Oklahoma Department of Environmental Quality
Water Quality Division

# OPDES Multi-Sector General Permit

# OKR05

## for Stormwater Discharges from Industrial Activity within the State of Oklahoma

**July _, 2017**

OKLAHOMA
DEPARTMENT OF ENVIRONMENTAL QUALITY

# OPDES Multi-Sector General Permit OKR05
# for Stormwater Discharges Associated with Industrial Activity within the State of Oklahoma

## Authorization to Discharge under the Oklahoma Pollutant Discharge Elimination System Act

In compliance with the Clean Water Act (CWA), as amended (33 USC 1251 et seq.), and with the provisions in 40 CFR § 122.26, adopted and incorporated by reference in Oklahoma Administrative Code (OAC) 252:606-1-3(b)(3)(L), and the Oklahoma Pollutant Discharge Elimination System (OPDES) Act, Title 27A O.S. §2-6-201 *et seq.*, as amended, except as provided in Part 1.8 of this Permit, owners/operators of stormwater discharges associated with industrial activity described by their Standard Industrial Classification (SIC) Code or Activity Code specified in Part 1.6 of this Permit are authorized to discharge stormwater in accordance with the conditions and requirements set forth herein. Only those owners/operators of stormwater discharges from industrial activities who submit a Notice of Intent (NOI) and receive an authorization in accordance with this Permit are authorized to discharge stormwater from their industrial activity within the State of Oklahoma.

This Permit is a reissuance by the Oklahoma Department of Environmental Quality (DEQ) and shall become effective on July xx, 2017. All currently permitted industrial facilities must reapply to DEQ using an NOI form for coverage under the General Permit OKR05. This Permit and the authorization to discharge stormwater shall expire at midnight on July xx, 2022.

Signed and issued this __th day of June, 2017

_____

Shellie Chard, Director
Water Quality Division

_____

Micheal Jordan, P.E., Engineering Manager
Water Quality Division

# OPDES Multi-Sector General Permit OKR05

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# OPDES Multi-Sector General Permit OKR05
# for Stormwater Discharges from Industrial Activity

## Part 1 Eligibility and Coverage

### 1.1 Coverage under this Permit

This general permit (aka Permit) authorizes discharges of allowable stormwater and/or allowable non-stormwater associated with industrial activity from your[1] *primary industrial activity*, as defined in Part 10 of this Permit, provided your primary industrial activity is included in Table 1-3 or you are notified by DEQ that you are eligible for coverage under Sector AD of this Permit. An industrial facility must be located within the boundaries of the State of Oklahoma to be covered under this Permit. The Standard Industrial Classification (SIC) Codes or Industrial Activity Codes (e.g. HZ, SE, LF, TW) for different industrial activities are listed in Table 1-3.

Any discharges that are not in compliance with the eligibility conditions of this Permit are not authorized by the permit. You must obtain an individual or alternative general permit to be covered for those ineligible discharges or take necessary steps to eliminate the discharge or make the discharges eligible for coverage. Permit eligibility must be maintained to discharge under this Permit.

### 1.2 Allowable Stormwater Discharges

The following stormwater discharges are authorized by this Permit provided such discharges are in compliance with the terms and conditions of this Permit, unless otherwise made ineligible under Part 1.8:

1. Stormwater discharges associated with industrial activity for any primary industrial activities and co-located industrial activities, as defined in 40 CFR § 122.26(b)(14)(i)-(xi), except (x), adopted and incorporated by reference in OAC 252:606-1-3(b)(3)(L), and summarized in Table 1-3, which includes 29 sectors of industrial activity, except for any stormwater discharges specifically prohibited in Part 11;
2. Stormwater discharges designated by DEQ as needing a stormwater permit as provided in Sector AD;
3. Stormwater discharges that are not otherwise required to obtain OPDES permit/authorization but are mixed with discharges that are authorized under this Permit;
4. Stormwater discharges from facilities subject to any stormwater-specific effluent limitations guidelines listed in Table 1-1 that also meet all the eligibility requirements of this Permit.

[1] Terms like “you” and/or “your” are used in this Permit to refer to the party or parties that are facility owners/operators, applicants, permittees, etc.

**Table 1-1 Stormwater-Specific Effluent Limitation Guidelines**

| Regulated Discharges | 40 CFR Section | MSGP Sector & SIC Code |
|---|---|---|
| Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas | Part 429<br>Subpart I | A<br>2411 |
| Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished product, by-products or waste products | Part 418<br>Subpart A | C<br>2874 |
| Runoff from asphalt emulsion facilities | Part 443<br>Subpart A | D<br>2951 & 2952 |
| Runoff from material storage piles at cement manufacturing facilities | Part 411<br>Subpart C | E<br>3241 |
| Mine dewatering discharges at crushed stone, construction sand and gravel, or industrial sand mining facilities | Part 436<br>Subparts B, C, & D | J<br>1422-1429,<br>1442, & 1446 |
| Runoff from hazardous waste and non-hazardous waste landfills | Part 445<br>Subpart A & B | K & L |
| Runoff from coal storage piles at steam electric generating facilities | Part 423 | O |
| Runoff from airfield pavement areas where deicing/anti-icing activities occur at existing and new airports | Part 449 [1] | S<br>4512-4581 |

[1] 40 CFR Part 449 applies only to the airports with 1,000 or more annual non-propeller aircraft departures. However, this effluent limitation requirement is extended based on BPJ to all existing and new airports based on the 2011 OKR05 general permit and anti-backsliding provisions of 40 CFR § 122.44(l)(1).

## 1.3 Allowable Non-Stormwater Discharges

The following non-stormwater discharges are authorized for all sectors of industrial activity under this Permit provided the non-stormwater components of the discharges are in compliance with Part 3 and Part 11 and are not already authorized in a separate OPDES permit:

1. Discharges from emergency/unplanned fire-fighting activities;
2. Fire hydrant flushings;
3. Potable water, including water from drinking fountain and water line flushings;
4. Uncontaminated condensate from air conditioners, coolers/chillers, and other compressors, steam condensate that externally forms on steam lines, and condensate from the outside storage of refrigerated gases or liquids;
5. Irrigation drainage;
6. Landscape watering provided all pesticides, herbicides, and fertilizers have been applied in accordance with the approved manufacturers' instructions and/or labeling;

7. Pavement wash waters where no detergents or hazardous cleaning products are used (e.g., bleach, hydrofluoric acid, muriatic acid, sodium hydroxide, nonylphenols), and the wash waters do not come into contact with oil and grease deposits, sources of pollutants associated with industrial activities (see Part 4.2.3), or any other toxic or hazardous materials, unless residues are first cleaned up using dry clean-up methods (e.g., applying absorbent materials and sweeping, using hydrophobic mops/rags) and you have implemented appropriate control measures to minimize discharges of mobilized solids and other pollutants (e.g., filtration, detention, settlement);
8. Routine external building washdown/power wash water that does not use detergents or hazardous cleaning products (e.g., bleach, hydrofluoric acid, muriatic acid, sodium hydroxide, nonylphenols);
9. Uncontaminated ground water or spring water;
10. Foundation or footing drains where flows are not contaminated with process materials; and
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, drains).

In addition, the following non-stormwater discharges are authorized for ***Sector A***: 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, applicable only to Sector A, provided the non-stormwater component of the discharge is in compliance with the non-numeric effluent limits requirements in Part 3 (see also Sector A of Part 11). The following non-stormwater discharges are authorized for earth-disturbing activities conducted prior to active mining activities for ***Sector J***: water used to wash vehicles and equipment, provided that there is no discharge of oil-sheen, soaps, solvents, or detergents used for such purposes; water used to control dust; and dewatering water that has been treated by an appropriate control under Part 11.J.6.2 (see also Sector J of Part 11).

## 1.4 Requirements for Military Installations and Other State Facilities

Stormwater discharges from military installations or other state facilities or institutions that conduct any industrial activities described by a primary SIC Code or an Industrial Activity Code that is listed in Table 1-3 and Part 11 of this Permit, or that otherwise meet the conditions described in Part 1.2 relating to the need for a permit, must either be authorized under this Permit or an individual OPDES permit or an alternative general permit. For example, the SIC Code for military installations is 9711 and the SIC Code for universities is 8821, neither of which is listed in this Permit; however, the need for a permit will be based on individual activities that occur at the installation.

Other state facilities (i.e., stand-alone facilities) that conduct activities described under Part 1.2 of this Permit must meet the conditions of this Permit for those regulated activities. For example, a city-operated landfill would be described by industrial activity code **LF** and would need a permit, and a county-operated bus maintenance facility would fall under SIC Codes 4111 or 4173 and would also need a permit.

## 1.5 Area of Coverage where EPA/Other Agency is the Permitting Authority in Oklahoma

EPA Region 6 or another Oklahoma state agency is the permitting authority for the following discharges:

**Table 1-2 Areas of Coverage where EPA or Another Agency is the Permitting Authority within the State of Oklahoma**

| | |
|---|---|
| Any Activity in Indian Country within the State of Oklahoma. | EPA Region 6 |
| Oil and Gas Extraction under SIC Codes 1311, 1381, 1382, and 1389 (*Note: DEQ has authority over the Natural Gas Liquids identified under SIC Code 1321 and Oil and Gas Services Maintenance Yards, not elsewhere classified, identified under SIC Code 1389*). Pipelines except Natural Gas under SIC Group 46, *except pipelines within certain facilities regulated by DEQ*; and Gas Production and Distribution under SIC Group 492. | |
| Petroleum Bulk Stations and Terminals under SIC Code 5171. | |
| Agricultural Production and Services identified under SIC Groups 01, 02 and 07; Forestry identified under SIC Group 08; Fishing, Hunting and Trapping identified under SIC Group 09, *except Fish Hatcheries and Preserves identified under SIC Code 0921, where DEQ has jurisdiction*. | ODAFF |

If you are within one of the above areas of coverage, you must apply either to EPA Region 6 Office or Oklahoma Department of Agriculture, Food and Forestry (ODAFF) to obtain an authorization to discharge stormwater associated with an industrial activity.

## 1.6 Facilities and Activities Covered

Permit eligibility is limited to discharges from facilities in the *sectors* of industrial activity summarized in Table 1-3. These sector descriptions are based on SIC Codes and Industrial Activity Codes. References to ***sectors*** in this Permit (e.g., sector-specific monitoring requirements) refer to these groupings. Specific instructions and requirements for individual sectors are found in Part 11.

**Table 1-3 Sectors of Industrial Activity Covered by this Permit**

| SIC Code or Activity Code[1] | Activity Represented[2] |
|---|---|
| **Sector A: Timber Products** | |
| 2411 | Log Storage and Handling |
| 2421 | General Sawmills and Planing 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) |
| 2441 | Nailed and Lock Corner Wood Boxes and Shook |
| 2448 | Wood Pallets and Skids |
| 2449 | Wood Containers, Not Elsewhere Classified |

| SIC Code or Activity Code[1] | Activity Represented[2] |
|---|---|
| 2451, 2452 | Wood Buildings and Mobile Homes |
| 2491 | Wood Preserving |
| 2493 | Reconstituted Wood Products |
| 2499 | Wood Products, Not Elsewhere Classified |
| **Sector B: Paper and Allied Products** | |
| 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 |
| **Sector C: Chemical, Allied Products and Refining** | |
| 2812-2819 | Industrial Inorganic Chemicals |
| 2821-2824 | Plastics, Synthetic, and 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 |
| 2851 | Paints, Varnishes, Lacquers, Enamels, and Allied Products |
| 2861-2869 | Industrial Organic Chemicals |
| 2873-2879 | Agricultural Chemicals |
| 2891-2899 | Miscellaneous Chemical Products |
| 2911 | Petroleum Refineries |
| 3952 (limited to list of inks and paints) | 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 |
| **Sector D: Asphalt Paving, Roofing Materials And Lubricants** | |
| 2951, 2952 | Asphalt Paving and Roofing Materials |
| 2992, 2999 | Miscellaneous Products of Petroleum and Coal |
| **Sector E: Glass, Clay, Cement, Concrete, and Gypsum Products** | |
| 3211 | Flat Glass |

| SIC Code or Activity Code[1] | Activity Represented[2] |
|---|---|
| 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 |
| 3281 | Cut Stone and Stone Products |
| 3291-3299 | Abrasive, Asbestos, and Miscellaneous Nonmetallic Mineral Products |
| **Sector F: Primary Metals** | |
| 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 |
| 3363-3369 | Nonferrous Foundries (Castings) |
| 3398, 3399 | Miscellaneous Primary Metal Products |
| **Sector G: Metal Mining (Ore Mining and Dressing)** | |
| 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 |
| **Sector H: Coal Mines and Coal Mining Related Facilities** | |
| 1221, 1222, 1231, 1241 | Coal Mines and Coal Mining-Related Facilities |
| **Sector I: Oil and Gas Extraction** | |
| 1321 | Natural Gas Liquids Extraction Plants |
| 1389 | Oil and Gas Field Service Maintenance Yards, not elsewhere classified |

| SIC Code or Activity Code[1] | Activity Represented[2] |
|---|---|
| **Sector J: Mineral Mining and Dressing** | |
| 1411 | Dimension Stone |
| 1422, 1423, 1429 | Crushed and Broken Stone, Including Rip Rap |
| 1442 | Construction Sand and Gravel |
| 1446 | Industrial Sand |
| 1455, 1459 | Clay, Ceramic, and Refractory Materials |
| 1474, 1475, 1479 | Chemical and Fertilizer Mineral Mining |
| 1481 | Nonmetallic Minerals Services, Except Fuels |
| 1499 | Miscellaneous Nonmetallic Minerals, Except Fuels |
| **Sector K: Hazardous Waste Treatment, Storage, or Disposal Facilities** | |
| HZ | Hazardous Waste Treatment, Storage or Disposal facilities, including those that are operating under interim status or a permit under Subtitle C of RCRA |
| **Sector L: Landfills and Land Application Sites** | |
| LF | All Landfills and Land Application Sites that receive or have received any industrial wastes, including those that are subject to regulation under Subtitle D of RCRA, except Municipal Solid Waste Landfill Areas closed in accordance with 40 CFR § 258.60 |
| **Sector M: Automobile Salvage Yards** | |
| 5015 | Automobile Salvage Yards |
| **Sector N: Scrap Recycling Facilities** | |
| 5093 | Scrap Recycling and Waste Recycling Facilities |
| **Sector O: Steam Electric Generating Facilities** | |
| SE | Steam Electric Generating Facilities, including coal handling sites |
| **Sector P: Land Transportation and Warehousing** | |
| 4011, 4013 | Railroad Transportation |
| 4111-4173 | Local and Highway Passenger Transportation |
| 4212-4231 | Motor Freight Transportation and Warehousing |
| 4311 | United States Postal Service |

| SIC Code or Activity Code[1] | Activity Represented[2] |
|---|---|
| **Sector Q: Water Transportation** | |
| 4412-4499 | Water Transportation |
| **Sector R: Ship and Boat Building or Repairing Yards** | |
| 3731, 3732 | Ship and Boat Building or Repairing Yards |
| **Sector S: Air Transportation** | |
| 4512, 4513, 4522, 4581 | Air Transportation Facilities |
| **Sector T: Treatment Works** | |
| 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, including land dedicated to the disposal of sewage sludge that is located within the confines of the facility, with a design flow of 1.0 mgd or more, or required to have an approved pretreatment program under 40 CFR Part 403. Not included are farm lands, domestic gardens or lands used for sludge management where sludge is beneficially reused and which are not physically located in the confines of the facility, or areas that are in compliance with Section 405 of the CWA |
| **Sector U: Food and Kindred Products** | |
| 2011-2015 | Meat Products |
| 2021-2026 | Dairy Products |
| 2032-2038 | 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 |
| **Sector V: Textile Mills, Apparel, and Other Fabric Product Manufacturing, Leather and Leather Products** | |
| 2211-2299 | Textile Mill Products |
| 2311-2399 | Apparel and Other Finished Products Made from Fabrics and Similar Materials |
| 3131-3199 | Leather and Leather Products (Note: see Sector Z for Leather Tanning and Finishing) |

| SIC Code or Activity Code[1] | Activity Represented[2] |
|---|---|
| **Sector W: Furniture and Fixtures** | |
| 2434 | Wood Kitchen Cabinets |
| 2511-2599 | Furniture and Fixtures |
| **Sector X: Printing and Publishing** | |
| 2711-2796 | Printing, Publishing, and Allied Industries |
| **Sector Y: Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries** | |
| 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 - see 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 |
| **Sector Z: Leather Tanning and Finishing** | |
| 3111 | Leather Tanning and Finishing |
| **Sector AA: Fabricated Metal Products** | |
| 3411-3499 (except 3479) | Fabricated Metal Products, except Machinery and Transportation Equipment, and Coating, Engraving, and Allied Services |
| 3479 | Fabricated Metal Coating and Engraving |
| 3911-3915 | Jewelry, Silverware, and Plated Ware |
| **Sector AB: Transportation Equipment, Industrial or Commercial Machinery** | |
| 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) |

| SIC Code or Activity Code[1] | Activity Represented[2] |
|---|---|
| **Sector AC: Electronic, Electrical, Photographic, and Optical Goods** | |
| 3571-3579 | Computer and Office Equipment |
| 3612-3699 | Electronic, Electrical Equipment and Components, except Computer Equipment |
| 3812-3873 | Measuring, Analyzing, and Controlling Instruments; Photographic and Optical Goods, Watches and Clocks |
| **Sector AD: Non-Classified Facilities** | |
| N/A | Other stormwater discharges designated by the Executive Director as needing a permit (see 40 CFR§ 122.26(a)(9)(i)(C) & (D)) or any facility discharging stormwater associated with industrial activity not described by any of the Sectors A-AC. (**Note**: Facilities may not elect to be covered under Sector AD. Only the Executive Director may assign a facility to Sector AD.) |

[1] A complete list of SIC Codes can be obtained from the 1987 version of the SIC Manual that is available on the US Department of Labor's website. Conversion of SIC Codes to NAICS Codes (also known as *SIC to NAICS Crosswalk*) can be found on the North American Industry Classification System (NAICS) Association's website.

[2] Industrial Stormwater Factsheets for each of the 29 industrial sectors regulated by the Industrial Stormwater Permit are available on the EPA's website. Each fact sheet describes the types of facilities included in the sector, typical pollutants associated with the sector, and types of stormwater control measures used to minimize the discharge of the pollutants.

## 1.7 Co-located Industrial Activities

If you have co-located industrial activities on-site that are described by a secondary SIC Code other than your primary SIC Code, you must comply with all the applicable sector-specific conditions found in Part 11 of this Permit for each of these co-located industrial activities. The sector-specific requirements apply only to the portion of the facility where that specific sector of activity occurs, except where runoff from different activities combines before leaving the property. 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 stormwater regulations and listed in Table 1-3.

If stormwater runoff from co-located industrial activities commingles, the monitoring requirements and effluent limitations from each sector that contributes runoff to the discharge must be met (irrespective of the actual discharge location).

## 1.8 Limitations on Coverage

Any discharges not specifically authorized in this Permit cannot become authorized or shielded from liability under Section 402(k) of Clean Water Act (CWA) by disclosure to DEQ, EPA or local authorities after issuance of this Permit via any means, including the Notice of Intent (NOI) to be covered by the permit, the Stormwater Pollution Prevention Plan (SWP3), or during an inspection.

### 1.8.1 For Discharges Mixed with Non-Stormwater

Stormwater discharges that are mixed with non-stormwater discharges, other than those mixed with allowable non-stormwater discharges listed in Part 1.3 and/or those mixed with a discharge authorized by a different OPDES permit and/or a discharge that doesn't require OPDES authorization, are not eligible for coverage under this Permit.

### 1.8.2 For Stormwater Discharges Associated with Construction Activity

Stormwater discharges associated with construction activity disturbing one acre or more, or that are part of a larger common plan of development or sale if the larger common plan will ultimately disturb one acre or more, are not eligible for coverage under this Permit, unless in conjunction with mining activities or landfill sites as specified in Part 11, Sector J and Sector L of this Permit.

### 1.8.3 For Discharges Currently or Previously Covered by Another Permit

Unless you have received written notification from DEQ specifically allowing these discharges to be covered under this Permit, you are not eligible for coverage under this Permit for any of the following:

1. Stormwater discharges associated with industrial activity that is currently covered under an individual OPDES permit or an alternative OPDES general permit.
2. Discharges previously covered by an individual permit or alternative general permit that has expired, or been terminated at the request of the permittee unless:
    a. All wastewater discharges under the individual permit have been eliminated and only stormwater discharges and eligible non-stormwater discharges remain (e.g., wastewater is now discharged to a municipal sanitary sewer);
    b. The individual permit did not contain site-specific numeric water quality-based limitations (except pH) developed for the stormwater component of the discharge; and
    c. The permittee includes any specific best management practices (BMPs) in the SWP3 for stormwater discharges required under the individual permit.
3. Discharges from facilities where any OPDES permit has been or is in the process of being denied, terminated, or revoked by DEQ (this does not apply to the routine reissuance of permits every 5 years). Upon request, DEQ may waive this exclusion if the operation of the facility has since passed to a different owner/operator and new circumstances at the facility justify a waiver.

### 1.8.4 For Stormwater Discharges Subject to Effluent Limitation Guidelines

You are not authorized for stormwater discharges subject to stormwater effluent limitation guidelines that are not included in Table 1-1.

### 1.8.5 For Discharge Compliance with Water Quality Standards

You are not authorized for stormwater discharges that the DEQ determines will cause, or have reasonable potential to cause or contribute to an exceedance of water quality standards. Where such determinations have been made, the DEQ may notify you that an individual permit application is necessary in accordance with Part 1.12. However, DEQ may authorize your coverage under this Permit after you have included appropriate controls and implementation procedures designed to ensure your discharge meets applicable water quality standards.

### 1.8.6 For Discharges to Water Quality-Impaired Waters

1. If you are a new discharger or a new source (as defined in Part 10), you are not eligible for coverage under this Permit to discharge stormwater to an ***impaired water*** (as defined in Part 10) unless you do one of the following:
    a. Prevent all exposure to stormwater of the pollutant(s) for which the waterbody is impaired, and retain documentation of procedures taken to prevent exposure onsite with your SWP3; or
    b. Prior to submitting your NOI, provide to DEQ appropriate technical information or other documentation to support your claim that the pollutant(s) for which the waterbody is impaired are not present at your site, and retain such documentation with your SWP3.

If you discharge to an *impaired water,* where a Total Maximum Daily Load (TMDL) or watershed plan in lieu of a TMDL has not been established, you must take all necessary actions to ensure that future discharges do not cause or contribute to an exceedance of a water quality standard and must document these actions in your SWP3. Oklahoma's 303(d) list of ***impaired waters*** is found in Appendix C of the Integrated Water Quality Assessment report which is available on the DEQ's website.

2. You are not authorized to discharge any pollutant into any water for which a TMDL or watershed plan in lieu of a TMDL has been established unless your discharge is consistent with the TMDL or watershed plan. This provision applies only to discharges containing the pollutant(s) for which the water body is impaired.

    a. If a TMDL or watershed plan in lieu of a TMDL is established for any water body into which you discharge prior to the date that you submit an NOI, and if that TMDL or watershed plan includes a wasteload allocation (WLA) or load allocation (LA) for a pollutant likely to be discharged by the facility, your discharges must meet the requirements of the TMDL report or watershed plan and/or its associated implementation plan within any timeframe established in the TMDL report or watershed plan. Monitoring and reporting of the discharges may also be required as appropriate to ensure compliance with the TMDL or watershed plan.

    b. If a TMDL or watershed plan in lieu of a TMDL is established for any water body into which you discharge after the date that you submit an NOI, you must incorporate any limitations, conditions, and requirements applicable to your discharges into your SWP3 to ensure that the WLA, LA and/or the TMDL's associated implementation plan will be met within any timeframe established in the TMDL report. Monitoring and reporting of the discharges may also be required as appropriate to ensure compliance with the TMDL or watershed plan.

*Note: For discharges that enter a separate storm sewer system prior to discharge, the first water of the State to which you discharge is the waterbody that receives the water from the storm sewer system.* (Separate storm sewer systems do not include combined sewer systems or sanitary sewer systems. Separate storm sewer systems include both municipal separate storm sewer systems (MS4s) and non-municipal separate storm sewer systems.)

### 1.8.7 Endangered and Threatened Species and Critical Habitat Protection

The DEQ has developed a program for the protection of Endangered and Threatened Species and Critical Habitat in association with the U.S. Fish and Wildlife Services and the Oklahoma Department of Wildlife Conservation. This program lists Federal and State sensitive waters and watersheds within the State of Oklahoma. A map of these waters and watersheds for the OKR05 permit is included in ***Appendix A***. You must follow the instructions/procedures described in *Appendix A* to determine if this section is applicable to your facility.

1. Coverage under this Permit is available only if your stormwater discharges, allowable non-stormwater discharges, and stormwater *discharge-related activities* are not likely to adversely affect any species that are federally and state listed as endangered or threatened (***listed***) and are not likely to adversely affect habitat that is designated as ***critical habitat*** under the Endangered Species Act (ESA). Submission of a signed NOI will be deemed to constitute your certification of eligibility. ***Discharge-related activities*** include: activities which cause, contribute to, or result in stormwater point source pollutant discharges; and measures to control stormwater discharges including the siting, construction, and operation of BMPs to control, reduce or prevent stormwater pollution.

2. If your industrial facility is located within a corridor/area of these *sensitive waters and watersheds*, you must mark the appropriate box in the Endangered Species area of the NOI and submit your SWP3 to DEQ for review along with your NOI form. *Commencing December 21, 2020, SWP3 that is required to be submitted along with NOI must be electronically submitted to DEQ. Instructions on how to access*

*and use the appropriate electronic reporting tool will be made available on DEQ's website prior to the December 21, 2020 compliance deadline.* The U.S. Fish and Wildlife Service may contact you for additional information regarding your NOI and review your SWP3 as well.

3. Your stormwater discharges, allowable non-stormwater discharges, and discharge-related activities may have been addressed in another operator's certification of eligibility, which included your facility's activity. By certifying eligibility under this Part, you agree to comply with any measures or controls upon which the other operator's certification was based.

This Permit provides for the possibility of multiple industrial facilities in the same vicinity. You should be aware that in some cases you may meet the permit eligibility requirements by relying on another permittee's certification of eligibility. However, the other permittee's certification must meet the permit eligibility requirements and address the effects from your stormwater discharges and stormwater discharge-related activities on the listed species and critical habitat. By relying on another's certification of eligibility, the other operator's certification must apply to the location of your facility and must address the effects from your stormwater discharges, allowable non-stormwater discharges, and discharge-related activities on the listed species and critical habitat.

This situation will typically occur where one industrial facility conducts a comprehensive assessment of effects on the listed species for that entire site, certifies eligibility and that certification is relied upon by other owner/operators in the vicinity. However, the applicant that considers relying on another operator's certification should carefully review that certification along with any supporting information. If the applicant does not believe that the other operator's certification provides adequate coverage for its stormwater discharges and stormwater discharge-related activities for his industrial facility, the applicant must provide his own independent certification.

If an operator goes through the Endangered Species Act (ESA) consultation process and obtains an authorization for stormwater discharges and later sells the facility, the new owner/operator may choose to rely on the previous ESA eligibility analysis. For example, if a *developer* obtains clearance under the ESA consultation process for an industrial park, future tenants in the industrial park may rely on the original ESA evaluation depending on the scope of activities considered.

### 1.8.8 Stormwater Discharges Subject to Antidegradation Water Quality Standards

You are not authorized for discharges that do not comply with the State's antidegradation policy for water quality standards. State antidegradation policies can be obtained from the Oklahoma Water Resources Board's (OWRB) web site.

Stormwater discharges to waterbodies or watersheds designated High Quality Water (HQW), Sensitive Public and Private Water Supply (SWS) or Sensitive Public and Private Water Supply with Reuse (SWS-r) are eligible for coverage under this Permit, provided you undertake any *additional control measures* required by DEQ under Part 3.2.3.

*Stormwater discharges to waterbodies or watersheds designated as Outstanding Resource Water (ORW) from point sources existing as of June 25, 1992, whether or not such discharges were permitted as point sources prior to June 25, 1992, are eligible for coverage under this Permit, provided there is no increased load of any pollutants above levels of June 25, 1992 and you undertake any additional control measures required by DEQ under Part 3.2.3. If your facility is located within the watershed of a designated Outstanding Resource Water, you must submit a certification of industrial existence using the Form in Appendix F along with your NOI and a copy of your SWP3 to DEQ for review.*

Alternatively, DEQ may require you to apply for and/or obtain an alternative permit, i.e., either an individual permit or an alternative general permit in accordance with Part 1.12.

New stormwater discharges to waterbodies or watersheds designated as ORW commencing from point sources after June 25, 1992 are not eligible for coverage under this Permit.

### 1.8.9 Dischargers Notified of Permit Ineligibility

Unless otherwise specified by DEQ, you are not authorized for stormwater discharges after you have been notified that you do not meet the eligibility conditions of this Permit.

### 1.8.10 Historic Properties Preservation

Coverage under this Permit is available only if your stormwater discharges, allowable non-stormwater discharges, and stormwater discharge-related activities comply with the State Antiquities Act (Title 53 O.S. § 361) where applicable and the Burial Desecration Law (Title 21 O.S. § 1168.0-1168.6), as well as with any other applicable local laws concerning the identification and protection of historic properties.

## 1.9 Obtaining an Authorization

To obtain authorization for stormwater discharges associated with industrial activity under this Permit, you must:

1. Be an operator of a primary industrial activity in a sector covered by this Permit (see Table 1-3);
2. Meet the eligibility requirements in Part 1.2;
3. Develop and implement a ***Stormwater Pollution Prevention Plan*** *(SWP3)* according to the requirements in Part 4 of this Permit or update an existing SWP3 consistent with Part 4 of this Permit prior to submitting a ***Notice of Intent*** *(NOI)* form for coverage under this Permit. Select, design, install, and implement control measures in accordance with Part 3 and Part 11 to meet numeric and non-numeric effluent limits. Additional site-specific requirements may be applicable if your facility is located in a watershed with an approved TMDL report or watershed plan in lieu of a TMDL.
4. Submit a complete and accurate NOI using the form in ***Appendix B*** of this Permit to DEQ. *Commencing* ***December 21, 2020****, NOI must be electronically submitted to DEQ. Instructions on how to access and use the appropriate electronic reporting tool will be made available on DEQ's website prior to the December 21, 2020 compliance deadline.*
5. Submit a copy of your SWP3 to DEQ for review *if your facility is located within a corridor/area of Federal and State sensitive waters and watersheds or located in a watershed with an approved TMDL report or watershed plan in lieu of a TMDL*. If your facility is located outside any such areas or watersheds, your facility is not required to submit a SWP3 for review unless requested by DEQ. If you are an operator under Sector J or Sector L, you must submit a copy of the SWP3 to DEQ for review along with the NOI.
6. Pay the applicable application fee and annual permit fee established in OAC 252:606 which can be found on the DEQ's website. You may send/attach a check payable to ***DEQ*** with the required fees. You may also pay the applicable permit fee on the phone calling DEQ Finance at (405) 702 1130.

## 1.10 Effective Date of Permit Coverage

You are not authorized to discharge stormwater and allowable non-stormwater under the terms and conditions of this Permit until you have received an authorization from DEQ. The DEQ may deny coverage under this Permit and require submission of an application for an individual permit or an alternative general permit based on a review of your NOI and/or other information. Authorization to discharge is not automatically granted simply because you have mailed a completed NOI form to DEQ. If critical information is missing, obviously incorrect information is included, the NOI form is unsigned, or if your discharge(s) is not eligible for coverage under this Permit, you will be notified by email, phone or mail. If your NOI form is properly completed and you are in compliance with all of the terms and conditions of this Permit, you will receive an authorization along with its ***effective date*** by return mail.

## 1.11 Continuation of Coverage for Existing Permittees

If this Permit is not reissued or replaced prior to its expiration date, it will be administratively continued in accordance with 40 CFR § 122.6 and remain in force and effect for discharges that were covered prior to expiration. If you were authorized to discharge under the 2011 OKR05 Permit prior to its expiration date, any discharges authorized under 2011 OKR05 Permit will automatically remain covered by this Permit after the expiration date of the 2011 OKR05 Permit until the earliest of:

1. Your authorization for coverage under this reissued permit or a replacement version of this Permit following your timely and appropriate submittal of a complete and accurate NOI form for coverage under the new permit; or
2. Your submittal and receipt of notification of approval of a Notice of Termination (NOT); or
3. Issuance of an individual permit or alternative general permit or denial of a permit for the facility's discharges; or
4. A formal permit decision by DEQ not to reissue this Permit, at which time DEQ will identify a reasonable time period for covered dischargers to seek coverage under an individual permit or an alternative general permit. Coverage under this Permit will cease at the end of this time period.

DEQ reserves the right to modify or revoke and reissue this Permit, in which case you will be notified of any relevant changes or procedures to which you may be subject.

***Note:*** *If you fail to submit a timely NOI for coverage under the reissued or replacement permit,* ***your coverage will automatically be terminated on the date that the NOI was due.***

## 1.12 Coverage under Alternative Permit

DEQ may require any person authorized by this Permit to apply for and/or obtain an alternative permit, i.e., either an individual permit or an alternative general permit, in accordance with 40 CFR § 122.64 and 124.5. If DEQ requires you to apply for an alternative permit, DEQ will notify you in writing that a permit application or an NOI is required. This notification will include a brief statement of the reasons for this decision and will contain alternative permit application or NOI requirements, including deadlines for filing your application or NOI with DEQ.

### 1.12.1 Denial of Coverage for New or Previously Unpermitted Facilities

For new or previously unpermitted facilities, following the submittal of your NOI, you may be denied coverage under the 2017 OKR05 permit in which case you must apply for and/or obtain authorization to discharge under an alternative permit, per Part 1.12.

### 1.12.2 Loss of Authorization under the 2017 OKR05 Permit for Existing Permitted Facilities

If your stormwater discharges are covered under this Permit, you may receive written notification that you must either apply for coverage under an individual permit or submit an application/NOI for coverage under an alternative general permit, per Part 1.12. In addition to the reasons for the decision and alternative permit application or NOI deadlines, the notice will include a statement that on the effective date of your alternative permit coverage, your coverage under the 2017 OKR05 permit will terminate. DEQ may grant additional time to submit the application or NOI if you request it. If you fail to submit an alternative permit application or NOI as required by DEQ, then your authorization to discharge under the 2017 OKR05 permit is terminated at the end of the day DEQ required you to submit your alternative permit application or NOI. DEQ may take appropriate enforcement action for any unpermitted discharge.

### 1.12.3 Operator Requesting Coverage under an Alternative Permit

You may request to be covered under an individual permit or alternative general permit rather than under this Permit. In such a case, you must submit an individual permit or alternative general permit application in accordance with the requirements of 40 CFR § 122.28(b)(3)(iii), with reasons supporting the request to DEQ. The request may be granted by issuance of an individual permit or alternative general permit if your reasons are adequate to support the request. When you are authorized to discharge under an alternative permit, your authorization to discharge under the 2017 OKR05 is terminated on the effective date of the alternative permit.

## 1.13 Terminating Coverage

### 1.13.1 Submitting an NOT

If you wish to terminate permit coverage, you must submit a complete and accurate Notice of Termination (NOT) form to DEQ using the Form in *Appendix C.* DEQ may perform a site inspection before processing your complete and accurate NOT form. You are responsible for meeting all the terms and conditions of this Permit until your authorization is terminated and you are notified by DEQ. Your authorization to discharge under this Permit terminates on the day that DEQ's termination letter is issued. ***Your NOT will be invalid if you submit an NOT without meeting one or more of the conditions identified in Part 1.13.2***.

### 1.13.2 When to Submit an NOT

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

1. A new owner or operator has assumed responsibility for the facility; or
2. You have ceased operations at the facility and there are not or no longer will be discharges of stormwater associated with industrial activity from the facility, and you have already implemented necessary sediment and erosion controls per Part 3.1.2.5, if applicable; or
3. You have obtained coverage under an individual or alternative general permit for all discharges required to be covered by an OPDES permit.

Enforcement actions may be taken if you submit an NOT without meeting one or more of the conditions in this Part, unless you have obtained coverage under an alternative permit.

### 1.13.3 Where to Submit Your NOT

You must submit ***NOT Form*** either electronically to ecls-stormwaterpermitting@deq.ok.gov or by mail to the address in Part 2.4 of this Permit. *Commencing* ***December 21, 2020****, NOT must be electronically submitted to DEQ. Instructions on how to access and use the appropriate electronic reporting tool will be made available on DEQ's website prior to the December 21, 2020 compliance deadline.*

## 1.14 Conditional Exclusion for No Exposure

If you are covered under this Permit, or have a new industrial facility; and become eligible for a ***No Exposure Exclusion*** from permitting under 40 CFR § 122.26(g), you may file a ***No Exposure Certification (NEC) form*** to DEQ using the form in ***Appendix D***. You are no longer required to have a permit upon submission of a complete and accurate ***NEC form*** to DEQ and receipt of confirmation from DEQ, and you do not have to submit an NOT. A facility seeking the no exposure exclusion is not required to develop a SWP3. The facility is subject to inspection by DEQ personnel to determine compliance with the no exposure exclusion. DEQ will issue a written or electronic notification to the facility that meets the ***No Exposure,*** as defined in Part 10***,*** exclusion requirements. The exclusion from permit requirements is only available facility-wide, and is not available for individual outfalls. Generally, if any exposed industrial materials or activities are found on any portion of a facility, the facility is not eligible for the no-exposure exclusion. If it is determined that you do not meet the requirement of NEC, your current authorization will remain in effect, or you will be required to submit an NOI for coverage under this Permit.

Facilities that qualify for this exclusion and that used to contribute stormwater discharges to a municipal separate storm sewer system (MS4) shall provide a copy of the NEC form to the operator of the MS4. You must submit a ***NEC form*** to DEQ once every 5 years. If you are currently covered by a ***No Exposure Exclusion***, you must resubmit a ***NEC form*** to DEQ within 90 days following the effective date of this Permit.

You must submit the ***NEC form*** either electronically to ecls-stormwaterpermitting@deq.ok.gov or by mail to the address in Part 2.4. *Commencing **December 21, 2020**, NEC must be electronically submitted to DEQ. Instructions on how to access and use the appropriate electronic reporting tool will be made available on DEQ's website prior to the December 21, 2020 compliance deadline.*

If the facility terminates operation entirely after obtaining the conditional exclusion for ***No Exposure***, an NOT shall be submitted. If you plan to make any changes to your facility that will result in failure to maintain a ***Condition of No Exposure*** at the facility, you must apply for permit coverage and receive an authorization before commencing any changes. The conditional exclusion for ***No Exposure*** is not transferable.

## 1.15 Transfer of Permit Coverage

Coverage under this Permit is ***not transferable*** to any other person or entity. When the ownership or operational control of the facility changes, the previous Operator must submit a complete and accurate NOT, certified by the prior Owner or Operator and the new Operator must submit a complete and accurate NOI or NEC certified by the new Owner or Operator to DEQ at least ***30 days*** prior to taking over operational control of the facility. The previous owner's coverage will not be terminated until the new owner or operator submits an NOI and receives an authorization. The new Owner or Operator to whom an authorization has been issued must comply with the terms and conditions of this Permit. When the operational control of a portion of a facility changes, the new Operator must submit an NOI or an NEC, and the existing Operator must revise its SWP3 and submit an NOI for modification.

However, if there are any changes in the company name (e.g., *Company A* changes name to *ABC, Inc.*), the operator of the facility must file an ***NOI form*** in ***Appendix B of this Permit*** for amendment or modification referencing the facility's assigned permit number and a cover letter requesting a change of name. The original authorization number will be retained.

## 1.16 Permit Compliance

Any non-compliance with any of the requirements of this Permit constitutes a violation of this Permit, and thus is a violation of the CWA. As detailed in Part 6 (Corrective Actions) of this Permit, failure to take any required corrective actions constitutes an independent, additional violation of this Permit, in addition to any original violation that triggered the need for corrective action. As such, any actions and time periods specified for remedying non-compliance do not absolve parties of the initial underlying non-compliance. Where corrective action is triggered by an event that does not itself constitute permit non-compliance, there is no permit violation provided you take the required corrective action within the relevant deadlines established in Part 6.3.

# Part 2 Notice of Intent Requirements

## 2.1 Submitting an NOI

To be covered under this Permit, you must submit a complete and accurate Notice of Intent (NOI) to DEQ by the applicable deadline included in Table 2-1. The NOI certifies to DEQ that you are eligible for coverage according to Part 1.2 and provides information regarding your industrial activities and related discharges. If you had coverage for your facility under the 2011 OKR05 permit, and an authorization was issued by DEQ, you must reapply to DEQ for a new authorization under this Permit.

You must prepare a new SWP3 or update your existing SWP3 consistent with Part 4 of this Permit prior to submitting your NOI for coverage under this Permit. You only need to receive one authorization to cover all of your activities at the facility. You do not need separate authorizations for co-located industrial activities, provided your SWP3 covers those activities for which you are an operator. The SIC Codes or Activity Codes that best represent the principal products produced or services rendered by your facility and major co-located activities should be listed on the NOI.

For owners/operators of industrial facilities that are not currently covered under this Permit, submitting a complete and accurate NOI to DEQ will not translate to automatic permit coverage. ***You are not considered covered until you receive an authorization from DEQ***.

## 2.2 Applicable Deadlines for Submitting NOI

You must submit an NOI in accordance with the deadlines describe in the following table:

**Table 2-1 Deadlines for NOI Submittal**

| Category | Deadline |
|---|---|
| Owners/Operators of industrial activities that were authorized for coverage under the 2011 OKR05 | 90 days following the effective date of this Permit. |
| New discharges or New owner/operators or Change of location of a facility | Receive authorization from DEQ prior to commencing operation of the facility with discharges of stormwater associated with industrial activity.<br>An NOI must be submitted to DEQ at least ***30 days*** prior to operation. |

If you have missed the deadline provided in Table 2-1 to submit your NOI, any discharges from your industrial activity will be considered unauthorized under the CWA and the OPDES Act until they are covered by this Permit or by a different OPDES permit. DEQ may take enforcement action for any unpermitted discharges that occur between the commencement of discharging and discharge authorization. Discharges are not authorized if your NOI is incomplete or inaccurate or if you are ineligible for permit coverage.

## 2.3 Contents of the NOI

The NOI must include the following information:

1. ***Operator Information***
    - Name of the operator and phone number
    - Mailing address including the City, State, and ZIP Code
    - Name of the operator's point of contact, title, phone number, and email address

2. ***Facility Information***

- Name of the facility and phone number
- Physical address of the facility including City, County, State, and ZIP Code
- Name of the facility's point of contact, title, phone number, and email address
- Facility's ownership type (Federal, State, Municipal, Public or Private).
- Latitude and longitude of the facility location (at main entrance gate of the facility). Geodetic reference system (latitude and longitude) must be based on the North America Datum of 1983 (***NAD83***).
- Primary and secondary SIC Codes or two letter activity code (e.g. HZ, SE, LF and TW) for the facility. The SIC Code or activity code that best represent the principal product produced or services rendered at the facility and major co-located activities should be listed on the NOI.
- Total area of the facility, total impervious area at the facility, and estimated area of industrial activity at the facility exposed to stormwater in ***one-tenth of acres.***
- Complete the section for Endangered Species Eligibility.
  (*Note: Based on the instructions/procedures in Appendix A of this Permit, determine if your facility is located near a sensitive water or watershed. You may use DEQ GIS Map and Data that is available on DEQ's website, to determine whether your facility is located inside or outside of these areas.)*

**3.** ***Facility Discharge Information***

- Indicate if the facility discharges stormwater into a Municipal Separate Storm Sewer System (MS4). If the answer is yes, include the name of the MS4 operator.
- Indicate if the facility required submitting a Discharge Monitoring Report. Verify sector-specific requirements in Part 11 of this Permit.
- Indicate if the facility's stormwater discharge covered by a separate individual or general permit. If your answer is yes, enter the permit number associated with the facility's stormwater discharge.
- List all the stormwater outfalls from the facility and identify each outfall by a unique 3-digit ID (e.g., 001, 002) along with the latitude and longitude in ***degrees decimal*** for each outfall and the name of the corresponding receiving waterbody, including intermittent streams, dry sloughs, arroyos and the areal extent, and description of wetland or *other special aquatic sites* (see Part 10 for definition). Indicate which waterbody is listed as impaired in *DEQ's Integrated Water Quality Report*, including name of the pollutant that caused the impairment. Indicate whether a TMDL or watershed plan in lieu of a TMDL is established for the receiving waterbody.

**4.** ***Stormwater Pollution Prevention Plan Information***

- You ***must prepare a SWP3*** for your facility prior to submitting an NOI to DEQ. Indicate whether the SWP3 has been prepared in accordance with 2017 OKR05 Permit in advance of filing this NOI.
- Indicate if the SWP3 has been certified by a responsible corporate official prior to submit this to DEQ. (See Part 9.16 of this Permit.)
- List all the proposed **Best Management Practices (BMPs)** to control pollution in the stormwater discharges.

5. ***Certification***

Certification must be signed and dated by a ***responsible corporate official*** of your facility as described in Part 9.16 of this Permit. The signatory must also print their name and title. There are substantial penalties (see Part 9.1 of this Permit) for certifying false information on the NOI. The owner/operator who signs the NOI is the ***Permittee*** and is ***responsible*** for compliance with all terms and conditions of this Permit.

All applicants must use the ***NOI form*** available in ***Appendix B*** of this Permit. Completing instructions of the NOI form are also available on pages 3 and 4 of the NOI**.**

## 2.4 Where to Submit NOI

NOI form must be submitted to the Environmental Complaints and Local Services (ECLS) of DEQ at the following address:

Stormwater Unit of ECLS
Oklahoma DEQ
P.O. Box 1677
Oklahoma City, OK 73101-1677

or fax it to: (405)702-6226

or email it to: ecls-stormwaterpermitting@deq.ok.gov

*Commencing **December 21, 2020**, NOI must be **electronically** submitted to DEQ. Instructions on how to access and use the appropriate electronic reporting tool will be made available on DEQ's website prior to the December 21, 2020 compliance deadline.*

## 2.5 Additional Notification

If your facility discharges through a Municipal Separate Storm Sewer System (MS4), or into an MS4 that has been designated by the permitting authority, you must also submit a signed copy of the NOI to the MS4 operator.

# Part 3 Control Measures and Effluent Limits

## 3.1 Control Measures

You must select, design, install, and implement control measures (including BMPs) to ***minimize*** pollutant discharges that address the selection and design considerations in Part 3.1.1, meet the non-numeric effluent limits in Part 3.1.2, meet limits contained in applicable numeric effluent limitations guidelines in Part 3.1.3 and Part 11, and meet the water quality-based effluent limits in Part 3.2. The selection, design, installation, and implementation of these control measures must be in accordance with good engineering practices and manufacturer's specifications. Note that you may deviate from such manufacturer's specifications where you provide justification for such deviation and include documentation of your rationale with the SWP3 that describes your control measures, consistent with Part 4.2.4. If you find that your control measures are not achieving their intended effect of minimizing pollutant discharges to meet applicable water quality standards or any of the other non-numeric effluent limits in this Permit, you must modify these control measures per the corrective action requirements in Part 6. Regulated stormwater discharges from your facility include stormwater run-on that commingles with stormwater discharges associated with industrial activity at your facility.

The term ***minimize*** means reduce and/or eliminate to the extent achievable using control measures (including best management practices) that are technologically available and economically practicable and achievable in light of best industry practice. The term ***infeasible*** means not technologically possible or not economically practicable and achievable in light of best industry practices.

### 3.1.1 Control Measure Selection and Design Considerations

You must consider the following when selecting and designing control measures:

- *Preventing stormwater from coming into contact* with polluting materials is generally more effective, and less costly, than trying to remove pollutants from stormwater;
- *Using control measures in combination* may be more effective than using control measures in isolation for minimizing pollutants in your stormwater discharge;
- *Assessing the type and quantity of pollutants*, including their potential to impact receiving water quality, is critical in designing effective control measures that will achieve the limits in this Permit;
- *Minimizing impervious areas* at your facility and infiltrating runoff onsite (including bio-retention cells, green roofs, and pervious pavement, among other approaches) can reduce runoff and improve groundwater recharge and stream base flows in local streams, although care must be taken in designing such controls to avoid any groundwater contamination;
- *Attenuating flow* using open vegetated swales and natural depressions can reduce in-stream impacts of erosive flows;
- *Conserving and/or restoring riparian buffers* will help protect streams from stormwater runoff and improve water quality; and
- *Using treatment interceptors* (e.g., swirl separators and sand filters) may be appropriate in some instances to minimize the discharge of pollutants.

### 3.1.2 Non-Numeric Technology-Based Effluent Limits

You must comply with the following non-numeric effluent limits (except where otherwise specified in Part 11), as well as any sector-specific non-numeric effluent limits in Part 11:

#### 3.1.2.1 Minimize Exposure

You must *minimize* the exposure of manufacturing, processing, and material storage areas (including loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations) to rain, snow, snowmelt, and runoff in order to minimize pollutant discharges. To achieve such minimization, these industrial materials and activities may be located inside or protected with storm resistant coverings, although significant enlargement of impervious surface area is not recommended. In minimizing exposure, you should pay particular attention to the following:

- Use grading, berming or curbing to prevent runoff of contaminated flows and divert run-on away from these areas;
- Locate materials, equipment, and activities so that potential leaks and spills are contained or able to be contained or diverted before discharge;
- Clean up spills and leaks promptly using dry methods (e.g., absorbents) to prevent the discharge of pollutants;
- Store leaky vehicles and equipment indoors or, if stored outdoors, use drip pans and absorbents;
- Use spill/overflow protection equipment;
- Perform all vehicle and/or equipment cleaning operations indoors, under cover, or in bermed areas that prevent runoff and run-on and also that capture any overspray;
- Drain fluids from equipment and vehicles that will be decommissioned, and, for any equipment and vehicles that will remain unused for extended periods of time, inspect at least *monthly* for leaks; and
- Ensure that all wash-water drains to a proper collection system (i.e., not the stormwater drainage system).

***Note:*** *The discharge of vehicle and equipment wash-water, including tank cleaning operations, is not authorized by this Permit. These wastewaters must be covered under a separate OPDES permit, or discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements, or disposed of otherwise in accordance with applicable law.*

#### 3.1.2.2 Good Housekeeping

You must keep clean all exposed areas that are potential sources of pollutants. You must perform good housekeeping measures in order to minimize pollutant discharges, such as the following:

- Sweep or vacuum at regular intervals or, alternatively, wash down the area and collect and/or treat, and properly dispose of the washdown water;
- Store materials in appropriate containers;
- Keep all dumpster lids closed when not in use. For dumpsters and roll-off boxes that do not have lids and could leak, ensure that discharges have a control (e.g., secondary containment, treatment). Consistent with Part 1.3, this Permit does not authorize dry weather discharges from dumpsters or roll-off boxes;
- Minimize the potential for waste, garbage and floatable debris to be discharged by keeping exposed areas free of such materials, or by intercepting them before they are discharged.

*Plastic Materials Requirements*: Facilities that handle *pre-production plastic* must implement BMPs to eliminate discharges of plastic in stormwater. Examples of plastic materials required to be addressed as stormwater pollutants include *plastic resin pellets, powders, flakes, additives, regrind, scrap, waste, and recycling.*

#### 3.1.2.3 Preventive Maintenance

You must maintain all control measures that are used to achieve the effluent limits in this Permit in effective operating condition, as well as all industrial equipment and systems, in order to minimize pollutant discharges. This includes:

- Performing inspections and preventive maintenance of stormwater drainage, source controls, treatment systems, and plant equipment and systems that could fail and result in contamination of stormwater.
- Diligently maintaining non-structural control measures (e.g., keep spill response supplies available, personnel appropriately trained).
- Inspecting and maintaining bag-houses, if available, at least quarterly to prevent the escape of dust from the system and immediately removing any accumulated dust at the base of the exterior bag-house.
- Cleaning catch basins when the depth of debris reaches half (1/2) of the sump depth and keeping the debris surface at least 6 inches below the lowest outlet pipe.

If you find that your control measures are in need of routine maintenance, you must conduct the necessary maintenance ***immediately*** in order to ***minimize*** pollutant discharges. If you find that your control measures need to be repaired or replaced, you must immediately take ***all reasonable steps*** to prevent or minimize the discharge of pollutants until the final repair or replacement is implemented, including cleaning up any contaminated surfaces so that the material will not be discharged during subsequent storm events.

Final repairs/replacement of stormwater controls should be completed as soon as feasible but must be no later than the timeframe established in Part 6.3 for corrective actions, i.e., within 14 days. If the completion of stormwater control repairs/replacement will exceed the 14-day timeframe, you may take the minimum additional time necessary to complete the maintenance, provided that you notify DEQ of your intention to exceed 14 days, and document in your SWP3 your rationale for your modified maintenance timeframe. If a control measure was never installed, was installed incorrectly or not in accordance with Part 3 and/or Part 11, or is not being properly operated or maintained, you must conduct corrective action as specified in Part 6.

*Note: In this context, the term **immediately** requires you to, on the same day you identify that a control measure needs to be maintained, take all reasonable steps to minimize or prevent the discharge of pollutants until a permanent solution is installed and made operational. However, if a problem is identified at a time in the work day when it is too late to take action, the initiation of action must begin no later than the following work day. **All reasonable steps** means that the permittee has undertaken initial actions to assess and address the condition requiring the corrective action, including, for example, cleaning up any exposed materials that may be discharged in a storm event (e.g., through sweeping, vacuuming) or making arrangements (i.e., scheduling) for a new BMP to be installed at a later date.*

#### 3.1.2.4 Spill Prevention and Response

You must ***minimize*** the potential for leaks, spills and other releases that may be exposed to stormwater and develop plans for effective response to such spills if or when they occur in order to minimize pollutant discharges. You must conduct spill prevention and response measures, including but not limited to, the following:

- Plainly label containers (e.g., Used Oil, Spent Solvents, Fertilizers and Pesticides) that could be susceptible to spillage or leakage to encourage proper handling and facilitate rapid response if spills or leaks occur;
- Implement procedures for material storage and handling, including the use of secondary containment and barriers between material storage and traffic areas, or a similarly effective means designed to prevent the discharge of pollutants from these areas;

- Develop training on the procedures for expeditiously stopping, containing, and cleaning up leaks, spills, and other releases. As appropriate, execute such procedures as soon as possible;
- Keep spill kits on-site, located near areas where spills may occur or where a rapid response can be made; and
- Notify appropriate facility personnel when a leak, spill, or other release occurs.

Where a leak, spill or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under either 40 CFR Parts 110, 117, or 302, occurs during a 24-hour period, you must notify the National Response Center (NRC) at (800) 424-8802 or EPA Region 6 at 1-800-887-6063 and DEQ Hotline at 1-800-522-0206 as soon as you have knowledge of the discharge. Local requirements may necessitate reporting spills or discharges to local emergency response, public health, or drinking water supply agencies. Contact information must be in locations that are readily accessible and available.

Measures for cleaning up hazardous material spills or leaks must be consistent with applicable federal regulations at 40 CFR Parts 264 and 265, as adopted and incorporated by reference in OAC 252:205-3-2(f) and (g).

#### 3.1.2.5 Erosion and Sediment Controls

You must ***minimize*** erosion by stabilizing exposed soils or installing other suitable erosion control measures (e.g., filter berms, sediment basins and rock dams, sediment traps and silt fence, vegetative buffer etc.) at your facility in order to minimize pollutant discharges and placing flow velocity dissipation devices at discharge locations, if applicable, to minimize channel and stream-bank erosion and scour in the immediate vicinity of discharge points. You must also use other structural and non-structural controls as necessary to minimize the discharge of sediment.

If you use polymers and/or other chemical treatments as part of your controls, you must identify the polymers and/or chemicals used and the purpose in your SWP3 and use them as specified by the manufacturer. There are many resources available to help you select appropriate structural and non-structural BMPs for erosion and sediment control, including EPA's *Stormwater Discharges from Construction Activity* website.

#### 3.1.2.6 Management of Runoff

You must divert, infiltrate, reuse, contain, or otherwise reduce stormwater runoff to *minimize* pollutants in your discharges. In selecting, designing, installing, and implementing appropriate control measures, you are encouraged to consult with EPA's Internet-based resources relating to runoff management, including the sector-specific *Industrial Stormwater Fact Sheet Series*, *National Menu of Stormwater BMPs*, and *National Management Measures to Control Nonpoint Source Pollution from Urban Areas,* and any other applicable State resources.

#### 3.1.2.7 Salt Storage Piles or Piles Containing Salt

You must enclose or cover storage piles of salt, or piles containing salt, used for deicing or other commercial or industrial purposes, including maintenance of paved surfaces, in order to *minimize* pollutant discharges. You must implement appropriate control measures (e.g., good housekeeping, diversions, containment) to minimize exposure resulting from adding to or removing materials from the pile.

Piles do not need to be enclosed or covered pursuant to this Permit if stormwater runoff from the piles is not discharged or if discharges from the piles are authorized under another OPDES permit.

#### 3.1.2.8 Employee Training

You must train all employees who work in areas where industrial materials or activities are exposed to stormwater, or who are responsible for implementing activities necessary to meet the conditions of this Permit (e.g., inspectors, maintenance personnel), including all members of your stormwater pollution prevention team.

You must ensure the following personnel understand the requirements of this Permit and their specific responsibilities with respect to those requirements:

- Personnel who are responsible for the design, installation, maintenance, and/or repair of controls (including pollution prevention measures);
- Personnel who are responsible for the storage and handling of chemicals and materials that could become contaminants in stormwater discharges;
- Personnel who are responsible for conducting and documenting inspections and monitoring as required in Part 5 and Part 7; and
- Personnel who are responsible for taking and documenting corrective actions as required in Part 6.

Personnel must be trained in at least the following if related to the scope of their job duties (e.g., only personnel responsible for conducting inspections need to understand how to conduct inspections):

- An overview of what is in the SWP3;
- Spill response procedures, good housekeeping, maintenance requirements, and material management practices;
- The location of all controls on the site required by this Permit, and how they are to be maintained;
- The proper procedures to follow with respect to the permit's pollution prevention requirements; and
- When and how to conduct inspections, record applicable findings, and take corrective actions.

Employee training must be conducted at least annually or more frequently if employee turnover is high.

#### 3.1.2.9 Non-Stormwater Discharges

You must evaluate for the presence of any non-stormwater discharges. Any non-stormwater discharges not explicitly authorized in Part 1.3 or covered by another OPDES permit must be eliminated. This includes vehicle and equipment/tank wash water (except for those authorized in Part 11 for Sector J). If not covered under a separate OPDES permit, wastewater, wash water and any other unauthorized non-stormwater must be discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements, or otherwise disposed of appropriately.

#### 3.1.2.10 Dust Generation and Vehicle Tracking of Industrial Materials

You must *minimize* generation of dust and off-site tracking of raw, final, or waste materials in order to minimize pollutant discharges.

### 3.1.3 Numeric Effluent Limitations Based on Effluent Limitations Guidelines

If you are in an industrial category subject to one of the effluent limitations guidelines identified in Table 3-1 below, you must meet the referenced effluent limits.

**Table 3-1 Applicable Effluent Limitations Guidelines**

| Regulated Discharges | 40 CFR Part/ Subpart | Effluent Limitation |
|---|---|---|
| Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas | Part 429 Subpart I | See Part 11.A.6 |
| Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished product, by-products or waste products | Part 418 Subpart A | See Part 11.C.4 |
| Runoff from asphalt emulsion facilities | Part 443 Subpart A | See Part 11.D.4 |
| Runoff from material storage piles at cement manufacturing facilities | Part 411 Subpart C | See Part 11.E.5 |
| Mine dewatering discharges at crushed stone, construction sand and gravel, or industrial sand mining facilities | Part 436 Subparts B, C, & D | See Part 11.J.8 |
| Runoff from hazardous waste landfills and non-hazardous waste landfills | Part 445 Subpart A & B | See Part 11.K.5 See Part 11.L.8 |
| Runoff from coal storage piles at steam electric generating facilities | Part 423 | See Part 11.O.6 |
| Runoff from airfield pavement areas where deicing/anti-icing activities occur | Part 449 [1] | See Part 11.S.6 |

[1] See note under Table 1-1.

### 3.1.4 Numeric Effluent Limitations for Coal Pile Runoff

If your facility has stormwater runoff from coal storage piles, you must comply with the effluent limitations identified in Table 3-2 below for all discharges containing the coal storage pile runoff, regardless of your industrial activity.

**Table 3-2 Applicable Effluent Limitations for Coal Storage Pile Runoff**

| Parameter | Effluent Limitations |
|---|---|
| Total Suspended Solids (TSS) | 50 mg/L[1], daily max. |
| pH | Between 6.5 s.u. - 9.0 s.u. |

[1] Any untreated overflow from facilities designed, constructed, and operated to treat the volume of coal pile runoff which is associated with a 10-year, 24-hour rainfall event shall not be subject to the 50 mg/L limitation for TSS.

You must not intentionally dilute coal pile runoff with other stormwater or other flows in order to meet these limitations.

## 3.2 Water Quality-Based Effluent Limitations

### 3.2.1 Water Quality Standards

Your discharge must be controlled as necessary to meet applicable water quality standards of the State (i.e., your discharge must not cause or contribute to an exceedance of applicable water quality standards). DEQ expects that compliance with the conditions in this Permit will control discharges as necessary to meet applicable water quality standards. If at any time you become aware, or DEQ determines, that your discharge does not meet applicable water quality standards, you must take appropriate corrective action(s) as required in Part 6 and document the corrective actions as required in Part 6.3.3.

DEQ may also require that you undertake additional control measures (to meet the narrative water quality-based effluent limit above) on a site-specific basis, or require you to obtain coverage under an individual permit, if information in your NOI, required reports or SWP3, or from other sources indicates that your discharges are not controlled as necessary to meet applicable water quality standards. You must implement all measures necessary to be consistent with an available wasteload allocation in an established TMDL or watershed plan in lieu of a TMDL within any timeframe established in the TMDL or watershed plan.

### 3.2.2 Discharges to Water Quality-Impaired Waters

You are considered to discharge to an impaired water if your facility or discharge point is located within 1 mile of a receiving water body which is identified by DEQ on the 303(d) list as not meeting an applicable water quality standard, and:

- Requires development of a TMDL or watershed plan in lieu of a TMDL (pursuant to section 303(d) of the CWA); and/or
- Is addressed by an established TMDL or watershed plan in lieu of a TMDL.

Note: *You are not considered to discharge to an impaired water if your facility or discharge point is located within 1 mile of an impaired receiving water body but the point of discharge is outside the watershed of this water body. For discharges that enter a separate storm sewer system prior to discharge, the first water of the State to which you discharge is the waterbody that receives the water from the storm sewer system. (Separate storm systems do not include combined sewer systems or sanitary sewer systems. Separate storm systems include both municipal storm sewer systems (MS4s) and non-municipal separate storm sewers.)*

#### 3.2.2.1 Existing Discharger to an Impaired Water with an Established TMDL

If you discharge to an impaired water with an *established TMDL* or watershed plan in lieu of a TMDL, your discharge must meet any limitations, conditions, or other requirements of the implementation plan associated with that WLA, LA and/or TMDL within any timeframes established in the TMDL or watershed plan. You must monitor all pollutants for which a WLA or LA has been established at the frequencies established in the TMDL or watershed plan, or at a minimum of once per year. You must comply with the applicable monitoring requirements of Part 7.2.3.1. DEQ will inform you only if coverage under an individual permit is necessary per Part 1.2.

#### 3.2.2.2 Existing Discharger to an Impaired Water without an Established TMDL

If you discharge to an impaired water without an *established TMDL* or watershed plan in lieu of a TMDL, you are still required to comply with Part 3.2.1, and you must comply with the monitoring requirements of Part 7.2.3.1. Note that the impaired waters monitoring requirements of Part 7.2.3.1 also apply where DEQ determines that your discharge is not controlled as necessary to meet applicable water quality standards in an impaired downstream water segment, even if your discharge is to a receiving water that is not identified as impaired according to Part 3.2.2.

#### 3.2.2.3 New Discharger or New Source to an Impaired Water

If your authorization to discharge under this Permit relied on Part 1.8.6 for a new discharger or a new source to an impaired water, you must implement and maintain any measures that enabled you to become eligible under Part 1.8.6, and modify such measures as necessary pursuant to any Part 6 corrective actions. You also must comply with Part 3.2.1 and the monitoring requirements of Part 7.2.3.1.

### 3.2.3 Antidegradation Requirements for New Dischargers, New Sources, or Increased Discharges

If you are a new discharger or a new source (as defined in Part 10) and discharge to a waterbody or watershed designated HQW, SWS or SWS-r, or you are an existing discharger required to notify DEQ of an increased discharge consistent with Part 8.5 (i.e., a *planned changes* report) and discharge directly to a waterbody or watershed designated HQW, SWS, SWS-r or ORW, DEQ may require that you undertake *additional control measures* as necessary to ensure compliance with the applicable antidegradation requirements, or notify you that an individual permit application is necessary in accordance with Part 1.12 or deny your permit application.

If you are a new discharger and discharge to a waterbody or watershed designated ORW commencing after June 25, 1992, you are not eligible for coverage under this Permit.

## 3.3 Requirements Relating to Endangered Species and Historic Properties

If your eligibility under either Part 1.8.7 and Part 1.8.10 was made possible through your, or another operator's, agreement to undertake additional measures, you must comply with all such measures to maintain eligibility under this Permit.

Note that if at any time you become aware, or DEQ determines, that your discharges and/or discharge-related activities have the potential to adversely affect listed species and/or critical habitat or historic properties, DEQ may inform you of the need to implement additional measures on a site-specific basis to meet the effluent limits in this Permit, or require you to obtain coverage under an individual OPDES permit.

# Part 4 Stormwater Pollution Prevention Plan

## 4.1 Stormwater Pollution Prevention Plan Requirements

A Stormwater Pollution Prevention Plan (SWP3) must be prepared for the industrial facility/activity before submitting an NOI for permit coverage. If you prepared a SWP3 for coverage under a previous version of this OPDES Permit, you must review and update the SWP3 to implement all provisions of this Permit prior to submitting your NOI. This ***part does not contain control measures or effluent limitations***; such control measures or limitations are contained in Part 3 and Part 11 of this Permit. The SWP3 is intended to document the selection, design, and installation of different control measures to meet the permit's numeric, if applicable, and non-numeric effluent limits contained in Part 3 and Part 11 of this Permit as well as to document compliance with other permit requirements. As distinct from the SWP3, the additional documentation requirements (see Part 4.5) are intended to document the implementation (including inspection, maintenance, corrective action, monitoring, reporting, and recordkeeping) of the permit requirements. Failure to develop and maintain a current SWP3 is a recordkeeping violation of the permit, and is separate and distinct from a violation of any of the other substantive requirements in the permit, such as inspections, corrective action, effluent limits, monitoring, reporting, and sector-specific requirements.

The SWP3 shall be prepared in accordance with good engineering practices and to industry standards. The SWP3 may be developed by either a person on your staff or a third party you hire, but it must be developed by a ***qualified person*** and must be certified per the signature requirements in Part 9.16. However, use of a registered professional engineer for SWP3 preparation is not required by this Permit. If any part of the SWP3 involves the practice of engineering[2], then those engineering practices and designs are required to be prepared by a registered professional engineer.

*Note: A **qualified person** is a person who is knowledgeable in the principles and practices of industrial stormwater controls and pollution prevention, and possesses the education and ability to assess conditions at the industrial facility that could impact stormwater quality, as well as the education and ability to assess the effectiveness of stormwater controls selected and installed to meet the requirements of the permit.*

## 4.2 Contents of the SWP3

Your SWP3 must contain all of the following elements for coverage under this Permit:

1. Stormwater pollution prevention team (see Part 4.2.1);
2. Site description (see Part 4.2.2);
3. Summary of potential pollutant sources (see Part 4.2.3);
4. Description of control measures to meet technology-based and water quality-based effluent limitations (see Part 4.2.4);

[2] Statutes and Rules of Oklahoma State Board of Licensure for Professional Engineers & Land Surveyors, Section 472.2 "Definitions" states "practice of engineering means any service or creative work, the adequate performance of which requires engineering education, training and experience in the application of special knowledge of the mathematical, physical and engineering sciences to such services or creative work as consultation, investigation, evaluation, planning and design of engineering works and systems, planning the engineering use of land and water, teaching of advanced engineering subjects or courses related thereto, engineering research, engineering surveys, engineering studies, and the inspection or review of construction for the purposes of assuring compliance with drawings and specifications; any of which embraces such services or work, either public or private, in connection with any utilities, structures, buildings, machines, equipment, processes, work systems, projects, and industrial or consumer products or equipment of a mechanical, electrical, chemical, environmental, hydraulic, pneumatic or thermal nature, insofar as they involve safeguarding life, health or property, and including such other professional services as may be necessary to the design review and integration of a multidiscipline work, planning, progress and completion of any engineering services."

5. Schedules and procedures (see Part 4.2.5);
6. Documentation to support eligibility considerations under other federal laws (see Part 4.2.6);
7. Signature requirements (see Part 4.2.7); and
8. Additional documentations (see Part 4.5).

Where the SWP3 refers to procedures in other facility documents, such as a Spill Prevention, Control, and Countermeasures (SPCC) Plan or an Environmental Management System (EMS), copies of the relevant portions of those documents must be kept with the SWP3.

### 4.2.1 Stormwater Pollution Prevention Team

You must identify the staff members (by name and/or title) who comprise the facility's ***stormwater pollution prevention team***, as well as their individual roles and responsibilities. Your stormwater pollution prevention team is responsible for overseeing development of the SWP3, any modifications to it, and for implementing and maintaining control measures and taking corrective actions when required, performing routine facility inspections and monitoring, supervising the housekeeping program, documenting changes to the SWP3, providing staff training, and communicating changes in the SWP3 to the people working on the site. Each member of the stormwater pollution prevention team must have ready access to either an electronic or paper copy of applicable portions of this Permit, the most updated copy of your SWP3, and other relevant documents or information that must be kept with the SWP3.

In addition, you must include facility description and contact information.

### 4.2.2 Site Description

Your SWP3 must include the following:

1. *Activities at the Facility*: Provide a description of the nature of the industrial activities at your facility. At minimum, the description shall include manufacturing and processing, material handling activities including storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product, by-product or waste product; and vehicle and equipment fueling, maintenance and cleaning. Indicate the activities that occur indoors and that occur outdoors which could be exposed to stormwater or under cover but that could be exposed to run-on. Include total area of the facility along with total size of the impervious surfaces at the facility.
2. *Receiving Waterbody*: 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 10 for definition) that may receive discharges from your facility. Indicate which waterbodies are listed as impaired and whether a TMDL or watershed plan in lieu of a TMDL is established. List all of the stormwater outfalls and identify each outfall by a unique 3-digit ID (e.g., 001, 002) from your facility along with the latitude and longitude in degrees decimal for each outfall and the name of the corresponding receiving waterbody. Indicate if you are treating one or more outfalls as ***substantially identical*** under Parts 4.2.5.4, 7.1.1, and 7.2.1.3. If the facility is discharging into a MS4, indicate so and provide its name.
3. *General Location Map*: Provide a general location map (e.g., U.S. Geological Survey quadrangle map) with enough detail to identify the location of your facility and all receiving waters for your stormwater discharges within 1 mile of your facility.
4. *Site Map*: Provide a map or series of maps showing:
    - Boundaries of the property and the size of the property in acres;

- Location and extent of significant structures and impervious surfaces at the facility;
- Directions of stormwater flow (use arrows to show the directions of stormwater flow);
- Locations of all receiving waters in the immediate vicinity of your facility;
- Locations of potential pollutant sources identified under Part 4.2.3;
- Locations of all stormwater control measures (i.e. Structural BMPs);
- Locations of all stormwater conveyances including ditches, pipes, and swales;
- Locations where significant spills or leaks identified under Part 4.2.5 have occurred;
- Locations of all stormwater monitoring points;
- Locations of stormwater inlets and outfalls, with a unique identification code for each discharge point (e.g., Outfall 001, 002) and an approximate outline of the areas draining to each outfall;
- Locations and descriptions of all non-stormwater discharges;
- MS4s and where your stormwater discharges to them, if applicable;
- Areas of designated critical habitat for endangered or threatened species, if applicable.
- 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; liquid storage tanks; processing and storage areas; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; transfer areas for substances in bulk; and machinery; and
- Locations and sources of run-on to your site from adjacent property that contains significant quantities of pollutants, if any (an evaluation of how the quality of the runoff impacts your stormwater discharges may be included).

### 4.2.3 Summary of Potential Pollutant Sources

You must describe areas at your facility where industrial materials or activities are exposed to stormwater and/or from which allowable non-stormwater discharges originate. Industrial materials or activities include, but are not limited to: material handling equipment or activities; industrial machinery; raw materials; industrial production and processes; and intermediate products, by-products, final products, and waste products. Material handling activities include, but are not limited to: the storage, loading and unloading, transportation, disposal, or conveyance of any raw material, intermediate product, final product or waste product. For structures located in areas of industrial activity, you must be aware that the structures themselves are potential sources of pollutants. This could occur, for example, when metals such as aluminum or copper are leached from the structures as a result of acid rain and/or other means. For each identified area, the description must include:

#### 4.2.3.1 Industrial Activities

A list of the industrial activities exposed to stormwater (e.g., material storage; equipment fueling, maintenance, and cleaning; cutting steel beams).

#### 4.2.3.2 List of Pollutants

A list of the pollutant(s) or pollutant constituents (e.g., crankcase oil, zinc, sulfuric acid, cleaning solvents) associated with each identified activity, which could be exposed to rainfall or snowmelt and could be discharged from your facility. The pollutant list must include all significant materials that have been handled, treated, stored or disposed, and that have been exposed to stormwater in the 3 years prior to the date of submission of an NOI to DEQ.

#### 4.2.3.3 Spills and Leaks

You must identify and clearly document where potential spills and leaks could occur that could contribute pollutants to stormwater discharges, and the corresponding outfall(s) that would be affected by such spills and leaks. You must document all significant spills and leaks of ***oil or toxic or hazardous substances*** that actually occurred at exposed areas, or that drained to a stormwater conveyance, in the ***3 years*** prior to the date of the submission of an NOI to be covered under this Permit and/or the date you prepare or amend your SWP3. Your list must also be updated if significant spills or leaks occurred in exposed areas of your facility during the previous permit period.

*Note: 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 Section 311 (see 40 CFR § 110.6 and 40 CFR § 117.21) or Section 102 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 USC § 9602. 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. Significant spills may also include releases of oil or hazardous substances that are not in excess of reporting requirements.*

#### 4.2.3.4 Allowable Non-Stormwater Discharges

You must document that you have evaluated all sources of allowable non-stormwater that are/will be discharged under this Permit. Documentation of your evaluation must include:

a. Identification of each allowable non-stormwater source.

b. The location where it is likely to be discharged.

c. Descriptions of appropriate BMPs for each source.

For flows from emergency firefighting activities, you must include an evaluation regarding potential releases of pollutants from the scene and measures to reduce such pollutant releases to ***minimize*** the impact on water quality and to ensure public health and safety.

If you include mist blown from cooling towers amongst your allowable non-stormwater discharges, you must specifically evaluate the potential for the discharges to be contaminated by chemicals used in the cooling tower and determine 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.

#### 4.2.3.5 Unauthorized Non-Stormwater Discharges

You must document that you have tested or evaluated the presence of any unauthorized non-stormwater discharges (see Part 1.3 for the exclusive list of allowable non-stormwater discharges under this Permit).

Documentation of your testing or evaluation must include:

- The date of the testing or evaluation;
- A description of the test or evaluation criteria and testing method used;
- Identification of significant sources of any unauthorized non-stormwater discharges;

- A description of the results of any test or evaluation performed for the presence of any unauthorized non-stormwater discharges;
- A list of the outfalls or onsite drainage points that were directly observed during the testing or evaluation; and
- The action(s) taken, such as a list of control measures used to eliminate unauthorized discharge(s), or documentation that a separate OPDES permit was obtained. ***For example****, a floor drain was sealed, a sink drain was re-routed to sanitary, or an OPDES permit application was submitted for an unauthorized cooling water discharge.*

#### 4.2.3.6 Salt Storage Piles

You must document the location of any storage piles containing salt used for deicing or other commercial or industrial purposes, if applicable.

#### 4.2.3.7 Coal Storage Piles

You must document the location of any coal storage piles used for commercial or industrial purposes, if applicable (see also Part 3.1.4 for numeric effluent limitations).

#### 4.2.3.8 Sampling Data

You must include a brief summary of all stormwater discharge sampling data collected at the facility during ***3 years*** prior to the date of the submission of an NOI and include it in the SWP3. The summary shall include a narrative description (and may include data tables/figures) that adequately summarizes the collected sampling data to support identification of potential pollution sources at your facility. New dischargers and new sources must provide a summary of any available stormwater runoff data they may have.

### 4.2.4 Description of Stormwater Controls to Meet Technology-Based and Water Quality-Based Effluent Limits

You must describe the type and location of different control measures you have specifically chosen, designed, and/or implemented to comply with:

1. Non-numeric technology-based effluent limits in Part 3.1.2;
2. Applicable non-numeric effluent limits in Part 11.
3. Applicable numeric effluent limitations guidelines-based limits in Part 3.1.3 and Part 11;
4. Water quality-based effluent limits in Part 3.2;
5. Any additional measures that formed the basis of eligibility regarding threatened and endangered species, critical habitat, and/or historic properties in Part 3.3;
6. Regarding your control measures, you must also document, as appropriate:

   - How you addressed the selection and design considerations in Part 3.1.1;

   - How they address the pollutant sources identified in Part 4.2.3.

### 4.2.5 Procedures and Schedules

#### 4.2.5.1 Pertaining to Control Measures Used to Comply with the Effluent Limits in Part 3

The following must be documented in your SWP3:

a. ***Good Housekeeping*** (see Part 3.1.2.2) – You must keep clean all exposed areas of the facility that are potential sources of pollutants. Common problem areas include: around trash containers, storage

areas and loading docks. Provide a schedule or the convention used for determining when pickup and disposal of waste materials occurs. Also provide a schedule for routine inspections for leaks and conditions of drums, tanks and containers.

b. ***Spill Prevention and Response Procedures*** (see Part 3.1.2.4) – Procedures for preventing and responding to spills and leaks, including notification procedures that will be/have been followed at the facility. For preventing spills, include in the SWP3 the control measures for material handling and storage, and the procedures for preventing spills that can contaminate stormwater. Specify cleanup equipment, procedures and spill logs, as appropriate, in the event of spills. You may reference the existence of other plans for Spill Prevention Control and Countermeasures (SPCC) developed for the facility under Section 311 (aka Section 1321) of the CWA or BMP programs otherwise required by an OPDES permit for the facility, provided that you keep a copy of that other plan onsite and make it available for review.

c. ***Preventive Maintenance*** (see Part 3.1.2.3) – Preventive maintenance procedures, including regular inspections, testing, maintenance and repair of all control measures to avoid situations that may result in leaks, spills, and other releases, and any back-up practices in place should a runoff event occur while a control measure is off-line. The SWP3 shall include the schedule or frequency for maintaining all control measures used to comply with the effluent limits in Part 3;

d. ***Erosion and Sediment Controls*** (see Part 3.1.2.5) – Structural and non-structural control measures must be used to minimize the discharge of sediment. If you use polymers and/or other chemical treatments as part of your controls, you must identify the polymers and/or chemicals used and the purpose;

e. ***Runoff Management*** (see Part 3.1.2.6) – Procedures to divert, infiltrate, reuse, contain or otherwise reduce stormwater runoff to minimize pollutants in your discharges.

f. ***Salt Storage Piles or Piles Containing Salt*** (see Part 3.1.2.7) – Implement appropriate control measures (e.g., good housekeeping, diversions, containment) to minimize exposure resulting from adding to or removing materials from the pile.

g. ***Employee Training*** (see Part 3.1.2.8) – The elements of your employee training plan shall include all, but not be limited to, the requirements set forth in Part 3.1.2.8, and also the following:

- The content of the training;
- The frequency/schedule of training for employees who work in areas where industrial materials or activities are exposed to stormwater, or who are responsible for implementing activities necessary to meet the conditions of this permit;
- A log of the dates on which specific employees received training.

Employee training shall be conducted at least ***annually*** (or more often if employee turnover is high).

#### 4.2.5.2 Pertaining to Inspections

You must document in your SWP3 your procedures for performing, as appropriate, the types of inspections specified by this Permit (see Part 5).

You must identify the following information in your SWP3 for each type of inspection performed:

- Person(s) or positions of person(s) responsible for inspection;
- Schedules for conducting inspections, including tentative schedules during irregular stormwater runoff discharges (see Part 5.3); and
- Specific items to be covered by the inspection, including schedules for specific outfalls.

If you are invoking the exception for inactive and unstaffed sites relating to routine facility inspections, you must include in your SWP3 the information to support this claim as required by Part 5.3 and Part 7.2.1.3.

#### 4.2.5.3 Pertaining to Corrective Actions

You must document in the SWP3 your procedures for performing corrective actions, as appropriate, specified by this Permit (see Part 6). You must identify the following information in your SWP3 for each corrective action performed:

- Person(s) or positions of person(s) responsible for corrective action;
- Description of the condition triggering the need for corrective action and the date the condition was identified;
- Dates and times when each corrective action was initiated and completed;
- Description of immediate actions taken pursuant to Part 6.3.1 to ***minimize or prevent*** the discharge of pollutants; and
- Summary of corrective actions taken or to be taken as a result of the conditions listed in Part 6.1 or Part 6.2 (or, for triggering events in Part 6.2 where you determine that corrective action is not necessary, the basis for this determination).

#### 4.2.5.4 Pertaining to Monitoring

You must document in your SWP3 procedures for conducting the following types of analytical monitoring specified in this Permit (see Part 7), where applicable to your facility, including:

- Quarterly visual monitoring of stormwater discharges (see Part 7.2.1);
- Annual effluent limitations guidelines monitoring (see Part 7.2.2);
- Impaired waters monitoring (see Part 7.2.3); and
- Other monitoring as required by DEQ (see Part 7.2.4).

For each type of monitoring, you must document in your SWP3:

- Locations where samples are collected, including any determination that 2 or more outfalls are substantially identical;
- Parameters for sampling and the frequency of sampling for each parameter, if applicable;
- Schedules for monitoring at your facility, including schedule for alternative monitoring periods for climates with irregular stormwater runoff (see Part 7.1.6);
- Any numeric control values (effluent limitations guidelines, TMDL or watershed plan-related requirements, or other requirements) applicable to discharges from each outfall;
- Procedures (e.g., responsible staff, logistics, laboratory to be used) for gathering storm event data, as specified in Part 7.1.

If you are invoking the exception for inactive and unstaffed sites for quarterly visual monitoring and/or impaired waters monitoring, you must include in your SWP3 the information to support this claim as required by Part 7.2.1.3 and Part 7.2.3.2.

You must also document the following in your SWP3 if you plan to use the ***substantially identical outfall*** (as defined in Part 10 of this Permit) exception for your quarterly visual monitoring requirements in Part 7.2.1 or impaired waters monitoring requirements in Part 7.2.3 (see also Part 7.1.1):

- Location of each of the substantially identical outfalls;
- Description of the general industrial activities conducted in the drainage area of each outfall;
- Description of the control measures implemented in the drainage area of each outfall;
- Description of the exposed materials located in the drainage area of each outfall that are likely to be significant contributors of pollutants to stormwater discharges;
- An estimate of the runoff coefficient of the drainage areas (low = under 40%; medium = 40 to 65%; high = above 65%); and
- Why the outfalls are expected to discharge substantially identical effluents.

Note: A ***qualified person*** (as defined in Part 10 of this Permit) must be responsible for all types of facility inspections, corrective action determination and documentation, and all types of monitoring required by this Permit.

### 4.2.6 Documentation to Support Other Eligibility Considerations

#### 4.2.6.1 Documentation Regarding Endangered and Threatened Species and Critical Habitat Protection

You must keep with your SWP3 the documentation supporting your determination with regard to Part 1.8.7.

***a. Information on Threatened or Endangered Species or Critical Habit***

Include information on whether listed or endangered species, or critical habitat, are found in proximity to your facility (see Appendix A).

***b. Determine if Your Facility is Within a Sensitive Water or Watershed***

Examine the map in Appendix A to determine if your industrial facility is located within or outside a Federal or State Sensitive water or watershed.

***c. Document the Results of Your Screening***

Document your determinations regarding endangered or threatened species, or critical habitat, and the procedures followed.

***d. Describe the Protection Measures Required***

If your industrial facility is within a sensitive water or watershed, describe measures necessary to protect endangered or threatened species, or critical habitat, including any terms or conditions that are imposed under the eligibility requirements of Part 1.8.7. If you fail to describe and implement such measures, your discharges are ineligible for coverage under this permit.

#### 4.2.6.2 Documentation Regarding Historic Properties

You must keep with your SWP3 the documentation supporting your determination with regard to Part 1.8.10.

#### 4.2.6.3 Documentation Regarding Unauthorized Non-Stormwater Discharges

You must include a certification in the SWP3 that all discharges (i.e., outfalls) have been tested or evaluated for the presence of any unauthorized non-stormwater discharge (see Part 3.1.2.9). The certification must be signed in accordance with Part 9.16 of this Permit, and must include, at minimum, the information required by Part 4.2.3.5.

### 4.2.7 Signature Requirements

The SWP3 must include a certification signed and dated in accordance with Part 9.16 of this Permit.

## 4.3 Required SWP3 Modifications

You must modify your SWP3 based on the corrective actions and deadlines required under Part 6.3 and that you documented under Part 6.3.3. Any modifications to your SWP3 must be signed and dated in accordance with Part 9.16.

## 4.4 SWP3 Availability

You must retain a complete copy of your current SWP3 required by this Permit at the facility in any accessible format. A complete SWP3 includes any documents incorporated by reference and all documentation supporting your permit eligibility pursuant to Part 1.1 of this Permit, as well as your signed and dated certification page. Regardless of the format, the SWP3 must be immediately available to facility employees, DEQ, EPA, the operator of an MS4 into which you discharge, and representatives of the U.S. Fish and Wildlife Service (USFWS) at the time of an onsite inspection. Your current SWP3 or certain information from your current SWP3 described below must also be made available to the public (except any confidential business information (CBI) or restricted information), but you must clearly identify those portions of the SWP3 that are being withheld from public access. CBI may not be withheld from those staff cleared for CBI review within DEQ, EPA, or USFWS.

## 4.5 Additional Documentation Requirements

You are required to keep the following inspection, monitoring, and certification records with your SWP3 that together keep your records complete and up-to-date, and demonstrate your full compliance with the conditions of this Permit:

1. A copy of the NOI submitted to DEQ along with any correspondence exchanged between you and DEQ specific to coverage under this Permit;
2. A copy of this Permit (an electronic copy easily available to SWP3 personnel is also acceptable);
3. Documentation of maintenance and repairs of control measures, including the date(s) of regular maintenance, date(s) of discovery of areas in need of repair/replacement, and for repairs, date(s) that the control measure(s) returned to full function, and the justification for any extended maintenance/repair schedules (see Part 3.1.2.3);
4. All inspection reports, including the Routine Facility Inspection Reports (see Part 5.2), Quarterly Visual Monitoring Reports (see Part 7.2.1), Discharge Monitoring Reports (DMR) (see Part 8.1), Annual Comprehensive Site Compliance Evaluation Report (ACSCER) (see Part 8.3);
5. Description of any deviations from the schedule for visual monitoring and/or other required monitoring and the reason for the deviations (e.g., adverse weather or it was impracticable to collect samples within the first 30 minutes of a measurable storm event) (see Part 7.2.1.3 and Part 7.1.5);
6. Corrective action documentation required per Part 6.3.3;
7. Documentation to support any determination that pollutants of concern are not expected to be present above natural background levels if you discharge directly to impaired waters, and that such pollutants were not detected in your discharge or were solely attributable to natural background sources (see Part 7.2.3.1); and
8. Documentation to support your claim that your facility has changed its status from active to inactive and unstaffed with respect to the requirements to conduct routine facility inspections (see Part 5.1), quarterly visual monitoring (see Part 7.2.1), and/or impaired waters monitoring (see Part 7.2.3).

# Part 5 Inspections

## 5.1 Routine Facility Inspections

During normal facility operating hours you must conduct inspections of areas of the facility covered by the requirements in this Permit, including, but not limited to, the following:

1. Areas where industrial materials or activities are exposed to stormwater;
2. Areas identified in the SWP3 and those that are potential pollutant sources (see Part 4.2.3);
3. Areas where spills and leaks have occurred in the past 3 years;
4. All discharge points; and
5. All *control measures* used to comply with both technology-based and water quality-based effluent limits contained in this Permit.

Inspections must be conducted ***at least quarterly*** (i.e., once each calendar quarter), or in some instances more frequently (e.g., ***monthly or weekly,*** *see Part 11 of this Permit for sector-specific inspection requirements*). Increased frequency may be appropriate for some types of equipment, processes and stormwater control measures, or areas of the facility with significant activities and materials exposed to stormwater. At least once each calendar year, the *routine facility inspection* must be conducted during a period when a stormwater discharge is occurring.

Inspections must be performed by ***qualified personnel*** (as defined in Part 10) with at least one member of your stormwater pollution prevention team participating. Inspectors must consider the results of visual and analytical monitoring (if any) for the past year when planning and conducting inspections. During the inspection, the Inspector must examine or look out for the following:

1. Industrial materials, residue or trash that may have or could come into contact with stormwater;
2. Leaks or spills from industrial equipment, drums, tanks and other containers;
3. Offsite tracking of industrial or waste materials, or sediment where vehicles enter or exit the site;
4. Tracking or blowing of raw, final or waste materials from areas of no exposure to exposed areas;
5. Control measures needing replacement, maintenance or repair.

When an inspection occurs during a stormwater event or discharge, control measures implemented to comply with effluent limits must be observed to ensure they are functioning correctly. All discharge points/outfalls, as defined in Part 10, must also be observed during this inspection. If such discharge locations are inaccessible, nearby downstream locations must be inspected.

## 5.2 Routine Facility Inspection Documentation

You must document the findings of your facility inspections and maintain this report with your SWP3 as required in Part 4.5. Do not submit your routine facility inspection reports to DEQ, unless specifically requested to do so. However, you must summarize your findings in the Annual Report per Part 8.3. Document all findings of your routine inspection in an Inspection Form, which must include at least the following information:

- The inspection date and time;
- The name(s) and signature(s) of the inspector(s);
- Weather information and a description of any discharges occurring at the time of the inspection;
- Any previously unidentified discharges from and/or pollutants at the site;
- All observations relating to the areas of materials or activities at the facility exposed to stormwater;

- All observations relating to the implementation of control measures at the facility;
- Any control measures needing maintenance, repairs, or replacement;
- Any evidence of, or the potential for, pollutants entering the drainage system;
- Observations regarding the physical condition of and around all outfalls, including any flow dissipation devices, and evidence of pollutants in discharges and/or the receiving water;
- Any incidents of noncompliance observed;
- Any additional control measures needed to comply with the permit requirements including any additional observation from the inspection; and
- A statement signed and certified in accordance with Part 9.16.

Any corrective action required as a result of a routine facility inspection must be performed consistent with Part 6 of this Permit.

## 5.3 Exceptions to Routine Facility Inspections for Inactive and Unstaffed Sites

The requirement to conduct facility inspections on a routine basis does not apply at a facility that is inactive and unstaffed, as long as there are no industrial materials or activities exposed to stormwater. Such a facility is only required to conduct site inspections once per year in accordance with Part 5.1. To invoke this exception, you must include a statement in your SWP3 per Part 4.2.5.3 indicating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to stormwater, in accordance with the substantive requirements in 40 CFR § 122.26(g)(4)(iii). The statement must be signed and certified in accordance with Part 9.16. If circumstances change and industrial materials or activities become exposed to stormwater or your facility becomes active and/or staffed, this exception no longer applies and you must immediately resume routine facility inspections. If you are not qualified for this exception at the time you become authorized under this Permit, but during the permit term you become qualified because your facility becomes inactive and unstaffed, and there are no industrial materials or activities that are exposed to stormwater, you must include the same signed and certified statement as above and retain it with your records pursuant to Part 4.5.

Inactive and unstaffed facilities covered under Sector J (Mineral Mining and Dressing) are not required to meet the “no industrial materials or activities exposed to stormwater” standard to be eligible for this exception from routine inspections, per Part 11.J.6.

# Part 6 Corrective Actions

## 6.1 Conditions Requiring SWP3 Review and Revision to Eliminate Problems

When any of the following conditions occur or are detected during an inspection, monitoring or other means, or DEQ or EPA or the operator of the MS4 through which you discharge informs you that any of the following conditions have occurred, you must review and revise, as appropriate, your SWP3 (e.g., sources of pollution; spill and leak procedures; non-stormwater discharges; the selection, design, installation and implementation of your control measures) so that the condition is eliminated and pollutant discharges are minimized:

- An unauthorized release or discharge (e.g., spill, leak, or discharge of non-stormwater not authorized by this or another OPDES permit) occurs at your facility;
- A discharge violates a numeric effluent limit;
- Your control measures are not stringent enough for the discharge to meet applicable water quality standards or the non-numeric effluent limits in this Permit;
- A required control measure was never installed, was installed incorrectly, or not in accordance with Part 3 and/or Part 11, or is not being properly operated or maintained; and
- Whenever a routine inspection, visual monitoring or comprehensive site evaluation shows evidence of stormwater pollution.

## 6.2 Conditions Requiring SWP3 Review to Determine if Modifications Are Necessary

If any of the following conditions occur, you must review your SWP3 (e.g., sources of pollution, spill and leak procedures, non-stormwater discharges, selection, design, installation and implementation of your control measures) to determine if modifications are necessary to meet the effluent limits in this Permit:

- Construction or a change in design, operation, or maintenance at your facility that significantly changes the nature of pollutants discharged in stormwater from your facility, or significantly increases the quantity of pollutants discharged; or
- If the results of quarterly visual samples indicate that what you have observed would lead a reasonable person to believe that the stormwater was polluted.

## 6.3 Corrective Actions and Deadlines

### 6.3.1 Immediate Actions

If corrective action is needed, you must ***immediately*** take ***all reasonable steps*** necessary to *minimize* or *prevent* the discharge of pollutants until a permanent solution is installed and made operational, including cleaning up any contaminated surfaces so that the material will not discharge in subsequent storm events.

*Note: In this context, the term **immediately** requires you to, on the same day a condition requiring corrective action is found, take all reasonable steps to minimize or prevent the discharge of pollutants until a permanent solution is installed and made operational. However, if a problem is identified at a time in the work day when it is too late to initiate corrective action, the initiation of corrective action must begin no later than the following work day. **All reasonable steps** for purposes of complying with Part 6.2 Conditions Requiring SWP3 Review to Determine if Modifications Are Necessary, when you conclude a corrective action is, in fact, not necessary, could include documenting why a corrective action is unnecessary.*

### 6.3.2 Subsequent Actions

If you determine that additional actions are necessary beyond those implemented pursuant to Part 6.3.1, you must complete the corrective actions (*e.g., install a new or modified control and make it operational, complete the*

*repair*) before the next storm event if possible, and within ***14 calendar days*** from the time of discovery of the corrective action condition. Where your corrective actions result in changes to any of the controls or procedures documented in your SWP3, you must modify your SWP3 accordingly within ***14 calendar days*** of completing corrective action work. This time interval is not a grace period, but is considered reasonable for documenting your findings and for making repairs and improvements. This requirement is included in this Permit to ensure that the conditions prompting the need for these repairs and improvements do not persist indefinitely.

### 6.3.3 Corrective Action Report

You must document the existence of any of the conditions listed in Part 6.1 or Part 6.2 within ***24 hours*** of becoming aware of such condition. You must include, at a minimum, the following information in your corrective action report:

- Description of the condition triggering the need for corrective action review. For any spills or leaks, include the following information: a description of the incident including material, date/time, amount, location, and reason for spill, and any leaks, spills or other releases that resulted in discharges of pollutants to waters of the State, through stormwater or otherwise;
- Date the condition was identified;
- Description of immediate actions taken pursuant to Part 6.3.1 to *minimize* or *prevent* the discharge of pollutants. For any spills or leaks, include response actions, the date/time clean-up was completed, notifications made, and staff involved. Also include any measures taken to prevent the recurrence of such releases (see Part 3.1.2.4); and

Within ***14 days*** from the time of discovery of any of those conditions listed in Part 6.1 or Part 6.2, you must document the following information:

- Summary of corrective actions taken or to be taken as a result of the conditions listed in Part 6.1 or Part 6.2 (or, for triggering events in Part 6.2 where you determine that corrective action is not necessary, the basis for this determination);
- Dates and times when each corrective action was initiated and completed;
- Notice of whether SWP3 modifications are required as a result of this discovery or corrective action; and
- A statement signed and certified in accordance with Part 9.16 of this Permit.

You are not required to submit your corrective action report to DEQ, unless specifically requested to do so. However, you must summarize your findings in the Annual Report per Part 8.3 and keep a copy of the corrective action report in the SWP3.

### 6.3.4 Effect of Corrective Action

If the event triggering the review is a permit violation (e.g., non-compliance with an effluent limit), correcting it does not remove the original violation. Additionally, failing to take corrective action in accordance with this section is an additional permit violation. DEQ will consider the appropriateness and promptness of corrective action in determining enforcement responses to permit violations.

### 6.3.5 Substantially Identical Outfalls

If the event triggering corrective action is associated with an outfall that had been identified as a ***substantially identical outfall*** (see Part 7.1.1 and Part 7.2.1.3), your review must assess the need for corrective action for all related substantially identical outfalls. Any necessary changes to control measures that affect these other outfalls must also be made before the next storm event if possible, or as soon as practicable following that storm event. Any corrective actions must be conducted within the timeframes set forth in Part 6.3.

# Part 7 Monitoring

You must collect and analyze stormwater samples and document monitoring activities consistent with the procedures described in Part 7 and Part 9, and any additional sector-specific requirements in Part 11. Refer to Part 8 for reporting and recordkeeping requirements.

## 7.1 Monitoring Procedures

### 7.1.1 Monitored Outfalls

Applicable monitoring requirements apply to each outfall authorized by this Permit, except as otherwise exempt from monitoring as a ***substantially identical outfall***. If your facility has 2 or more outfalls that you believe discharge substantially identical effluents, based on the similarities of the general industrial activities and control measures, exposed materials that may significantly contribute pollutants to stormwater, and runoff coefficients of their drainage areas, you may monitor the effluent of just one of the outfalls and report that the results also apply to the substantially identical outfall(s). As required in Part 4.2.5.4, your SWP3 must identify each outfall authorized by this Permit and describe the rationale for any substantially identical outfall determinations.

The allowance for monitoring only 1 of the substantially identical outfalls is not applicable to any outfalls with numeric effluent limitations. You are required to monitor each outfall covered by a numeric effluent limit as identified in Part 7.2.2.

### 7.1.2 Commingled Discharges

If discharges authorized by this Permit commingle with discharges not authorized under this Permit, any required sampling of the authorized discharges must be performed at a point before they mix with other waste streams, to the extent practicable.

### 7.1.3 Monitoring Requirements for Coal Storage Pile Runoff

If you discharge coal storage pile runoff, you must conduct Effluent Monitoring and collect grab samples and analyze the samples annually within the following time periods:

- The yearly monitoring periods are from January 1 to December 31.
- If your permit becomes effective less than 1 month from the end of the yearly monitoring period, your first monitoring period starts with the next respective annual monitoring period.

### 7.1.4 Measurable Storm Events

All required monitoring must be performed on a measurable storm event (defined as a storm that is greater than 0.1 inch in magnitude) that results in an actual discharge from your site and that follows the preceding measurable storm event by at least 72 hours (3 days). The 72-hour (3-day) storm interval does not apply if you are able to document that less than a 72-hour (3-day) interval is representative for local storm events during the sampling period. In the case of snowmelt, the monitoring must be performed at a time when a measurable discharge occurs at your facility.

For each monitoring event, except snowmelt monitoring, you must identify the date and duration (in hours) of the rainfall event, rainfall total (in inches) for that rainfall event, and time (in days) since the previous measurable storm event. It is recommended that the facility maintain an on-site ***rain gauge*** to determine when a qualifying rain event occurs. For snowmelt monitoring, you must identify the date of the sampling event.

### 7.1.5 Sample Type

You must take a minimum of 1 grab sample from a discharge resulting from a measurable storm event as described in Part 7.1.4. Samples must be collected within the first 30 minutes of a discharge associated with a measurable storm event. If it is not possible to collect the sample within the first 30 minutes of a measurable

storm event, the sample must be collected as soon as practicable after the first 30 minutes and documentation must be kept with the SWP3 explaining why it was not possible to take samples within the first 30 minutes. In the case of snowmelt, samples must be taken during a period with a measurable discharge.

### 7.1.6 Monitoring Periods

Monitoring requirements in this Permit begin in the first full quarter following either October 1, 2017 or your date of discharge authorization, whichever date comes later. For quarterly monitoring, you must monitor ***at least once*** in each of the following 3-month intervals:

January 1 – March 31; April 1 – June 30; July 1 – September 30; and October 1 – December 31.

For example, if you obtain permit coverage on September 2, 2017, then your first monitoring quarter is October 1 – December 31, 2017.

The yearly monitoring period is from January 1 to December 31. If your permit becomes effective less than 1 month from the end of the yearly monitoring period, your first monitoring period starts within the next annual monitoring period.

### 7.1.7 Adverse Weather Conditions

When adverse weather conditions as described in Part 7.2.1.3 prevent the collection of samples according to the relevant monitoring schedule, you must take a substitute sample during the next qualifying storm event.

### 7.1.8 Monitoring for Allowable Non-Stormwater Discharges

You are only required to monitor allowable non-stormwater discharges (as delineated in Part 0) when they are commingled with stormwater discharges associated with industrial activity.

### 7.1.9 Monitoring Reports

Monitoring data must be reported electronically using eDMR Tool that is available on DEQ's website. Instructions on how to register as a Preparer or Signatory for electronic DMR (eDMR), as well as how to prepare and submits eDMR, can be found on DEQ's website. Assistance is also available by contacting DEQ at (405) 702-8100 or deqreporting@deq.ok.gov.

## 7.2 Required Monitoring

This Permit includes four types of required analytical monitoring, one or more of which may apply to your discharge:

- Quarterly visual monitoring of stormwater discharges (see Part 7.2.1);
- Annual effluent limitations guidelines monitoring (see Part 7.2.2);
- Impaired waters monitoring (see Part 7.2.3); and
- Other monitoring as required by DEQ (see Part 7.2.4).

When more than one type of monitoring for the same pollutant at the same outfall applies (e.g., total suspended solids once per year for an effluent limitation and once per quarter for impaired monitoring at a given outfall), you may use a single sample to satisfy both monitoring requirements (i.e., one sample satisfying both the annual effluent limitation sample and one of the four quarterly impaired water monitoring samples). All required monitoring must be conducted in accordance with the procedures described in Part 9.10 of this Permit.

*Note: Exceedance of an effluent limitation associated with the results of any analytical monitoring type required by this Part subjects you to the corrective action requirements of Part 6.1.*

### 7.2.1 Quarterly Visual Monitoring of Stormwater Discharges

#### 7.2.1.1 Quarterly Visual Monitoring Procedures

You must perform visual monitoring or assessment of stormwater discharges from your facility and must collect a stormwater sample from ***each outfall*** (except as noted in Part 7.2.1.3) once each quarter for the entire permit term and conduct visual assessment of each of these samples. These samples are not required to be collected consistent with 40 CFR Part 136 procedures but must be collected in such a manner that the samples are representative of the stormwater discharge. Grab samples shall be collected for quarterly visual monitoring. Guidance on *Industrial Stormwater Monitoring and Sampling* is also available at EPA's Stormwater Homepage.

The visual monitoring or assessment (as defined in Part 10 of this Permit) must be made during daylight hours (e.g., normal working hours):

- On a sample collected in a clean, colorless glass or plastic container, and examined in a well-lit area ***within 30 minutes*** after collecting it;
- On a sample collected within the first 30 minutes of an actual discharge from a storm event. If it is not possible to collect the sample within the first 30 minutes of discharge, the sample must be collected as soon as practicable after the first 30 minutes and you must document why it was not possible to take the sample within the first 30 minutes. In the case of snowmelt, a sample must be taken during a period with a measurable discharge from your site; and
- For storm events, on discharges that occur from a storm event that is greater than 0.1 inch in magnitude and that follows the preceding measurable storm event by at least 72 hours (3 days). The 72-hour (3-day) storm interval does not apply if you document that less than a 72-hour (3-day) interval is representative for local storm events during the sampling period.

  You must visually inspect or observe the sample for the following water quality characteristics:

  Color, Odor, Clarity (diminished), Floating Solids, Settled Solids, Suspended Solids, Foam, Oil Sheen, and other obvious Indicators of Stormwater Pollution.

The following Table is an ***example*** of what you should look for in a sample during a visual assessment:

**Table 7-1 Visual Monitoring of Stormwater Discharges**

| Parameter | Method | Results |
|---|---|---|
| Color and Extent | Visual | Clear, yellow, red, blue, green, brown, black, milky, etc. |
| Odor | Smell | None, earthy, sewage, musky, rotten eggs, petroleum, etc. |
| Clarity or Turbidity | Come up with your own test such as: clean off the label from a 1-liter or similar size clear plastic or glass bottle, fill the bottle with the sample, and try to see things through it | 1) can't see through the bottle<br>2) can see through but could not read newsprint<br>3) can see through and can read newsprint<br>4) pretty clear, but not as clear as bottled water<br>5) as clear as bottled water |
| Floating Solids | Visual | Yes/No - describe what they are. |
| Settled Solids | Use same 1-liter or similar size plastic or glass bottle | Tablespoons or cups of material or millimeters of solids on bottom ***after 24 hours*** |
| Suspended Solids | Look through the container | Describe what do you see? |
| Foam | Visual | Yes - How thick is the foam?<br>How much of the surface does it cover?<br>What color is the foam? |

| Parameter | Method | Results |
|---|---|---|
| | | or No |
| Oil Sheen | Visual | Color and extent. |
| Other obvious Indicators of Stormwater Pollution | Indicate what you observed that would lead a reasonable person to believe that the stormwater was polluted | Describe what do you see? |

Whenever the visual monitoring shows evidence of stormwater pollution, you must initiate the corrective action procedures in Part 6 of this Permit.

***Note:*** *an automatic sampler is not recommended for collecting samples for quarterly visual monitoring. That is because in addition to collecting the sample, it is important to make a note of anything you see at the discharge location that might influence the sample results.*

#### 7.2.1.2 Quarterly Visual Monitoring Documentation

You must document the results of your visual monitoring and maintain this documentation onsite with your SWP3 as required in Part 4.5. You are not required to submit your visual monitoring findings to DEQ, unless specifically requested to do so. However, you must summarize your findings in the *Annual Comprehensive Site Compliance Evaluation Report (ACSCER)* per Part 8.3. Your documentation of the visual monitoring must include, but not be limited to:

- Sample location(s);
- Sample collection date and time, and visual monitoring date and time for each sample;
- Personnel collecting the sample and performing visual monitoring, and their signatures;
- Nature of the discharge (i.e., runoff or snowmelt);
- Results of observations of the stormwater discharge (see Table 7-1);
- Probable sources of any observed stormwater contamination;
- If applicable, why it was not possible to take samples within the first 30 minutes; and
- A statement signed and certified in accordance with Part 9.16.

Any corrective action required as a result of a quarterly visual monitoring must be performed consistent with Part 6 of this Permit.

#### 7.2.1.3 Exceptions to Quarterly Visual Monitoring

*Adverse Weather or No Rain Conditions*: When adverse weather conditions prevent the collection of samples during a quarter, you must take a substitute sample during the next qualifying storm event. Documentation of the rationale for no visual monitoring for the quarter must be included with your SWP3 records as described in Part 4.5. Adverse conditions are those that are dangerous or create inaccessibility for personnel, such as local flooding, high winds, severe storms, or situations that otherwise make sampling impractical, such as extended frozen conditions. 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 qualifying runoff, as defined in Part 7.2.1.1, occurred. You must sign and certify the documentation in accordance with Part 9.16 of this Permit.

*Inactive and Unstaffed Sites*: The requirement for quarterly visual monitoring does not apply at a facility that is inactive and unstaffed, as long as there are no industrial materials or activities exposed to stormwater. To invoke

this exception, you must maintain a statement in your SWP3 per Part 4.2.5.2 indicating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to precipitation, in accordance with the substantive requirements in 40 CFR § 122.26(g)(4)(iii). The statement must be signed and certified in accordance with Part 9.16.

*Substantially Identical Outfalls*: If your facility has 2 or more outfalls that discharge substantially identical effluents, as documented in Part 4.2.5.4, you may conduct quarterly visual monitoring of the discharge at just one of the outfalls and report that the results also apply to the substantially identical outfall(s) provided that you perform visual monitoring on a rotating basis of each substantially identical outfall throughout the period of your coverage under this Permit.

If stormwater contamination is identified through visual monitoring performed at a substantially identical outfall, you must assess and modify your control measures as appropriate for each outfall represented by the monitored outfall.

### 7.2.2 Effluent Limitations Monitoring

#### 7.2.2.1 Monitoring Based on Effluent Limitations Guidelines

Table 7-2 identifies the stormwater discharges subject to effluent limitation guidelines that are authorized for coverage under this Permit. An exceedance of the effluent limitation is a permit violation. Beginning in the first full quarter following October 1, 2017 or your date of discharge authorization, whichever date comes later, you must monitor once per year (*the yearly monitoring period is from January 1 to December 31*) at each outfall containing the discharges identified in Table 7-2 for the parameters specified in the sector-specific Part 11 of this Permit.

**Table 7-2 Required Monitoring for Effluent Limits**

| Regulated Discharges | Effluent Limitation | Monitoring Frequency | Sample Type |
|---|---|---|---|
| Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas | See Part 11.A.6 | 1/year | Grab |
| Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished product, by-products or waste products | See Part 11.C.4 | 1/year | Grab |
| Runoff from asphalt emulsion facilities | See Part 11.D.4 | 1/year | Grab |
| Runoff from material storage piles at cement manufacturing facilities | See Part 11.E.5 | 1/year | Grab |
| Mine dewatering discharges at crushed stone, construction sand and gravel, or industrial sand mining facilities | See Part 11.J.8 | 1/year | Grab |
| Runoff from hazardous waste landfills and non-hazardous waste landfills | See Part 11.K.5<br>See Part 11.L.8 | 1/year | Grab |
| Runoff from coal storage piles at steam electric generating facilities | See Part 11.0 | 1/year | Grab |
| Runoff from airfield pavement areas where deicing/anti-icing activities occur | See Part 11.S.6 | 1/year | Grab |

#### 7.2.2.2 Substantially Identical Outfalls

You must monitor each outfall discharging runoff from any regulated activity identified in Table 7-2. The substantially identical outfall monitoring provisions are not available for numeric effluent limits monitoring.

#### 7.2.2.3 Follow-up Actions if Discharge Exceeds Numeric Effluent Limitation

If any monitoring value exceeds a numeric effluent limitation contained in Part 7.2.2, you must conduct follow-up monitoring within 30 calendar days (or during the next qualifying runoff event, should none occur within 30 days) of implementing corrective action(s) taken in accordance with Part 6. Monitoring must be performed for any pollutant(s) that exceeds the effluent limit.

You must continue to monitor, at least quarterly, until your discharge is in compliance with the effluent limit or until the DEQ waives the requirement for additional monitoring. You must include the results of follow-up monitoring in the report.

### 7.2.3 Discharges to Impaired Waters Monitoring

#### 7.2.3.1 Permittees Required to Monitor Discharges to Impaired Waters

***Discharges to impaired waters without an established TMDL or watershed plan in lieu of a TMDL:*** Beginning in the first full quarter following October 1, 2017 or your date of discharge authorization, whichever date comes later, you must monitor all pollutants for which the waterbody is impaired and for which a standard analytical method exists (see 40 CFR Part 136) once per year at each outfall discharging stormwater to impaired waters without an established TMDL or watershed plan in lieu of a TMDL.

For example, if the pollutant of concern for the impaired waterbody is suspended solids, turbidity or sediment/sedimentation, you must monitor for Total Suspended Solids (TSS). If a pollutant of concern is expressed in the form of an indicator or surrogate pollutant, you must monitor for that indicator or surrogate pollutant.

No monitoring is required when a waterbody's biological communities are impaired but no pollutant, including indicator or surrogate pollutants, is specified as causing the impairment, or when a waterbody's impairment is related to hydrologic modifications, impaired hydrology, or other non-pollutant. Permittees should consult with DEQ for any available guidance regarding required monitoring parameters under this part.

If the pollutant of concern is not detected and not expected to be present in your discharge, or it is detected but you have determined that its presence is caused solely by natural background sources, you may discontinue monitoring for that pollutant. To support a determination that the pollutant's presence is caused solely by natural background sources, you must document and maintain with your SWP3, as required by Part 4.5:

- An explanation of why you believe that the presence of the pollutant of concern in your discharge is not related to the activities or materials at your facility; and
- Data and/or studies that tie the presence of the pollutant of concern in your discharge to natural background sources in the watershed.

Natural background pollutants include those that occur naturally as a result of native soils, vegetation, wildlife, and/or groundwater. Natural background pollutants do not include legacy pollutants from earlier activity on your site, or pollutants in run-on from neighboring sources that are not naturally occurring. However, you may be eligible to discontinue annual monitoring for pollutants that occur solely from these sources and should consult DEQ for related guidance.

***Discharges to impaired waters with an established TMDL or watershed plan in lieu of a TMDL:*** For stormwater discharges to waters for which there is an established TMDL or watershed plan in lieu of a TMDL prior to the date that you submit a NOI, and if that TMDL or watershed plan includes a WLA or LA for a parameter likely to be present in your discharge, your discharge must meet any limitations, conditions, or other requirements of the

implementation plan associated with that WLA, LA and/or TMDL within any timeframes established in the TMDL or watershed plan. You must monitor all pollutants for which a WLA or LA has been established at the frequencies established in the TMDL or watershed plan, or at a minimum of once per year. You must adopt any WLAs assigned to your discharges specified in the TMDL, or similar targets in the watershed plan, in your SWP3. If the TMDL or watershed plan relies on a BMP-based approach, effective implementation of additional TMDL or watershed plan-related BMPs or control measures will be sufficient to implement applicable WLAs. If the TMDL or watershed plan specifies additional requirements, you must also meet these additional requirements.

If a TMDL or watershed plan in lieu of a TMDL is approved for any waterbody into which you discharge after the date that you submit a NOI, you must incorporate any limitations, conditions, and requirements applicable to the discharges into your SWP3 to ensure that the requirements of the implementation plan associated with the WLA, LA, and/or the TMDL will be met within any timeframes established in the TMDL or watershed plan. You must monitor all pollutants for which a WLA or LA is established for your discharges at the frequencies specified in the TMDL or watershed plan, or at a minimum of once per year. You must adopt any WLAs assigned to your discharges specified in the TMDL, or similar targets in the watershed plan, as measurable goals in your SWP3. If the TMDL or watershed plan relies on a BMP-based approach, effective implementation of additional TMDL or watershed plan-related BMPs or control measures will be sufficient to implement applicable WLAs. If the TMDL or watershed plan specifies additional requirements, you must also meet these additional requirements.

#### 7.2.3.2 Exception for Inactive and Unstaffed Sites

The requirement for impaired waters monitoring does not apply at a facility that is inactive and unstaffed, as long as there are no industrial materials or activities exposed to stormwater. To invoke this exception, you must do the following:

- Maintain a statement with your SWP3 stating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to stormwater.
- If circumstances change and industrial materials or activities become exposed to stormwater or your facility becomes active and/or staffed, this exception no longer applies and you must immediately begin complying with the applicable impaired waters monitoring requirements under Part 7.2 as if you were in your first year of permit coverage.

*Note: This exception has different requirements for Sector J in Part 11.*

### 7.2.4 Additional Monitoring Required by DEQ

DEQ may notify you of additional discharge monitoring requirements that DEQ determines are necessary to meet the permit's effluent limitations. Any such notice will briefly state the reasons for the monitoring, locations, and parameters to be monitored, frequency and period of monitoring, sample types, and reporting requirements.

# Part 8 Reporting and Recordkeeping

## 8.1 Reporting Monitoring Data to DEQ

All monitoring data collected pursuant to Part 7.2 (except Part 7.2.1) must be submitted to DEQ using the Discharge Monitoring Report (DMR) form in ***Appendix H*** of this Permit no later than 15th day of the month after the end of the reporting period. If your facility doesn't have any discharge during the year, you are still required to submit DMRs to DEQ stating ***no discharge*** each year by ***January 15***.

If you were required to submit DMR, you must submit them electronically that started on December 21, 2016. Instructions on how to register as a Preparer or Signatory for electronic DMR (eDMR), as well as how to prepare and submits eDMR, can be found on DEQ's website. Assistance is also available by contacting DEQ at (405) 702-8100 or deqreporting@deq.ok.gov.

## 8.2 Reporting Monitoring Data to Regulated MS4

If you discharge stormwater associated with industrial activity through a regulated municipal separate storm sewer system (MS4), you must also submit signed copies of your DMRs to the operator of the MS4 in accordance with dates in Part 7.1.

## 8.3 Annual Reporting Requirement

You must submit an ***Annual Comprehensive Site Compliance Evaluation Report*** (ACSCER) using the ***Form 606-005 in Appendix F*** of this Permit each year by ***March 1*** for each year of permit coverage, containing information generated from the past calendar year. If your ***authorization*** becomes effective less than 1 month from the end of the yearly monitoring period, your first monitoring period starts with the next respective annual monitoring period. *Commencing **December 21, 2020**, ACSCER must be electronically submitted to DEQ. Instructions on how to access and use the appropriate electronic reporting tool will be made available on DEQ's website prior to the December 21, 2020 compliance deadline.*

At a minimum, your documentation of the comprehensive site compliance evaluation must include operator information, facility location and the scope of the inspections/monitoring/corrective actions, the name(s) of personnel making the inspections/monitoring, the date(s) of the inspections/monitoring/corrective actions and major observations relating to the implementation of the SWP3. Major observations should include:

- A summary of your past year's routine facility inspection documentation (see Part 5.2) such as unidentified discharges of pollutants, control measures' maintenance, repair and/or replacement, any incidents of non-compliance observed, any additional control measures needed to comply with the permits, along with their locations, and any changes made to the SWP3 as a result of the inspections;
- The location(s) of discharges of pollutants from the site, evidence of pollutants discharging to receiving waters at all facility outfall(s), and the condition of and around the outfall(s), including flow dissipation measures to prevent scouring;
- A summary of your past year's corrective action documentation (see Part 6.3.3). If corrective action is not yet completed at the time of submission of your annual report, you must describe the status of any outstanding corrective action(s);
- A summary of your past year's quarterly visual monitoring documentation (see Part 7.2.1 of the permit);
- A summary of your past year's effluent limitation violations if applicable;
- Also, describe any incidents of noncompliance in the past year or currently ongoing, or if none, provide a statement that you are in compliance with the Permit; and

- Your Annual Report must also include a statement, which must be certified in accordance with Part 9.16 of this Permit.

You must retain a record of actions taken in accordance with this Part as part of the SWP3 ***for at least 3 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 SWP3 and this Permit. Both the inspection report and any reports of follow-up actions must be signed in accordance with Part 9.16.

## 8.4 Exceedance Report for Numeric Effluent Limitations

If follow-up monitoring per Part 7.2.2.3 exceeds a numeric effluent limit, you must submit an Exceedance Report to DEQ no later than 30 days after you have received your laboratory results to the address listed in Part 2.4.

Your report must include the following:

- DEQ authorization number;
- Facility name, physical address and location;
- Name of receiving water;
- Monitoring data from this and the preceding monitoring event(s);
- An explanation of the situation, including what you have done and intend to do (should your corrective actions not yet be complete) to correct the violation;
- An appropriate contact name and phone number.

## 8.5 Additional Reporting

You must submit any other reports required by DEQ to the address listed in Part 2.4. In addition to the reporting requirements specified in Part 8, you are also subject to the standard permit reporting provisions of Part 9.10.

You must submit the following reports to DEQ:

1. Reportable quantity spills (see Part 3.1.2.4) – You must provide notification, as required under Part 3.1.2.4, as soon as you have knowledge of a leak, spill, or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity;
2. Planned changes (see Part 9.10) – You must give written notice to DEQ promptly, no later than 30 days prior to making any planned physical alterations or additions to the permitted facility that qualify the facility as a new source or that could significantly change the nature or significantly increase the quantity of pollutants discharged;
3. Anticipated noncompliance (see Part 9.10) – You must give advance notice to DEQ of any planned changes in the permitted facility or activity which you anticipate will result in noncompliance with permit requirements. You may plan to implement appropriate stormwater controls, as necessary, to eliminate/reduce such noncompliance;
4. Compliance schedules (see Part 9.10) – Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this Permit must be submitted no later than 14 days following each schedule date;
5. Other noncompliance (see Part 9.10) – You must report all instances of noncompliance not reported in your annual report, compliance schedule report, or 24-hour report at the time monitoring reports are submitted; and

6. Other information (see Part 9.10) – You must promptly submit facts or information if you become aware that you failed to submit relevant facts in your NOI, or that you submitted incorrect information in your NOI or in any report.

Note: *If you discharge through an MS4, you must also submit these reports to the MS4 operator.*

## 8.6 Recordkeeping and Retention

You must retain copies of your SWP3 (including any modifications made during the term of this Permit), a copy of the NOI submitted to DEQ along with any correspondence exchanged between you and DEQ specific to coverage under this Permit, and records of all data used to complete the NOI, a copy of the authorization, documentation of maintenance and repairs of control measures, records of all inspection reports, corrective action documentations, all sampling and monitoring data including date of collection, method of sampling, measurement, evaluation, or inspection, and any other reports required by this Permit, ***for a period of at least 3 years from the date that your coverage under this permit expires or is terminated.*** This period may be extended by written notification from DEQ at any time. The Permittee must submit any such records to DEQ upon request.

# Part 9 Standard Permit Conditions

## 9.1 Duty to Comply

You must comply with all conditions of this Permit. Any permit noncompliance constitutes a violation of the Clean Water Act, the OPDES Act, and the Oklahoma Environmental Quality Code and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. Penalties for violation of the permit conditions are provided below:

### 9.1.1 Criminal Penalties

1. ***Negligent Violations*:** The OPDES Act provides that any person who negligently violates permit conditions is subject to a fine of not less than $2,500 nor more than $25,000 per day of violation, or by imprisonment in the county jail for not more than 1 year, or by both such fine and imprisonment (27A O.S. § 2-6-206(G)(1)).
2. ***Knowing Violations*:** The OPDES Act provides that any person who knowingly violates permit conditions is subject to a fine of not less than $5,000 nor more than $50,000 per day of violation, or by imprisonment in the county jail for not more than 3 years, or both such fine and imprisonment (27A O.S. § 2-6-206(G)(2)).
3. ***Knowing Endangerment:*** The OPDES Act provides that any person who knowingly violates permit conditions, 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 imprisonment in the State Penitentiary for not more than 15 years, or by both (27A O.S. § 2-6-206(G)(3)).
4. ***False Statement:*** The OPDES Act provides that any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or any other document filed or required to be maintained under the OPDES, is subject to a fine of not more than $10,000 or by imprisonment for not more than 2 years, or by both (27A O.S. § 2-6-206(G)(4)).

### 9.1.2 Civil Penalties

The OPDES Act provides that any person who violates a permit condition is subject to a civil penalty not to exceed $10,000 per day for each violation (27A O.S. § 2-6-206(F)).

### 9.1.3 Administrative Penalties

The OPDES Act provides that any person who violates a permit condition is subject to an administrative penalty of not more than $10,000 per day of violation for each day during which the violation continues. Total amount of such penalty shall not exceed $125,000 per violation (27A O.S. § 2-6-206 (E)).

## 9.2 Duty to Reapply

If you wish to continue an activity regulated by this Permit after the expiration date of this Permit, you must apply for and obtain an authorization as required by the new permit once DEQ issues it.

## 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*** (as defined in the Permit) or prevent any discharge in violation of this Permit that has a reasonable likelihood of adversely affecting human health or the environment.

## 9.5 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 Stormwater Pollution Prevention Plan (SWP3). Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems which are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of this Permit.

## 9.6 Property Rights

The issuance of this Permit doesn't convey any property rights of any sort, or any exclusive privileges.

## 9.7 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 termination, or your submittal of a notification of planned changes or anticipated noncompliance also does not stay any permit condition.

## 9.8 Duty to Provide Information

You must furnish to DEQ or an authorized representative within a reasonable time, any information which DEQ may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Permit, or to determine compliance with this Permit. You must also furnish to DEQ or an authorized representative, upon request, copies of records required to be kept by this Permit.

## 9.9 Inspection and Entry

You must allow DEQ or an authorized representative (including an authorized representative of EPA), or in the case of a facility which discharges through a municipal separate storm sewer system (MS4), an authorized representative of the municipal owner/operator or the MS4 receiving the discharge, upon the presentation of credentials and other documents as may be required by law, to:

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;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Permit;
3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Permit; and
4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act and OPDES Act, any substances or parameters at any location.

## 9.10 Monitoring, Reporting, and Record Retention

### 9.10.1 Monitoring Requirements

1. Samples and measurements taken for the purpose of monitoring must be representative of the volume and nature of the monitored activity.
2. Records of monitoring information must include:
    - The date, exact place, and time of sampling or measurements;
    - The individual(s) who performed the sampling or measurements;
    - The time(s) analyses or observations were initiated;

- The date(s) analyses or observations were performed;
- The individual(s) who performed the analyses or observations;
- The analytical techniques or methods used; and
- The results of such analyses or observations.

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

### 9.10.2 Reporting Requirements

1. ***Planned changes***: You must give written notice to DEQ as soon as possible, but no later than 30 days, of any planned physical alterations or additions to the permitted facility. Notice is required only when:
   a. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR § 122.29(b); or
   b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under 40 CFR § 122.42(a)(1).
2. ***Anticipated noncompliance***: You must give advance notice to DEQ of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
3. ***Transfers***: This permit is not transferable to any person. Where a facility wants to change ownership or the name of the permittee, the original permittee (the first owner or operators) must submit an NOT pursuant to Part 1.13. The new owner or operator must submit an NOI in accordance with Part 2 along with a copy of the NOT from the previous owner/operator.
4. ***Monitoring reports***: Monitoring results must be reported at the intervals specified elsewhere in this Permit.
   a. Pursuant to Part 7, all monitoring data collected must be submitted electronically to DEQ using eDMR tools available on the DEQ's website.
   b. If you monitor any pollutant more frequently than required by the permit using test procedures approved under 40 CFR Part 136 or as specified in the permit, the results of this monitoring must be included in the calculation and reporting of the data submitted in the DMR.
   c. Calculations for all limitations which require averaging of measurements must use an arithmetic mean. For averaging purposes, use a value of zero for any individual sample parameter, which is determined to be less than the method detection limit. For sample values that fall between the method detection level and the minimum quantitation limit (MQL) (i.e., a confirmed detection but below the level that can be reliably quantified), use a value of zero for DMR calculation and report the detection level in the appropriate location of the eDMR tool.
5. ***Compliance schedules***: Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this Permit must be submitted no later than 14 days following each schedule date.
6. ***Other noncompliance***: You must report all instances of noncompliance at the time monitoring reports are submitted.
7. ***Other information***: Where you become aware that you failed to submit any relevant facts in your NOI, or submitted incorrect information in your NOI or in any report to the Permitting Authority, you must promptly submit such facts or information to DEQ.

### 9.10.3 Record Retention

You must retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of ***at least 3 years*** from the date the permit expires or the date the permittee's authorization is terminated. This period may be extended by the request of DEQ at any time.

## 9.11 Oil and Hazardous Substance Liability

Nothing in this Permit shall be construed to preclude DEQ 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 (CERCLA) of 1980.

## 9.12 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.

## 9.13 Requirements of Other Environmental Statutes or Regulations

No condition of this Permit releases you from any responsibility or requirements under any other applicable environmental Statutes or Regulations.

## 9.14 Reopener Clause

### 9.14.1 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, as incorporated and adopted by reference in OAC 252:606-1-3(b).

### 9.14.2 Water Quality Protection

If there is evidence indicating that the stormwater discharges authorized by this Permit cause, have the reasonable potential to cause or contribute to an excursion above any applicable water quality standard, you may be required to obtain an individual permit in accordance with Part 1.12 of this Permit, or the permit may be modified to include different limitations and/or requirements.

### 9.14.3 Timing of Permit Modification

DEQ may elect to modify the permit prior to its expiration (rather than waiting for the new permit cycle) to comply with any new statutory or regulatory requirements, such as for effluent limitation guidelines that may be promulgated in the course of the current permit cycle.

## 9.15 Availability of Reports

You must retain a ***complete copy*** of your current SWP3 and any other reports/documents, as required by this Permit, at the facility in any accessible format. A complete SWP3 includes any documents incorporated by reference and all documentation supporting your permit eligibility pursuant to Part 1.1 of this Permit, as well as your signed and dated certification page. Regardless of the format, the SWP3 must be immediately available to facility employees, DEQ, EPA, the operator of an MS4 into which you discharge, and representatives of the U.S. Fish and Wildlife Service (USFWS) at the time of an onsite inspection.

## 9.16 Signatory Requirements

### 9.16.1 Signing NOI, NOT and NEC

Notice of Intent (NOI), Notice of Termination (NOT), and No Exposure Certification (NEC) must be signed as follows:

1. ***For a corporation:*** by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) 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 (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 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 applications; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures; or
2. ***For a partnership or sole proprietorship:*** by a general partner or the proprietor, respectively (*Note: for limited liability company (LLC): by one of its owners, called managing members/partners of the company*); or
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 (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator of EPA).

### 9.16.2 Signing All Required Reports

All reports required by this Permit, including the SWP3 and any changes to the SWP3, any compliance documentation required under this Permit, including the Routine Facility Inspection Reports, Visual Monitoring Reports, Corrective Action Reports, DMRs, ACSCERs, any information/report(s) required by this permit, and any other information requested by DEQ or an authorized representative, must be signed by a person described in Part 9.16.1 or by a duly authorized representative of that person. A person is a duly authorized representative only if:

1. The authorization is made in writing by a person described in Part 9.16.1;
2. 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); and
3. The signed and dated written authorization is included in the SWP3. A copy of the authorization must be submitted to DEQ.

### 9.16.3 Changes to Authorization

If the information on the NOI filed for permit coverage is no longer accurate because the industrial facility has been purchased by a different entity or a different operator has responsibility for the overall operation of the facility, a new NOI satisfying the requirements of Part 2 must be submitted to DEQ. However, if the only change that is occurring is a change in contact information or a change in the facility's address, the operator need only make a modification to the existing NOI submitted for authorization. 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.

### 9.16.4 Certification

Any person signing documents in accordance with Part 9.16 must include 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 contained therein. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information contained 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."*

# Part 10 Definitions

**Applicant** – any person who is contemplating or planning to submit an NOI for approval, or has submitted an NOI for approval and is waiting for authorization to discharge stormwater under the provisions of this Permit.

**All Reasonable Steps** – means that the permittee has undertaken initial actions to assess and address the condition requiring the corrective action, including, for example, cleaning up any exposed materials that may be discharged in a storm event (e.g., through sweeping, vacuuming) or making arrangements (i.e., scheduling) for a new BMP to be installed at a later date.

**Best Available Technology Economically Achievable (BAT)** – Technology standard established by the CWA as the most appropriate means available on a national basis for controlling the direct discharge of toxic and nonconventional pollutants to navigable waters. BAT limitations in effluent guidelines, in general, represent the best existing performance of treatment technologies that are economically achievable within an industrial point source category or subcategory.

**Best Conventional Pollutant Control Technology (BCT)** – BCT is essentially the best available technology modified to reflect only those technologies where the benefits of pollution control are greater than the costs, applies to certain "conventional pollutants, including biochemical oxygen demand (BOD), total suspended solids (TSS), fecal coliform, and pH.

**Best Management Practices (BMPs)** – refers to schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to waters of the State. 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.

**Best Practicable Control Technology Currently Available (BPT)** – The first level of technology standards established by the CWA to control pollutants discharged to waters of the U.S. BPT limitations in effluent guidelines are generally based on the average of the best existing performance by plants within an industrial category or subcategory.

**Best Professional Judgment (BPJ)** – BPJ-based technology limit is one of two general approaches for developing technology-based effluent limits in the permit.

**Co-located Industrial Activities** – any industrial activities, excluding your primary industrial activity(ies), located on-site that are defined by the stormwater regulations at 40 CFR § 122.26(b)(14)(i)-(ix) and (xi). 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 stormwater regulations or identified by the SIC code list in Table 1-3.

**Control Measures** – refers to any stormwater control or other method (including narrative effluent limitations) used to prevent or reduce the discharge of pollutants to waters of the States. Stormwater ***control measures*** can be *actions* (including processes, procedures, schedules of activities, prohibitions on practices and other management practices), or structural or installed devices to minimize or prevent water pollution.

**Conveyances** – for the purposes of this Permit, stormwater conveyances include any means for conveying a stormwater discharge, such as a drainage system, ditch, swale, pipe, sewer, or municipal separate storm sewer system (MS4). Conveyance also includes any natural channels or tributaries that carry stormwater runoff through and off the facilities property.

**Corrective Action** – for the purposes of this Permit, any action taken, or required to be taken, to (1) repair, modify, or replace any stormwater control used at the site; (2) clean up and dispose of spills, releases, or other deposits found on the site; and (3) remedy a permit violation.

**Critical Habitat** – as defined in the Endangered Species Act at 16 U.S.C. § 1531 for a threatened or endangered species, (i) the specific areas within the geographical area occupied by the species, at the time it is listed in accordance with the provisions of Section 4 of the Endangered Species Act, on which are found those physical or biological features essential to the conservation of the species and which may require special management considerations or protection; and (ii) specific areas outside the geographical area occupied by the species at the time it is listed in accordance with the provisions of Section 4 of the Endangered Species Act, upon a determination by the Secretary that such areas are essential for the conservation of the species.

**CWA** – means the Clean Water Act (CWA) or the Federal Water Pollution Control Act, 33 U.S.C. § 1251 et seq. which was enacted in 1948 and amended in 1972 and applicable regulations promulgated thereunder. The CWA made it unlawful to discharge any pollutant from a point source into the waters of United States, unless a permit was obtained.

**Discharge** – when used without qualification, means the *discharge of a pollutant*.

**Discharge of a Pollutant** – any addition of any ***pollutant*** or ***combination of pollutants*** to the ***waters of the State*** from any ***point source***, or any addition of any pollutant or combination of pollutants to the *waters of the State*. This includes additions of pollutants into waters of the State from: surface runoff which is collected or channeled by man; discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works.

**Discharge Point/Outfall** – for the purposes of this Permit, the location where collected and concentrated stormwater flows are discharged from the facility such that the first receiving waterbody into which the discharge flows, either directly or through a separate storm sewer system, is a water of the State. To put it simply, it is the location where stormwater exits your facility.

**Discharge-Related Activity** – activities that cause, contribute to, or result in stormwater and allowable non-stormwater point source discharges, and measures such as the siting, construction and operation of stormwater controls to control, reduce, or prevent pollution in the discharges.

**Discharge to an Impaired Water** – for the purposes of this Permit, a discharge to an impaired water occurs if the first water of the State to which you discharge is identified by the State as not meeting an applicable water quality standard, and requires development of a TMDL (pursuant to Section 303(d) of the CWA), or is addressed by an established TMDL or watershed plan in lieu of a TMDL, or is not in either of the above categories but the waterbody is covered by pollution control requirements that meet the requirements of 40 CFR 130.7(b)(1). For discharges that enter a separate storm sewer system prior to discharge, the water of the State to which you discharge is the waterbody that receives the stormwater discharge from the separate storm sewer system.

**Effective Operating Condition** – for the purposes of this Permit, a stormwater control is kept in effective operating condition if it has been implemented and maintained in such a manner that it is working as designed to ***minimize*** pollutant discharges.

**Effluent Limitations** – for the purposes of this Permit, any of the requirements described in Part 3.

**Effluent Limitations Guideline (ELG)** – defined in 40 CFR § 122.2 as a regulation published by the Administrator under section 304(b) of CWA to adopt or revise effluent limitations.

**Eligible Discharge** – for the purposes of this Permit, refers to stormwater and allowable non-stormwater discharges that are authorized for coverage under this Permit.

**Endangered Species** – defined in the Endangered Species Act at 16 U.S.C. § 1531 as any species which is in danger of extinction throughout all or a significant portion of its range other than a species of the Class Insects determined by the Secretary to constitute a pest whose protection under the provisions of this Act would present an overwhelming and overriding risk to man.

**Executive Director** – the Executive Director or chief administrator of the DEQ or an authorized representative.

**Existing Discharger** – an operator applying for coverage under this Permit for discharges authorized previously under an OPDES general or individual permit.

**Facility or Activity** – any OPDES *point source* (including land or appurtenances thereto) that is subject to regulation under the OPDES Act.

**Feasible** – for the purposes of this permit, feasible means technologically possible and economically practicable and achievable in light of best industry practices.

**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.

**Grab Sample** – A grab sample is a water sample that is collected at once, in a clean and clear glass or plastic container, from the specific water/stormwater source (from the facility's stormwater outfall(s)/discharge point(s).

**Hazardous Materials or Hazardous Substances or Toxic Materials** – for the purposes of this Permit, any liquid, solid, or contained gas that contains properties that are dangerous or potentially harmful to human health or the environment. (See also 40 CFR § 261.2.)

**Historic Property** – as defined in the National Historic Preservation Act regulations means any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places maintained by the Secretary of the Interior. This term includes artifacts, records, and remains that are related to and located within such properties. The term includes properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization and that meet the National Register criteria.

**Immediately** – the term **immediately** requires you to, on the same day you identify that a control measure needs to be maintained, take all reasonable steps to minimize or prevent the discharge of pollutants until a permanent solution is installed and made operational. However, if a problem is identified at a time in the work day when it is too late to take action, the initiation of action must begin no later than the following work day.

**Impaired Water** (or Water Quality Impaired Water) – for the purposes of this Permit, waters identified by the State as not meeting an applicable water quality standard, and require development of a TMDL (pursuant to Section 303(d) of the CWA), or are addressed by an established TMDL or watershed plan in lieu of a TMDL. For discharges that enter a separate storm sewer system prior to discharge, the first water of the State to which you discharge is the waterbody that receives the stormwater discharge from the storm sewer system.

**Indian Country or Indian Country Lands** – means: (1) 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; (2) All dependent Indian communities with the borders of the United States whether within the originally or subsequently acquired territory thereof, and whether within or without the limits of a state; and (3) All Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same. (See also 40 CFR § 122.2.)

**Infeasible** – for the purposes of this Permit, infeasible means not technologically possible or not economically practicable and achievable in light of best industry practices.

**Industrial Activity** – the 10 categories of industrial activities included in the definition of *stormwater discharges associated with industrial activity* as defined in 40 CFR § 122.26(b)(14)(i)-(ix) and (xi).

**Industrial Stormwater** – means stormwater runoff from industrial activity.

**Minimize** – means reduce and/or eliminate to the extent achievable using control measures (including best management practices) that are technologically available and economically practicable and achievable in light of best industry practice.

**Municipal Separate Storm Sewer (MS4)** – defined at 40 CFR § 122.26(b)(8) as a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains):

- Owned or operated by a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States;
- Designed or used for collecting or conveying stormwater;
- Which is not a combined sewer; and
- Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR § 122.2. See also 40 CFR § 122.26(b)(4) and (b)(7).

**New Discharger** – a facility from which there is or may be a discharge of pollutants, that did not commence the discharge of pollutants at a particular site prior to August 13, 1979, which is not a new source, and which has never received a NPDES/OPDES permit for discharges at that site. See 40 CFR § 122.2.

**New Source** – any building, structure, facility, or installation from which there is or may be a *discharge of pollutants*, the construction of which commenced:

- After promulgation of standards of performance under Section 306 of the CWA which are applicable to such source, or

- After proposal of standards of performance in accordance with Section 306 of the CWA which are applicable to such source, but only if the standards are promulgated in accordance with Section 306 within 120 days of their proposal. See 40 CFR § 122.2.

**NSPS** – New source performance standards.

**No Exposure** – all industrial materials or 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. See 40 CFR § 122.26(g).

**Non-Stormwater Discharges** – discharges that do not originate from storm events. They can include, but are not limited to, discharges of process water, air conditioner condensate, non-contact cooling water, pavement wash water, external building washdown, irrigation water, or uncontaminated ground water or spring water.

**Notice of Intent (NOI)** – the form required for authorization of coverage under the Multi-Sector General Permit OKR05.

**Notice of Termination (NOT)** – the form required for terminating coverage under the Multi-Sector General Permit OKR05.

**Operator** – any entity with a stormwater discharge associated with industrial activity that meets either of the following two criteria:

1. The entity has operational control over industrial activities, including the ability to make modifications to those activities; or

2. The entity has day-to-day operational control of activities at a facility necessary to ensure compliance with the permit (e.g., the entity is authorized to direct workers at a facility to carry out activities required by the permit).

**Outfall** – see *Discharge Point*.

**Oklahoma Water Quality Standards** – means the Oklahoma Water Resources Board rules (OAC 785:45) which classify waters of the State, designate beneficial uses for which the various waters of the State must be maintained and protected, and prescribe the water quality required to sustain designated uses.

**Permittee** – means the owner, operator or ***you*** in relations to any industrial facility eligible for or requiring an authorization under this Permit.

**Point Source** – 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 stormwater runoff.*

**Pollutant** – A partial listing from this definition includes: dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal and agricultural waste discharged into water. See 40 CFR § 122.2.

**Primary Industrial Activity** – includes any activities performed on-site which are (1) identified by the facility's primary SIC code and included in the descriptions of 40 CFR § 122.26(b)(14)(ii), (iii), (vi), or (viii); or (2) included in the narrative descriptions of § 122.26(b)(14)(i), (iv), (v), (vii), or (ix). Narrative descriptions in 40 CFR § 122.26(b)(14) identified above include: (i) activities subject to stormwater effluent limitations guidelines, new source performance standards, or toxic pollutant effluent standards; (iv) hazardous waste treatment storage, or disposal facilities including those that are operating under interim status or a permit under subtitle C of the Resource Conservation and Recovery Act (RCRA); (v) landfills, land application sites and open dumps that receive or have received industrial wastes; (vii) steam electric power generating facilities; and (ix) sewage treatment works with a design flow of 1.0 mgd or more.

**Qualified Personnel** – qualified personnel are those who are knowledgeable in the principles and practices of industrial stormwater controls and pollution prevention, and who possess the education and ability to assess conditions at the industrial facility that could impact stormwater quality, and the education and ability to assess the effectiveness of stormwater controls selected and installed to meet the requirements of the permit.

**Runoff** – When rain or snow falls onto the earth, a portion of it seeps into the ground and most of it flows downhill as runoff. Runoff is that part of the rain, snow melt, or irrigation water that appears in uncontrolled surface streams, rivers, drains or sewers.

**Runoff Coefficient** – means the fraction of total rainfall that will appear at the conveyance as runoff.

**Run-On** – sources of stormwater that drain from land located upslope or upstream from the regulated facility in question.

**Significant Materials** – includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under Section 101(14) of CERCLA; any chemical the facility is required to report pursuant to section 313 of Title III of SARA; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with stormwater discharges. See 40 CFR § 122.26(b)(12).

**Spill** – for the purpose of this Permit, the release of a hazardous or toxic substance from its container or containment.

**Stormwater** – stormwater runoff, snow melt runoff, and surface runoff and drainage.

**Stormwater Controls** – see *Control Measures*.

**Stormwater Discharges Associated with Construction Activity** – as used in this Permit, a discharge of pollutants in stormwater runoff from areas where land-disturbing activities (e.g., clearing, grading, or excavating) occur, or where construction materials or equipment storage or maintenance (e.g., fill piles, borrow areas, concrete truck washout, fueling), or other industrial stormwater 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).

**Stormwater Associated with Industrial Activity** – refers to stormwater, that if allowed to discharge, would constitute *a discharge of stormwater associated with industrial activity* as defined at 40 CFR § 122.26(b)(14), as adopted and incorporated by reference in OAC 252:606-1-3(b).

**Stormwater Pollution Prevention Team** – the group of individuals responsible for oversight of the SWP3 development process, installation of different types of structural BMPs/stormwater controls, who will supervise and implement the housekeeping program, who will maintain the BMPs, document changes to the SWP3, provide staff training, and communicate the changes in the SWP3 to the people working on the site and oversight of compliance with the permit requirements. The individuals on the *Stormwater Pollution Prevention Team* must be identified in the SWP3.

**Substantially Identical Outfalls -** If your facility has 2 or more outfalls that you believe discharge substantially identical effluents, based on the similarities of the general industrial activities and control measures, exposed materials that may significantly contribute pollutants to stormwater, and runoff coefficients of their drainage areas, you may monitor the effluent of just one of the outfalls and report that the results also apply to the substantially identical outfall(s).

**Storm Event** – a precipitation event that results in a measurable amount of precipitation**.**

**Total Maximum Daily Loads (TMDLs)** – a TMDL is a calculation of the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards, and an allocation of that amount to the pollutant's sources. A TMDL includes wasteload allocations (WLAs) for point source discharges; load allocations (LAs) for nonpoint sources and/or natural background, and must include a margin of safety (MOS) and account for seasonal variations.

**Upset** – Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond your reasonable control. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation. (See 40 CFR § 122.41(n)(1).)

**Visual Assessment** – A visual assessment is the observation of stormwater discharges from the discharge points at a facility during and/or after a rain event or snow melt. It includes taking a sample at each discharge point, conducting a visual observation of the discharge, and assessing the sample in a well-lit area.

**Waters of the State** – means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, irrigation systems, drainage systems, storm sewers and all other bodies or accumulations of water, surface and underground, natural or artificial, public or private, which are contained within, flow through, or border upon this state or any portion thereof, and shall include under all circumstances the waters of the United States which are contained within the boundaries of, flow through or border upon this state or any portion thereof. Provided, waste treatment systems, including treatment ponds or lagoons designed to meet federal and state requirement other than cooling ponds as defined in the Clean Water Act or rules promulgated thereto and prior converted cropland are not waters of the state. (See 27A O.S. §1-1-201.)

# Part 11 Sector Specific Requirements for Industrial Activity

***You must comply with the requirements applicable to your industrial sector(s) in this Part, in addition to the requirements applicable to all facilities in Parts 1 through 9 and the appendices to this Permit.***

You must comply with ***Part 11 sector-specific requirements*** associated with your primary industrial activity and any co-located industrial activities, as defined in Part 10. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this Permit. ***Sector-specific Industrial Stormwater Factsheets*** for each of the 29 industrial sectors regulated by the OKR05 permit are available on the EPA's website. Each fact sheet describes the types of facilities included in the sector, typical pollutants associated with the sector, and types of stormwater control measures used to minimize the discharge of the pollutants.

## *Sector A Timber Products*

### *A.1 Covered Stormwater Discharges*

The requirements in Sector A apply to stormwater discharges associated with industrial activity from Timber Products facilities as identified by the SIC Codes specified under Sector A in Table 1-3 of this Permit.

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

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

- Log storage or handling areas of timber cutting and pulpwood;
- General sawmills and planing mills, including merchant, lath, shingle, cooperage stock, structural wood, plywood and veneer;
- Producing lumber and wood basic materials;
- Wood preserving;
- Manufacturing finished articles made entirely of wood or related materials except wood kitchen cabinet manufacturers; and
- Manufacturing wood buildings or mobile homes.

### *A.3 Limitation on Coverage*

#### *A.3.1 Prohibition of Discharges*

***Not covered by this permit****:* stormwater 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 OPDES permit. (See also Part 1.8.)

#### *A.3.2 Authorized Non-Stormwater Discharges*

Also authorized by this Permit, provided the non-stormwater component of the discharge is in compliance with the requirements in Part 3.1.2 (non-numeric effluent limits): 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. (See also Part 1.3.)

### *A.4 Additional Technology-Based Effluent Limits*

***Good Housekeeping***: In areas where storage, loading and unloading, and material handling occur, perform good housekeeping to ***minimize*** the discharge of wood debris, leachate generated from decaying wood materials, and the generation of dust. (See also Part 3.1.2.2.)

## *A.5 Additional SWP3 Requirements*

### *A.5.1 Drainage Area Site Map*

Identify on the site map where any of the following may be exposed to precipitation or 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. (See also Part 4.2.2.)

### *A.5.2 Inventory of Exposed Materials*

Where such information exists, if your facility has used chlorophenolic, creosote or chromium-copper-arsenic formulations for wood surface protection or preserving, document in your SWP3 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 stormwater runoff. (See also Part 4.2.3.)

### *A.5.3 Description of Stormwater Management Controls*

Describe and implement measures to address the following activities and sources: log, lumber and wood product storage areas; residue storage areas; loading and unloading areas; material handling areas; chemical storage areas; and equipment and vehicle maintenance, storage and repair areas. If your facility performs wood surface protection and preservation activities, address the specific control measures, including any BMPs, for these activities. (See also Part 3.1.)

### *A.5.4 Additional Inspection Requirements*

If your facility performs wood surface protection and 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 stormwater discharges. (See also Part 5.1.)

## *A.6 Effluent Limitations, Monitoring and Reporting Requirements*

Sector Table A-1 identifies effluent limits that apply to the industrial activities described below. Compliance with these effluent limits is to be determined based on discharges from these industrial activities independent of commingling with any other waste streams that may be covered under this Permit. Monitoring shall be performed once per year during the permit period. In addition, quarterly visual monitoring is required. (See also Part 7 and Part 8)

**Sector Table A-1 Timber Products Sector-Specific Effluent Limitation**

| Industrial Activity | Parameter | Numeric Limitation |
|---|---|---|
| Discharges resulting from spray down or intentional wetting of logs at wet decking storage areas (SIC Code 2411) | pH | 6.5 - 9.0 s.u. |
| | Debris (woody material such as bark, twigs, branches, heartwood, or sapwood) | No Discharge of debris that will not pass through a 2.54 cm (1") diameter round opening |

# *Sector B Paper and Allied Products*

## *B.1 Covered Stormwater Discharges*

The requirements in Sector B apply to stormwater discharges associated with industrial activity from Paper and Allied Products Manufacturing facilities, as identified by the SIC Codes specified under Sector B in Table 1-3 of this Permit.

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

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

- Manufacture of pulps from wood and other cellulose fibers and from rags;
- Manufacture of paper and paperboard into converted products, i.e. paper coated off the paper machine, paper bags, paper boxes and envelopes; and
- Manufacture of bags of plastic film and sheet.

### *B.3 Monitoring and Reporting Requirements*

Quarterly Visual Monitoring is required. See also Part 7 and Part 8 of this Permit for monitoring and reporting requirements.

## *Sector C Chemical and Allied Products Manufacturing*

### *C.1 Covered Stormwater Discharges*

The requirements in Sector C apply to stormwater discharges associated with industrial activity from Chemical and Allied Products Manufacturing facilities as identified by the SIC Codes specified under Sector C in Table 1-3 of this Permit.

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

The types of activities that permittees under Sector C are primarily engaged in are manufacturing the following products:

- Basic industrial inorganic chemicals;
- Plastic, synthetic, and resins, synthetic rubbers, and cellulosic and other human-made fibers, except glass;
- Soap and other detergents, including facilities producing glycerin from vegetable and animal fats and oils; specialty 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;
- 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;
- Industrial organic chemicals;
- 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;
- Ink and paints, including china painting enamels, India ink, drawing ink, platinum paints for burnt wood or leather work, paints for china painting, artists' paints and artists' water colors; and
- Petroleum Refining (SIC Code 2911).

## C.3 Limitations on Coverage

### C.3.1 Prohibition of Non-Stormwater Discharges

The following are not covered by this Permit: non-stormwater discharges containing inks, paints or substances (hazardous, non-hazardous, etc.) resulting from an onsite spill, including materials collected in drip pans; wash water from material handling and processing areas; and wash water from drum, tank or container rinsing and cleaning. (See also Part 1.3.)

## C.4 Additional Technology-Based Effluent Limits

### C.4.1 Good Housekeeping Measures

Common areas where good housekeeping practices should be followed include trash containers and adjacent areas, material storage areas, vehicle and equipment maintenance areas, and loading docks. Good housekeeping practices must include a schedule for regular pickup and disposal of garbage and waste materials and routine inspections of drums, tanks, and containers for leaks and structural conditions. Practices also include containing and covering garbage, waste materials, and debris. Involving employees in routine monitoring of housekeeping practices has proven to be an effective means of ensuring the continued implementation of these measures. (See also Part 3.1.2.2.)

### C.4.2 Minimize Exposure

Where feasible, minimizing exposure of potential pollutant sources to precipitation is an important control option. Minimizing exposure prevents pollutants, including debris, from coming into contact with precipitation and can reduce the need for BMPs to treat contaminated stormwater runoff. It can also prevent debris from being picked up by stormwater and carried into drains and surface waters.

### C.4.3 Erosion and Sediment Control

BMPs must be selected and implemented to limit erosion on areas of your site that, due to topography, activities, soils, cover, materials, or other factors are likely to experience erosion. Erosion control BMPs such as seeding, mulching, and sodding prevent soil from becoming dislodged and should be considered first. Sediment control BMPs such as silt fences, sediment ponds, and stabilized entrances trap sediment after it has eroded. Sediment control BMPs should be used to back-up erosion control BMPs.

### C.4.4 Management of Runoff

Your SWP3 must include a narrative evaluation of the appropriateness of stormwater management practices that divert, infiltrate, reuse, or otherwise manage stormwater runoff so as to reduce the discharge of pollutants. Appropriate measures are highly site-specific, but may include, among others, vegetative swales, collection and reuse of stormwater, inlet controls, snow management, infiltration devices, and wet retention measures. A combination of preventive and treatment BMPs will yield the most effective stormwater management for minimizing the offsite discharge of pollutants via stormwater runoff.

## C.5 Additional SWP3 Requirements

### C.5.1 Drainage Area Site Map

Identify on the site map where any of the following may be exposed to precipitation and surface runoff: processing and storage areas; access roads, rail cars and tracks; areas where substances are transferred in bulk; and operating machinery. (See also Part 4.2.2.)

### *C.5.2 Potential Pollutant Sources*

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 occurs; 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. (See also Part 4.2.3.)

### *C.6 Effluent Limitations, Monitoring and Reporting Requirements*

Sector Table C-1 identifies effluent limits that apply to the industrial activities described below. Compliance with these effluent limits is to be determined based on discharges from these industrial activities independent of commingling with any other waste streams that may be covered under this Permit. Monitoring shall be performed *once per year* during the permit period. In addition, quarterly visual monitoring is required. (See also Part 7 and Part 8.)

**Sector Table C-1 Chemical and Allied Products Manufacturing Sector-Specific Effluent Limitations**

| Industrial Activity | Parameter | Numeric Limitation |
|---|---|---|
| Runoff from Phosphate Fertilizer Manufacturing facilities that comes into contact with any raw materials, intermediate product, finished product, by-products or waste product (SIC Code 2874) | Total Phosphorus (as P) | 105 mg/L, daily max. |
| | | 35 mg/L, 30-day avg. |
| | Fluoride | 75 mg/L, daily max. |
| | | 25 mg/L, 30-day avg. |

## *Sector D Asphalt Paving and Roofing Materials and Lubricant Manufacturers*

### *D.1 Covered Stormwater Discharges*

The requirements in Sector D apply to stormwater 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 1-3 of this Permit.

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

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

- Manufacturing asphalt paving and roofing materials;
- Portable asphalt plant facilities;
- Manufacturing lubricating oils and greases; and
- Products of petroleum and coal.

### *D.3 Limitations on Coverage*

The following stormwater discharges associated with industrial activity are not authorized by this Permit (See also Part 1.8):

Stormwater discharges (contaminated runoff) from petroleum refining facilities, including those that manufacture asphalt or asphalt products, that are subject to nationally established effluent limitation guidelines found in 40

CFR Part 419 (Petroleum Refining). Contaminated runoff is defined as *stormwater runoff* which comes into contact with any raw material, intermediate product, finished product, by-product or waste product located on petroleum refinery property (See 40 CFR § 419.11(g)).

Note: *Stormwater discharges resulting from precipitation coming into contact with petroleum refinery property, classified under SIC Code 2911, will be covered under Sector C*.

The following stormwater discharges associated with industrial activity are not authorized under Sector D:

1. Stormwater discharges from oil recycling facilities, which are covered under Sector N (See Part 11, Sector N); and
2. Stormwater discharges associated with fats and oils rendering, which are covered under Sector U (See Part 11, Sector U).

## *D.4 Additional SWP3 Requirements*

### *D.4.1 Inspection*

Inspect at least once per ***month***. Special attention must be given to 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. Appropriate corrective actions must be taken in response to the inspection. (See also Part 5.)

### *D.4.2 Final Stabilization*

Ensure final stabilization is achieved. All industrial activities at the portable asphalt plant facilities have been completed and a uniform (e.g., evenly distributed, without large, greater than 10 square feet, bare areas) perennial vegetative cover with a density of 70% of the native background cover for the area has been established on all unpaved areas and areas not covered by permanent structures, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed. Establishing at least 70% of the natural cover of the native vegetation meets the vegetative cover criteria for final stabilization (e.g., if the native vegetation covers 50% of the ground, 70% of 50% would require 35% total cover for final stabilization).

## *D.5 Effluent Limitations, Monitoring and Reporting Requirements*

Sector Table D-1 identifies effluent limits that apply to the industrial activities described below. Compliance with these effluent limits is to be determined based on discharges from these industrial activities independent of commingling with any other waste streams that may be covered under this Permit. Monitoring shall be performed once per year during the permit period. In addition, quarterly visual monitoring is required. (See also Part 7 and Part 8.)

**Sector Table D-1 Asphalt Paving and Roofing Materials and Lubricant Manufacturers Sector-Specific Effluent Limitations**

| Industrial Activity | Parameter | Numeric Limitations |
|---|---|---|
| Discharges from asphalt emulsion facilities | Total Suspended Solids (TSS) | 23.0 mg/L, daily max.<br>15.0 mg/L, 30-day avg. |
| | Oil & Grease | 15.0 mg/L, daily max.<br>10.0 mg/L, 30-day avg. |
| | pH | 6.5 - 9.0 s.u. |

# *Sector E Glass Clay, Cement, Concrete, and Gypsum Products*

## *E.1 Covered Stormwater Discharges*

The requirements in Sector E apply to stormwater 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 1-3 of this Permit.

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

The types of activities that permittees under Sector E are primarily engaged in are either manufacturing the following products or performing the following activities:

- Flat, pressed, or blown glass or glass containers;
- Hydraulic cement;
- Clay products including tile and brick;
- Pottery and porcelain electrical supplies;
- Concrete products;
- Gypsum products;
- Minerals and earths, ground or otherwise treated;
- Non-clay refractories;
- Lime manufacturing;
- Cut stone and stone products;
- Asbestos products; and
- Mineral wool and mineral wool insulation products.

## *E.3 Additional Technology-based Effluent Limits*

### *E.3.1 Good Housekeeping*

As part of your good housekeeping program, *prevent* or *minimize* the discharge of spilled cement, aggregate (including sand or gravel), kiln dust, fly ash, settled dust, or other significant material in stormwater from paved portions of the site that are exposed to stormwater. You may also need to sweep or vacuum paved surfaces of the site that are exposed to stormwater at regular intervals or use other equivalent measures (e.g., wash down the area and collect and/or treat and properly dispose of the washdown water) to minimize the potential discharge of these materials in stormwater. Indicate in your SWP3 the frequency of sweeping, vacuuming or other equivalent measures. Determine the frequency based on the amount of industrial activity occurring in the area and the frequency of precipitation, but it must be performed at least once a week in areas where cement, aggregate, kiln dust, fly ash or settled dust are being handled or processed and may be discharged in stormwater. You must also prevent the exposure of fine granular solids (e.g., cement, fly ash, kiln dust) to stormwater, where practicable, by storing these materials in enclosed silos, hoppers, buildings or under other covering. (See also Part 3.1.2.2.)

## *E.4 Additional SWP3 Requirements*

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

### *E.4.1 Drainage Area Site Map*

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. (See also Part 4.2.2.)

### *E.4.2 Final Stabilization*

Ensure final stabilization is achieved. All industrial activities at the mobile concrete batch plant facilities have been completed and a uniform (e.g., evenly distributed, without large, greater than 10 square feet, bare areas) perennial vegetative cover with a density of 70% of the native background cover for the area has been established on all unpaved areas and areas not covered by permanent structures, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed. Establishing at least 70% of the natural cover of the native vegetation meets the vegetative cover criteria for final stabilization (e.g., if the native vegetation covers 50% of the ground, 70% of 50% would require 35% total cover for final stabilization).

### *E.4.3 Discharge Testing and Certification*

For facilities producing ready-mix concrete, concrete block, brick or similar products, include in the non-stormwater discharge testing or evaluation a description of measures that ensure that process wastewater resulting from washing truck, mixers, transport buckets, forms or other equipment is discharged in accordance with OPDES wastewater permit requirements or is recycled. This testing or evaluation must be certified in accordance with Part 9.16.

## *E.5 Effluent Limitations, Monitoring and Reporting Requirements*

Sector Table E-1 identifies effluent limits that apply to the industrial activities described below. Compliance with these effluent limits is to be determined based on discharges from these industrial activities independent of commingling with any other waste streams that may be covered under this Permit. Monitoring shall be performed once per year during the permit period. In addition, quarterly visual monitoring is required. (See also Part 7 and Part 8.)

**Sector Table E-1 Glass, Clay, Cement, Concrete, and Gypsum Products Sector-Specific Effluent Limitations**

| Industrial Activity | Parameter | Effluent Limitations |
|---|---|---|
| Discharges from material storage piles at cement manufacturing facility | Total Suspended Solids (TSS) | 50 mg/L, daily max. |
| | pH | 6.5 - 9.0 s.u. |

# *Sector F Primary Metals*

## *F.1 Covered Stormwater Discharges*

The requirements in Sector F apply to stormwater discharges associated with industrial activity from Primary Metals facilities as identified by the SIC Codes specified under Sector F in Table 1-3 of this Permit.

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

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

- 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;
- Iron and steel foundries, including: gray and ductile iron, malleable iron, steel investment, and steel foundries not elsewhere classified;
- Primary smelting and refining of nonferrous metals, including: primary smelting and refining of copper and primary production of aluminum;
- Secondary smelting and refining of nonferrous metals;

- 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;
- Nonferrous foundries (castings), including: aluminum die-casting; nonferrous die-casting, except aluminum; aluminum foundries; copper foundries; and nonferrous foundries, except copper and aluminum;
- Miscellaneous primary metal products, not elsewhere classified, including: metal heat treating, and primary metal products not elsewhere classified; and
- Activities covered include but are not limited to stormwater 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.

## *F.3 Additional Technology-based Effluent Limits*

### *F.3.1 Good Housekeeping Measures*

As part of your good housekeeping program, you must implement a cleaning and maintenance program for all impervious areas of the facility where particulate matter, dust or debris may accumulate to minimize the discharge of pollutants in stormwater. The cleaning and maintenance program must encompass, as appropriate, areas where material loading and unloading, storage, handling and processing occur. (See also Part 3.1.2.2.)

Stabilize unpaved areas using vegetation or paving where there is vehicle traffic or where material loading and unloading, storage, handling and processing occurs, unless feasible. For paved areas of the facility where particulate matter, dust or debris may accumulate, to minimize the discharge of pollutants in stormwater, implement control measures such as the following, where determined to be feasible (list not exclusive): sweeping or vacuuming at regular intervals; and washing down the area and collecting and/or treating and properly disposing of the washdown water.

For unstabilized areas or for stabilized areas where sweeping, vacuuming, or washing down is not possible, to minimize the discharge of particulate matter, dust, or debris or other pollutants in stormwater, implement stormwater management devices such as the following, where determined to be feasible (list not exclusive): sediment traps, vegetative buffer strips, filter fabric fence, sediment filtering boom, gravel outlet protection, and other equivalent measures that effectively trap or remove sediment.

## *F.4 Additional SWP3 Requirements*

### *F.4.1 Drainage Area Site Map*

Identify in the SWP3 where any of the following activities may be exposed to precipitation or surface runoff: storage or disposal of wastes such as spent solvents and baths, sand, slag and dross; liquid storage tanks and drums; processing areas including pollution control equipment (e.g., bag-houses); 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 and coke handling operations, etc., and could result in a discharge of pollutants in stormwater to waters of the State. (See also Part 4.2.2.)

### *F.4.2 Inventory of Exposed Material*

Include in the inventory of materials handled at the site that potentially may be exposed to precipitation and runoff, areas where there is the potential for deposition of particulate matter from process air emissions or losses during material handling activities. (See also Part 4.2.4.)

### *F.4.3 Additional Inspection Requirements*

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 and 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 and drums) for signs of material losses due to wind or stormwater runoff. (See also Part 5.1.)

### *F.5 Monitoring and Reporting Requirements*

Quarterly visual monitoring is required. See also Part 7 and Part 8 of this Permit for monitoring and reporting requirements.

## *Sector G Metal Mining (Ore Mining and Dressing)*

### *G.1 Covered Stormwater Discharges*

The requirements in Sector G apply to stormwater 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 1-3 of this Permit. Coverage is required for stormwater discharges that have come into contact (directly or indirectly) with any overburden, raw material, intermediate product, finished product, byproduct, or waste product located on the site of the operation.

1. ***Covered Discharges from Inactive Facilities:*** All stormwater discharges.
2. ***Covered Discharges from Active and Temporarily Inactive Facilities:*** Only the stormwater discharges from the following areas are covered:
    - Waste rock and overburden piles if composed entirely of stormwater and not combined with mine drainage;
    - Topsoil piles;
    - Offsite haul and access roads;
    - Onsite haul and access roads constructed of waste rock, overburden or spent ore if composed entirely of stormwater and not combining with mine drainage;
    - Onsite haul and access roads not constructed of waste rock, overburden or spent ore except if mine drainage is used for dust control;
    - Runoff from tailings dams or dikes when not constructed of waste rock or tailings and no process fluids are present;
    - Runoff from tailings dams or dikes when constructed of waste rock or tailings and no process fluids are present, if composed entirely of stormwater and not combining with mine drainage;
    - Concentration building if no contact with material piles;
    - Mill site if no contact with material piles;
    - Office or administrative building and housing if mixed with stormwater 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 and equipment maintenance area and building;
- Parking areas (if necessary);
- Power plant;
- Truck wash areas if no excessive contact with waste product that would otherwise constitute mine drainage;
- Un-reclaimed, disturbed areas outside of active mining area;
- Reclaimed areas released from reclamation requirements prior to December 17, 1990; and
- Partially or inadequately reclaimed areas or areas not released from reclamation requirements.

3. ***Covered Discharges from exploration of Metal Mining and/or Ore Dressing Facilities:*** All stormwater discharges.
4. ***Covered Discharges from Facilities Undergoing Reclamation:*** All stormwater discharges.

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

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

- Developing mines, mining of ores, and exploring for metallic minerals (ores); and
- Ore dressing and beneficiating, whether performed at co-located, dedicated mills or separate (i.e., custom) mills.

## *G.3 Limitations on Coverage*

### *G.3.1 Prohibition of Stormwater Discharges*

Stormwater discharges from active metal mining facilities that are subject to effluent limitation guidelines for the Ore Mining and Dressing Point Source Category (40 CFR Part 440) are not authorized by this Permit. (See also Part 1.8.)

**Note**: S*tormwater discharges from these sources are subject to 40 CFR Part 440 if they are mixed with other discharges subject to Part 440. In this case, they are not eligible for coverage under this Permit. Discharges from overburden/waste rock and overburden/waste rock-related areas are not subject to 40 CFR Part 440 unless they: (i) drain naturally (or are intentionally diverted) to a point source; and (ii) combine 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 stormwater does not combine with other sources of mine drainage that are not subject to 40 CFR Part 440, and meets the other eligibility criteria contained in Part 1.2.*

### *G.3.2 Prohibition of Non-Stormwater Discharges*

The following discharges are not authorized by this Permit: adit drainage and contaminated springs or seeps from waste dumps that do not directly result from precipitation events. (The only authorized non-stormwater discharges are included in Part 1.3.)

## *G.4 Definitions*

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

1. ***Mining Operation*** - For this permit, mining operations are grouped into two distinct categories, with distinct effluent limits and requirements applicable to each:

a. Earth-disturbing activities conducted prior to active mining activities; and

b. Active mining activities, which includes reclamation.

*Mining operations* can occur at both active and inactive mining facilities, and temporarily inactive mining facilities.

2. ***Active Metal Mining Activities*** - Activities related to the extraction, removal or recovery of metal ore from the earth; removal of overburden and waste rock to expose mineable minerals; and site reclamation and closure activities. All such activities occur within the *active mining area.* Reclamation involves activities undertaken, in compliance with applicable mined land reclamation requirements, to return the land to an appropriate post-mining contour and land use in order to meet applicable federal and state reclamation requirements. In addition, once earth-disturbing activities conducted prior to active mining activities have ceased and all related requirements in Part 11.G.5 have been met, and a well-delineated *active mining area* has been established, all activities (including any clearing, grading, and excavation) that occur within the active mining area are *active mining activities.*

3. ***Active Metal Mining Facility*** - A place where work or other activity related to the extraction, removal or recovery of metal ore is being conducted, except, with respect to surface mines, any area of land on or in which grading has been completed to return the earth to desired contour and reclamation work has begun.

4. ***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.

5. ***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.

## *G.5 Earth-disturbing activities Conducted Prior to Active Mining Activities*

Earth-disturbing activities prior to active mining activities including mine site preparation, construction of site access roads, construction of staging areas, activities associated with the exploration and construction phase of a mining operation (clearing, grading and excavation), expansion of the mine into undeveloped territory, and removal of overburden are not considered part of *mining operations*. Stormwater discharges from these activities cannot be covered under this Permit if these activities will disturb ***1 or more acres*** of land. Coverage for these activities must be under the OPDES General Permit OKR10 for stormwater discharges associated with construction activity, or an individual permit. If the area of disturbance during the initial phase is less than 1 acre, you must continue to comply with the requirements of this Permit.

### *G.5.1 Requirements for Activities Disturbing One or More Acres of Earth*

If the one-acre limit as defined in Part 11.G.5 is attained, you must obtain an authorization from DEQ for stormwater discharges before you start your construction. The ***NOI form*** for coverage under OPDES Construction General Permit OKR10 can be downloaded from the ***DEQ's website***.

### *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 your authorization under the OKR10 permit (i.e., stabilize the disturbed land and submit a Notice of Termination (NOT) which can be downloaded from the ***DEQ's Website***). If further mining activities will occur you may opt for either of the following: maintain coverage under the OKR10 permit (i.e., maintain necessary BMPs, perform inspections, etc.) and apply for coverage under the OKR05 permit for those discharges associated with mineral mining and dressing activities that

will occur under the active and reclamation phases; or terminate coverage under the OKR10 permit and apply for coverage under the OKR05 permit for stormwater discharges from the site.

## *G.6 Additional Technology-based Effluent Limits for Active Mining Activities*

The following requirements are applicable for active mining activities and do not apply for any discharges from earth-disturbing activities conducted prior to active mining as defined in Part 11.G.5.

### *G.6.1 Employee Training*

Conduct employee training at least ***annually*** at active and temporarily inactive facilities. (See also Part 3.1.2.8.)

### *G.6.2 Stormwater Controls*

Apart from the control measures you implement to meet your Part 3 technology-based effluent limits, where necessary to minimize pollutant discharges in stormwater, implement the following control measures at your site. The potential pollutants identified in Section G.7.3 below shall determine the priority and appropriateness of the ***control measures*** selected. For mines subject to dust control requirements under State or county air quality permits, provided the requirements are equivalent, compliance with such air permit dust requirements shall constitute compliance with the dust control effluent limit in Part 3.1.2.10.

***Stormwater Diversions****:* Divert stormwater away from potential pollutant sources through implementation of control measures such as the following, where determined to be feasible (list not exclusive): interceptor or diversion controls (e.g., dikes, swales, curbs, berms); pipe slope drains; subsurface drains; conveyance systems (e.g., channels or gutters, open-top box culverts, and water-bars; rolling dips and road sloping; roadway surface water deflector and culverts); or their equivalents.

***Sediment and Erosion Control*** (see also Part 3.1.2.5): 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).

***Management of Runoff*** (see also Part 3.1.2.6): Consider the potential pollutant sources when determining reasonable and appropriate measures for managing runoff.

***Capping****:* When capping is necessary to minimize pollutant discharges in stormwater, identify the source being capped and the material used to construct the cap.

***Treatment****:* If treatment of stormwater (e.g., chemical or physical systems, oil-water separators, artificial wetlands) is necessary to protect water quality, describe the type and location of treatment used. Passive and/or active treatment of stormwater runoff is encouraged, where feasible. Treated runoff may be discharged as a stormwater source regulated under this Permit provided the discharge is not combined with discharges subject to effluent limitation guidelines for the Ore Mining and Dressing Point Source Category (40 CFR Part 440).

## *G.7 Additional SWP3 Requirements*

### *G.7.1 Nature of Industrial Activities*

Briefly document in your SWP3 the mining and associated activities that can potentially affect the stormwater discharges covered by this Permit, including a general description of the location of the site relative to major transportation routes and communities. (See also Part 4.2.2.)

### *G.7.2 Site Map*

Document in your SWP3 the locations of the following (as appropriate): mining or milling site boundaries; access and haul roads; outline of the drainage areas of each stormwater outfall within the facility with an indication of the types of discharges from the drainage areas; locations of all permitted discharges covered under an individual OPDES permit; outdoor equipment storage, fueling and maintenance areas; materials handling areas; outdoor

manufacturing, storage or material disposal areas; outdoor 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 and ponds (including proposed ones); heap leach pads; off-site points of discharge for mine drainage and process water; surface waters; and boundary of tributary areas that are subject to effluent limitations guidelines; and locations of reclaimed areas. (See also Part 4.2.2.)

### *G.7.3 Potential Pollutant Sources*

For each area of the mine or mill site where stormwater 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 stormwater; vegetation of site (if any); history of significant leaks or spills of toxic or hazardous pollutants. Also include a summary of any existing ore or waste rock or 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 SWP3 with this information. (See also Part 4.2.3.)

### *G.7.4 Additional Inspection Requirements*

Inspect active mining sites at least ***monthly***. Inspect temporarily inactive sites at least *quarterly* unless adverse weather conditions make the site inaccessible. (See also Part 5.)

### *G.7.5 Employee Training*

All employee trainings must be documented this in the SWP3. (See also Part 3.1.2.8.)

### *G.7.6 Discharge Testing and Certification*

Test or evaluate all outfalls covered under this Permit for the presence of specific mining-related but *unauthorized* non-stormwater 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. Keep a certification of *unauthorized* non-stormwater discharges with your SWP3.

Note: *The requirements in Part 11.G.7 are not applicable to inactive metal mining facilities. There are no monitoring and reporting or impaired waters monitoring requirements for inactive and unstaffed sites.*

### *G.8 Monitoring and Reporting Requirements*

Quarterly visual monitoring is required. See also Part 7 and Part 8 of this Permit for monitoring and reporting requirements.

## *Sector H Coal Mines and Coal Mining Related Facilities*

### *H.1 Covered Stormwater Discharges*

The requirements in Sector H apply to stormwater 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 1-3 of this Permit.

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

Stormwater discharges from the following portions of coal mines are covered under this Permit:

- Haul roads (non-public roads on which coal or coal refuse is conveyed);
- Access roads (non-public roads providing light vehicular traffic within the facility property and to public roadways);

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

## *H.3 Limitations on Coverage*

### *H.3.1 Prohibition of Non-Stormwater Discharges*

Any 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 are not covered by this Permit. (See also Part 1.8.)

### *H.3.2 Discharges Subject to Stormwater Effluent Guidelines*

Stormwater discharges subject to an existing effluent limitation guideline at 40 CFR Part 434 is not authorized by this Permit. (See also Part 1.2.)

## *H.4 Definitions*

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

1. ***Mining operations*** - For this permit, mining operations are grouped into two distinct categories, with distinct effluent limits and requirements applicable to each:

    a. Earth-disturbing activities conducted prior to active mining activities; and

    b. Active mining activities, which includes reclamation.

    *Mining operations* can occur at both active and inactive mining facilities, and temporarily inactive mining facilities.

2. ***Earth-disturbing activities conducted prior to active mining activities*** – Consists of two classes of earth-disturbing (i.e., clearing, grading and excavation) activities:

    a. Activities performed for purposes of mine site preparation, including: cutting new rights of way (except when related to access road construction); providing access to a mine site for vehicles and equipment (except when related to access road construction); other earth disturbances associated with site preparation activities on any areas where active mining activities have not yet commenced; and

    b. Construction of staging areas to prepare for erecting structures such as to house project personnel and equipment, mill buildings, etc., and construction of access roads.

3. ***Active coal mining activities*** – Activities related to the extraction, removal or recovery, and preparation of coal; removal of overburden and waste rock to expose mineable minerals; and site reclamation and closure activities. All such activities occur within the "active mining area." Reclamation involves activities undertaken, in compliance with applicable mined land reclamation requirements, to return the land to an appropriate post-mining contour and land use in order to meet applicable federal and state reclamation requirements.

4. ***Active coal mining area*** – A place where work or other activity related to the extraction, removal or recovery of coal is being conducted, except, with respect to surface mines, any area of land on or in which grading has been completed to return the earth to desired contour and reclamation work has begun.
5. ***Inactive coal mining facility*** – A site or portion of a site where coal mining and/or milling occurred in the past but there are no active mining operations occurring as defined above, and where the inactive portion is not covered by an active mining permit issued by the applicable state or federal agency. An inactive coal mining facility has an identifiable owner/operator. Sites where mining claims are being maintained prior to disturbances associated with the extraction, beneficiation, or processing of mined materials and sites where minimal activities are undertaken for the sole purpose of maintaining a mining claim are not considered either active or inactive mining facilities and do not require an OPDES industrial stormwater permit.
6. ***Temporarily inactive coal mining facility*** – A site or portion of a site where coal 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 agency.
7. ***Final Stabilization*** – A site or portion of a site is *finally stabilized* when it has implemented all applicable Federal and State reclamation requirements.

## *H.5 Additional Technology-Based Effluent Limits*

The following requirements do not apply for any discharges from earth-disturbing activities conducted prior to active mining as defined in Part 11.H.4.3. These requirements only apply for the stormwater discharges from active mining activities:

### *H.5.1 Good Housekeeping Measures*

As part of your good housekeeping program, in order to minimize discharges of pollutants in stormwater, implement control measures such as the following, where determined to be feasible (list not inclusive): using sweepers and covered storage; watering haul roads to minimize dust generation; and conserving vegetation to minimize erosion. For mines subject to dust control requirements under state or county air quality permits, provided the requirements are equivalent, compliance with such air permit dust requirements shall constitute compliance with the dust control effluent limit in Part 3.1.2.10. (See also Part 3.1.2.2.)

### *H.5.2 Preventive Maintenance*

Perform inspections or other equivalent measures of storage tanks and pressure lines of fuels, lubricants, hydraulic fluid, and slurry to prevent leaks due to deterioration or faulty connections. (See also Part 3.1.2.3.)

## *H.6 Earth-disturbing Activities Conducted Prior to Active Mining Activities*

Earth-disturbing activities prior to active mining activities including mine site preparation, construction of site access roads, construction of staging areas, activities associated with the exploration and construction phase of a mining operation (clearing, grading and excavation), expansion of the mine into undeveloped territory, and removal of overburden are not considered part of ***mining operations***. Stormwater discharges from these activities cannot be covered under this Permit if these activities will disturb ***1 or more acres*** of land. Coverage for these activities must be under the OPDES General Permit OKR10 for stormwater discharges associated with construction activity, or an individual permit. If the area of disturbance during the initial phase is less than 1 acre, you must continue to comply with the requirements of this Permit.

### *H.6.1 Requirements for Activities Disturbing One or More Acres of Earth*

If the one-acre limit as defined in Part 11.H.6 is attained, you must obtain an authorization from DEQ for the discharges of stormwater before you start your construction. The ***NOI form*** for coverage under OPDES General Permit OKR10 for stormwater discharges from construction activity can be downloaded from the DEQ's website.

### *H.6.2 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 your authorization under the OKR10 permit (i.e., stabilize the disturbed land and submit a Notice of Termination (NOT) form, which can also be downloaded from the DEQ's Website). If further mining activities will occur, you may opt for either of the following: maintain coverage under the OKR10 permit (i.e., maintain necessary BMPs, perform inspections, etc.) and apply for coverage under the OKR05 permit for those discharges associated with coal mining and dressing activities that will occur under the active and reclamation phases; or terminate coverage under the OKR10 permit and apply for coverage under the OKR05 permit for stormwater discharges from the site.

## *H.7 Additional SWP3 Requirements*

### *H.7.1 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 stormwater-related pollutant discharges must be addressed, and then documented in the SWP3 (directly or by reference).

### *H.7.2 Drainage Area Site Map*

Document in your SWP3 where any of the following may be exposed to precipitation or surface runoff: haul and access roads; railroad spurs, siding, and internal hauling lines; conveyor belts, chutes, and aerial tramways; equipment storage and maintenance yards; coal handling buildings and structures; and inactive mines and related areas; acidic spoil, refuse or un-reclaimed disturbed areas; and liquid storage tanks containing pollutants such as caustics, hydraulic fluids, and lubricants. (See also Part 4.2.2.)

### *H.7.3 Potential Pollutant Sources*

Document in your SWP3 where any of the following sources and activities 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 potentially harmful liquids; and loading or temporary storage of acidic refuse or spoil. (See also Part 4.2.3.)

### *H.7.4 Additional Inspection Requirements*

Perform routine inspections of active mining 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. SMCRA requirements regarding sediment and erosion control measures must be complied with for those areas subject to SMCRA authority, including inspection requirements. Your inspection program must include inspections for pollutants entering the drainage system from activities located on or near coal mining-related areas. Among the areas to be inspected are 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 and structures; and inactive mines and related areas. (See also Part 5.1)

### *H.7.5 Sediment and Erosion Control*

As indicated in Part 11.H.6.1 above, SMCRA requirements regarding sediment and erosion control measures must be complied with for those areas subject to SMCRA authority, including inspection requirements. (See also Part 3.1.2.5)

### *H.7.6 Annual Comprehensive Site Compliance Evaluation*

Your evaluation program must include inspections for pollutants entering the drainage system from activities located on or near coal mining-related areas. Among the areas to be inspected are haul and access roads; railroad spurs, siding, and internal hauling lines; conveyor belts, chutes, and aerial tramways; equipment storage and maintenance yards; coal handling buildings and structures; and inactive mines and related areas. (See also Part 8.3)

Note: *The requirements in Part 11.H.7 are not applicable to inactive coal mining facilities.*

### *H.8 Monitoring and Reporting Requirements*

Quarterly visual monitoring is required. See also Part 7 and Part 8 of this Permit for monitoring and reporting requirements.

## *Sector I Oil and Gas Extraction*

### *I.1 Covered Stormwater Discharges*

Stormwater discharges from the *Natural Gas Liquids Extraction Plants*, identified under SIC Code 1321, are under DEQ jurisdiction. Operators/owners with stormwater discharges from natural gas liquids processing plants must submit an NOI to DEQ for authorization.

Stormwater discharges from *Oil Field Service Maintenance Yards not elsewhere classified*, identified under SIC Code 1389, are also under DEQ jurisdiction. Operators/owners with stormwater discharges from oil field service maintenance yards must submit an NOI to DEQ for authorization.

Stormwater discharges from field *Oil and Gas Extraction under SIC Codes 1311, 1381, 1382, and 1389* (except oil field service maintenance yards) are under EPA's jurisdiction (see Table 1-2). Operators/owners with stormwater discharges from crude petroleum and natural gas, drilling oil and gas wells, oil and gas field exploration services, and oil and gas field services not classified elsewhere must submit an NOI to EPA for authorization.

Stormwater discharges from field activities or operations associated with oil or gas exploration, production, processing or treatment operations, or transmission facilities are exempted from NPDES/OPDES permit coverage unless, in accordance with 40 CFR § 122.26(c)(1)(iii), the facility:

- Has had a discharge of stormwater resulting in the discharge of a reportable quantity for which notification is or was required pursuant to 40 CFR § 117.21 or 40 CFR § 302.6 at any time since November 16, 1987; or
- Has had a discharge of stormwater resulting in the discharge of a reportable quantity for which notification is or was required pursuant to 40 CFR § 110.6 at any time since November 16, 1987; or
- Contributes to a violation of a water quality standard.

### *I.2 Industrial Activities Covered by Sector I*

Stormwater discharges from the following portions of Natural Gas Liquid Extraction Plant's activities are covered by this Permit: production equipment and other machinery, raw materials, waste products and by-products, gas treatment units, finished products, storage areas, fuels and lubricants, waste treatment areas, access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste materials, or by-products

created by the facility. Stormwater discharges from *oil field service maintenance yards not identified elsewhere*, under SIC Code 1389 are also covered by this Permit

## *I.3 Limitations on Coverage*

### *I.3.1 Stormwater Discharges Subject to Effluent Limitation Guidelines*

This Permit does not authorize stormwater discharges from petroleum drilling operations that are subject to nationally established effluent limitation guidelines found at 40 CFR Part 435. (See also Part 1.8.4.)

### *I.3.2 Non-Stormwater Discharges*

Discharges of vehicle and equipment washwater, including tank cleaning operations, are not authorized by this Permit. Instead, washwater discharges must be authorized under a separate OPDES permit, or be discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements.

## *I.4 Additional Technology-Based Effluent Limits*

### *I.4.1 Vegetative Controls*

Implement vegetative practices designed to preserve existing vegetation, where attainable, and re-vegetate open areas as soon as practicable after grade drilling. Implement appropriate vegetative practices, such as the following (list not exclusive): temporary or permanent seeding, mulching, sod stabilization, vegetative buffer strips, and tree protection practices. Begin implementing appropriate vegetative practices on all disturbed areas within 14 days following the last activity in that area.

### *I.4.2 Good Housekeeping Measures*

You must implement the following good housekeeping measures in addition to the requirements of Part 3.1.2.2:

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 prevent or minimize contaminants from these areas (e.g., drip pans under equipment, indoor storage, use of berms or dikes, or other equivalent measures).
2. *Material and Chemical Storage Areas*: Maintain these areas in good conditions to prevent or minimize contamination of stormwater. Plainly label all hazardous materials.
3. *Chemical Mixing Areas*: Implement measures that prevent or minimize contamination of stormwater runoff from chemical mixing areas.

## *I.5 Additional SWP3 Requirements*

You must comply with the following requirements in addition to the requirements listed in Part 4:

### *I.5.1 Drainage Area Site Map*

Document in your SWP3 where any of the following may be exposed to precipitation or 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. (See also Part 4.2.2.)

### *I.5.2 Potential Pollutant Sources*

Also document in your SWP3 the following sources and activities that have potential pollutants associated with them: chemical, cement, mud, or gel mixing activities; and equipment cleaning and rehabilitation activities. In addition, include information about the RQ release that triggered the permit application requirements; the nature

of the release (e.g., oil spill from a drum storage area); 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 stormwater from release (taking into account human health risks, the control of drinking water intakes, and the designated uses of the receiving water). (See also Part 4.2.3.)

### *I.5.3 Additional Inspection Requirements*

All erosion and sediment controls must be inspected either: 1) once every 7 calendar days and within 24 hours of a storm event of 0.5 inches or greater. For temporarily or permanently inactive Oil and Gas Extraction facilities that are *remotely located and unstaffed*, perform the inspection at least annually. (See also Part 5.1.)

### *I.6 Monitoring and Reporting Requirements*

Quarterly visual monitoring is required. See also Part 7 and Part 8 of this Permit for monitoring and reporting requirements.

## *Sector J Mineral Mining and Dressing*

### *J.1 Covered Stormwater Discharges*

The requirements in Sector J apply to stormwater discharges associated with industrial activity from active and inactive non-metallic mineral mining and dressing facilities as identified by the SIC Codes specified under Sector J in Table 1-3 of this Permit.

- *Covered Discharges from Inactive Facilities:* All stormwater discharges.
- *Covered Discharges from Active and Temporarily Inactive Facilities:* All stormwater discharges, except for most stormwater discharges subject to the existing effluent limitation guideline at 40 CFR Part 436. In addition, mine dewatering discharges composed entirely of stormwater or uncontaminated groundwater seepage from: construction sand and gravel, industrial sand, and crushed stone mining facilities are covered by this Permit.
- *Covered Discharges from Earth-Disturbing Activities Conducted Prior to Active Mining Activities:* All stormwater discharges.
- *Covered Discharges from Sites Undergoing Reclamation*: All stormwater discharges.

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

The types of activities that permittees under Sector J are primarily engaged in are exploring for minerals (e.g., stone, sand, clay, chemical and fertilizer minerals, non-metallic minerals, etc.), and developing mines and the mining of minerals; mineral dressing; and non-metallic mineral services.

### *J.3 Limitations on Coverage*

Most stormwater discharges subject to an existing effluent limitation guideline at 40 CFR Part 436 are not authorized by this Permit. The exceptions to this limitation, which are covered by this Permit, are mine dewatering discharges composed entirely of stormwater or uncontaminated groundwater seepage from construction sand and gravel, industrial sand, and crushed stone mining facilities.

### *J.4 Definitions*

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

1. ***Mining operations*** - For this Permit, mining operations are grouped into two distinct categories, with distinct effluent limits and requirements applicable to each:

    a. Earth-disturbing activities conducted prior to active mining activities; and

    b. Active mining activities, which includes reclamation.

    Mining operations can occur at both active and inactive mining facilities, and temporarily inactive mining facilities.

2. ***Earth-disturbing activities conducted prior to active mining activities, construction of access and staging area*** – Consists of two classes of earth-disturbing (i.e., clearing, grading and excavation) activities:

    Activities performed for purposes of mine site preparation, including: cutting new rights of way; providing access to a mine site for vehicles and equipment; access road construction; other earth disturbances associated with site preparation activities on any areas where active mining activities have not yet commenced; construction of staging areas to prepare for erecting structures such as to house project personnel and equipment, mill buildings, etc.

3. ***Active mineral mining activities*** – Activities related to the extraction, removal or recovery, and beneficiation of non-metallic minerals from the earth; removal of overburden and waste rock to expose mineable minerals; and site reclamation and closure activities. All such activities occur within the ***active mining area***. Reclamation involves activities undertaken, in compliance with applicable mined land reclamation requirements, to return the land to an appropriate post-mining contour and land use in order to meet applicable federal and state reclamation requirements. In addition, once earth-disturbing activities conducted prior to active mining activities have ceased and all related requirements in Part 11.J.6 have been met, and a well-delineated *active mining area* has been established, all activities (including any clearing, grading, and excavation) that occur within the active mining area are *active mining activities*.

4. ***Active mineral mining area*** – A place where work or other activity related to the extraction, removal or recovery of non-metallic minerals is being conducted, except, with respect to surface mines, any area of land on or in which grading has been completed to return the earth to desired contour and reclamation work has begun. Note: *Earth-disturbing activities described in the definition in Part 11.J.4.2 that occur on areas outside the active mining area (e.g., for expansion of the mine into undeveloped territory) are considered* ***earth-disturbing conducted prior to active mining activities****, and must comply with the requirements in Part 11.J.6.*

5. ***Inactive mineral mining facility*** – A site or portion of a site where mineral mining and/or milling occurred in the past but there are no active mining operations occurring as defined above, and where the inactive portion is not covered by an active mining permit issued by the applicable state or federal agency. An inactive mineral mining facility has an identifiable owner/operator. Sites where mining claims are being maintained prior to disturbances associated with the extraction, beneficiation, or processing of mined materials and sites where minimal activities are undertaken for the sole purpose of maintaining a mining claim are not considered either active or inactive mining facilities and do not require an OPDES industrial stormwater permit.

6. ***Temporarily inactive mineral mining facility*** – A site or portion of a site where non-metallic mineral 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 agency.

7. ***Final Stabilization*** – A site or portion of a site is *finally stabilized* when it has implemented all applicable Federal and State reclamation requirements.

## *J.5 Additional Technology-Based Effluent Limits for Active Mining Activities*

The following requirements are applicable for active mining activities and do not apply for any discharges from earth-disturbing activities conducted prior to active mining as defined in Part 11.J.4.

### *J.5.1 Employee Training*

Conduct employee training at least ***annually*** at active and temporarily inactive facilities. (See also Part 3.1.2.8.)

### *J.5.2 Stormwater Controls*

Apart from the control measures you implement to meet the Part 3 technology-based effluent limits, where necessary to ***minimize*** pollutant discharges in stormwater, implement the following control measures at your site. The potential pollutants identified in Section J.6.3 below shall determine the priority and appropriateness of the ***control measures*** selected. For mines subject to dust control requirements under the State or County air quality permits, provided the requirements are equivalent, compliance with such air permit dust requirements shall constitute compliance with the dust control effluent limit in Part 3.1.2.10.

*Stormwater Diversions:* Divert stormwater away from potential pollutant sources through implementation of control measures such as the following, where determined to be feasible (list not exclusive): interceptor or diversion controls (e.g., dikes, swales, curbs, berms); pipe slope drains; subsurface drains; conveyance systems (e.g., channels or gutters, open-top box culverts, and water-bars; rolling dips and road sloping; roadway surface water deflector and culverts); or their equivalents.

*Capping:* When capping is necessary to minimize pollutant discharges in stormwater, identify the source being capped and the material used to construct the cap.

*Treatment:* If treatment of stormwater (e.g., chemical or physical systems, oil-water separators, artificial wetlands) is necessary to protect water quality, describe the type and location of treatment used. Passive and/or active treatment of stormwater runoff is encouraged, where feasible. Treated runoff may be discharged as a stormwater source regulated under this Permit provided the discharge is not combined with discharges subject to effluent limitation guidelines for the Mineral Mining and Processing Point Source Category (40 CFR Part 436).

### *J.5.3 Discharge Testing and Certification*

Test or evaluate all outfalls covered under this Permit for the presence of specific mining-related but unauthorized non-stormwater discharges such as discharges subject to effluent limitations guidelines (e.g., 40 CFR Part 436). Alternatively, (if applicable), you may keep a certification with your SWP3, per Part 11.J.7.6. (See also Part 4.2.3.5.)

## *J.6 Requirements Applicable to Earth-Disturbing Activities Conducted Prior to Active Mining Activities*

Stormwater discharges from earth-disturbing activities conducted prior to active mining activities (defined in Part 11.J.4.2) are covered under this Permit. For such earth-disturbing activities, you must comply with all applicable requirements in Parts 1-9 of this Permit except for the technology-based effluent limits in Part 11.J.5 and Part 3.1.2, the inspection requirements in Part 11.J.7 and Part 5, and the monitoring requirements in Part 11.J.8 and Part 7. Authorized discharges from areas where earth-disturbing activities have ceased and stabilization as specified in Part 11.J.6.1.p, where appropriate, has been completed (stabilization is not required for areas where active mining activities will occur), are no longer subject to the Part 11.J.6 requirements. At such time, authorized discharges become subject to all other applicable requirements of this Permit, including the effluent limits in Part 3.1.2 and Part 11.J.5, the inspection requirements in Part 5 and Part 11.J.7, and the monitoring requirements in Part 7 and Part 11.J.8.

### *J.6.1 Technology-Based Effluent Limits Applicable to All Earth-Disturbing Activities Conducted Prior to Active mining Activities, Construction of Staging Area and Access Road*

The following technology-based effluent limits apply to authorized discharges from all earth-disturbing activities conducted prior to active mining activities defined in Part 11.J.4. These limits supersede the technology-based limits listed in Part 3.1.2 and Part 11.J.5 of this Permit.

a. ***Area of disturbance:*** You must minimize the amount of soil exposed during construction activities.

b. ***Erosion and sediment control design requirements***. You must:

- Design, install and maintain effective erosion and sediment controls to minimize the discharge of pollutants from construction activities. Account for the following factors in designing your erosion and sediment controls:
  - The expected amount, frequency, intensity and duration of precipitation;
  - The nature of stormwater runoff and run-on at the site, including factors such as impervious surfaces, slopes and site drainage features;
  - The range of soil particle sizes expected to be present on the site.
- Direct discharges from your stormwater controls to vegetated areas of your site to increase sediment removal and maximize stormwater infiltration, including any natural buffers, unless infeasible. Use velocity dissipation devices if necessary to prevent erosion when directing stormwater to vegetated areas.
- If any stormwater flow becomes or will be channelized at your site, you must design erosion and sediment controls to control both peak flowrates and total stormwater volume to minimize channel and stream bank erosion and scour in the immediate vicinity of discharge points.
- If you install stormwater conveyance channels, they must be designed to avoid unstabilized areas on the site and to reduce erosion, unless infeasible. In addition, you must minimize erosion of channels and their embankments, outlets, adjacent stream banks, slopes, and downstream waters during discharge conditions through the use of erosion controls and velocity dissipation devices within and along the length of any constructed stormwater conveyance channel, and at any outlet to provide a non-erosive flow velocity.

c. ***Natural buffers:*** For any stormwater discharges from construction activities within 50 feet (***or 100 feet if the facility is located in a sensitive watershed***) of a water of the State, you must comply with one of the following compliance alternatives:

- Provide a 50-foot (or 100-foot) undisturbed natural buffer between construction activities and the water of the State; or
- Provide an undisturbed natural buffer that is less than 50 feet (or 100 feet) supplemented by additional erosion and sediment controls, which in combination, achieve a sediment load reduction that is equivalent to a 50-foot/100-foot undisturbed natural buffer; or
- If it is infeasible to provide an undisturbed natural buffer of any size, implement erosion and sediment controls that achieve a sediment load reduction that is equivalent to a 50-foot/100-foot undisturbed natural buffer.

**Note:** Refer to the ***Buffer Guidance*** requirements available in the ***OPDES General Permit OKR10*** for Stormwater Discharges from Construction Activities.

There are exceptions when buffer requirements do not apply:

- There is no stormwater discharge from construction disturbances to a water of the State;
- The natural buffer has already been eliminated by preexisting development disturbances;
- The disturbance is for the construction of a water-dependent structure or construction approved under a CWA section 404 permit;
- For linear construction projects, you are not required to comply with the requirements if there are site constraints provided that, to the extent feasible, you limit disturbances within 50 feet (or 100 feet) of a water of the State and/or you provide supplemental erosion and sediment controls to treat stormwater discharges from any disturbances within 50 feet (or 100 feet) of a water of the State.

d. ***Erosion and sediment control installation requirement:***

- By the time construction activities commence, install and make operational down-gradient sediment controls.
- All other stormwater controls described in the SWP3 must be installed and made operational as soon as conditions on each portion of the site allow.

e. ***Perimeter controls.*** You must:

- Install sediment controls along those perimeter areas of your disturbed area that will receive stormwater, except where site conditions prevent the use of such controls (in which case, maximize their installation to the extent practicable).
- Remove sediment before it accumulates to one-half of the above-ground height of any perimeter control.

f. ***Sediment track-out:*** For construction vehicles and equipment exiting the site directly onto paved roads, you must:

- Use appropriate stabilization techniques to minimize sediment track-out from vehicles and equipment prior to exit;
- Use additional controls to remove sediment from vehicle and equipment tires prior to exit, where necessary;
- Remove sediment that is tracked out onto paved roads by the end of the work day.

g. ***Native topsoil preservation:*** You must preserve native topsoil removed during clearing, grading, or excavation, unless infeasible. Store topsoil in a manner that will maximize its use in reclamation or final vegetative stabilization (e.g., by keeping the topsoil stabilized with seed or similar measures). This requirement does not apply if the intended function of the disturbed area dictates that topsoil be disturbed or removed.

h. ***Soil or sediment stockpiles:*** You must:

- Minimize erosion of stockpiles from stormwater and wind via temporary cover, if feasible.
- Prevent up-slope stormwater flows from causing erosion of stockpiles (e.g., by diverting flows around the stockpile).
- Minimize sediment from stormwater that runs off of stockpiles, using sediment controls (e.g., a sediment barrier or downslope sediment control).

i. ***Sediment basins:*** If you intend to install a single or multiple sediment basin(s) to treat stormwater from your earth-disturbing activities, you must:

- Provide overall storage for either (1) the 2-year, 24-hour storm, or (2) 3,600 cubic feet per acre drained.
- Prevent erosion of (1) basin embankments by using stabilization controls (e.g., erosion control blankets), and (2) the inlet and outlet points of the basin by using erosion controls and velocity dissipation devices.

j. ***Minimize dust:*** You must minimize the generation of dust through the appropriate application of water or other dust suppression techniques that minimize pollutants being discharged into surface waters.

k. ***Steep slopes:*** You must minimize the disturbance of steep slopes. The permit does not prevent or prohibit disturbance on steep slopes. Depending on site conditions and needs, disturbance on steep slopes may be necessary (e.g., a road cut in mountainous terrain; for grading steep slopes prior to erecting the landfill office). Where steep slope disturbances are necessary, you can minimize the disturbances to steep slopes through the implementation of a number of standard erosion and sediment control practices, such as by phasing disturbances in these areas and using stabilization practices specifically for steep grades.

l. ***Soil compaction:*** Where final vegetative stabilization will occur or where infiltration practices will be installed, you must either restrict vehicle/ equipment use in these areas to avoid soil compaction or use soil conditioning techniques to support vegetative growth. Minimizing soil compaction is not required where compacted soil is integral to the functionality of the site.

m. ***Dewatering practices:*** You are prohibited from discharging contaminated or turbid groundwater or accumulated stormwater that is removed from excavations, trenches, foundations, vaults or other similar points of accumulation, unless such waters are first effectively managed by appropriate controls (e.g., sediment basins or sediment traps, sediment socks, dewatering tanks, tube settlers, weir tanks, or filtration systems). Uncontaminated, non-turbid dewatering water can be discharged without being routed to a control.

   You must also meet the following requirements for dewatering activities:

   - No discharging visible floating solids or foam;
   - Remove oil, grease and other pollutants from dewatering water via an oil-water separator or suitable filtration device (such as a cartridge filter);
   - Utilize vegetated upland areas of the site, to the extent feasible, to infiltrate dewatering water before discharge. In no case shall waters of the U.S. be considered part of the treatment area;
   - Implement velocity dissipation devices at all points where dewatering water is discharged;
   - Haul backwash water away for disposal or return it to the beginning of the treatment process; and
   - Clean or replace the filter media used in dewatering devices when the pressure differential equals or exceeds the manufacturer's specifications.

n. ***Erosion and sediment control maintenance requirements:*** You must:

   - Ensure that all erosion and sediment controls remain in effective operating condition.
   - Wherever you determine that a stormwater control needs maintenance to continue operating effectively, initiate efforts to fix the problem immediately after its discovery, and complete such work by the end of the next work day.

- When a stormwater control must be replaced or significantly repaired, complete the work as soon as practicable but no later than 7 days.

o. ***Pollution prevention requirements:***

- *Prohibited discharges* (this non-exhaustive list of prohibited non-stormwater discharges is included here as a reminder that only the allowable non-stormwater discharges are those enumerated in Part 1.3):
  - Wastewater from washout of concrete;
  - Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds, and other construction materials;
  - Fuels, oils, or other pollutants used for operation and maintenance of vehicles or equipment;
  - Soaps, solvents, or detergents used in vehicle or equipment washing;
  - Toxic or hazardous substances from a spill or other release.
- *Design and location requirements:* Minimize the discharge of pollutants from pollutant sources by:
  - Minimizing exposure;
  - Using secondary containment, spill kits, or other equivalent measures;
  - Locating pollution sources away from surface waters, storm sewer inlets, and drainage-ways;
  - Cleaning up spills immediately (do not clean by hosing area down).
- *Pollution prevention requirements for wash waters:* Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge;

*Pollution prevention requirements for the storage, handling, and disposal of construction products, materials, and wastes:* Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, and other materials present on the site to stormwater. Minimization of exposure is not required in cases where the exposure to stormwater will not result in a discharge of pollutants, or where exposure of a specific material or product poses little risk of stormwater contamination (such as final products and materials intended for outdoor use).

p. ***Site stabilization requirements for earth-disturbing activities:*** You must comply with the following stabilization requirements except where the intended function of the site accounts for such disturbed earth (e.g., the earth disturbances will become actively mined, or the controls implemented at the active mining area effectively control the disturbance):

- *Temporary stabilization of disturbed areas:* Stabilization measures must be initiated immediately in portions of the site where earth-disturbing activities performed for purposes of mine site preparation (as defined in Part 11.J.4) have temporarily ceased, but in no case more than 14 days after such activities have temporarily ceased. Until temporary vegetative stabilization is achieved, interim measures such as erosion control blankets with an appropriate seed base and tackifiers must be employed. In areas of the site where earth-disturbing activities performed for purposes of mine site preparation have permanently ceased prior to active mining, temporary stabilization measures must be implemented to minimize mobilization of sediment or other pollutants until active mining activities commence.

- *Final stabilization of disturbed areas:* Stabilization measures must be initiated immediately where earth-disturbing activities performed for purposes of mine site preparation (as defined in Part 11.J.4) have permanently ceased, but in no case more than 14 days after the earth-disturbing activities have permanently ceased. Until final stabilization is achieved, temporary stabilization measures, such as erosion control blankets with an appropriate seed base and tackifiers, must be used.
- If using vegetative measures, by no later than 14 days after initiating stabilization:
  - Seed or plant the area, and provide temporary cover to protect the planted area;
  - Once established, vegetation must be uniform, perennial (if final stabilization), and cover at least 70% of stabilized area based on density of native vegetation without large (***greater than 10 square feet***) bare areas.
- If using non-vegetative stabilization, by no later than 14 days after initiating stabilization:
  - Install or apply all non-vegetative measures;
  - Cover all areas of exposed soil.

Note: *For the purposes of this Permit, DEQ will consider any of the following types of activities to constitute the initiation of stabilization: 1. Prepping the soil for vegetative or non-vegetative stabilization; 2. Applying mulch or other non-vegetative product to the exposed area; 3. Seeding or planting the exposed area; 4. Starting any of the activities in # 1 – 3 on a portion of the area to be stabilized, but not on the entire area; and 5. Finalizing arrangements to have stabilization product fully installed in compliance with the applicable deadline for completing stabilization.*

### *J.6.2 Water Quality-Based Requirements Applicable to Earth-Disturbing Activities Conducted Prior to Active Mining Activities*

The following water quality-based limits apply to earth-disturbing activities conducted prior to active mining activities defined in Part 11.J.4.2, in addition to the water quality-based limits in Part 3.2 of the MSGP:

Stricter requirements apply if your site will discharge to an impaired water or water that is identified as aquatic resources of concern:

a. *More rapid stabilization of exposed areas:* Complete initial stabilization activities within 7 days of stopping construction work.

b. *More frequent site inspections:* Once every 7 calendar days and within 24 hours of a storm event of 0.5 inches or greater.

### *J.6.3 Inspection Requirements Applicable to Earth-Disturbing Activities Conducted Prior to Active Mining Activities*

The following requirements supersede the inspection requirements in Part 5 and Part 11.J.7 of this Permit for earth-disturbing activities conducted prior to active mining activities defined in Part 11.J.4.2.

a. ***Inspection Frequency:*** At least once every 14 calendar days and within 24 hours of a storm event of 0.5 inches or greater. Inspections are only required during working hours. You may reduce the frequency of inspections to once per month in any area of your site where stabilization has occurred pursuant to Part 11.J.6.1.p.

b. ***Areas to be Inspected:*** You must at a minimum inspect all of the following areas: disturbed areas; stormwater controls and pollution prevention measures; locations where stabilization measures have been implemented; material, waste, borrows, or equipment storage and maintenance areas; areas where stormwater flows; and points of discharge.

c. ***What to Check for During Inspections:*** At a minimum you must check: whether all stormwater controls are installed, operational and working as intended; whether any new or modified stormwater controls are needed; for conditions that could lead to a spill or leak; for visual signs of erosion/sedimentation at points of discharge. If a discharge is occurring: the quality and characteristics of the discharge; and whether controls are operating effectively.

d. ***Inspection Report.*** Within 24 hours of an inspection, complete a report that includes: inspection date; name and title of inspector(s); summary of inspection findings; rainfall amount that triggered the inspection (if applicable); if it was unsafe to inspect a portion of the site, include documentation of the reason and the location(s); each inspection report must be signed; and keep a current copy of all reports at the site or at an easily accessible location.

### *J.6.4 Cessation of Requirements Applicable to Earth-Disturbing Activities Conducted Prior to Active Mining Activities*

The requirements in Part 11.J.6 no longer apply for any earth-disturbing activities conducted prior to active mining activities as defined in Parts 11.J.4.2 where:

a. Earth-disturbing activities have ceased; and

b. Stabilization has been met consistent with Part 11.J.6.1.p (not required for areas where active mining activities will occur).

## *J.7 Additional SWP3 Requirements for Mining Operations*

You must comply with the following requirements in addition to the requirements listed in Part 4 (*Note: the requirements in Part 11.J.7 are not applicable to inactive mineral mining facilities*):

### *J.7.1 Nature of Industrial Activities*

Document in your SWP3 the mining and associated activities that can potentially affect the stormwater discharges covered by this Permit, including a general description of the location of the site relative to major transportation routes and communities**.** (See also Part 4.2.2.)

### *J.7.2 Site Map*

Document in your SWP3 the locations of the following (as appropriate): mining or milling site boundaries; access and haul roads; outline of the drainage areas of each stormwater outfall within the facility with indications of the types of discharges from the drainage areas; location(s) of all permitted discharges covered under an individual OPDES permit, if applicable; outdoor equipment storage, fueling, and maintenance areas; materials handling areas; outdoor manufacturing, outdoor storage, and material disposal areas; outdoor chemicals and explosives storage areas; overburden, materials, soils, or waste storage areas; location of mine drainage dewatering or other process water; heap leach pads; off-site points of discharge for mine dewatering and process water; surface waters; boundary of tributary areas that are subject to effluent limitations guidelines; and location(s) of reclaimed areas. (See also Part 4.2.2.)

### *J.7.3 Potential Pollutant Sources*

For each area of the mine or mill site where stormwater discharges associated with industrial activities occur, document in your SWP3 the types of pollutants (e.g., heavy metals, sediment) likely to be present in significant amounts. For example, phosphate mining facilities will likely need to document pollutants such as selenium, which can be present in significant amounts in their discharges. Consider these factors: the mineralogy of the waste rock (e.g., acid forming); toxicity and quantity of chemicals used, produced, or discharged; the likelihood of contact with stormwater; vegetation of site (if any); and history of significant leaks or spills of toxic or hazardous pollutants. Also include a summary of any existing waste rock or overburden characterization data and test results for potential generation of acid rock drainage. (See also Part 4.2.3.)

### *J.7.4 Documentation of Control Measures*

To the extent that you use any of the control measures in Part 11.J.5.2, document them in your SWP3 per Part 4.2.4. If control measures 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 SWP3. If you are in compliance with dust control requirements under the State air quality permits, you must state (or summarize, as necessary) what the state or county air quality permit dust control requirements are and how you've achieved compliance with them.

### *J.7.5 Employee Training*

All employee training(s) conducted in accordance with Part 11.J.5.1 must be documented with the SWP3.

### *J.7.6 Certification of Permit Coverage for Commingled Non-Stormwater Discharges*

If you determine that you are able to certify, consistent with Part 11.J.5.3, that a particular discharge composed of commingled stormwater and non-stormwater is covered under a separate OPDES permit, and that permit subjects the non-stormwater portion to effluent limitations prior to any commingling, you must retain such certification with your SWP3. This certification must identify the non-stormwater discharges, the applicable OPDES permit(s), the effluent limitations placed on the non-stormwater discharge by the permit(s), and the points at which the limitations are applied.

### *J.7.7 Additional Inspection Requirements*

Except for earth-disturbing activities conducted prior to active mining activities as defined in Parts 11.J.4.2, which are subject to Part 11.J.6.4, perform inspections at least quarterly unless adverse weather conditions make the site inaccessible. Sites which discharge to waters which are impaired for sediment or nitrogen must be ***inspected monthly***. (See also Part 5.1.)

## *J.8 Effluent Limitations, Monitoring and Reporting Requirements*

Sector Table J-1 identifies effluent limits that apply to the industrial activities described below. Compliance with these effluent limits is to be determined based on discharges from these industrial activities independent of commingling with any other waste streams that may be covered under this Permit. Monitoring shall be performed once per year during the permit period. In addition, quarterly visual monitoring is required. (See also Part 7 and Part 8.)

**Sector Table J-1 Active and Inactive Non-Metallic Mineral Mining and Dressing Sector-Specific Effluent Limitations**

| Industrial Activity | Parameter | Numeric Limitation |
|---|---|---|
| Mine dewatering discharges at Crushed Stone, Construction Sand and Gravel, Industrial Sand and Mining Facilities (SIC Codes: 1422-1429, 1442, & 1446) | Total Suspended Solids (TSS) | 45 mg/L, daily max<br>25 mg/L, monthly avg. |
| | pH | 6.5 - 9.0 s.u. |

# *Sector K Hazardous Waste Treatment, Storage or Disposal Facilities*

## *K.1 Covered Stormwater Discharges*

The requirements in Sector K apply to stormwater discharges associated with industrial activity from Hazardous Waste Treatment, Storage or Disposal facilities (TSDFs) as identified by the Activity Code **HZ** specified under Sector K in Table 1-3 of this Permit.

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

Stormwater discharges 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, are covered under Sector K.

Disposal facilities that have been *properly closed and capped* and have no significant material exposed to stormwater, are considered inactive and do not require a permit.

## *K.3 Limitations on Coverage*

### *K.3.1 Prohibition of Non-Stormwater Discharges*

The following discharges are not authorized by this Permit: leachate, gas collection condensate, drained free liquids, contaminated ground water, laboratory-derived wastewater, and contact wash water from washing truck and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility. (See also Part 1.3.)

### *K.3.2 Limitations on Coverage for Facilities Providing Commercial TSDF Services*

Coverage under this Permit is limited to TSDFs that are self-generating or handle residential wastes only and to those facilities that only store hazardous wastes and do not treat or dispose of them. Coverage under this Permit is not available to commercial hazardous waste disposal/treatment facilities that dispose and treat on a commercial basis any produced hazardous wastes (i.e., not their own) as a service provider to commercial or industrial generators. These types of facilities must apply for an individual permit from DEQ.

## *K.4 Definitions*

1. ***Contaminated stormwater:*** Stormwater that comes into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater as defined in Part 11.K.4.4. Some specific areas of a landfill that may produce contaminated stormwater 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.
2. ***Drained free liquids:*** Aqueous wastes drained from waste containers (e.g., drums) prior to landfilling.
3. ***Landfill:*** An area of land or an excavation in which wastes are placed for permanent disposal, but that is not a land application or land treatment unit, surface impoundment, underground injection well, waste pile, salt dome formation, salt bed formation, underground mine, or cave as these terms are defined in 40 CFR § 257.2, 258.2, and 260.10.
4. ***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 stormwater, contaminated ground water, 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 stormwater, and contact wash water from washing truck, equipment, and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility.
5. ***Leachate:*** Liquid that has passed through or emerged from solid waste and contains soluble, suspended, or miscible materials removed from such waste.
6. ***Non-contaminated Stormwater:*** Stormwater that does not come into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater as defined in Part 11.K.4.4. Non-contaminated stormwater includes stormwater that flows off the cap, cover, intermediate cover, daily cover, and/or final cover of the landfill.

## *K.5 Effluent Limitations, Monitoring and Reporting Requirements*

Sector Table K-1 identifies effluent limits that apply to the industrial activities described below. Compliance with these effluent limits is to be determined based on discharges from these industrial activities independent of commingling with any other waste streams that may be covered under this Permit. Monitoring shall be performed once per year during the permit period. In addition, quarterly visual monitoring is required. (See also Part 7 and Part 8.)

### Sector Table K-1 Hazardous Waste Treatment, Storage or Disposal Specific Numeric Effluent Limitations

| Industrial Activity | Parameter | Effluent Limitation[1] |
|---|---|---|
| Discharges from **hazardous waste** landfills subject to effluent limitations in 40 CFR Part 445 Subpart A (see footnotes) | Biochemical Oxygen Demand ($BOD_5$) | 220 mg/L, daily maximum<br>56 mg/L, monthly avg. maximum |
| | Total Suspended Solids (TSS) | 88 mg/L, daily maximum<br>27 mg/L, monthly avg. maximum |
| | Ammonia | 10 mg/L, daily maximum<br>4.9 mg/L, monthly avg. maximum |
| | Total Chromium | 1.1 mg/L, daily maximum<br>0.46 mg/L, monthly avg. maximum |
| | Total Zinc | 0.535 mg/L, daily max.<br>0.296 mg/L, monthly avg. maximum |
| | Total Arsenic | 1.1 mg/L, daily maximum<br>0.54 mg/L, monthly avg. maximum |
| | Alpha Terpineol | 0.042 mg/L, daily max.<br>0.019 mg/L, monthly avg. maximum |
| | Aniline | 0.024 mg/L, daily max.<br>0.015 mg/L, monthly avg. maximum |
| | Benzoic Acid | 0.119 mg/L, daily max.<br>0.073 mg/L, monthly avg. maximum |
| | Naphthalene | 0.059 mg/L, daily max.<br>0.022 mg/L, monthly avg. maximum |
| | p-Cresol | 0.024 mg/L, daily max.<br>0.015 mg/L, monthly avg. maximum |
| | Phenol | 0.048 mg/L, daily max.<br>0.029 mg/L, monthly avg. maximum |
| | Pyridine | 0.072 mg/L, daily max.<br>0.025 mg/L, monthly avg. maximum |
| | pH | 6.5 – 9.0 s.u. |

[1] As set forth at 40 CFR Part 445 Subpart A, these numeric limitations apply to contaminated stormwater 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 following facilities:

(a) Landfills operated in conjunction with other industrial or commercial operations when the landfill receives only 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 that 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 that 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.

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

## *L.1 Covered Stormwater Discharges*

The requirements in Sector L apply to stormwater discharges associated with industrial activity from Landfills and Land Application Sites as identified by the Activity Code **LF** specified under Sector L in Table 1-3 of this Permit.

Once a landfill begins operations, stormwater discharges from continued development or closure of incremental landfill cells or final cell closure, perimeter drainage structure, access/haul road construction, cover soil operations, and soil borrow operations are authorized under this Permit since these are normal aspects of landfill operations. Any construction or demolition of temporary non-impervious roads directly related to landfill operations is also subject to the requirements of this Permit. DEQ may impose additional requirements depending on site specific circumstances such as proximity to nearby waterways, extent of activities, pollutants of concern, and other considerations.

Note: *A landfill is subject to the Construction General Permitting requirements during the time the landfill is initially constructed and prior to operation and must be covered under the OPDES Construction General Permit OKR10.*

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

Stormwater discharges from facilities associated with waste disposal at landfills, and land application sites that receive or have received industrial waste, including sites subject to regulation under Subtitle D of RCRA, are covered under Sector L.

## *L.3 Limitations on Coverage*

### *L.3.1 Prohibition of Non-Stormwater Discharges*

The following discharges are not authorized by this Permit: leachate, gas collection condensate, drained free liquids, contaminated groundwater, laboratory wastewater and contact wash water from washing truck and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility. (See also Part 1.3.)

### *L.3.2 Prohibition of Stormwater Discharges from Open Dumps*

Stormwater discharges from ***open dumps*** as defined under RCRA are ***not authorized*** under this Permit.

### *L.3.3 Prohibition of Stormwater Discharges*

Stormwater discharges from a new landfill construction (prior to operation) are not authorized under this Permit. Additionally, stormwater discharges from a separate section (for example, not contiguous or separated by a public road) of the landfill and/or facility construction are not authorized under this Permit unless that separate section is incorporated in the SWP3 in accordance with the requirements of this Permit. These activities require coverage under the OPDES Construction General Permit OKR10. Construction of permanent facility structures such as buildings and impervious parking lots or impervious roads that disturb greater than 1 acre in an existing landfill

site are also subject to the OKR10 permit. (*Permanent facility structures are defined as any structural improvements designed to remain until the landfill is closed.*)

## *L.4 Definitions*

1. ***Contaminated stormwater*** – stormwater that comes into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater (as defined in Part 11.L.4.3) that is subject to the landfills effluent limitations guidelines (40 CFR Part 445). Some specific areas of a landfill that may produce contaminated stormwater include (but are not limited to) the open face of an active landfill with exposed waste (no cover added) or; the areas around wastewater treatment operations; trucks, equipment, or machinery that has been in direct contact with the waste; and waste dumping areas. Additionally, stormwater that comes into direct contact with alternative daily cover may produce contaminated stormwater if the alternative cover is not managed in accordance with the landfill's Solid Waste permit.

2. ***Drained free liquids*** – aqueous wastes drained from waste containers (e.g., drums) prior to landfilling.

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 stormwater, contaminated ground water, 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 stormwater; and contact wash water from washing truck, equipment, and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility.

4. ***Leachate*** – liquid that has passed through or emerged from solid waste and contains soluble, suspended, or miscible materials removed from such waste.

5. ***Non-contaminated stormwater*** – stormwater that does not come into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater. Non-contaminated stormwater includes stormwater that flows off daily, intermediate, and/or final cover of the landfill.

6. ***Earth-disturbing activities conducted once landfill operations begin*** – the following activities are considered as earth-disturbing (i.e., clearing, grading and excavation) activities:

   Activities performed for purposes of continued development or closure of incremental landfill cells, perimeter drainage structures, cover soil operations, and soil borrow operations or final cell closure, including: cutting new rights of way, providing access to landfill cells for vehicles and equipment, other earth disturbances associated with site preparation activities, and any construction or demolition of non-impervious roads directly related to landfill operations including access/haul roads, construction of staging areas to prepare for erecting structures such as to house project personnel and equipment, mill buildings, etc.

## *L.5 Additional Technology-Based Effluent Limits*

### *L.5.1 Preventive Maintenance Program*

As part of your preventive maintenance program, maintain the following: all elements of leachate collection and treatment systems, to prevent commingling of leachate with stormwater; 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. (See also Part 3.1.2.3.)

### *L.5.2 Erosion and Sedimentation Control*

Provide temporary stabilization (e.g., temporary seeding, mulching, placing geotextiles on the inactive portions of stockpiles and/or installing and maintaining adequate downgradient stormwater controls/structural BMPs) for the following in order to minimize discharges of pollutants in stormwater: materials stockpiled for daily, intermediate, and final cover; inactive areas of the landfill; and landfill areas that have final covers but where vegetation has yet to be established. (See also Part 3.1.2.5.)

### *L.5.3 Good Housekeeping Measures*

As part of your good housekeeping program, consider providing protected storage areas for pesticides, herbicides, fertilizer, and other significant materials. (See also Part 3.1.2.2.)

## *L.6 Requirements Applicable to Earth-Disturbing Activities Conducted once Landfill Operations Begin*

Stormwater discharges from earth-disturbing activities conducted once landfill operations begin (defined in Part 11.L.4.6) are covered under this Permit. For such earth-disturbing activities, you must comply with all applicable requirements in Parts 1-9 and 11.L of this Permit except for the technology-based effluent limits in Part 11.L.5 and Part 3.1.2, the inspection requirements in Part 11.L.7 and Part 5, and the monitoring requirements in Part 11.L.8 and Part 7. Authorized discharges from areas where earth-disturbing activities have ceased and stabilization, as specified in Part 11.L.6.1.p, has been completed (stabilization is not required for areas where landfill operations continue to occur), are no longer subject to the 11.L.6 requirements. At such time, authorized discharges become subject to all other applicable requirements in the OKR05 permit, including the effluent limits in Part 3.1.2 and Part 11.L.5, the inspection requirements in Part 5 and Part 11.L.7, and the monitoring requirements in Part 7 and Part 11.L.8.

### *L.6.1 Technology-Based Effluent Limits Applicable to All Earth-Disturbing Activities Conducted once the Landfill Operations Begin*

The following technology-based effluent limits apply to authorized discharges from all earth-disturbing activities during landfill operations as defined in Part 11.L.4.6. These limits supersede the technology-based limits listed in Part 3.1.2 and Part 11.L.5 of this Permit.

a. ***Area of disturbance:*** You must minimize the amount of soil exposed during earth-disturbing/ construction activities.

b. ***Erosion and sediment control design requirements*.** You must:

- Design, install and maintain effective erosion and sediment controls to minimize the discharge of pollutants from earth-disturbing activities, including stormwater controls/BMPs at or near the earth-disturbing activity location(s) and/or downgradient of the earth-disturbing activity location(s). Account for the following factors in designing your erosion and sediment controls:
  - The expected amount, frequency, intensity and duration of precipitation;
  - The nature of stormwater runoff and run-on at the site, including factors such as impervious surfaces, slopes and site drainage features;
  - The range of soil particle sizes expected to be present on the site.
- Direct discharges from your stormwater controls to vegetated areas of your site to increase sediment removal and maximize stormwater infiltration, including any natural buffers, unless infeasible. Use velocity dissipation devices if necessary to prevent erosion when directing stormwater to vegetated areas.

- If any stormwater flow becomes or will be channelized at your site, you must design erosion and sediment controls to control both peak flowrates and total stormwater volume to minimize channel and stream bank erosion and scour in the immediate vicinity of discharge points.
- If you install stormwater conveyance channels, they must be designed to avoid unstabilized areas on the site and to reduce erosion, unless infeasible. In addition, you must minimize erosion of channels and their embankments, outlets, adjacent stream banks, slopes, and downstream waters during discharge conditions through the use of erosion controls and velocity dissipation devices within and along the length of any constructed stormwater conveyance channel, and at any outlet to provide a non-erosive flow velocity.

c. ***Natural buffers:*** For any stormwater discharges from earth-disturbing/construction activities within 50 feet (***or 100 feet if the facility is located in a sensitive watershed***) of a water of the State, you must comply with one of the following compliance alternatives:

- Provide a 50-foot (or 100-foot) undisturbed natural buffer between earth-disturbing/ construction activities and the water of the State; or
- Provide an undisturbed natural buffer that is less than 50 feet (or 100 feet) supplemented by additional erosion and sediment controls, which in combination, achieve a sediment load reduction that is equivalent to a 50-foot/100-foot undisturbed natural buffer; or
- If it is infeasible to provide an undisturbed natural buffer of any size, implement erosion and sediment controls that achieve a sediment load reduction that is equivalent to a 50-foot/100-foot undisturbed natural buffer. **Note:** Refer to the ***Buffer Guidance*** requirements available in the ***OPDES General Permit OKR10*** for Stormwater Discharges from Construction Activities.

  There are exceptions when buffer requirements do not apply:

  - There is no stormwater discharge from earth-disturbances/construction disturbances to a water of the State;
  - The natural buffer has already been eliminated by preexisting development disturbances;
  - The disturbance is for the construction of a water-dependent structure or construction approved under a CWA section 404 permit;
  - For linear construction projects, you are not required to comply with the requirements if there are site constraints provided that, to the extent feasible, you limit disturbances within 50 feet (or 100 feet) of a water of the State and/or you provide supplemental erosion and sediment controls to treat stormwater discharges from any disturbances within 50 feet (or 100 feet) of a water of the State.

d. ***Erosion and sediment control installation requirement:***

- By the time earth-disturbing/construction activities commence, install and make operational down-gradient sediment controls.
- All other stormwater controls described in the SWP3 must be installed and made operational as soon as conditions on each portion of the site allow.

e. ***Perimeter controls.*** You must:

- Install sediment controls along those perimeter areas of your disturbed area that will receive stormwater, except where site conditions prevent the use of such controls (in which case, maximize their installation to the extent practicable).

- Remove sediment before it accumulates to one-half of the above-ground height of any perimeter control.

f. ***Sediment track-out:*** For construction vehicles and equipment exiting the site directly onto paved roads, you must:

- Use appropriate stabilization techniques to minimize sediment track-out from vehicles and equipment prior to exit;
- Use additional controls to remove sediment from vehicle and equipment tires prior to exit, where necessary;
- Remove sediment that is tracked out onto paved roads by the end of the work day.

g. ***Native topsoil preservation:*** You must preserve native topsoil removed during clearing, grading, or excavation, unless infeasible. Store topsoil in a manner that will maximize its use in reclamation or final vegetative stabilization (e.g., by keeping the topsoil stabilized with seed or similar measures). This requirement does not apply if the intended function of the disturbed area dictates that topsoil be disturbed or removed.

h. ***Soil or sediment stockpiles:*** You must:

- Minimize erosion of stockpiles from stormwater and wind via temporary cover, if feasible.
- Prevent up-slope stormwater flows from causing erosion of stockpiles (e.g., by diverting flows around the stockpile).
- Minimize sediment from stormwater that runs off of stockpiles, using sediment controls (e.g., a sediment barrier or downslope sediment control).

i. ***Sediment Basins:*** If you intend to install a single sediment basin or multiple sediment basins to treat and manage stormwater from your earth-disturbing activities, you must:

- Provide overall storage for either (1) the 2-year, 24-hour storm, or (2) 3,600 cubic feet per acre drained.
- Prevent erosion of (1) basin embankments using stabilization controls (e.g., erosion control blankets), and (2) the inlet and outlet points of the basin using erosion controls and velocity dissipation devices.

j. ***Minimize dust:*** You must minimize the generation of dust through the appropriate application of water or other dust suppression techniques that minimize pollutants being discharged into surface waters.

k. ***Steep slopes:*** You must minimize the disturbance of steep slopes. The permit does not prevent or prohibit disturbance on steep slopes. Depending on site conditions and needs, disturbance on steep slopes may be necessary (e.g., a road cut in mountainous terrain; for grading steep slopes prior to erecting the landfill office). Where steep slope disturbances are necessary, you can minimize the disturbances to steep slopes through the implementation of a number of standard erosion and sediment control practices, such as by phasing disturbances in these areas and using stabilization practices specifically for steep grades.

l. ***Soil compaction:*** Where final vegetative stabilization will occur or where infiltration practices will be installed, you must either restrict vehicle/ equipment use in these areas to avoid soil compaction or use soil conditioning techniques to support vegetative growth. Minimizing soil compaction is not required where compacted soil is integral to the functionality of the site.

m. ***Dewatering practices:*** You are prohibited from discharging contaminated or turbid groundwater or accumulated stormwater that is removed from excavations, trenches, foundations, vaults or other similar points of accumulation, unless such waters are first effectively managed by appropriate controls (e.g., sediment basins or sediment traps, sediment socks, dewatering tanks, tube settlers, weir tanks, or filtration systems). Uncontaminated, non-turbid dewatering water can be discharged without being routed to a control.

You must also meet the following requirements for dewatering activities:

- No discharging visible floating solids or foam;
- Remove oil, grease and other pollutants from dewatering water via an oil-water separator or suitable filtration device (such as a cartridge filter);
- Utilize vegetated upland areas of the site, to the extent feasible, to infiltrate dewatering water before discharge. In no case shall waters of the U.S. be considered part of the treatment area;
- Implement velocity dissipation devices at all points where dewatering water is discharged;
- Haul backwash water away for disposal or return it to the beginning of the treatment process; and
- Clean or replace the filter media used in dewatering devices when the pressure differential equals or exceeds the manufacturer's specifications.

n. ***Erosion and sediment control maintenance requirements:*** You must:

- Ensure that all erosion and sediment controls remain in effective operating condition.
- Wherever you determine that a stormwater control needs maintenance to continue operating effectively, initiate efforts to fix the problem immediately after its discovery, and complete such work by the end of the next work day.
- When a stormwater control must be replaced or significantly repaired, complete the work as soon as practicable but no later than 7 days.

o. ***Pollution prevention requirements:***

- *Prohibited discharges* (this non-exhaustive list of prohibited non-stormwater discharges is included here as a reminder that only the allowable non-stormwater discharges are those enumerated in Part 1.3):
  - Wastewater from washout of concrete;
  - Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds, and other construction materials;
  - Fuels, oils, or other pollutants used for operation and maintenance of vehicles or equipment;
  - Soaps, solvents, or detergents used in vehicle or equipment washing;
  - Toxic or hazardous substances from a spill or other release.
- *Design and location requirements:* Minimize the discharge of pollutants from pollutant sources by:
  - Minimizing exposure;
  - Using secondary containment, spill kits, or other equivalent measures;
  - Locating pollution sources away from surface waters, storm sewer inlets, and drainage-ways;

- Cleaning up spills immediately (do not clean by hosing area down).

- *Pollution prevention requirements for wash waters:* Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge;

- *Pollution prevention requirements for the storage, handling, and disposal of construction products, materials, and wastes:* Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, and other materials present on the site to stormwater. Minimization of exposure is not required in cases where the exposure to stormwater will not result in a discharge of pollutants, or where exposure of a specific material or product poses little risk of stormwater contamination (such as final products and materials intended for outdoor use).

p. ***Site stabilization requirements for earth-disturbing activities:*** You must comply with the following stabilization requirements except where the intended function of the site accounts for such disturbed earth (e.g., the earth disturbances will become actively landfilled, or the stormwater controls/BMPs implemented at the active landfill area effectively control stormwater discharges from the disturbed area):

- *Temporary stabilization of disturbed areas:* Stabilization measures must be initiated immediately in portions of the site where earth-disturbing activities performed for purposes of landfill site preparation/construction have temporarily ceased, but in no case more than 14 days after such activities have temporarily ceased. Temporary stabilization measures include temporary seeding, mulching and/or installing and maintaining adequate downgradient stormwater controls/ structural BMPs. Temporary stabilization measures must be implemented to minimize mobilization of sediment or other pollutants until active landfilling activities commence.

- *Final stabilization of disturbed areas:* Stabilization measures must be initiated immediately where earth-disturbing activities performed for purposes of landfill site preparation/construction have permanently ceased, but in no case more than 14 days after the earth-disturbing activities have permanently ceased. Until final stabilization is achieved, temporary stabilization measures, such as erosion control blankets with an appropriate seed base and tackifiers, temporary seeding, mulching and/or installing and maintaining adequate downgradient stormwater controls/ structural BMPs, must be used.

- If using vegetative measures, by no later than 14 days after initiating stabilization:
  - Seed or plant the area, and provide temporary cover to protect the planted area;
  - Once established, vegetation must be uniform, perennial (if final stabilization), and cover at least 70% of stabilized area based on density of native vegetation without large (***greater than 10 square feet***) bare areas.

- If using non-vegetative stabilization, by no later than 14 days after initiating stabilization:
  - Install or apply all non-vegetative measures;
  - Cover all areas of exposed soil.

Note: *For the purposes of this Permit, DEQ will consider any of the following types of activities to constitute the initiation of stabilization: 1. Prepping the soil for vegetative or non-vegetative stabilization; 2. Applying mulch or other non-vegetative product to the exposed area; 3. Seeding or planting the exposed area; 4. Starting any of the activities in # 1 – 3 on a portion of the area to be*

*stabilized, but not on the entire area; and 5. Finalizing arrangements to have stabilization product fully installed in compliance with the applicable deadline for completing stabilization.*

***Additional Note: Applicable to final stabilization of disturbed areas -*** *Landfill construction and operational requirements are regulated by OAC 252:515. To invoke the regulatory requirements for soil borrow areas, final stabilization of landfill cells, and vegetative cover from OAC 252:515 in lieu of those in Part 11.6.1.p, you must continue to implement and maintain adequate stormwater control measures such as erosion control blankets, perimeter control, filter berms, silt dykes, sediment filters & sediment chambers, sediment basins & rock dams, sediment traps, or combination of such controls to treat and manage stormwater discharges from disturbed areas. Your SWP3 must describe appropriate control measures that you will use to treat and manage stormwater discharges, showing their locations on the site map.*

### *L.6.2 Water Quality-Based Requirements Applicable to Earth-Disturbing Activities Conducted once Landfill Operation Begins*

The following water quality-based limits apply to earth-disturbing activities conducted once landfill operations begin, in addition to the water quality-based limits in Part 3.2 of the MSGP:

Stricter requirements apply if your site will discharge to an impaired water or water that is identified for antidegradation purposes:

a. ***More rapid stabilization of exposed areas:*** Complete initial stabilization activities within 7 calendar days of stopping earth-disturbing activities.

b. ***More frequent site inspections:*** Once every 7 calendar days and within 24 hours of a storm event of 0.5 inches or greater.

### *L.6.3 Inspection Requirements Applicable to Earth-Disturbing Activities Conducted once Landfill Operation Begins*

The following requirements supersede the inspection requirements in Part 5 and Part 11.L.7 of the MSGP for earth-disturbing activities conducted once landfill operation begins as defined in Part 11.L.4.6.

a. ***Inspection Frequency:*** At least once every 14 calendar days and within 24 hours of a storm event of 0.5 inches or greater. Inspections are only required during working hours. You may reduce the frequency of inspections to once per month in any area of your site where stabilization has occurred pursuant to Part 11.L.6.1.p.

b. ***Areas to be Inspected:*** You must at a minimum inspect the all of the following areas: Disturbed areas; Stormwater controls and pollution prevention measures; Locations where stabilization measures have been implemented; Material, waste, borrow, or equipment storage and maintenance areas; Areas where stormwater flows; and Points of discharge.

c. ***What to Check for During Inspections:*** At a minimum you must check: whether all stormwater controls are installed, operational and working as intended; whether any new or modified stormwater controls are needed; for conditions that could lead to a spill or leak; for visual signs of erosion/sedimentation at points of discharge. If a discharge is occurring: the quality and characteristics of the discharge; and whether controls are operating effectively.

d. ***Inspection Report.*** Within 24 hours of an inspection, complete a report that includes: inspection date; name and title of inspector(s); summary of inspection findings; rainfall amount that triggered the inspection (if applicable); if it was unsafe to inspect a portion of the site, include documentation of the reason and the location(s); each inspection report must be signed; and keep a current copy of all reports at the site or at an easily accessible location.

### *L.6.4 Cessation of Requirements Applicable to Earth-Disturbing Activities during Landfill Operation*

The requirements in Part 11.L.6 no longer apply for any earth-disturbing activities conducted during landfill operations as defined in Part 11.L.4.6 where:

a. Earth-disturbing activities have ceased; and

b. Stabilization has been met consistent with Part 11.L.6.1.p (not required for areas where active landfill activities will occur).

## *L.7 Additional SWP3 Requirements*

### *L.7.1 Drainage Area Site Map*

Document in your SWP3 where any of the following may be exposed to precipitation or surface runoff: active and closed landfill cells or trenches, active and closed land application areas, locations of any known leachate springs or other areas where uncontrolled leachate may commingle with runoff, and leachate collection and handling systems. (See also Part 4.2.2.)

### *L.7.2 Summary of Potential Pollutant Sources*

Document in your SWP3 the following sources and activities that have potential pollutants associated with them: fertilizer, herbicide, and pesticide application; earth and soil moving; waste hauling and loading or 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; and failure or leaks from leachate collection and treatment systems. (See also Part 4.2.3.)

### *L.7.3 Additional Inspection Requirements*

a. ***Inspections of Active Sites****:* Inspect operating landfills, 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 and wastes that are exposed to precipitation, stabilization, and structural control measures; leachate collection and treatment systems; and locations where equipment and waste trucks enter and 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 arid or semi-arid, conduct inspections at least once every month.

b. ***Inspections of Inactive Sites:*** Inspect inactive landfills, and land application sites at least quarterly. Qualified personnel must inspect landfill stabilization and structural erosion control measures, leachate collection and treatment systems, and all closed land application areas. (See also Part 5.1.)

### *L.7.4 Recordkeeping and Internal Reporting*

Keep records with your SWP3 of the types of wastes disposed of in each cell or trench of a landfill. For land application sites, track the types and quantities of wastes applied in specific areas.

### *L.7.5 Non-Stormwater Discharge Certification*

Certification must be included for the discharge test or evaluation for the presence of any leachate and vehicle wash water that are not authorized in Part 1.3 of this Permit. (See also Part 4.2.6.3.)

## *L.8 Effluent Limitations, Monitoring and Reporting Requirements*

Sector Table L-1 identifies effluent limits that apply to the industrial activities described below. Compliance with these effluent limits is to be determined based on discharges from these industrial activities independent of commingling with any other waste streams that may be covered under this Permit. Monitoring shall be performed

once per year during the permit period. In addition, quarterly visual monitoring is required. (See also Part 7 and Part 8.)

**Sector Table L-1 Landfills and Land Application Sites Sector-Specific Effluent Limitations**

| Industrial Activity | Parameter | Effluent Limitation[1] |
|---|---|---|
| Discharges from **non-hazardous waste** landfills subject to effluent limitations in 40 CFR Part 445 Subpart B | Biochemical Oxygen Demand ($BOD_5$) | 140 mg/L, daily maximum<br>37 mg/L, monthly avg. maximum |
| | Total Suspended Solids (TSS) | 88 mg/L, daily maximum<br>27 mg/L, monthly avg. maximum |
| | Ammonia | 10 mg/L, daily maximum<br>4.9 mg/L, monthly avg. maximum |
| | Alpha Terpineol | 0.033 mg/L, daily max.<br>0.016 mg/L, monthly avg. maximum |
| | Benzoic Acid | 0.12 mg/L, daily max.<br>0.071 mg/L, monthly avg. maximum |
| | p-Cresol | 0.025 mg/L, daily max.<br>0.014 mg/L, monthly avg. maximum |
| | Phenol | 0.026 mg/L, daily max.<br>0.015 mg/L, monthly avg. maximum |
| | Total Zinc | 0.20 mg/L, daily max.<br>0.11 mg/L, monthly avg. maximum |
| | pH | 6.5 – 9.0 s.u. |

[1] As set forth at 40 CFR Part 445 Subpart B, these numeric limitations apply to **contaminated stormwater** discharges from municipal solid waste landfills (MSWLFs) that have not been closed in accordance with 40 CFR 258.60 and to **contaminated stormwater** discharges from landfills that are subject to the provisions of 40 CFR Part 257 except for discharges from any of the following facilities:

(a) Landfills operated in conjunction with other industrial or commercial operations when the landfill receives only 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 that 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 that 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.

## *Sector M Automobile Salvage Yards*

### *M.1 Covered Stormwater Discharges*

The requirements in Sector M apply to stormwater discharges associated with industrial activity from Automobile Salvage Yards as identified by the SIC Codes specified under Sector M in Table 1-3 of this Permit.

## *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.

## *M.3 Additional Technology-Based Effluent Limits*

### *M.3.1 Spill and Leak Prevention Procedures*

Drain vehicles intended to be dismantled of all fluids upon arrival at the site (or as soon thereafter as practicable), or employ some other equivalent means to prevent spills and leaks. (See also Part 3.1.2.4.)

### *M.3.2 Employee Training*

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, mercury switches, and solvents. (See also Part 3.1.2.8.)

### *M.3.3 Management of Runoff*

Implement control measures to minimize discharges of pollutants in runoff such as the following, where determined to be feasible (list not exclusive): 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 installation of filtering devices and oil and water separators. (See also Part 3.1.2.6.)

## *M.4 Additional SWP3 Requirements*

### *M.4.1 Drainage Area Site Map*

Identify locations used for dismantling, storing, and maintaining used motor vehicle parts. Also identify where any of the following may be exposed to precipitation or surface runoff: dismantling areas, parts (e.g., engine blocks, tires, hub caps, batteries, hoods, mufflers) storage areas, and liquid storage tanks and drums for fuel and other fluids. (See also Part 4.2.2.)

### *M.4.2 Potential Pollutant Sources*

Assess the potential for the following to contribute pollutants to stormwater discharges: vehicle storage areas, dismantling areas, parts storage areas (e.g., engine blocks, tires, hub caps, batteries, hoods, mufflers), and fueling stations. (See also Part 4.2.3.)

### *M.4.3 Additional Inspection Requirements*

***Immediately*** (or as soon thereafter as practicable) inspect vehicles arriving at the site for leaks. Inspect quarterly for signs of leakage all equipment containing oily parts, hydraulic fluids, any other types of fluids, or mercury switches. Also, inspect quarterly for signs of leakage all vessels and areas where hazardous materials and general automotive fluids are stored, including, but not limited to, mercury switches, brake fluid, transmission fluid, radiator water, and antifreeze. (See also Part 5.1.)

Within 30 days prior to filing an NOT to terminate permit coverage, you are required to conduct a final inspection of your facility. Your final inspection should document the following:

- Materials from spills or leaks have been removed;
- All recoverable fluids (e.g. oil, antifreeze, fuels, etc.) and mercury switches have been removed from vehicles still located on the facility's property;
- Batteries are stored or disposed of properly;

- Storage tanks containing recoverable fluids have been disposed of properly; and
- Salvaged parts (e.g. engines, transmissions, tires, etc.) have been removed from the facility's property, if no longer contained in a properly maintained vehicle.

If any of the above conditions cannot be met, corrective actions (see also Part 6) must be taken and documented in the facility's SWP3 prior to submitting an NOT.

### *M.5 Monitoring and Reporting Requirements*

Quarterly visual monitoring is required. See also Part 7 and Part 8 of this Permit for monitoring and reporting requirements.

## *Sector N Scrap Recycling and Waste Recycling Facilities*

### *N.1 Covered Stormwater Discharges*

The requirements in Sector N apply to stormwater discharges associated with industrial activity from Scrap Recycling and Waste Recycling facilities as identified by the SIC Codes specified under Sector N in Table 1-3 of this Permit.

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

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

- Processing, reclaiming, and wholesale distribution of scrap and waste materials such as ferrous and nonferrous metals, paper, plastic, cardboard, glass, and animal hides; and
- Reclaiming and recycling liquid wastes such as used oil, antifreeze, mineral spirits, and industrial solvents.

### *N.3 Limitation on Coverage*

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). (See also Part 11.N.4.3.)

*Prohibition of Non-Stormwater Discharges* (see also Part 1.8): Non-stormwater discharges from turnings containment areas are not covered by this Permit. Discharges from containment areas in the absence of a storm event are prohibited unless covered by a separate OPDES permit.

### *N.4 Additional Technology-Based Effluent Limits*

#### *N.4.1 Scrap and Waste Recycling Facilities (Non-source Separated, Non-liquid Recyclable Materials)*

The following requirements are for facilities that receive, process, and do wholesale distribution of non-source separated, 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 accept recyclables only from primarily non-industrial and residential sources.

a. ***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 and through implementation of control measures such as the following, where determined to be feasible (list not exclusive): providing information and 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) and removal of mercury switches from vehicles before delivery to your facility; establishing procedures to minimize the potential of any residual fluids from coming into contact with precipitation or runoff; establishing 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 Part 11.N.4.1.f); providing training targeted for those personnel engaged in the inspection and acceptance of inbound recyclable materials; and establishing procedures to ensure that liquid wastes, including used oil, are stored in materially compatible and non-leaking containers and are disposed of or recycled in accordance with the Resource Conservation and Recovery Act (RCRA).

b. ***Scrap and Waste Material Stockpiles and Storage (Outdoor):*** Minimize contact of stormwater runoff with stockpiled materials, processed materials, and non-recyclable wastes through implementation of control measures such as the following, where determined to be feasible (list not exclusive): permanent or semi-permanent covers; sediment traps, vegetated swales and strips, catch basin filters, and sand filters to facilitate settling or filtering of pollutants; dikes, berms, containment trenches, culverts, and surface grading to divert runoff from storage areas; silt fencing; and oil and water separators, sumps, and dry absorbents for areas where potential sources of residual fluids are stockpiled (e.g., automobile engine storage areas).

c. ***Stockpiling of Turnings Exposed to Cutting Fluids (Outdoor Storage)****:* Minimize contact of surface runoff with residual cutting fluids by storing all turnings exposed to cutting fluids under some form of permanent or semi-permanent cover, or establishing dedicated containment areas for all turnings that have been exposed to cutting fluids. Any containment areas must be constructed of concrete, asphalt, or other equivalent types of impermeable material and include a barrier (e.g., berms, curbing, elevated pads) to prevent contact with stormwater run-on. Stormwater runoff from these areas can be discharged, provided that any runoff is first collected and treated by an oil-water separator or its equivalent. You must regularly maintain the oil-water separator (or its equivalent) and properly dispose of or recycle collected residual fluids.

d. ***Scrap and Waste Material Stockpiles and Storage (Covered or Indoor Storage):*** Minimize contact of residual liquids and particulate matter from materials stored indoors or under cover with surface runoff through implementation of control measures such as the following, where determined to be feasible (list not exclusive): good housekeeping measures, including the use of dry absorbents or wet vacuuming to contain, dispose of, or recycle residual liquids originating from recyclable containers, and mercury spill kits for spills from storage of mercury switches; not allowing wash water from tipping floors or other processing areas to discharge to the storm sewer system; and disconnecting or sealing off all floor drains connected to the storm sewer system.

e. ***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). To minimize discharges of pollutants in stormwater from scrap and recyclable waste processing areas, implement control measures such as the following, where determined to be feasible (list not exclusive): at least once per month inspecting equipment for spills or leaks and malfunctioning, worn, or corroded parts or equipment; establishing a preventive maintenance program for processing equipment; using dry-absorbents or other cleanup practices to collect and dispose of or recycle spilled or leaking fluids or use mercury spill kits for spills from storage of mercury switches; on unattended hydraulic reservoirs over 150 gallons in capacity, installing protection devices such as low-level alarms or equivalent devices, or secondary containment that can hold the entire volume of the reservoir; implementing

containment or diversion structures such as dikes, berms, culverts, trenches, elevated concrete pads, and grading to minimize contact of stormwater runoff with outdoor processing equipment or stored materials; using oil-water separators or sumps; installing permanent or semi-permanent covers in processing areas where there are residual fluids and grease; and using retention or detention ponds or basins, sediment traps, vegetated swales or strips, and/or catch basin filters or sand filters for pollutant settling and filtration.

f. ***Scrap Lead-Acid Battery Program:*** To minimize the discharge of pollutants in stormwater from lead-acid batteries, properly handle, store, and dispose of scrap lead-acid batteries, and implement control measures such as the following, where determined to be feasible (list not exclusive): segregating scrap lead-acid batteries from other scrap materials; properly handling, storing, and disposing of cracked or broken batteries; collecting and disposing of leaking lead-acid battery fluid; minimizing or eliminating (if possible) exposure of scrap lead-acid batteries to precipitation or runoff; and providing employee training for the management of scrap batteries.

g. ***Spill Prevention and Response Procedures*** (see also Part 3.1.2.4): Install alarms and/or pump shutoff 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. Use a mercury spill kit for any release of mercury from switches, anti-lock brake systems, and switch storage areas.

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

### *N.4.2 Waste Recycling Facilities (Liquid Recyclable Materials)*

a. ***Waste Material Storage (Indoor):*** Minimize or eliminate contact between residual liquids from waste materials stored indoors and from surface runoff. The plan may refer to applicable portions of other existing plans, such as Spill Prevention, Control, and Countermeasure (SPCC) plans required under 40 CFR Part 112. To minimize discharges of pollutants in stormwater from indoor waste material storage areas, implement control measures such as the following, where determined to be feasible (list not exclusive): implementing procedures for material handling (including labeling and marking); cleaning up spills and leaks with dry-absorbent materials and/or a wet vacuum system; installing appropriate containment structures (e.g., trenching, curbing, gutters, etc.); and installing 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 or sanitary sewer system, or otherwise disposed of properly. These discharges may require coverage under a separate OPDES wastewater permit or industrial user permit under the pretreatment program.

b. ***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 stormwater from containment areas containing used oil must also be in accordance with applicable sections of 40 CFR Part 112. To minimize discharges of pollutants in stormwater from outdoor waste material storage areas, implement control measures such as the following, where determined to be feasible (list not exclusive): appropriate containment structures (e.g., dikes, berms, curbing, pits) to store the volume of the largest tank, with sufficient extra capacity for precipitation; drainage control and other diversionary structures; corrosion protection and/or leak detection systems for storage tanks; and dry-absorbent materials or a wet vacuum system to collect spills.

c. ***Trucks and Rail Car Waste Transfer Areas:*** Minimize pollutants in stormwater discharges from truck and rail car loading and unloading areas. Include measures to clean up minor spills and leaks resulting from the transfer of liquid wastes. To minimize discharges of pollutants in stormwater from truck and rail car waste transfer areas, implement control measures such as the following, where determined to be feasible (list not exclusive): containment and diversionary structures to minimize contact with precipitation or runoff; and dry clean-up methods, wet vacuuming, roof coverings, and/or runoff controls.

### *N.4.3 Recycling Facilities (Source-Separated Materials)*

The following requirements are for facilities that receive only source-separated recyclables, primarily from non-industrial and residential sources.

a. ***Inbound Recyclable Material Control:*** Minimize the chance of accepting non-recyclables (e.g., hazardous materials) that could be a significant source of pollutants by conducting inspections of inbound materials and through the implementation of control measures such as the following, where determined to be feasible (list not exclusive): providing information and education measures to inform suppliers of recyclables about acceptable and non-acceptable materials; training drivers responsible for pickup of recycled material; clearly marking public drop-off containers regarding which materials can be accepted; rejecting non-recyclable wastes or household hazardous wastes at the source; and establishing procedures for handling and disposal of non-recyclable material.

b. ***Outdoor Storage:*** Minimize exposure of recyclables to precipitation and runoff by using good housekeeping measures to prevent accumulation of particulate matter and fluids, particularly in high traffic areas and through implementation of control measures such as the following, where determined to be feasible (list not exclusive): providing totally enclosed drop-off containers for the public; installing a sump and pump with each container pit and treat or discharge collected fluids to a sanitary sewer system; providing dikes and curbs for secondary containment (e.g., around bales of recyclable waste paper); diverting surface water runoff away from outside material storage areas; providing covers over containment bins, dumpsters, and roll-off boxes; and storing the equivalent of 1 day's volume of recyclable material indoors.

c. ***Indoor Storage and Material Processing:*** Minimize the release of pollutants from indoor storage and processing areas through implementation of control measures such as the following, where determined to be feasible (list not exclusive): scheduling routine good housekeeping measures for all storage and processing areas; prohibiting tipping floor wash water from draining to the storm sewer system; and providing employee training on pollution prevention practices.

d. ***Vehicle and Equipment Maintenance****:* Minimize the discharge of pollutants in stormwater from areas where vehicle and equipment maintenance occur outdoors through implementation of control measures such as the following, where determined to be feasible (list not exclusive): minimizing or eliminating outdoor maintenance areas; establishing spill prevention and clean-up procedures in fueling areas; avoiding topping off fuel tanks; diverting runoff from fueling areas; storing lubricants and hydraulic fluids indoors; and providing employee training on proper handling and storage of hydraulic fluids and lubricants.

## *N.5 Additional SWP3 Requirements*

### *N.5.1 Drainage Area Site Map*

Document in your SWP3 the locations of any of the following activities or sources that may be exposed to precipitation or surface runoff: scrap and waste material storage; outdoor scrap and waste processing equipment; and containment areas for turnings exposed to cutting fluids. (See also Part 4.2.2.)

### *N.5.2 Maintenance Schedules/Procedures for Collection, Handling, and Disposal or Recycling of Residual Fluids at Scrap and Waste Recycling Facilities*

If you are subject to Part 11.N.4.1.c, your SWP3 must identify any applicable maintenance schedule and the procedures to collect, handle, and dispose of or recycle residual fluids.

### *N.5.3 Additional Inspection Requirements*

*Inspections for Waste Recycling Facilities:* The inspections must be performed quarterly, per Part 5.1, and include, at a minimum, all areas where waste is generated, received, stored, treated, or disposed of and that are exposed to either precipitation or stormwater runoff.

### *N.6 Monitoring and Reporting Requirements*

Quarterly visual monitoring is required. See also Part 7 and Part 8 of this Permit for monitoring and reporting requirements.

## *Sector O Steam Electric Generating Facilities*

### *O.1 Covered Stormwater Discharges*

The requirements in Sector O apply to stormwater discharges associated with industrial activity from Steam Electric Power Generating Facilities as identified by the Activity Code **SE** specified under Sector O in Table 1-3 of this Permit.

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

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

- Steam electric power generation using coal, natural gas, oil, nuclear energy, etc. to produce a steam source, including coal handling areas (does not include geothermal power);
- Coal storage pile runoff, including effluent limitations established by 40 CFR Part 423; and
- Dual fuel co-generation facilities that could employ a steam boiler.

### *O.3 Limitations on Coverage*

### *O.3.1 Prohibition of Non-Stormwater Discharges*

Non-stormwater discharges subject to effluent limitations guidelines are not covered by this Permit (only non-stormwater discharges authorized by this permit are those included at Part 1.3.).

### *O.3.2 Prohibition of Stormwater Discharges*

Stormwater discharges from the following are not covered by this Permit:

a. **Ancillary facilities** (e.g., fleet centers and substations) that are not contiguous to a steam electric power generating facility;

b. **Gas turbine facilities** (providing the facility is not a dual-fuel facility that includes a steam boiler), and combined-cycle facilities where no supplemental fuel oil is burned (and the facility is not a dual-fuel facility that includes a steam boiler); and

c. **Co-generation** (combined heat and power) **facilities** utilizing a gas turbine.

## *O.4 Additional Technology-Based Effluent Limits*

### *O.4.1 Good Housekeeping Measures*

In addition to the good housekeeping requirements in Part 3.1.2.2, you must do the following:

a. ***Fugitive Dust Emissions***: Minimize fugitive dust emissions from coal handling areas to minimize the tracking of coal dust offsite that could be discharged in stormwater through implementation of control measures such as the following, where determined to be feasible, (list not exclusive): installing specially designed tires; and washing vehicles in a designated area before they leave the site and controlling the wash water.

b. ***Delivery Vehicles***: Minimize contamination of stormwater runoff from delivery vehicles arriving at the plant site. Implement procedures to inspect delivery vehicles arriving at the plant site as necessary to minimize discharges of pollutants in stormwater. Ensure the overall integrity of the body or container of the delivery vehicle and implement procedures to deal with leakage or spillage from delivery vehicles.

c. ***Fuel Oil Unloading Areas***: Minimize contamination of precipitation or surface runoff from fuel oil unloading areas. Use containment curbs in unloading areas where feasible. In addition, ensure personnel familiar with spill prevention and response procedures are available to respond expeditiously in the event of a leak or spill during deliveries. Ensure that any leaks or spills are immediately contained and cleaned up, and use spill and overflow protection devices (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).

d. ***Chemical Loading and Unloading***: Minimize contamination of precipitation or surface runoff from chemical loading and unloading areas. Use containment curbs at chemical loading and unloading areas to contain spills, where practicable. In addition, ensure personnel familiar with spill prevention and response procedures are available to respond expeditiously in the event of a leak or spill during deliveries. Ensure leaks and spills are immediately contained and cleaned up and, where practicable, load and unload in covered areas and store chemicals indoors.

e. ***Miscellaneous Loading and Unloading Areas***: Minimize contamination of precipitation or surface runoff from loading and unloading areas through implementation of control measures such as the following, where determined to be feasible (list not exclusive): covering the loading area; grading, curbing, or berming around the loading area to divert run-on; locating the loading and unloading equipment and vehicles so that leaks are contained in existing containment and flow diversion systems; or equivalent procedures.

f. ***Liquid Storage Tanks***: Minimize contamination of surface runoff from above-ground liquid storage tanks through implementation of control measures such as the following, where determined to be feasible (list not exclusive): using protective guards around tanks; using containment curbs; installing spill and overflow protection; using dry cleanup methods; or equivalent measures.

g. ***Large Bulk Fuel Storage Tanks***: Minimize contamination of surface runoff from large bulk fuel storage tanks. Use containment berms (or their equivalent). You must also comply with applicable state and federal laws, including Spill Prevention, Control and Countermeasures (SPCC) Plan requirements.

h. ***Spill Reduction Measures***: Minimize the potential for an oil or chemical spill, or reference the appropriate part of your SPCC plan. Visually inspect as part of your routine facility inspection the structural integrity of all above-ground tanks, pipelines, pumps, and related equipment that may be exposed to stormwater, and make any necessary repairs immediately.

i. ***Oil-Bearing Equipment in Switchyards***: Minimize contamination of surface runoff from oil-bearing equipment in switchyard areas. Use level grades and gravel surfaces to retard flows and limit the spread of spills, or collect runoff in perimeter ditches.

j. ***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 vehicles without load covering or adequate gate sealing, or with leaking containers or beds.

k. ***Ash Loading Areas***: Reduce or control the tracking of ash and residue from ash loading areas. Clear the ash building floor and immediately adjacent roadways of spillage, debris, and excess water as necessary to minimize discharges of pollutants in stormwater.

l. ***Areas Adjacent to Disposal Ponds or Landfills:*** Minimize contamination of surface runoff from areas adjacent to disposal ponds or landfills. 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.

m. ***Landfills, Scrap Yards, Surface Impoundments, and General Refuse Sites***: Minimize the potential for contamination of runoff from these areas.

## *O.5 Additional SWP3 Requirements*

### *O.5.1 Drainage Area Site Map*

Document in your SWP3 the locations of any of the following activities or sources that may be exposed to precipitation or surface runoff: storage tanks, scrap yards, and 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 and construction sites; and stock pile areas (e.g., coal or limestone piles). (See also Part 4.2.2.)

### *O.5.2 Good Housekeeping Measures*

You must document in your SWP3 the good housekeeping measures implemented to meet the effluent limits in Part O.4.

### *O.5.3 Additional Inspection Requirements*

As part of the inspection, the following areas must be ***inspected monthly:*** coal handling areas, loading or 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.

## *O.6 Effluent Limitations, Monitoring and Reporting Requirements*

Sector Table O-1 identifies effluent limits that apply to the industrial activities described below. Compliance with these effluent limits is to be determined based on discharges from these industrial activities independent of commingling with any other waste streams that may be covered under this Permit. Monitoring shall be performed once per year during the permit period. In addition, quarterly visual monitoring is required. (See also Part 7 and Part 8.)

**Sector Table O-1 Steam Electric Power Generating Sector-Specific Effluent Limitations**

| Industrial Activity | Parameter | Effluent Limitation |
|---|---|---|
| Discharges from coal storage piles at Steam Electric Generating Facilities | Total Suspended Solids (TSS) | 50 mg/L, daily maximum |
| | pH | 6.5 - 9.0 s.u. |

## *Sector P Land Transportation and Warehousing*

### *P.1 Covered Stormwater Discharges*

The requirements in Sector P apply to stormwater discharges associated with industrial activity from Land Transportation and Warehousing facilities as identified by the SIC Codes as specified under Sector P in Table 1-3 of this Permit.

EPA has permitting jurisdiction for stormwater discharges from the facilities primarily engaged in the wholesale distribution of crude petroleum and petroleum products, including liquefied petroleum gas, from bulk liquid storage facilities under the SIC code 5171: petroleum bulk stations and terminals.

This includes petroleum bulk stations and terminals under the SIC Code 5171 that employ company-owned and -operated pickup and delivery trucks that are company-maintained.

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

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

- Vehicle and equipment maintenance (vehicle and equipment rehabilitation, mechanical repairs, painting, fueling and lubrication); and
- Equipment cleaning.

### *P.3 Limitation on Coverage*

#### *P.3.1 Prohibited Discharges*

This permit does not authorize the discharge of vehicle/equipment/surface wash water, including tank cleaning operations. Such discharges must be authorized under a separate OPDES permit, discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements, or recycled on-site. (See also Part 1.8.)

### *P.4 Additional Technology-Based Effluent Limits*

#### *P.4.1 Good Housekeeping Measures*

In addition to the Good Housekeeping requirements in Part 3.1.2.2, you must comply with the following:

a. ***Vehicle and Equipment Storage Areas:*** Minimize the potential for stormwater exposure to leaky or leak-prone vehicles/equipment awaiting maintenance through implementation of control measures such as the following, where determined to be feasible (list not exclusive): using drip pans under vehicles/equipment; storing vehicles and equipment indoors; installing berms or dikes; using absorbents; roofing or covering storage areas; and cleaning pavement surfaces to remove oil and grease.

b. ***Fueling Areas:*** Minimize contamination of stormwater runoff from fueling areas through implementation of control measures such as the following, where determined to be feasible: covering

the fueling area; using spill/overflow protection and cleanup equipment; minimizing stormwater run-on/runoff to the fueling area; using dry cleanup methods; and treating and/or recycling collected stormwater runoff.

c. ***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 stormwater and plainly label them (e.g., *Used Oil*, *Spent Solvents*). To minimize discharges of pollutants in stormwater from material storage areas, implement control measures such as the following, where determined to be feasible (list not exclusive): storing the materials indoors; installing berms/dikes around the areas; minimizing runoff of stormwater to the areas; using dry cleanup methods; and treating and/or recycling collected stormwater runoff.

d. ***Vehicle and Equipment Cleaning Areas:*** Minimize contamination of stormwater runoff from all areas used for vehicle/equipment cleaning through implementation of control measures such as the following, where determined to be feasible (list not exclusive): performing all cleaning operations indoors; covering the cleaning operation, ensuring that all wash water drains to a proper collection system (i.e., not the stormwater drainage system); treating and/or recycling collected wash water; or other equivalent measures. Discharges of vehicle and equipment wash water, including tank cleaning operations, are not authorized by this permit for this sector.

e. ***Vehicle and Equipment Maintenance Areas:*** Minimize contamination of stormwater runoff from all areas used for vehicle/equipment maintenance through implementation of control measures such as the following, where determined to be feasible (list not exclusive): 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 stormwater drainage systems; using dry cleanup methods; treating and/or recycling collected stormwater runoff; and minimizing run-on/runoff of stormwater to maintenance areas.

f. ***Locomotive Sanding (****Loading Sand for Traction****) Areas:*** Minimize discharges of pollutants in stormwater from locomotive sanding areas through implementation of control measures such as the following, where determined to be feasible (list not exclusive): covering sanding areas; minimizing stormwater run-on/runoff; or appropriate sediment removal practices to minimize the offsite transport of sanding material by stormwater.

### *P.4.2 Employee Training*

Train personnel at least once a year and address the following activities, as applicable: used oil and spent solvent management; fueling procedures; general good housekeeping practices; proper painting procedures; and used battery management. (See also Part 3.1.2.8.)

## *P.5 Additional SWP3 Requirements*

### *P.5.1 Drainage Area Site Map*

Identify in the SWP3 the following areas of the facility and indicate whether activities occurring there may be exposed to precipitation/surface runoff: 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; and storage areas. (See also Part 4.2.2.)

### *P.5.2 Potential Pollutant Sources*

Assess the potential for the following activities and facility areas to contribute pollutants to stormwater discharges: onsite waste storage or disposal; dirt/gravel parking areas for vehicles awaiting maintenance; illicit plumbing connections between shop floor drains and the stormwater conveyance system(s); and fueling areas. Describe these activities in the SWP3. (See also Part 4.2.3.)

### *P.5.3 Good Housekeeping Measures*

You must document in your SWP3 the good housekeeping measures you implement consistent with Part P.4.

a. ***Vehicle and Equipment Wash Water Requirements:*** If wash water is handled in a manner that does not involve separate OPDES permitting (e.g., hauled offsite), describe the disposal method and include all pertinent information (e.g., frequency, volume, destination, etc.) in your SWP3. Discharges of vehicle and equipment wash water, including tank cleaning operations, are not authorized by this permit for this sector.

b. ***Additional Inspection Requirements*** (see also Part 5.1): 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.

### *P.6 Monitoring and Reporting Requirements*

Quarterly visual monitoring is required. See also Part 7 and Part 8 of this Permit for monitoring and reporting requirements.

## *Sector Q Water Transportation*

### *Q.1 Covered Stormwater Discharges*

The requirements in Sector Q apply to stormwater discharges associated with industrial activity from Water Transportation facilities as identified by the SIC Codes specified under Sector Q in Table 1-3 of this Permit.

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

Stormwater discharges from the following water transportation facilities classified in SIC codes 4412-4499 that have vehicle (vessel) maintenance shops and/or equipment cleaning operations are covered under Sector Q:

- Water transportation industry includes facilities engaged in foreign or domestic transport of freight or passengers in deep sea or inland waters;
- Marine cargo handling operations, ferry operations, towing and tugboat services; and
- Marinas.

### *Q.3 Limitations on Coverage*

***Prohibition of Non-Stormwater Discharges*** (see also Part 1.8): discharges from vessels including bilge and ballast water, sanitary wastes, pressure wash water, and cooling water are not covered by this Permit. Any discharge of pollutants from a point source to a water of the State requires coverage under a separate OPDES permit. (Only non-stormwater discharges authorized by this Permit are those included at Part 1.3.)

### *Q.4 Additional Technology-Based Effluent Limits*

### *Q.4.1 Good Housekeeping Measures*

You must implement the following good housekeeping measures in addition to the requirements of Part 3.1.2.2:

a. ***Pressure Washing Areas:*** If pressure washing is used to remove marine growth from vessels, the discharge water must be permitted by a separate OPDES permit. Collect or contain the discharges from the pressure washing area so that they are not commingled with stormwater discharges authorized by this permit.

b. ***Blasting and Painting Areas:*** Minimize the potential for spent abrasives, paint chips, and overspray to be discharged into receiving waters or the storm sewer system. Contain all blasting and painting activities, or use other measures, to minimize the discharge of contaminants (e.g., hanging plastic barriers or tarpaulins during blasting or painting operations to contain debris). At least **once per month**, you must clean stormwater conveyances of deposits of abrasive blasting debris and paint chips.

c. ***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. Minimize the contamination of precipitation or surface runoff from the storage areas. Specify which materials are stored indoors, and contain or enclose or use other measures for those stored outdoors. If abrasive blasting is performed, discuss the storage and disposal of spent abrasive materials generated at the facility. Implement an inventory control plan to limit the presence of potentially hazardous materials onsite.

d. ***Engine Maintenance and Repair Areas:*** Minimize the contamination of precipitation or surface runoff from all areas used for engine maintenance and repair through implementation of control measures such as the following, where determined to be feasible (list not exclusive): 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 stormwater runoff collected from the maintenance area.

e. ***Material Handling Areas:*** Minimize the contamination of precipitation or surface runoff from material handling operations and areas (e.g., fueling, paint and solvent mixing, disposal of process wastewater streams from vessels) through implementation of control measures such as the following, where determined to be feasible (list not exclusive): covering fueling areas; using spill and overflow protection; mixing paints and solvents in a designated area (preferably indoors or under a shed); and minimizing stormwater run-on to material handling areas.

f. ***Drydock Activities:*** Routinely maintain and clean the drydock to minimize discharges of pollutants in stormwater. Clean accessible areas of the drydock prior to flooding, and perform final cleanup following removal of the vessel and raising the dock. Include procedures for cleaning up oil, grease, and fuel spills occurring on the drydock. To minimize discharges of pollutants in stormwater from drydock activities, implement control measures such as the following, where determined to be feasible (list not exclusive): sweeping rather than hosing off debris and spent blasting material from accessible areas of the drydock prior to flooding; and making absorbent materials and oil containment booms readily available to clean up or contain any spills.

### *Q.4.2 Employee Training*

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. (See also Part 3.1.2.8.)

### *Q.4.3 Preventive Maintenance*

As part of your preventive maintenance program, perform timely inspection and maintenance of stormwater management devices (e.g., cleaning oil and 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. (See also Part 3.1.2.3.)

## *Q.5 Additional SWP3 Requirements*

### *Q.5.1 Drainage Area Site Map*

Document in your SWP3 where any of the following may be exposed to precipitation or surface runoff: fueling; engine maintenance and repair; vessel maintenance and repair; pressure washing; painting; sanding; blasting; welding; metal fabrication; loading and unloading areas; treatment, storage, and waste disposal areas; liquid storage tanks; liquid storage areas (e.g., paint, solvents, resins); and material storage areas (e.g., blasting media, aluminum, steel, scrap iron). (See also Part 4.2.2.)

### *Q.5.2 Potential Pollutant Sources*

Document in the SWP3 the following additional sources and activities that have potential pollutants associated with them (if applicable): outdoor manufacturing or processing activities (e.g., welding, metal fabricating) and significant dust or particulate generating processes (e.g., abrasive blasting, sanding, and painting). (See also Part 4.2.3.)

### *Q.5.3 Documentation of Good Housekeeping Measures*

Document in your SWP3 any good housekeeping measures implemented to meet the effluent limits in Part 11.Q.4. Document in the SWP3 any standard operating practices relating to blasting and painting (e.g., prohibiting uncontained blasting and painting over open water or prohibiting blasting and painting during windy conditions, which can render containment ineffective).

### *Q.5.4 Additional Inspection Requirements*

Include the following in all quarterly routine facility inspections: pressure washing areas; blasting, sanding, and painting areas; material storage areas; engine maintenance and repair areas; material handling areas; dry-dock area; and general yard area. (See also Part 5.1.)

## *Q.6 Monitoring and Reporting Requirements*

Quarterly visual monitoring is required. See also Part 7 and Part 8 of this Permit for monitoring and reporting requirements.

# *Sector R Ship and Boat Building or Repair Yards*

## *R.1 Covered Stormwater Discharges*

The requirements in Sector R apply to stormwater discharges associated with industrial activity from Ship and Boat Building or Repair Yards as identified by the SIC Codes specified under Sector R in Table 1-3 of this Permit.

## *R.2 Industrial Activities Covered by Sector R*

The types of activities that permittees under Sector R are primarily engaged in are ship and boat building and repairing.

## *R.3 Limitations on Coverage*

Discharges from vessels including bilge and ballast water, sanitary wastes, pressure wash water, and cooling water are not covered by this Permit. (The only non-stormwater discharges authorized by this Permit are those included at Part 1.3.)

## *R.4 Additional Technology-Based Effluent Limits*

### *R.4.1 Good Housekeeping Measures*

You must implement the following good housekeeping measures in addition to the requirements of Part 3.1.2.2:

a. ***Pressure Washing Areas:*** If pressure washing is used to remove marine growth from vessels, the discharged water must be permitted as a process wastewater by a separate OPDES permit. Collect or contain the discharges from the pressure washing area so that they are not commingled with stormwater discharges authorized by this permit.

b. ***Blasting and Painting Areas:*** Minimize the potential for spent abrasives, paint chips, and overspray to be discharged into receiving waters or the storm sewer system. Contain all blasting and 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). At least ***once per month***, you must clean stormwater conveyances of deposits of abrasive blasting debris and paint chips.

c. ***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. Minimize the contamination of precipitation or surface runoff from the storage areas. Specify which materials are stored indoors, and contain or enclose or use other measures for those stored outdoors. If abrasive blasting is performed, discuss the storage and disposal of spent abrasive materials generated at the facility. Implement an inventory control plan to limit the presence of potentially hazardous materials onsite.

d. ***Engine Maintenance and Repair Areas:*** Minimize the contamination of precipitation or surface runoff from all areas used for engine maintenance and repair through implementation of control measures such as the following, where determined to be feasible (list not exclusive): 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 stormwater runoff collected from the maintenance area.

e. ***Material Handling Areas:*** Minimize the contamination of precipitation or surface runoff from material handling operations and areas (e.g., fueling, paint and solvent mixing, disposal of process wastewater streams from vessels) through implementation of control measures such as the following, where determined to be feasible (list not exclusive): covering fueling areas, using spill and overflow protection, mixing paints and solvents in a designated area (preferably indoors or under a shed), and minimizing stormwater run-on to material handling areas.

f. ***Drydock Activities:*** Routinely maintain and clean the drydock to minimize discharge of pollutants in stormwater. Clean 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. To minimize discharges of pollutants in stormwater from drydock activities, implement control measures such as the following, where determined to be feasible (list not exclusive): sweeping rather than hosing off debris and spent blasting material from accessible areas of the drydock prior to flooding; and making absorbent materials and oil containment booms readily available to clean up and contain any spills.

### *R.4.2 Employee Training*

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. (See also Part 3.1.2.8.)

### *R.4.3 Preventive Maintenance*

As part of your preventive maintenance program, perform timely inspection and maintenance of stormwater management devices (e.g., cleaning oil and 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. (See also Part 3.1.2.3.)

## *R.5 Additional SWP3 Requirements*

### *R.5.1 Drainage Area Site Map*

Document in your SWP3 where any of the following may be exposed to precipitation or surface runoff: fueling; engine maintenance or repair; vessel maintenance or repair; pressure washing; painting; sanding; blasting; welding; metal fabrication; loading and unloading areas; treatment, storage, and waste disposal areas; liquid storage tanks; liquid storage areas (e.g., paint, solvents, resins); and material storage areas (e.g., blasting media, aluminum, steel, scrap iron). (See also Part 4.2.2.)

### *R.5.2 Potential Pollutant Sources*

Document in your SWP3 the following additional sources and activities that have potential pollutants associated with them (if applicable): outdoor manufacturing or processing activities (e.g., welding, metal fabricating) and significant dust or particulate generating processes (e.g., abrasive blasting, sanding, and painting). (See also Part 4.2.3)

### *R.5.3 Documentation of Good Housekeeping Measures*

Document in your SWP3 any good housekeeping measures implemented to meet the effluent limits in Part 11.R.4. Document in the SWP3 any standard operating practices relating to blasting and painting (e.g., prohibiting uncontained blasting and painting over open water or prohibiting blasting and painting during windy conditions, which can render containment ineffective).

### *R.5.4 Additional Inspection Requirements*

Include the following in all quarterly routine facility inspections: pressure washing areas; blasting, sanding, and painting areas; material storage areas; engine maintenance and repair areas; material handling areas; drydock area; and general yard area. (See also Part 5.1)

## *R.6 Monitoring and Reporting Requirements*

Quarterly visual monitoring is required. See also Part 7 and Part 8 of this Permit for monitoring and reporting requirements.

# *Sector S Air Transportation*

## *S.1 Covered Stormwater Discharges*

The requirements in Sector S apply to stormwater discharges associated with industrial activity from Air Transportation facilities such as airports, airport terminals, airline carriers, and establishments identified by the SIC Codes Group 45 specified under Sector S in Table 1-3 of this Permit.

## *S.2 Industrial Activities Covered by Sector S*

Stormwater discharges from the following activities at Air Transportation facilities are covered under Sector S:

- Servicing, repairing, or maintaining aircraft and ground vehicles;
- Equipment cleaning and maintenance (including vehicle and equipment rehabilitation mechanical repairs, painting, fueling, lubrication); and
- Deicing/anti-icing operations which conduct the above described activities.

## *S.3 Limitations on Coverage*

### *S.3.1 Limitations on Coverage*

This permit authorizes stormwater discharges from only those portions of the air transportation facility that are involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling and lubrication), equipment cleaning operations or deicing operations. Note: *the term "deicing" in this permit will generally be used to mean both deicing (removing frost, snow or ice) and anti-icing (preventing accumulation of frost, snow or ice) activities, unless specific mention is made otherwise.*

### *S.3.2 Prohibition of Non-Stormwater Discharges*

This permit does not authorize the discharge of aircraft, ground vehicle, runway and equipment wash waters; *nor the dry-weather discharge of deicing chemicals*. Such discharges must be covered by separate OPDES permit(s). *Note that a discharge resulting from snowmelt is not a dry-weather discharge*. (The only non-stormwater discharges authorized by this permit are those included at Part 1.3.) (See also Part 1.2.)

## *S.4 Additional Technology-Based Effluent Limits*

### *S.4.1 Good Housekeeping Measures*

You must implement the following good housekeeping measures in addition to the requirements of Part 3.1.2.2:

**a.** ***Aircraft, Ground Vehicle and Equipment Maintenance Areas:*** Minimize the contamination of stormwater runoff from all areas used for aircraft, ground vehicle and equipment maintenance (including the maintenance conducted on the terminal apron and in dedicated hangers) through implementation of control measures such as the following, where determined to be feasible and that accommodate considerations of safety, space, operational constraints, and flight considerations (list not exclusive): performing maintenance activities indoors; maintaining an organized inventory of material used in the maintenance areas; draining all parts of fluids prior to disposal; prohibiting the practice of hosing down the apron or hangar floor; using dry cleanup methods; and collecting the stormwater runoff from the maintenance area and providing treatment or recycling.

**b.** ***Aircraft, Ground Vehicle and Equipment Cleaning Areas*** (see also Part 11.S.4.f): Clearly demarcate these areas on the ground using signage or other appropriate means. Minimize the contamination of stormwater runoff from cleaning areas.

**c.** ***Aircraft, Ground Vehicle and Equipment Storage Areas:*** Store all aircraft, ground vehicles and equipment awaiting maintenance in designated areas only and implement control measures to minimize the discharge of pollutants in stormwater from these storage areas such as the following, where determined to be feasible and that accommodate considerations of safety, space, operational constraints, and flight considerations (list not exclusive): 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.

**d.** ***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 stormwater. Also plainly label the vessels (e.g., "used oil," "Contaminated Jet A"). To minimize contamination of precipitation/runoff from these areas, implement control measures such as the following, where determined to be feasible and that accommodate considerations of safety, space, operational constraints, and flight considerations (list not exclusive): storing materials indoors; storing waste materials in a centralized location; and installing berms/dikes around storage areas.

**e.** ***Airport Fuel System and Fueling Areas:*** Minimize the discharge of pollutants in stormwater from airport fuel system and fueling areas through implementation of control measures such as the following, where determined to be feasible and that accommodate considerations of safety, space, operational constraints, and flight considerations (list not exclusive): implementing spill and overflow practices (e.g., placing absorptive materials beneath aircraft during fueling operations); using only dry cleanup methods; and collecting stormwater runoff. If you have implemented a SPCC plan developed in accordance with the 2006 amendments to the SPCC rule, you may cite the relevant aspects from your SPCC plan that comply with the requirements of this section in your SWP3.

**f.** ***Source Reduction:*** Consistent with safety considerations, minimize the use of urea and glycol-based deicing chemicals to reduce the aggregate amount of deicing chemicals used that could add pollutants to stormwater discharges. Chemical options to replace pavement deicers (urea or glycol) include (list not exclusive): potassium acetate; magnesium acetate; calcium acetate; and anhydrous sodium acetate.

- ***Runway Deicing Operations:*** To minimize the discharge of pollutants in stormwater from runway deicing operations, implement source reduction control measures such as the following, where determined to be feasible and that accommodate considerations of safety, space, operational constraints, and flight considerations (list not exclusive): 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; heating sand; and product substitution.

- ***Aircraft Deicing Operations:*** Minimize the discharge of pollutants in stormwater from aircraft deicing operations. Determine whether excessive application of deicing chemicals occurs and adjust as necessary, consistent with considerations of flight safety. Determine whether alternatives to glycol and whether containment measures for applied chemicals are feasible. Implement control measures for reducing deicing fluid such as the following, where determined to be feasible and that accommodate considerations of safety, space, operational constraints, and flight considerations (list not exclusive): 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, and thermal blankets for MD-80s and DC-9s. Consider using ice-detection systems and airport traffic flow strategies and departure slot allocation systems where feasible and that accommodate considerations of safety, space, operational constraints, and flight considerations. The evaluations and determinations required by this Part should be carried out by the personnel

most familiar with the particular aircraft and flight operations and related systems in question (versus an outside entity such as the airport authority).

**g.** ***Management of Runoff*** (see also Part 3.1.2.6): Minimize the discharge of pollutants in stormwater from deicing chemicals in runoff. To minimize discharges of pollutants in stormwater from aircraft deicing, implement runoff management control measures such as the following, where determined to be feasible and that accommodate considerations of safety, space, operational constraints, and flight considerations (list not exclusive): installing a centralized deicing pad to recover deicing fluid following application; plug-and-pump (PnP); using vacuum/collection trucks (glycol recovery vehicles); storing contaminated stormwater/deicing fluids in tanks; recycling collected deicing fluid where feasible; releasing controlled amounts to a publicly owned treatment works; separation of contaminated snow; conveying contaminated runoff into a stormwater impoundment 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. To minimize discharges of pollutants in stormwater from runway deicing, implement runoff management control measures such as the following, where determined to be feasible and that accommodate considerations of safety, space, operational constraints, and flight considerations (list not exclusive): mechanical systems (snow plows, brushes); conveying contaminated runoff into swales and/or a stormwater impoundment; and pollution prevention practices such as ice detection systems, and airfield pre-wetting.

When applying deicing fluids during non-precipitation events (also referred to as "clear ice deicing"), implement control measures to prevent unauthorized discharge of pollutants (dry-weather discharges of pollutants would need coverage under an OPDES wastewater permit), or to minimize the discharge of pollutants from deicing fluids in later stormwater discharges, implement control measures such as the following, where determined to be feasible and that accommodate considerations safety, space, operational constraints, and flight considerations (list not exclusive): recovering deicing fluids; preventing the fluids from entering storm sewers or other stormwater discharge conveyances (e.g., covering storm sewer inlets, using booms, installing absorptive interceptors in the drains); releasing controlled amounts to a publicly owned treatment works. Used deicing fluid should be recycled whenever practicable.

**h.** ***Deicing Season:*** You must determine the seasonal timeframe (e.g., December - February, October - March) during which deicing activities typically occur at the facility. Implementation of control measures, including any BMPs, facility inspections and monitoring must be conducted with particular emphasis throughout the defined deicing season.

## *S.5 Additional SWP3 Requirements*

### *S.5.1 Drainage Area Site Map*

Document in the SWP3 the following areas of the facility and indicate whether activities occurring there may be exposed to precipitation/surface runoff: aircraft and runway deicing operations; fueling stations; aircraft, ground vehicle and equipment maintenance/cleaning areas; and storage areas for aircraft, ground vehicles and equipment awaiting maintenance. (See also Part 4.2.2.)

### *S.5.2 Potential Pollutant Sources*

In the inventory of exposed materials, describe in the SWP3 the potential for the following activities and facility areas to contribute pollutants to stormwater discharges: aircraft, runway, ground vehicle and equipment maintenance and cleaning; and aircraft and runway deicing operations (including apron and centralized aircraft deicing stations, runways, taxiways and ramps). If deicing chemicals are used, 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, using best estimates, must be maintained. 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. Deicing operators must provide the above information to the airport authority for inclusion with any comprehensive airport SWP3s. (See also Part 4.2.3.)

### *S.5.3 Vehicle and Equipment Wash Water Requirements*

If wash water is handled in a manner that does not involve separate OPDES permitting or local pretreatment requirements (e.g., hauled offsite, retained onsite), describe the disposal method and include all pertinent information (e.g., frequency, volume, destination) in your SWP3. Discharges of vehicle and equipment wash water are not authorized by this permit for this sector.

### *S.5.4 Documentation of Control Measures Used for Management of Runoff*

Document in your SWP3 the control measures used for collecting or containing contaminated melt water from collection areas used for disposal of contaminated snow.

### *S.5.5 Additional Inspection Requirements*

At a minimum, conduct routine facility inspections at least ***once per week*** during deicing season (e.g., October through April). If your facility needs to deice before or after this period, expand the weekly inspections to include all weeks 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, conduct your weekly inspections until such time as impacts are reduced to acceptable levels. DEQ may specifically require you to increase inspections and SWP3 reevaluations as necessary.

## *S.6 Effluent Limitations, Monitoring and Reporting Requirements*

Sector Table S-1 identifies effluent limits that apply to the industrial activities described below. Compliance with these effluent limits is to be determined based on discharges from these industrial activities independent of commingling with any other waste streams that may be covered under this Permit. Monitoring shall be performed once per year during the permit period. In addition, quarterly visual monitoring is required. (See also Part 7 and Part 8.)

**Sector Table S-1 Air Transportation Sector-Specific Effluent Limits**

| Industrial Activity | Parameter | Limitation |
|---|---|---|
| Runoff from areas where deicing/anti-icing activities occur at **only** those outfalls from the airport facility | Chemical Oxygen Demand (COD) | 120.0 mg/L, daily maximum |
| | Ammonia as Nitrogen | 14.7 mg/L, daily maximum |
| | pH | 6.5 - 9 s.u. |

Note: *For new and existing airports subject to the effluent limitations in Part 11.S.6 of this Permit, the permittee must also comply with the **applicable monitoring, reporting and recordkeeping** requirements outlined in 40 CFR § 449.20.*

# *Sector T Treatment Works*

## *T.1 Covered Stormwater Discharges*

The requirements in Sector T apply to stormwater discharges associated with industrial activity from Treatment Works as identified by the Activity Code **TW** as specified under Sector T in Table 1-3 of this Permit.

## *T.2 Industrial Activities Covered by Sector T*

The requirements listed under Sector T apply to all existing point source stormwater discharges associated with 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 a facility with a design flow of 1.0 million gallons per day (MGD) or more; or are required to have an approved pretreatment program under 40 CFR Part 403.

## *T.3 Limitations on Coverage*

Discharge of sanitary and industrial wastewater and equipment and vehicle wash water are not authorized by this Permit. (The only non-stormwater discharges authorized by this Permit are those included at Part 1.3.)

Discharges from the following activities are not covered by this Permit: 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.

## *T.4 Additional Technology-Based Effluent Limits*

### *T.4.1 Control Measures*

To minimize the discharge of pollutants in stormwater, implement control measures such as the following, where determined to be feasible (list not exclusive): routing stormwater 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; and septage or hauled waste receiving station). (See also Part 3.1.2.)

### *T.4.2 Employee Training*

At a minimum, training 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; and proper procedures for using fertilizer, herbicides, and pesticides. (See also Part 3.1.2.8.)

## *T.5 Additional SWP3 Requirements*

### *T.5.1 Drainage Area Site Map*

Document in your SWP3 where any of the following may be exposed to precipitation or 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. (See also Part 4.2.2.)

### *T.5.2 Potential Pollutant Sources*

Document in your SWP3 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 stations; and access roads and rail lines. (See also Part 4.2.3.)

### *T.5.3 Wastewater and Wash Water Requirements*

If wastewater and/or vehicle and equipment wash water is not covered by another OPDES permit but is handled in another manner (e.g., hauled offsite, retained onsite), the disposal method must be described and all pertinent

information (e.g., frequency, volume, and destination) must be included in your SWP3. Discharges of vehicle and equipment wash water, including tank cleaning operations, are not authorized by this Permit.

#### *T.5.4 Additional Inspection Requirements*

Include the following areas in all inspections: access roads and rail lines; grit, screenings, and other solids handling, storage, or disposal areas; sludge drying beds; dried sludge piles; compost piles; and septage or hauled waste receiving stations. (See also Part 5.1.)

### *T.6 Monitoring and Reporting Requirements*

Quarterly visual monitoring is required. See also Part 7 and Part 8 of this Permit for monitoring and reporting requirements.

## *Sector U Food and Kindred Products*

### *U.1 Covered Stormwater Discharges*

The requirements in Sector U apply to stormwater discharges associated with industrial activity from Food and Kindred Products facilities as identified by the SIC Codes specified in Table 1-3 of this Permit.

### *U.2 Industrial Activities Covered by Sector U*

The following types of industrial activities and products are covered under Sector U:

- Meat products; Dairy products; Canned, frozen and preserved fruits, vegetables, and food specialties;
- Grain mill products; Bakery products; Sugar and confectionery products; Fats and oils; and
- Beverages; Miscellaneous food preparations and kindred products; and Tobacco products manufacturing.

### *U.3 Limitations on Coverage*

***Prohibition of Non-Stormwater Discharges*** (see also Part 1.8): The following discharges are not authorized by this permit: discharges containing boiler blowdown, cooling tower overflow and blowdown, ammonia refrigeration purging, and vehicle washing and clean-out operations. (The only non-stormwater discharges authorized by this permit are those included at Part 1.3.)

### *U.4 Additional Technology-Based Limitations*

***Employee Training*** (see also Part 3.1.2.8)*:* Address pest control in your employee training program.

### *U.5 Additional SWP3 Requirements*

#### *U.5.1 Drainage Area Site Map*

Document in your SWP3 the locations of the following activities if they are exposed to precipitation or runoff: vents and stacks from cooking, drying, and similar operations; dry product vacuum transfer lines; animal holding pens; spoiled product; and broken product container storage areas. (See also Part 4.2.2.)

#### *U.5.2 Potential Pollutant Sources*

Document in your SWP3, in addition to food and kindred products processing-related industrial activities, application and storage of pest control chemicals (e.g., rodenticides, insecticides, fungicides) used on plant grounds. (See also Part 4.2.3.)

### *U.5.3 Additional Inspection Requirements*

Inspect on a quarterly basis, at a minimum, the following areas where the potential for exposure to stormwater 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. (See also Part 5.1.)

### *U.6 Monitoring and Reporting Requirements*

Quarterly visual monitoring is required. See also Part 7 and Part 8 of this Permit for monitoring and reporting requirements.

## *Sector V Textile Mills, Apparel and Other Fabric Products*

### *V.1 Covered Stormwater Discharges*

The requirements in Sector V apply to stormwater discharges associated with industrial activity from Textile Mills, Apparel, and Other Fabric Product Manufacturing as identified by the SIC Code specified under Sector V in Table 1-3 of this Permit.

### *V.2 Industrial Activities Covered by Sector V*

The following types of industrial activities and products are covered under Sector V:

- Textile mill products;
- Processes involved in the dyeing and finishing of fibers, yarn fabrics, and knit apparel;
- Apparel facilities which receive woven or knitted fabric for cutting, sewing, and packaging; and
- Leather and leather products, except leather tanning and finishing.

### *V.3 Limitations on Coverage*

***Prohibition of Non-Stormwater Discharges***: The following are 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 or 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 OPDES permit. (See also Part 1.8.)

### *V.4 Additional Technology-Based Limitations*

#### *V.4.1 Good Housekeeping Measures*

You must implement the following good housekeeping measures in addition to the requirements of Part 3.1.2.2:

**a.** ***Material Storage Areas:*** Plainly label and store all containerized materials (e.g., fuels, petroleum products, solvents, and dyes) in a protected area, away from drains. Minimize contamination of the stormwater runoff from such storage areas. Also consider an inventory control plan to prevent excessive purchasing of potentially hazardous substances. For storing empty chemical drums or containers, ensure that the drums and containers are clean (consider triple-rinsing) and that there is no contact of residuals with precipitation or runoff. Collect and dispose of wash water from these cleanings properly.

**b.** ***Material Handling Areas:*** Minimize contamination of stormwater runoff from material handling operations and areas through implementation of control measures such as the following, where determined to be feasible: using spill and overflow protection; covering fueling areas; and covering or

enclosing areas where the transfer of material may occur. When applicable, address the replacement or repair of leaking connections, valves, transfer lines and pipes that may carry chemicals, dyes or wastewater.

**c.** ***Fueling Areas:*** Minimize contamination of stormwater runoff from fueling areas through implementation of control measures such as the following, where determined to be feasible: covering the fueling area; using spill and overflow protection; minimizing run-on of stormwater to the fueling areas; using dry cleanup methods; and treating and/or recycling stormwater runoff collected from the fueling area.

**d.** ***Above-Ground Storage Tank Areas:*** Minimize contamination of stormwater runoff from above-ground storage tank areas, including the associated piping and valves, through implementation of control measures such as the following, where determined to be feasible (list not exclusive): regular cleanup of these areas; including measures for tanks, piping and valves explicitly in your SPCC program; minimizing runoff of stormwater from adjacent areas; restricting access to the area; inserting filters in adjacent catch basins; providing absorbent booms in un-bermed fueling areas; using dry cleanup methods; and permanently sealing drains within critical areas that may discharge to a storm drain.

### *V.4.2 Employee Training*

As part of your employee training program, address, at a minimum, the following activities (as applicable): use of reused and recycled 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. (See also Part 3.1.2.8.)

## *V.5 Additional SWP3 Requirements*

### *V.5.1 Potential Pollutant Sources*

Document in your SWP3 the following additional sources and activities that have potential pollutants associated with them: industry-specific significant materials and industrial activities (e.g., back-winding, beaming, bleaching, backing bonding, carbonizing, carding, cut and sew operations, de-sizing, drawing, dyeing, locking, fulling/tucking, 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). (See also Part 4.2.3.)

### *V.5.2 Description of Good Housekeeping Measures for Material Storage Areas*

Document in the SWP3 your containment area or enclosure for materials stored outdoors in connection with Part 11.V.4.1 above.

### *V.5.3 Additional Inspection Requirements*

Inspect, ***at least monthly***, the following activities and areas (at a minimum): transfer and transmission lines, spill prevention, good housekeeping practices, management of process waste products, and all structural and nonstructural management practices.

## *V.6 Monitoring and Reporting Requirements*

Quarterly visual monitoring is required. See also Part 7 and Part 8 of this Permit for monitoring and reporting requirements.

# Sector W Furniture and Fixtures

## W.1 Covered Stormwater Discharges

The requirements in Sector W apply to stormwater discharges associated with industrial activity from Furniture and Fixtures facilities as identified by the SIC Codes specified under Sector W in Table 1-3 of this Permit.

## W.2 Industrial Activities Covered by Sector W

The following types of industrial activities and products are covered under Sector W:

- Wood kitchen cabinets; and
- Furniture and fixtures.

## W.3 Additional SWP3 Requirements

### W.3.1 Drainage Area Site Map

Document in your SWP3 where any of the following may be exposed to precipitation or 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 of; access roads; and rail spurs. (See also Part 4.2.2.)

## W.4 Monitoring and Reporting Requirements

Quarterly visual monitoring is required. See also Part 7 and Part 8 of this Permit for monitoring and reporting requirements.

# Sector X Printing and Publishing

## X.1 Covered Stormwater Discharges

The requirements in Sector X apply to stormwater discharges associated with industrial activity from Printing and Publishing facilities as identified by the SIC Codes specified under Sector X in Table 1-3 of this Permit.

## X.2 Industrial Activities Covered by Sector X

The following types of industrial activities and products are covered under Sector X:

- Newspapers, periodicals and books: publishing and printing, or publishing;
- Miscellaneous publishing;
- Commercial printing: lithographic, gravure and not elsewhere classified;
- Manifold business forms, greeting cards;
- Blank books, loose-leaf binders and devices;
- Bookbinding and related work; and
- Typesetting, platemaking and related services.

## X.3 Additional Technology-Based Effluent Limits

### X.3.1 Good Housekeeping Measures

You must implement the following good housekeeping measures in addition to the requirements of Part 3.1.2.2:

**a.** ***Material Storage Areas:*** Plainly label and store all containerized materials (e.g., skids, pallets, solvents, bulk inks, hazardous waste, empty drums, portable and mobile containers of plant debris, wood crates, steel racks, and fuel oil) in a protected area, away from drains. Minimize contamination

of the stormwater runoff from such storage areas. Also consider an inventory control plan to prevent excessive purchasing of potentially hazardous substances.

**b.** ***Material Handling Areas:*** Minimize contamination of stormwater runoff from material handling operations and areas (e.g., blanket wash, mixing solvents, loading and unloading materials) through implementation of control measures such as the following, where determined to be feasible (list not exclusive): using spill and overflow protection; covering fueling areas; and covering or enclosing areas where the transfer of materials may occur. When applicable, address the replacement or repair of leaking connections, valves, transfer lines, and pipes that may carry chemicals or wastewater.

**c.** ***Fueling Areas:*** Minimize contamination of stormwater runoff from fueling areas through implementation of control measures such as the following, where determined to be feasible (list not exclusive): covering the fueling area; using spill and overflow protection; minimizing run-on of stormwater to the fueling areas; using dry cleanup methods; and treating and/or recycling stormwater runoff collected from the fueling area.

**d.** ***Above-ground Storage Tank Areas:*** Minimize contamination of the stormwater runoff from above-ground storage tank areas, including the associated piping and valves, through implementation of control measures such as the following, where determined to be feasible (list not exclusive): regularly cleaning these areas; explicitly addressing tanks; piping and valves in the SPCC program; minimizing stormwater runoff from adjacent areas; restricting access to the area; inserting filters in adjacent catch basins; providing absorbent booms in un-bermed fueling areas; using dry cleanup methods; and permanently sealing drains within critical areas that may discharge to a storm drain.

### *X.4 Employee Training*

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. (See also Part 3.1.2.8.)

### *X.5 Additional SWP3 Requirements*

***Description of Good Housekeeping Measures for Material Storage Areas:*** In connection with Part 11.X.3.1, describe in the SWP3 the containment area or enclosure for materials stored outdoors.

### *X.6 Monitoring and Reporting Requirements*

Quarterly visual monitoring is required. See also Part 7 and Part 8 of this Permit for monitoring and reporting requirements.

## *Sector Y Rubber, Miscellaneous Plastic Products and Miscellaneous Manufacturing Industries*

### *Y.1 Covered Stormwater Discharges*

The requirements in Sector Y apply to stormwater discharges associated with industrial activity from Rubber, Miscellaneous Plastic Products and Miscellaneous Manufacturing Industries facilities as identified by the SIC Codes specified under Sector Y in Table 1-3 of this Permit.

### *Y.2 Industrial Activities Covered by Sector Y*

The following types of industrial activities and products are covered under Sector Y:

- Tires and inner tubes;

- Rubber and plastic footwear, rubber and plastic hose and belting;
- Gaskets, packaging, and sealing devices;
- Fabricated rubber products, not elsewhere classified; and
- Miscellaneous plastic products.

## *Y.3 Additional Technology-Based Effluent Limits*

### *Y.3.1 Controls for Rubber Manufacturers*

Minimize the discharge of zinc in your stormwater discharges. Review possible sources of zinc and list the control measures to be implemented. Implement additional control measures such as the following, where determined to be feasible (list not exclusive): using chemicals purchased in pre-weighed, sealed polyethylene bags; storing in-use materials 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. (See also Part 3.1.2.)

a. ***Zinc Bags:*** Ensure proper handling and storage of zinc bags at your facility through implementation of control measures such as the following, where determined to be feasible (list not exclusive): employee training on the handling and storage of zinc bags; indoor storage of zinc bags; cleanup of 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.

b. ***Dumpsters:*** Minimize discharges of zinc from dumpsters through implementation of control measures such as the following, where determined to be feasible (list not exclusive): covering the dumpster; moving the dumpster indoors; and providing a lining for the dumpster.

c. ***Dust Collectors and Baghouses:*** Minimize contributions of zinc to stormwater from dust collectors and baghouses. Replace or repair, as appropriate, improperly operating dust collectors and baghouses.

d. ***Grinding Operations:*** Minimize contamination of stormwater as a result of dust generation from rubber grinding operations. Where determined to be feasible, install a dust collection system.

e. ***Zinc Stearate Coating Operations:*** Minimize the potential for stormwater contamination from drips and spills of zinc stearate slurry that may be released to the storm drain. Where determined to be feasible, use alternative compounds to zinc stearate.

### *Y.3.2 Controls for Plastic Products Manufacturers*

Minimize the discharge of plastic resin pellets in your stormwater discharges through implementation of control measures such as the following, where determined to be feasible (list not exclusive): minimizing spills; cleaning up spills promptly and thoroughly; sweeping thoroughly; pellet capturing; employee education; and disposal precautions.

## *Y.4 Additional SWP3 Requirements*

***Potential Pollutant Sources for Rubber Manufacturers*** (see also Part 4.2.3): Document in your SWP3 the use of zinc at your facility and the possible pathways through which zinc may be discharged in stormwater runoff.

## *Y.5 Monitoring and Reporting Requirements*

Quarterly visual monitoring is required. See also Part 7 and Part 8 of this Permit for monitoring and reporting requirements.

# *Sector Z Leather Tanning and Finishing*

## *Z.1 Covered Stormwater Discharges*

The requirements in Sector Z apply to stormwater discharges associated with industrial activity from Leather Tanning and Finishing facilities as identified by the SIC Codes specified under Sector Z in Table 1-3 of this Permit.

## *Z.2 Industrial Activities Covered by Sector Z*

The types of activities that permittees under Sector Z are primarily engaged in are tanning, currying, and finishing hides and skins into leather. This industry also includes leather converters, who buy hides and skins and have them processed into leather on a contract basis by others.

## *Z.3 Additional Technology-Based Effluent Limits*

### *Z.3.1 Good Housekeeping Measures*

You must implement the following good housekeeping measures in addition to the requirements of Part 3.1.2.2:

**a.** ***Storage Areas for Raw, Semi-processed, or Finished Tannery By-products:*** Minimize contamination of stormwater runoff from pallets and bales of raw, semi-processed, or finished tannery by-products (e.g., splits, trimmings, shavings). Store or protect indoors with polyethylene wrapping, tarpaulins, roofed storage, etc., where practicable. Place materials on an impermeable surface and enclose or put berms (or equivalent measures) around the area to prevent stormwater run-on and runoff where practicable.

**b.** ***Material Storage Areas:*** Label storage containers of all materials (e.g., specific chemicals, hazardous materials, spent solvents, waste materials) and minimize contact of such materials with stormwater.

**c.** ***Buffing and Shaving Areas:*** Minimize contamination of stormwater runoff with leather dust from buffing and shaving areas through implementation of control measures such as the following, where determined to be feasible (list not exclusive): implementing dust collection enclosures; implementing preventive inspection and maintenance programs; or other appropriate preventive measures.

**d.** ***Receiving, Unloading, and Storage Areas:*** Minimize contamination of stormwater runoff from receiving, unloading, and storage areas. If these areas are exposed, implement control measures such as the following, where determined to be feasible (list not exclusive): covering all hides and chemical supplies; diverting drainage to the process sewer; or grade berming or curbing the area to prevent stormwater runoff.

**e.** ***Outdoor Storage of Contaminated Equipment:*** Minimize contact of stormwater with contaminated equipment through implementation of control measures such as the following, where determined to be feasible (list not exclusive): covering equipment, diverting drainage to the process sewer, and cleaning thoroughly prior to storage.

**f.** ***Waste Management:*** Minimize contamination of stormwater runoff from waste storage areas through implementation of control measures such as the following, where determined to be feasible (list not exclusive): covering dumpsters; moving waste management activities indoors; covering waste piles with temporary covering material such as tarpaulins or polyethylene; and minimizing stormwater runoff by enclosing the area or building berms around the area.

## *Z.4 Monitoring and Reporting Requirements*

Quarterly visual monitoring is required. See also Part 7 and Part 8 of this Permit for monitoring and reporting requirements.

# *Sector AA Fabricated Metal Products*

## *AA.1 Covered Stormwater Discharges*

The requirements in Sector AA apply to stormwater discharges associated with industrial activity from Fabricated Metal Products facilities as identified by the SIC Codes specified under Sector AA in Table 1-3 of this Permit.

## *AA.2 Industrial Activities Covered by Sector AA*

The following types of industrial activities and products are covered under Sector AA:

- Fabricated metal products, except machinery and transportation equipment and cutting;
- Jewelry, silverware, and plated ware; and
- Coating, engraving, and allied services.

## *AA.3 Additional Technology-Based Effluent Limits*

### *AA.3.1 Good Housekeeping Measures*

You must implement the following good housekeeping measures in addition to the requirements of Part 3.1.2.2:

a. ***Raw Steel Handling Storage:*** Minimize the generation of and/or recover and properly manage scrap metals, fines, and iron dust. Include measures for containing materials within storage handling areas.

b. ***Paints and Painting Equipment:*** Minimize exposure of paint and painting equipment to stormwater.

### *AA.3.2 Spill Prevention and Response Procedures*

Ensure that the necessary equipment to implement a cleanup is available to personnel. The following areas should be addressed (see also Part 3.1.2.4):

a. ***Metal Fabricating Areas:*** Maintain clean, dry, orderly conditions in these areas. Use dry clean-up techniques where practicable.

b. ***Storage Areas for Raw Metal:*** Keep these areas free of conditions that could cause, or impede appropriate and timely response to, spills or leakage of materials through implementation of control measures such as the following, where determined to be feasible (list not exclusive): maintaining storage areas so that there is easy access in the event of a spill, and labeling stored materials to aid in identifying spill contents.

c. ***Metal Working Fluid Storage Areas:*** Minimize the potential for stormwater contamination from storage areas for metal working fluids.

d. ***Cleaners and Rinse Water:*** Control and clean up 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.

e. ***Lubricating Oil and Hydraulic Fluid Operations:*** Minimize the potential for stormwater contamination from lubricating oil and hydraulic fluid operations. Use monitoring equipment or other devices to detect and control leaks and overflows where feasible. Install perimeter controls such as dikes, curbs, grass filter strips, or equivalent measures where feasible.

f. ***Chemical Storage Areas:*** Minimize stormwater contamination and accidental spillage in chemical storage areas. Include a program to inspect containers and identify proper disposal methods.

#### *AA.3.3 Spills and Leaks*

In your spill prevention and response procedures, required by Part 3.1.2.4, 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. (See also Part 4.2.3.3.)

### *AA.4 Additional SWP3 Requirements*

#### *AA.4.1 Drainage Area Site Map*

Document in your SWP3 where any of the following may be exposed to precipitation or surface runoff: raw metal storage areas; finished metal storage areas; scrap disposal collection sites; equipment storage areas; retention and detention basins; temporary and permanent diversion dikes or berms; right-of-way or perimeter diversion devices; sediment traps and barriers; processing areas, including outside painting areas; wood preparation; recycling; and raw material storage. (See also Part 4.2.2.)

#### *AA.4.2 Potential Pollutant Sources*

Document in your SWP3 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 cobs, chemicals, and scrap metals; outdoor manufacturing or processing activities such as grinding, cutting, degreasing, buffing, and brazing; onsite waste disposal practices for spent solvents, sludge, pickling baths, shavings, ingot pieces, and refuse and waste piles. (See also Part 4.2.3.)

#### *AA.4.3 Additional Inspection Requirements*

At a minimum, include the following areas in all inspections: raw metal storage areas, finished product storage areas, material and chemical storage areas, spent solvents and chemical storage areas, recycling areas, loading and unloading areas, equipment storage areas, paint areas, drainage from roof and vehicle fueling and maintenance areas. Potential pollutants include chromium, zinc, lubricating oil, solvents, aluminum, oil and grease, methyl ethyl ketone, steel, and related materials. (See also Part 5.1.)

### *AA.5 Monitoring and Reporting Requirements*

Quarterly visual monitoring is required. See also Part 7 and Part 8 of this Permit for monitoring and reporting requirements.

## *Sector AB Transportation Equipment, Industrial or Commercial Machinery*

### *AB.1 Covered Stormwater Discharges*

The requirements in Sector AB apply to stormwater discharges associated with industrial activity from Transportation Equipment, Industrial or Commercial Machinery facilities as identified by the SIC Codes specified under Sector AB in Table 1-3 of this Permit.

### *AB.2 Industrial Activities Covered by Sector AB*

The following industrial activities and products are covered under Sector AB:

- Farm and garden machinery and equipment;
- Construction, mining, and materials handling machinery and equipment;
- Metalworking machinery and equipment, general industrial machinery and equipment, and special industry machinery, except metalworking machinery;
- Refrigeration and service industry machinery, miscellaneous industrial and commercial machinery and equipment;

- Motor vehicles and motor vehicle equipment;
- Aircraft and parts, motorcycles, bicycles, and parts;
- Guided missiles and space vehicles and parts; and
- Miscellaneous transportation equipment.

### *AB.3 Additional SWP3 Requirements*

***Drainage Area Site Map*** (see also Part 4.2.2): Identify in your SWP3 where any of the following may be exposed to precipitation or surface runoff: vents and stacks from metal processing and similar operations.

### *AB.4 Monitoring and Reporting Requirements*

Quarterly visual monitoring is required. See also Part 7 and Part 8 of this Permit for monitoring and reporting requirements.

## *Sector AC Electronic, Electrical Equipment and Components, Photographic and Optical Goods*

### *AC.1 Covered Stormwater Discharges*

The requirements in Sector AC apply to stormwater discharges associated with industrial activity from facilities that manufacture Electronic, Electrical Equipment and Components and Photographic and Optical Goods as identified by the SIC Codes specified in Table 1-3 of this Permit.

### *AC.2 Industrial Activities Covered by Sector AC*

The following types of industrial activities and products are covered under Sector AC:

- Computer and Office Equipment;
- Electronic and Electrical Equipment and Components, Except Computer Equipment;
- Measuring, Analyzing, and Controlling Instruments;
- Photographic and Optical Goods; and
- Watches and Clocks.

### *AC.3 Additional Requirements*

No additional sector-specific requirements apply.

### *AC.4 Monitoring and Reporting Requirements*

Quarterly visual monitoring is required. See also Part 7 and Part 8 of this Permit for monitoring and reporting requirements.

## *Sector AD Stormwater Discharges Designated by DEQ as Requiring Permits*

### *AD.1 Covered Stormwater Discharges*

Sector AD is used to provide permit coverage for facilities designated by DEQ as needing a stormwater permit, and any discharges of stormwater associated with industrial activity that do not meet the description of an industrial activity covered by Sectors A-AC.

### *AD.2 Eligibility for Permit Coverage*

Because this Sector only is primarily intended for use by discharges designated by DEQ as needing a stormwater permit (which is an atypical circumstance), and your facility may or may not normally be discharging stormwater associated with industrial activity, you must obtain DEQ's written permission to use this Permit prior to submitting an NOI. If you are authorized to use this Permit, you will still be required to ensure your discharges meet the basic eligibility provisions of this Permit at Part 1.2.

### *AD.3 Additional SWP3 Requirements*

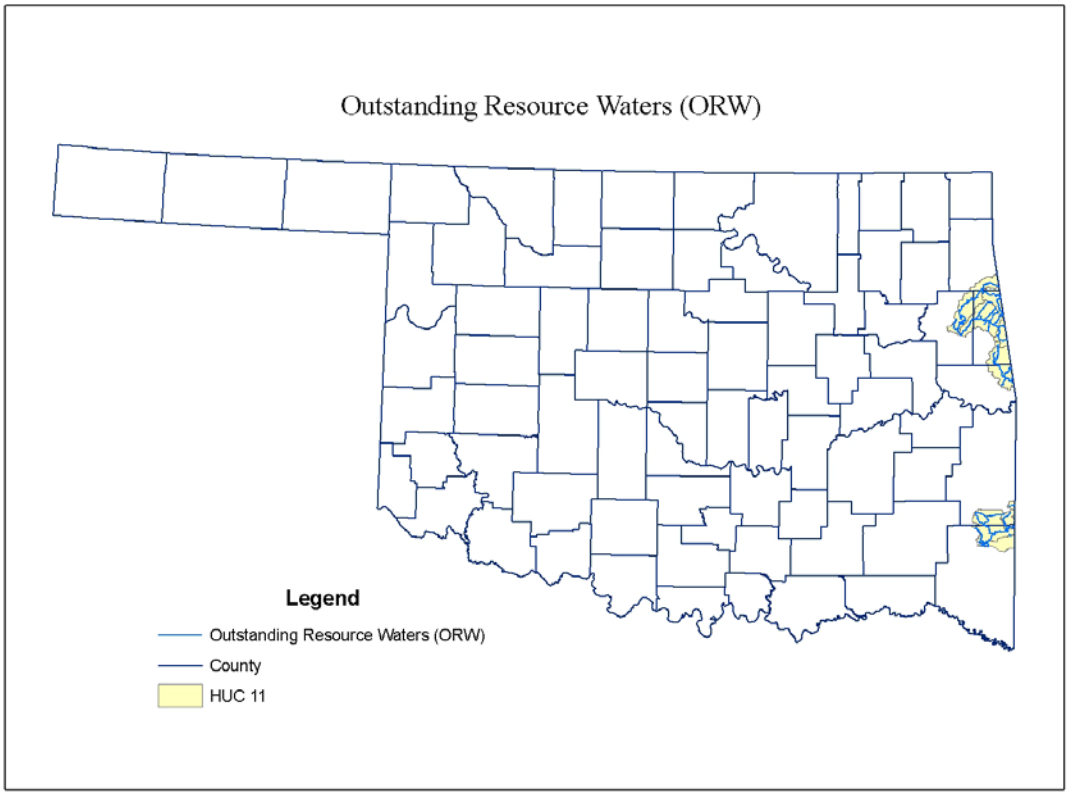
DEQ will establish any additional requirements for your facility at the time of accepting your NOI to be covered by this Permit. Additional requirements would be based on the nature of activities at your facility and your stormwater discharges.

### *AD.4 Monitoring and Reporting Requirements*

DEQ will establish any additional monitoring and reporting requirements for your facility at the time of accepting your NOI to be covered by this Permit. Additional requirements would be based on the nature of activities at your facility and your stormwater discharges.

# Appendix A: Oklahoma Outstanding Resources Waters, Oklahoma Sensitive Waters and Watersheds, and Procedures Relating to Endangered Species Protection

# Outstanding Resource Waters (ORW)




## Outstanding Resource Waters Details

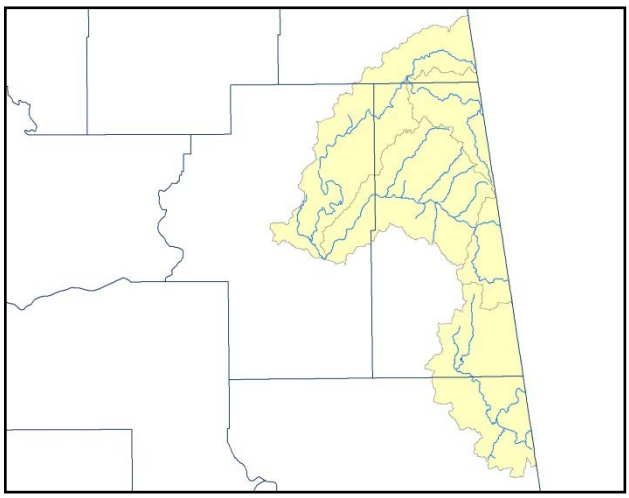


**Figure 11-2 Illinois River and Lee Creek Watersheds**

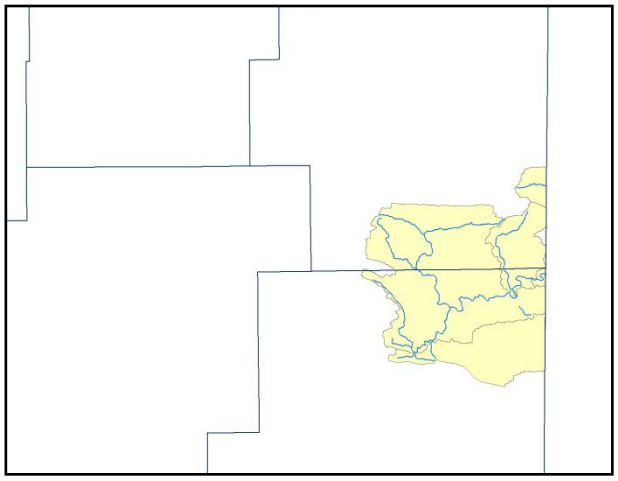


**Figure 11-1 Mountain Fork River Watershed**

# Oklahoma Sensitive Waters and Watersheds Harboring Endangered and Threatened Species and Their Critical Habitat of Concern

**A. Sensitive waters and watersheds for federally listed species, as defined by the U.S. Fish and Wildlife Service for the OPDES Multi-Sector General Permit OKR05 for stormwater discharges from industrial activity**

***Grand (Neosho) River*** - A 2-mile corridor (1 mile from each bank) of the main stem of the Grand (Neosho) River above its confluence with Tar Creek. This corridor includes portions of Ottawa and Craig Counties.

***Cimarron River*** - A 2-mile corridor (1 mile from each bank) of the main stem of the Cimarron River from the US Hwy-77 Bridge in Logan County upstream to and including Beaver County. This corridor includes river segments in Beaver, Harper, Kingfisher, Logan, Major, Woods, and Woodward counties.

***South Canadian River*** - A 2-mile corridor (one mile from each bank) of the main stem from the Eufaula Reservoir flood pool upstream to the northern border of Custer County. This corridor includes river segments in Blaine, Caddo, Canadian, Cleveland, Custer, Grady, Hughes, McClain, McIntosh, Pittsburg, Pontotoc, Pottawatomie, and Seminole counties.

***Muddy Boggy River*** - A 2-mile corridor (1 mile from each bank) of the main stem of the Muddy Boggy River which includes portions of Choctaw, Atoka, and Coal Counties.

***Kiamichi River*** – The watershed of the Kiamichi River is upstream from the Hugo Reservoir. This watershed includes portions of Pushmataha, Atoka, Pittsburg, Latimer, and Leflore Counties.

***Little River*** – The watershed of the Little River includes portions of LeFlore, Pushmataha and McCurtain Counties.

***Glover River*** – The watershed of the Glover River includes portions of Pushmataha and McCurtain Counties.

***Mountain Fork River*** – The watershed of the Mountain Fork River is above Broken Bow Reservoir and includes portions of Leflore and McCurtain Counties.

**Northeast HUC-11 Watersheds** – The watersheds are identified by the following 11-digit Hydrologic Unit Codes: 1107020206030, 11070206060, 11070207190, 11070208070, 11070209020, 11070209030, 11070209040, 11070209050, 11070209060, 11070209070, 11070209100, 11070209110 and 11070209120. These watersheds include portions of Ottawa, Craig, Delaware, and Mayes Counties.

* *This HUC does not contain a known Ozark cavefish cave. It was included because it is entirely surrounded by 11 digit HUCs with known Ozark cavefish caves; therefore, we assume that Ozark cavefishes likely occupy this portion of the watershed as well.*

**Elk River** – A 2-mile corridor (1 mile from each bank) of the Elk River which includes portions of Delaware County.

***Spring River*** – A 2-mile corridor (1 mile from each bank) of the Spring River which includes portions of Ottawa County.

***Verdigris River*** – A 2-mile corridor of the main stem from the dam of Lake Oologah to the confluence of the Arkansas River which includes river segments in Rogers, Wagoner, and Muskogee counties.

**B. Sensitive waters and watersheds for State listed species, as defined by the Oklahoma Department of Wildlife Conservation for the OPDES Multi-Sector General Permit OKR05 for stormwater discharges from industrial activity**

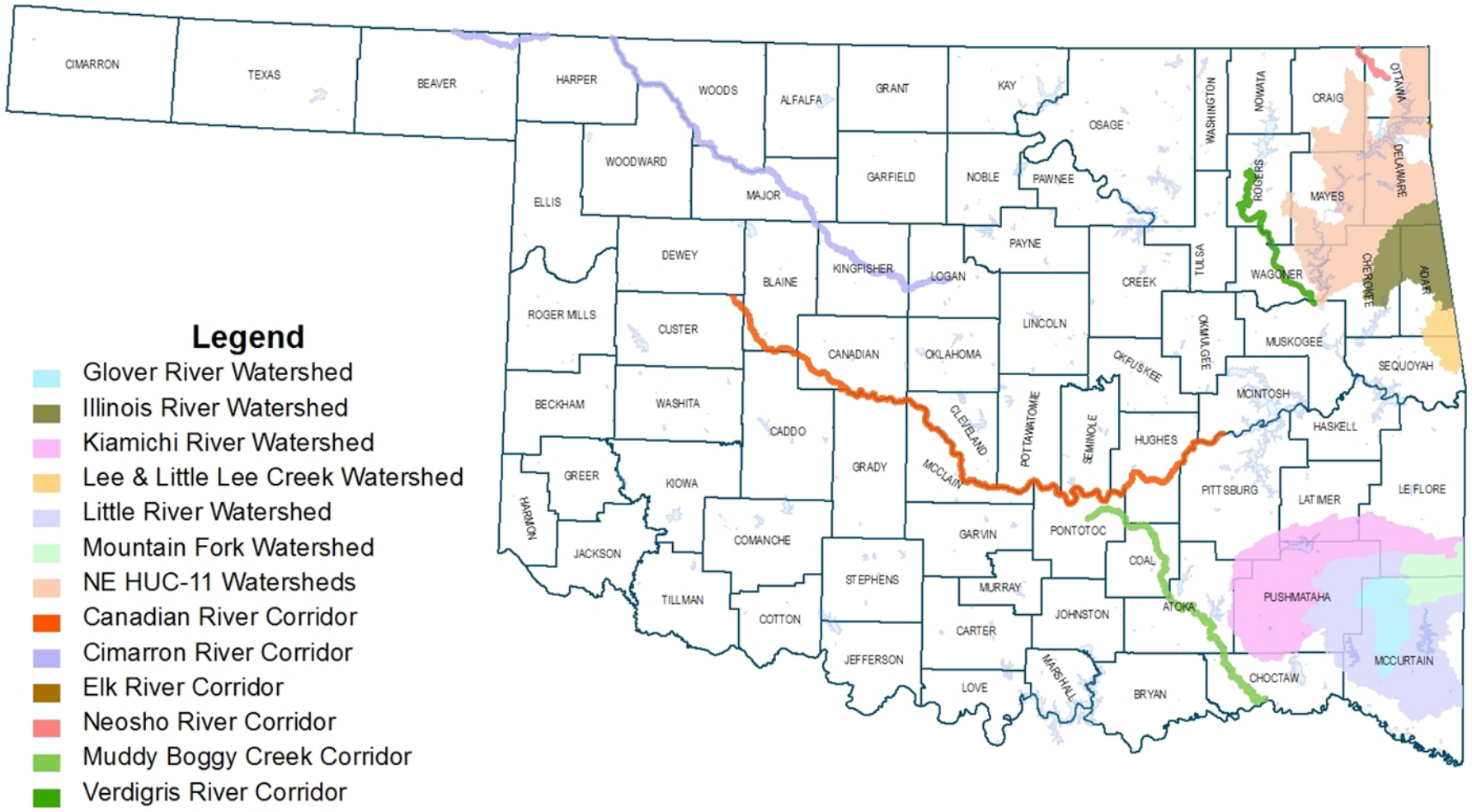
***Illinois River*** – A **10-mile** corridor (5 miles from each bank within the watershed) of the main stem of the Illinois River above Tenkiller Reservoir. This corridor includes portions of Cherokee, Delaware, and Mayes Counties.

***Lee and Little Lee Creeks*** – The watershed of Lee Creek and Little Lee Creek which includes portions of Sequoyah and Adair Counties.

**Note:** *No stormwater discharge-sensitive endangered or threatened species occur in the following counties: Alfalfa, Beckham, Carter, Cimarron, Comanche, Garfield, Garvin, Grant, Greer, Johnston, Kiowa, Lincoln, Murray, Nowata, Okfuskee, Oklahoma, Okmulgee, Rogers, Stephens, Texas, Washington, or Washita.*

# Oklahoma Aquatic Resources of Concern for Federal & State Listed Species

as identified by the U.S. Fish & Wildlife Service and the Oklahoma Department of Wildlife Conservation




## Legend

- Glover River Watershed
- Illinois River Watershed
- Kiamichi River Watershed
- Lee & Little Lee Creek Watershed
- Little River Watershed
- Mountain Fork Watershed
- NE HUC-11 Watersheds
- Canadian River Corridor
- Cimarron River Corridor
- Elk River Corridor
- Neosho River Corridor
- Muddy Boggy Creek Corridor
- Verdigris River Corridor

# Procedures Relating to Endangered Species Protection

To receive coverage under the OKR05 permit, you must assess the potential effects of your stormwater discharges and stormwater discharge-related activities on listed species. To make this assessment, follow the steps outlined below prior to completing and submitting an NOI form.

## Step 1: Determine whether the facility is located in a sensitive water or watershed

1. Refer to the map of Federal and State sensitive waters and watersheds within Oklahoma. These areas may harbor populations of Federal or State listed species or their designated critical habitat.
2. If your industrial facility is not located within any of these areas, the facility's stormwater discharge or stormwater discharge-related activities are not likely to significantly affect endangered and threatened species. You may then skip Step 2 and further investigation is unnecessary.
3. If your facility is located within the area of any of the Federal and State sensitive waters and watersheds, continue on to Step 2.

## Step 2: Implementation of stormwater control measures to protect endangered and threatened species

1. If your industrial facility is located within the area of Federal and State sensitive waters and watersheds, you must incorporate the following measures into the SWP3 for the facility.
    a. Pollutants such as oil, grease, solid waste, human waste, hazardous or toxic material, or other material not authorized for discharge under this permit must be properly captured, treated, and correctly disposed of. These potential pollutants must be properly managed and their contact with stormwater minimized or eliminated to the greatest extent practicable.
    b. If you are required to perform annual numeric effluent limitation monitoring, you must include in your SWP3 the steps you will take to prevent any removed pollutants from entering a stormwater stream. These pollutants must be retained on site, treated, or disposed of properly to the greatest extent practicable. Control measures must be properly installed and maintained at all times, and off-site accumulations of any escaped sediment must be removed.
    c. A schedule must be included which describes the inspection practices that will be used to ensure that control measures are working effectively. Monthly inspection shall be conducted for areas of the facility with significant activities. If corrective action is needed, you must immediately take all reasonable steps necessary to minimize or prevent the discharge of pollutants following the requirements in Part 6 of the Permit.
    d. Hazardous materials and production waste products must be stored in a manner that minimizes their contact with stormwater. An emergency response plan must be included which addresses the handling of accidental spills or leaks.
2. You must comply with any terms and conditions imposed under the eligibility requirements to ensure that your stormwater discharges and stormwater discharge-related activities are protective of listed species and/or critical habitat. Any such terms and conditions must be incorporated in your SWP3. In accordance with Part 1.8.7 of the permit, your signed NOI will be deemed to constitute your certification of eligibility. If the eligibility requirements cannot be met, you may seek coverage under a DEQ individual permit.

**Step 3: Check the appropriate box on the NOI form**

There are three different options to certify your eligibility. Check the box that corresponds to the option on which you are relying.

1. Your facility is not located in Federal and State sensitive waters and watersheds as identified on the map.
2. Your facility is located in Federal and State sensitive waters and watersheds and you agree to implement the control measures specified in Step 2 above.
3. You are relying on another permittee's certification of eligibility and agree to comply with any conditions attached to that certification.

**Step 4: Submit a complete SWP3 to DEQ for review with your NOI form**

You must submit a copy of the complete SWP3 to DEQ for review with your NOI form if your facility is located within the corridors/areas of Federal or State sensitive waters and watersheds (also see the following map in Appendix A). During review of your SWP3, DEQ may require you to amend/revise your SWP3 if it does not meet the minimum permit requirements.

# Appendix B:  Notice of Intent (NOI) Form

**DEQ Form 606-002B**
**July 5, 2017**

# Oklahoma Department of Environmental Quality
# Notice of Intent (NOI)
## for Stormwater Discharges Associated with Industrial Activity under the OPDES Multi-Sector General Permit OKR05

Submission of this NOI constitutes notice that the party identified in Section I of this form intends to be authorized by DEQ for stormwater discharges associated with industrial activity in the State of Oklahoma. Becoming a permittee obligates such discharger to comply with the terms and conditions of the OKR05 permit. To obtain an authorization from DEQ, this form must be complete with all the pertinent information.

**See instructions for completing the NOI on pages 3 and 4 of this form.**

☐ NEW APPLICATION, ☐ MODIFICATION or ☐ RENEWAL of current permit, enter the authorization number: OKR05_____

## I. Operator Information

Operator Name: _____ Phone: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Operator's Point of Contact : _____ Title: _____

Phone: _____ E-mail: _____

## II. Facility Information

Facility Name: _____ Phone: _____

Facility Address: _____

City: _____ County: _____ State: _____ Zip Code: _____

Facility's Point of Contact : _____ Title: _____

Phone: _____ E-mail: _____

Facility's Type of Ownership: ☐ Federal ☐ State ☐ Municipal ☐ Public ☐ Private

Latitude: _____ Longitude: _____ at the entrance of the Facility

SIC or Designated Activity Code and Sector: Primary: _____ Sector: _____ Secondary: _____ Sector: _____

Total Area of the Facility: _____ (acres) Total Impervious Area at the Facility: _____ (acres)

Estimated Area of Industrial Activity at your Facility exposed to Stormwater: _____ (acres)

**Endangered Species Eligibility**

a. ☐ My facility is not located in or draining to Federal and State sensitive waters and watersheds.

b. ☐ My facility is located in or drains to Federal and State sensitive waters and watersheds and I agree to implement the control measures specified in Step 2 of Appendix A.

c. ☐ I am relying on another permittee's certification of eligibility and agree to comply with any conditions of that certification.

## III. Facility Discharge Information

Does the facility discharge stormwater into a MS4? ☐ Yes ☐ No, If yes, name of the MS4 Operator: _____

Is the facility required to submit Discharge Monitoring Report? ☐ Yes ☐ No; Applicable Sector: A / C / D / E / J / K / L / O / S

Is the facility's stormwater discharge covered by a separate individual or general permit? ☐ Yes ☐ No, If yes, enter the OPDES Permit Number: _____

| Outfall and Receiving Water Information | | | | |
|---|---|---|---|---|
| **Outfall ID** | **Latitude/ Longitude** | **Name of the Receiving Waterbody** | **Is this waterbody impaired? If so, what are its impairments?** | **Is there a TMDL for that impairment?** |
| 001 | | | ☐ Yes ☐ No | ☐ Yes ☐ No |
| 002 | | | ☐ Yes ☐ No | ☐ Yes ☐ No |
| 003 | | | ☐ Yes ☐ No | ☐ Yes ☐ No |
| 004 | | | ☐ Yes ☐ No | ☐ Yes ☐ No |
| 005 | | | ☐ Yes ☐ No | ☐ Yes ☐ No |
| 006 | | | ☐ Yes ☐ No | ☐ Yes ☐ No |
| 007 | | | ☐ Yes ☐ No | ☐ Yes ☐ No |
| Note: use additional sheet of paper if the facility has more than 7 outfalls. | | | | |

## IV. Stormwater Pollution Prevention Plan (SWP3) Information

Has the SWP3 been prepared in accordance with 2017 OKR05 Permit in advance of filing this NOI? ☐ Yes ☐ No

Is the SWP3 properly certified and available at the Facility? ☐ Yes ☐ No

Proposed **Best Management Practices** to control pollution in the stormwater discharges, check all that apply:

| | | | |
|---|---|---|---|
| ☐ Sediment Basin | ☐ Sediment Trap | ☐ Ret/Detention Pond | ☐ Vegetated Buffer |
| ☐ Vegetative Swale | ☐ Runoff Infiltration | ☐ Runoff Diversion/Berm | ☐ Inlet Protection |
| ☐ Secondary Containment | ☐ Dust Collection System | ☐ Covered Material Storage | ☐ Indoor Vehicle Maint. |
| ☐ Good housekeeping | ☐ Employee Training | ☐ Spill Prevention Plans | ☐ |

## V. Certification

*I certify under penalty of law that I have read and understand Part 1 of the permit eligibility requirements for coverage under the Stormwater Multi-Sector Industrial General Permit OKR05, including those requirements relating to the protection of endangered or threatened species or critical habitat in Appendix A. Furthermore, 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. I understand that continued coverage under the Stormwater Multi-Sector Industrial General Permit OKR05 is contingent upon maintaining eligibility as provided for in Part 1 of the Permit.*

Print Name: _____ Title: _____

Signature: _____ Date: _____

For DEQ use only: Assigned Authorization Number: OKR05_____

# Instructions for Completing NOI Form 606-002B for Stormwater Discharges Associated with Industrial Activity to be Covered under the OPDES Multi-Sector General Permit OKR05

## Who Must File an NOI Form

Under Section 402(p) of the Clean Water Act and regulation at 40 CFR Part 122, adopted and incorporated by reference in OAC 252:606-1-3(b)(3), stormwater discharges associated with industrial activity are prohibited to waters of Oklahoma State unless authorized under an Oklahoma Pollutant Discharge Elimination System (OPDES) permit from Oklahoma Department of Environmental Quality (DEQ). You can obtain coverage under the OPDES Multi-Sector General Permit (MSGP) OKR05 by submitting a completed NOI to DEQ. If you have questions regarding permit coverage under the Stormwater Program, you may call the Stormwater Unit of Environmental Complaints and Local Services (ECLS) of DEQ at (405) 702-6100

or email to ecls-stormwaterpermitting@deq.ok.gov.

## Submitting Your NOI Form

Completed NOI form must be submitted to the following address:

Stormwater Unit of ECLS
Oklahoma DEQ
P.O. Box 1677, Oklahoma City, OK 73101-1677

or fax it to: (405)702-6226

or email it to: ecls-stormwaterpermitting@deq.ok.gov

*Commencing **December 21, 2020**, NOI must be electronically submitted to DEQ. Instructions on how to access and use the appropriate electronic reporting tool will be made available on DEQ's website prior to the December 21, 2020 compliance deadline.*

## Completing the NOI Form

**Obtain and read a copy the 2017 OKR05 Permit** that is available on the DEQ's website before filing an NOI to DEQ. To complete an NOI form, type or print in all the appropriate places of the form. Check the appropriate box whether you are filing for a new application or modification or renewal of your current permit. Enter your current authorization number, if you are applying for permit renewal. You must submit a ***complete and accurate NOI*** to DEQ for coverage under this Permit.

## Section I. Operator Information

Provide the legal ***name*** of the company/firm, public organization, or any other entity that either individually or together meets the following two criteria: (1) have operational control over the facility; and (2) have the day-to-day operational control of those activities at the facility necessary to ensure compliance with plan requirements and permit conditions.

Enter the phone number, mailing address including city, county, state, and ZIP code. Also enter the name, title, phone number, and email address for the operator's point of contact.

## Section II. Facility Information

Provide the facility's official or legal name, phone number and complete street address, including city, county, state, and ZIP code. If the site lacks a street address, indicate the site location using a general statement (e.g., Intersection of State Highways 61 and 34). Also provide the name, title, phone number, and email address for the facility's point of contact. Indicate the facility's ownership type or the legal status whether it is a Federal, State, Municipal, Public, or Private.

Include latitude and longitude of the facility (***at the main entrance gate of the facility***) in degrees, minutes, and seconds (use only NAD83). Longitude and latitude may be obtained from the DEQ's website.

Enter the four-digit Standard Industrial Classification (SIC) code or two character activity code and respective Sector that best describes the primary industrial activities performed by your facility under which you are required to obtain permit coverage. Also enter the secondary SIC Code and Sector, if applicable. Your primary industrial activity includes any activities performed on-site which are (1) identified by the facility's primary SIC code and included in the descriptions of 40 CFR § 122.26(b)(14)(ii), (iii), (vi), or (viii); or (2) included in the narrative descriptions of 40 CFR § 122.26(b)(14)(i), (iv), (v), (vii), or (ix), as adopted and incorporated by reference in OAC 252:606 1-3 (b)(3)(L). See Table 1-3 of the OKR05 permit for a complete list of SIC Codes and activity codes covered under the OKR05 permit.

Provide total facility area, impervious area at the facility, and estimated area of industrial activity at your facility exposed to stormwater to the **nearest tenth of an acre**.

Complete the section on Endangered Species Eligibility by checking the appropriate box: (a) Your facility is not located in Federal and State sensitive waters and watersheds as identified on the map; or (b) Your facility is located in Federal and State sensitive waters and watersheds and you agree to implement the control measures specified in Step 2 of Appendix A; or (c) You are relying on another permittee's certification of eligibility and agree to comply with any conditions attached to that certification.

## Section III. Facility Discharge Information

You must confirm that the OKR05 permit only authorizes the allowable stormwater discharges listed in Part 1.2 and the allowable non-stormwater discharges listed in Part 1.3 of OKR05 permit. **Any discharges not authorized under the OKR05 permit are not covered by this Permit**.

Indicate whether the facility discharges stormwater to a Municipal Separate Storm Sewer System (MS4), if yes; enter the name of the MS4 operator. A 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 are owned or operated by a state, city, town, borough, parish, district, association, or other public body which is designed or used for collecting or conveying stormwater.

Depending on your industrial activities, your facility may be subject to federal effluent limitation guidelines which include additional effluent limits and monitoring requirements for your facility. Indicate whether your facility is required to submit electronic Discharge Monitoring Report (eDMR) for Effluent Limitations. Refer to the permit for information on monitoring requirements. Indicate the monitoring status by entering **Yes** or **No** in the appropriate space and also enter applicable Sector.

Indicate whether the facility's stormwater discharge covered by a separate individual or general permit along with associated OPDES permit number.

Identify all the outfalls from your facility that discharge stormwater. Each outfall must be assigned a unique 3-digit ID (e.g., 001, 002, and 003). Provide the latitude and longitude for each outfall from your facility.

# Instructions for Completing NOI Form 606-002B for Stormwater Discharges Associated with Industrial Activity to be Covered under the OPDES Multi-Sector General Permit OKR05

For each unique outfall you list, specify the name of the first water of the State that receives stormwater directly from the outfall and/or from the MS4 that the outfall discharges to.

Check appropriate box if the receiving waterbody is listed in the DEQ 303(d) list of impaired waters. If the waterbody is impaired, indicate the pollutant(s) for which the water is impaired. Identify any Total Maximum Daily Loads (TMDL) that has been completed for any of the waters of the State that you discharge to. Use additional sheet of paper(s) if the facility has more than 7 outfalls.

## Section IV. Stormwater Pollution Prevention Plan (SWP3) Information

All facilities eligible for coverage under the OKR05 permit must **prepare a *SWP3* prior to submitting the NOI** to DEQ. The SWP3 is intended to document the selection, design, and installation of different control measures to meet the permit's numeric, if applicable, and non-numeric effluent limits contained in Part 3 and Part 11 of the Permit as well as to document compliance with other permit requirements. The SWP3 must be prepared in accordance with good engineering practices and to industry standards.

Indicate whether the SWP3 has been prepared (or updated in accordance with the 2017 OKR05 Permit) in advance of filing the NOI. SWP3 must be certified and available at the facility site.

You must implement various Best Management Practices (BMPs) to control pollutants in the stormwater discharges from your facility. Indicate all proposed BMPs that will be implemented at the facility during the term of the OKR05 permit.

## Section V. Certification

Federal regulations require all permit applications and report shall be signed as follows:

***For a corporation:*** by a responsible corporate officer, which means: (i) 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 (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 law 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 had been assigned or delegated to the manager in accordance with corporate procedures;

***For a partnership or sole proprietorship:*** by a general partner or the proprietors, respectively (*Note: for limited liability company (LLC) - by one of its owners, called managing members/partners of the company*); or

***For a municipality, state, Federal, or other public facility:*** by either a principal executive or ranking elected official.

*Please be aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.*

**Please Make Sure You Read all the Terms and Conditions of the OKR05 Permit prior to submitting an NOI to DEQ.**

# Appendix C: Notice of Termination (NOT) Form

**DEQ Form 606-003**
**July 5, 2017**

# Oklahoma Department of Environmental Quality
# Notice of Termination (NOT)
## for Stormwater Discharges Associated with Industrial Activity or Construction Activity under an OPDES General Permit

Submission of this NOT form constitutes notice that the operator identified in Section II of this form no longer intends to be authorized to discharge stormwater associated with industrial or construction activity under an OPDES Stormwater General Permit. Authorization is not terminated until you are notified that all termination requirements have been met and your complete NOT has been processed by DEQ.

**All necessary information must be provided on this form. See completing instructions on the back of this form.**

## I. Permit Information

**DEQ Authorization Number: OKR_____**

Reason for Termination (check one only):

- ☐ A new owner or operator has taken over responsibility for the facility/site/project and has submitted an NOI for permit coverage.
- ☐ Stormwater discharge from industrial activity is being terminated under OKR05 permit.
- ☐ All construction activities have been completed and met all other requirements under OKR10 permit including final stabilization on all portion of the site.
- ☐ You obtained coverage under an individual or alternative general permit for all stormwater discharges.

## II. Operator Information

Operator Name: _____ Phone: _____

Mailing Address: _____ City: _____

County: _____ State: _____ Zip Code: _____ E-mail: _____

## III. Facility/Site/Project Information

Facility or Site Name: _____

Address: _____

City: _____ County: _____ State: _____ Zip Code: _____

Latitude: _____ Longitude: _____ at the entrance of the facility or center of the site

*(Note: You must include an **updated facility map or site map** that shows all the completed activities.)*

## IV. New Operator Information

New Operator Name: _____ Phone: _____

Address: _____ City: _____

County: _____ State: _____ Zip Code: _____ E-mail: _____

*(Note: Use additional sheets of paper if necessary. Permittee is required to prepare a Notification of Change of Ownership for each new operator)*

## V. Certification

*I certify under penalty of law that all stormwater discharges associated with industrial or construction activity from the identified facility that were 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 NOT form and upon receiving the termination letter from DEQ that the all termination requirements have been met and the complete NOT has been processed, I am no longer authorized to discharge stormwater associated with industrial or construction activity under the General Permit OKR05 or OKR10 to waters of the State. It is unlawful under the Clean Water Act and* OAC 252:606-1-3(b)(3)(L) *where the discharge is not authorized by an OPDES permit. I also understand that the submittal of this NOT form does not release me as operator from liability for any violations of this Permit or the Clean Water Act.*

Print Name: _____ Title: _____

Signature: _____ Date: _____

# Instructions for Completing NOT Form 606-003 for Stormwater Discharges Associated with Industrial or Construction Activity

## Who May File a Notice of Termination Form

The Permittee currently covered by the OKR05 (Industrial) or OKR10 (Construction) General Permit for stormwater discharges associated with industrial or construction activity must submit a Notice of Termination (NOT) within 30 days after one or more of the following conditions have been met:

- A new owner or operator has taken over responsibility for the facility or site or project, and has submitted an NOI for permit coverage.
- Stormwater discharge from industrial activity is being terminated under the OKR05 permit.
- All construction activities have completed and met all other requirements under the OKR10 permit, including final stabilization, on all portions of the site. (See Part 3.3.2.B of the OKR10 permit for specific requirement on final stabilization).
- You obtained coverage under an individual or alternative general permit for all discharges.

You must meet all of the termination requirements of the general permit prior to submitting the NOT.

### Section I. Permit Information

Provide the current OPDES General Permit number assigned to the facility or the site identified in Section II. Indicate your **Reason** for submitting this NOT by checking the appropriate box.

### Section II. Operator Information

Provide the legal name of the company, firm, public organization or any other entity that operates the facility or site described in this NOT. Provide the operator's phone number, mailing address, and email address.

### Section III. Facility Information

Provide the legal name of the facility or site or project and complete street address, including city, county, state, and ZIP code of the facility or site. If the facility or site lacks a street address, indicate the general location of the facility (e.g., Intersection of State Highways 74 and 34).

Provide the latitude and longitude at the entrance of the facility or site or the center of the construction project or site. Latitude and Longitude can be obtained online at DEQ, USGS, or by using other mapping tools.

You must also include an updated facility map or site map that shows all disturbed areas over the course of your construction/project (i.e., earth images or general site maps with project extents marked, including stabilized areas of concrete or asphalt batch plants, equipment staging yards, stockpile, borrow areas, wash-out area, etc.) with this form.

### Section IV. New Operator Information

If applicable, provide the legal name of the company, firm, public organization or any other entity that has assumed ownership for the facility or site described in this NOT.

Provide phone number, complete physical address including city, state, ZIP code, and email address. If there is more than one new operator, use additional sheet(s) to include all the new operators' information.

Permittee is required to prepare and submit a Notification of Change of Ownership (NCO) form for each new owner and submit the NCO form to DEQ (see Part 2.3.3 of OKR10 for change of ownership requirement). NCO forms may be submitted at the change of ownership or with the NOT.

### Section V. Certification

The NOT form must be signed as follows:

***For a corporation:*** by a responsible corporate officer. For the purpose of this Section, a responsible corporate officer means: (i) 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 (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, respectively ***(Note:*** *for limited liability company (LLC) - by one of its owners, called managing members/partners of the company*);

***For a municipality, state, Federal, or other public facility:*** by either a principal executive officer or ranking elected official.

Include the name and title of the person signing the form and the date of signing.

**An unsigned or undated NOT form will not be processed for termination of permit coverage.**

***If you have questions***, contact Stormwater Unit of Environmental Complaints and Local Services (ECLS) of DEQ at (405) 702-6100 or email to ecls-stormwaterpermitting@deq.ok.gov

### Where to File an NOT form:

Completed NOT must be submitted to the following address:

Stormwater Unit of ECLS
Oklahoma DEQ
P.O. Box 1677
Oklahoma City, Oklahoma 73101-1677

or fax it to: (405)702-6226

or email it to: ecls-stormwaterpermitting@deq.ok.gov

*Commencing **December 21, 2020**, NOT must be electronically submitted to DEQ. Instructions on how to access and use the appropriate electronic reporting tool will be made available on DEQ's website prior to the December 21, 2020 compliance deadline.*

# Appendix D: No Exposure Certification (NEC) Form

| DEQ Form 606-004 July 5, 2017 | | Oklahoma Department of Environmental Quality<br>No Exposure Certification (NEC)<br>for Exclusion from the OPDES Multi-Sector general Permit OKR05<br>for Stormwater Discharges Associated with Industrial Activity |
|---|---|---|

Submission of this *No Exposure Certification* constitutes notice that the operator identified in Section I does not require permit authorization under the OPDES Multi-Sector General Permit OKR05 for stormwater discharges associated with industrial activity from the facility identified in Section II of this form 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 stormwater discharges (e.g., rock salt).

A ***No Exposure Certification*** must be provided for each facility qualifying for the no exposure exclusion. By signing and submitting this No Exposure Certification form, the operator in Section I is certifying that a condition of no exposure exists at its facility or site all the time, and is obligated to comply with the terms and conditions of 40 CFR § 122.26(g).

**All requested information must be provided on this form. See completing instructions on page 3 of this form.**

## I. Operator Information

Operator Name: _____

Mailing Address: _____

City: _____ County: _____ State: _____ Zip Code: _____

Operator's Point of Contact : _____ Title: _____

Phone: _____ Email: _____

## II. Facility Location

Facility Name: _____ Phone: _____

Address: _____

City: _____ County: _____ State: _____ Zip Code: _____

Facility's Point of Contact : _____ Title: _____

Phone: _____ E-mail: _____

Latitude: _____ Longitude: _____ at the entrance of the Facility

DEQ Authorization No. OKR_____ , if your facility had coverage under previous OPDES Permit

SIC Code or 2-digit Activity Code, Primary: _____ Sector: _____ Secondary: _____ Sector: _____

Total size of the facility associated with industrial activity _____ acres

Have you paved or roofed over a formerly exposed, pervious area in order to qualify for the no exposure exclusion?
Yes ☐ No ☐

If ***Yes***, indicate approximately how much area was paved or roofed over _____ acres

## III. Exposure Checklist

Are any of the following materials or activities exposed to stormwater, now or in the foreseeable future?

**If your answer is *Yes* to any of these questions, you are <u>not</u> eligible for the *No Exposure Exclusion*.**

| | **(**Please check either ***Yes*** **or** ***No*** in the appropriate box**)** | 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 stormwater | ☐ | ☐ |
| 2. | Materials or residuals on the ground or in stormwater inlets from spills/leaks | ☐ | ☐ |
| 3. | Materials or products from past industrial activity | ☐ | ☐ |
| 4. | Material handling equipment (except adequately maintained vehicles) | ☐ | ☐ |
| 5. | Materials or products during loading/unloading or transporting activities | ☐ | ☐ |
| 6. | Materials or products stored outdoors (except finished products intended for outside use, e.g., new cars, where exposure to stormwater doesn't result in the discharge of pollutants) | ☐ | ☐ |
| 7. | Materials contained in open, deteriorated, or leaking storage drums, barrels, tanks, and similar containers | ☐ | ☐ |
| 8. | Materials or products handled/stored on roads or railways owned or maintained by the discharger | ☐ | ☐ |
| 9. | Waste Material (except waste in covered, non-leaking containers such as dumpsters) | ☐ | ☐ |
| 10. | Application or disposal of process wastewater (unless otherwise permitted) | ☐ | ☐ |
| 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 stormwater outflow | ☐ | ☐ |

## IV. Certification

*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 OPDES stormwater permitting; and that there are no discharges of stormwater contaminated by exposure to industrial activities or materials from the industrial facility identified in this document (except as allowed under 40 CFR § 122.26(g)(2) as adopted and incorporated by reference in OAC 252:606-1-3(b)(3)(L)).*

*I understand that I am obligated to submit a no exposure certification form once every 5 years to DEQ and to the operator of the local MS4 into which this facility discharges stormwater (where applicable). I understand that I must allow DEQ or MS4 operator where the stormwater 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 OPDES permit prior to any discharge of stormwater 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 upon my inquiry of the person or persons who manage the system, or those persons directly involved in gathering the information, the information submitted is to the best of my knowledge and belief true, accurate and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.*

Print Name: _____ Title: _____

Signature: _____ Date: _____

Phone: _____ Email: _____

For DEQ use only: Assigned Application Number: _____

# Instructions for Completing No Exposure Certification (NEC) Form 606-004 for Stormwater Discharges Associated with Industrial Activity under the OPDES Multi-Sector General Permit OKR05

## Who May File an NEC

Oklahoma State law at Title 27A OS § 2-6-205 prohibits point source discharges of stormwater associated with industrial activity to waters of the State without first obtaining an Oklahoma Pollutant Discharge Elimination System (OPDES) permit from DEQ. However, OPDES permit coverage is not required for discharges of stormwater associated with industrial activity identified at 40 CFR § 122.26 (b)(14)(i) - (xi), except (x), if the discharger can certify that a condition of ***No Exposure*** exists at the industrial facility or site. Stormwater 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 NEC

This form must be used to certify that a condition of no exposure exists at the industrial facility or site described herein. This certification must be re-submitted at least once every 5 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 stormwater, the facility operator must obtain coverage under an OPDES permit immediately.

## Completing the NEC Form

You must type or print letters in appropriate areas only. One form must be completed for each facility or site for which you are seeking to certify a condition of no exposure. Make sure you complete this Form with accurate information and address all applicable questions and make a copy for your record before submitting a completed form to DEQ.

## Section I. Operator Information

Provide the legal name of the firm, public organization, person or any other entity that operates the facility or site described in this certification Form. An operator is the legal entity that controls the facility's operation and is responsible for its day-to-day activity, rather than the plant or site manager. Provide complete mailing address of the operator including city, county, state, and ZIP code. Include operator's point of contact name, title, phone number and a valid email address.

## Section II. Facility Location

Enter the official or legal name of the facility or site. Enter the complete physical address of the facility (**absolutely no P.O. Box**) including city, county, state, and ZIP code; in case of no defined address, provide a geographical description (e.g., intersection of Route 9 and State Highway 66). Include facility's point of contact information. Enter the latitude and longitude of the approximate center of the facility or site in degrees, minutes, and seconds. Indicate if the facility was previously covered under an OPDES stormwater permit. If so, include the authorization number.

Enter the four-digit primary SIC code or the Activity Code. Use the Standard Industrial Classification Manual, 1987. Enter the Sector Code (A through AD) under which your facility is permitted.

Enter the total size of the facility's site associated with industrial activity to the nearest tenth of an acre.

Check ***Yes*** or ***No*** as appropriate to indicate if you have paved or roofed over a formerly exposed, pervious area (i.e., lawn, meadow, dirt, or gravel road or parking lot) in order to qualify for no exposure. Indicate how much area (to the nearest quarter of an acre) was paved or roofed.

## Section III. Exposure Checklist

Check ***Yes*** or ***No*** as appropriate to describe the exposure condition at your facility. If you answer ***Yes*** to any of the questions 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 OPDES stormwater permit. After obtaining permit coverage, you can institute modifications to eliminate the potential for a discharge of stormwater exposed to industrial activity, and then certify to a condition of no exposure.

## Section IV. Certification

The NEC Form must be signed as follows:

***For a corporation:*** by a responsible corporate officer, which means: (i) 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 (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 law 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 had been assigned or delegated to the manager in accordance with corporate procedures;

***For a partnership or sole proprietorship:*** by a general partner or the proprietors, respectively *(**Note:** for limited liability company (LLC) - by one of its owners, called managing members/partners of the company*), or;

***For a municipality, state, Federal, or other public facility:*** by either a principal executive or ranking elected official.

***If you have questions,*** contact Stormwater Unit of Environmental Complaints and Local Services (ECLS) of DEQ at (405) 702-6100 or email to ecls-stormwaterpermitting@deq.ok.gov

## Where to File the NEC Form

Completed NEC form must be submitted to the following address:

Stormwater Unit of ECLS
Oklahoma DEQ
P.O. Box 1677, Oklahoma City, OK 73101-1677

or fax it to: (405)702-6226

or email it to: ecls-stormwaterpermitting@deq.ok.gov

*Commencing **December 21, 2020**, NEC must be electronically submitted to DEQ. Instructions on how to access and use the appropriate electronic reporting tool will be made available on DEQ's website prior to the December 21, 2020 compliance deadline.*

# Appendix E: Annual Comprehensive Site Compliance Evaluation Report (ACSCER) Form

| DEQ Form 606-005 July 5, 2017 | | Oklahoma Department of Environmental Quality<br>**Annual Comprehensive Site Compliance Evaluation Report (ACSCER) for Stormwater Discharges Associated with Industrial Activity under the OPDES Multi-Sector General Permit OKR05** |
|---|---|---|

Submission of this ACSCER form is required for all authorized industrial facilities.

**All requested information must be provided on this form. See instructions on Page 5 of this form.**

**DEQ Authorization Number: OKR05**_____

## Part A: Operator Information and Certification

### Section I. Operator Information

Operator Name: _____

Mailing Address: _____ City: _____

County: _____ State: _____ Zip Code: _____

Operator's Point of Contact : _____ Title: _____

Phone: _____ Email: _____

### Section II. Facility Information

Facility Name: _____ Phone: _____

Address: _____

City: _____ County: _____ State: _____ Zip Code: _____

Latitude: _____ Longitude: _____

Facility's Point of Contact : _____ Title: _____

Phone: _____ E-mail: _____

### Section III. Certification

*I certify under penalty of law that I have read and understand the requirements for filing this Annual Comprehensive Site Compliance Evaluation Report, which is to be filed by March 1 of each year beginning in 2018.*

*This report is also to be retained as part of the Stormwater Pollution Prevention Plan (SWP3) for at least 3 years from the date permit coverage expires or is terminated and will be made available to any State or Federal Inspector visiting this facility. All records of actions taken in accordance with 4.10 of this Permit as part of the SWP3 will be retained for at least 3 years from the date permit coverage expires or is terminated. 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 upon my inquiry of the person or persons who manage the system, or those persons directly involved in gathering the information, the information submitted is to the best of my knowledge and belief true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.*

Print Name: _____ Title: _____

Signature: _____ Date: _____

## Part B: Annual Comprehensive Site Compliance Evaluation

**Reporting Period:** _____

1. Number of routine facility inspections you performed during the reporting period: _____

2. Dates of the Inspection performed: _____

3. Did any of your routine facility inspections find that one or more of your BMPs was not effective in controlling the pollutant source for which it was designed?

☐ Yes ☐ No ☐ All BMPs were effective

4. Were all BMPs you indicated you would be using in your SWP3 (Part 4.2.4), including good housekeeping practices, actually being implemented at the time of the Annual Comprehensive Site Compliance Evaluation?

☐ Yes ☐ No

5. If you found one or more ineffective BMPs, have they all been replaced with an alternative or modified BMP?

☐ Yes ☐ No ☐ All BMPs were being effective

6. Were there additional BMPs needed to address any conditions requiring corrective action?

☐ Yes ☐ No

7. If one or more BMPs were not being implemented, were corrective actions taken after the ***first*** inspection to eliminate the problem?

☐ Yes ☐ No ☐ All BMPs were being implemented

8. Was/were the same failure(s) to implement a BMP deficiency(ies) noted in more than one inspection?

☐ Yes ☐ No ☐ No deficiencies noted in any inspection

9. Document any deficiencies identified and any corrective actions implemented (see Part 6 of OKR05) to remove the original violation below. Use additional sheets if necessary.

| Date | Deficiencies | Corrected | | Date of Correction |
|---|---|---|---|---|
| _____ | _____ | ☐ Yes | ☐ No | _____ |
| _____ | _____ | ☐ Yes | ☐ No | _____ |
| _____ | _____ | ☐ Yes | ☐ No | _____ |
| | | ☐ Yes | ☐ No | |

| | |
|---|---|
| 10. | What must you do to correct the deficiencies that remain uncorrected?<br><br>_____<br><br>_____ |
| 11. | Did any conditions require SWP3 review and revision to eliminate design, selection, installation, and/or implementation problem during the past year? If yes, describe the conditions in brief:<br><br>☐ No ☐ Yes _____ |
| 12. | At any time during the reporting period, did you discover any previously unidentified *unauthorized* non-stormwater discharges from your facility or previously unidentified pollutants in the existing discharges?<br><br>☐ Yes ☐ No |
| 13. | Have all unauthorized non-stormwater discharges (including any discovered in previous years) been eliminated or permitted?<br><br>☐ Yes ☐ No ☐ Permit applied for ☐ No unauthorized discharges |
| 14. | Have any significant spills or leaks occurred at your facility during the reporting period?<br><br>☐ Yes ☐ No |
| 15. | If any significant spills or leaks occurred, did they result in either a dry weather discharge or an actual discharge of the spilled or leaked material commingled with stormwater (as opposed to the spilled material being washed away by stormwater?)<br><br>☐ Yes ☐ No |
| 16. | If any significant spills or leaks occurred, did they result in more than the minimum amounts of material being discharged in stormwater? Base your answer on your knowledge of the material you spilled or that leaked. The minimum amounts could vary with the nature (toxicity, oxygen demand, pH, etc.) of the spilled or leaked material from amounts left after normal ***sweeping*** type cleanup to the point at which even trace amounts left after cleanup could cause an environmental problem.<br><br>☐ Yes ☐ No ☐ No spills or leaks occurred |
| 17. | Have all known spills or leaks been cleaned up or otherwise prevented from contaminating stormwater that would be discharged under the authority of this permit?<br><br>☐ Yes ☐ No ☐ No spills or leaks occurred |
| 18. | How many times did you visually monitor all of your stormwater discharges at all the outfalls during the reporting year (count only those done in accordance with the procedures at Part 5.1 - Quarterly Visual Monitoring)?<br><br>_____ |
| 19. | Would the results of your visual monitoring indicate that there are pollutants in your stormwater discharges that are not adequately controlled by your current BMPs?<br><br>☐ Yes ☐ No |

20. If the results of your visual monitoring indicated a potential problem, was it due to one or more of the following?

☐ New pollutant source (including exposure of previously unexposed material)

☐ Failure to implement or maintain an existing BMP

☐ Less than expected performance from a BMP

☐ No BMP was selected to deal with that problem

☐ N/A (No problems identified)

21. If your visual monitoring indicated a potential problem, what have you done to resolve the problem?

☐ Eliminated exposure or pollutant source ☐ Modified existing BMPs

☐ Added a new BMP ☐ Plan to address problem by end of current reporting year

☐ Nothing planned ☐ N/A (No problems identified)

22. Did any monitoring results exceed a numeric effluent limitation contained in Part 7.2.2 and Part 11 during the past discharge monitoring period?

☐ Yes ☐ No

23. If your answer to the previous question was ***Yes***, list the dates, name of the pollutants and the test results that exceeded numeric effluent limitations. Use additional sheets if necessary.

| Date | Pollutants | Test Results | Date | Pollutants | Test Results |
|---|---|---|---|---|---|
| | | | | | |
| | | | | | |

24. Were there any incidents of noncompliance in the past year or any non-compliance that is currently ongoing?

☐ Yes ☐ No ☐ Compliant with the Permit

25. Were there any required revisions to the SWP3 resulting from the inspection and/or monitoring?

☐ Yes ☐ No

26. If your answer to the previous question was ***Yes***, list the dates, reason for revision and brief description of the revision. Use additional sheets if necessary.

| Date | Reason for Revision | Description of Revision |
|---|---|---|
| | | |
| | | |

# Instructions for Completing the Annual Comprehensive Site Compliance Evaluation Report (ACSCER) Form 606-005 for Stormwater Discharges Associated with Industrial Activity

## When to File an ACSCER Form

Permittees who are presently covered under OPDES MSGP OKR05 for stormwater discharges associated with industrial activity must submit an ACSCER form to DEQ by March 1 of each year beginning in 2018. If your authorization becomes effective less than one month from the end of the yearly monitoring period, your first monitoring period starts with the next annual monitoring period.

## Completing the Form

To complete this form, type or print in the appropriate areas only.

## Permit Information

Enter the existing DEQ Authorization assigned to the facility identified in Section I for stormwater discharges from industrial activity.

## Part A: Operator Information and Certification

### Section I. Operator Information

Provide the legal name of the person, firm, public organization or any other commercial entity that owns or operates the facility described in this application. The name of the operator may or may not be the same name as the facility. An operator is the legal entity that controls the facility's operation, rather than the plant or site manager. Provide complete mailing address including city, county, state, and ZIP code. Include operator's point of contact name, title, telephone number and a valid email address.

### Section II. Facility Information

Enter the facility's official or legal name and complete physical address including city, county, state, and ZIP code. Include facility's point of contact name, telephone number and email address. Indicate the latitude and longitude of the facility to the nearest 15 seconds. . Include facility's point of contact name, title, telephone number and a valid email address.

### Section III. Certification

The ACSCER form must be signed by a responsible party - ***for corporation:*** by a responsible corporate official, such as: president, vice president, secretary, and treasurer either for a corporation or company; ***for a partnership or sole proprietorship:*** by a general partner or the proprietor, respectively. (Note: ***for limited liability company (LLC):*** by one of its owners, called managing members/partners of the company); ***for a municipality, state, Federal, or other public facility:*** by either a principal executive or ranking elected official.

## Part B: Annual Comprehensive Site Compliance Evaluation Report

1. A summary of your past year's routine facility inspection documentation such as control measures' maintenance, repair and/or replacement, any additional control measures needed to comply with the permits;
2. The location(s) of discharges of pollutants from the site, evidence of pollutants discharging to receiving waters at all facility outfall(s), and the condition of and around the outfall(s);
3. A summary of your past year's corrective action documentation;
4. A summary of your past year's quarterly visual monitoring documentation;
5. A summary of your past year's effluent limitation violations if applicable; and
6. Describe any incidents of noncompliance in the past year or currently ongoing, or if none, provide a statement that you are in compliance with the Permit.

**Note:** *Please see Part 8.3 of OKR05 for detailed scope of Annual Comprehensive Site Compliance Evaluation.*

**Completed ACSCER form must be submitted to DEQ by March 1 of each year beginning in 2018.**

***If you need any assistance or have any question***, contact the Stormwater Unit of Environmental Complaints and Local Services (ECLS) of DEQ at (405) 702-6100 or email to: ecls-stormwaterpermitting@deq.ok.gov

## Where to file an ACSCER Form

Completed ACSCER form must be submitted to the following address:

Stormwater Unit of ECLS
Oklahoma DEQ
P.O. Box 1677
Oklahoma City, OK 73101-1677

or fax it to: (405)702-6226

or email it to: ecls-stormwaterpermitting@deq.ok.gov

*Commencing **December 21, 2020**, ACSCERs must be electronically submitted to DEQ. Instructions on how to access and use the appropriate electronic reporting tool will be made available on DEQ's website prior to the December 21, 2020 compliance deadline.*

# Appendix F: Notice of Certification of Industrial Existence (NCIE) Form

| DEQ Form 606-006 July 5, 2017 | | Oklahoma Department of Environmental Quality<br>Notice of Certification of Industrial Existence (NCIE)<br>for Stormwater Discharges Associated with Industrial Activity<br>under the OPDES Multi-sector General Permit OKR05 |
|---|---|---|

Submission of this certification gives notice that the party identified on this **Form** intends to be authorized by DEQ for stormwater discharges associated with industrial activity located within a watershed designated as ***Outstanding Resource Water*** and/or ***Scenic River*** within the State of Oklahoma.

**This form must be completed with all the pertinent information.**

## I. Facility Information

Facility Name: _____

Address: _____

City: _____ County: _____

State: _____ Zip Code: _____

Latitude: _____ Longitude: _____

Quarter: _____ Section: _____ Township: _____ Range: _____

Facility's Point of Contact : _____ Title: _____

Phone: _____ E-mail: _____

## II. Existence Statement

The industrial entity listed in Section I has been in continuous operation at the stated location beginning on or before June 25, 1992.

☐ Yes ☐ No

## III. Certification

*I certify under penalty of law that the information contained in this document and all attachments was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated 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: _____ Title: _____

Signature: _____ Date: _____

For DEQ use only: Assigned Authorization Number: OKR05_____

# Appendix G: Spill Prevention and Response Procedures Checklist

# Oklahoma Department of Environmental Quality
# Checklist for
## Spill Prevention and Response Procedures

The spill prevention and response procedures should clearly identify ways to reduce the chance of spills, stop the source of spills, contain and clean up spills, dispose of materials contaminated by spills, and train personnel responsible for spill prevention and response.

The procedures should include at least the following components:

- ✓ Personnel responsible for implementing the plan in the event of a spill. This should include at least one member of the ***Stormwater Pollution Prevention Team***.
    - Include names, titles, and contact information (phone numbers)
- ✓ A complete chemical inventory of the site/facility
- ✓ A description of existing or planned spill prevention equipment (e.g. leak detection devices) and structures (e.g. dikes) appropriate to the substances identified in the inventory.
- ✓ A procedure for notification of appropriate facility personnel, emergency response agencies, and regulatory agencies
    - Identify the specific personnel, emergency responders, and regulatory agencies to be notified. Include phone numbers. This should include local authorities and the DEQ. The EPA and the National Spill Response Center should be included, if appropriate. Include contact information for the emergency response/remediation company or contractor to be utilized in the event of a spill. Identify the person or persons responsible for making the notifications.
- ✓ A procedure for the immediate containment and cleanup of spills and the proper disposal of each type of waste identified in the site inventory.
    - Identify the personnel responsible for containment and cleanup activities. Identify the waste disposal company or site that will be used for any controlled waste that must be disposed of. (A mere statement that all state and federal rules will be followed is not acceptable.)
- ✓ A list of all types of equipment to be used to adequately contain and clean up each type of spill, including spill containment and cleanup kits. Identify the location where the equipment will be kept and the personnel who have direct access to it. For example, if it's in a locked building, identify the person who has the key.
- ✓ An outline of the training program for employees and subcontractors that addresses procedures to deal with spills and leaks at the site.

Note: If your facility/site is subject to 40 CFR Part 112 regulations that require Spill Prevention, Control, and Countermeasures (SPCC) plans for their aboveground and underground storage tanks, your SWP3 should refer to the SPCC plan.

# Oklahoma Department of Environmental Quality
## Water Quality Division

**Reissuance of**
## OPDES Multi-Sector General Permit OKR05
**for Stormwater Discharges Associated with Industrial Activity within the State of Oklahoma**

# Fact Sheet

**July _, 2017**

OKLAHOMA
DEPARTMENT OF ENVIRONMENTAL QUALITY

## Introduction

The Oklahoma Department of Environmental Quality (DEQ) is reissuing the OPDES Multi-Sector General Permit (MSGP) OKR05 for stormwater discharges associated with industrial activity within the state of Oklahoma. This Permit will replace the 2011 OKR05 permit that expired on September 4, 2016. All existing and new facilities must obtain an Authorization under this new 2017 OKR05 permit in order to discharge stormwater associated with industrial activity.

Under Section 402(p) of the Clean Water Act (CWA), the US Environmental Protection Agency (EPA) promulgated regulations (40 CFR § 122.26), known as the ***Phase I Stormwater Program***, that established permit requirements for stormwater discharges associated with industrial activity. On September 9, 1997, EPA delegated all the responsibility to DEQ to administer stormwater discharges associated with construction and industrial activities and from Municipal Separate Storm Sewer Systems (MS4s). This delegation excluded facilities located on Indian Land, Oil & Gas Exploration fields, and Agricultural Services & Forestry. DEQ issued its first MSGP GP-00-01 on October 2, 2000. This Permit included provisions that industrial facilities in 29 different industrial sectors implement control measures and prepare site-specific ***Stormwater Pollution Prevention Plan (SWP3)***. In addition, the OKR05 permit included a 30th sector, available for DEQ to permit additional industrial activities that the DEQ determines require permit coverage for industrial stormwater discharges not included in the other 29 industrial sectors. Currently, an estimated 1,654 facilities are authorized to discharge (or are covered) by the 2011 OKR05 permit. The industrial sectors are listed in the following table:

**Table 1: List of Industrial Sectors Covered under this Permit**

| | |
|---|---|
| **Sector A** – Timber Products | **Sector P** – Land Transportation |
| **Sector B** – Paper and Allied Products Manufacturing | **Sector Q** – Water Transportation |
| **Sector C** – Chemical and Allied Products Manufacturing | **Sector R** – Ship and Boat Building or Repairing Yards |
| **Sector D** – Asphalt Paving and Roofing Materials Manufactures and Lubricant Manufacturers | **Sector S** – Air Transportation Facilities |
| **Sector E** – Glass, Clay, Cement, Concrete, and Gypsum Product Manufacturing | **Sector T** – Treatment Works |
| **Sector F** – Primary Metals | **Sector U** – Food and Kindred Products |
| **Sector G** – Metal Mining (Ore Mining and Dressing) | **Sector V** – Textile Mills, Apparel, and other Fabric Products Manufacturing |
| **Sector H** – Coal Mines and Coal Mining-Related Facilities | **Sector W** – Furniture and Fixtures |
| **Sector I** – Oil and Gas Extraction | **Sector X** – Printing and Publishing |
| **Sector J** – Mineral Mining and Dressing | **Sector Y** – Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries |
| **Sector K** – Hazardous Waste Treatment Storage or Disposal | **Sector Z** – Leather Tanning and Finishing |
| **Sector L** – Landfills and Land Application Sites | **Sector AA** – Fabricated Metal Products |
| **Sector M** – Automobile Salvage Yards | **Sector AB** – Transportation Equipment, Industrial or Commercial Machinery |
| **Sector N** – Scrap Recycling Facilities | **Sector AC** – Electronic, Electrical, Photographic and Optical Goods |
| **Sector O** – Steam Electric Generating Facilities | **Sector AD** – Reserved for Facilities Not Covered Under Other Sectors and Designated by the Director |

DEQ proposes the reissuance of the 2017 OKR05 for stormwater discharges associated with industrial activity to replace the 2011 OKR05 permit. The reissuance procedure for this Permit is based on the Oklahoma Pollutant Discharge Elimination System (OPDES) Act, Title 27A O.S. § 2-6-201 et seq., Oklahoma Uniform Environmental Permitting Act, Title 27A O.S. § 2-14-101 et seq., and the rules of the DEQ.

The proposed permit will have a 5-year term from the effective date. If you had coverage for your facility under the 2011 OKR05, and an authorization was issued by DEQ, you must reapply to DEQ for a new authorization under this Permit. You are not considered covered until you receive an authorization from DEQ. Pursuant to OAC 785:45-5-25, this general permit does not apply to any new discharge or increased discharge that will result in significant impacts to any water body designated Outstanding Resource Water. If your facility is located within the watershed of a water body designated as Outstanding Resource Water, you must submit a Notice of Certification of Industrial Existence (NCIE Form 606-006) to DEQ.

You must have an authorization from DEQ before you can discharge stormwater from your industrial activity. You must prepare and implement a new SWP3 or update your existing SWP3 consistent with Part 4 of 2017 OKR05 permit prior to submitting your Notice of Intent (NOI) for coverage under this Permit. After preparing a SWP3 for your facility, you must submit an NOI and application fee and annual permit fee to DEQ to obtain an authorization under this Permit. You may also need to submit a copy of the SWP3 for DEQ review depending on the location and/or type of your facility.

## Summary of Changes from the 2011 OKR05

The 2017 OKR05 permit includes a number of new or modified requirements, and thus differs from the 2011 OKR05 permit in various ways. The following list summarizes the more significant changes to the 2011 OKR05 permit.

1. **Allowable Stormwater Discharges:** This sub-section is revised in-line with the new EPA MSGP and to eliminate redundancies.
2. **Allowable Non-stormwater Discharges:** The description of allowable pavement wash water is clarified to ensure use of hazardous cleaning products and contact of stormwater with other potential pollutants shall be avoided. Steam condensate that externally forms on steam lines is allowed as non-stormwater discharge.
3. **Requirements for Military Installations and Other State Facilities**: A separate subsection is added for Military Installations and Other State Facilities and clarified requirements for other state facilities.
4. **EPA Region 6 Authorization of Permitting Authority for Oklahoma:** Table 1-2 is revised to clarify Standard Industrial Classification (SIC) Codes and the areas of coverage where the EPA or other agencies are the permitting authority within the State of Oklahoma.
5. All third party web addresses are removed since addresses change frequently. Relevant web links will be available on the Stormwater page of DEQ's website which will be updated on an as-needed basis.
6. **Facilities and Activities Covered**: Table 1-3 is updated to include SIC Code 2911 - Petroleum Refineries under Sector C instead of Sector I. Sector I includes only SIC Code 1321 - Natural Gas Liquid Extraction Plants. Sector I also includes SIC Code 1389 since DEQ has the authority over ***Oil and Gas Services Maintenance Yards not elsewhere classified***, as identified under SIC Code 1389. SIC Codes 1311, 1381, 1382, and 5171 have been removed from Table 1-3 since EPA is the permitting authority for these SIC Codes.
7. **Limitations on Coverage:** The following changes are made to the permit:
    a. Limitations on coverage are revised to clarify that stormwater discharges mixed with non-stormwater are not covered under the permit unless those non-stormwater discharges are

listed in Part 1.3 of OKR05;

b. In addition to Sector J, stormwater discharges from on-going expansion and closure of incremental landfill cells are authorized by this Permit. Detailed description is specified in Part 11 Sector L of the Permit. Permittee must submit SWP3 to DEQ for review under Sectors J & L.

c. For Discharges to Water Quality-Impaired Waters: Requirements for stormwater discharges to water quality-impaired waters by new dischargers are revised to reflect the current requirements of the EPA MSGP.

d. The requirements for Stormwater Discharges Subject to Antidegradation Water Quality Standard are revised.

e. A new section is added for Historic Properties Preservation.

8. **Obtaining an Authorization:** Permittee is required to prepare and implement a Stormwater Pollution Prevention Plan (SWP3) according to the requirements in Part 4 of OKR05 before submitting an NOI to DEQ for authorization. This section is revised to clarify the steps for obtaining an authorization. Language is also added regarding electronic submittal of NOI in accordance with the federal eReporting Rule, commencing ***December 21, 2020***.

9. **Continuation of Coverage for Existing Permit:** A new provision is added regarding DEQ's right to modify or revoke and reissue this Permit and automatic termination of permit coverage if permittee fails to submit a timely NOI for coverage under the reissued or replacement permit.

10. **Coverage under Alternative Permit:** Added a new section with the provisions and requirements of coverage under an alternative permit and removed Section 8.1: requiring coverage under an individual permit.

11. **Terminating Permit Coverage:** This section is revised with the provisions that authorization is not terminated upon submittal of a Notice of Termination (NOT), but instead is terminated when DEQ issues a termination letter after receiving a complete and accurate NOT form. DEQ may permit a site inspection before issuing a termination letter. Language is also added regarding electronic submittal of NOI in accordance with the federal eReporting Rule, commencing December 21, 2020.

12. **Transfer of Permit Coverage:** This section is revised with the requirements that the new Owner or Operator must submit a complete and accurate NOI along with a complete and accurate NOT form from the previous operator to DEQ at least 30 days prior to taking over operational control of the facility. If the operational control of a portion of a facility changes, the new operator shall submit an NOI or an NEC, and the existing operator shall revise its SWP3 and submit an NOI for modification.

13. **Conditional Exclusion for No Exposure:** The provision that by filing a *Certification of No Exposure (NEC)*, *you are automatically removed from permit coverage* is removed. This section is revised with requirements of inspection by DEQ personnel to determine compliance with the ***no exposure exclusion***. The exclusion is only available facility-wide and is not available for individual outfalls. DEQ will issue a written or electronic notification to the facility confirming that it has met the No Exposure exclusion requirements. The Permittee must notify the MS4 operator if the facility discharges to an MS4. An NOT is required if the facility operations terminate entirely.

14. **Permit Compliance:** A new section is added on permit compliance consistent with the EPA MSGP.

15. **NOI Requirements:** The description for submitting an NOI is revised to clarify how to submit an NOI and that a SWP3 must be prepared or revised before submitting an NOI to DEQ for an authorization. Total area of the facility and estimated area of industrial activity at the facility exposed to stormwater in acres are included under ***Facility Information***. Language is also added regarding electronic submittal of NOI in accordance with the federal eReporting Rule, commencing December 21, 2020.

16. **Control Measures and Effluent Limits:** The technology-based effluent limitations and the water quality-based limitations and associated control measures requirements were embedded under SWP3 requirements in the previous Permit. A new *Control Measures and Effluent Limits* section is created in line with the EPA MSGP and incorporates most of the requirements from the EPA MSGP. This section includes a greater level of specificity in order to make the requirements clearer and to enable permittees to better comply with the effluent limits. The effluent limits are clarified to include requirements for minimizing exposure, good housekeeping, maintenance, spill prevention and response procedures, and employee training. Seven criteria are included for selecting and designing control measures. New requirements for facilities handling pre-production plastic are included to eliminate discharge of plastic in stormwater.

    Permittee must inspect and maintain bag-houses to prevent dust from escaping. Facilities with catch basins must clean out the catch basins when the depth of debris reaches half (1/2) the basin depth and must keep the debris surface at least 6 inches below the lowest outlet pipe. Permittee must conduct the necessary maintenance ***immediately*** in order to *minimize* pollutant discharges.

    A separate sub-section is added for numeric effluent limitations based on effluent limitations guidelines. Best professional judgment (BPJ) based numeric effluent limitations for coal pile runoff is applicable to all facilities that have stormwater discharges from coal piles.

    Water quality-based effluent limitations for stormwater discharges are included in a separate section 3.2 to meet the applicable water quality standards.

17. **Stormwater Pollution Prevention Plan (SWP3):** Part 4 for SWP3 requirements is completely reorganized. Control measures, structural and non-structural BMPs, inspections, corrective actions, monitoring and reporting requirements are described under separate sections and modified consistent with the EPA's 2015 MSGP. The following major changes have been made to the Permit:

    a. Role and responsibility of stormwater team members is added. Stormwater pollution prevention team is responsible for overseeing development of the SWP3, any modifications to it, and for implementing and maintaining control measures and taking corrective actions when required, supervising the housekeeping program, documenting changes to the SWP3, providing staff training and communicating changes in the SWP3 to the people working on the site.

    b. Description of potential pollutant sources is updated. Structures located in areas of industrial activity can be a source of pollutants.

    c. Spills and leaks, sources of allowable non-stormwater discharges, unauthorized non-stormwater discharges, salt storage and coal pile storage descriptions are now included under potential pollutant sources. A certification requirement for sources of allowable non-stormwater discharges is removed.

    d. Permittee must document the evaluation for the presence of any unauthorized non-stormwater discharges and include a certification in the SWP3.

    e. Permittee must describe the type and location of different control measures that have been specifically chosen, designed and/or implemented to comply with numeric and non-numeric technology-based effluent limits, water quality-based effluent limits, and any additional measures that formed the basis of eligibility regarding threatened and endangered species, and/or historic properties. Permittees are also required to document how they addressed the selection and design considerations regarding control measures.

    f. Permittee must document specific information in the SWP3 pertaining to the substantially identical outfall exception for quarterly visual monitoring requirements in Part 4.2.3 or impaired waters monitoring requirements in Part 7.2.1 and Part 7.2.4.1.

g. Additional Documentation Requirements section is added to clarify the types of documentation that must be included in the SWP3.

h. Language is also added regarding electronic submittal of NOI in accordance with the federal eReporting Rule, commencing December 21, 2020.

18. **Inspections:** Routine facility inspection requirement is revised to be consistent with the current EPA MSGP with respect to areas to be covered and items to be inspected. Exceptions to routine facility inspection for inactive and unstaffed sites were revised. To invoke this exception, Permittee must include a statement in the SWP3 per Part 9.16 indicating that the site is inactive and unstaffed, and that there are ***no industrial materials or activities exposed to stormwater***, in accordance with the substantive requirements in 40 CFR § 122.26(g)(4)(iii). The statement must be signed and certified in accordance with Part 9.16. Inactive and unstaffed facilities covered under Sectors G, H and J are not required to meet the ***no industrial materials or activities exposed to stormwater***.

19. **Corrective Actions:** Corrective actions requirements are clarified to indicate which conditions and corrective actions require a SWP3 review, as well as the reporting requirements following corrective actions. If corrective action is needed, Permittee must ***immediately*** take ***all reasonable steps*** necessary to ***minimize*** or prevent the discharge of pollutants. Definitions of *immediately* and *all reasonable steps* are included to clarify the terms*. Subsequent actions must be taken within 14 days* from the time of discovery of the corrective action condition.

20. **Monitoring Requirements:** Monitoring requirements are reorganized consistent with the current EPA MSGP. Added specific dates for quarterly monitoring. Monitoring is categorized into four types. They are as follows: quarterly visual monitoring, annual effluent limitations guidelines monitoring, impaired waters monitoring, and other monitoring as required by DEQ. The latter two types are new and are consistent with the current EPA MSGP. Permittees are required to monitor discharges to impaired waters once per year. However, if the pollutant of concern is not detected and not expected to be present in the discharge, the Permittee may discontinue monitoring for that pollutant following the permit requirements. DEQ may establish and notify the Permittee for additional discharge monitoring requirements. Such notification will include the reasons for monitoring. Whenever the visual monitoring shows evidence of stormwater pollution, the Permittee must initiate the corrective action procedures in Part 6 of the Permit. Specific information requirement is added for visual monitoring in Part 7.2.2. Exceptions to the quarterly visual monitoring are included for *adverse weather or no rain conditions and substantially identical outfalls.*

21. **Reporting and Recordkeeping:** Discharge Monitoring Reports (DMRs) shall be submitted electronically to DEQ by no later than the 15$^{th}$ day of the following month after the end of the monitoring period. Information requirements for Annual Comprehensive Site Compliance Evaluation Report (ACSCER) are revised based on the requirement of the current Permit. Added reporting requirement for exceedance of Numeric Effluent Limitations, along with specific information to be reported. The Permittee is also required to submit additional reports on reportable quantity spills, planned changes, anticipated noncompliance, compliance schedules, other noncompliance, and other information. Language is also added regarding electronic submittal of NOIs, SWP3s and ACSCERs in accordance with the federal eReporting Rule, commencing December 21, 2020.

22. **Standard Permit Conditions:** Penalties for violations subsection is expanded in accordance with the OPDES Act. Duty to reapply requirements is added and inspection and entry requirements are revised to include sampling and monitoring at reasonable times. Reporting requirements are included for planned changes, anticipated noncompliance, compliance schedules, other noncompliance, and other information. The reopener clause is expanded to include timing of permit modification. Permittee must retain a complete copy of the current SWP3 and any other reports/documents, as required by this Permit, at the facility in any accessible format and make them available for review by regulatory agencies.

23. **Signatory Requirements:** A ***note*** is included for limited liability company (LLC) under Part 9.16.

24. **Definitions:** Several new definitions are added for different key terms/words that are used in the Permit.

25. **Sector Specific Requirements.** The specific requirements are reorganized slightly. The major additions and modifications are listed below:

    a. *Sector C Chemical and Allied Products Manufacturing:* Petroleum Refining under SIC Code 2911 was incorrectly included under Sector I. This SIC Code 2911 is supposed to be under Sector C. This inadvertent error is corrected. Petroleum Refining is now under Sector C instead of Sector I. Additional technology-based effluent limits subsection is included with the requirements for minimizing exposure, erosion and sediment control and runoff management.

    b. *Sector D Asphalt Paving and Roofing Materials and Lubricant Manufacturers:* Limitations on coverage are revised consistent with the current EPA MSGP. Effluent limitations and monitoring are applicable to all facilities under this sector.

    c. *Sector F Primary Metals:* Additional requirements for stabilization of unpaved areas are included under sector specific Additional Technology-based Effluent Limits consistent with the current EPA MSGP.

    d. *Sector G Metal Mining (Ore Mining and Dressing):* Definition for *active mining activities* and the definition of the term *mining operation are updated.*

    e. *Sector H Coal Mines:* Limitations of coverage are revised with the provision that stormwater discharges subject to an existing effluent limitation guideline at 40 CFR Part 434 are not authorized by this Permit. Definition for *active mining activities, earth-disturbing activities conducted prior to active mining activities, active mining areas* are added and the definition of the term *mining operation* is updated.

    f. *Sector I Oil and Gas Extraction:* SIC codes are added to specify the types of facilities where DEQ has jurisdiction and where EPA has jurisdiction. Inspection frequency for erosion and sediment controls is included consistent with the current EPA MSGP. Sector I also includes SIC Code 1389 since DEQ has the authority over *Oil and Gas Services Maintenance Yards not elsewhere classified*, as identified under SIC Code 1389.

    g. *Sector J Mineral Mining and Dressing:* Covered stormwater discharges are clarified to be consistent with EPA's current MSGP. Definition for *active mining activities*, *earth-disturbing activities conducted prior to active mining activities*, *active mining areas* are added and the definition of the term *mining operation is updated*. Requirements applicable to earth-disturbing activities conducted prior to active mining activities are revised consistent with the current EPA MSGP.

    h. *Sector L Landfills and Land Application Sites:* A provision is added specifying that stormwater discharges from continued expansion or closure of incremental landfill cells are authorized under this Permit, since these are normal aspects of landfill operations. However, a *landfill is subject to the Construction General Permitting requirements during the time the landfill is initially constructed and prior to operation.* Stormwater discharges from open dumps as defined under RCRA are also not authorized under this Permit. Requirements applicable to earth-disturbing activities conducted once landfill operations begin are included. Definition for ***e****arth-disturbing activities conducted once landfill operations begin is added.* Additional technology-based erosion and sediment control requirements are included to minimize discharge of pollutants from the places where final vegetation has not yet been established.

    i. *Sector P Land Transportation and Warehousing:* SIC Code 5171 is excluded in this Permit since EPA has the permitting jurisdiction.

j. *Sector S Air Transportation:* Industrial activities covered by Sector S are revised based on EPA Sector-Specific Factsheets. Management of runoff requirements under additional technology-based effluent limits are revised consistent with the current EPA MSGP. Effluent limits for Ammonia as Nitrogen are corrected based on Effluent Limitations Guidelines in 40 CFR Part 449. A note is included requiring compliance with the applicable monitoring, reporting and recordkeeping requirements outlined in 40 CFR § 449.20. 40 CFR Part 449 applies only to airports with 1,000 or more annual non-propeller aircraft departures. However, effluent limitation requirement is extended based on BPJ to all existing and new airports based on the 2011 OKR05 general permit and anti-backsliding provisions of 40 CFR § 122.44(l)(1).

26. **Appendices:** Sensitive Waters & Watersheds, procedures for eligibility determination for Endangered Species, NOI, NOT and all other forms are included in the different Appendices.

# Summary of the 2017 OKR05 Permit

## Part 1: Eligibility and Coverage

Part 1 of the Permit explains the eligibility and coverage requirements under this Permit. As with the previous permit, operators of industrial facilities must meet the eligibility provisions described in Part 1.2 of this Permit to be eligible for coverage under the 2017 OKR05 permit. If they do not meet all the eligibility requirements, operators must not submit a NOI to be covered by the 2017 OKR05 permit. And, unless they obtain coverage for those discharges under another permit, those discharges of stormwater associated with industrial activity needing permit coverage will be in violation of the CWA. If non-stormwater discharges requiring OPDES permit coverage other than those specifically authorized in Part 1.3 will be discharged, such non-stormwater discharges are not authorized by this Permit and must either be eliminated or covered under another OPDES permit. Part 1.3 also lists additional authorized non-stormwater discharges for Sector A and for earth-disturbing activities conducted prior to active mining activities for Sector J and L.

The 2017 OKR05 permit is available for stormwater discharges from 29 sectors of industrial activity (Sector A – Sector AC), as well as any discharge not covered under the 29 sectors (Sector AD) that has been identified by DEQ as appropriate for coverage. The sector descriptions are based on SIC Codes and Industrial Activity Codes consistent with the definition of stormwater discharge associated with industrial activity at 40 CFR § 122.26(b)(14)(i-ix, xi). Part 1.8 describes the limitations on what is covered under this Permit. Any discharges not expressly authorized under the OKR05 permit cannot become authorized or shielded from liability under CWA Section 402(k) by disclosure to DEQ, EPA, or local authorities after issuance of the OKR05 permit via any means, including the NOI to be covered by this Permit, the SWP3, or during an inspection.

To obtain authorization under the OKR05 permit, a discharger must be an operator of an industrial facility in a sector covered by the permit (see Table 1-3 of this Permit); be located within the boundary of the State; meet the Part 1.2 eligibility requirements; select, design, install, and implement control measures in accordance with Parts 3.1 and 3.2 to meet numeric and non-numeric effluent limits; develop a SWP3 according to the requirements of Part 4 of the Permit or update the existing SWP3 consistent with Part 4 prior to submitting the NOI for permit coverage; and submit a complete and accurate NOI and applicable fee.

If the Permit is not reissued or replaced prior to the expiration date, it will be administratively continued in accordance with 40 CFR § 122.6 and remain in force and effect for discharges that were covered prior to its expiration. This Part also describes the procedures for obtaining an alternative permit. The following are scenarios in which an alternative permit may be required: 1) a new or previously permitted facility is denied coverage under the OKR05 permit; 2) an existing facility covered under the 2011 OKR05 permit loses their authorization; or 3) a permittee requests to be covered under an alternative permit.

To terminate the Permit coverage, permittees must submit a complete and accurate NOT, and their authorization to discharge terminates at midnight of the day that they are notified that their complete NOT

has been processed. If DEQ determines that the NOT is incomplete or that permittees have not satisfied one of the termination conditions, then the NOT is not valid and permittees must continue to comply with the conditions of the Permit. By submitting a NEC form and receiving confirmation from DEQ permittees are no longer required to comply with the OKR05 permit (including the NOT requirements), provided the condition of ***no exposure*** (i.e., all industrial materials and operations are not exposed to stormwater) is maintained. A NEC must be submitted once every 5 years.

## Part 2: NOI Requirements

Part 2 includes NOI requirements, content, certification requirement, and address to submit a completed NOI, and required application and annual permit fees. Part 2 also includes federal eReporting Rule requirements for electronic submittal of NOIs commencing December 21, 2020.

## Part 3: Control Measures and Effluent Limits

Part 3 explains control measures and effluent limitation requirements under this Permit. Stormwater ***control measures*** can be *actions* (including processes, procedures, schedules of activities, prohibitions on practices and other management practices), or structural or installed devices to minimize or prevent water pollution. The permit's approach to control measures is consistent with the CWA and its implementing regulations at 40 CFR § 122.44(k)(4). This Permit contains effluent limits that correspond to required levels of technology-based controls. Where an ELG or NSPS applies to discharges authorized by this Permit, the requirement must be incorporated into the permit as an effluent limitation. These limits are included, as applicable, in the sector-specific requirements of Part 11 of this Permit. Where EPA has not yet issued an effluent limitation guideline (ELG), the appropriate technology-based level of controls was determined based on best professional judgment (BPJ) of the permit writer. Most of the non-numeric technology-based limits are developed using BPJ pursuant to 40 CFR § 122.44(k) because no ELG applies.

In addition to ELG-based effluent limits, this Permit also includes water quality-based effluent limits (WQBELs) to ensure that authorized discharges will be controlled as necessary to meet applicable water quality standards, pursuant to CWA section 301(b)(1)(C) and 40 CFR § 122.44(d)(1). The WQBELs included in the permit continue to be non-numeric.

There are many options to accomplish the objective of preventing pollutants from entering waters of the State, and of meeting applicable limits. Industrial facility operators are required to select, design, install and implement site-specific control measures to meet these limits. DEQ generally does not mandate the specific stormwater control measures that operators must select, design, install and implement to meet the technology-based effluent limits in the permit. This Permit provides operators the flexibility to determine their site-specific controls, taking into consideration what controls are most suited for their industry in terms of economic practicability and technology availability, and in some cases, considerations such as available space and safety.

The requirements in Part 3 are the effluent limits applicable to all discharges associated with industrial activity for all sectors, while additional sector-specific effluent limits are found in Part 11. Operators are required to select, design, install, and implement control measures, in accordance with good engineering practices and manufacturer's specifications, to meet the non-numeric and numeric technology-based effluent limits listed in Part 3.1.2 and Part 3.1.3 and the water quality-based effluent limitations in Part 3.2. Operators must be aware that regulated stormwater discharges include stormwater run-on from outside sources that commingles with their own stormwater discharges associated with industrial activity, and they must account for the commingled runoff accordingly when selecting control measures. If operators find their stormwater control measures are not reducing pollutant discharges adequately, the control measures must be modified in accordance with the Part 5 corrective action requirements.

The permittees are required to include appropriate Spill Prevention and Response Procedures to minimize the

potential for stormwater exposure from leaks, spills and other releases, which are major sources of stormwater pollution. In addition to implementing spill prevention and response measures to minimize stormwater contamination, DEQ encourages permittees to implement controls that will minimize the potential for leaked or spilled material from storage tanks to be discharged into receiving waterbodies.

DEQ encourages OKR05 permittees with material storage tanks, especially those with chemical storage tanks, to implement controls such as the following to both minimize the potential for stormwater contamination and to minimize the potential for direct discharges from storage tank spills or leaks:

- Secondary containment: For all chemical liquids and petroleum products that are held in a storage area, tank or other container, store the fluids within an impermeable secondary containment area with a retention capacity of at least 110% of the volume of the largest tank or container, or 10% of the total volume of all tanks and containers in the area, whichever is larger. There should be no overflow from the secondary containment area, which should be designed, constructed, operated and maintained so that the materials can be recovered and so that polluting materials cannot escape directly or indirectly to any public sewer system or to surface waters or ground water. Records should be maintained that document all such tanks and stored materials and their associated secondary containment area.
- Secondary containment valves: Secondary containment area valves that could provide stormwater and retained fluids access to a stormwater conveyance system should be controlled by manually activated valves or other similar devices (these should be secured and remain closed with a locking mechanism). Stormwater that accumulates in the containment area should be visually inspected to ensure no leaks or spills have occurred before release of the accumulated stormwater. Records should be maintained that document the individual making the observation, the description of the accumulated stormwater, and the date and time of the release.

Stormwater discharges are allowed from secondary containment when a ***facility*** or ***operator*** meets the above-mentioned requirements. This effluent limit also requires that all industrial equipment and systems be kept in effective operating condition in order to minimize pollutant discharges.

This part also specifies that the presence of non-stormwater discharges must be evaluated, and any non-stormwater discharges not explicitly authorized in Part 1.3 or covered by another OPDES permit must be eliminated. Other than the exclusive list of authorized non-stormwater discharges listed in Part 1.3 of this Permit, non-stormwater discharges requiring OPDES permit coverage are not authorized under this Permit. Additionally, Part 3.1.2.9 requires that all wash water, with the exception of discharges from pavement wash water and routine building wash-down per Part 1.3, drain to a sanitary sewer, sump or other appropriate collection system (i.e., not the stormwater drainage system). Additionally, the discharge of vehicle and equipment wash water, including tank cleaning operations, is not authorized by the permit. These wastewaters must be covered under a separate OPDES permit, discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements, or disposed of otherwise in accordance with applicable law. Common unauthorized discharges and common resolutions include: re-routing sanitary wastes (e.g., sinks, drinking fountains, toilets) to sanitary sewer systems; obtaining an appropriate OPDES permit for cooling water or industrial process wastewater discharges; capping or plugging floor drains; and prohibiting practices such as paint brush washing or wash bucket dumping into storm drain inlets.

## Part 4: Stormwater Pollution Prevention Plan

Part 4 describes the requirements and contents of the ***SWP3.*** To be covered under this Permit, operators must prepare a SWP3 prior to submitting an NOI for permit coverage (ongoing ***permittees must update their existing SWP3 in accordance with the requirements of 2017 OKR05 permit***). *The SWP3 itself does not contain effluent limits*; rather, it constitutes a tool to assist permittees, inspectors, and other authorities in ensuring and documenting that effluent limits are met. Operators must develop a SWP3 to document the ***specific control measures*** they will use to meet the limits contained in Part 3 & Part 11 of this Permit, if applicable, as

well as to document compliance with other permit requirements (e.g., inspection, corrective actions, monitoring, reporting, and recordkeeping). The SWP3 must be kept up-to-date (e.g., with inspection findings, after stormwater controls are modified). Failure to develop and maintain a current SWP3 is a recordkeeping violation of the permit, and is separate and distinct from a violation of any of the other substantive requirements in the permit, such as effluent limits, corrective action, inspections, monitoring, reporting, and sector-specific requirements.

The SWP3 must be prepared in accordance with good engineering practices and to industry standards. The SWP3 may be developed by either the facility itself or a contractor, but in all cases, *the SWP3 preparer must be a* ***qualified person***, and the SWP3 must be certified per the signature requirements in Part 9.16. The SWP3 must clearly describe the responsibilities of each team member to ensure that each aspect of the plan is covered. Operators must describe in their SWP3 the ***control measures*** implemented at their site to achieve each of the effluent limits in Parts 3.1.2, 3.1.3, 3.2, 3.3, & 11 (if applicable), and to address any stormwater run-on that commingles with discharges covered under the permit. The description of the ***control measures*** must include the location and type of control implemented, including how the Part 3.1.1 selection and design considerations were followed, and how they address the pollutant sources in Part 4.2.3. The SWP3 must include information such as person(s) or position(s) performing the inspections and monitoring, the specific items to be covered by the inspections and monitoring, and the respective schedules. Permittees are required to document in a SWP3 the specific monitoring requirements and procedures that they will follow. Permittees must include information such as locations where samples are to be collected, person(s) or position(s) responsible for collecting samples, the frequency of sampling and the pollutants to be sampled, sampling protocols, natural background level information, if applicable, and procedures that will be followed to gather storm event data. Requiring this documentation helps ensure that operators know about their monitoring responsibilities and should improve facility compliance with the permit's requirements.

This Permit requires the permittee to sign and date the SWP3 consistent with procedures detailed in Part 9.16 (a standard permit condition for signatory requirements, pursuant to 40 CFR § 122.22). Permittees may appoint an authorized representative consistent with EPA regulations if they think it is more appropriate for someone else to sign the SWP3 certification, e.g., a member of the stormwater pollution prevention plan team. The signature requirement includes an acknowledgment that there are significant penalties for submitting false information. This Permit requires that a complete and current SWP3 be accessible in any format at the facility and must be immediately available to facility employees; DEQ, EPA, or the operator of an MS4 receiving discharges from the facility; and representatives of the US FWS at the time of a site inspection.

## Part 5: Inspections

Part 5 includes inspection requirements under this Permit. All permittees covered under this Permit are required to conduct routine facility inspections at least quarterly in the following areas: areas where industrial materials or activities are exposed to stormwater; areas identified in the SWP3 that are potential pollutant sources; areas where spills and leaks have occurred in the past 3 years; discharge points; and control measures used to comply with the effluent limits contained in the permit. Increased frequency (i.e., more than quarterly) may be appropriate for some types of equipment, processes and stormwater control measures, or areas of the facility with significant activities and materials exposed to stormwater. Qualified personnel must conduct the routine facility inspections, with at least one member of the stormwater pollution prevention team participating.

## Part 6: Corrective Actions

Part 6 describes the requirements and conditions that may trigger corrective actions. If operators find that any of the conditions in Part 6.1 of the permit have occurred, they are required to review and revise their SWP3 to eliminate the condition so that the permit's effluent limits are met and pollutant discharges are minimized. The corrective action triggering conditions in Part 6.2 require a SWP3 review to determine if any modifications are necessary to meet the effluent limits in the permit. When conditions exist that trigger corrective action,

permittees must take immediate action to minimize or prevent pollutant discharges until a permanent solution is implemented. For the purpose of this Permit, this includes any action taken, or required to be taken, to (1) repair, modify or replace any stormwater control used at the site; (2) clean up and dispose of spills, releases or other deposits found on the site; and (3) remedy a permit violation.

## Part 7: Monitoring Requirements

Part 7 clarifies the procedures for monitoring requirements. This Permit requires that stormwater samples be collected, analyzed, and documented consistent with requirements of the permit. This Permit contains four types of monitoring requirements: quarterly visual monitoring; effluent limitations monitoring; impaired waters monitoring; and other monitoring required by DEQ.

Quarterly visual monitoring of stormwater discharges provides a useful and inexpensive means for permittees to evaluate the effectiveness of their control measures. Although the visual examination cannot assess the chemical properties of the stormwater discharged from the site, the examination will provide meaningful results upon which the permittee may act quickly. All industrial sectors covered by this Permit are required to conduct these visual examinations. The Permit requires that grab samples of stormwater discharges be collected and examined visually for the presence of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of stormwater pollution. No analytical tests are required to be performed on these samples. The grab samples must be taken within the first 30 minutes or as soon as practicable after the occurrence of an actual discharge from the site (including documentation of why sampling was not practicable within the first 30 minutes, if applicable). If the visual monitoring shows any evidence of stormwater pollution, corrective action procedures must be initiated in accordance with Part 6 of the Permit.

Numeric effluent limitations have been included in previous versions of the OKR05 permit based on national effluent limitation guidelines for certain industry-specific discharges. Consistent with minimum monitoring requirements for NPDES permit limits established at 40 § CFR 122.44(i), monitoring for these parameters must be conducted at least once each year for the duration of permit coverage. Numeric effluent limitations are specified in the sector-specific requirements in Part 11. Monitoring for all parameters must be conducted according to the procedures in Part 7.1 unless otherwise noted. This Permit also contains provisions for monitoring discharges to water quality impaired receiving waters. Operators must indicate in their NOI whether they discharge to an impaired water, and, if so, the pollutants causing the impairment, or any pollutants for which there is a TMDL or watershed plan in lieu of a TMDL. The appropriate impaired waters monitoring frequency is determined based on whether there is an established TMDL or watershed plan in lieu of a TMDL for the pollutant in the impaired water.

DEQ may determine that additional discharge monitoring is necessary to meet the permit's effluent limits, specifically the permit's water quality-based effluent limits. In this case, DEQ will provide the facility with a brief description of why additional monitoring is needed, locations and parameters to be monitored, frequency and period of monitoring, sample types, and reporting requirements.

## Part 8: Reporting and Recordkeeping

Part 8 describes that permittees must comply with a number of different reporting requirements in the permit. Permittees must submit an annual comprehensive site compliance evaluation report (ACSCER)/Annual Report to DEQ. The annual report must include a summary of the routine site inspection and visual monitoring findings, corrective action documentation and any noncompliance observed, a summary of effluent limitation violations, if applicable, and a certification statement. Annual report must be submitted by March 1 for each previous year of permit coverage. This Permit also requires permittees to maintain certain records to help them assess performance of ***control measures*** and as a way to document compliance with permit conditions. These requirements are consistent with federal regulations at 40 CFR § 122.41(j), but have been tailored to more closely reflect requirements of the Permit. Permittees must retain copies of these documents for a

period of at least 3 years from the date that permittees' coverage under the permit expires or is terminated.

## Part 9: Standard Permit Conditions

This part includes special permit conditions consistent with federal regulations at 40 CFR § 122.41, the OPDES Act, Oklahoma Uniform Environmental Permitting Act, and the rules of the DEQ. Signatory requirement f*or a limited liability company (LLC)* is included in the 2017 OKR05 for simplicity where one of the owners, called a managing member of the company, can sign an NOI and all required reports.

## Part 10: Definitions

This part includes definitions for permit-specific terms that are used throughout the permit.

## Part 11: Sector-Specific Requirements

Part 11 of the Permit contains sector-specific requirements. This Permit is applicable to stormwater discharges from the listed 29 sectors of industrial activity (Sector A – Sector AC), as well as any discharge not covered under the 29 sectors that has been identified by DEQ as appropriate for coverage (Sector AD).

## Appendices

Appendices A – H includes maps for Sensitive Waters & Watersheds, procedures for eligibility determination for Endangered Species, NOI, NOT, NEC, and all other forms.