.

**6.O.4.2.10 Residue Hauling Vehicles.** Inspect all residue hauling vehicles for proper covering over the load, adequate gate sealing and overall integrity of the container body. Repair as soon as practicable, vehicles without load covering or adequate gate sealing, or with leaking containers or beds.

**6.O.4.2.11 Ash Loading Areas.** Describe and implement procedures to reduce or control the tracking of ash/ residue from ash loading areas. Where practicable, clear the ash building floor and immediately adjacent roadways of spillage, debris and excess water before departure of each loaded vehicle.

**6.O.4.2.12 Areas Adjacent to Disposal Ponds or Landfills.** Describe and implement measures that prevent or minimize contamination of surface runoff from areas adjacent to disposal ponds or landfills. Develop procedures to reduce ash residue that may be tracked on to access roads traveled by residue handling vehicles, and reduce ash residue on exit roads leading into and out of residue handling areas.

**6.O.4.2.13 Landfills, Scrap Yards, Surface Impoundments, Open Dumps, General Refuse Sites.**

Address these areas in your SWPPP and include appropriate BMPs as referred to in Part 4.

**6.O.4.2.14 Vehicle Maintenance Activities.** For vehicle maintenance activities performed on the plant site, use the applicable BMPs outlined in Part 6.P.

**6.O.4.2.15 Material Storage Areas.** Describe and implement measures that prevent or minimize contamination of

storm water runoff from material storage areas (including areas used for temporary storage of miscellaneous products and construction materials stored in lay-down areas). Consider using (or their equivalents): Flat yard grades; collecting runoff in graded swales or ditches; erosion protection measures at steep outfall sites (e.g., concrete chutes, riprap, stilling basins); covering lay-down areas; storing materials indoors; and covering materials temporarily with polyethylene, polyurethane, polypropylene or hypalon. Storm water run-on may be minimized by constructing an enclosure or building a berm around the area.

**6.O.4.3 Comprehensive Site Compliance Evaluation.** (See also Part 4.9.3) As part of your evaluation, inspect the following areas on a monthly basis: Coal handling areas, loading/unloading areas, switchyards, fueling areas, bulk storage areas, ash handling areas, areas adjacent to disposal ponds and landfills, maintenance areas, liquid storage tanks, and long term and short term material storage areas.

**6.O.5 Monitoring and Reporting Requirements.** (See also Part 5)

TABLE O-1.—SECTOR-SPECIFIC NUMERIC EFFLUENT LIMITATIONS AND BENCHMARK MONITORING

Subsector (Discharges may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark monitoring cut-off concentration <sup>1</sup>	Numeric Limitation <sup>2</sup>
<b>Part of Permit Affected/Supplemental Requirements</b>			
Steam Electric Generating Facilities (Industrial Activity Code "SE").	Total Recoverable Iron .....	1.0 mg/L.	

<sup>1</sup> Monitor once/quarter for the year 2 and year 4 Monitoring Years.

<sup>2</sup> Note that the numeric effluent limitation guidelines for coal pile runoff at steam electric generating facilities have been adopted as a standard numeric limits for all coal pile runoff. See Part 5.1.3.

**6.P Sector P—Land Transportation and Warehousing**

**6.P.1 Covered Storm Water Discharges**

The requirements in Part 6.P apply to storm water discharges associated with industrial activity from Land Transportation and Warehousing facilities as identified by the Activity Code specified under Sector P in Table 1-1 of Part 1.2.1.

**6.P.2 Industrial Activities Covered by Sector P**

The types of activities that permittees under Sector P are primarily engaged in are:

**6.P.2.1** vehicle and equipment maintenance (vehicle and equipment rehabilitation, mechanical repairs, painting, fueling and lubrication);

**6.P.2.2** equipment cleaning.

**6.P.3 Storm Water Pollution Prevention Plan (SWPPP) Requirements**

In addition to the following requirements, you must also comply with the requirements listed in Part 4.

**6.P.3.1 Drainage Site Map.** (See also Part 4.2.2.3) Identify the locations of any of the following activities or sources: Fueling stations; vehicle/equipment maintenance or cleaning areas; storage areas for vehicle/equipment with actual or potential fluid leaks; loading/unloading areas; areas where treatment, storage or disposal of wastes occur; liquid storage tanks; processing areas; storage areas; and all monitoring areas.

**6.P.3.2 Potential Pollutant Sources.** (See also Part 4.2.4) Describe and assess the potential for the following to

contribute pollutants to storm water discharges: Onsite waste storage or disposal; dirt/gravel parking areas for vehicles awaiting maintenance; and fueling areas.

**6.P.3.3 Good Housekeeping Measures.** (See also Part 4.2.7.2.1.1)

**6.P.3.3.1 Vehicle and Equipment Storage Areas.** Confine the storage of leaky or leak-prone vehicles/equipment awaiting maintenance to designated areas. Consider the following (or other equivalent measures): The use of drip pans under vehicles/equipment, indoor storage of vehicles and equipment, installation of berms or dikes, use of absorbents, roofing or covering storage areas, and cleaning pavement surfaces to remove oil and grease.

**6.P.3.3.2 Fueling Areas.** Implement and describe measures that prevent or

minimize contamination of storm water runoff from fueling areas. Consider the following (or other equivalent measures): covering the fueling area; using spill/overflow protection and cleanup equipment; minimizing storm water runoff to the fueling area; using dry cleanup methods; and treating and/or recycling collected storm water runoff.

**6.P.3.3.3 Material Storage Areas.** Maintain all material storage vessels (e.g., for used oil/oil filters, spent solvents, paint wastes, hydraulic fluids) to prevent contamination of storm water and plainly label them (e.g., "Used Oil," "Spent Solvents," etc.). Consider the following (or other equivalent measures): storing the materials indoors; installing berms/dikes around the areas; minimizing runoff of storm water to the areas; using dry cleanup methods; and treating and/or recycling collected storm water runoff.

**6.P.3.3.4 Vehicle and Equipment Cleaning Areas.** Implement and describe measures that prevent or minimize contamination of storm water runoff from all areas used for vehicle/equipment cleaning. Consider the following (or other equivalent measures): performing all cleaning operations indoors; covering the cleaning operation, ensuring that all washwater drains to a proper collection system (i.e., not the storm water drainage system unless NPDES permitted); treating and/or recycling collected storm water runoff, or other equivalent measures. Note: the discharge of vehicle/equipment washwater, including tank cleaning operations, are not authorized by this permit and must be covered under a separate NPDES permit or discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements.

**6.P.3.3.5 Vehicle and Equipment Maintenance Areas.** Implement and describe measures that prevent or minimize contamination of storm water runoff from all areas used for vehicle/equipment maintenance. Consider the following (or other equivalent measures): performing maintenance activities indoors; using drip pans; keeping an organized inventory of materials used in the shop; draining all parts of fluid prior to disposal; prohibiting wet clean up practices if these practices would result in the discharge of pollutants to storm water drainage systems; using dry cleanup methods; treating and/or recycling collected storm water runoff, minimizing run on/runoff of storm water to maintenance areas.

**6.P.3.3.6 Locomotive Sanding (Loading Sand for Traction) Areas.** Consider the following (or other equivalent measures): covering sanding areas; minimizing storm water runoff; or appropriate sediment removal practices to minimize the offsite transport of sanding material by storm water.

**6.P.3.4 Inspections.** (See also Part 4.2.7.2.1.5) Inspect all the following areas/activities: storage areas for vehicles/equipment awaiting maintenance, fueling areas, indoor and outdoor vehicle/equipment maintenance areas, material storage areas, vehicle/equipment cleaning areas and loading/unloading areas.

**6.P.3.5 Employee Training.** (See also Part 4.2.7.2.1.6) Train personnel at least once a year and address the following, as applicable: used oil and spent solvent management; fueling procedures; general good housekeeping practices; proper painting procedures; and used battery management.

**6.P.3.6 Vehicle and Equipment Washwater Requirements.** (See also Part 4.4) Attach to or reference in your SWPPP, a copy of the NPDES permit issued for vehicle/equipment washwater or, if an NPDES permit has not been issued, a copy of the pending application. If an industrial user permit is issued under a pretreatment program, attach a copy to your SWPPP. In any case, address all non-storm water permit conditions or pretreatment conditions in your SWPPP. If washwater is handled in another manner (e.g., hauled offsite), describe the disposal method and attach all pertinent documentation/information (e.g., frequency, volume, destination, etc.) in the plan.

## **6.Q Sector Q—Water Transportation**

### **6.Q.1 Covered Storm Water Discharges**

The requirements in Part 6.Q apply to storm water discharges associated with industrial activity from Water Transportation facilities as identified by the Activity Code specified under Sector Q in Table 1–1 of Part 1.2.1.

### **6.Q.2 Industrial Activities Covered by Sector Q**

The requirements listed under this Part apply to storm water discharges associated with the following activities:

**6.Q.2.1 Water transportation facilities** classified in SIC Code major group 44 that have vehicle (vessel) maintenance shops and/or equipment cleaning operations including:

**6.Q.2.1.1 Water transportation industry** includes facilities engaged in foreign or domestic transport of freight

or passengers in deep sea or inland waters;

**6.Q.2.1.2 Marine cargo handling operations;**

**6.Q.2.1.3 Ferry operations;**

**6.Q.2.1.4 Towing and tugboat services;**

**6.Q.2.1.5 Marinas.**

### **6.Q.3 Limitations on Coverage**

**6.Q.3.1 Prohibition of Non-Storm Water Discharges.** (See also Part 1.2.3.1) Not covered by this permit: bilge and ballast water, sanitary wastes, pressure wash water and cooling water originating from vessels.

### **6.Q.4 Storm Water Pollution Prevention Plan (SWPPP) Requirements**

In addition to the following requirements, you must also comply with the requirements listed in Part 4.

**6.Q.4.1 Drainage Area Site Map.** (See also Part 4.2.2.3) Identify where any of the following may be exposed to precipitation/surface runoff: fueling; engine maintenance/repair; vessel maintenance/repair; pressure washing; painting; sanding; blasting; welding; metal fabrication; loading/unloading areas; locations used for the treatment, storage or disposal of wastes; liquid storage tanks; liquid storage areas (e.g., paint, solvents, resins); and material storage areas (e.g., blasting media, aluminum, steel, scrap iron).

**6.Q.4.2 Summary of Potential Pollutant Sources.** (See also Part 4.2.4) Describe the following additional sources and activities that have potential pollutants associated with them: outdoor manufacturing or processing activities (i.e., welding, metal fabricating); and significant dust or particulate generating processes (e.g., abrasive blasting, sanding, painting).

**6.Q.4.3 Good Housekeeping Measures.** (See also Part 4.2.7.2.1.1)

**6.Q.4.3.1 Pressure Washing Area.** If pressure washing is used to remove marine growth from vessels, the discharge water must be permitted by a separate NPDES permit. Describe in the SWPPP: the measures to collect or contain the discharges from the pressures washing area; the method for the removal of the visible solids; the methods of disposal of the collected solids; and where the discharge will be released.

**6.Q.4.3.2 Blasting and Painting Area.** Implement and describe measures to prevent spent abrasives, paint chips and over spray from discharging into the receiving water or the storm sewer systems. Consider containing all blasting/painting activities or use other measures to prevent or minimize the discharge the contaminants (e.g.,

hanging plastic barriers or tarpaulins during blasting or painting operations to contain debris). Where necessary, regularly clean storm water conveyances of deposits of abrasive blasting debris and paint chips. Detail in the SWPPP any standard operating practices relating to blasting/painting (e.g., prohibiting uncontained blasting/painting over open water, or prohibiting blasting/painting during windy conditions which can render containment ineffective).

**6.Q.4.3.3 Material Storage Areas.** Store and plainly label all containerized materials (e.g., fuels, paints, solvents, waste oil, antifreeze, batteries) in a protected, secure location away from drains. Implement and describe measures to prevent or minimize the contamination of precipitation/surface runoff from the storage areas. Specify which materials are stored indoors and consider containment or enclosure for those stored outdoors. If abrasive blasting is performed, discuss the storage and disposal of spent abrasive materials generated at the facility. Consider implementing an inventory control plan to limit the presence of potentially hazardous materials onsite.

**6.Q.4.3.4 Engine Maintenance and Repair Areas.** Implement and describe measures to prevent or minimize the contamination of precipitation/surface runoff from all areas used for engine maintenance and repair. Consider the following (or their equivalents): performing all maintenance activities indoors; maintaining an organized inventory of materials used in the shop; draining all parts of fluid prior to disposal; prohibiting the practice of hosing down the shop floor; using dry cleanup methods; and treating and/or recycling storm water runoff collected from the maintenance area.

**6.Q.4.3.5 Material Handling Area.** Implement and describe measures to prevent or minimize the contamination of precipitation/surface runoff from material handling operations and areas (e.g., fueling, paint and solvent mixing, disposal of process wastewater streams from vessels). Consider the following (or their equivalents): covering fueling areas; using spill/overflow protection; mixing paints and solvents in a designated area (preferably indoors or under a shed); and minimize runoff of storm water to material handling areas.

**6.Q.4.3.6 Drydock Activities.** Describe your procedures for routinely maintaining/cleaning the drydock to prevent or minimize pollutants in storm water runoff. Address the cleaning of accessible areas of the drydock prior to flooding, and final cleanup following removal of the vessel and raising the dock. Include procedures for cleaning up oil, grease or fuel spills occurring on the drydock. Consider the following (or their equivalents): sweeping rather than hosing off debris/spent blasting material from accessible areas of the drydock prior to flooding, and having absorbent materials and oil containment booms readily available to contain/cleanup any spills.

**6.Q.4.3.7 General Yard Area.** Implement and describe a schedule for routine yard maintenance and cleanup. Regularly remove from the general yard area: scrap metal, wood, plastic, miscellaneous trash, paper, glass, industrial scrap, insulation, welding rods, packaging, etc.

**6.Q.4.4 Preventative Maintenance.** (See also Part 4.2.7.2.1.4) As part of your preventive maintenance program, perform timely inspection and maintenance of storm water management devices (e.g., cleaning oil/water separators and sediment traps to

ensure that spent abrasives, paint chips and solids will be intercepted and retained prior to entering the storm drainage system) 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.

**6.Q.4.5 Inspections.** (See also Part 4.2.7.2.1.5) Include the following areas in all monthly inspections: pressure washing area; blasting, sanding and painting areas; material storage areas; engine maintenance/repair areas; material handling areas; drydock area; and general yard area.

**6.Q.4.6 Employee Training.** (See also Part 4.2.7.2.1.6) As part of your employee training program, address, at a minimum, the following activities (as applicable): used oil management; spent solvent management; disposal of spent abrasives; disposal of vessel wastewaters; spill prevention and control; fueling procedures; general good housekeeping practices; painting and blasting procedures; and used battery management.

**6.Q.4.7 Comprehensive Site Compliance Evaluation.** (See also Part 4.9) Conduct regularly scheduled evaluations at least once a year and address those areas contributing to a storm water discharge associated with industrial activity (e.g., pressure washing area, blasting/sanding areas, painting areas, material storage areas, engine maintenance/repair areas, material handling areas, and drydock area). Inspect these sources for evidence of, or the potential for, pollutants entering the drainage system.

**6.Q.5 Monitoring and Reporting Requirements. (See also Part 5)**

TABLE Q-1.—SECTOR-SPECIFIC NUMERIC EFFLUENT LIMITATIONS AND BENCHMARK MONITORING

Subsector (Discharges may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark monitoring cut-off concentration <sup>1</sup>	Numeric limitation
<b>Part of Permit Affected/Supplemental Requirements</b>			
Water Transportation Facilities (SIC 4412-4499) .....	Total Recoverable Aluminum..	0.75 mg/L .....	
	Total Recoverable Iron. ....	1.0 mg/L .....	
	Total Recoverable Lead. ...	0.0816 mg/L .....	
	Total Recoverable Zinc. ....	0.117 mg/L .....	

<sup>1</sup> Monitor once/quarter for the year 2 and year 4 Monitoring Years.

## 6.R Sector R—Ship and Boat Building or Repair Yards

### 6.R.1 Covered Storm Water Discharges

The requirements in Part 6.R apply to storm water discharges associated with industrial activity from Ship and Boat Building or Repair Yards as identified by the Activity Codes specified under Sector R in Table 1–1 of Part 1.2.1.

### 6.R.2 Industrial Activities Covered by Sector R

The types of activities that permittees under Sector R are primarily engaged in are:

6.R.2.1 Ship building and repairing and boat building and repairing<sup>3</sup>

### 6.R.3 Limitations on Coverage

6.R.3.1 *Prohibition of Non-Storm Water Discharges.* (See also Part 1.2.3.1) Not covered by this permit: discharges containing bilge and ballast water, sanitary wastes, pressure wash water and cooling water originating from vessels.

### 6.R.4 Storm Water Pollution Prevention Plan (SWPPP) Requirements

In addition to the following requirements, you must also comply with the requirements listed in Part 4.

6.R.4.1 *Drainage Area Site Map.* (See also Part 4.2.2.3) Identify where any of the following may be exposed to precipitation/surface runoff: fueling; engine maintenance/repair; vessel maintenance/repair; pressure washing; painting; sanding; blasting; welding; metal fabrication; loading/unloading areas; locations used for the treatment, storage or disposal of wastes; liquid storage tanks; liquid storage areas (e.g., paint, solvents, resins); and material storage areas (e.g., blasting media, aluminum, steel, scrap iron).

6.R.4.2 *Potential Pollutant Sources.* (See also Part 4.2.4) Describe the following additional sources and activities that have potential pollutants associated with them (if applicable): outdoor manufacturing/processing activities (e.g., welding, metal fabricating); and significant dust/particulate generating processes (e.g., abrasive blasting, sanding, painting).

6.R.4.3 *Good Housekeeping Measures.* (See also Part 4.2.7.2.1.1)

6.R.4.3.1 *Pressure Washing Area.* If pressure washing is used to remove marine growth from vessels, the discharge water must be permitted as a process wastewater by a separate NPDES permit.

6.R.4.3.2 *Blasting and Painting Area.* Implement and describe measures to prevent spent abrasives, paint chips and over spray from discharging into the receiving water or the storm sewer systems. Consider containing all blasting/painting activities or use other measures to prevent the discharge of the contaminants (e.g., hanging plastic barriers or tarpaulins during blasting or painting operations to contain debris). Where necessary, regularly clean storm water conveyances of deposits of abrasive blasting debris and paint chips. Detail in the SWPPP any standard operating practices relating to blasting/painting (e.g., prohibiting uncontained blasting/painting over open water, or prohibiting blasting/painting during windy conditions which can render containment ineffective).

6.R.4.3.3 *Material Storage Areas.* Store and plainly label all containerized materials (e.g., fuels, paints, solvents, waste oil, antifreeze, batteries) in a protected, secure location away from drains. Implement and describe measures to prevent or minimize the contamination of precipitation/surface runoff from the storage areas. Specify which materials are stored indoors and consider containment or enclosure for those stored outdoors. If abrasive blasting is performed, discuss the storage and disposal of spent abrasive materials generated at the facility. Consider implementing an inventory control plan to limit the presence of potentially hazardous materials onsite.

6.R.4.3.4 *Engine Maintenance and Repair Areas.* Implement and describe measures to prevent or minimize the contamination of precipitation/surface runoff from all areas used for engine maintenance and repair. Consider the following (or their equivalents): performing all maintenance activities indoors; maintaining an organized inventory of materials used in the shop; draining all parts of fluid prior to disposal; prohibiting the practice of hosing down the shop floor; using dry cleanup methods; and treating and/or recycling storm water runoff collected from the maintenance area.

6.R.4.3.5 *Material Handling Area.* Implement and describe measures to prevent or minimize the contamination of precipitation/surface runoff from material handling operations and areas (e.g., fueling, paint and solvent mixing, disposal of process wastewater streams from vessels). Consider the following (or their equivalents): covering fueling areas; using spill/overflow protection; mixing paints and solvents in a designated area (preferably indoors or under a shed); and minimize runoff of storm water to material handling areas.

6.R.4.3.6 *Drydock Activities.* Describe your procedures for routinely maintaining/cleaning the drydock to prevent or minimize pollutants in storm water runoff. Address the cleaning of accessible areas of the drydock prior to flooding, and final cleanup following removal of the vessel and raising the dock. Include procedures for cleaning up oil, grease or fuel spills occurring on the drydock. Consider the following (or their equivalents): sweeping rather than hosing off debris/spent blasting material from accessible areas of the drydock prior to flooding, and having absorbent materials and oil containment booms readily available to contain/cleanup any spills.

6.R.4.3.7 *General Yard Area.* Implement and describe a schedule for routine yard maintenance and cleanup. Regularly remove from the general yard area: scrap metal, wood, plastic, miscellaneous trash, paper, glass, industrial scrap, insulation, welding rods, packaging, etc.

6.R.4.4 *Preventative Maintenance.* (See also Part 4.2.7.2.1.4) As part of your preventive maintenance program, perform timely inspection and maintenance of storm water management devices (e.g., cleaning oil/water separators and sediment traps to ensure that spent abrasives, paint chips and solids will be intercepted and retained prior to entering the storm drainage system) 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.

6.R.4.5 *Inspections.* (See also Part 4.2.7.2.1.5) Include the following areas in all monthly inspections: pressure washing area; blasting, sanding and painting areas; material storage areas; engine maintenance/repair areas; material handling areas; drydock area; and general yard area.

6.R.4.6 *Employee Training.* (See also Part 4.2.7.2.1.6) As part of your employee training program, address, at a minimum, the following activities (as applicable): used oil management; spent solvent management; disposal of spent abrasives; disposal of vessel wastewaters; spill prevention and control; fueling procedures; general good housekeeping practices; painting and blasting procedures; and used battery management.

6.R.4.7 *Comprehensive Site Compliance Evaluation.* (See also Part 4.9) Conduct regularly scheduled evaluations at least once a year and address those areas contributing to a storm water discharge associated with industrial activity (e.g., pressure

<sup>3</sup> According to the U.S. Coast Guard, a vessel 65 feet or greater in length is referred to as a ship, and a vessel smaller than 65 feet is a boat.

washing area, blasting/sanding areas, painting areas, material storage areas, engine maintenance/repair areas, material handling areas, and drydock area). They must be visually inspected for evidence of, or the potential for, pollutants entering the drainage system.

## 6.S Sector S—Air Transportation

### 6.S.1 Covered Storm Water Discharges

The requirements in Part 6.S apply to storm water discharges associated with industrial activity from Air Transportation facilities as identified by the SIC Codes specified under Sector S in Table 1–1 of Part 1.2.1.

### 6.S.2 Industrial Activities Covered by Sector S

The types of activities that permittees under Sector S are primarily engaged in are:

6.S.2.1 Air transportation, scheduled, and air courier;

6.S.2.2 Air transportation, non scheduled;

6.S.2.3 Airports; flying fields, except those maintained by aviation clubs; and airport terminal services including: air traffic control, except government; aircraft storage at airports; aircraft upholstery repair; airfreight handling at airports; airport hangar rental; airport leasing, if operating airport; airport terminal services; and hangar operations.

6.S.2.4 Airport and aircraft service and maintenance including: aircraft cleaning and janitorial service; aircraft servicing/repairing, except on a factory basis; vehicle maintenance shops; material handling facilities; equipment clearing operations; and airport and aircraft deicing/anti-icing.

**Note:** “deicing” will generally be used to imply both deicing (removing frost, snow or ice) and anti-icing (preventing accumulation of frost, snow or ice) activities, unless specific mention is made regarding anti-icing and/or deicing activities.

### 6.S.3 Limitations on Coverage

Only those portions of the facility that are involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling and lubrication), equipment cleaning operations or deicing operations are addressed in Part 6.S.

6.S.3.1 *Prohibition of Non-Storm Water Discharges.* (See also Part 1.2.3.1) Not covered by this permit: aircraft, ground vehicle, runway and equipment washwaters; and dry weather discharges of deicing chemicals. These discharges must be covered by a separate NPDES permit.

### 6.S.4 Special Conditions

6.S.4.1 *Hazardous Substances or Oil.* (See also Part 3.1) Each individual permittee is required to report spills equal to or exceeding the reportable quantity (RQ) levels specified at 40 CFR 110, 117 and 302 as described at Part 3.2. 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 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.

### 6.S.5 Storm Water Pollution Prevention Plan (SWPPP) Requirements

In addition to the following requirements, you must also comply with the requirements listed in Part 4 of the MSGP.

(See also Part 4.1) If an airport’s tenant has a SWPPP for discharges from their own areas of the airport, that SWPPP must be integrated with the plan for the entire airport. Tenants of the airport facility include air passenger or cargo companies, fixed based operators and other parties who have contracts with the airport authority to conduct business operations on airport property and whose operations result in storm water discharges associated with industrial activity.

6.S.5.1 *Drainage Area Site Map.* (See also Part 4.2.2.3) Identify where any of the following may be exposed to precipitation/surface runoff: aircraft and runway deicing operations; fueling stations; aircraft, ground vehicle and equipment maintenance/cleaning areas; storage areas for aircraft, ground vehicles and equipment awaiting maintenance.

6.S.5.2 *Potential Pollutant Sources.* (See also Part 4.2.4) Include in your inventory of exposed materials a description of the potential pollutant sources from the following activities: aircraft, runway, ground vehicle and equipment maintenance and cleaning; aircraft and runway deicing operations (including apron and centralized aircraft deicing stations, runways, taxiways and ramps). If you use deicing chemicals, you must maintain a record of the types (including the Material Safety Data Sheets [MSDS]) used and the monthly quantities, either as measured or, in the absence of metering, as estimated to the best of your knowledge. This includes all deicing chemicals, not just glycols

and urea (e.g., potassium acetate), because large quantities of these other chemicals can still have an adverse impact on receiving waters. Tenants or other fixed-based operations that conduct deicing operations must provide the above information to the airport authority for inclusion in any comprehensive airport SWPPPs.

6.S.5.3 *Good Housekeeping Measures.* (See also 4.2.7)

6.S.5.3.1 *Aircraft, Ground Vehicle and Equipment Maintenance Areas.* Describe and implement measures that prevent or minimize the contamination of 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 hangers). Consider the following practices (or their equivalents): performing maintenance activities indoors; maintaining an organized inventory of material used in the maintenance areas; draining all parts of fluids prior to disposal; preventing the practice of hosing down the apron or hanger floor; using dry cleanup methods; and collecting the storm water runoff from the maintenance area and providing treatment or recycling.

6.S.5.3.2 *Aircraft, Ground Vehicle and Equipment Cleaning Areas.* Clean equipment only in the areas identified in the SWPPP and site map and clearly demarcate these areas on the ground. Describe and implement measures that prevent or minimize the contamination of storm water runoff from cleaning areas.

6.S.5.3.3 *Aircraft, Ground Vehicle and Equipment Storage Areas.* Store all aircraft, ground vehicles and equipment awaiting maintenance in designated areas only. Consider the following BMPs (or their equivalents): storing aircraft and ground vehicles indoors; using drip pans for the collection of fluid leaks; and perimeter drains, dikes or berms surrounding the storage areas.

6.S.5.3.4 *Material Storage Areas.* Maintain the vessels of stored materials (e.g., used oils, hydraulic fluids, spent solvents, and waste aircraft fuel) in good condition, to prevent or minimize contamination of storm water. Also plainly label the vessels (e.g., “used oil,” “Contaminated Jet A,” etc.). Describe and implement measures that prevent or minimize contamination of precipitation/runoff from these areas. Consider the following BMPs (or their equivalents): storing materials indoors; storing waste materials in a centralized location; and installing berms/dikes around storage areas.

6.S.5.3.5 *Airport Fuel System and Fueling Areas.* Describe and implement

measures that prevent or minimize the discharge of fuel to the storm sewer/ surface waters resulting from fuel servicing activities or other operations conducted in support of the airport fuel system. Consider the following BMPs (or their equivalents): implementing spill and overflow practices (e.g., placing absorptive materials beneath aircraft during fueling operations); using dry cleanup methods; and collecting storm water runoff.

**6.S.5.3.6 Source Reduction.** Consider alternatives to the use of urea and glycol-based deicing chemicals to reduce the aggregate amount of deicing chemicals used and/or lessen the environmental impact. Chemical options to replace ethylene glycol, propylene glycol and urea include: potassium acetate; magnesium acetate; calcium acetate; anhydrous sodium acetate.

**6.S.5.3.6.1 Runway Deicing Operation:** Evaluate, at a minimum, whether over-application of deicing chemicals occurs by analyzing application rates and adjusting as necessary, consistent with considerations of flight safety. Also consider these BMP options (or their equivalents): metered application of chemicals; pre-wetting dry chemical constituents prior to application; installing a runway ice detection system; implementing anti-icing operations as a preventive measure against ice buildup.

**6.S.5.3.6.2 Aircraft Deicing Operations:** As in Part 6.S.5.3.6.1, determine whether excessive application of deicing chemicals occurs and adjust as necessary, consistent with considerations of flight safety. EPA

intends for this evaluation to be carried out by the personnel most familiar with the particular aircraft and flight operations in question (vice an outside entity such as the airport authority). Consider using alternative deicing/anti-icing agents as well as containment measures for all applied chemicals. Also consider these BMP options (or their equivalents) for reducing deicing fluid use: forced-air deicing systems, computer-controlled fixed-gantry systems, infrared technology, hot water, varying glycol content to air temperature, enclosed-basket deicing trucks, mechanical methods, solar radiation, hangar storage, aircraft covers, thermal blankets for MD-80s and DC-9s. Also consider using ice-detection systems and airport traffic flow strategies and departure slot allocation systems.

**6.S.5.3.7 Management of Runoff.** Where deicing operations occur, describe and implement a program to control or manage contaminated runoff to reduce the amount of pollutants being discharged from the site. Consider these BMP options (or their equivalents): a dedicated deicing facility with a runoff collection/recovery system; using vacuum/collection trucks; storing contaminated storm water/deicing fluids in tanks and releasing controlled amounts to a publicly owned treatment works; collecting contaminated runoff in a wet pond for biochemical decomposition (be aware of attracting wildlife that may prove hazardous to flight operations); and directing runoff into vegetative swales or other infiltration measures. Also consider recovering deicing materials when these materials are applied during non-

precipitation events (e.g., covering storm sewer inlets, using booms, installing absorptive interceptors in the drains, etc.) to prevent these materials from later becoming a source of storm water contamination. Used deicing fluid should be recycled whenever possible.

**6.S.5.4 Inspections.** (See also Part 4.2.7.2.1.5) Specify the frequency of inspections in your SWPPP. At a minimum they must be conducted monthly during the deicing season (e.g., October through April for most mid-latitude airports). If your facility needs to deice before or after this period, expand the monthly inspections to include all months during which deicing chemicals may be used. Also, if significantly or deleteriously large quantities of deicing chemicals are being spilled or discharged, or if water quality impacts have been reported, increase the frequency of your inspections to weekly until such time as the chemical spills/discharges or impacts are reduced to acceptable levels. The Director may specifically require you to increase inspections and SWPPP reevaluations as necessary.

**6.S.5.5 Comprehensive Site Compliance Evaluation.** (See also 4.9) (See also Part 4.9)

Using only qualified personnel, conduct your annual site compliance evaluations during periods of actual deicing operations, if possible. If not practicable during active deicing or the weather is too inclement, conduct the evaluations when deicing operations are likely to occur and the materials and equipment for deicing are in place.

**6.S.6 Monitoring and Reporting Requirements. (See also Part 5)**

TABLE S-1.—SECTOR-SPECIFIC NUMERIC LIMITATIONS AND BENCHMARK MONITORING

Subsector (Discharges may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark monitoring cut-off concentration <sup>1</sup>	Numeric limitation
<b>Sector of Permit Affected/Supplemental Requirements</b>			
Facilities at 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: monitor ONLY those outfalls from the airport facility that collect runoff from areas where deicing/anti-icing activities occur (SIC 45XX).	Biochemical Oxygen Demand (BOD <sub>5</sub> ).	30 mg/L ..... Chemical Oxygen Demand (COD).	120.0mg/L. Ammonia 19 mg/L. pH 6/0 to 9 s.u

<sup>1</sup> Monitor once/quarter for the year 2 and year 4 monitoring years.

**6.T Sector T—Treatment Works**

**6.T.1 Covered Storm Water Discharges**

The requirements in Part 6.T apply to storm water discharges associated with industrial activity from Treatment Works as identified by the Activity Code

specified under Sector T in Table 1-1 of Part 1.2.1.

**6.T.2 Industrial Activities Covered by Sector T**

The requirements listed under this Part apply to all existing point source

storm water discharges associated with the following activities:

**6.T.2.1** 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.

6.T.2.2 Not required to have permit coverage: farm lands; domestic gardens or lands used for sludge management where sludge is beneficially reused and which are not physically located within the facility; or areas that are in compliance with Section 405 of the CWA.

### 6.T.3 Limitations on Coverage

6.T.3.1 *Prohibition of Non-Storm Water Discharges.* (See also Part 1.2.3.1) Not authorized by this permit: sanitary and industrial wastewater; and equipment/vehicle washwater.

### 6.T.4 Storm Water Pollution Prevention Plan (SWPPP) Requirements

In addition to the following requirements, you must also comply with the requirements listed in Part 4.

6.T.4.1 *Site Map.* (See also Part 4.2.2.3.6) Identify where any of the following may be exposed to precipitation/surface runoff: grit, screenings and other solids handling, storage or disposal areas; sludge drying beds; dried sludge piles; compost piles; septage or hauled waste receiving station; and storage areas for process chemicals, petroleum products, solvents, fertilizers, herbicides and pesticides.

6.T.4.2 *Potential Pollutant Sources.* (See also Part 4.2.4) Describe the following additional sources and activities that have potential pollutants associated with them, as applicable: grit, screenings and other solids handling, storage or disposal areas; sludge drying beds; dried sludge piles; compost piles; septage or hauled waste receiving station; and access roads/rail lines.

6.T.4.3 *Best Management Practices (BMPs).* (See also Part 4.2.7.2) In addition to the other BMPs considered, consider the following: routing storm water to the treatment works; or covering exposed materials (*i.e.*, from the following areas: grit, screenings and other solids handling, storage or disposal areas; sludge drying beds; dried sludge piles; compost piles; septage or hauled waste receiving station).

6.T.4.4 *Inspections.* (See also Part 4.2.7.2.1.5) Include the following areas in all inspections: access roads/rail lines; grit, screenings and other solids handling, storage or disposal areas; sludge drying beds; dried sludge piles;

compost piles; septage or hauled waste receiving station areas.

6.T.4.5 *Employee Training.* (See also Part 4.2.7.2.1.6) At a minimum, must address the following areas when applicable to a facility: petroleum product management; process chemical management; spill prevention and controls; fueling procedures; general good housekeeping practices; proper procedures for using fertilizer, herbicides and pesticides.

6.T.4.6 *Wastewater and Washwater Requirements.* (See also Part 4.4) Attach to your SWPPP a copy of all your current NPDES permits issued for wastewater, industrial, vehicle and equipment washwater discharges or, if an NPDES permit has not yet been issued, a copy of the pending applications. Address any requirements/conditions from the other permits, as appropriate, in the SWPPP. If the washwater is handled in another manner, the disposal method must be described and all pertinent documentation must be attached to the plan.

### 6.U Sector U—Food and Kindred Products

#### 6.U.1 Covered Storm Water Discharges

The requirements in Part 6.U apply to storm water discharges associated with industrial activity from Food and Kindred Products facilities as identified by the SIC Codes specified in Table 1–1 of Part 1.2.1.

#### 6.U.2 Industrial Activities Covered by Sector U

The types of activities that permittees under Sector U are primarily engaged in are:

- 6.U.2.1 meat products;
- 6.U.2.2 dairy products;
- 6.U.2.3 canned, frozen and preserved fruits, vegetables, and food specialties;
- 6.U.2.4 grain mill products;
- 6.U.2.5 bakery products;
- 6.U.2.6 sugar and confectionery products;
- 6.U.2.7 fats and oils;
- 6.U.2.8 beverages;
- 6.U.2.9 miscellaneous food preparations and kindred products and tobacco products manufacturing.

#### 6.U.3 Limitations on Coverage

Not covered by this permit: storm water discharges identified under Part 1.2.3 from industrial plant yards, material handling sites; refuse sites; sites used for application or disposal of process wastewaters; sites used for

storage and maintenance of material handling equipment; sites used for residential wastewater treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; and storage areas for raw material and intermediate and finished products. This includes areas where industrial activity has taken place in the past and significant materials remain. "Material handling activities" include the storage, loading/unloading, transportation or conveyance of any raw material, intermediate product, finished product, by-product or waste product.

6.U.3.1 *Prohibition of Non-Storm Water Discharges.* (See also Part 1.2.2.2) Not authorized by this permit: discharges subject to Part 1.2.2.2 include discharges containing: boiler blowdown, cooling tower overflow and blowdown, ammonia refrigeration purging and vehicle washing/clean-out operations.

#### 6.U.4 Storm Water Pollution Prevention Plan (SWPPP) Requirements

In addition to the following requirements, you must also comply with the requirements listed in Part 4.

6.U.4.1 *Drainage Area Site Map.* (See also Part 4.2.2.3) Identify the locations of the following activities if they are exposed to precipitation/runoff: vents/stacks from cooking, drying and similar operations; dry product vacuum transfer lines; animal holding pens; spoiled product; and broken product container storage areas.

6.U.4.2 *Potential Pollutant Sources.* (See also Part 4.2.4) Describe, in addition to food and kindred products processing-related industrial activities, application and storage of pest control chemicals (*e.g.*, rodenticides, insecticides, fungicides, etc.) used on plant grounds.

6.U.4.3 *Inspections.* (See also Part 4.2.7.2.1.5) Inspect on a regular basis, at a minimum, the following areas where the potential for exposure to storm water exists: loading and unloading areas for all significant materials; storage areas including associated containment areas; waste management units; vents and stacks emanating from industrial activities; spoiled product and broken product container holding areas; animal holding pens; staging areas; and air pollution control equipment.

6.U.4.4 *Employee Training.* (See also Part 4.2.7.2.1.6) Address pest control in the training program.

#### 6.U.5 Monitoring and Reporting Requirements. (See also Part 5)

TABLE U-1. SECTOR-SPECIFIC NUMERIC EFFLUENT LIMITATIONS AND BENCHMARK MONITORING

Subsector (Discharges may be subject to requirements for more than one Sector/Subsector)	Parameter	Benchmark monitoring cut-off concentration <sup>1</sup>	Numeric limitation
<b>Part or Permit Affected/Supplemental Requirements</b>			
Grain Mill Products (SIC 2041–2048) .....	Total Suspended Solids (TSS).	100 mg/L.	
Fats and Oils Products (SIC 2074–2079) .....	Biochemical Oxygen Demand (BOD <sub>5</sub> ).	30 mg/L.	
	Chemical Oxygen Demand (COD).	120 mg/L.	
	Nitrate plus Nitrate Nitrogen.	0.68 mg/L.	
	Total Suspended Solids (TSS).	100 mg/L.	

<sup>1</sup> Monitor once/quarter for the year 2 and year 4 Monitoring Years.

## 6.V Sector V—Textile Mills, Apparel and Other Fabric Products

### 6.V.1 Covered Storm Water Discharges

The requirements in Part 6.V apply to storm water discharges associated with industrial activity from Textile Mills, Apparel, and Other Fabric Product Manufacturing as identified by the Activity Code specified under Sector V in Table 1–1 of Part 1.2.1.

### 6.V.2 Industrial Activities Covered by Sector V

The types of activities that permittees under Sector V are primarily engaged in are:

6.V.2.1 textile mill products, of and regarding facilities and establishments engaged in the preparation of fiber and subsequent manufacturing of yarn, thread, braids, twine, and cordage, the manufacturing of broadwoven fabrics, narrow woven fabrics, knit fabrics, and carpets and rugs from yarn;

6.V.2.2 processes involved in the dyeing and finishing of fibers, yarn fabrics, and knit apparel;

6.V.2.3 the integrated manufacturing of knit apparel and other finished articles of yarn;

6.V.2.4 the manufacturing of felt goods (wool), lace goods, non-woven fabrics, miscellaneous textiles, and other apparel products.

### 6.V.3 Limitations on Coverage

6.V.3.1 *Prohibition of Non-Storm Water Discharges.* (See also Part 1.2.3.1) Not authorized by this permit: discharges of wastewater (e.g., wastewater resulting from wet processing or from any processes relating to the production process); reused/recycled water; and waters used in cooling towers. If you have these types of discharges from your facility, you must cover them under a separate NPDES permit.

### 6.V.4 Storm Water Pollution Prevention Plan (SWPPP) Requirements

In addition to the following requirements, you must also comply with the requirements listed in Part 4.

6.V.4.1 *Potential Pollutant Sources.* (See also Part 4.2.4) Describe the following additional sources and activities that have potential pollutants associated with them: industrial-specific significant materials and industrial activities (e.g., backwinding, beaming, bleaching, backing bonding, carbonizing, carding, cut and sew operations, desizing, drawing, dyeing, locking, fulling, knitting, mercerizing, opening, packing, plying, scouring, slashing, spinning, synthetic-felt processing, textile waste processing, tufting, turning, weaving, web forming, winging, yarn spinning, and yarn texturing).

6.V.4.2 *Good Housekeeping Measures.* (See also Part 4.2.7.2.1.1)

6.V.4.2.1 *Material Storage Area.* Plainly label and store all containerized materials (e.g., fuels, petroleum products, solvents, dyes, etc.) in a protected area, away from drains. Describe and implement measures that prevent or minimize contamination of the storm water runoff from such storage areas, including a description of the containment area or enclosure for those materials stored outdoors. Also consider an inventory control plan to prevent excessive purchasing of potentially hazardous substances. For storing empty chemical drums/containers, ensure the drums/containers are clean (consider triple-rinsing) and there is no contact of residuals with precipitation/runoff. Collect and dispose of washwater from these cleanings properly.

6.V.4.2.2 *Material Handling Area.* Describe and implement measures that prevent or minimize contamination of storm water runoff from material handling operations and areas. Consider

the following (or their equivalents): use of spill/overflow protection; covering fueling areas; and covering/enclosing areas where the transfer of material may occur. Where applicable address the replacement or repair of leaking connections, valves, transfer lines and pipes that may carry chemicals, dyes or wastewater.

6.V.4.2.3 *Fueling Areas.* Describe and implement measures that prevent or minimize contamination of storm water runoff from fueling areas. Consider the following (or their equivalents): covering the fueling area, using spill and overflow protection, minimizing runoff of storm water to the fueling areas, using dry cleanup methods, and treating and/or recycling storm water runoff collected from the fueling area.

6.V.4.2.4 *Above Ground Storage Tank Area.* Describe and implement measures that prevent or minimize contamination of the storm water runoff from above ground storage tank areas, including the associated piping and valves. Consider the following (or their equivalents): regular cleanup of these areas; preparation of the spill prevention control and countermeasure program, provide spill and overflow protection; minimizing runoff of storm water from adjacent areas; restricting access to the area; insertion of filters in adjacent catch basins; providing absorbent booms in unbermed fueling areas; using dry cleanup methods; and permanently sealing drains within critical areas that may discharge to a storm drain.

6.V.4.3 *Inspections.* (See also Part 4.2.7.2.1.5) Inspect, at least on a monthly basis, the following activities and areas (at a minimum): transfer and transmission lines; spill prevention; good housekeeping practices; management of process waste products; all structural and non structural management practices.



6.V.4.4 *Employee Training.* (See also Part 4.2.7.2.1.6) As part of your employee training program, address, at a minimum, the following activities (as applicable): use of reused/recycling waters; solvents management; proper disposal of dyes; proper disposal of petroleum products and spent lubricants; spill prevention and control; fueling procedures; and general good housekeeping practices.

6.V.4.5 *Comprehensive Site Compliance Evaluation.* (See also Part 4.9) Conduct regularly scheduled evaluations at least once a year and address those areas contributing to a storm water discharge associated with industrial activity for evidence of, or the potential for, pollutants entering the drainage system. Inspect, at a minimum, as appropriate: storage tank areas; waste disposal and storage areas; dumpsters and open containers stored outside; materials storage areas; engine maintenance and repair areas; material handling areas and loading dock areas.

## **6.W Sector W—Furniture and Fixtures**

### **6.W.1 Covered Storm Water Discharges**

The requirements in Part 6.W apply to storm water discharges associated with industrial activity from Furniture and Fixtures facilities as identified by the Activity Code specified under Sector W in Table 1–1 of Part 1.2.1.

### **6.W.2 Industrial Activities Covered by Sector W**

The types of activities that permittees under Sector W are primarily engaged in the manufacturing of:

- 6.W.2.1 wood kitchen cabinets;
- 6.W.2.2 household furniture;
- 6.W.2.3 office furniture;
- 6.W.2.4 public buildings and related furniture;
- 6.W.2.5 partitions, shelving, lockers, and office and store fixtures;
- 6.W.2.6 miscellaneous furniture and fixtures.

### **6.W.3 Storm Water Pollution Prevention Plan (SWPPP) Requirements**

In addition to the following requirements, you must also comply with the requirements listed in Part 4.

6.W.3.1 *Drainage Area Site Map.* (See also Part 4.2.2.3) Identify where any of the following may be exposed to precipitation/surface runoff: material storage (including tanks or other vessels used for liquid or waste storage) areas; outdoor material processing areas; areas where wastes are treated, stored or disposed; access roads; and rail spurs.

## **6.X Sector X—Printing and Publishing**

### **6.X.1 Covered Storm Water Discharges**

The requirements in Part 6.X apply to storm water discharges associated with industrial activity from Printing and Publishing facilities as identified by the Activity Code specified under Sector X in Table 1.1 of Part 1.2.1.

### **6.X.2 Industrial Activities Covered by Sector X**

The types of activities that permittees under Sector X are primarily engaged in are:

- 6.X.2.1 book printing;
- 6.X.2.2 commercial printing and lithographics;
- 6.X.2.3 plate making and related services;
- 6.X.2.4 commercial printing, gravure;
- 6.X.2.5 commercial printing not elsewhere classified.

### **6.X.3 Storm Water Pollution Prevention Plan Requirements**

In addition to the following requirements, you must also comply with the requirements listed in Part 4.

6.X.3.1 *Drainage Area Site Map.* (See also Part 4.2.2.3) Identify where any of the following may be exposed to precipitation/surface runoff: above ground storage tanks, drums and barrel permanently stored outside.

6.X.3.2 *Potential Pollutant Sources.* (See also Part 4.2.4) Describe the following additional sources and activities that have potential pollutants associated with them, as applicable: loading and unloading operations; outdoor storage activities; significant dust or particulate generating processes; and onsite waste disposal practices (e.g., blanket wash). Also identify the pollutant or pollutant parameter (e.g., oil and grease, scrap metal, etc.) associated with each pollutant source.

6.X.3.3 *Good Housekeeping Measures.* (See also Part 4.2.7.2.1.1)

6.X.3.3.1 *Material Storage Areas.* Plainly label and store all containerized materials (e.g., skids, pallets, solvents, bulk inks, and hazardous waste, empty drums, portable/mobile containers of plant debris, wood crates, steel racks, fuel oil, etc.) in a protected area, away from drains. Describe and implement measures that prevent or minimize contamination of the storm water runoff from such storage areas, including a description of the containment area or enclosure for those materials stored outdoors. Also consider an inventory control plan to prevent excessive purchasing of potentially hazardous substances.

6.X.3.3.2 *Material Handling Area.* Describe and implement measures that prevent or minimize contamination of storm water runoff from material handling operations and areas (e.g., blanket wash, mixing solvents, loading/unloading materials). Consider the following (or their equivalents): use of spill/overflow protection; covering fueling areas; and covering/enclosing areas where the transfer of materials may occur. Where applicable address the replacement or repair of leaking connections, valves, transfer lines and pipes that may carry chemicals or wastewater.

6.X.3.3.3 *Fueling Areas.* Describe and implement measures that prevent or minimize contamination of storm water runoff from fueling areas. Consider the following (or their equivalents): covering the fueling area, using spill and overflow protection, minimizing runoff of storm water to the fueling areas, using dry cleanup methods, and treating and/or recycling storm water runoff collected from the fueling area.

6.X.3.3.4 *Above Ground Storage Tank Area.* Describe and implement measures that prevent or minimize contamination of the storm water runoff from above ground storage tank areas, including the associated piping and valves. Consider the following (or their equivalents): regular cleanup of these areas; preparation of the spill prevention control and countermeasure program, provide spill and overflow protection; minimizing runoff of storm water from adjacent areas; restricting access to the area; insertion of filters in adjacent catch basins; providing absorbent booms in unbermed fueling areas; using dry cleanup methods; and permanently sealing drains within critical areas that may discharge to a storm drain.

6.X.3.4 *Employee Training.* (See also Part 4.2.7.2.1.6) As part of your employee training program, address, at a minimum, the following activities (as applicable): spent solvent management; spill prevention and control; used oil management; fueling procedures; and general good housekeeping practices.

## **6.Y Sector Y—Rubber, Miscellaneous Plastic Products and Miscellaneous Manufacturing Industries**

### **6.Y.1 Covered Storm Water Discharges**

The requirements in Part 6.Y apply to storm water discharges associated with industrial activity from Rubber, Miscellaneous Plastic Products and Miscellaneous Manufacturing Industries facilities as identified by the Activity

Code specified under Sector Y in Table 1–1 of Part 1.2.1.

**6.Y.2 Storm Water Pollution Prevention Plan (SWPPP) Requirements**

In addition to the following requirements, you must also comply with the requirements listed in Part 4.

6.Y.2.1 *Potential Pollutant Sources.* (See also Part 4.2.4) Review the use of zinc at your facility and the possible pathways through which zinc may be discharged in storm water runoff.

6.Y.2.2 *Controls for Rubber Manufacturers.* (See also Part 4.2.7) Describe and implement specific controls to minimize the discharge of zinc in your storm water discharges. Parts 6.Y.2.2.1 to 6.Y.2.2.5 give possible sources of zinc to be reviewed and list some specific BMPs to be considered for implementation (or their equivalents). Some general BMP options to consider: using chemicals which are purchased in pre-weighed, sealed polyethylene bags; storing materials which are in use in

sealable containers; ensuring an airspace between the container and the cover to minimize “puffing” losses when the container is opened; and using automatic dispensing and weighing equipment.

6.Y.2.2.1 *Inadequate Housekeeping.* Review the handling and storage of zinc bags at your facility. BMP options: employee training on the handling/storage of zinc bags; indoor storage of zinc bags; cleanup zinc spills without washing the zinc into the storm drain, and the use of 2,500-pound sacks of zinc rather than 50- to 100-pound sacks;

6.Y.2.2.2 *Dumpsters.* Reduce discharges of zinc from dumpsters. BMP options: covering the dumpster; moving the dumpster indoors; or provide a lining for the dumpster.

6.Y.2.2.3 *Malfunctioning Dust Collectors or Baghouses:* Review dust collectors/baghouses as possible sources in zinc in storm water runoff. Replace or repair, as appropriate, improperly operating dust collectors/baghouses.

6.Y.2.2.4 *Grinding Operations.*

Review dust generation from rubber grinding operations and, as appropriate, install a dust collection system.

6.Y.2.2.5 *Zinc Stearate Coating Operations.* Detail appropriate measures to prevent or clean up drips/spills of zinc stearate slurry that may be released to the storm drain. BMP option: using alternate compounds to zinc stearate.

6.Y.2.3 *Controls for Plastic Products Manufacturers.* Describe and implement specific controls to minimize the discharge of plastic resin pellets in your storm water discharges. BMPs to be considered for implementation (or their equivalents): minimizing spills; cleaning up of spills promptly and thoroughly; sweeping thoroughly; pellet capturing; employee education and disposal precautions.

**6.Y.3 Monitoring and Reporting Requirements. (See also Part 5)**

TABLE Y–1.—SECTOR-SPECIFIC NUMERIC EFFLUENT LIMITATIONS AND BENCHMARK MONITORING

Subsector	Parameter	Benchmark monitoring cut-off concentration	Numeric limitations
<b>Part of Permit Affected/Supplemental Requirements</b>			
Tires and Inner Tubes; Rubber Footwear; Gaskets, Packing and Sealing Devices; Rubber Hose and Belting; and Fabricated Rubber Products, Not Elsewhere Classified (SIC 3011–3069, rubber.	Total Recoverable Zinc .....	0.117 mg/L	

<sup>1</sup> Monitor once/quarter for the year 2 and year 4 Monitoring Years.

**6.Z Sector Z—Leather Tanning and Finishing**

**6.Z.1 Covered Storm Water Discharges**

The requirements in Part 6.Z apply to storm water discharges associated with industrial activity from Leather Tanning and Finishing facilities as identified by the Activity Code specified under Sector Z in Table 1–1 of Part 1.2.1.

**6.Z.2 Industrial Activities Covered by Sector Z**

The types of activities that permittees under Sector Z are primarily engaged are leather tanning, curry and finishing;

**6.Z.3 Storm Water Pollution Prevention Plan (SWPPP) Requirements**

In addition to the following requirements, you must also comply with the requirements listed in Part 4.

6.Z.3.1 *Drainage Area Site Map.* (See also Part 4.2.2.3) Identify where any of the following may be exposed to precipitation/surface runoff: processing and storage areas of the beamhouse, tanyard, and re-tan wet finishing and

dry finishing operations; and haul roads, access roads and rail spurs.

6.Z.3.2 *Potential Pollutant Sources.* (See also Part 4.2.4) At a minimum, describe the following additional sources and activities that have potential pollutants associated with them (as appropriate): temporary or permanent storage of fresh and brine cured hides; extraneous hide substances and hair; leather dust, scraps, trimmings and shavings; chemical drums, bags, containers and above ground tanks; empty chemical containers and bags; spent solvents; floor sweepings/washings; refuse, waste piles and sludge; and significant dust/particulate generating processes (e.g., buffing).

6.Z.3.3 *Good Housekeeping Measures.* (See also Part 4.2.7.2.1.1)

6.Z.3.3.1 *Storage Areas for Raw, Semiprocessed or Finished Tannery Byproducts.* Pallets/bales of raw, semiprocessed or finished tannery byproducts (e.g., splits, trimmings, shavings, etc.) should be stored indoors or protected by polyethylene wrapping, tarpaulins, roofed storage, etc. Consider placing materials on an impermeable

surface, and enclosing or putting berms (or equivalent measures) around the area to prevent storm water runoff/runoff.

6.Z.3.3.2 *Material Storage Areas.* Label storage containers of all materials (e.g., specific chemicals, hazardous materials, spent solvents, waste materials). Describe and implement measures that prevent/minimize contact with storm water.

6.Z.3.3.3 *Buffing and Shaving Areas.* Describe and implement measures that prevent or minimize contamination of storm water runoff with leather dust from buffing/shaving areas. Consider dust collection enclosures, preventive inspection/maintenance programs or other appropriate preventive measures.

6.Z.3.3.4 *Receiving, Unloading, and Storage Areas.* Describe and implement measures that prevent or minimize contamination of storm water runoff from receiving, unloading, and storage areas. If these areas are exposed, consider (or their equivalent): Covering all hides and chemical supplies; diverting drainage to the process sewer;

or grade berming/curbing area to prevent runoff of storm water.

6.Z.3.3.5 *Outdoor Storage of Contaminated Equipment.* Describe and implement measures that prevent or minimize contact of storm water with contaminated equipment. Consider (or their equivalent): Covering equipment; diverting drainage to the process sewer; and cleaning thoroughly prior to storage.

6.Z.3.3.6 *Waste Management.* Describe and implement measures that prevent or minimize contamination of storm water runoff from waste storage areas. Consider (or their equivalent): Inspection/maintenance programs for leaking containers or spills; covering dumpsters; moving waste management activities indoors; covering waste piles with temporary covering material such as tarpaulins or polyethylene; and minimizing storm water runoff by enclosing the area or building berms around the area.

## 6.AA Sector AA—Fabricated Metal Products

### 6.AA.1 Covered Storm Water Discharges

The requirements in Part 6.AA apply to storm water discharges associated with industrial activity from Fabricated Metal Products facilities as identified by the Activity Code specified under Sector AA in Table 1–1 of Part 1.2.1.

### 6.AA.2 Industrial Activities Covered by Sector AA

The types of activities that permittees under Sector AA are primarily engaged in are:

6.AA.2.1 Fabricated metal products; except for electrical related industries;

6.AA.2.2 Fabricated metal products; except machinery and transportation equipment;

6.AA.2.3 Jewelry, silverware, and plated ware.

### 6.AA.3 Storm Water Pollution Prevention Plan (SWPPP) Requirements

In addition to the following requirements, you must also comply with the requirements listed in Part 4.

6.AA.3.1 *Drainage Area Site Map.* (See also Part 4.2.2.3) Identify where any of the following may be exposed to precipitation/surface runoff: Raw metal storage areas; finished metal storage areas; scrap disposal collection sites; equipment storage areas; retention and detention basins; temporary/permanent diversion dikes or berms; right-of-way

or perimeter diversion devices; sediment traps/barriers; processing areas including outside painting areas; wood preparation; recycling; and raw material storage.

6.AA.3.2 *Spills and Leaks.* (See also Part 4.2.5) When listing significant spills/leaks, pay attention to the following materials at a minimum: Chromium, toluene, pickle liquor, sulfuric acid, zinc and other water priority chemicals and hazardous chemicals and wastes.

6.AA.3.3 *Potential Pollutant Sources.* (See also Part 4.2.4) Describe the following additional sources and activities that have potential pollutants associated with them: Loading and unloading operations for paints, chemicals and raw materials; outdoor storage activities for raw materials, paints, empty containers, corn cob, chemicals, and scrap metals; outdoor manufacturing or processing activities such as grinding, cutting, degreasing, buffing, brazing, etc; onsite waste disposal practices for spent solvents, sludge, pickling baths, shavings, ingots pieces, refuse and waste piles.

6.AA.3.4 *Good Housekeeping Measures.* (See also Part 4.2.7.2.1.1)

6.AA.3.4.1 *Raw Steel Handling Storage.* Describe and implement measures controlling or recovering scrap metals, fines and iron dust. Include measures for containing materials within storage handling areas.

6.AA.3.4.2 *Paints and Painting Equipment.* Describe and implement measures to prevent or minimize exposure of paint and painting equipment to storm water.

6.AA.3.5 *Spill Prevention and Response Procedures.* (See also Part 4.2.7.2.1.4) Ensure the necessary equipment to implement a clean up is available to personnel. The following areas should be addressed:

6.AA.3.5.1 *Metal Fabricating Areas.* Describe and implement measures for maintaining clean, dry, orderly conditions in these areas. Consider the use of dry clean-up techniques.

6.AA.3.5.2 *Storage Areas for Raw Metal.* Describe and implement measures to keep these areas free of condition that could cause spills or leakage of materials. Consider the following (or their equivalents): maintaining storage areas such that there is easy access in the event of a spill; and labeling stored materials to aid in identifying spill contents.

6.AA.3.5.3 *Receiving, Unloading, and Storage Areas.* Describe and

implement measures to prevent spills and leaks; plan for quick remedial clean up; and instruct employees on clean-up techniques and procedures.

6.AA.3.5.4 *Storage of Equipment.* Describe and implement measures for preparing equipment for storage and the proper storage of equipment. Consider the following (or their equivalents): protecting with covers; storing indoors; and cleaning potential pollutants from equipment to be stored outdoors.

6.AA.3.5.5 *Metal Working Fluid Storage Areas.* Describe and implement measures for storage of metal working fluids.

6.AA.3.5.6 *Cleaners and Rinse Water.* Describe and implement measures: to control/cleanup spills of solvents and other liquid cleaners; control sand buildup and disbursement from sand-blasting operations; and prevent exposure of recyclable wastes. Substitute environmentally-benign cleaners when possible.

6.AA.3.5.7 *Lubricating Oil and Hydraulic Fluid Operations.* Consider using monitoring equipment or other devices to detect and control leaks/overflows. Consider installing perimeter controls such as dikes, curbs, grass filter strips or other equivalent measures.

6.AA.3.5.8 *Chemical Storage Areas.* Describe and implement proper storage methods that prevent storm water contamination and accidental spillage. Include a program to inspect containers and identify proper disposal methods.

6.AA.3.6 *Inspections.* (See also Part 4.2.7.2.1.5) Include, at a minimum, the following areas in all inspections: raw metal storage areas; finished product storage areas; material and chemical storage areas; recycling areas; loading and unloading areas; equipment storage areas; paint areas; vehicle fueling and maintenance areas.

6.AA.3.7 *Comprehensive Site Compliance Evaluation.* (See also Part 4.9.2) As part of your evaluation, also inspect: areas associated with the storage of raw metals; storage of spent solvents and chemicals; outdoor paint areas; and drainage from roof. Potential pollutants include chromium, zinc, lubricating oil, solvents, aluminum, oil and grease, methyl ethyl ketone, steel and other related materials.

### 6.AA.4 Monitoring and Reporting Requirements

(See also Part 5)

TABLE AA-1.—SECTOR-SPECIFIC NUMERIC LIMITATIONS AND BENCHMARK MONITORING

Subsector (Discharges may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark, monitoring, cutoff, concentration <sup>1</sup>	Numeric limitation
<b>Part of Permit Affected/Supplemental Requirements</b>			
Fabricated Metal Products Except Coating (SIC 3411–3471, 3482–3499, 3911–3915).	Total Recoverable Aluminum.	0.75 mg/L.	
	Total Recoverable Iron .....	1.0 mg/L.	
	Total Recoverable Zinc .....	0.117 mg/L.	
	Nitrate plus Nitrite Nitrogen	0.68 mg/L.	
Fabricated Metal Coating and Engraving (SIC 3479) .....	Total Recoverable Zinc .....	0.117 mg/L.	
	Nitrate plus Nitrite Nitrogen	0.68 mg/L.	

<sup>1</sup> Monitor once/quarter for the year 2 and year 4 Monitoring Years

## 6.AB Sector AB—Transportation Equipment, Industrial or Commercial Machinery

### 6.AB.1 Covered Storm Water Discharges

The requirements in Part 6.AB apply to storm water discharges associated with industrial activity from Transportation Equipment, Industrial or Commercial Machinery facilities as identified by the Activity Code specified under Sector AB in Table 1–1 of Part 1.2.1.

### 6.AB.2 Industrial Activities Covered by Sector AB

The types of activities that permittees under Sector AB are primarily engaged in are:

6.AB.2.1 Industrial and Commercial Machinery (except Computer and Office Equipment) (see Sector AC); and

6.AB.2.2 Transportation Equipment (except Ship and Boat Building and Repairing) (see Sector R).

### 6.AB.3 Storm Water Pollution Plan (SWPPP) Requirements

In addition to the following requirements, you must also comply with the requirements listed in Part 4.

6.AB.3.1 *Drainage Area Site Map.* (See also Part 4.2.2.3) Identify where any of the following may be exposed to precipitation/surface runoff: vents and stacks from metal processing and similar operations.

6.AB.3.2 *Non-Storm Water Discharges.* (See also Part 4.4) If your facility has a separate NPDES permit (or has applied for a permit) authorizing discharges of wastewater, attach a copy of the permit (or the application) to your SWPPP. Any new wastewater permits issued/reissued to you must then replace the old one in your SWPPP. If you discharge wastewater, other than solely domestic wastewater, to a Publicly Owned Treatment Works (POTW), you must notify the POTW of the discharge (identify the types of

wastewater discharged, including any storm water). As proof of this notification, attach to your SWPPP a copy of the permit issued to your facility by the POTW or a copy of your notification to the POTW.

## 6.AC Sector AC—Electronic, Electrical Equipment and Components, Photographic and Optical Goods

### 6.AC.1 Covered Storm Water Discharges

The requirements in Part 6.AC apply to storm water discharges associated with industrial activity from facilities that manufacture Electronic, Electrical Equipment and Components, Photographic and Optical Goods as identified by the SIC Codes specified in Table 1–1 of Part 1.2.1.

### 6.AC.2 Industrial Activities Covered by Sector AC

The types of manufacturing activities that permittees under Sector AC are primarily engaged in are:

6.AC.2.1 Measuring, analyzing, and controlling instruments;

6.AC.2.2 Photographic, medical and optical goods;

6.AC.2.3 Watches and clocks; and

6.AC.2.4 Computer and office equipment.

### 6.AC.3 Additional Requirements

No additional sector-specific requirements apply to this sector.

## 6.AD Storm Water Discharges Designated by the Director as Requiring Permits

### 6.AD.1 Covered Storm Water Discharges

Sector AD is used to provide permit coverage for facilities designated by the Director as needing a storm water permit, or any discharges of industrial activity that do not meet the description of an industrial activity covered by Sectors A–AC. Therefore, almost any type of storm water discharge could be covered under this sector. You must be

assigned to Sector AD by the Director and may NOT choose sector AD as the sector describing your activities on your own.

6.AD.1.1 *Eligibility for Permit Coverage.* Because this Sector only covers discharges designated by the Director as needing a storm water permit (which is an atypical circumstance) or your facility's industrial activities were inadvertently left out of Sectors A–AC, and your facility may or may not normally be discharging storm water associated with industrial activity, you must obtain the Director's written permission to use this permit prior to submitting a Notice of Intent. If you are authorized to use this permit, you will be required to ensure your discharges meet the basic eligibility provisions of this permit at Part 1.2.

### 6.AD.2 Storm Water Pollution Prevention Plan (SWPPP) Requirements

The Director will establish any additional Storm Water Pollution Prevention Plan requirements for your facility at the time of accepting your Notice of Intent to be covered by this permit. Additional requirements would be based on the nature of activities at your facility and your storm water discharges.

### 6.AD.3 Monitoring and Reporting Requirements

The Director will establish any additional monitoring and reporting requirements for your facility at the time of accepting your Notice of Intent to be covered by this permit. Additional requirements would be based on the nature of activities at your facility and your storm water discharges.

## 7. Reporting

### 7.1 Reporting Results of Monitoring

Depending on the types of monitoring required for your facility, you may have to submit the results of your monitoring or you may only have to keep the results

with your Storm Water Pollution Prevention Plan. You must follow the reporting requirements and deadlines in Table 7-1 that apply to the types of monitoring that apply to your facility.

If required by the conditions of the permit that apply to your facility, you must submit analytical monitoring results obtained from each outfall associated with industrial activity (or a certification as per 5.3.1) on a Discharge

Monitoring Report (DMR) form (one form must be submitted for each storm event sampled). An example of a form is found in the Guidance Manual for the Monitoring and Reporting Requirements of the NPDES Storm Water Multi-Sector General Permit. A copy of the DMR is also available on the Internet at <http://www.epa.gov/own/sw/permits-and-forms/index.htm>. The signed DMR must

be sent to: MSGP DMR (4203), US EPA, 1200 Pennsylvania Avenue NW., Washington, DC 20460.

**Note:** If EPA notifies dischargers (either directly, by public notice or by making information available on the Internet) of other DMR form options that become available at a later date (e.g., electronic submission of forms), you may take advantage of those options to satisfy the DMR use and submission requirements of Part 7.

TABLE 7-1.—DMR/ALTERNATIVE CERTIFICATION SUBMISSION DEADLINES

Type of monitoring	Reporting deadline (postmark)
Monitoring for Numeric Limitation .....	Submit results by the 28th day of the month following the monitoring period.
Benchmark Monitoring:	
Monitoring Year 2001-2002 .....	Save and submit all results for year in one package by January 28, 2003.
Monitoring Year 2003-2004 .....	Save and submit all results for year in one package by January 28, 2005.
Biannual Monitoring for Metal Mining Facilities (see Part 6.G).	Save and submit all results for year in one package by January 28 of the year following the monitoring year.
Visual Monitoring .....	Retain results with SWPPP—do not submit unless requested to do so by Permitting Authority.
State/Tribal/Territory—Specific Monitoring .....	See Part 13 (conditions for specific States, Indian country, and Territories).

**7.2 Additional Reporting for Dischargers to a Large or Medium Municipal Separate Storm Sewer System**

If you discharge 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), you must also submit signed copies of your discharge monitoring reports to the operator of the municipal separate storm sewer system in accordance with the dates provided in Table 7-1.

**7.3 Miscellaneous Reports**

You must submit any other reports required by this permit to the Director of the NPDES program at the address of the appropriate Regional Office listed in Part 8.3.

**8. Retention of Records**

**8.1 Documents**

In addition to the requirements of Part 9.16.2, you must retain copies of Storm Water Pollution Prevention Plans and all reports and certifications required by this permit, and records of all data used to complete the Notice of Intent to be covered by this permit, for a period of at least three years from the date that the facility's coverage under this permit expires or is terminated. This period may be extended by request of the Director at any time.

**8.2 Accessibility**

You must retain a copy of the Storm Water Pollution Prevention Plan required by this permit (including a copy of the permit language) at the

facility (or other local location accessible to the Director, a State, Tribal or Territorial agency with jurisdiction over water quality protection; local government officials; or the operator of a municipal separate storm sewer receiving discharges from the site) from the date of permit coverage to the date of permit coverage ceases. You must make a copy of your Storm Water Pollution Prevention Plan available to the public if requested to do so in writing.

**8.3 Addresses**

Except for the submittal of NOIs and NOTs (see Parts 2.1 and 11.2, respectively), all written correspondence concerning discharges in any State, Indian country land, Territory, or from any Federal facility covered under this permit and directed to the EPA, including the submittal of individual permit applications, must be sent to the address of the appropriate EPA Regional Office listed below:

**8.3.1 Region 1: CT, MA, ME, NH, RI, VT**

EPA Region 1, Office of Ecosystem Protection, One Congress Street—CMU, Boston, MA 02114.

**8.3.2 Region 2: NJ, NY, PR, VI**

United States EPA, Region 2, Caribbean Environmental Protection Division, Environmental Management Branch, Centro Europa Building, 1492 Ponce de Leon Ave., Suite 417, San Juan, PR 00907-4127.

**8.3.3 Region 3: DE, DC, MD, PA, VA, WV**

EPA Region 3, Water Protection Division (3WP13), Storm Water Coordinator, 1650 Arch Street, Philadelphia, PA 19103.

**8.3.4 Region 4: AL, FL, GA, KY, MS, NC, SC, TN**

Environmental Protection Agency, Region 4, Clean Water Act Enforcement Section, Water Programs Enforcement Branch, Water Management Division, Atlanta Federal Center, 61 Forsyth Street, SW., Atlanta, GA 30303.

**8.3.5 Region 5: IL, IN, MI, MN, OH, WI**

(Coverage Not Available Under This Permit.)

**8.3.6 Region 6: AR, LA, OK, TX, NM**

(Except see Region 9 for Navajo lands, and see Region 8 for Ute Mountain Reservation lands)

United States EPA, Region 6, Storm Water Staff, Enforcement and Compliance Assurance Division (GEN-WC), EPA SW MSGP, P.O. Box 50625, Dallas, TX 75205.

**8.3.7 Region 7:**

(Coverage Not Available Under This Permit.)

**8.3.8 Region 8: CO, MT, ND, SD, WY, UT**

(Except see Region 9 for Goshute Reservation and Navajo Reservation lands), the Ute Mountain Reservation in NM, and the Pine Ridge Reservation in NE

United States EPA, Region 8, Ecosystems Protection Program (8EPR-

EP), Storm Water Staff, 999 18th Street, Suite 300, Denver, CO 80202-2466.

**8.3.9 Region 9: AZ, CA, HI, NV, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Goshute Reservation in UT and NV, the Navajo Reservation in UT, NM, and AZ, the Duck Valley Reservation in ID, Fort McDermitt Reservation in OR**

United States EPA, Region 9, Water Management Division, WTR-5, Storm Water Staff, 75 Hawthorne Street, San Francisco, CA 94105.

**8.3.10 Region 10: ID, WA, OR**

(Except see Region 9 for Fort McDermitt Reservation.)

United States EPA, Region 10, Office of Water OW-130, 1200 6th Avenue, Seattle, WA 98101.

**8.4 State, Tribal, and Other Agencies**

See Part 13 for addresses of States or Tribes that require submission of information to their agencies.

**9. Standard Permit Conditions**

**9.1 Duty To Comply**

9.1.1 You must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of CWA and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

9.1.2 *Penalties for Violations of Permit Conditions:* The Director will adjust the civil and administrative penalties listed below in accordance with the Civil Monetary Penalty Inflation Adjustment Rule (**Federal Register:** December 31, 1996, Volume 61, Number 252, pages 69359-69366, as corrected, March 20, 1997, Volume 62, Number 54, pages 13514-13517) as mandated by the Debt Collection Improvement Act of 1996 for inflation on a periodic basis. This rule allows EPA's penalties to keep pace with inflation. The Agency is required to review its penalties at least once every four years thereafter and to adjust them as necessary for inflation according to a specified formula. The civil and administrative penalties listed below were adjusted for inflation starting in 1996.

9.1.2.1 *Criminal Penalties.*

9.1.2.1.1 *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.

9.1.2.1.2 *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.

9.1.2.1.3 *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.

9.1.2.1.4 *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 two 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.)

9.1.2.2 *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 \$27,500 per day for each violation.

9.1.2.3 *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:

9.1.2.3.1 *Class I Penalty.* Not to exceed \$11,000 per violation nor shall the maximum amount exceed \$27,500.

9.1.2.3.2 *Class II Penalty.* Not to exceed \$11,000 per day for each day during which the violation continues nor shall the maximum amount exceed \$137,500.

**9.2 Continuation of the Expired General Permit**

If this permit is not reissued or replaced prior to the expiration date, it will be administratively continued in accordance with the Administrative Procedures Act and remain in force and effect. Any permittee who was granted permit coverage prior to the expiration date will automatically remain covered by the continued permit until the earlier of:

9.2.1 Reissuance or replacement of this permit, at which time you must comply with the Notice of Intent conditions of the new permit to maintain authorization to discharge; or

9.2.2 Your submittal of a Notice of Termination; or

9.2.3 Issuance of an individual permit for your discharges; or

9.2.4 A formal permit decision by the Director not to reissue this general permit, at which time you must seek coverage under an alternative general permit or an individual permit.

**9.3 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.

**9.4 Duty To Mitigate**

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

**9.5 Duty To Provide Information**

You must furnish to the Director or an authorized representative of the Director any information which is requested to determine compliance with this permit or other information.

**9.6 Other Information**

If you become aware that you have failed to submit any relevant facts or submitted incorrect information in the Notice of Intent or in any other report to the Director, you must promptly submit such facts or information.

**9.7 Signatory Requirements**

All Notices of Intent, Notices of Termination, Storm Water Pollution Prevention Plans, reports, certifications or information either submitted to the Director or the operator of a large or medium municipal separate storm sewer system, or that this permit requires be maintained by you, must be signed as follows:

9.7.1 All notices of intent and notices of termination must be signed as follows:

9.7.1.1 *For a corporation:* By a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: 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 the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

9.7.1.2 *For a partnership or sole proprietorship:* By a general partner or the proprietor, respectively; or

9.7.1.3 *For a municipality, State, Federal, or other public agency:* 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).

9.7.2 All reports required by this permit and other information must be signed as follows:

9.7.2.1 All reports required by this permit and other information requested by the Director or authorized representative of the Director must be signed by a person described in Part 9.7.1 or by a duly authorized representative of that person.

9.7.2.2 A person is a duly authorized representative only if the authorization is made in writing by a person described Part 9.7.1 and submitted to the Director.

9.7.2.3 The authorization must specify 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).

9.7.3 *Changes to Authorization.* If the information on the NOI filed for permit coverage is no longer accurate because a different operator has responsibility for the overall operation of the facility, a new Notice of Intent satisfying the requirements of Part 2 must be submitted to the Director prior to or together with any reports, information, or applications to be signed by an authorized representative. The change in authorization must be submitted within the time frame specified in Part 2.1, and sent to the address specified in Part 2.4.

9.7.4 *Certification.* Any person signing documents under Part 9.7 must 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.

### 9.8 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 two years, or by both.

### 9.9 Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve you from any responsibilities, liabilities, or penalties to which you are 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).

### 9.10 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.

### 9.11 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.

### 9.12 Requiring Coverage Under an Individual Permit or an Alternative General Permit

9.12.1 Eligibility for this permit does not confer a vested right to coverage under the permit.

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. Where the Director requires a permittee authorized to discharge under this permit to apply for an individual NPDES permit, the Director will notify you in writing that a permit application is required. This notification will include a brief statement of the reasons for this decision, an application form, a statement setting a deadline for you 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 will automatically terminate. Applications must be submitted to the appropriate Regional Office indicated in Part 8.3 of this permit. The Director may grant additional time to submit the application upon request of the applicant. If a permittee fails to submit in a timely manner an individual NPDES permit application as required by the Director under this paragraph, then the applicability of this permit to the individual NPDES permittee is automatically terminated at the end of the day specified by the Director for application submittal.

9.12.2 Any permittee authorized by this permit may request to be excluded from the coverage of this permit by applying for an individual permit. In such cases, you must submit an individual application in accordance with the requirements of 40 CFR 122.26(c)(1)(ii), with reasons supporting the request, to the Director at the address for the appropriate Regional



Office indicated in Part 8.3 of this permit. The request may be granted by issuance of any individual permit or an alternative general permit if the reasons cited by you are adequate to support the request.

9.12.3 When an individual NPDES permit is issued to a permittee otherwise subject to this permit, or the permittee is authorized to discharge 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.

9.12.4 The Director's notification that coverage under an alternative permit is required does not imply that any discharge that did not or does not meet the eligibility requirements of Part 1.2 is or has been covered by this permit.

### 9.13 State/Tribal Environmental Laws

9.13.1 Nothing in this permit will be construed to preclude the institution of any legal action or relieve you from any responsibilities, liabilities, or penalties established pursuant to any applicable State/Tribal law or regulation under authority preserved by section 510 of the Act.

9.13.2 No condition of this permit releases you from any responsibility or requirements under other environmental statutes or regulations.

### 9.14 Proper Operation and Maintenance

You must at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by you 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 this permit.

### 9.15 Inspection and Entry

You must allow the Director or an authorized representative of EPA, the State/Tribe, or, in the case of a facility which discharges through a municipal separate storm sewer, an authorized representative of the municipal owner/operator or the separate storm sewer receiving the discharge, upon the presentation of credentials and other documents as may be required by law, to:

9.15.1 Enter upon your premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;

9.15.2 Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit; and

9.15.3 Inspect at reasonable times any facilities or equipment (including monitoring and control equipment).

### 9.16 Monitoring and Records

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

9.16.2 *Retention of Records.*

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

9.16.2.2 You must retain the Storm Water Pollution Prevention Plan developed in accordance with Part 4 of this permit, including the certification required under Section 2.2.4.3 of this permit, for at least 3 years after the last modification or amendment is made to the plan.

9.16.3 *Records Contents.* Records of monitoring information must include:

9.16.3.1 The date, exact place, and time of sampling or measurements;

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

9.16.3.3 The date(s) analyses were performed;

9.16.3.4 The time(s) analyses were initiated;

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

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

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

9.16.4 *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.

### 9.17 Permit Actions

This permit may be modified; revoked and reissued; or terminated for cause. Your filing of a request for a permit modification; revocation and reissuance; or your submittal of a notification of planned changes or anticipated non-compliance does not automatically stay any permit condition.

## 10. Reopener Clause

### 10.1 Water Quality Protection

If there is evidence indicating that the storm water discharges authorized by this permit cause, have the reasonable potential to cause, or contribute to a violation of a water quality standard, you may be required to obtain an individual permit or an alternative general permit in accordance with Part 3.3 of this permit, or the permit may be modified to include different limitations and/or requirements.

### 10.2 Procedures for Modification or Revocation

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

## 11. Transfer or Termination of Coverage

### 11.1 Transfer of Permit Coverage

Automatic transfers of permit coverage under 40 CFR 122.61(b) are not allowed for this general permit.

11.1.1 Transfer of coverage from one operator to a different operator (e.g., facility sold to a new company): the new owner/operator must complete and file an NOI in accordance with Part 1.3 at least 2 days prior to taking over operational control of the facility. The old owner/operator must file an NOT (Notice of Termination) within thirty (30) days after the new owner/operator has assumed responsibility for the facility.

11.1.2 Simple name changes of the permittee (e.g., Company "A" changes name to "ABC, Inc." or Company "B" buys out Company "A") may be done by filing an amended NOI referencing the facility's assigned permit number and requesting a simple name change.



## 11.2 Notice of Termination (NOT)

You must submit a completed Notice of Termination (NOT) that is signed in accordance with Part 9.7 when one or more of the conditions contained in Part 1.4 (Terminating Coverage) have been met. The NOT form found in Addendum E will be used unless it has been replaced by a revised version by the Director. The Notice of Termination must include the following information:

11.2.1 The NPDES permit number for the storm water discharge identified by the Notice of Termination;

11.2.2 An indication of whether the storm water discharges associated with industrial activity have been eliminated (*i.e.*, regulated discharges of storm water are being terminated); you are no longer an operator of the facility; or you have obtained coverage under an alternative permit;

11.2.3 The name, address and telephone number of the permittee submitting the Notice of Termination;

11.2.4 The name and the street address (or a description of location if no street address is available) of the facility for which the notification is submitted;

11.2.5 The latitude and longitude of the facility; and

11.2.6 The following certification, signed in accordance with Part 9.7 (signatory requirements) of this permit. For facilities with more than one permittee and/or operator, you need only make this certification for those portions of the facility where the you were authorized under this permit and not for areas where the you were not an operator:

I certify under penalty of law that all storm water discharges associated with industrial activity from the identified facility that authorized by a general permit have been eliminated or that I am no longer the operator of the facility or construction site. I understand that by submitting this notice of termination, 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 a 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.

## 11.3 Addresses

All Notices of Termination must be submitted using the form provided by the Director (or a photocopy thereof) to the address specified on the NOT form.

## 11.4 Facilities Eligible for "No Exposure" Exemption for Storm Water Permitting

By filing a certification of "No Exposure" under 40 CFR 122.26(g), you are automatically removed from permit coverage and a NOT to terminate permit coverage is not required.

## 12. Definitions

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

*Commencement of Construction* the initial disturbance of soils associated with clearing, grading, or excavating activities or other construction activities.

*Control Measure* as used in this permit, refers to any Best Management Practice or other method (including effluent limitations) used to prevent or reduce the discharge of pollutants to waters of the United States.

*CWA* means the Clean Water Act or the Federal Water Pollution Control Act, 33 U.S.C. 1251 *et seq.*

*Director* means the Regional Administrator of the Environmental Protection Agency or an authorized representative.

*Discharge* when used without qualification means the "discharge of a pollutant."

*Discharge of Storm Water Associated with Construction Activity* as used in this permit, refers to a discharge of pollutants in storm water runoff from areas where soil disturbing activities (*e.g.*, clearing, grading, or excavation), construction materials or equipment storage or maintenance (*e.g.*, fill piles, borrow areas, concrete truck washout, fueling), or other industrial storm water directly related to the construction process (*e.g.*, concrete or asphalt batch plants) are located. (See 40 CFR 122.26(b)(14)(x) and 40 CFR 122.26(b)(15) for the two regulatory definitions on regulated storm water associated with construction sites).

*Discharge of Storm Water Associated with Industrial Activity* is defined at 40 CFR 122.26(b)(14).

*Facility or Activity* means any NPDES "point source" or any other facility

or activity (including land or appurtenances thereto) that is subject to regulation under the NPDES program.

*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.

*Indian country*, as defined in 18 USC 1151, means: (a) All land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and including rights-of-way running through the reservation; (b) all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a state; and (c) all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same. This definition includes all land held in trust for an Indian tribe.

*Industrial Activity* as used in this permit refers to the eleven categories of industrial activities included in the definition of "discharges of storm water associated with industrial activity".

*Industrial Storm Water* as used in this permit refers to storm water runoff associated with the definition of "discharges of storm water associated with industrial activity".

*Large and Medium Municipal Separate Storm Sewer Systems* are defined at 40 CFR 122.26(b)(4) and (7), respectively and means all municipal separate storm sewers that are either:

1. Located in an incorporated place (city) with a population of 100,000 or more as determined by the 1990 Census by the Bureau of Census (these cities are listed in Appendices F and G of 40 CFR 122); or
2. 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 122); or
3. 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.

*Municipal Separate Storm Sewer* is defined at 40 CFR 122.26.

*No exposure* means that all industrial materials or activities are protected by a storm resistant shelter to prevent exposure to rain, snow, snowmelt and/or runoff.

*NOI* means Notice of Intent to be covered by this permit (see Part 2 of this permit.)

*NOT* means Notice of Termination (see Part 11.2 of this permit).

*Owner or operator* means the owner or operator of any "facility or activity" subject to regulation under the NPDES program.

*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.

*Pollutant* is defined at 40 CFR 122.2. A partial listing from this definition includes: dredged spoil, solid waste, sewage, garbage, sewage sludge, chemical wastes, biological materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial or municipal waste.

*Runoff coefficient* means the fraction of total rainfall that will appear at the conveyance as runoff.

*Special Aquatic Sites*, as defined at 40 CFR 230.3(q-1), means those sites identified in 40 CFR 230 Subpart E. They are geographic areas, large or small, possessing special ecological characteristics of productivity, habitat, wildlife protection, or other important and easily disrupted ecological values. These areas are generally recognized as significantly influencing or positively contributing to the general overall environmental health or vitality of the entire ecosystem of a region. (See 40 CFR 230.10(a)(3)).

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

*Storm Water Associated with Industrial Activity* refers to storm water, that if allowed to discharge, would constitute a "discharge of storm water associated with industrial activity" as defined at 40 CFR

122.26(b)(14) and incorporated here by reference.

*Waters of the United States* means:

1. All waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;
2. All interstate waters, including interstate "wetlands";
3. 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:
  - a. Which are or could be used by interstate or foreign travelers for recreational or other purposes;
  - b. From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or
  - c. Which are used or could be used for industrial purposes by industries in interstate commerce;
4. All impoundments of waters otherwise defined as waters of the United States under this definition;
5. Tributaries of waters identified in paragraphs (1) through (4) of this definition;
6. The territorial sea; and
7. Wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs 1. through 6. of this definition.

Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of the CWA (other than cooling ponds for steam electric generation stations per 40 CFR 423) which also meet the criteria of this definition) are not waters of the United States. Waters of the United States do not include prior converted cropland. Notwithstanding the determination of an area's status as prior converted cropland by any other federal agency, for the purposes of the Clean Water Act, the final authority regarding Clean Water Act jurisdiction remains with EPA.

*You* and *Your* as used in this permit is intended to refer to the permittee, the operator, or the discharger as the context indicates and that party's facility or responsibilities. The use of "you" and "your" refers to a particular facility and not to all facilities operated by a particular entity. For example, "you must submit" means the permittee must submit something for that particular

facility. Likewise, "all your discharges" would refer only to discharges at that one facility.

### 13. Permit Conditions Applicable to Specific States, Indian Country Lands, or Territories

The provisions of Part 13 provide modifications or additions to the applicable conditions of Parts 1 through 12 of this permit to reflect specific additional conditions required as part of the State or Tribal CWA Section 401 certification process, or Coastal Zone Management Act certification process, or as otherwise established by the permitting authority. The additional revisions and requirements listed below are set forth in connection with, and only apply to, the following States, Indian country lands and Federal facilities.

#### 13.1 Region 1

13.1.1 *CTR05\*##I*: Indian country lands within the State of Connecticut.

13.1.2 *MAR05\*###*: Commonwealth of Massachusetts, except Indian country lands.

13.1.2.1 Discharges covered by the general permit must comply with the provisions of 314 CMR 3.00; 314 CMR 4.00; 314 CMR 9.00; and 310 CMR 10.00 and any other related policies adopted under the authority of the Massachusetts Clean Waters Act, M.G.L. c.21, ss. 26-53 and Wetlands Protection Act, M.G.L., s.40. Specifically, new facilities or the redevelopment of existing facilities subject to this permit must comply with applicable storm water performance standards prescribed by state regulation or policy. A permit under 314 CMR 3.04 is not required for existing facilities which meet state storm water performance standards. An application for a permit under 314 CMR 3.00 is required only when required under 314 CMR 3.04(2)(b) (designation of a discharge on a case-by-case basis) or is otherwise identified in 314 CMR 3.00 or Department policy as a discharge requiring a permit application. Department regulations and policies may be obtained through the State House Bookstore or online at [www.magnet.state.ma.us/dep](http://www.magnet.state.ma.us/dep).

13.1.2.2 The department may request a copy of the Storm Water Pollution Prevention Plan (SWPPP) or conduct an inspection of any facility covered by this permit to ensure compliance with state law requirements, including state water quality standards. The Department may enforce its certification conditions.

13.1.2.3 The results of any quarterly monitoring required by this permit must be sent to the appropriate Regional

Office of the Department where the monitoring identifies violations of effluent limits or benchmarks for any parameter for which monitoring is required under this permit.

13.1.3 *MAR05\*##I*: Indian country lands within the Commonwealth of Massachusetts.

13.1.4 *MER05\*###*: State of Maine, except Indian country lands.

13.1.5 *MER05\*##I*: Indian country lands within the State of Maine.

13.1.6 *NHR05\*###*: State of New Hampshire.

13.1.7 *RIR05\*##I*: Indian country lands within the State of Rhode Island.

13.1.8 *VTR05\*##F*: Federal Facilities in the State of Vermont.

### 13.2. Region 2

13.2.1 *PRR05\*###*: The Commonwealth of Puerto Rico. No additional requirements

### 13.3 Region 3

13.3.1 *DCR05\*###*: The District of Columbia.

13.3.2 *DER05\*##F*: Federal Facilities in the State of Delaware.

### 13.4 Region 4

13.4.1 *ALR05\*##I*: Indian country lands within the State of Alabama.

13.4.2 *FLR05\*##I*: Indian country lands within the State of Florida.

13.4.3 *MSR05\*##I*: Indian country lands within the State of Mississippi.

13.4.4 *NCR05\*##I*: Indian country lands within the State of North Carolina.

### 13.5 Region 5

Permit coverage not available.

### 13.6 Region 6

13.6.1 *LAR05\*##I*: Indian Country lands within the State of Louisiana. No additional requirements.

13.6.2 *NMR05\*###*: The State of New Mexico, except Indian Country lands.

13.6.2.1 *Discharges to Water Quality Impaired/Water Quality Limited Waters*:

Any operator who intends to obtain authorization under the MSGP for all new and existing storm water discharges to water quality-impaired (303(d)) waters (see <http://www.nmenv.state.nm.us/>) from facilities where there is a reasonable potential to contain pollutants for which the receiving water is impaired must satisfy the following conditions prior to the authorization. Signature of the NOI (which includes certifying eligibility for permit coverage) will be deemed the operator's certification that this eligibility requirement has been satisfied.

13.6.2.1.1 Prior to submitting a Notice of Intent (NOI) for coverage

under the MSGP, provide an estimate of pollutant loads in storm water discharges from the facility to the New Mexico Environment Department, Surface Water Quality Bureau (SWQB). This estimate must include the documentation upon which the estimate is based (e.g., sampling data from the facility, sampling data from substantially identical outfalls at similar facilities, modeling, etc.). Existing facilities must base this estimate on actual analytical data, if available.

13.6.2.1.2 Eligibility Requirements for New Discharges.

13.6.2.1.2.1 If a Total Maximum Daily Load (TMDL) has been developed, permit coverage is available only if the operator has received notice from the SWQB confirming eligibility.

**Note:** Following receipt of the information required under Part 13.6.2.1.1, SWQB anticipates using the following process in making eligibility determinations for new discharges into 303(d) waters where a TMDL has been developed:

- SWQB will notify the facility operator and EPA that the estimated pollutant load is consistent with the TMDL and that the proposed storm water discharges meet the eligibility requirements of Part 1.2.3.8 of the MSGP and may be authorized under this NPDES permit; or
- SWQB will notify the facility operator and EPA that the estimated pollutant load is not consistent with the TMDL and that the proposed storm water discharges do not meet the eligibility requirements of Part 1.2.3.8 of the MSGP and can not be authorized under this NPDES permit.

13.6.2.1.2.2 If a Total Maximum Daily Load (TMDL) has not been developed, permit coverage is not available under this permit for discharges to 303(d) waters and the operator must seek coverage under a separate permit.

**Note:** Following receipt of the information required under Part 13.6.2.1.1, SWQB anticipates using the following process in making eligibility determinations for new discharges into 303(d) waters where a TMDL has not yet been developed: SWQB will notify the facility operator and EPA that the proposed storm water discharges do not meet the eligibility requirements of Part 1.2.3.8 of the MSGP and can not be authorized under this NPDES permit.

13.6.2.1.3 *Eligibility Requirements for Existing Discharges*:

13.6.2.1.3.1 If a Total Maximum Daily Load (TMDL) has been developed, permit coverage is available only if the operator has received notice from the SWQB confirming eligibility.

**Note:** Following receipt of the information required under Part 13.6.2.1.1, SWQB anticipates using the following process in

making eligibility determinations for existing discharges into 303(d) waters where a TMDL has been developed:

- SWQB will notify the facility operator and EPA that the estimated pollutant load is consistent with the TMDL and that the proposed storm water discharges meet the eligibility requirements of Part 1.2.3.8 of the MSGP and may be authorized under this NPDES permit; or
- SWQB will notify the facility operator and EPA that the estimated pollutant load is not consistent with the TMDL and that the proposed storm water discharges do not meet the eligibility requirements of Part 1.2.3.8 of the MSGP and can not be authorized under this NPDES permit.

13.6.2.1.3.2 If a Total Maximum Daily Load (TMDL) has not been developed at the time of permit authorization, but is later developed during the term of this permit and identifies existing permitted discharges as having a reasonable potential to contain pollutants for which the receiving water is impaired, these discharges shall no longer be authorized by this permit unless, following notification by the SWQB:

- The operator completes revisions to his/her Storm Water Pollution Prevention Plan (SWPPP) to include additional and/or modified Best Management Practices (BMPs) designed to comply with any applicable Waste Load Allocation (WLA) established his/her discharges within 14 calendar days following notification by SWQB; and
- The operator implements the additional and/or modified BMPs before the next anticipated discharge following revision of the SWPPP; and
- A report is submitted to SWQB which documents actions taken to comply with this condition, including estimated pollutant loads, within 30 calendar days following implementation of the additional and/or modified BMPs.

13.6.2.1.4 Additional Monitoring—perform analytical monitoring for each outfall at least annually for any pollutant(s) for which the 303(d) water is impaired where there is a reasonable potential for discharges to contain any or all of these pollutants. Submit monitoring results to SWQB within 45 calendar days following sample collection. These monitoring requirements are not eligible for any waivers listed elsewhere in the permit.

13.6.2.2 Permit Eligibility Regarding Protection of Water Quality Standards and Compliance with State Anti-degradation Requirements: Storm water discharges associated with industrial activity to 303(d) waters as well as all other "waters of the State" that SWQB has determined to be or may reasonably be expected to be contributing to a violation of a water quality standard

and/or that do not comply with the applicable anti-degradation provisions of the State's WQS are not authorized by this permit.

**Note:** Upon receipt of this determination, NMED anticipates that, within a reasonable period of time, EPA will notify the general permittee to apply for and obtain an individual NPDES permit for these discharges per 40 CFR 122.28(b)(3).

13.6.2.3 Signed Copies of discharge monitoring reports, individual permit applications, the data and reports addressed in Part 13.6.2.1, and all other reports required herein, shall be submitted to the appropriate state office address: New Mexico—Program Manager, Point Source Regulation Section, Surface Water Quality Bureau, New Mexico Environment Department, P.O. Box 26110, Santa Fe, New Mexico 87502.

13.6.3. NMR05\*##I: Indian Country lands in the State of New Mexico, except Navajo Reservation lands (see Region 9) and Ute Mountain Reservation lands (see Region 8).

13.6.3.1 *Pueblo of Isleta* The following conditions apply only to discharges on the Pueblo of Isleta.

13.6.3.1.1 Copies of "Certification of Eligibility of Coverage" under Part 1.2.3.6.3 (Endangered Species) and Part 1.2.3.7 (Historical Properties), and their justifications, must be provided to the Tribe 10 days prior to filing the Notice of Intent (NOI).

13.6.3.1.2 A copy of the Storm Water Pollution Prevention Plan (SWPPP) must be provided to the Tribe 5 days prior to filing the NOI.

13.6.3.1.3 A copy of the NOI must be provided to the Tribe at the same time it is sent to the Environmental Protection Agency.

13.6.3.1.4 A copy of the Notice of Termination (NOT) must be provided to the Tribe at the same time it is sent to the Environmental Protection Agency.

13.6.3.1.5 Any notice of release of hazardous substances (Part 3.1.2) shall also be sent to the Tribe at the same time it is sent to the Environmental Protection Agency. Notification of a release of hazardous substances shall also be made to the Pueblo's Police Department (505-869-3030) or Governor's Office (505-869-3111) or Environment Department (505-869-5748).

13.6.3.1.6 Copies of all "Routine Inspection Reports: (Part 4.2.7.2.1.5) and "Comprehensive Inspection Reports" (Part 4.9) shall be sent to the Tribe within 5 days of completion.

13.6.3.1.7 All analytical data (e.g., Discharge Monitoring Reports, etc.) shall be provided to the Tribe at the same time it is provided to the EPA.

13.6.3.1.8 Exceedance of any EPA-established "Benchmark Value" for any pollutant will require quarterly monitoring for that pollutant until such time as analytical results from 4 consecutive quarters are below the "Benchmark."

13.6.3.1.9 Any permittee in Sector F shall monitor for all Clean Water Act Section 307(a) priority pollutants used in any of their processes. Monitoring shall be on a quarterly basis.

13.6.3.1.10 Any permittee in Sector M shall monitor for total oil & grease, glycols, and those solvents regulated under Safe Drinking Water Act mandates at 40 CFR 141.61(a) in addition to those parameters identified in Table M-1. Monitoring shall be on a quarterly basis.

13.6.3.1.11 Any permittee in Sector N shall monitor for PCBs in addition to those parameters identified in Table N-1. Monitoring shall be on a quarterly basis.

13.6.3.1.12 All written reports shall be sent to: Director, Environment Department, Pueblo of Isleta, Isleta, NM 87022.

13.6.3.2 *Pueblo of Nambe*. The following conditions apply only to discharges on the Pueblo of Nambe. No additional requirements.

13.6.3.3 *Pueblo of Picuris*. The following conditions apply only to discharges on the Pueblo of Picuris.

13.6.3.4 *Pueblo of Pojoaque*. The following conditions apply only to discharges on the Pueblo of Pojoaque.

13.6.3.4.1 Notices of Intent (NOI) and notices of Termination (NOT) shall be submitted to the Pueblo of Pojoaque Environment Department at the same time they are submitted to EPA.

13.6.3.4.2 Storm Water Pollution Prevention Plans (SWPPP) shall be submitted to the Pueblo of Pojoaque Environment Department 30 days before commencement of the project.

13.6.3.4.3 If requested by the Pueblo of Pojoaque Environment Department (PPED), the permittee shall provide additional information necessary for a "case by case" eligibility determination to assure compliance with Pojoaque Pueblo Water Quality Standards.

**Note:** Upon receipt of an determination by the Pueblo of Pojoaque that discharges from a facility have the reasonable potential to be causing or contributing to a violation of Pojoaque Pueblo Water Quality Standards, EPA would notify the general permittee to either improve their Storm Water Pollution Prevention Plan to achieve compliance with Pojoaque Pueblo Water Quality Standards or apply for and obtain an individual NPDES permit for these discharges per 40 CFR 122.28(b)(3).

13.6.3.4.4 All written reports shall be sent to: Pueblo of Pojoaque

Environment Department, 2 W. Gutierrez, Santa Fe, NM 87501; Phone (505) 455-2087; FAX (505) 455-2177.

13.6.3.5 *Pueblo of San Juan*. The following conditions apply only to discharges on the Pueblo of San Juan.

13.6.3.5.1 Copies of the Notice of Intent (NOI) and Notice of Termination (NOT) shall be provided to the Pueblo five (5) days prior to the time it is provided to the Environmental Protection Agency. A copy of the Storm Water Pollution Prevention Plan shall be provided to the Pueblo five (5) days prior to the time the NOI is submitted to the Environmental Protection Agency.

13.6.3.5.2 All analytical data (e.g., Discharge Monitoring Reports, etc.) shall be provided to the Pueblo at the same time it is provided to the Environmental Protection Agency. Monitoring activities must be coordinated with the Director of the Environment Department to insure consistency with the Pueblo of San Juan Surface Water Quality Monitoring Program.

13.6.3.5.3 Copies of all written reports required under the permit shall be sent to: Director, Environment Department, San Juan Pueblo, P.O. Box 717, San Juan Pueblo, NM 87566. For questions or coordination, you may contact the Director at (505) 852-4212.

13.6.3.6 *Pueblo of Sandia*. The following conditions apply only to discharges on the Pueblo of Sandia.

13.6.3.6.1 Copies of the Notice of Intent (NOI) and Notice of Termination (NOT) shall be provided to the Pueblo at the same time it is provided to the Environmental Protection Agency. A copy of the Storm Water Pollution Prevention Plan must also be provided to the Pueblo at the time the NOI is submitted.

13.6.3.6.2 All analytical data (e.g., Discharge Monitoring Reports, etc) shall be provided to the Pueblo at the same time it is provided to the Environmental Protection Agency.

13.6.3.6.3 All written reports shall be sent to: Director, Environment Department, Pueblo of Sandia, Box 6008, Bernalillo, NM 87004.

13.6.3.7 *Pueblo of Tesuque*. The following conditions apply only to discharges on the Pueblo of Tesuque. No additional requirements.

13.6.3.8 Santa Clara Pueblo. The following conditions apply only to discharges on the Santa Clara Pueblo. No additional requirements.

13.6.3.9 *All Other Indian Country lands in New Mexico*. No additional requirements.

13.6.4. OKR05\*##I: Indian Country lands within the State of Oklahoma. No additional requirements.

13.6.5. OKR05\*##F: Facilities in the State of Oklahoma not under the jurisdiction of the Oklahoma Department of Environmental Quality, except those on Indian Country lands.

13.6.5.1 Ineligible Discharges to the Oklahoma Scenic Rivers System and Outstanding Resource Waters—New or proposed discharges to the Oklahoma Scenic Rivers System, including the

Illinois River, Flint Creek, Barren Fork Creek, Mountain Fork, Little Lee Creek, and Big Lee Creek or to any water designated an “Outstanding Resource Water” (ORW) in Oklahoma’s Water Quality Standards are not eligible for coverage under the MSGP. Existing discharges of storm water in these watersheds may be permitted under the MSGP only from point sources existing as of June 25, 1992, whether or not such storm water discharges were permitted as point sources prior to June 25, 1992.

13.6.6. TXR05\*###: The State of Texas, except Indian Country lands.  
13.6.6.1 The following limitations, independently required under the Texas Water Quality Standards (31 TAC 319.22 and 319.23), apply to discharges authorized by the permit:

13.6.6.1.1 *All Discharges to Inland Waters:* The maximum allowable concentrations of each of the hazardous metals, stated in terms of milligrams per liter (mg/l), for discharges to inland waters are as follows:

Total metal	Monthly average	Daily composite	Single grab
Arsenic .....	0.1	0.2	0.3
Barium .....	1.0	2.0	4.0
Cadmium .....	0.05	0.1	0.2
Chromium .....	0.5	1.0	5.0
Copper .....	0.5	1.0	2.0
Lead .....	0.5	1.0	1.5
Manganese .....	1.0	2.0	3.0
Mercury .....	0.005	0.005	0.01
Nickel .....	1.0	2.0	3.0
Selenium .....	0.05	0.1	0.2
Silver .....	0.05	0.1	0.2
Zinc .....	1.0	2.0	6.0

13.6.6.1.2 *All Discharges to Tidal Waters:* The maximum allowable concentrations of each of the hazardous metals, stated in terms of milligrams per liter (mg/l), for discharges to tidal waters are as follows:

Total metal	Monthly average	Daily composite	Single grab
Arsenic .....	0.1	0.2	0.3
Barium .....	1.0	2.0	4.0
Cadmium .....	0.1	0.2	0.3
Chromium .....	0.5	1.0	5.0
Copper .....	0.5	1.0	2.0
Lead .....	0.5	1.0	1.5
Manganese .....	1.0	2.0	3.0
Mercury .....	0.005	0.005	0.01
Nickel .....	1.0	2.0	3.0
Selenium .....	0.10	0.2	0.3
Silver .....	0.05	0.1	0.2
Zinc .....	1.0	2.0	6.0

13.6.6.1.3 Definitions:

*Inland Waters*—all surface waters in the State other than “tidal waters” as defined below.

*Tidal Waters*—those waters of the Gulf of Mexico within the jurisdiction of the State of Texas, bays and estuaries thereto, and those portions of the river systems which are subject to the ebb and flow of the tides, and to the intrusion of marine waters.

13.6.7. TXR05\*##I: Indian Country lands within the State of Texas. No additional requirements.

13.7. *Region 7. Permit Coverage Not Available.*

13.8. *Region 8.*

13.8.1. COR05\*##F: Federal Facilities in the State of Colorado, except those located on Indian country lands.

13.8.2. COR05\*##I: Indian country lands within the State of Colorado, including the portion of the Ute Mountain Reservation located in New Mexico.

13.8.3. MTR05\*##I: Reserved

13.8.4. NDR05\*##I: Indian country lands within the State of North Dakota, including that portion of the Standing Rock Reservation located in South Dakota except for the Lake Traverse Reservation which is covered under South Dakota permit SDR05\*##I listed below.

13.8.5. SDR05\*##I: Indian country lands within the State of South Dakota, including the portion of the Pine Ridge Reservation located in Nebraska and the portion of the Lake Traverse Reservation located in North Dakota except for the Standing Rock Reservation which is

covered under North Dakota permit NDR05\*##I listed above.

13.8.6. UTR05\*##I: Indian country lands in the State of Utah, except Goshute and Navajo reservation lands (see Region 9).

13.8.7. WYR05\*##I: Indian country lands in the State of Wyoming.

13.9. *Region 9.*

13.9.1. ASR05\*###: The Island of American Samoa.

13.9.1.1. Copies of NOIs shall also be submitted to the American Samoa Environmental Protection Agency at the following address concurrently with NOI submittal to EPA: American Samoa Environmental Protection Agency, Executive Office Building, Pago Pago, American Samoa 96799.

13.9.1.2. Updated storm water pollution prevention plans must be

submitted to the American Samoa Environmental Protection Agency at the following address for review and approval as soon as they are completed: American Samoa Environmental Protection Agency, Executive Office Building, Pago Pago, American Samoa 96799.

13.9.2. AZR05\*###: The State of Arizona, except Indian country lands.

13.9.2.1. Discharges authorized by this permit shall not cause or contribute to a violation of any applicable water quality standard of the State of Arizona (Arizona Administrative Code, Title 18, Chapter 11).

13.9.2.2. Notices of Intent (NOIs) shall also be submitted to the State of Arizona Department of Environmental Quality at the following address: Storm Water Coordinator, Arizona Department of Environmental Quality, 3033 N. Central Avenue, Phoenix, Arizona 85012. NOIs submitted to the State of Arizona shall include the well registration number if storm water associated with industrial activity is discharged to a dry well or an injection well.

13.9.2.3. Notices of Termination (NOTs) shall also be submitted to the State of Arizona Department of Environmental Quality at the following address: Storm Water Coordinator, Arizona Department of Environmental Quality, 3033 N. Central Avenue, Phoenix, Arizona 85012.

13.9.2.4. For facilities which submit a no exposure certification in accordance with Part 1.5 of the permit, the operator shall submit a copy of the no exposure certification to the State of Arizona Department of Environmental Quality at the following address: Storm Water Coordinator, Arizona Department of Environmental Quality, 3033 N. Central Avenue, Phoenix, Arizona 85012.

13.9.2.5. SARA Section 313 (Community Right to Know) facilities shall have the following requirement: Liquid storage areas for Section 313 water priority chemicals shall be operated to minimize discharges of such chemicals. Appropriate measures to minimize discharges of Section 313 chemicals shall include: provision of secondary containment for at least the entire contents of the largest tank plus sufficient freeboard to allow for the 25-year, 24-hour precipitation event; a strong spill contingency and integrity testing plan, and/or other equivalent measures.

13.9.2.6. Delineation of Facility Areas Within the 100-Year Floodplain. All facilities or any portion of a facility that is located at or within the 100-year floodplain shall be delineated on the

site map. The base flood elevation, if known, shall also be reported.

13.9.2.7. Facilities subject to monitoring and reporting requirements shall also submit Discharge Monitoring Report Form(s) (DMR) and other required monitoring information to the State of Arizona Department of Environmental Quality at the following address: Storm Water DMR Coordinator, Arizona Department of Environmental Quality, 3033 N. Central Avenue Phoenix, Arizona 85012.

13.9.2.8. The term "Significant Sources of Non-Storm Water" includes, but is not limited to discharges which could cause or contribute to violations of water quality standards of the State of Arizona, and discharges which could include 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 CFR 302.4).

13.9.2.9. The term "Base Flood Elevation" as defined by Federal Emergency Management Agency (FEMA) is the height of the base (100-year) flood in relation to a specified datum, usually the National Geodetic Vertical Datum of 1929 of North American Vertical Datum of 1988. This is the elevation of the 100-year flood waters relative to "mean sea level."

13.9.2.10. The term "100-year flood" means the flood having a one percent chance of being equaled or exceeded in magnitude in any given year.

13.9.2.11. The term "100-year floodplain" means that area adjoining a river, stream, or watercourse covered by water in the event of a 100-year flood.

13.9.3. AZR05\*##I: Indian country lands within the State of Arizona, including Navajo Reservation lands in New Mexico and Utah.

13.9.3.1. White Mountain Apache Tribe. The following condition applies only on the White Mountain Apache Tribe: All NOIs for proposed storm water discharge coverage shall be provided to the following address: Tribal Environmental Planning Office, Attn: Brenda Pusher-Begay, P.O. Box 1000, Whiteriver, AZ 85941.

13.9.4. CAR05\*##I: Indian country lands within the State of California No additional requirements.

13.9.5. GUR05\*###: The Island of Guam.

13.9.5.1. Facilities ineligible for Multi-Sector General Permit coverage which are required to submit an individual NPDES permit application must send a copy to the following address at the time of submittal to EPA: Guam Environmental Protection

Agency, P.O. Box 22439 GMF, Barrigada, Guam 96921.

13.9.5.2. Copies of NOIs shall also be submitted to the following address concurrently with NOI submittal to EPA: Guam Environmental Protection Agency, P.O. Box 22439 GMF, Barrigada, Guam 96921.

13.9.5.3. Permittees required by the Director to submit an individual NPDES permit application or alternative general NPDES permit application must send a copy to the following address at the time of submittal to EPA: Guam Environmental Protection Agency, P.O. Box 22439 GMF, Barrigada, Guam 96921.

13.9.6. JAR05\*###: Johnston Atoll. No additional requirements.

13.9.7. MWR05\*###: Midway Island and Wake Island. No additional requirements.

13.9.8. NIR05\*###: Commonwealth of the Northern Mariana Islands (CNMI)

13.9.8.1. All conditions and requirements set forth in the USEPA final NPDES MSGP must be complied with.

13.9.8.2. A storm water pollution prevention plan (SWPPP) for storm water discharges associated with industrial activity must be approved by the Director of the CNMI DEQ prior to the submission of the NOI to USEPA. The CNMI address for the submittal of the SWPPP for approval is: Commonwealth of the Northern Mariana Islands, Office of the Governor, Director, Division of Environmental Quality (DEQ), P.O. Box 501304 C.K., Saipan, MP 96950-1304.

13.9.8.3. An NOI to be covered by the storm water MSGP for discharges associated with industrial activity must be submitted to CNMI DEQ (use above address) and USEPA, Region 9, in the form prescribed by USEPA, accompanied by a SWPPP approval letter from CNMI DEQ.

13.9.8.4. The NOI must be postmarked seven (7) calendar days prior to any stormwater discharges and a copy must be submitted to the Director of CNMI DEQ (use above address) no later than seven (7) calendar days prior to any stormwater discharges.

13.9.8.5. All monitoring reports required by the MSGP must be submitted to CNMI DEQ (use above address).

13.9.8.6. In accordance with section 10.3(h) and (i) of CNMI water quality standards, CNMI DEQ reserves the right to deny coverage under the MSGP and to require submittal of an application for an individual NPDES permit based on a review of the NOI or other information made available to the Director.

13.9.9. NVR05\*##I: Indian country lands within the State of Nevada, including the Duck Valley Reservation in Idaho, the Fort McDermitt Reservation in Oregon and the Goshute Reservation in Utah. No additional requirements.

13.10. *Region 10.*

13.10.1. (The terms and conditions of the 1995 Multi-Sector General Permit are effective for facilities in the State of Alaska through February 9, 2001.)

13.10.2. AKR05\*##I: Indian country Lands within the State of Alaska.

13.10.3. IDR05\*### The State of Idaho, except Indian country lands.

13.10.4. IDR05\*##I: Indian country lands within the State of Idaho, except Duck Valley Reservation lands (see Region 9).

13.10.5. ORR05\*##I: Indian country lands in the State of Oregon except Fort McDermitt Reservation lands (see Region 9).

13.10.6. WAR05\*##I: Indian country lands within the State of Washington

13.10.6.1 Permittees on Chehalis Reservation lands must also meet the following conditions:

1. The permittee shall be responsible for achieving compliance with Confederated Tribes of Chehalis Reservation's Water Quality Standards, and

2. The permittee shall be responsible for submitting all Storm Water Pollution Prevention Plans to the Chehalis Tribal Department of Natural Resources at the following address for review and approval prior to the beginning of any discharge activities taking place: Confederated Tribes of Chehalis Reservation, Department of Natural Resources, 420 Howanut Road, Oakville, WA 98568.

13.10.6.2 Permittees on Puyallup Reservation lands must also meet the following conditions:

1. The permittee shall be responsible for achieving compliance with Puyallup Tribe's Water Quality Standards;

2. The permittee shall submit a copy of the Notice of Intent to be covered by the general permit to the Puyallup Tribe Environmental Department at the address listed below at the same time it is submitted to U.S. EPA;

3. The permittee shall be responsible for submitting all Storm Water Pollution Prevention Plans to the Puyallup Tribe Environmental Department at the following address for review and approval prior to the beginning of any discharge activities taking place: Puyallup Tribe Environmental Department, 2002 East 28th Street, Tacoma, WA 98404.

13.10.7. WAR05\*##F: Federal Facilities in the State of Washington,

except those located on Indian country lands.

13.10.7.1 Discharges authorized by this permit shall not cause or contribute to a violation of any applicable water quality standard of the State of Washington. These standards are found at Chapter 173–201A WAC (Water Quality Standards for Surface Waters), Chapter 173–204 WAC (Sediment Management Standards) and the National Toxics Rule for human health standards (57 FR 60848–60923).

13.10.7.2 Any operator of a facility in Sectors A, D, E, F, G, H, J, L, M, N, or U who intends to obtain authorization under the MSGP–2000 for all new and existing storm water discharges must conduct and report benchmark monitoring for turbidity with a cutoff concentration of 50 NTU.

### Addendum A—Endangered Species Guidance

#### I. Assessing Permit Eligibility Regarding Endangered Species

##### A. Background

To meet its obligations under the Clean Water Act and the Endangered Species Act (ESA) and to promote those Acts' goals, the Environmental Protection Agency (EPA) is seeking to ensure the activities regulated by this Multi-Sector General Permit (MSGP) pose no jeopardy to endangered and threatened species and critical habitat. To ensure that those goals are met, applicants for MSGP coverage are required under Part 1.2.3.6 to assess the impacts of their storm water discharges, allowable non-storm water discharges, and discharge-related activities on Federally listed endangered and threatened species ("listed species") and designated critical habitat ("critical habitat") by following the process listed below. EPA strongly recommends that you follow these steps at the earliest possible stage to ensure that measures to protect listed species and critical habitat are incorporated early in your planning process.

You also have an independent ESA obligation to ensure that your activities do not result in any prohibited "takes" of listed species.<sup>1</sup> Many of the measures required in the MSGP and in these instructions to protect species may also assist you in ensuring that your activities do not result in a prohibited take of species in violation of section 9 of the ESA. If you have or plan activities in areas that harbor endangered and threatened species, you may wish to ensure that you are protected from potential takings liability under ESA section 9 by obtaining an ESA

<sup>1</sup> Section 9 of the ESA prohibits any person from "taking" a listed species (e.g., harassing or harming it) unless: (1) the taking is authorized through a "incidental take statement" as part of undergoing ESA section 7 formal consultation; (2) where an incidental take permit is obtained under ESA section 10 (which requires the development of a habitat conservation plan); or (3) where otherwise authorized or exempted under the ESA. This prohibition applies to all entities including private individuals, businesses, and governments.

section 10 permit or, if there is a separate federal action regarding the facility, by requesting formal consultation under ESA section 7 regarding that action. If you are not sure whether to pursue a section 10 permit or a section 7 consultation for takings protection, you should confer with the appropriate Fish and Wildlife Service (FWS) and/or National Marine Fisheries Service (NMFS) (collectively the "Services") office.

##### B. How Does The Basic Eligibility Assessment Process Work?

In order to determine if you are eligible to use the permit, you need to go through a series of steps to determine:

1. Are there any listed endangered or threatened species or critical habitat in proximity to your facility or the point where your discharges reach a receiving water?

2. If there are listed species in proximity, are your discharges or discharge-related activities going to adversely affect them?

3. If adverse effects on listed species or critical habitat are likely, what can you do to eliminate or reduce these effects?

4. Have any adverse effects already been addressed under the Endangered Species Act?

5. Which, if any, of the eligibility criteria make you eligible for permit coverage?

##### C. What Are the Eligibility Criteria?

The Part 1.2.3.6 eligibility requirement may be satisfied by documenting that one or more of the following criteria has been met:

*Criteria A. No Listed Species or Critical Habitat Are in Proximity to Your Facility or the Point Where Authorized Discharges Reach a Water of the United States (See Part 1.2.3.6.3.1)*

Using the latest County Species List available from EPA and any other relevant information sources, you have determined that no listed species or critical habitat are in proximity to your facility. Listed species and critical habitat are in proximity to a facility when they are:

- Located in the path or immediate area through which or over which contaminated point source storm water flows from industrial activities to the point of discharge into the receiving water. This may also include areas where storm water from your facility enters groundwater that has a direct hydrological connection to a receiving water (e.g., groundwater infiltrates at your facility and re-emerges to enter a surface waterbody within a short period of time.)

- Located in the immediate vicinity of, or nearby, the point of discharge into receiving waters.

- Located in the area of a facility where storm water BMPs are planned or are to be constructed.

Please be aware that no protection from incidental takings liability is provided under this criteria.

*Criteria B. An ESA Section 7 Consultation Has Been Performed for a Separate Federal Action Regarding Your Facility (See Part 1.2.3.6.3.2)*

A formal or informal ESA § 7 consultation on a separate federal action (e.g., New Source review under NEPA, application for a dredge



and fill permit under CWA § 404, application for an individual NPDES permit, etc.) addressed the effects of your discharges and discharge-related activities on listed species and critical habitat. If your facility was the subject of a formal consultation, it must have resulted in either a "no jeopardy opinion" or a "jeopardy opinion" and you agree to implement any reasonable and prudent alternatives or other conditions upon which the consultation was based. If your facility was the subject of an informal consultation, it must have resulted in a written concurrence by the Service(s) on a finding that the applicant's activities are not likely to adversely affect listed species or critical habitat (for informal consultation, see 50 CFR 402.13).

*Criteria C. An Incidental Taking Permit Under Section 10 of the ESA was Issued for Your Facility (See Part 1.2.3.6.3.3)*

You have a permit under section 10 of the ESA and that authorization addresses the effects of your wastewater and storm water discharges and discharge-related activities on listed species and critical habitat. Note: You must follow FWS/NMFS procedures when applying for an ESA section 10 permit (see 50 CFR 17.22(b)(1)).

*Criteria D. You Have Determined Adverse Effects Are Not Likely (See Part 1.2.3.6.3.4)*

Using best judgment, you have investigated potential effects your discharges and discharge-related activities may have on listed species and critical habitat and have no reason to believe there would be adverse effects. Any terms and/or conditions to protect listed species and critical habitat you relied on in order to determine adverse effects would be unlikely must be incorporated into your Storm Water Pollution Prevention Plan (required by the permit) and implemented in order to maintain permit eligibility.

Please be aware that no protection from incidental takings liability is provided under this criteria.

*Criteria E. Your Facility Was Covered Under the Eligibility Certification of Another Operator for the Facility Area (See Part 1.2.3.6.3.5)*

Your storm water discharges, allowable non-storm water discharges, and discharge-related activities were already addressed in another operator's certification of eligibility under Part 1.2.3.6.3 which covered your facility. By certifying eligibility under Part 1.2.3.6.3.4, you agree to comply with any measures or controls upon which the other operator's certification under Part 1.2.3.6.3 was based.

Please be aware that in order to meet the permit eligibility requirements by relying on another operator's certification of eligibility, the other operator's certification must apply to the location of your facility and must address the effects from your storm water discharges, allowable non-storm water discharges, and discharge-related activities on listed species and critical habitat. This situation will typically occur where an ownership of a facility covered by this permit changes or when there are multiple operators within an industrial park or an airport.

However, before you rely on another operator's certification, you should carefully review that certification along with any supporting information. You also need to confirm that no additional species have been listed or critical habitat designated in the area of your facility since the other operator's endangered species assessment was done. If you do not believe that the other operator's certification provides adequate coverage for your facility, you should provide your own independent endangered species assessment and certification.

Please be aware that no protection from incidental takings liability is provided under this criteria.

*D. What Procedures Do I Use To Determine if the Eligibility Criteria Can Be Satisfied?*

**Caution:** Additional endangered and threatened species have been listed and critical habit designated since the 1995 MSGP was issued and will continue to be added after the effective date of this permit. You must verify any earlier determination of eligibility is still valid before relying on that assessment to certify eligibility for this permit. Where applicable, you may incorporate information from your previous endangered species analysis in your documentation of eligibility for this permit.

To determine eligibility, you must assess (or have previously assessed) the potential effects of your storm water discharges, allowable non-storm water discharges and discharge-related activities on listed species and critical habitat. PRIOR to completing and submitting a Notice of Intent (NOI) form, you must follow the steps outlined below and document the results of your eligibility determination.

**Step One: Are There Any Endangered Species or Critical Habitat in Your County (or Other Area) and, if so, Are They in Proximity to Your Facility or Discharge Locations?**

1-A. *Check for Listed Species* Look in the latest county species list to see if any listed species are found where your facility and discharge point(s) are located. If you are located close to the border of a county or your facility is located in one county and your discharge points are located in another, you must look under both counties. Since species are listed and de-listed periodically, you will need the most current list at the time you are doing your endangered species assessment. EPA's most current county-species list is on the Internet at <http://www.epa.gov/owm/esalst2.htm>.

=>Proceed to 1-B.

1-B. *Check for Critical Habitat* Some (but not all) listed species have designated critical habitat. Exact locations of such habitat is provided in the endangered species regulations at 50 CFR part 17 and part 226. To determine if facility or discharge locations are within designated critical habitat, you should either:

- Review those regulations (which can be found in many larger libraries); or
- Contact the nearest Fish and Wildlife Service (FWS) and National Marine Fisheries Service (NMFS) Office. A list of FWS and

NMFS offices is found at section II of this Addendum.; or

- Contact the State Natural Heritage centers. These centers compile and disseminate information on Federally listed and other protected species. They frequently have the most current information on listed species and critical habitat. A list of these centers is provided in section III of the Addendum.

=>Proceed to 1-C.

1-C. *Check for Proximity* If there are listed species in your county, are they in proximity to your facility or discharge locations? You will need to use the proximity criteria in Eligibility Criteria A to determine if the listed species are in your part of the county. The area in proximity to be searched/surveyed for listed species will vary with the size of the facility, the nature and quantity of the storm water discharges, and the type of receiving waters. Given the number of facilities potentially covered by the MSGP, no specific method to determine whether species are in proximity is required for permit coverage under the MSGP. Instead, you should use the method or methods which best allow you to determine to the best of your knowledge whether species are in proximity to your particular facility. These methods may include:

- Conducting visual inspections. This method may be particularly suitable for facilities that are smaller in size, facilities located in non-natural settings such as highly urbanized areas or industrial parks where there is little or no nature habitat; and facilities that discharge directly into municipal storm water collection systems. For other facilities, a visual survey of the facility site and storm water drainage areas may be insufficient to determine whether species are likely to be located in proximity to the discharge.

- Contacting the nearest State Wildlife Agency or U.S. Fish and Wildlife Service (FWS) or National Marine Fisheries Service (NMFS) offices. Many endangered and threatened species are found in well-defined areas or habitats. That information is frequently known to state or federal wildlife agencies. FWS has offices in every state. NMFS has regional offices in: Gloucester, Massachusetts; St. Petersburg, Florida; Long Beach, California; Portland, Oregon; and Juneau, Alaska.

- Contacting local/regional conservation groups. These groups inventory species and their locations and maintain lists of sightings and habitats.

- Conducting a formal biological survey. Larger facilities with extensive storm water discharges may choose to conduct biological surveys as the most effective way to assess whether species are located in proximity and whether there are likely adverse effects.

If neither your facility nor discharge locations are located in designated critical habitat, then you need not consider impacts to critical habitat when following Steps Two through Five below. If your facility or discharge locations are located within critical habitat, then you must look at impacts to critical habitat when following Steps Two through Five. EPA notes that many measures imposed to protect listed species under these



steps will also protect critical habitat. However, obligations to protect habitat under this permit are separate from those to protect listed species. Thus, meeting the eligibility requirements of this permit may require measures to protect critical habitat that are separate from those to protect listed species.

=> Proceed to 1-D

1-D. *Check for Criteria "A" Eligibility* IF NO SPECIES WERE LISTED FOR YOUR COUNTY OR THE SPECIES THAT WERE LISTED WERE NOT IN PROXIMITY TO YOUR DISCHARGE AND YOUR FACILITY AND DISCHARGE LOCATIONS WERE NOT IN PROXIMITY TO CRITICAL HABITAT, YOU ARE ELIGIBLE UNDER CRITERIA "A". Document your endangered species assessment and certify eligibility under Part 1.2.3.6.3.1 of the permit. Congratulations, go to Step Five!

=> If there were listed species or critical habitat, proceed to Step Two

#### **Step Two: Can You Meet Eligibility Criteria "B", "C", or "E"?**

2-A *Check for Criteria "B", "C", or "E" Basis* Do one of the following apply:

- There was a completed consultation under ESA § 7 for your facility (Criteria B) => proceed to 2-B
- There is a previously issued ESA § 10 permit for your facility (Criteria C) => proceed to 2-C
- Another operator previously certified eligibility for the area where your facility is located (Criteria E) => proceed to 2-D

=> If no, proceed to Step Three

2-B *Check for Criteria "B" Eligibility* Did the previously completed ESA § 7 consultation consider all currently listed species and critical habitat and address your storm water, allowable non-storm water, and discharge related activities?

=> If no, proceed to Step Three

2-B-1 Did the ESA § 7 consultation result in either a "no jeopardy" opinion by the Service (for formal consultations) or a concurrence by the service that your activities would be "unlikely to adversely affect" listed species or critical habitat?

=> If no, proceed to Step Three

2-B-2 IF YOU AGREE TO IMPLEMENT ANY MEASURES UPON WHICH THE CONSULTATION WAS CONDITIONED, YOU ARE ELIGIBLE UNDER CRITERIA "B". Incorporate any necessary measures into your Storm Water Pollution Prevention Plan, document your endangered species assessment, and certify eligibility under Part 1.2.3.6.3.2. Congratulations, go to Step Five!

=> If you do not agree to implement conditions upon which the consultation was based, proceed to Step Three

2-C *Check for Criteria "C" Eligibility* IF YOUR ESA § 10 PERMIT CONSIDERED ALL CURRENTLY LISTED SPECIES AND CRITICAL HABITAT AND ADDRESSES YOUR STORM WATER, ALLOWABLE NON-STORM WATER, AND DISCHARGE RELATED ACTIVITIES, YOU ARE ELIGIBLE UNDER CRITERIA "C". Incorporate any necessary measures into your Storm Water Pollution Prevention Plan, document your

endangered species assessment, and certify eligibility under Part 1.2.3.6.3.3 of the permit. Congratulations, go to Step Five!

=> If your ESA § 10 permit did not meet these criteria, proceed to Step Three

2-D Check for Criteria "E" Eligibility Did the other operator's certification of eligibility consider all currently listed species and critical habitat and address your storm water, allowable non-storm water, and discharge related activities?

=> If no, proceed to Step Three

2-D-1 IF YOU AGREE TO IMPLEMENT ANY MEASURES UPON WHICH THE OTHER OPERATOR'S CERTIFICATION WAS BASED, YOU ARE ELIGIBLE UNDER CRITERIA "E". Incorporate any necessary measures into your Storm Water Pollution Prevention Plan, document your endangered species assessment, and certify eligibility under Part 1.2.3.6.3.5 of the Permit. Congratulations, go to Step Five!

=> If you do not agree to implement conditions upon which another operator's certification was based, proceed to Step Three

#### **Step Three: Are Listed Species or Critical Habitat Likely To Be Adversely Affected by Your Facility's Storm Water Discharges, Allowable Non-storm Water Discharges, or Discharge-related Activities?**

If you are unable to certify eligibility under Criteria A, B, C, or E, you must assess whether your storm water discharges, allowable non-storm water discharges, and discharge-related activities are likely to pose jeopardy to listed species or critical habitat. "Storm water discharge-related activities" include:

Activities which cause, contribute to, or result in point source storm water pollutant discharges; and

Measures to control storm water discharges and allowable non-storm water discharges including the siting, construction, operation of best management practices (BMPs) to control, reduce or prevent water pollution.

Effects from storm water discharges, allowable non-storm water discharges, and discharge-related activities which could pose jeopardy include:

*Hydrological.* Wastewater or storm water discharges may cause siltation, sedimentation or induce other changes in receiving waters such as temperature, salinity or pH. These effects will vary with the amount of wastewater or storm water discharged and the volume and condition of the receiving water. Where a discharge constitutes a minute portion of the total volume of the receiving water, adverse hydrological effects are less likely.

*Habitat.* Excavation, site development, grading, and other surface disturbance activities, including the installation or placement of wastewater or storm water ponds or BMPs, may adversely affect listed species or their habitat. Wastewater or storm water associated with facility operation may drain or inundate listed species habitat.

*Toxicity.* In some cases, pollutants in wastewater or storm water may have toxic effects on listed species.

The scope of effects to consider will vary with each facility. If you are having difficulty in determining whether your facility is likely to pose jeopardy to a listed species or critical habitat, then the appropriate office of the FWS, NMFS, or Natural Heritage Center listed in Sections II and III of this Addendum should be contacted for assistance.

Document the results of your assessment and make a preliminary determination on whether or not there would likely be any jeopardy to listed species or critical habitat. You will need to determine that your activities are either "unlikely to adversely affect" or "may adversely affect". Your determination may be based on measures that you implement to avoid, eliminate, or minimize adverse effects.

=> Proceed to Step Four

#### **Step Four: Can You Meet Eligibility Criteria "D"?**

Using best judgment, can you determine your facility's storm water discharges, allowable non-storm water discharges, and discharge-related activities are unlikely to pose jeopardy to listed species or critical habitat?

4-A IF STEP THREE DETERMINATION IS "UNLIKELY TO ADVERSELY AFFECT", YOU ARE ELIGIBLE UNDER CRITERIA "D". Incorporate appropriate measures upon which your eligibility was based into your Storm Water Pollution Prevention Plan and certify eligibility under Part 1.2.3.6.3.4 of the permit. Congratulations, go to Step Five.

=> If there may be adverse effects, proceed to Step 4-B

4-B *Step Three (or Step 4-A-1) Determination is "May Adversely Affect"* You must contact the Service(s) to discuss your findings and measures you could implement to avoid, eliminate, or minimize adverse effects.

4-B-1 IF YOU AND THE SERVICE(S) REACH AGREEMENT ON MEASURES TO AVOID ADVERSE EFFECTS, YOU ARE ELIGIBLE UNDER CRITERIA "D". Incorporate appropriate measures upon which your eligibility was based into your Storm Water Pollution Prevention Plan and certify eligibility under Part 1.2.3.6.3.4 of the permit. Congratulations, go to Step Five.

4-C *Endangered Species Issues Cannot be Resolved* If you cannot reach agreement with the Service(s) on measures to avoid, eliminate, or reduce adverse effects to an acceptable level; and if any likely adverse effects cannot otherwise be addressed through meeting the other criteria of Part 1.2.3.6; then you are not eligible for coverage under the MSGP at this time and must seek coverage under an individual permit. Proceed to 40 CFR 122.26(c) for individual permit application requirements.

#### **Step Five: Submit Notice of Intent and Document Results of the Eligibility Determination**

Once all other Part 1.2 eligibility requirements have been met, you may submit the Notice of Intent (NOI). Signature and submittal of the NOI is also deemed to constitute your certification, under penalty of law, of your eligibility for permit coverage.

You must include documentation of Part 1.2.3.6 eligibility in the pollution prevention plan required for the facility. Documentation required for the various eligibility criteria are as follows:

- Criteria A—A copy of the County-Species List pages with the county(ies) where your facility and discharges are located and a statement on how you determined that no listed species or critical habitat was in proximity to your discharge.
- Criteria B—A copy of the Service(s)'s Biological Opinion or concurrence on a finding of "unlikely to adversely effect" regarding the ESA § 7 consultation.
- Criteria C—A copy of the Service(s)'s letter transmitting the ESA § 10 authorization.
- Criteria D—Documentation on how you determined adverse effects on listed species and critical habitat were unlikely.
- Criteria E—A copy of the documents originally used by the other operator of your facility (or area including your facility) to satisfy the documentation requirement of Criteria A, B, C or D.

**E. Duty To Implement Terms and Conditions Upon Which Eligibility Was Determined**

You must comply with any terms and conditions imposed under the eligibility requirements of Part 1.2.3.6.3 to ensure that your storm water discharges, allowable non-storm water discharges, and discharge-related activities do not pose jeopardy to listed species and/or critical habitat. You must incorporate such terms and conditions in your facility's Storm Water Pollution Prevention Plan as required by the permit. If the eligibility requirements of Part 1.2.3.6 cannot be met, then you may not receive coverage under this permit. You should then consider applying to the permitting authority for an individual permit.

**II. U.S. Fish and Wildlife Service Offices**

National Website For Endangered Species Information. Endangered Species Home page: <http://www.fws.gov/r9endspp/endspp.html>

Regional, State, Field and Project Offices

USFWS, Region One—Regional Office

Division Chief, Endangered Species, U.S. Fish and Wildlife Service, ARD Ecological Services, 911 NE 11 Avenue, Portland, OR 97232-4181, (503) 231-6121

State, Field, and Project Offices (Region One)

Field Supervisor, U.S. Fish and Wildlife Service, P.O. Box 50088, 300 Ala Moana Blvd., Rm 3108, Honolulu, HI 96850

Field Supervisor, U.S. Fish and Wildlife Service, Upper Columbia R. Basin F&W Office, 11103 East Montgomery Drive, Ste 2, Spokane, WA 99306

State Supervisor, U.S. Fish and Wildlife Service, Oregon Fish and Wildlife Office, 2600 S.E. 98th Avenue Suite 100, Portland, OR 97266

Field Supervisor, U.S. Fish and Wildlife Service, Snake River Basin F&W Office, 1387 South Vinnell Way, Room 368, Boise, Idaho 83709

State Supervisor, U.S. Fish and Wildlife Service, Nevada State Office, 4600 Kietzke Lane, Building C, Rm. 125, Reno, NV 89502-5093

State Supervisor, U.S. Fish and Wildlife Service, Western Washington F&W Office, 510 Desmond Dr., Suite 102, Lacey, WA 98503-1273

Field Supervisor, U.S. Fish and Wildlife Service, Klamath Falls F&W Office, 6600 Washburn Way, Klamath Falls, OR 97603

Field Supervisor, U.S. Fish and Wildlife Service, Klamath River F&W Office, 1215 South Main, Suite 212, Yreka, CA 96097-1006

Field Supervisor, U.S. Fish and Wildlife Service, Carlsbad Fish and Wildlife Office, 2730 Loker Avenue West, Carlsbad, CA 92008

Field Supervisor, U.S. Fish and Wildlife Service, Ventura Field Office, 2493 Portola Road, Suite B, Ventura, CA 93003

Project Leader, U.S. Fish and Wildlife Service, Coastal California Fish and Wildlife Office, 1125 16th St., Rm. 209, Arcata, CA 95521-5582

Project Leader, U.S. Fish and Wildlife Service, Northern Central Valley F&W Office, 10959 Tyler Road, Red Bluff, CA 96080

State Supervisor, U.S. Fish and Wildlife Service, California State Office, 3310 El Camino Avenue, Suite 120, Sacramento, CA 95821-6340

Field Supervisor, U.S. Fish and Wildlife Service, Sacramento Fish & Wildlife Office, 3310 El Camino Avenue, Suite 120, Sacramento, CA 95821-6340

USFWS Region Two—Regional Office

Division Chief, Endangered Species, U.S. Fish and Wildlife Service, ARD Ecological Services, P.O. Box 1306, Albuquerque, NM 87103

State, Field, and Project Offices (Region Two)

Field Supervisor, U.S. Fish and Wildlife Service, Corpus Christi Field Office, 6300 Ocean Dr., Campus Box 338, Corpus Christi, TX 78412

Field Supervisor, U.S. Fish and Wildlife Service, Arlington Field Office, 711 Stadium Dr., East, Suite 252, Arlington, TX 76011

Field Supervisor, U.S. Fish and Wildlife Service, Clear Lake Field Office, 17629 El Camino Real, Suite 211, Houston, TX 77058

Field Supervisor, U.S. Fish and Wildlife Service, Oklahoma Field Office, 222 S. Houston, Suite a, Tulsa, OK 74127

Field Supervisor, U.S. Fish and Wildlife Service, New Mexico Field Office, 2105 Osuna, NE, Albuquerque, NM 87113

Field Supervisor, U.S. Fish and Wildlife Service, Austin Ecological Serv. Field Office, 10711 Burnet Road, Suite 200, Austin, TX 78758

Field Supervisor, U.S. Fish and Wildlife Service, Arizona State Office, 2321 W. Royal Palm Road, Suite 103, Phoenix, AZ 85021-4951

USFWS Region Three—Regional Office

Division Chief, Endangered Species, U.S. Fish and Wildlife Service, ARD Ecological Services, BHW Federal Bldg, 1 Federal Drive, Fort Snelling, MN 55111-4056

State, Field, and Project Offices (Region Three)

Field Supervisor, U.S. Fish and Wildlife Service, Chicago, Illinois Field Office, 1000 Hart Rd., Suite 180, Barrington, IL 60010

Field Supervisor, U.S. Fish and Wildlife Service, East Lansing Field Office, 2651 Coolidge Road, East Lansing, MI 48823

Field Supervisor, U.S. Fish and Wildlife Service, Reynoldsburg Field Office, 6950 Americana Parkway, Suite H, Reynoldsburg, OH 43068-4132

Field Supervisor, U.S. Fish and Wildlife Service, Bloomington Field Office, 620 South Walker Street, Bloomington, IN 47403-2121

Field Supervisor, U.S. Fish and Wildlife Service, Twin Cities E.S. Field Office, 4101 East 80th Street, Bloomington, MN 55425-1665

Field Supervisor, U.S. Fish and Wildlife Service, Columbia Field Office, 608 East Cherry Street, Room 200, Columbia, MO 65201-7712

Field Supervisor, U.S. Fish and Wildlife Service, Green Bay Field Office, 1015 Challenger Court, Green Bay, WI 54311-8331

Field Supervisor, U.S. Fish and Wildlife Service, Rock Island Field Office, 4469 48th Avenue Court, Rock Island, IL 61201

Field Supervisor, U.S. Fish and Wildlife Service, Marion Suboffice, Route 3, Box 328, Marion, IL 62959-4565

USFWS Region Four—Regional Office

Division Chief, Endangered Species, U.S. Fish and Wildlife Service, ARD—Ecological Services, 1875 Century Blvd., Suite 200, Atlanta, GA 30345

State, Field, and Project Offices (Region Four)

Field Supervisor, U.S. Fish and Wildlife Service, Panama City Field Office, 1612 June Avenue, Panama City, FL 32405-3721

Field Supervisor, U.S. Fish and Wildlife Service, South Florida Ecosystem Field Office, 1360 U.S. Hwy 1, #5; P.O. Box 2676, Vero Beach, FL 32961-2676

Field Supervisor, U.S. Fish and Wildlife Service, Caribbean Field Office, P.O. Box 491, Boqueron, PR 00622

Field Supervisor, U.S. Fish and Wildlife Service, Puerto Rican Parrot Field Office, P.O. Box 1600, Rio Grande, PR 00745

Field Supervisor, U.S. Fish and Wildlife Service, Brunswick Field Office, 4270 Norwich Street, Brunswick, GA 31520-2523

Field Supervisor, U.S. Fish and Wildlife Service, Jacksonville Field Office, 6620 Southpoint Drive S., Suite 310, Jacksonville, FL 32216-0912

Field Supervisor, U.S. Fish and Wildlife Service, Charleston Field Office, 217 Ft. Johnson Road, P.O. Box 12559, Charleston, SC 29422-2559

Field Supervisor, U.S. Fish and Wildlife Service, Clemson F.O., Dept. of Forest Resources, 261 Lehotsky Hall, Box 341003, Clemson, SC 29634-1003

Field Supervisor, U.S. Fish and Wildlife Service, Raleigh Field Office, P.O. Box 33726, Raleigh, NC 27636-3726

Field Supervisor, U.S. Fish and Wildlife Service, Cookeville Field Office, 446 Neal Street, Cookeville, TN 38501

- Field Supervisor, U.S. Fish and Wildlife Service, Asheville Field Office, 160 Zillicoa Street, Asheville, NC 28801
- Field Supervisor, U.S. Fish and Wildlife Service, Daphne Field Office, P.O. Drawer 1190, Daphne, AL 36526
- Field Supervisor, U.S. Fish and Wildlife Service, Vicksburg Field Office, 2524 S. Frontage Road, Suite B, Vicksburg, MS 39180-5269
- Field Supervisor, U.S. Fish and Wildlife Svc., Lafayette Field Office, Brandywine II, Suite 102, 825 Kaliste Saloom Road, Lafayette, LA 70508
- Field Supervisor, U.S. Fish and Wildlife Service, Jackson Field Office, 6578 Dogwood View Pkwy Suite A, Jackson, MS 39213
- Region Five—Regional Office
- Division Chief, Endangered Species, U.S. Fish and Wildlife Service, ARD Ecological Services, 300 Westgate Center Drive, Hadley, MA 01035-9589
- State, Field and Project Offices (Region Five)
- Project Leader, U.S. Fish and Wildlife Service, Delaware Bay Estuary Project, 2610 Whitehall Neck Road, Smyrna, DE 19977
- Project Leader, U.S. Fish and Wildlife Service, Southern New England/NYBCE Program, Shoreline Plaza, Route 1A, P.O. Box 307, Charlestown, RI 02813
- Project Leader, U.S. Fish and Wildlife Service, Gulf of Maine Project, 4 R Fundy Road, Falmouth, ME 04105
- Project Leader U.S. Fish and Wildlife Service, Chesapeake Bay Field, Office, 177 Admiral Cochrane Drive, Annapolis, Maryland 21401
- Project Leader, U.S. Fish and Wildlife Service, Virginia Field Office, P.O. Box 99, 6669 Short Lane, Gloucester, VA 23061
- Project Leader, U.S. Fish and Wildlife Service, Southwestern Virginia Field Office, P.O. Box 2345, Abingdon, VA 24212
- Project Leader, U.S. Fish and Wildlife Service, New England Field Office, 22 Bridge St., Unit #1, Concord, New Hampshire 03301-4986
- Project Leader, U.S. Fish and Wildlife Service, Maine Field Office, 1033 South Main St., Old Town, Maine 04468
- Project Leader, U.S. Fish and Wildlife Service, Rhode Island Field Office, Shoreline Plaza, Route 1A; P.O. Box 307, Charlestown, Rhode Island 02813
- Project Leader, U.S. Fish and Wildlife Service, Vermont Field Office, 11 Lincoln Street, Winston Prouty Federal Building, Essex Junction, VT 05452
- Project Leader, U.S. Fish and Wildlife Service, New Jersey Field Office, 927 North Main St., Bldg. D1, Pleasantville, New Jersey 08232
- Project Leader, U.S. Fish and Wildlife Service, New York Field Office, 3817 Luker Road, Cortland, New York 13045
- Project Leader, U.S. Fish and Wildlife Service, Long Island Field Office, P.O. Box 608, Islip, New York 11751-0608
- Project Leader, U.S. Fish and Wildlife Service, Pennsylvania Field Office, 315 S. Allen St., Suite 322, State College, Pennsylvania 16801
- Project Leader, U.S. Fish and Wildlife Service, Eastern Pennsylvania Field Office, 11 Hap Arnold Boulevard, Box H, Tobyhanna, Pennsylvania 18466-0080
- Project Leader, U.S. Fish and Wildlife Service, West Virginia Field Office, Route 250, S.—Elkins Shopping Plaza, Elkins, West Virginia 26241
- Region Six—Regional Office
- Division Chief, Endangered Species, U.S. Fish and Wildlife Service, ARD-Ecological Services, P.O. Box 25486, DFC, Denver, CO 80225
- State, Field, and Project Offices (Region Six)
- Field Supervisor, U.S. Fish and Wildlife Service, Montana Field Office, 100 N. Park, Suite 320, Helena, MT 59601
- Sub-Office Supervisor, U.S. Fish and Wildlife Service, Billings Sub-Office, 2900 4th Ave. North-Rm 301, Billings, MT 59101
- Sub-Office Supervisor, U.S. Fish and Wildlife Service, Kalispell Sub-Office, 780 Creston Hatchery Road, Kalispell, MT 59901
- Grizzly Bear Recovery Coordinator, U.S. Fish and Wildlife Service, Forestry Sciences Lab, University of Montana, Missoula, MT 59812
- Field Supervisor, U.S. Fish and Wildlife Service, North Dakota Field Office, 1500 Capitol Avenue, Bismarck, ND 58501
- Field Supervisor, U.S. Fish and Wildlife Service, Nebraska Field Office, 203 W. 2nd Street; Federal Bldg., 2nd Floor, Grand Island, NE 68801
- Field Supervisor, U.S. Fish and Wildlife Service, Kansas Field Office, 315 Houston, Suite E, Manhattan, KS 66502
- Field Supervisor, U.S. Fish and Wildlife Service, South Dakota Field Office, 420 S. Garfield Ave., Suite 400, Pierre, SD 57501-5408
- Field Supervisor, U.S. Fish and Wildlife Service, Salt Lake City Field Office, Lincoln Plaza, 145 East 1300 South—Suite 404, Salt Lake City, UT 84115
- Field Supervisor, U.S. Fish and Wildlife Service, Colorado Field Office, 730 Simms, Suite 290, Golden, CO 80401-4798
- Field Supervisor, U.S. Fish and Wildlife Service, Western Colorado Field Office, 764 Horizon Drive South, Annex A, Grand Junction, CO 81506-3946
- Field Supervisor, U.S. Fish and Wildlife Service, Wyoming Field Office, 4000 Morrie Avenue, Cheyenne, WY 82001
- E.S. Coordinator, U.S. Fish and Wildlife Service, Rocky Mountain Arsenal, National Wildlife Area, Building 111, Commerce City, CO 80022-1748
- Colorado River Recovery Coordinator, U.S. Fish and Wildlife Service, P.O. Box 25486, DFC, Denver, CO 80225
- U.S. Fish and Wildlife Service, Laramie Black Footed Ferret Office, 410 Grand Ave., Suite 315, Laramie, WY 80270
- Region Seven—Regional Office
- Division Chief, Endangered Species, U.S. Fish and Wildlife Service, ARD Ecological Services, 1011 E. Tudor Road, Anchorage, AK 99503
- State, Field, and Project Offices (Region Seven)
- Field Supervisor, U.S. Fish and Wildlife Service, Ecological Services, 605 West 4th Avenue, Room G-62, Anchorage, AK 99501
- Field Supervisor, U.S. Fish and Wildlife Service, Ecological Services, 101 12th Avenue, Box 19 (Room 232), Fairbanks, AK 99701
- Field Supervisor, U.S. Fish and Wildlife Service, Ketchikan Sub-office, 103 Main Street, P.O. Box 3193, Ketchikan, AK 99901
- Field Supervisor, U.S. Fish and Wildlife Service, Ecological Services, 300 Vintage Blvd., Suite 201, Juneau, AK 99801
- Region Eight—Has not yet been created out of the other FWS Regions at the time of this posting.
- Region Nine
- Janet Ady—Outreach, U.S. Fish and Wildlife Service, National Conservation Training Center, Route 3, Box 49, Kearneysville, WV 25430
- Dan Benfield—Training, U.S. Fish and Wildlife Service, National Conservation Training Center, Route 3, Box 49, Kearneysville, WV 25430

### III. National Marine Fisheries Service Offices

The National Marine Fisheries Service is developing a database to provide county and territorial water (up to three miles offshore) information on the presence of endangered and threatened species and critical habitat. The database should be found at the "Office of Protected Resources" site on the NMFS Homepage at <http://www.nmfs.gov>.

#### Regional and Field Offices—Northeast Region

- Protected Resources Program, National Marine Fisheries Service, Northeast Region, One Blackburn Drive, Gloucester, Massachusetts 01930
- Milford Field Office, National Marine Fisheries Service, 212 Rogers Avenue, Milford, Connecticut 06460
- Oxford Field Office, National Marine Fisheries Service, 904 So. Morris Street, Oxford, Maryland 21654
- Sandy Hook Field Office, James J. Howard Marine Sciences Laboratory, National Marine Fisheries Service, 74 Magruder Road, Highlands, New Jersey 07732
- Protected Species Branch, National Marine Fisheries Service, Northeast Fisheries Science Center, 166 Water Street, Woods Hole, Massachusetts 02543

#### Southeast Region

- Protective Species Management Branch, National Marine Fisheries Service, Southeast Region, 9721 Executive Center Drive, St. Petersburg, Florida 33702-2432

#### Northwest Region

- Protected Species Division, National Marine Fisheries Service, Northwest Region, 525 NE Oregon, Suite 500, Portland, Oregon 97232-2737
- Boise Field Office, National Marine Fisheries Service, 1387 S. Vinnel Way, Suite 377, Boise, Idaho 83709
- Olympia Field Office, National Marine Fisheries Service, 510 Desmond Drive, SE, Suite 103, Lacey, Washington 98503

- Roseburg Field Office, National Marine Fisheries Service, 2900 Stewart Parkway NW, Roseburg, Oregon 97470
- Rufus Field Office, National Marine Fisheries Service, P.O. Box 67, 704 "E" 1st, Rufus, Oregon 97050
- Southwest Region
- Protected Species Management Division, Southwest Region, National Marine Fisheries Service, 501 West Ocean Blvd., Suite 4200, Long Beach, California 90802-4213
- Arcata Field Office, National Marine Fisheries Service, 1125 16th Street, Room 209, Arcata, California 95521
- Eureka Field Office, National Marine Fisheries Service, 1330 Bayshore Way, Eureka, California 95501
- Pacific Islands Area Field Office, National Marine Fisheries Service, 2570 Dole Street, Room 106, Honolulu, Hawaii 96822-2396
- Santa Rosa Field Office, Protected Resources Program, National Marine Fisheries Service, 777 Sonoma Avenue, Room 325, Santa Rosa, California 95404
- Alaska Region
- Protected Resources Management, Division, Alaska Region, National Marine Fisheries Service, 709 West 9th Street, Federal Building 461, P.O. Box 21767, Juneau, Alaska 99802
- Anchorage Office, 222 West 7th Avenue, Box 10, Anchorage, Alaska 99513-7577
- IV. Natural Heritage Centers**
- The Natural Heritage Network comprises 85 biodiversity data centers throughout the Western Hemisphere. These centers collect, organize, and share data relating to endangered and threatened species and habitat. The network was developed to inform land-use decisions for developers, corporations, conservationists, and government agencies and is also consulted for research and educational purposes. The centers maintain a Natural Heritage Network Control Server Website (<http://www.heritage.tnc.org>) which provides website and other access to a large number of specific biodiversity centers. Some of these centers are listed below:
- Alabama Natural Heritage Program, Huntingdon College, Massey Hall, 1500 East Fairview Avenue, Montgomery, AL 36106-2148, (334) 834-4519 Fax: (334) 834-5439, Internet: [alnhp@wsnet.com](mailto:alnhp@wsnet.com)
- Alaska Natural Heritage Program, University of Alaska Anchorage, 707 A Street, Anchorage, AK 99501, 907/257-2702 Fax: 907/258-9139, Program Director: David Duffy, 257-2707, Internet: [afdc1@orion.alaska.edu](mailto:afdc1@orion.alaska.edu)
- Arizona Heritage Data Management System, Arizona Game & Fish Department, WM-H, 2221 W. Greenway Road, Phoenix, AZ 85023, 602/789-3612 Fax: 602/789-3928, Internet: [hdms@gf.state.az.us](mailto:hdms@gf.state.az.us) Internet: [hdms1@gf.state.az.us](mailto:hdms1@gf.state.az.us)
- Arkansas Natural Heritage Commission, Suite 1500, Tower Building, 323 Center Street, Little Rock, AR 72201, 501/324-9150 Fax: 501/324-9618, Director: Harold K. Grimmett, -9614
- California Natural Heritage Division, Department of Fish & Game, 1220 S Street, Sacramento, CA 95814, 916/322-2493 Fax: 916/324-0475
- Colorado Natural Heritage Program, Colorado State University, 254 General Services Building, Fort Collins, CO 80523, 970/491-1309 Fax: 970/491-3349
- Connecticut Natural Diversity Database, Natural Resources Center, Department of Environmental Protection, 79 Elm Street, Store Level, Hartford, CT 06106-5127, 860/424-3540 Fax: 860/424-4058
- Delaware Natural Heritage Program, Division of Fish & Wildlife, Department of Natural Resources & Environmental Control, 4876 Hay Point Landing Road Smyrna, DE 19977, 302/653-2880 Fax: 302/653-3431
- District of Columbia Natural Heritage Program, 13025 Riley's Lock Road, Poolesville, MD 20837, 301/427-1302 Fax: 301/427-1355
- Florida Natural Areas Inventory, 1018 Thomasville Road, Suite 200-C, Tallahassee, FL 32303, 904/224-8207 Fax: 904/681-9364
- Florida Natural Areas Inventory, Eglin Air Force Base, P.O. Box 1150, Niceville, FL 32588, 904/883-6451 Fax: 904/682-8381
- Georgia Natural Heritage Program, Wildlife Resources Division, Georgia Department of Natural Resources, 2117 U.S. Highway 278 S.E., Social Circle, GA 30279, 706/557-3032 or 770/918-6411, Fax: 706/557-3033 or 706/557-3040 Internet: [natural\\_heritage@mail.dnr.state.ga.us](mailto:natural_heritage@mail.dnr.state.ga.us)
- Hawaii Natural Heritage Program, The Nature Conservancy of Hawaii, 1116 Smith Street, Suite 201, Honolulu, HI 96817, 808/537-4508 Fax: 808/545-2019
- Idaho Conservation Data Center, Department of Fish & Game, 600 South Walnut Street, Box 25, Boise, ID 83707-0025, 208/334-3402 Fax: 208/334-2114
- Illinois Natural Heritage Division, Department of Natural Resources, Division of Natural Heritage, 524 South Second Street, Springfield, IL 62701-1787, 217/785-8774 Fax: 217/785-8277
- Illinois Nature Preserves Commission, Director: Carolyn Grosboll, Deputy Dir/ Steward: Randy Heidorn, Deputy Dir/ Protect: Don McFall, Office Specialist: Karen Tish, 217/785-8774 Fax: 217/785-8277
- Indiana Natural Heritage Data Center, Division of Nature Preserves, Department of Natural Resources, 402 West Washington Street, Room W267, Indianapolis, IN 46204, 317/232-4052 Fax: 317/233-0133
- Iowa Natural Areas Inventory, Department of Natural Resources, Wallace State Office Building, Des Moines, IA 50319-0034, Fax: 515/281-6794, Coordinator/Zoologist: Daryl Howell, 515/281-8524
- Kansas Natural Heritage Inventory, Kansas Biological Survey, 2041 Constant Avenue, Lawrence, KS 66047-2906, 913/864-3453 Fax: 913/864-5093
- Kentucky Natural Heritage Program, Kentucky State Nature Preserves Commission, 801 Schenkel Lane, Frankfort, KY 40601, 502/573-2886 Fax: 502/573-2355
- Louisiana Natural Heritage Program, Department of Wildlife & Fisheries, P.O. Box 98000, Baton Rouge, LA 70898-9000, 504/765-2821 Fax: 504/765-2607
- Maine Natural Areas Program, Department of Conservation (FedEx/UPS: 159 Hospital Street), 93 State House Station, Augusta, ME 04333-0093, 207/287-8044 Fax: 207/287-8040, Internet: [mnap@state.me.us](mailto:mnap@state.me.us) Web site: <http://www.state.me.us/doc/mnap/home.htm>
- Maryland Heritage & Biodiversity Conservation Programs, Department of Natural Resources, Tawes State Office Building, E-1, Annapolis, MD 21401, 410/260-8540 Fax: 410/260-8595, Web site: <http://www.heritage.tnc.org/nhp/us/md/MassachusettsNaturalHeritage&EndangeredSpeciesProgram,DivisionofFisheries&Wildlife,Route135,Westborough,MA01581508792-7270ext.200Fax:508792-7275>
- Michigan Natural Features Inventory, Mason Building, 5th floor (FedEx/UPS: 530 W Allegan, 48933), Box 30444, Lansing, MI 48909-7944, 517/373-1552 Fax: 517/373-6705, Director: Leni Wilsman, 373-7565, Internet: [wilsman@wildlife.dnr.state.mi.us](mailto:wilsman@wildlife.dnr.state.mi.us)
- Minnesota Natural Heritage & Nongame Research, Department of Natural Resources, 500 Lafayette Road, Box 7, St. Paul, MN 55155, 612/297-4964 Fax: 612/297-4961
- Mississippi Natural Heritage Program, Museum of Natural Science, 111 North Jefferson Street, Jackson, MS 39201-2897, 601/354-7303 Fax: 601/354-7227
- Missouri Natural Heritage Database, Missouri Department of Conservation, P.O. Box 180 (FedEx: 2901 West Truman Blvd), Jefferson City, MO 65102-0180, 573/751-4115 Fax: 573/526-5582
- Montana Natural Heritage Program, State Library Building, 1515 E. 6th Avenue, Helena, MT 59620, 406/444-3009 Fax: 406/444-0581, Internet: [mtnhp@nris.msl.mt.gov](mailto:mtnhp@nris.msl.mt.gov), Homepage/World Wide Web: <http://nris.msl.mt.gov/mtnhp/nhp-dir.html>
- Navajo Natural Heritage Program, P.O. Box 1480, Window Rock, Navajo Nation, AZ 86515, (520) 871-7603, (520) 871-7069 (FAX)
- Nebraska Natural Heritage Program, Game and Parks Commission, 2200 North 33rd Street, P.O. Box 30370, Lincoln, NE 68503, 402/471-5421 Fax: 402/471-5528
- Nevada Natural Heritage Program, Department of Conservation & Natural Resources, 1550 E. College Parkway, Suite 145, Carson City, NV 89706-7921, 702/687-4245 Fax: 702/885-0868
- New Hampshire Natural Heritage Inventory, Department of Resources & Economic Development, 172 Pembroke Street, P.O. Box 1856, Concord, NH 03302, 603/271-3623 Fax: 603/271-2629
- New York Natural Heritage Program, Department of Environmental Conservation, 700 Troy-Schenectady Road, Latham, NY 12110-2400, 518/783-3932 Fax: 518/783-3916, Computer: 518/783-3946
- North Carolina Heritage Program, NC Department of Environment, Health & Natural Resources, Division of Parks & Recreation, P.O. Box 27687, Raleigh, NC 27611-7687, 919-733-4181 Fax: 919/715-3085
- North Dakota Natural Heritage Inventory, North Dakota Parks & Recreation

Department, 1835 Bismarck Expressway, Bismarck, ND 58504, 701/328-5357 Fax: 701/328-5363

Ohio Natural Heritage Data Base, Division of Natural Areas & Preserves, Department of Natural Resources, 1889 Fountain Square, Building F-1, Columbus, OH 43224, 614/265-6453 Fax: 614/267-3096

Oklahoma Natural Heritage Inventory, Oklahoma Biological Survey, 111 East Chesapeake Street, University of Oklahoma, Norman, OK 73019-0575, 405/325-1985 Fax: 405/325-7702, Web site: <http://obssun02.uoknor.edu/biosurvey/onhi/home.html>

Oregon Natural Heritage Program, Oregon Field Office, 821 SE 14th Avenue, Portland, OR 97214 503/731-3070; 230-1221 Fax: 503/230-9639

Pennsylvania Natural Diversity Inventory (East, West, Central)

\* Pennsylvania Natural Diversity Inventory—East, The Nature Conservancy, 34 Airport Drive, Middletown, PA 17057, 717/948-3962 Fax: 717/948-3957

\* Pennsylvania Natural Diversity Inventory—West, Western Pennsylvania Conservancy, Natural Areas Program, 316 Fourth Avenue, Pittsburgh, PA 15222, 412/288-2777 Fax: 412/281-1792

\* Pennsylvania Natural Diversity Inventory—Central, Bureau of Forestry, P.O. Box 8552, Harrisburg, PA 17105-8552, 717/783-0388 Fax: 717/783-5109

Puerto Rico Natural Heritage Program, Division de Patrimonio Natural, Area de Planificacion Integral, Departamento de Recursos Naturales y Ambientales de Puerto Rico, P.O. Box 5887, Puerta de Tierra, Puerto Rico 00906, Tel: 787-722-1726, Fax: 787-725-9526

Rhode Island Natural Heritage Program, Department of Environmental Management, Division of Planning & Development, 83 Park Street, Providence, RI 02903, 401/277-2776, x4308 Fax: 401/277-2069

South Carolina Heritage Trust, SC Department of Natural Resources, P.O. Box 167, Columbia, SC 29202, 803/734-3893 Fax: 803/734-6310 (Call first)

South Dakota Natural Heritage Data Base, SD Department of Game, Fish & Parks Wildlife Division, 523 E. Capitol Avenue, Pierre, SD 57501-3182, 605/773-4227 Fax: 605/773-6245

Tennessee Division of Natural Heritage, Department of Environment & Conservation, 401 Church Street, Life and Casualty Tower, 8th Floor, Nashville, TN 37243-0447, 615/532-0431 Fax: 615/532-0614

Texas Biological and Conservation Data System, 3000 South IH-35, Suite 100, Austin, TX 78704, 512/912-7011 Fax: 512/912-7058

U.S. Virgin Islands Conservation Data Center, Eastern Caribbean Center, University of the Virgin Islands, No. 2 John Brewers Bay, St. Thomas, VI 00802, (809) 693-1030 [Voice] (809) 693-1025, [Fax], Home Page: [cdc.uvi.edu](http://cdc.uvi.edu), E-Mail: [dbarry@uvi.edu](mailto:dbarry@uvi.edu)

Utah Natural Heritage Program, Division of Wildlife Resources, 1596 West North Temple, Salt Lake City, UT 84116, 801/538-4761 Fax: 801/538-4709

Vermont Nongame & Natural Heritage Program, Vermont Fish & Wildlife Department, 103 S. Main Street, 10 South, Waterbury, VT 05671-0501, 802/241-3700 Fax: 802/241-3295

Virginia Division of Natural Heritage, Department of Conservation & Recreation, Main Street Station, 1500 E. Main Street, Suite 312, Richmond, VA 23219, 804/786-7951 Fax: 804/371-2674

Washington Natural Heritage Program, Department of Natural Resources, (FedEx: 1111 Washington Street, SE), P.O. Box 47016, Olympia, WA 98504-7016, 360/902-1340 Fax: 360/902-1783

West Virginia Natural Heritage Program, Department of Natural Resources, Operations Center, Ward Road, P.O. Box 67, Elkins, WV 26241, 304/637-0245 Fax: 304/637-0250

Wisconsin Natural Heritage Program, Endangered Resources, Department of Natural Resources, 101 S. Webster Street, Box 7921, Madison, WI 53707, 608/266-7012 Fax: 608/266-2925

Wyoming Natural Diversity Database, 1604 Grand Avenue, Suite 2, Laramie, WY 82070, 307/745-5026 Fax: 307/745-5026 (Call first), Internet: [wyndd@lariat.or](mailto:wyndd@lariat.or)

#### Addendum B—Historic Properties Guidance

Applicants must determine whether their facility's storm water discharges, allowable non-storm water discharges, or construction of best management practices (BMPs) to control such discharges, has potential to affect a property that is either listed or eligible for listing on the National Register of Historic Places.

For existing dischargers who do not need to construct BMPs for permit coverage, a simple visual inspection may be sufficient to determine whether historic properties are affected. However, for facilities which are new industrial storm water dischargers and for existing facilities which are planning to construct BMPs for permit eligibility, applicants should conduct further inquiry to determine whether historic properties may be affected by the storm water discharge or BMPs to control the discharge. In such instances, applicants should first determine whether there are any historic properties or places listed on the National Register or if any are eligible for listing on the register (*e.g.*, they are "eligible for listing").

Due to the large number of entities seeking coverage under this permit and the limited number of personnel available to State and Tribal Historic Preservation Officers nationwide to respond to inquiries concerning the location of historic properties, EPA suggests that applicants first access the "National Register of Historic Places" information listed on the National Park Service's web page (see Part I of this addendum). Addresses for State Historic Preservation Officers and Tribal Historic Preservation Officers are listed in Parts II and III of this addendum, respectively. In instances where a Tribe does not have a Tribal Historic Preservation Officer, applicants should contact the appropriate Tribal government office when responding to

this permit eligibility condition. Applicants may also contact city, county or other local historical societies for assistance, especially when determining if a place or property is eligible for listing on the register.

The following three scenarios describe how applicants can meet the permit eligibility criteria for protection of historic properties under this permit:

(1) If historic properties are not identified in the path of a facility's storm water and allowable non-storm water discharges or where construction activities are planned to install BMPs to control such discharges (*e.g.*, diversion channels or retention ponds), then the applicant has met the permit eligibility criteria under Part 1.2.3.7.1.

(2) If historic properties are identified but it is determined that they will not be affected by the discharges or construction of BMPs to control the discharge, the applicant has met the permit eligibility criteria under Part 1.2.3.7.1.

(3) If historic properties are identified in the path of a facility's storm water and allowable non-storm water discharges or where construction activities are planned to install BMPs to control such discharges, and it is determined that there is the potential to adversely affect the property, the applicant can still meet the permit eligibility criteria under Part 1.2.3.7.2 if he/she obtains and complies with a written agreement with the appropriate State or Tribal Historic Preservation Officer which outlines measures the applicant will follow to mitigate or prevent those adverse effects. The contents of such a written agreement must be included in the facility's Storm Water Pollution Prevention Plan. The NOI form is being amended to include which option was selected to demonstrate compliance with NHPA provisions. EPA will notify applicants when the new NOI form takes effect.

In situations where an agreement cannot be reached between an applicant and the State or Tribal Historic Preservation Officer, applicants should contact the Advisory Council on Historic Preservation listed in Part IV of this addendum for assistance.

The term "adverse effects" includes but is not limited to damage, deterioration, alteration or destruction of the historic property or place. EPA encourages applicants to contact the appropriate State or Tribal Historic Preservation Officer as soon as possible in the event of a potential adverse effect to a historic property.

Applicants are reminded that they must comply with applicable State, Tribal and local laws concerning the protection of historic properties and places.

#### *I. Internet Information on the National Register of Historic Places*

An electronic listing of the "National Register of Historic Places," as maintained by the National Park Service on its National Register Information System (NRIS), can be accessed on the Internet at "<http://www.nr.nps.gov/nrhome.htm>". Remember to use small case letters when accessing Internet addresses.

## II. State Historic Preservation Officers (SHPO)

### SHPO and Deputy SHPO List:

#### Alabama

Dr. Lee Warner, SHPO, Alabama Historical Commission, 468 South Perry Street, Montgomery, AL 36130-0900, 334-242-3184 FAX: 334-240-3477, E-Mail: [lwarnr@mail.preserveala.org](mailto:lwarnr@mail.preserveala.org)

Deputy: Ms. Elizabeth Ann Brown, E-Mail: [ebrown@mail.preserveala.org](mailto:ebrown@mail.preserveala.org) [www.preserveala.org](http://www.preserveala.org)

#### Alaska

Ms. Judith Bittner, SHPO, Alaska Department of Natural Resources, Office of History & Archeology, 550 West 7th Avenue, Suite 1310, Anchorage, AK 99501-3565, 907-269-8721 FAX: 907-269-8908, E-Mail: [judyb@dnr.state.ak.us](mailto:judyb@dnr.state.ak.us)

Deputy: Joan Antonson, [www.dnr.state.ak.us/parks/oha\\_web](http://www.dnr.state.ak.us/parks/oha_web)

#### American Samoa

Mr. John Enright, SHPO, Executive Offices of the Governor, American Samoa Historic Preservation Office, American Samoa Government, Pago Pago, American Samoa 96799, 011-684-633-2384 FAX: 684-633-2367, E-Mail: [enright@samoatelco.com](mailto:enright@samoatelco.com)

Deputy: Mr. David J. Herdrich, E-Mail: [herdrich@samoatelco.com](mailto:herdrich@samoatelco.com)

#### Arizona

Mr. James W. Garrison, SHPO, Arizona State Parks, 1300 West Washington, Phoenix, AZ 85007, 602-542-4174 FAX: 602-542-4180, E-Mail: [jgarrison@pr.state.az.us](mailto:jgarrison@pr.state.az.us)

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#### Arkansas

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Deputy: Ms. Alicia L. Goehring, E-Mail: [algoehring@mail.shsw.wisc.edu](mailto:algoehring@mail.shsw.wisc.edu) [www.shsw.wisc.edu/ahi/index.html](http://www.shsw.wisc.edu/ahi/index.html)
- Wyoming  
Ms. Wendy Bredehoft, SHPO, Wyoming State Hist. Pres. Ofc., 2301 Central Avenue, 4th Floor, Cheyenne, WY 82002, 307-777-7013 FAX 307-777-3543, E-Mail: [wbrede@missc.state.wy.us](mailto:wbrede@missc.state.wy.us)  
Deputy: Judy K. Wolf, 307-777-6311, E-Mail: [jwolf@missc.state.wy.us](mailto:jwolf@missc.state.wy.us)  
Sheila Bricher-Wade, Reg Ser 307-777-6179, E-Mail: [sbrich@missc.state.wy.us](mailto:sbrich@missc.state.wy.us)  
Mary M. Hopkins, Cult Records 307-766-5324, <http://commerce.state.wy.us/cr/shpo>
- Associate Members:  
Navajo Nation  
Dr. Alan Downer, HPO, PO Box 4950, Window Rock, AZ 86515, 520-871-6437  
FAX: 520-871-7886, E-Mail: [hpd\\_adowner@dine.navajo.org](mailto:hpd_adowner@dine.navajo.org)
- Lac Du Flambeau of Lake Superior Band Chippewa Indians  
Ms. Patricia A. Hrabik Sebby, THPO, PO Box 67, Lac Du Flambeau, WI 54538, 715-588-3303  
Leech Lake Band of Chippewa Indians  
Ms. Rose A. Kluth, THPO, Leech Lake Reservation, RR3, Box 100, Cass Lake, MN 56633, 218-335-8200 FAX: 218-335-8309, E-Mail: [rkluth@aol.com](mailto:rkluth@aol.com)
- Turtle Mountain Band of Chippewa Indians  
Mr. Kade M. Ferris, THPO, Turtle Mountain Band of Chippewa Indians, PO Box 900, Belcourt, ND 58316, E-Mail: [kferris@utma.com](mailto:kferris@utma.com)
- National Governors= Association, National Alliance of Preservation Commissions, National Trust for Historic Preservation, Preservation Action  
NCSHPO Officers, Board and Staff  
President: Judith Bittner, Alaska, Vice President: H. Alexander Wise, Jr., Secretary: Judith McDonough, Massachusetts, Treasurer: Cathryn Slater, Arkansas  
Directors: Brenda Barrett, Pennsylvania, Britta Bloomberg, Minnesota, Theodore Hild, Illinois, Wilson Martin, Utah, Amos Loveday, Ohio, Ken P'Pool, Mississippi, Daniel Abeyta, California, Dorothy Guzzo, New Jersey, Jay Vogt, South Dakota, F. Lawrence Oaks, Texas, Ted Sanderson, Rhode Island, Melvena Heisch, Oklahoma  
Executive Director: Nancy Miller [nmncshpo@sso.org](mailto:nmncshpo@sso.org)  
Office Manager: Anita Zepp [azncshpo@sso.org](mailto:azncshpo@sso.org)  
Senior Program Manager: Andra Reinholz [andra.reinholz@nps.gov](mailto:andra.reinholz@nps.gov)  
National Park Service—National Center—<http://www.nps.gov/>  
Associate Director, Cultural Resources, Kate Stevenson, 202-208-7625  
Assistant Director & Manager, Cultural Resources, 202-343-9596  
Archeology and Ethnography, Frank McManamon, Program Manager, 202-343-4101  
HABS/HAER Division, E. Blaine Cliver, Chief, 202-343-9618  
Heritage Preservation Services Program, Pat Tiller, Chief, 202-343-9569  
Preservation Initiatives Branch, Bryan Mitchell, Chief, 202-343-9558  
Technical Preservation Services Branch, Sharon Park, Chief, 202-343-9584,  
State, Tribal & Local Programs Branch, Joe Wallis, Chief, 202-343-9564  
Museum Management Program, Ann Hitchcock, Chief Curator, 202-343-9569  
National Register, History & Education, Dwight Picaithey, Chief Historian, 202-343-9536  
Keeper of the National Register of Historic Places, Carol Shull, 202-343-9536  
Park Hist Struct/Cult Landscape Prg, Randall Biallas, Chief Historical Architect, 202-343-9588



National Park Service—Systems Support Offices

Anchorage, 907-257-2690, Philadelphia, 215-597-0652, Denver, 303-969-2875, Atlanta, 404-562-3157, San Francisco, 415-427-1300

Advisory Council on Historic Preservation—<http://www.achp.gov>

John Fowler, Executive Director, 202-606-8503, Ron Anzalone, Assistant to Executive Director, 202-606-8505, Don Klima, Director, Office of Planning & Review, Eastern and Western Regions, 202-606-8505

National Trust—<http://www.nthp.org>

Main Number—Washington, DC, 202-588-6000

Northeast Regional Office, Wendy Nicholas, Dir, 617-523-0885

Northeast Field Office, Patrick Hauck, Sr Prog Assoc, 215-991-5778

Southern Field Office, Lisa Burcham, Sr Prog Assoc, 202-588-6107

Southern Regional Office, John Hildreth, Dir, 843-722-8552

Midwest Regional Office, Jim Mann, Dir, 312-939-5547

Southwest Field Office, Jane Jenkins, Dir, 817-332-4398

Mountains/Plains Regional Office, Barbara Pahl, Dir, 303-623-1504

Western Regional Office, Elizabeth Goldstein, Dir, 415-956-0610

Preservation Action—[www.preservationaction.org](http://www.preservationaction.org)

Susan West Montgomery, President, 202-659-0915

Council on America's Military Past—[camphart1@aol.com](mailto:camphart1@aol.com)

Herbert M. Hart, Executive Director, 703-912-6124, Updated September 5, 2000

### III. Tribal Historic Preservation Officers (THPO)

In instances where a Tribe does not have a Tribal Historic Preservation Officer, please contact the appropriate Tribal government office when responding to this permit eligibility condition.

#### Tribal Historic Preservation Officers:

(THPO vacant), Tunica-Biloxi Indians of Louisiana, P.O. Box 331, Marksville, LA 71351

James Bird, Eastern Band of Cherokee Indians, Quallah Boundary, P.O. Box 455, Cherokee, NC 28719

Brenda Boyd, Mille Lacs Band of Ojibwe Indians, HCR 67, Box 194, Onamia, MN 56395

John Brown, Narragansett Indian Tribe, P.O. Box 700, Wyoming, RI 02898

Marcia Cross, Confederated Salish and Kootenai Tribes, P.O. Box 278, Pablo, MT 59855

William Day, Poarch Band of Creek Indians, 5811 Jack Springs Rd., Atmore, AL 36502  
Alan S. Downer, Ph.D., Historic Preservation Dept., Navajo Nation, P.O. Box 4950, Window Rock, AZ 86515

Kade M. Ferris, Turtle Mountain Band of Chippewa Indians, P.O. Box 900, Belcourt, ND 58316

Adeline Fredin, Confederated Tribes of the Colville Reservation, P.O. Box 150, Nespelem, WA 99155

Thomas Gates, Cultural Division, Yurok Tribe, 1034 6th St., Eureka, CA 95501

David Grignon, Menominee Indian Tribe of Wisconsin, P.O. Box 910, Keshena, WI 54135-0910

Monza V. Honga, Office of Cultural Resources, Hualapai Tribe, P.O. Box 310, Peach Springs, AZ 86434

Kelly Jackson, Lac du Flambeau, P.O. Box 67, Lac du Flambeau, WI 54538

Manfred (Fred) Jaenig, Confederated Tribes of the Umatilla Reservation, P.O. Box 638, Pendleton, OR 97801

Sebastian (Bronco) LeBeau, Cheyenne River Sioux Tribe, P.O. Box 590, Eagle Butte, SD 57625

Tim Mentz, Standing Rock Sioux Tribe, P.O. Box D, Fort Yates, ND 58538

Donna Stern-McFadden, Mescalero Apache Tribe, P.O. Box 227, Mescalero, New Mexico 88340

Scott E. Stuemke, Confederated Tribes of Warm Springs, Cultural Resources Department, P.O. Box C, Warm Springs, OR 97761

Matthew Vanderhoop, Wampanoag Tribe of Gay Head (Aquinnah), 20 Black Brook Road, Aquinnah, MA 02535-9701, Phone: (508) 645-9265, Fax: (508) 645-3790

John Welch, White Mt. Apache Tribe, P.O. Box 700, Whiteriver, AZ 85941, Phone: (520) 338-5430, Fax: (520) 338-5488

Gerald White, Leech Lake Band of Chippewa Indians, Route 3, Box 100, Cass Lake, MN 56633

Louie J. Wynne, Spokane Tribe of Indians, P.O. Box 100, Wellpinit, WA 99040

For more information: National Association of Tribal Historic Preservation Officers, D. Bambi Kraus, President, 1411 K Street NW, Suite 700, Washington, DC 20005, Phone: (202) 628-8476, Fax: (202) 628-2241

#### IV. Advisory Council on Historic Preservation

Advisory Council on Historic Preservation, 1100 Pennsylvania Avenue, NW., Suite 809, Washington, DC 20004 Telephone: (202) 606-8503/8505, Fax: (202) 606-8647/8672, E-mail: [achp@achp.gov](mailto:achp@achp.gov)

### Addendum C—New Source Environmental Assessments

#### Basic Format for Environmental Assessment

This is the basic format for the Environmental Assessment prepared by EPA from the review of the applicant's Environmental Information Document (EID) required for new source NPDES permits. Comprehensive information should be provided for those items or issues that are affected; the greater the impact, the more detailed information needed. The EID should contain a brief statement addressing each item listed below, even if the item is not applicable. The statement should at least explain why the item is not applicable.

#### A. General Information

1. Name of applicant
2. Type of facility
3. Location of facility
4. Product manufactured

#### B. Description Summaries

1. Describe the proposed facility and construction activity
2. Describe all ancillary construction not directly involved with the production processes
3. Describe briefly the manufacturing processes and procedures
4. Describe the plant site, its history, and the general area

#### C. Environmental Concerns

1. Historical and Archeological (include a statement from the State Historical Preservation Officer)
2. Wetlands Protection and 100-year Floodplain Management (the Army Corps of Engineers must be contacted if any wetland area or floodplain is affected)
3. Agricultural Lands (a prime farmland statement from the Soil Conservation Service must be included)
4. Coastal Zone Management and Wild and Scenic Rivers
5. Endangered Species Protection and Fish and Wildlife Protection (a statement from the U.S. Fish and Wildlife Service must be included)
6. Air, Water and Land Issues: quality, effects, usage levels, municipal services used, discharges and emissions, runoff and wastewater control, geology and soils involved, land-use compatibility, solid and hazardous waste disposal, natural and man-made hazards involved.
7. Biota concerns: floral, faunal, aquatic resources, inventories and effects
8. Community Infrastructures available and resulting effects: social, economic, health, safety, educational, recreational, housing, transportation and road resources.

BILLING CODE 6560-50-P



## Instructions for Completing the Notice of Intent for Storm Water Discharges Associated with INDUSTRIAL ACTIVITY Under the Multi-sector General Permit

### Who Must File a Notice of Intent?

Under the provisions of section 402(p) of the Clean Water Act (CWA) and regulations at 40 CFR Part 122, Federal law prohibits "point source" discharges of storm water associated with industrial activity to waters of the U.S. without a National Pollutant Discharge Elimination System (NPDES) permit. If you operate a facility which is described in Part 1.2.1. of the Multi-sector General Permit (MSGP) or if you have been designated as needing permit coverage for your storm water discharges by your NPDES permitting authority, and you meet the eligibility requirements in Part 1 of the permit, you may satisfy your CWA obligation for permit coverage by submitting a completed NOI to obtain coverage under the MSGP. If you have questions about whether you need a permit under the NPDES Storm Water Program, contact your NPDES permitting authority (i.e., your EPA Regional storm water coordinator or your State water pollution control agency).

One NOI must be submitted for each facility or site for which you are seeking permit coverage. Only one NOI need be submitted to apply for coverage for all of your activities at each facility (e.g., you do not need to submit a separate NOI for each type of industrial activity located at a facility or industrial complex, provided your storm water pollution prevention plan covers each area for which you are an operator). Finally, the NOI must be submitted in accordance with the deadlines established in Part 2.1 of the MSGP.

### When to File the NOI Form

DO NOT FILE THE NOI UNTIL YOU HAVE OBTAINED A COPY OF THE MULTI-SECTOR GENERAL PERMIT. You will need it to determine your eligibility, prepare your storm water pollution prevention plan, and correctly answer all questions on the NOI form — all of which must be done before you can sign the certification statement on the NOI in good faith (and without risk of committing perjury).

If you have a new facility or are the new operator of an existing facility, this form must be postmarked at least 48 hours before you need permit coverage. If your facility was covered under the 1995 Multi-sector General Permit or if you are currently operating without a permit, see Part 2.1 of the MSGP for your deadlines. CAUTION: You must allow enough lead time to gather the information necessary to complete the NOI (especially that related to determining eligibility with regards to endangered species and historic properties) and prepare the pollution prevention plan required by Part 4 of the MSGP prior to submitting your NOI.

### Where to File the NOI Form

NOIs must be sent to the following address (do not send Storm Water Pollution Prevention Plans (SWPPPs) to this address):

Storm Water Notice of Intent (4203)  
U.S. EPA  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

(For overnight/express delivery of NOIs, add the phone number (202) 260-9541)

NOTE: While not currently available, EPA is exploring the possibility of offering the option to complete the NOI form electronically online via the Internet. If this option does become available, directions will be posted on EPA's web site. To check on the availability of the alternative Online NOI, please visit <http://www.epa.gov/sw>. If the Online NOI is not available, you must file the NOI at the above address.

If your facility discharges through a municipal separate storm sewer system (MS4) that is permitted as a medium or large MS4 under the NPDES Storm Water Program, you must also submit a signed copy of the NOI to the operator of that MS4, in accordance with the deadlines established in Part 2.1 of the permit.

### Completing the NOI Form

To complete this form, type or print, using uppercase letters, in the appropriate areas only. Please place each character between the marks (abbreviate if necessary to stay within the number of characters allowed for each item). Use one space for breaks between words. Please make sure you have addressed all applicable questions and have made a photocopy for your records before sending the completed form to the address above.

### Section A. Permit Selection

You must indicate the NPDES storm water general permit under which you are applying for coverage. Find the generic permit "number" in Part 1.1 of the permit that covers the area where your facility is located. For example, if you are located in New Mexico (except Indian Country lands), the generic number would be NMR05###. If you are located on Navajo lands in New Mexico, the generic permit number would be AZR05##1. CAUTION: You must use the correct permit number or your permit coverage will be invalid since you are not located within the coverage area for that permit.

### Section B. Facility Operator Information

1. Provide the legal name of the person, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or other legal entity that operates the facility or site described in this application. The name of the operator may or may not be the same as the name of the facility. The responsible party is the legal entity that controls the facility's operation, rather than the plant or site manager.
2. Provide the telephone number of the facility operator.
3. Provide the mailing address of the facility operator. Include the street address or P.O. Box, city, state, and zip code. All correspondence regarding the permit will be sent to this address, not the facility address in Section C.
4. Indicate the legal status of the facility operator as a Federal, State, Tribal private, or other public entity (other than Federal or State). This refers only to the operator, not the owner or the land the facility or site is located upon.

### Section C. Facility/Site Information

1. Enter the official or legal name of the facility or site.
2. Enter the complete street address (if no street address exists, provide a geographic description [e.g., Intersection of Routes 9 and 55]), city, county, state, and zip code. Do not use a P.O. Box.
3. Enter the latitude and longitude of the approximate center of the facility or site in degrees/minutes/seconds. Latitude and longitude can be obtained from U.S. Geological Survey (USGS) quadrangle or topographic maps, by using a GPS unit, by calling 1-(888) ASK-USGS, by searching for your facility's address on several commercial "map" sites on the Internet, or by accessing EPA's web site at <http://www.epa.gov/owm/sw/industry/index.htm> and selecting Latitude and Longitude Finders under the Resources/Permit section.
4. Indicate whether the facility is located on Indian Country lands (e.g., a federally recognized reservation, etc.).
5. Indicate whether the facility or site discharges storm water into a receiving water(s) and/or a municipal separate storm sewer system (MS4). Enter the name(s) of the closest receiving water(s) and/or the MS4 (An MS4 is defined as a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that is owned or operated by a state, city, town, borough, county, parish, district, association, or other public body and is designed or used for collecting or conveying storm water.)
6. List your primary and secondary four 4-digit Standard Industrial Classification (SIC) codes or 2-character Activity Codes that best describe the principal products or services provided at the facility or site identified in Section C of this application. For industrial activities defined in 40 CFR 122.26(b)(f)(i)-(ix) and (xi) that do not have SIC codes that accurately describe the principal products produced or services provided, use the following 2-character Activity Codes:
  - HZ** = Hazardous waste treatment, storage, or disposal facilities, including those that are operating under interim status or a permit under subtitle C of RCRA [40 CFR 122.26(b)(f)(iv)];
  - LF** = Landfills, land application sites, and open dumps that receive or have received any industrial wastes, including those that are subject to regulation under subtitle D of RCRA [40 CFR 122.26(b)(f)(v)J];
  - SE** = Steam electric power generating facilities, including coal handling sites [40 CFR 122.26(b)(f)(vii)];
  - TW** = 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 [40 CFR 122.26(b)(f)(ix)]; or
 Alternatively, if your facility or site was specifically designated by your NPDES permitting authority (EPA), enter "AD."

### Section D. Certification

Certification statement and signature. (CAUTION: An unsigned or undated NOI form will prevent the granting of permit coverage.) Federal statutes provide for severe penalties for submitting false information on this application form. Federal regulations require this application to be signed as follows:

**For a corporation:** by a responsible corporate officer, which means:

- (i) 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
- (ii) the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;


**For a partnership or sole proprietorship:** by a general partner or the proprietor; or

**For a municipal, State, Federal, or other public facility:** by either a principal executive or ranking elected official.

### Paperwork Reduction Act Notice

Public reporting burden for this certification is estimated to average 3.7 hours per certification, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose to provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. Send comments regarding the burden estimate, any other aspect of the collection of information, or suggestions for improving this form, including any suggestions which may increase or reduce this burden to: Director, Office of Environmental Information Services, Collection Services Division (2823), USEPA, 1200 Pennsylvania Avenue, NW, Washington, DC 20460. Include the OMB control number of this form on any correspondence. Do not send the completed NOI form to this address.

Addendum E—Notice of Termination Form

<b>THIS FORM REPLACES PREVIOUS FORM 3510-7 (8-92)</b> Please See Instructions Before Completing This Form		Form Approved. OMB No. 2040-0086 Approval expires: 8-31-98
NPDES FORM		United States Environmental Protection Agency Washington, DC 20460 <b>Notice of Termination (NOT) of Coverage Under a NPDES General Permit for Storm Water Discharges Associated with Industrial Activity</b>
Submission of this Notice of Termination constitutes notice that the party identified in Section II of this form is no longer authorized to discharge storm water associated with industrial activity under the NPDES program. ALL NECESSARY INFORMATION MUST BE PROVIDED ON THIS FORM.		
<b>I. Permit Information</b> NPDES Storm Water General Permit Number: _____ <span style="margin-left: 100px;">Check Here if You are No Longer the Operator of the Facility: <input type="checkbox"/></span> <span style="margin-left: 100px;">Check Here if the Storm Water Discharge is Being Terminated: <input type="checkbox"/></span>		
<b>II. Facility Operator Information</b> Name: _____ Phone: _____ Address: _____ City: _____ State: _____ ZIP Code: _____		
<b>III. Facility/Site Location Information</b> Name: _____ Address: _____ City: _____ State: _____ ZIP Code: _____ Latitude: _____ Longitude: _____ Quarter: _____ Section: _____ Township: _____ Range: _____		
<b>IV. Certification:</b> I certify under penalty of law that all storm water discharges associated with industrial activity from the identified facility that are authorized by a NPDES general permit have been eliminated or that I am no longer the operator of the facility or construction site. I understand that by submitting this Notice of Termination, 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 a 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.		
Print Name: _____		Date: _____
Signature: _____		
<b>Instructions for Completing Notice of Termination (NOT) Form</b>		
<b>Who May File a Notice of Termination (NOT) Form</b> Permittees who are presently covered under an EPA-issued National Pollutant Discharge Elimination System (NPDES) General Permit (including the 1995 Multi-Sector Permit) for Storm Water Discharges Associated with Industrial Activity may submit a Notice of Termination (NOT) form when their facilities no longer have any storm water discharges associated with industrial activity as defined in the storm water regulations at 40 CFR 122.26(b)(14), or when they are no longer the operator of the facilities.  For construction activities, elimination of all storm water discharges associated with industrial activity occurs when disturbed soils at the construction site have been finally stabilized and temporary erosion and sediment control measures have been removed or will be removed at an appropriate time, or that all storm water discharges associated with industrial activity from the construction site that are authorized by a NPDES general permit have otherwise been eliminated. Final stabilization means that all soil-disturbing activities at the site have been completed, and that a uniform perennial vegetative cover with a density of 70% of the cover for unpaved areas and areas not covered by permanent structures has been established, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed.	<b>Where to File NOT Form</b> Send this form to the the following address: Storm Water Notice of Termination (4203) 401 M Street, S.W. Washington, DC 20460  <b>Completing the Form</b> Type or print, using upper-case letters, in the appropriate areas only. Please place each character between the marks. Abbreviate if necessary to stay within the number of characters allowed for each item. Use only one space for breaks between words, but not for punctuation marks unless they are needed to clarify your response. If you have any questions about this form, telephone or write the Notice of Intent Processing Center at (703) 931-3230.	

**Instructions - EPA Form 3510-7**  
**Notice of Termination (NOT) of Coverage Under The NPDES General Permit**  
**for Storm Water Discharges Associated With Industrial Activity**

**Section I Permit Information**

Enter the existing NPDES Storm Water General Permit number assigned to the facility or site identified in Section III. If you do not know the permit number, telephone or write your EPA Regional storm water contact person.

Indicate your reason for submitting this Notice of Termination by checking the appropriate box:

If there has been a change of operator and you are no longer the operator of the facility or site identified in Section III, check the corresponding box.

If all storm water discharges at the facility or site identified in Section III have been terminated, check the corresponding box.

**Section II Facility Operator Information**

Give the legal name of the person, firm, public organization, or any other entity that operates the facility or site described in this application. The name of the operator may or may not be the same name as the facility. The operator of the facility is the legal entity which controls the facility's operation, rather than the plant or site manager. Do not use a colloquial name. Enter the complete address and telephone number of the operator.

**Section III Facility/Site Location Information**

Enter the facility's or site's official or legal name and complete address, including city, state and ZIP code. If the facility lacks a street address, indicate the state, the latitude and longitude of the facility to the nearest 15 seconds, or the quarter, section, township, and range (to the nearest quarter section) of the approximate center of the site.

**Section IV Certification**

Federal statutes provide for severe penalties for submitting false information on this application form. Federal regulations require this application to be signed as follows:

*For a corporation:* by a responsible corporate officer, which means: (i) 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, or (ii) 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 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;


*For a partnership or sole proprietorship:* by a general partner or the proprietor; or

*For a municipality, State, Federal, or other public facility:* by either a principal executive officer or ranking elected official.

**Paperwork Reduction Act Notice**

Public reporting burden for this application is estimated to average 0.5 hours per application, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate, any other aspect of the collection of information, or suggestions for improving this form, including any suggestions which may increase or reduce this burden to: Chief, Information Policy Branch, 2136, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, or Director, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503.

Addendum F—No Exposure Certification Form

NPDES FORM 3510-11		United States Environmental Protection Agency Washington, DC 20460 <b>NO EXPOSURE CERTIFICATION for Exclusion from NPDES Storm Water Permitting</b>	Form Approved OMB No. 2040-0211
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Submission of this No Exposure Certification constitutes notice that the entity identified in Section A does not require permit authorization for its storm water discharges associated with industrial activity in the State identified in Section B under EPA's Storm Water Multi-Sector General Permit due to the existence of a condition of no exposure.

A condition of no exposure exists at an industrial facility when all industrial materials and activities are protected by a storm resistant shelter to prevent exposure to rain, snow, snowmelt, and/or runoff. Industrial materials or activities include, but are not limited to, material handling equipment or activities, industrial machinery, raw materials, intermediate products, by-products, final products, or waste products. Material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product or waste product. A storm resistant shelter is not required for the following industrial materials and activities:

- drums, barrels, tanks, and similar containers that are tightly sealed, provided those containers are not deteriorated and do not leak. "Sealed" means banded or otherwise secured and without operational taps or valves;
- adequately maintained vehicles used in material handling; and
- final products, other than products that would be mobilized in storm water discharges (e.g., rock salt).

A No Exposure Certification must be provided for each facility qualifying for the no exposure exclusion. In addition, the exclusion from NPDES permitting is available on a facility-wide basis only, not for individual outfalls. If any industrial activities or materials are or will be exposed to precipitation, the facility is not eligible for the no exposure exclusion.

By signing and submitting this No Exposure Certification form, the entity in Section A is certifying that a condition of no exposure exists at its facility or site, and is obligated to comply with the terms and conditions of 40 CFR 122.26(g).

ALL INFORMATION MUST BE PROVIDED ON THIS FORM.

Detailed instructions for completing this form and obtaining the no exposure exclusion are provided on pages 3 and 4.

**A. Facility Operator Information**

1. Name: \_\_\_\_\_ 2. Phone: \_\_\_\_\_

3. Mailing Address: a. Street: \_\_\_\_\_

b. City: \_\_\_\_\_ c. State: \_\_\_\_\_ d. Zip Code: \_\_\_\_\_

**B. Facility/Site Location Information**

1. Facility Name: \_\_\_\_\_

2. a. Street Address: \_\_\_\_\_

b. City: \_\_\_\_\_ c. County: \_\_\_\_\_

d. State: \_\_\_\_\_ e. Zip Code: \_\_\_\_\_

3. Is the facility located on Indian Lands? Yes  No

4. Is this a Federal facility? Yes  No

5. a. Latitude: \_\_\_\_\_° \_\_\_\_\_' \_\_\_\_\_" b. Longitude: \_\_\_\_\_° \_\_\_\_\_' \_\_\_\_\_"

6. a. Was the facility or site previously covered under an NPDES storm water permit? Yes  No

b. If yes, enter NPDES permit number: \_\_\_\_\_

7. SIC/Activity Codes: Primary: \_\_\_\_\_ Secondary (if applicable): \_\_\_\_\_

8. Total size of site associated with industrial activity: \_\_\_\_\_ acres

9. a. Have you paved or roofed over a formerly exposed, pervious area in order to qualify for the no exposure exclusion? Yes  No

b. If yes, please indicate approximately how much area was paved or roofed over. Completing this question does not disqualify you for the no exposure exclusion. However, your permitting authority may use this information in considering whether storm water discharges from your site are likely to have an adverse impact on water quality, in which case you could be required to obtain permit coverage.

Less than one acre       One to five acres       More than five acres

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**C. Exposure Checklist**

Are any of the following materials or activities exposed to precipitation, now or in the foreseeable future?  
(Please check either "Yes" or "No" in the appropriate box.) **If you answer "Yes" to any of these questions (1) through (11), you are not eligible for the no exposure exclusion.**

	Yes	No
1. Using, storing or cleaning industrial machinery or equipment, and areas where residuals from using, storing or cleaning industrial machinery or equipment remain and are exposed to storm water	<input type="checkbox"/>	<input type="checkbox"/>
2. Materials or residuals on the ground or in storm water inlets from spills/leaks	<input type="checkbox"/>	<input type="checkbox"/>
3. Materials or products from past industrial activity	<input type="checkbox"/>	<input type="checkbox"/>
4. Material handling equipment (except adequately maintained vehicles)	<input type="checkbox"/>	<input type="checkbox"/>
5. Materials or products during loading/unloading or transporting activities	<input type="checkbox"/>	<input type="checkbox"/>
6. Materials or products stored outdoors (except final products intended for outside use [e.g., new cars] where exposure to storm water does not result in the discharge of pollutants)	<input type="checkbox"/>	<input type="checkbox"/>
7. Materials contained in open, deteriorated or leaking storage drums, barrels, tanks, and similar containers	<input type="checkbox"/>	<input type="checkbox"/>
8. Materials or products handled/stored on roads or railways owned or maintained by the discharger	<input type="checkbox"/>	<input type="checkbox"/>
9. Waste material (except waste in covered, non-leaking containers [e.g., dumpsters])	<input type="checkbox"/>	<input type="checkbox"/>
10. Application or disposal of process wastewater (unless otherwise permitted)	<input type="checkbox"/>	<input type="checkbox"/>
11. Particulate matter or visible deposits of residuals from roof stacks and/or vents not otherwise regulated (i.e., under an air quality control permit) and evident in the storm water outflow	<input type="checkbox"/>	<input type="checkbox"/>

**D. Certification Statement**

I certify under penalty of law that I have read and understand the eligibility requirements for claiming a condition of "no exposure" and obtaining an exclusion from NPDES storm water permitting.

I certify under penalty of law that there are no discharges of storm water contaminated by exposure to industrial activities or materials from the industrial facility or site identified in this document (except as allowed under 40 CFR 122.26(g)(2)).

I understand that I am obligated to submit a no exposure certification form once every five years to the NPDES permitting authority and, if requested, to the operator of the local municipal separate storm sewer system (MS4) into which the facility discharges (where applicable). I understand that I must allow the NPDES permitting authority, or MS4 operator where the discharge is into the local MS4, to perform inspections to confirm the condition of no exposure and to make such inspection reports publicly available upon request. I understand that I must obtain coverage under an NPDES permit prior to any point source discharge of storm water from the facility.

Additionally, 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.

Print Name: \_\_\_\_\_

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

Signature: \_\_\_\_\_

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

NPDES  
FORM  
3510-11

## Instructions for the NO EXPOSURE CERTIFICATION for Exclusion from NPDES Storm Water Permitting

Form Approved  
OMB No. 2040-0211

### Who May File a No Exposure Certification

Federal law at 40 CFR Part 122.26 prohibits point source discharges of storm water associated with industrial activity to waters of the U.S. without a National Pollutant Discharge Elimination System (NPDES) permit. However, NPDES permit coverage is not required for discharges of storm water associated with industrial activities identified at 40 CFR 122.26(b)(14)(i)-(ix) and (xi) if the discharger can certify that a condition of "no exposure" exists at the industrial facility or site.

Storm water discharges from construction activities identified in 40 CFR 122.26(b)(14)(x) and (b)(15) are not eligible for the no exposure exclusion.

### Obtaining and Maintaining the No Exposure Exclusion

This form is used to certify that a condition of no exposure exists at the industrial facility or site described herein. This certification is only applicable in jurisdictions where EPA is the NPDES permitting authority and must be re-submitted at least once every five years.

The industrial facility operator must maintain a condition of no exposure at its facility or site in order for the no exposure exclusion to remain applicable. If conditions change resulting in the exposure of materials and activities to storm water, the facility operator must obtain coverage under an NPDES storm water permit immediately.

### Where to File the No Exposure Certification Form

Mail the completed no exposure certification form to:

Storm Water No Exposure Certification (4203)  
USEPA  
401 M Street, SW  
Washington, D.C. 20460

### Completing the Form

You must type or print, using uppercase letters, in appropriate areas only. Enter only one character per space (i.e., between the marks). Abbreviate if necessary to stay within the number of characters allowed for each item. Use one space for breaks between words. One form must be completed for each facility or site for which you are seeking to certify a condition of no exposure. Additional guidance on completing this form can be accessed through EPA's web site at [www.epa.gov/owm/sw](http://www.epa.gov/owm/sw). Please make sure you have addressed all applicable questions and have made a photocopy for your records before sending the completed form to the above address.

### Section A. Facility Operator Information

1. Provide the legal name of the person, firm, public organization, or any other entity that operates the facility or site described in this certification. The name of the operator may or may not be the same as the name of the facility. The operator is the legal entity that controls the facility's operation, rather than the plant or site manager.
2. Provide the telephone number of the facility operator.
3. Provide the mailing address of the operator (P.O. Box numbers may be used). Include the city, state, and zip code. All correspondence will be sent to this address.

### Section B. Facility/Site Location Information


1. Enter the official or legal name of the facility or site.
2. Enter the complete street address (if no street address exists, provide a geographic description [e.g., Intersection of Routes 9 and 55]), city, county, state, and zip code. Do not use a P.O. Box number.
3. Indicate whether the facility is located on Indian Lands.
4. Indicate whether the industrial facility is operated by a department or agency of the Federal Government (see also Section 313 of the Clean Water Act).
5. Enter the latitude and longitude of the approximate center of the facility or site in degrees/minutes/seconds. Latitude and longitude can be obtained from United States Geological Survey (USGS) quadrangle or topographic maps, by calling 1-(888) ASK-USGS, or by accessing EPA's web site at <http://www.epa.gov/owm/sw/industry/index.htm> and selecting Latitude and Longitude Finders under the Resources/Permit section.

Latitude and longitude for a facility in decimal form must be converted to degrees (°), minutes ('), and seconds (") for proper entry on the certification form. To convert decimal latitude or longitude to degrees/minutes/seconds, follow the steps in the following example.

Example: Convert decimal latitude 45.1234567 to degrees (°), minutes ('), and seconds (").

- a) The numbers to the left of the decimal point are the degrees: 45°.
  - b) To obtain minutes, multiply the first four numbers to the right of the decimal point by 0.006:  $1234 \times 0.006 = 7.404$ .
  - c) The numbers to the left of the decimal point in the result obtained in (b) are the minutes: 7'.
  - d) To obtain seconds, multiply the remaining three numbers to the right of the decimal from the result obtained in (b) by 0.06:  $404 \times 0.06 = 24.24$ . Since the numbers to the right of the decimal point are not used, the result is 24".
  - e) The conversion for 45.1234567 = 45° 7' 24".
6. Indicate whether the facility was previously covered under an NPDES storm water permit. If so, include the permit number.
  7. Enter the 4-digit SIC code which identifies the facility's primary activity, and second 4-digit SIC code identifying the facility's secondary activity, if applicable. SIC codes can be obtained from the Standard Industrial Classification Manual, 1987.
  8. Enter the total size of the site associated with industrial activity in acres. Acreage may be determined by dividing square footage by 43,560, as demonstrated in the following example.  
  
Example: Convert 54,450 ft<sup>2</sup> to acres  
Divide 54,450 ft<sup>2</sup> by 43,560 square feet per acre:  
 $54,450 \text{ ft}^2 \div 43,560 \text{ ft}^2/\text{acre} = 1.25 \text{ acres}$ .
  9. Check "Yes" or "No" as appropriate to indicate whether you have paved or roofed over a formerly exposed, pervious area (i.e., lawn, meadow, dirt or gravel road/parking lot) in order to qualify for no exposure. If yes, also indicate approximately how much area was paved or roofed over and is now impervious area.



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<p><b>Section C. Exposure Checklist</b></p> <p>Check "Yes" or "No" as appropriate to describe the exposure conditions at your facility. If you answer "Yes" to <b>ANY</b> of the questions (1) through (11) in this section, a potential for exposure exists at your site and you cannot certify to a condition of no exposure. You must obtain (or already have) coverage under an NPDES storm water permit. After obtaining permit coverage, you can institute modifications to eliminate the potential for a discharge of storm water exposed to industrial activity, and then certify to a condition of no exposure.</p> <p><b>Section D. Certification Statement</b></p> <p>Federal statutes provide for severe penalties for submitting false information on this application form. Federal regulations require this application to be signed as follows:</p> <p>For a corporation: by a responsible corporate officer, which means:</p> <ul style="list-style-type: none"> <li>(i) 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</li> <li>(ii) the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where</li> </ul>		<p>authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;</p> <p>For a partnership or sole proprietorship: by a general partner or the proprietor; or</p> <p>For a municipal, State, Federal, or other public facility: by either a principal executive or ranking elected official.</p> <p><b>Paperwork Reduction Act Notice</b></p> <p>Public reporting burden for this certification is estimated to average 1.0 hour per certification, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose to provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. Send comments regarding the burden estimate, any other aspect of the collection of information, or suggestions for improving this form, including any suggestions which may increase or reduce this burden to: Director, Office of Environmental Services, Collection Services Division (2823), USEPA, 1200 Pennsylvania Avenue, NW, Washington, D.C. 20460. Include the OMB control number of this form on any correspondence. Do not send the completed No Exposure Certification form to this address.</p>	