

H. Storm Water Discharges Associated With Industrial Activity From Coal Mines and Coal Mining-Related Facilities.

1. Coverage of This Section.

- a. Discharges Covered Under This Section. The requirements listed under this section shall apply to storm water discharges from coal mining-related areas (SIC Major Group 12) if they are not subject to effluent limitations guidelines under *40 CFR Part 434*.
 - 1) Site Coverage. Storm water discharges from the following portions of coal mines may be eligible for this permit: haul roads (nonpublic roads on which coal or coal refuse is conveyed), access roads (nonpublic roads providing light vehicular traffic within the facility property and to public roadways), railroad spurs, sidings, 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 conveyor areas, including transfer stations), 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 on private lands).
- b. Limitations. Storm water discharges from inactive mining activities occurring on Federal lands where an operator cannot be identified are not eligible for coverage under this permit.
- c. Co-Located Industrial Activities. When an industrial facility, described by paragraph *a.* (above) of this section, has industrial activities being conducted onsite that meet the description(s) of industrial activities in another section(s), that industrial facility shall comply with any and all applicable monitoring and pollution prevention plan requirements of the other section(s) in addition to all applicable requirements in this section. The monitoring and pollution prevention plan terms and conditions of this multi-sector permit are additive for industrial activities being conducted at the same industrial facility. The operator of the facility shall determine which other monitoring and pollution prevention plan section(s) of this permit (if any) are applicable to the facility.

2. Special Conditions

- a. Prohibition of Non-storm Water Discharges. In addition to the broad prohibition of non-storm water discharges of *Part II.A.2.* of the permit, point source discharges of pollutant seeps or underground drainage from inactive coal mines and refuse disposal areas that do not occur as storm water discharges in response to precipitation events are also excluded from coverage under this permit. In addition, floor drains from maintenance buildings and other similar drains in mining and preparation plant areas are prohibited.
3. Storm Water Pollution Prevention Plan Requirements. Most of the active coal mining-related areas, described in paragraph *I.* above, are subject to sediment and erosion control regulations of the U.S. Office of Surface Mining (OSM) that enforces the *Surface Mining Control and*

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Reclamation Act (SMCRA). OSM has granted authority to the Utah Division of Oil Gas and Mining (DOGM) to implement *SMCRA* through State *SMCRA* regulations. All *SMCRA* requirements regarding control of erosion, siltation and other pollutants resulting from storm water runoff, including road dust resulting from erosion, shall be primary requirements of the pollution prevention plan and shall be included in the contents of the plan directly, or by reference. Where determined to be appropriate for protection of water quality, additional sedimentation and erosion controls may be warranted.

- a. Contents of Plan. The plan shall include at a minimum, the following items:
- 1) Pollution Prevention Team. Each plan shall identify a specific individual or individuals within the facility organization as members of a storm water Pollution Prevention Team that are responsible for developing the storm water pollution prevention plan and assisting the facility manager in its implementation, maintenance, and revision. The plan shall clearly identify the responsibilities of each team member. The activities and responsibilities of the team shall address all aspects of the facility's storm water pollution prevention plan.
 - 2) Description of Potential Pollutant Sources. Each plan shall provide a description of potential sources that may reasonably be expected to add significant amounts of pollutants to storm water discharges or that may result in the discharge of pollutants during dry weather from separate storm sewers draining the facility. Each plan shall identify all activities and significant materials that may potentially be significant pollutant sources. Each plan shall include, at a minimum:
 - a) Drainage.
 - (1) A site map, such as a drainage map required for *SMCRA* permit applications, which indicate drainage areas and storm water outfalls. These shall include but not be limited to the following:
 - (2) Drainage direction and discharge points from all applicable mining-related areas described in paragraph *1.a.1*). (Site Coverage) above, including culvert and sump discharges from roads and rail beds and also from equipment and maintenance areas subject to storm runoff of fuel, lubricants and other potentially harmful liquids.
 - (3) Location of each existing erosion and sedimentation control structure or other control measures for reducing pollutants in storm water runoff.
 - (4) Receiving streams or other surface water bodies.
 - (5) Locations exposed to precipitation that contain acidic spoil, refuse or unreclaimed disturbed areas.

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- (6) Locations where major spills or leaks of toxic or hazardous pollutants have occurred.
 - (7) Locations where liquid storage tanks containing potential pollutants, such as caustics, hydraulic fluids and lubricants, are exposed to precipitation.
 - (8) Locations where fueling stations, vehicle and equipment maintenance areas are exposed to precipitation.
 - (9) Locations of outfalls and the types of discharges contained in the drainage areas of the outfalls.
 - (10) For each area of the facility that generates storm water discharges associated with the mining-related activity with a reasonable potential for containing significant amounts of pollutants, a prediction of the direction of flow, and an identification of the types of pollutants that are likely to be present in storm water discharges associated with the activity. Factors to consider include the toxicity of the pollutant; quantity of chemicals used, produced or discharged; the likelihood of contact with storm water; and history of significant leaks or spills of toxic or hazardous pollutants. Flows with a significant potential for causing erosion shall be identified.
- b) Inventory of Exposed Materials. An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of 3 years prior to the date of the submission of a *Notice of Intent (NOI)* to be covered under this permit and the present; method and location of onsite storage or disposal; materials management practices employed to minimize contact of materials with storm water runoff between the time of 3 years prior to the date of the submission of a *Notice of Intent (NOI)* to be covered under this permit and the present; the location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives.
- c) Spills and Leaks. A list of significant spills and leaks of toxic or hazardous pollutants that occurred at areas that are exposed to precipitation or that otherwise drain to a storm water conveyance at the facility after the date of 3 years prior to the date of the submission of a *Notice of Intent (NOI)* to be covered under this permit. Such list shall be updated as appropriate during the term of the permit.
- d) Sampling Data. A summary of any existing discharge sampling data describing pollutants in storm water discharges from the portions of the facility covered by this permit, including a summary of any sampling data collected during the term

of this permit.

- e) Risk Identification and Summary of Potential Pollutant Sources. A narrative description of the potential pollutant sources from the following activities: truck traffic on haul roads and resulting generation of sediment subject to runoff and dust generation; fuel or other liquid storage; pressure lines containing slurry, hydraulic fluid or other potential harmful liquids; and loading or temporary storage of acidic refuse or spoil. Specific potential pollutants shall be identified, where known.
- 3) Measures and Controls. Each facility covered by this permit shall develop a description of storm water management controls appropriate for the facility and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls shall address the following minimum components, including a schedule for implementing such controls.
- a) Good Housekeeping. Good housekeeping requires the maintenance of areas that may contribute pollutants to storm water discharges in a clean, orderly manner. These would be practices that would minimize the generation of pollutants at the source or before it would be necessary to employ sediment ponds or other control measures at the discharge outlets. Where applicable, such measures or other equivalent measures would include the following: sweepers and covered storage to minimize dust generation and storm runoff; conservation of vegetation where possible to minimize erosion; watering of haul roads to minimize dust generation; collection, removal, and proper disposal of waste oils and other fluids resulting from vehicle and equipment maintenance; or other equivalent measures.
 - b) Preventive Maintenance. A preventive maintenance program shall involve timely inspection and maintenance of storm water management devices as well as inspecting and testing facility equipment and systems to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters, and ensuring appropriate maintenance of such equipment and systems. Where applicable, such measures would include the following: removal and proper disposal of settled solids in catch basins to allow sufficient retention capacity; periodic replacement of siltation control measures subject to deterioration such as straw bales; inspections of storage tanks and pressure lines for fuels, lubricants, hydraulic fluid or slurry to prevent leaks due to deterioration or faulty connections; or other equivalent measures.
 - c) Spill Prevention and Response Procedures. Areas where potential spills that can contribute pollutants to storm water discharges can occur, and their accompanying drainage points shall be identified clearly in the storm water pollution prevention plan. Where appropriate, specifying material handling procedures, storage requirements, and use of equipment such as diversion valves

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in the plan should be considered. Procedures for cleaning up spills shall be identified in the plan and made available to the appropriate personnel. The necessary equipment to implement a clean up should be available to personnel.

- d) Inspections. In addition to or as part of the comprehensive site evaluation required under paragraph 3.a.4) of this section, qualified facility personnel shall be identified to inspect designated areas of the facility at appropriate intervals specified in the plan. The following shall be included in the plan:
- (1) Active Mining-Related Areas and Those Inactive Areas Under SMCRA Bond Authority. The plan shall require quarterly inspections by the facility personnel for areas of the facility covered by pollution prevention plan requirements. This inspection interval corresponds with the quarterly inspections for the entire facility required to be provided by SMCRA authority inspectors for all mining-related areas under SMCRA authority, including sediment and erosion control measures. Inspections by the facility representative may be done at the same time as the mandatory inspections performed by SMCRA inspectors. Records of inspections of the SMCRA authority facility representative shall be maintained.
 - (2) Inactive Mining-Related Areas Not Under SMCRA Bond. The plan shall require annual inspections by the facility representative except in situations referred to in paragraph 3.a.4)d) below.
- e) Inspection Records. The plan shall require that inspection records of the facility representative and those of the SMCRA authority inspector shall be maintained. A set of tracking or follow-up procedures shall be used to ensure that appropriate actions are taken in response to the inspections.
- f) Employee Training. Employee training programs shall inform personnel responsible for implementing activities identified in the storm water pollution prevention plan or otherwise responsible for storm water management at all levels of responsibility of the components and goals of the storm water pollution prevention plan. Training should address topics such as spill response, good housekeeping and material management practices. The pollution prevention plan shall identify periodic dates for such training.
- g) Recordkeeping and Internal Reporting Procedures. A description of incidents (such as spills, or other discharges) along with other information describing the quality and quantity of storm water discharges shall be included in the plan required under this part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan.

- h) Non-storm Water Discharges.
- (1) Certification. The plan shall include a certification that the discharge has been tested or evaluated for the presence of non-storm water discharges such as drainage from underground portions of inactive mines or floor drains from maintenance or coal handling buildings. The certification shall include the identification of potential significant sources of non-storm water discharges at the site, a description of the results of any test and/or evaluation, a description of the evaluation criteria or testing method used, the date of any testing and/or evaluation, and the onsite drainage points that were directly observed during the test. Certifications shall be signed in accordance with *Part VI.G.* of this permit.
 - (2) Exceptions. Except for flows from fire fighting activities, authorized sources of non-storm water listed in *Part II.A.2. (Prohibition of Non-storm Water Discharges)* of this permit that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge.
 - (3) Failure to Certify. Any facility that is unable to provide the certification required (testing for non-storm water discharges), must notify the *Executive Secretary* within 180 days after submitting a notice of intent to be covered by this permit. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notification shall describe: the procedure of any test conducted for the presence of non-storm water discharges; the results of such test or other relevant observations; potential sources of non-storm water discharges to the storm sewer; and why adequate tests for such storm sewers were not feasible. Non-storm water discharges to waters of the State which are not authorized by a *UPDES* permit are unlawful, and must be terminated
- i) Sediment and Erosion Control. The plan shall identify areas that, due to topography, activities, or other factors, have a high potential for significant soil erosion, and identify structural, vegetative, and/or stabilization measures to be used to limit erosion and reduce sediment concentrations in storm water discharges. As indicated in paragraph 3. above, *SMCRA* requirements regarding sediment and erosion control measures are primary requirements of the pollution prevention plan for mining-related areas subject to *SMCRA* authority. The following sediment and erosion control measures or other equivalent measures, should be included in the plan where reasonable and appropriate for all areas subject to storm water runoff:

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- (1) Stabilization Measures. Interim and permanent stabilization measures to minimize erosion and lessen amount of structural sediment control measures needed, including: mature vegetation preservation; temporary seeding; permanent seeding and planting; temporary mulching, matting, and netting; sod stabilization; vegetative buffer strips; temporary chemical mulch, soil binders, and soil palliatives; non-acidic road surfacing material; and protective trees.
 - (2) Structural Measures. Structural measures to lessen erosion and reduce sediment discharges, including: silt fences; earth dikes; straw dikes; gradient terraces; drainage swales; sediment traps; pipe slope drains; porous rock check dams; sedimentation ponds; riprap channel protection; capping of contaminated sources; and physical/chemical treatment of storm water.
- j) Management of Flow. The plan shall contain a narrative consideration of the appropriateness of traditional storm water management practices (other than those as sediment and erosion control measures listed above) used to manage storm water runoff in a manner that reduces pollutants in storm water runoff from the site. The plan shall provide that the measures, which the permittee determines to be reasonable and appropriate, shall be implemented and maintained. Appropriate measures may include: discharge diversions; drainage/storm water conveyances; runoff dispersion; sediment control and collection; vegetation/soil stabilization; capping of contaminated sources; treatment; or other equivalent measures.
- 4) Comprehensive Site Compliance Evaluation. Qualified personnel shall conduct site compliance evaluations at intervals specified in the plan, but in no case less than once a year. Such evaluations shall provide:
- a) Areas contributing to a storm water discharge associated with coal mining-related areas shall be visually inspected for evidence of, or the potential for, pollutants entering the drainage system. These areas include haul and access roads; railroad spurs, sidings, and internal haulage lines; conveyor belts, chutes and aerial tramways; equipment storage and maintenance yards; coal handling buildings and structures; and inactive mines and related areas. Measures to reduce pollutant loadings shall be evaluated to determine whether they are adequate and properly implemented in accordance with the terms of the permit or whether additional control measures are needed. Structural storm water management measures, sediment and erosion control measures, and other structural pollution prevention measures, as indicated in paragraphs 3.a.3)h) and 3.a.3)i) above and where identified in the plan, shall be observed to ensure that they are operating correctly. A visual evaluation of any equipment needed to implement the plan, such as spill response equipment, shall be made.

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- b) Based on the results of the evaluation, the description of potential pollutant sources identified in the plan, in accordance with paragraph 3.a.2) of this section, and pollution prevention measures and controls identified in the plan, in accordance with paragraph 3.a.3) of this section, shall be revised as appropriate within 2 weeks of such evaluation and shall provide for implementation of any changes to the plan in a timely manner. For inactive mines, such revisions may be extended to a maximum of 12 weeks after the evaluation.
 - c) A report summarizing the scope of the evaluation, personnel making the evaluation, the date(s) of the evaluation, major observations relating to the implementation of the storm water pollution prevention plan, and actions taken in accordance with paragraph 3.a.4)b) above shall be made and retained as part of the storm water pollution prevention plan for at least 3 years after the date of the evaluation. The report shall identify any incidents of noncompliance. Where a report does not identify any incidents of noncompliance, the report shall contain a certification that the facility is in compliance with the storm water pollution prevention plan and this permit. The report shall be signed in accordance with *Part VI.G.* (Signatory Requirements) of this permit.
 - d) Where compliance evaluation schedules overlap with inspections required under 3.a.3)d), the compliance evaluation may be conducted in place of one such inspection. Where annual site compliance evaluations are shown in the plan to be impractical for inactive mining sites due to the remote location and inaccessibility of the site, site inspections required under this part shall be conducted at appropriate intervals specified in the plan, but, in no case less than once in 3 years.
4. Numeric Effluent Limitations. There are no additional numeric effluent limitations beyond those described in *Part IV.B.* of this permit.
5. Monitoring and Reporting Requirements.
- a. Analytical Monitoring Requirements. During the first and third year of the permit, permittees with coal mining activities must monitor their storm water discharges associated with industrial activity at least quarterly (4 times per year) during years 1 and 3 except as provided in paragraphs 5.a.3) (Sampling Waiver), 5.a.4) (Representative Discharge), and 5.a.5) (Alternative Certification). Coal mining facilities are required to monitor their storm water discharges for the pollutants of concern listed in Table H-1 below. Facilities must report in accordance with 5.b. (Reporting). In addition to the parameters listed in Table H-1 below, the permittee shall provide the date and duration (in hours) of the storm event(s) sampled; rainfall measurements or estimates (in inches) of the storm event that generated the sampled runoff; the duration between the storm event sampled and the end of the previous measurable (greater than 0.1 inch rainfall) storm event; and an estimate of the total volume (in gallons) of the discharge sampled.

Table H-1.
Monitoring Requirements for Coal Mining Facilities

Pollutants of Concern	Benchmark Monitoring Cut-Off Concentration
Total Recoverable Aluminum	0.75 mg/L
Total Recoverable Iron	1.0 mg/L
Total Suspended Solids	100 mg/L

- 1) Monitoring Periods. Coal mining facilities shall monitor samples collected during the sampling periods of: January through March, April through June, July through September, and October through December for the years specified in paragraph *a.* (above).

- 2) Sample Type. A minimum of one grab sample shall be taken. All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. The required 72-hour storm event interval is waived where the preceding measurable storm event did not result in a measurable discharge from the facility. The required 72-hour storm event interval may also be waived where the permittee documents that less than a 72-hour interval is representative for local storm events during the season when sampling is being conducted. The grab sample shall be taken during the first 30 minutes of the discharge. If the collection of a grab sample during the first 30 minutes is impracticable, a grab sample can be taken during the first hour of the discharge, and the discharger shall submit with the monitoring report a description of why a grab sample during the first 30 minutes was impracticable. If storm water discharges associated with industrial activity commingle with process or non-process water, then where practicable permittees must attempt to sample the storm water discharge before it mixes with the non-storm water discharge.

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

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- b) Low Concentration Waiver. When the average concentration for a pollutant calculated from all monitoring data collected from an outfall during one of the indicated yearly monitoring periods (including the last yearly monitoring period covered under the previous permit) is less than the corresponding value for that pollutant listed in Table A-1 under the column Monitoring Cut-Off Concentration, a facility may waive monitoring and reporting requirements in the next yearly monitoring period (with this waiver every other yearly monitoring period may be skipped if conditions in this paragraph are met). The facility must submit to the *Executive Secretary*, in lieu of the monitoring data, a certification that there has not been a significant change in industrial activity or the pollution prevention measures in area of the facility that drains to the outfall for which sampling was waived.
- c) Inactive and Unstaffed Site. When a discharger is unable to conduct quarterly chemical storm water sampling at an inactive and unstaffed site, the operator of the facility may exercise a waiver of the monitoring requirements as long as the facility remains inactive and unstaffed. The facility must submit to the *Executive Secretary*, in lieu of monitoring data, a certification statement on the *Storm Water Discharge Monitoring Report (SWDMR)* stating that the site is inactive and unstaffed so that collecting a sample during a qualifying event is not possible.
- 4) Representative Discharge. When a facility has two or more outfalls that, based on a consideration of industrial activity, significant materials, and management practices and activities within the area drained by the outfall, the permittee reasonably believes discharge substantially identical effluents, the permittee may test the effluent of one of such outfalls and report that the quantitative data also applies to the substantially identical outfall(s) provided that the permittee includes in the storm water pollution prevention plan a description of the location of the outfalls and explains in detail why the outfalls are expected to discharge substantially identical effluents. In addition, for each outfall that the permittee believes is representative, an estimate of the size of the drainage area (in square feet) and an estimate of the runoff coefficient of the drainage area [e.g., low (under 40 percent), medium (40 to 65 percent), or high (above 65 percent)] shall be provided in the plan. The permittee shall include the description of the location of the outfalls, explanation of why outfalls are expected to discharge substantially identical effluents, and estimate of the size of the drainage area and runoff coefficient with the *SWDMR*.
- 5) Alternative Certification. A discharger is not subject to the monitoring requirements of this section provided the discharger makes a certification for a given outfall or on a pollutant-by-pollutant basis in lieu of monitoring reports required under paragraph *b.* below, under penalty of law, signed in accordance with *Part VI.G. (Signatory Requirements)*, that material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-

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products, industrial machinery or operations, or significant materials from past industrial activity that are located in areas of the facility within the drainage area of the outfall are not presently exposed to storm water and are not expected to be exposed to storm water for the certification period. Such certification must be retained in the storm water pollution prevention plan, and submitted to *DWQ* in accordance with *Part V.B.* of this permit. In the case of certifying that a pollutant is not present, the permittee must submit the certification along with the monitoring reports required under paragraph *b.* below. If the permittee cannot certify for an entire period, they must submit the date exposure was eliminated and any monitoring required up until that date. This certification option is not applicable to compliance monitoring requirements associated with effluent limitations.

- b. **Reporting.** Permittees shall submit monitoring results for each outfall associated with industrial activity [or a certification in accordance with Sections 3), 4), or 5) above] obtained during the second and fourth year reporting period, on *Storm Water Discharge Monitoring Report (SWDMR)* form(s) postmarked no later than the 31st day of the following March. For each outfall, one signed *SWDMR* form must be submitted to the *Executive Secretary* per storm event sampled. Signed copies of *SWDMRs*, or said certifications, shall be submitted to the *Executive Secretary* at the address listed in *Part V.B.* of the permit.
- (1) **Additional Notification.** In addition to filing copies of discharge monitoring reports in accordance with paragraph *b.* (above), coal-mining related facilities with at least one storm water discharge associated with industrial activity through a large or medium municipal separate storm sewer system (systems serving a population of 100,000 or more) must submit signed copies of discharge monitoring reports to the operator of the municipal separate storm sewer system in accordance with the dates provided in paragraph *b.* (above).
 - (2) **Visual Examination of Storm Water Quality.** Coal mining-related facilities shall perform and document a visual examination of a representative storm water discharge at the following frequencies: quarterly for active areas under *SMCRA* bond located in areas with average annual precipitation over 20 inches; semi-annually for inactive areas under *SMCRA* bond, and active areas under *SMCRA* bond located in areas with average annual precipitation of 20 inches or less; visual examinations are not required at inactive areas not under *SMCRA* bond.
 - (3) **Visual Monitoring Periods.** Examinations shall be conducted in each of the following periods for the purposes of visually inspecting storm water runoff or snow melt: Quarterly-January through March; April through June; July through September; and October through December. Semi-annually—January through June and July through December.
 - (4) **Sample and Data Collection.** Examinations shall be made of samples collected within the first 60 minutes (or as soon thereafter as practical, but not to exceed

two hours) of when the runoff or snowmelt begins discharging. The examinations shall document observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution. The examination must be conducted in a well lit area. No analytical tests are required to be performed on the samples. All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. Where practicable, the same individual will carry out the collection and examination of discharges for the life of the permit.

- (5) Visual Storm Water Discharge Examination Reports. Visual examination reports must be maintained onsite in the pollution prevention plan. The report shall include the examination date and time, examination personnel, the nature of the discharge (i.e., runoff or snow melt), visual quality of the storm water discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.

- (6) Representative Discharge. When a facility has two or more outfalls that, based on a consideration of industrial activity, significant materials, and management practices and activities within the area drained by the outfall, the permittee reasonably believes discharge substantially identical effluents, the permittee may collect a sample of effluent of one of such outfalls and report that the examination data also applies to the substantially identical outfalls provided that the permittee includes in the storm water pollution prevention plan a description of the location of the outfalls and explaining in detail why the outfalls are expected to discharge substantially identical effluents. In addition, for each outfall that the permittee believes is representative, an estimate of the size of the drainage area (in square feet) and an estimate of the runoff coefficient of the drainage area [e.g., low (under 40 percent), medium (40 to 65 percent), or high (above 65 percent)] shall be provided in the plan.

- (7) Adverse Conditions. When a discharger is unable to collect samples over the course of the visual examination period as a result of adverse climatic conditions, the discharger must document the reason for not performing the visual examination and retain this documentation onsite with the records of the visual examination. Adverse weather conditions which may prohibit the collection of samples include weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricanes, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (drought, extended frozen conditions, etc.).

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