A. Storm Water Discharges Associated With Industrial Activity From Timber Products Facilities and Ornamental Shrub and Tree Services

1. Coverage of This Section.

a. Discharges Covered Under This Section. The requirements listed under this section shall apply to storm water discharges from the following activities: establishments [generally classified under Standard Industrial Classification (SIC) Major Group 24] and SIC Code 0783[Ornamental Shrub and Tree Services]establishments primarily engaged in performing a variety of ornamental shrub and tree services and establishments that are engaged in cutting timber and pulpwood, merchant sawmills, lath mills, shingle mills, cooperage stock mills, planing mills, and plywood and veneer mills engaged in producing lumber and wood basic materials; and establishments engaged in wood preserving or in manufacturing finished articles made entirely of wood or related materials, except for wood kitchen cabinet manufacturers (SIC Code 2434), which are addressed under *Appendix II. W.* of this permit.

b. Co-Located Industrial Activity. When an industrial facility, described by paragraph *a.* (above), 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

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

2) In addition to the discharges described in *Part II.A.2.*, the following non-storm water discharges may be authorized by this permit provided the non-storm water component of the discharge is in compliance with paragraph *3.a.3)* (Measures and Controls for Non-storm Water Discharges) and the effluent limitations described in paragraph *4.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.

3. Storm Water Pollution Prevention Plan Requirements.

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

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

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

a) Drainage.

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

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

Flows with a significant potential for causing erosion shall be identified.

b) Inventory of Exposed Materials. An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative 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 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. The inventory of exposed materials shall include, but shall not be limited to the significant materials stored exposed to storm water and material management practices that affect storm water. Where information is available, facilities that have used chlorophenolic, creosote, or chromium-copper-arsenic formulations for wood surface protection or wood preserving activities onsite in the past should identify in the inventory the following: areas where contaminated soils, treatment equipment, and stored materials still remain and management practices employed to minimize the contact of these materials with storm water runoff.

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

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

e) Risk Identification and Summary of Potential Pollutant Sources. A narrative description of the potential pollutant sources from the following activities: loading and unloading operations; outdoor storage activities; outdoor manufacturing or processing activities; significant dust or particulate generating processes; and onsite waste disposal practices. The description shall specifically list any significant potential source of pollutants at the site and for each potential source, any specific pollutant or pollutant parameter (e.g., total suspended solids, biochemical oxygen demand, chemical oxygen demand, oil and grease, arsenic, copper, chromium, pentachlorophenol, other specific metals, toxicity, etc.) of concern shall be identified.

3) Measures and Controls. Each facility covered by this permit shall develop a description of storm water *best management practices* (*BMP*s) and controls appropriate for the facility and implement such controls. The appropriateness 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 areas of the site: log, lumber and other wood product storage areas; residue storage areas, loading and unloading areas; material handling areas; chemical storage areas; and equipment/vehicle maintenance, storage and repair areas. Facilities that surface protect and/or preserve wood products should address specific *BMP*s for wood surface protection and preserving activities. The pollution prevention plan should 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. Good housekeeping measures in storage areas, loading and unloading areas, and material handling areas should be designed to:

(1) limit the discharge of wood debris;
(2) minimize the leachate generated from decaying wood materials; and
(3) minimize the generation of dust.

b) Preventive Maintenance. A preventive maintenance program shall involve timely inspection and maintenance of storm water management devices (e.g., cleaning oil/water separators, catch basins) as well as inspecting and testing facility equipment and systems to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters, and ensuring appropriate maintenance of such equipment and systems. Periodic removal of debris from ditches, swales, diversions, containment basins, sediment ponds and infiltration measures should be performed to limit discharges of solids and to maintain the effectiveness of the controls.

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 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. Response schedules should be developed to limit tracking of spilled materials to other areas of the site. Leaks or spills of wood surface protection or preservation chemicals shall be cleaned up immediately in accordance with applicable *RCRA* regulations at *40 CFR Part 264* and *40 CFR Part 265*.

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 equipment and areas of the facility at appropriate intervals specified in the plan.

Material handling, and unloading and loading areas should be inspected daily whenever industrial activities occur in those areas. If no activities are occurring, no inspection is required.

Inspections at processing areas, transport areas, and treated wood storage areas of facilities performing wood surface protection and preservation activities should be performed monthly to assess the usefulness of practices in minimizing drippage of treatment chemicals on unprotected soils and in areas that will come in contact with storm water discharges.

A set of tracking or follow-up procedures shall be used to ensure that appropriate actions are taken in response to the inspections. Records of inspections shall be maintained. Operators of facilities are required to conduct quarterly visual inspections of *BMP*s. The inspections shall include:

(1) an assessment of the integrity of storm water discharge diversions, conveyance systems, sediment control and collection systems, and containment structures;

(2) visual inspection of sediment and erosion BMPs to determine if soil erosion has occurred; and

(3) visual inspections of storage areas and other potential sources of pollution for evidence of actual or potential pollutant discharges of contaminated storm water.

e) 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.

f) 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.

g) 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. The certification shall include the identification of potential significant sources of non-storm water at the site, a description of the results of any test and/or evaluation for the presence of non-storm water discharges, the evaluation criteria or testing method used, the date of any testing and/or evaluation, and the onsite drainage points that were directly observed during the test. Certifications shall be signed in accordance with *Part VI.G.* of this permit. Such certification may not be feasible if the facility operating the storm water discharge associated with industrial activity does not have access to an outfall, manhole, or other point of access to the ultimate conduit that receives the discharge. In such cases, the source identification section of the storm water pollution prevention plan shall indicate why the certification required by this part was not feasible, along with the identification of potential significant sources of non-storm water at the site. A discharger that is unable to provide the certification required by this paragraph must notify the *Executive Secretary* in accordance with paragraph *3.a.3)g)(3)* (below).

(2) Exceptions. Except for flows from fire fighting activities, 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

h) 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. When developing the plan, the following areas of the site should be considered: loading and unloading areas, access roads, material

handling areas, storage areas, and any other areas where heavy equipment and vehicle use is prevalent. The following erosion and sediment controls shall be considered to minimize the discharge of sediments from the site: stabilization measures such as seeding, mulching, geotextiles, contouring, gravel paving, rip-rap, paving and sodding or its equivalent and structural measures such as sediment traps, silt fences, and storm water basins or other equivalent measures.

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

4) Comprehensive Site Compliance Evaluation. Personnel knowledgeable about storm water management as it relates to the facility shall conduct site compliance evaluations at appropriate intervals specified in the plan, but in no case less than once a year. Such evaluations shall include the following:

a) Areas contributing to a storm water discharge associated with industrial activity such as loading/unloading areas, material handling areas, locations used for the treatment, storage or disposal of wastes, liquid storage tanks, processing areas, treatment chemical storage areas, treated wood and residue storage areas, wet decking areas, dry decking areas, untreated wood and residue storage areas, and treatment equipment storage areas shall be visually inspected for evidence of, or the potential for, pollutants entering the drainage system. Measures to reduce pollutant loadings shall be evaluated to determine whether they are adequate and properly implemented in accordance with the terms of the permit or whether additional control measures are needed. Structural storm water management measures, sediment and erosion control measures, and other structural pollution prevention measures identified in the plan shall be observed to ensure that they are operating correctly. A visual inspection of equipment needed to implement the plan, such as spill response equipment, shall be made.

b) Based on the results of the evaluation, the description of potential pollutant sources identified in the plan in accordance with paragraph *3.a.2)* of this section (Description of Potential Pollutant Sources) and pollution prevention measures

and controls identified in the plan in accordance with paragraph *3.a.3)* of this section (Measures and Controls) shall be revised as appropriate within 2 weeks of such evaluation and shall provide for implementation of any changes to the plan in a timely manner, but in no case more than 12 weeks after the evaluation.

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

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

4. Numeric Effluent Limitations. In addition to the numeric effluent limitations described in *Part IV.B*, the following limitations shall be met by existing and new dischargers.

a. Wet Deck Storage Area Runoff. Non-storm water discharges from areas used for the storage of logs where water, without chemical additives, is intentionally sprayed or deposited on logs to deter decay or infestation by insects are required to meet the following effluent limitations (Dischargers subject to these numeric limitations must be in compliance with these limitations through the duration of permit coverage):

1) pH shall be within the range of 6.5 - 9.0,

2) there will be no discharge of debris ("debris" is defined as woody material such as bark, twigs, branches, heartwood or sapwood that will not pass through a 2.54 cm (1 in.) diameter round opening and is present in the discharge from a wet deck storage area).

3) Chemicals are not allowed to be applied to the stored logs.

5. Monitoring and Reporting Requirements.

a. Analytical Monitoring Requirements. During the first and third year of the permit, permittees with timber product facilities 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), *5.4)* (Representative Discharge),

and *5.a.5)* (Alternative Certification). Timber product facilities are required to monitor their storm water discharges for the pollutants of concern listed in the appropriate table (Tables A-1, A-2, A-3 ,A-4or A-5). Facilities must report in accordance with *5.b.* (Reporting). In addition to the parameters listed in Tables A-1, A-2, A-3, A-4 and A-5 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 A-1.
Monitoring Requirements for General Sawmills and Planning Mills Facilities

Pollutants of Concern	Benchmark Monitoring Cut-Off Concentration
Chemical Oxygen Demand	120.0 mg/L
Total Suspended Solids	100 mg/L
Total Recoverable Zinc,	0.117 mg/L

Table A-2.
Monitoring Requirements for Wood Preserving Facilities

Pollutant of Concern	Benchmark Monitoring Cut-Off Concentration
Total Recoverable Arsenic	0.16854 mg/L
Total Recoverable Copper	0.0636 mg/L

Table A-3.
Monitoring for Log Storage and Handling Facilities

Pollutants of Concern	Benchmark Monitoring Cut-Off Concentration
Total Suspended Solids	100 mg/L

Table A-4.
Monitoring For Wet Decking Discharges at Log Storage and Handling Areas

Pollutants of Concern	Benchmark Monitoring Cut-Off Concentration	Numeric Limitation (Monitor once/yr for ea monitoring yr)
pH		6.0-9.0 su
Debris (Woody Material such as bark, twigs, branches, heartwood, or sapwood.)		No Discharge of debris that will not pass through a 2.54cm (1")diameter round opening.

Table A-5.
Monitoring Requirements for
Hardwood Dimension and Flooring Mills; Special Products Sawmills, not elsewhere classified; Millwork, Veneer, Plywood and Structural Wood; Wood Containers; Wood Buildings and Mobile Homes; Reconstituted Wood Products; and Wood Products Facilities not elsewhere classified

Pollutants of Concern	Benchmark Monitoring Cut-Off Concentration
Chemical Oxygen Demand	120 mg/L
Total Suspended Solids	100 mg/L

1) Monitoring Periods. Facilities required to perform monitoring 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 nonprocess 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 or inaccessible conditions for personnel (such as local flooding, high winds, hurricane, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (drought, extended frozen conditions, etc.).

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-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 the *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 paragraphs *3)*, *4)*, or *5)* above] obtained during the second and fourth year reporting periods 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 the *SWDMR*, 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 *SWDMR*s in accordance with paragraph *b.* (above), facilities engaged in wood preservation and/or surface protection 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 *SWDMR*s to the operator of the municipal separate storm sewer system in accordance with the dates provided in paragraph *b* (above).

c. Quarterly Visual Examination of Storm Water Quality. All timber products facilities shall perform and document a visual examination of a storm water discharge associated with industrial activity from each outfall, except discharges exempted below. The examination(s) must be made at least once in each of the following three-month periods:

January through March, April through June, July through September, and October through December. The examination shall be made during daylight hours unless there is insufficient rainfall or snow melt to produce a runoff event.

1) Sample and Data Collection. Examinations shall be made of samples collected within the first 30 minutes (or as soon thereafter as practical, but not to exceed 1 hour) of when the runoff or snowmelt begins discharging. The examination 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 should carry out the collection and examination of discharges for the entire permit term.

2) 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.

3) 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 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.

4) 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 examinations. Adverse weather conditions that may prohibit the

collection of samples include weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricane, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (drought, extended frozen conditions, etc.).

5) 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.

d. Compliance Monitoring Requirements. Permittees with log storage area spray water discharges which are covered by this permit must monitor the discharge for the presence of debris and pH at least annually. Facilities must report in accordance with *5.d.2)* below (reporting). In addition to the parameters listed above, the permittee shall provide an estimate of the total volume (in gallons) of the discharge sampled.

1) Sample Type. A minimum of one grab sample shall be taken. All samples shall be collected from the discharge point of the wet deck storage area and will not be taken during a storm water event. The grab sample shall be taken during the first 30 minutes of the discharge. If the collection of a grab sample during the first 30 minutes is impracticable, a grab sample can be taken during the first hour of the discharge, and the discharger shall submit with the monitoring report a description of why a grab sample during the first 30 minutes was impracticable.

2) Reporting. Permittees with log storage area spray water discharges shall submit monitoring results, obtained during the reporting period beginning on January 1, 2001, on *SWDMR* form(s) postmarked no later than the last day of March 2002. Signed copies of *SWDMR*s shall be submitted to the *Executive Secretary* at the address indicated in *Part V.B.* of this permit. For each outfall, one signed *SWDMR* form shall be submitted for each sampling event.

3) Additional Notification. In addition to filing copies of *SWDMR*s in accordance with paragraph *2)* (above), permittees with discharges of log storage area spray water through a large or medium municipal separate storm sewer system (systems serving a population of 100,000 or more) must submit signed copies of *SWDMR*s to the operator of the municipal separate storm sewer system in accordance with the dates provided in paragraph *5.d.2)* (above).

B. Storm Water Discharges Associated with Industrial Activity from Paper and Allied Products Manufacturing 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 the following activities: facilities engaged in the manufacture of pulps from wood and other cellulose fibers and from rags; the manufacture of paper and paperboard into converted products, such as paper coated off the paper machine, paper bags, paper boxes and envelopes; and establishments primarily engaged in manufacturing bags of plastic film and sheet. These facilities are commonly identified by Standard Industrial Classification (SIC) Major Group 26.

b. Co-Located Industrial Activity. When an industrial facility, described by paragraaph *a.* (above), 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. There are no additional requirements beyond those in *Part II.A.* of this permit.

3. Storm Water Pollution Prevention Plan Requirements.

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

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

2) Description of Potential Pollutant Sources. Each plan shall provide a description of potential sources that may reasonably be expected to add significant amounts of pollutants to storm water discharges or that may result in the discharge of pollutants

during dry weather from separate storm sewers draining the facility. Each plan shall identify all activities and significant materials that may potentially be significant pollutant sources. Each plan shall include, at a minimum:

a) Drainage.

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

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

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

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

e) Risk Identification and Summary of Potential Pollutant Sources. A narrative description of the potential pollutant sources from the following activities: loading and unloading operations; outdoor storage activities; outdoor manufacturing or processing activities; significant dust or particulate generating processes; and onsite waste disposal practices, and wastewater treatment activities to include sludge drying, storage, application or disposal activities. The description shall specifically list any significant potential source of pollutants at the site and for each potential source, any pollutant or pollutant parameter (e.g., biochemical oxygen demand, etc.) of concern shall be identified.

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. The plan shall describe procedures performed to minimize contact of materials with storm water runoff. Examples include cleaning of lots and roofs that collect debris; routine cleaning of wastewater treatment, and other waste disposal (such as sludge handling) locations.

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

c) Spill Prevention and Response Procedures. Areas where potential spills 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 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. Qualified facility personnel shall be identified to inspect designated equipment and areas of the facility at appropriate intervals specified in the plan. A set of tracking or follow-up procedures shall be used to ensure that appropriate actions are taken in response to the inspections. Records of inspections shall be maintained.

e) 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.

f) 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.

g) 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. The certification shall include the identification of potential significant sources of non-storm water at the site, a description of the results of any test and/or evaluation for the presence of non-storm water discharges, the evaluation criteria or testing method used, the date of any testing and/or evaluation, and the onsite drainage points that were directly observed during the test. Certifications shall be signed in accordance with *Part VI.G.* of this permit. Such certification may not be feasible if the facility operating the storm water discharge associated with industrial activity does not have access to an outfall, manhole, or other point of access to the ultimate conduit that receives the discharge. In such cases, the source identification section of the storm water pollution prevention plan shall indicate why the certification required by this part was not feasible, along with the identification of potential significant sources of non-storm water at the site. A discharger that is unable to provide the certification required

by this paragraph must notify the *Executive Secretary* in accordance with paragraph *(3)* (below).

(2) Exceptions. Except for flows from fire fighting activities, sources of non-storm water listed in *Part II.A.2.* 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

h) 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.

i) Management of Runoff. The plan shall contain a narrative consideration of the appropriateness of traditional storm water management practices (practices other than those that control the generation or source(s) of pollutants) used to divert, infiltrate, reuse, or otherwise manage storm water runoff in a manner that reduces pollutants in storm water discharges from the site. The plan shall provide that measures that the permittee determines to be reasonable and appropriate shall be implemented and maintained. The potential of various sources at the facility to contribute pollutants to storm water discharges associated with industrial activity [see paragraph *3.a.2)* of this section (Description of Potential Pollutant Sources)] shall be considered when determining reasonable and appropriate measures. Appropriate measures may include: vegetative swales and practices; reuse of collected storm water (such as for a process or as an irrigation source); inlet controls (such as oil/water separators); snow management activities; infiltration devices, and wet detention/retention devices; screens or fences used to protect dust and particulate collection activities from wind or to minimize the effects of wind on material loading and storage, and processing activities to eliminate or reduce wind blown or airborne pollutants; secondary containment of storage areas such as berms and dikes; diversionary structures to direct storm water away

from areas of potential contamination; and tarpaulins, roofs, or other coverings of outdoor storage or industrial activities or other equivalent measures.

4) Comprehensive Site Compliance Evaluation. Qualified personnel shall conduct site compliance evaluations at appropriate intervals specified in the plan, but in no case less than once a year. Such evaluations shall provide:

a) Areas contributing to a storm water discharge associated with industrial activity such as material storage, handling, and disposal activities shall be visually inspected for evidence of, or the potential for, pollutants entering the drainage system. Measures to reduce pollutant loadings shall be evaluated to determine whether they are adequate and properly implemented in accordance with the terms of the permit or whether additional control measures are needed. Structural storm water management measures sediment and erosion control measures, and other structural pollution prevention measures identified in the plan shall be observed to ensure that they are operating correctly. A visual inspection of equipment needed to implement the plan, such as spill response equipment, shall be made.

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

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

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

4. Numeric Effluent Limitations. There are no additional numeric effluent limitations beyond those 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 paperboard mills 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). Paperboard mills are required to monitor their storm water discharges for the pollutant of concern listed in Table B-1 below. Facilities must report in accordance with *5.b.* (Reporting). In addition to the parameters listed in Table B-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 B-1.
Monitoring Requirements

Pollutants of Concern	Benchmark Cut-Off Concentration
Chemical Oxygen Demand	120 mg/L

1) Monitoring Periods. Paperboard mills 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 period and submit the data along with 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.).

b) Low Concentration Waiver. When the average concentration for a pollutant calculated from all monitoring data collected from an outfall during the second year monitoring period, is less than the corresponding value for that pollutant listed in Table B-1 under the column Monitoring Cut-Off Concentration, a facility may waive monitoring and reporting requirements in the fourth year monitoring period. 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-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 the *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 with paperboard mills 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 periods 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 per storm event completed. Signed copies of *SWDMR* form(s), or said certifications, shall be submitted to the *Executive Secretary* at the address listed in *Part V.B.* in the permit.

1) Additional Notification. In addition to filing copies of *SWDMR*s in accordance with paragraph *b* (above), paperboard mills 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 *SWDMR*s to the operator of the municipal separate storm sewer system in accordance with the dates provided in paragraph *b* (above).

c. Quarterly Visual Examination of Storm Water Quality. Facilities shall perform and document a visual examination of a storm water discharge associated with industrial activity from each outfall, except discharges exempted below. The examination must be made at least once in each designated period [described in paragraph *1)*, below] during daylight hours unless there is insufficient rainfall or snow melt to produce a runoff event.

1) Visual Monitoring Periods. Examinations shall be conducted in each of the following periods for the purposes of visually inspecting storm water quality associated with storm water runoff or snow melt: January through March; April through June; July through September; and October through December.

2) Sample and Data Collection. Examinations shall be made of samples collected within the first 30 minutes (or as soon thereafter as practical, but not to exceed one hour) 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.

3) 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 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.).

4) 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.

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.

C. Storm Water Discharges Associated With Industrial Activity From Chemical and Allied Products Manufacturing 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 a facility engaged in manufacturing the following products and generally described by the SIC code shown:

1) Basic industrial inorganic chemicals (including SIC 281).

2) Plastic materials and synthetic resins, synthetic rubbers, and cellulosic and other human made fibers, except glass (including SIC 282).

3) Soap and other detergents and in 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 (including SIC 284).

4) Paints (in paste and ready-mixed form); varnishes; lacquers; enamels and shellac; putties, wood fillers, and sealers; paint and varnish removers; paint brush cleaners; and allied paint products (including SIC 285).

5) Industrial organic chemicals (including SIC 286).

6) Nitrogenous and phosphatic basic fertilizers, mixed fertilizer, pesticides, and other agricultural chemicals (including SIC 287).

7) Industrial and household adhesives, glues, caulking compounds, sealants, and linoleum, tile, and rubber cements from vegetable, animal, or synthetic plastics materials; explosives; printing ink, including gravure ink, screen process ink, and lithographic; 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, metal, oil, and water treatment compounds, waterproofing compounds, and chemical supplies for foundries (including facilities with SIC 289).

8) 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 (SIC 3952, limited to those listed; for others see *Appendix II.Y.*).

9) Medicinal chemicals and pharmaceutical products, including the grading grinding and milling of botanicals (including SIC 283).

b. Discharges Not Covered By This Section. Storm water discharges from drug manufacturing facilities and other establishments classified as SIC Code 283.

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

2. Special Conditions.

a. Prohibition of Non-storm Water Discharges. In addition to those non-storm water discharges prohibited under *Part II.A.2.*, this permit does not authorize the discharge of:

1) Inks, paints, or substances (hazardous, nonhazardous, etc.) resulting from an onsite spill, including materials collected in drip pans.

2) Washwaters from material handling and processing areas. This includes areas where containers, equipment, industrial machinery, and any significant materials are exposed to storm water.

3) Washwaters from drum, tank, or container rinsing and cleaning.

3. Storm Water Pollution Prevention Plan Requirements.

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

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

2) Description of Potential Pollutant Sources. Each plan shall provide a description of potential sources of pollutants to storm water discharges and sources of discharges of pollutants during dry weather. Each plan shall identify all activities and materials that may be pollutant sources. Each plan shall include, at a minimum:

a) Drainage and Site Plan. A site map shall be developed for the facility. This map shall include, at a minimum: the location of all structures (manufacturing buildings, garages, etc.), impervious areas, the location of each storm water outfall and/or connection to municipal storm sewer; types of discharges included in each discharge; an outline of the portions of the drainage area of each outfall within the facility boundaries and a prediction of the direction of flow in each area; each existing structural control measure to reduce pollutants in storm water

runoff; surface water bodies; locations where materials are exposed to precipitation; and locations where major spills or leaks identified under paragraph *3.a.2)c)* (below) of this section have occurred. The map shall also indicate the locations of the following outdoor activities: fueling stations; vehicle and equipment maintenance and/or cleaning areas; loading/unloading areas; locations used for the treatment, storage or disposal of wastes; storage tanks and other containers; processing and storage areas; access roads, rail cars and tracks; the location of transfer of substances in bulk; and machinery.

b) Inventory of Exposed Materials and Management Practices. An inventory of the types of materials handled at the site that may be exposed to precipitation shall be collected. Such inventory shall include: a narrative description of 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 material that occurred at areas that are exposed to precipitation or that otherwise drain to a storm water conveyance after the date of 3 years prior to the date of submission of a *Notice of Intent* (*NOI*) to be covered under this permit. The list shall be updated as appropriate to include any significant spills and leaks during the term of the permit.

d) Sampling Data. A summary of existing storm water sampling data describing pollutants discharged from the facility, including a summary of sampling data collected during the term of this permit. In addition, the report of monitoring data that is submitted to the *DWQ* pursuant to *Part V.B.* of this permit shall be maintained with the pollution prevention plan.

e) Risk Identification and Summary of Potential Pollutant Sources.

(1) A narrative description of the potential pollutant sources from the following: loading, unloading, and transfer of chemicals; outdoor storage of salt, pallets, coal, drums, containers, fuels, or other materials; outdoor manufacturing or processing activities; significant dust or particulate generating processes; fueling stations; vehicle and equipment maintenance and/or cleaning areas; locations used for the treatment, storage or disposal (on or off site) of wastes and wastewaters; storage tanks and other containers; processing and storage areas; access roads, rail cars and tracks; the location of transfer of substances in bulk; and machinery.

(2) The description shall specifically list any significant potential source of pollutants at the site and for each potential source, any pollutant or pollutant parameter (e.g., chemical oxygen demand, etc.) of concern shall be identified.

(3) Factors to consider include: quantity of chemicals used, produced or discharged; the likelihood of contact with storm water; and history of significant leaks or spills. In addition, flows with a significant potential for causing erosion shall be identified.

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 reasonable schedule for implementing such controls:

a) Nonstructural Controls.

(1) Good Housekeeping. Good housekeeping requires that areas that may contribute pollutants to storm water discharges are maintained in a clean, orderly manner. At a minimum, the permittee shall:

(a) Schedule regular pickup and disposal of garbage and waste materials, or use other appropriate measures to reduce the potential for the discharge of storm water that has come into contact with garbage or waste materials. This schedule shall be included in the plan. Individuals responsible for waste management and disposal shall be informed of the procedures established under the plan.

(b) Routinely inspect for leaks and the condition of drums, tanks and containers. Ensure that spill cleanup procedures are understood by employees.

(c) Keep an up-to-date inventory of all materials present at the facility. While preparing the inventory, all containers should be clearly labeled. Hazardous containers that require special handling, storage, use and disposal shall be clearly marked.

(d) Maintain clean ground surfaces.

(2) Preventive Maintenance. A preventive maintenance program shall be developed and shall involve timely inspection and maintenance of storm water management devices (e.g., oil/water separators, catch basins, dikes, storm sewer, basins, and pipes). Also, preventive maintenance includes

inspecting and testing facility equipment and systems to uncover conditions that could cause breakdowns or failures, and ensuring appropriate maintenance of such equipment and systems.

(3) Spill Prevention and Response Procedures. Spill prevention and response procedures shall be developed. 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 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 (e.g., absorbent materials) should be available to personnel.

(4) Inspections. Qualified personnel shall conduct quarterly inspections. A wet weather inspection (during a rainfall event) shall be conducted in the second (April to June) and third quarters (July to September) of each year. A dry weather inspection (no precipitation) shall be conducted in the first (January to March) and fourth quarters (October to December). Such inspections shall be documented and this documentation shall be retained as part of the pollution prevention plan. Changes based on the results of the quarterly inspections shall be made in a timely manner.

(a) When a seasonal dry period is sustained for more than 3 months, a dry weather inspection will satisfy the wet weather inspection requirement.

(b) All areas exposed to precipitation at the facilities shall be visually inspected for evidence of, or the potential for, pollutants entering the drainage system. Measures to reduce pollutant loadings shall be evaluated to determine whether they are adequate and properly implemented or whether additional control measures are needed. Structural storm water management measures (diking, berming, curbing, sediment and erosion control measures, stabilization controls, etc.) required under this section shall be observed to ensure that they are operating correctly. A visual inspection of equipment needed to implement the plan, such as spill response equipment, shall be made.

(5) 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, material management practices

and procedures for equipment and container cleaning and washing. The pollution prevention plan shall identify periodic dates for such training of at least once per year.

(6) Record keeping 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.

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

b) Structural Practices. The potential of various sources at the facility to contribute pollutants to storm water discharges associated with industrial activity [see paragraph *3.a.2)* (Description of Potential Pollutant Sources) of this section] shall be considered when determining reasonable and appropriate structural measures. The plan shall provide that measures that the permittee determines to be reasonable and appropriate shall be implemented and maintained.

(1) Practices for Material Handling and Storage Areas. Permittees shall ensure the implementation of practices that conform with the following:

(2) In areas where liquid or powdered materials are stored, facilities shall provide either diking, curbing, berms, or other appropriate measures to reduce the potential of discharge of liquid or powdered materials in storm water.

(3) In all other outside storage areas including storage of used containers, machinery, scrap and construction materials, and pallets, facilities shall prevent or minimize storm water runon to the storage area by using curbing, culverting, gutters, sewers or other forms of drainage control.

(4) In all storage areas, roofs, covers or other forms of appropriate protection shall be used to prevent storage areas from exposure to storm water and wind. For the purpose of this paragraph, tanks would be considered to be appropriate protection.

(5) In areas where liquid or powdered materials are transferred in bulk from truck or rail cars, permittees shall provide appropriate measures to minimize contact of material with precipitation. Permittees shall consider providing for hose connection points at storage containers to be inside containment areas, and drip pans to be used in areas that are not in a containment area, where spillage may occur (e.g., hose reels, connection points with rail cars or trucks) or equivalent measures.

(6) In areas of transfer of contained or packaged materials and loading/unloading areas, permittee shall consider providing appropriate protection such as overhangs or door skirts to enclose trailer ends at truck loading/unloading docks or an equivalent.

(7) Drainage from areas covered by paragraph *3.a.3)b)(1)* of this section should be restrained by valves or other positive means to prevent the discharge of a spill or leak. Containment units may be emptied by pumps or ejectors; however, these shall be manually activated.

(8) Flapper-type drain valves shall not be used to drain containment areas. Valves used for the drainage of containment areas should, as far as is practical, be of manual, open-or-closed design.

(9) If facility drainage is not engineered as above, the final discharge point of all in-facility storm drains should be equipped to prevent or divert the discharge such that, in the event of an uncontrolled spill of materials, the spilled material returns to or remains on the facility.

c) Management of Runoff. The plan shall contain a description of storm water management practices used and/or to be used to divert, infiltrate, reuse, or otherwise manage storm water runoff in a manner that reduces pollutants in storm water discharges from the site. Appropriate measures may include: vegetative swales, ripraps, reuse of collected storm water (such as for a process or as an irrigation source), inlet controls (such as oil/water separators), snow management activities, infiltration devices, use of porous pavements, and wet detention/retention devices.

d) Sediment and Erosion Control. The plan shall identify areas that, due to topography, activities, or other factors, have a potential for significant soil erosion. Plans shall describe permanent stabilization practices and shall ensure that disturbed portions of the site are stabilized. Stabilization practices may include: permanent seeding, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, preservation of mature vegetation, and other appropriate measures.

e) 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. The certification shall include the identification of potential significant sources of non-storm water at the site, a description of the results of any test and/or evaluation for the presence of non-storm water discharges, the evaluation criteria or testing method used, the date of any testing and/or evaluation, and the onsite drainage points that were directly observed during the test. Certifications shall be signed in accordance with *Part VI.G.* of this permit. Such certification may not be feasible if the facility

operating the storm water discharge associated with industrial activity does not have access to an outfall, manhole, or other point of access to the ultimate conduit that receives the discharge. In such cases, the source identification section of the storm water pollution prevention plan shall indicate why the certification required by this part was not feasible, along with the identification of potential significant sources of non-storm water at the site. A discharger that is unable to provide the certification required by this paragraph must notify the *Executive Secretary* in accordance with paragraph *(3)* (below).

(2) Exceptions. Except for flows from fire fighting activities, 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

4) Comprehensive Site Compliance Evaluation. A member(s) of the pollution prevention team or a qualified professional designated by the team shall conduct, at a minimum, annual site compliance evaluations.

a) Areas contributing to a storm water discharge associated with industrial activity such as material storage and handling, loading and unloading, process activities, and plant yards shall be visually inspected for evidence of, or the potential for, pollutants entering the drainage system. Measures to reduce pollutant loadings shall be evaluated to determine whether they are adequate and properly implemented in accordance with the terms of the permit or whether additional control measures are needed. Structural storm water management measures, sediment and erosion control measures, other structural pollution prevention measures identified in the plan, as well as process related pollution control equipment shall be observed or tested to ensure that they are operating correctly. A visual inspection of equipment needed to implement the plan, such as spill response equipment, shall be made.

b) Based on the results of the evaluation, the description of potential pollutant sources (see paragraph *4.a.2)*) and pollution prevention measures and controls (see paragraph *4.a.3)*) identified in the plan shall be revised as appropriate within 2 weeks of such evaluation. In addition, it shall provide for implementation of any changes to the plan in a timely manner, but in no case more than 12 weeks after the evaluation.

c) A report summarizing the scope of the evaluation, personnel making the evaluation, the date(s) of the evaluation, observations relating to the implementation of the plan, and actions taken in accordance with paragraph *b)* (above) shall be made and retained as part of the plan for at least 3 years after the date of the evaluation. The report shall also 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 plan and this permit. The report shall be signed in accordance with *Part VI.G.* (Signatory Requirements) of this permit.

4. Numeric Effluent Limitations. In addition to the numeric effluent limitations described by *Part IV.B.* of this permit, the following effluent limitations shall be met by existing and new discharges with:

a. Phosphate Fertilizer Manufacturing Runoff. The provisions of this paragraph are applicable to storm water discharges from the Phosphate Subcategory of the Fertilizer Manufacturing Point Source Category (*40 CFR 418.10*). The term contaminated storm water runoff shall mean precipitation runoff, that during manufacturing or processing, comes into contact with any raw materials, intermediate product, finished product, by-products or waste product (*40 CFR 418.11(c)*). The concentration of pollutants in storm water discharges shall not exceed the effluent limitations in Table C-1.

Table C-1.
Numeric Effluent Limitations

Effluent Characteristics	Effluent Limitations (mg/L)	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed
Total Phosphorus (as P)	105.0	35.0
Fluoride	75.0	25.0

5. Monitoring and Reporting Requirements.

a. Analytical Monitoring Requirements. During the first and third year of the permit, permittees with agricultural chemical manufacturing facilities; industrial inorganic chemical facilities; soaps, detergents, cosmetics, and perfume manufacturing facilities; and plastics, synthetics, and resin manufacturing facilities 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). Agricultural chemical manufacturing

facilities; industrial inorganic chemical facilities; soaps, detergents, cosmetics, and perfume manufacturing facilities; and plastics, synthetics, and resin manufacturing facilities are required to monitor their storm water discharges for the pollutants of concern listed in Tables C-2, C-3, C-4, and C-5 below. Facilities must report in accordance with *5.b.* (Reporting). In addition to the parameters listed in Tables C-2, C-3, C-4, and C-5 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 C-2.
Agricultural Chemicals Monitoring Requirements

Pollutants of Concern	Benchmark Monitoring Cut-Off Concentration
Nitrate plus Nitrite Nitrogen	0.68 mg/L
Total Recoverable Lead	0.0816 mg/L
Total Recoverable Iron	1.0 mg/L
Total Recoverable Zinc	0.117 mg/L
Phosphorus	2.0 mg/L

Table C-3.
Industrial Inorganic Chemicals Monitoring Requirements

Pollutants of Concern	Benchmark Monitoring Cut-Off Concentration
Total Recoverable Aluminum	0.75 mg/L
Total Recoverable Iron	1.0 mg/L
Nitrate plus Nitrite Nitrogen	0.68 mg/L

Table C-4.
Soaps, Detergents, Cosmetics, and Perfumes Monitoring Requirements

Pollutants of Concern	Benchmark Monitoring Cut-Off Concentration
Nitrate plus Nitrite Nitrogen	0.68 mg/L
Total Recoverable Zinc	0.117 mg/L

Table C-5.
Plastics, Synthetics, and Resins Monitoring Requirements

Pollutants of Concern	Benchmark Monitoring Cut-Off Concentration
Total Recoverable Zinc	0.117 mg/L

1) Monitoring Periods. Agricultural chemical manufacturing facilities; industrial inorganic chemical facilities; soaps, detergents, cosmetics, and perfume manufacturing facilities; and plastics, synthetics, and resin manufacturing 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 nonprocess 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 period and submit the data along with 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.).

b) Low Concentration Waiver. When the average concentration for a pollutant calculated from all monitoring data collected from an outfall during the second year monitoring period, is less than the corresponding value for that pollutant listed in Table C-2 under the column Monitoring Cut-Off Concentration, a facility may waive monitoring and reporting requirements in the fourth year monitoring period. 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-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 the *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 with agricultural chemical manufacturing facilities; industrial inorganic chemical facilities; soaps, detergents, cosmetics, and perfume manufacturing facilities; and plastics, synthetics, and resin manufacturing facilities shall submit monitoring results for each outfall associated with industrial activity [or a certification in accordance with paragraphs *3)*, *4)*, or *5)* above] obtained during the second and fourth year reporting periods on *Storm Water Discharge Monitoring Report* (*SWDMR*) Form(s) postmarked no later than the 31st day of the following March. For each outfall, one *SWDMR* Form must be submitted per storm event sampled. Signed copies of *SWDMR*s, or said certifications, shall be submitted to the *Executive Secretary* at the address listed in *Part IV.* of the permit.

1) Additional Notification. In addition to filing copies of discharge monitoring reports in accordance with paragraph *b.* (above), agricultural chemical manufacturing facilities; industrial inorganic chemical facilities; soaps, detergents, cosmetics, and perfume manufacturing facilities; and plastics, synthetics, and resin manufacturing 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).

c. Compliance Monitoring Requirements. In addition to the monitoring required in paragraph *5.a.*, permittees with contaminated storm water runoff from phosphate fertilizer manufacturing facilities must monitor their contaminated storm water discharges for the presence of phosphorus and fluoride at least annually (one time per year). Facilities must report in accordance with paragraph *5.c.2)* below (Reporting). In addition to the parameters listed above, 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;

1) 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.

2) Reporting. Permittees with phosphate fertilizer manufacturing facilities shall submit monitoring results obtained during the second year reporting period on *Storm Water Discharge Monitoring Report* (*SWDMR*) Form(s) postmarked no later than the 28th day of the following February. For each outfall, one signed *SWDMR* form must be submitted to the *Executive Secretary* per storm event sampled. Signed copies of *SWDMR*s shall be submitted to the *Executive Secretary* at the address indicated in *Part V.B.* of this permit.

3) Additional Notification. In addition to filing copies of *SWDMR*s in accordance with paragraph *2)* (above), permittees that discharge through a large or medium municipal separate storm sewer system (systems serving a population of 100,000 or more) must submit signed copies of *SWDMR*s to the operator of the municipal separate storm sewer system in accordance with the dates provided in paragraph *2)* (above).

d. Quarterly Visual Examination of Storm Water Quality. Facilities shall perform and document a visual examination of a storm water discharge associated with industrial activity from each outfall, except discharges exempted below. The examination must be made at least once in each of the following periods: January through March; April through June; July through September; and October through December during daylight hours unless there is insufficient rainfall or snow melt to produce a runoff event.

1) Sample and Data Collection. Examinations shall be made of samples collected within the first 30 minutes (or as soon thereafter as practical, but not to exceed 1 hour) of when the runoff or snowmelt begins discharging. 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 should carry out the collection and examination of discharges for entire permit term.

2) Visual Storm Water Discharge Examination Report. 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.

3) 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 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.

4) 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 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.).

5) 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.

D. Storm Water Discharges Associated With Activity From Asphalt Paving and Roofing Materials and Lubricant Manufacturers.

1. Coverage of This Section.

a. Discharges Covered Under This Section.

1) This section of the permit describes requirements for discharges of storm water from facilities engaged in manufacturing asphalt paving and roofing materials, including those facilities commonly identified by Standard Industrial Classification (SIC) codes 2951 and 2952.

2) This section of the permit describes requirements for discharges of storm water from portable asphalt plant facilities (also commonly identified by SIC code 2951).

3) This section of the permit describes requirements for discharges of storm water from facilities engaged in manufacturing lubricating oils and greases, including those facilities classified as SIC code 2992.

b. Limitations on Coverage. The following storm water discharges associated with industrial activity are not authorized by this section of the permit:

1) Storm water discharges from petroleum refining facilities, including those that manufacture asphalt or asphalt products and that are classified as SIC code 2911 (see *Appendix II.I*),

2) Storm water discharges from oil recycling facilities (see *Appendix II.N.*), and

3) Storm water discharges associated with fats and oils rendering (see *Appendix II.U.*).

c. Co-Located Industrial Activity. When an industrial facility, described by paragraph *a.* (above), 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 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.

1) There are no additional prohibitions beyond those listed in *Part II.A.2.* of this permit.

3. Storm Water Pollution Prevention Plan Requirements.

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

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

2) Description of Potential Pollutant Sources. Each plan shall provide a description of potential sources that may reasonably be expected to add significant amounts of pollutants to storm water discharges or that may result in the discharge of pollutants during dry weather from storm drains on 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 indicating an outline of the portions of the drainage area of each storm water outfall that are within the facility boundaries, each existing structural control measure to reduce pollutants in storm water runoff, surface water bodies, locations where significant materials are exposed to precipitation, locations where major spills or leaks identified under this section *3.a.2)c)* (spills and leaks) of this section have occurred, and the locations of the following activities where such activities are exposed to precipitation: 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 areas and storage areas including areas where raw materials, finished products and drums are stored. The map must indicate the outfall locations and the types of discharges contained in the drainage areas of the outfalls.

(2) For each area of the facility that generates storm water discharges with a reasonable potential for containing significant amounts of pollutants, a prediction of the direction of flow, and an identification of the types of pollutants that are likely to be present in storm water discharges associated with industrial activity. Factors to consider include the toxicity of a chemical; quantity of chemicals used, produced or discharged; the

likelihood of contact with storm water; and history of significant leaks or spills of toxic or hazardous pollutants. Flows with a significant potential for causing erosion shall be identified.

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 existing discharge sampling data describing pollutants in storm water discharges from the facility, including a summary of sampling data collected during the term of this permit.

e) Risk Identification and Summary of Potential Pollutant Sources. A narrative description of the potential pollutant sources from the following activities: loading and unloading operations; outdoor storage activities; outdoor manufacturing or processing activities; significant dust or particulate generating processes; and onsite waste disposal practices. The description shall specifically list any significant potential source of pollutants at the site and for each potential source, any pollutant or pollutant parameter (e.g., biochemical oxygen demand, etc.) of concern shall be identified.

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. Particular attention should be paid to areas where raw materials are stockpiled, material handling areas, storage areas, liquid storage tanks, material handling areas, and loading/unloading areas.

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

c) Spill Prevention and Response Procedures. Areas where potential spills 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 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 *3.a 3) f)* of this section, qualified facility personnel shall be identified to inspect designated equipment and areas of the facility at appropriate intervals specified in the plan. Material storage and handling areas, liquid storage tanks, hoppers or silos, vehicle and equipment maintenance, cleaning, and fueling areas, material handling vehicles, equipment and processing areas shall be inspected at least once per month as part of the maintenance program. A set of tracking or follow-up procedures shall be used to ensure that appropriate actions are taken in response to the inspections. Records of inspections shall be maintained.

e) 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.

(1) 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.

(2) Non-storm Water Discharges.

(a) Certificaton. The plan shall include a certification that the discharge has been tested or evaluated for the presence of non-storm water discharges. The certification shall include the identification of potential significant sources of non-storm water at the site, a description of the results of any test and/or evaluation for the presence of non-storm water discharges, the evaluation criteria or testing method used, the date of any testing and/or evaluation, and the onsite drainage points that were directly observed during the test. Certifications shall be signed in accordance with *Part VI.G.* of this permit. Such certification may not be feasible if the facility operating the storm water discharge associated with industrial activity does not have access to an outfall, manhole, or other point of access to the ultimate conduit that receives the discharge. In such cases, the source identification section of the storm water pollution prevention plan shall indicate why the certification required by this part was not feasible, along with the identification of potential significant sources of non-storm water at the site. A discharger that is unable to provide the certification required by this paragraph must notify the *Executive Secretary* in accordance with paragraph *3.a.3)f)(2)(c)* (below).

(b) Exceptions. Except for flows from fire fighting activities, 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.

(c) 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

(3) 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.

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

f) Comprehensive Site Compliance Evaluation. Qualified personnel shall conduct site compliance evaluations at appropriate intervals specified in the plan, but in no case less than once a year. Evaluations shall be conducted at least once at portable plant locations that are not in operation for a complete year. Such evaluations shall provide:

(1) Areas contributing to a storm water discharge associated with industrial activity including; material storage and handling areas, liquid storage tanks, hoppers or silos, vehicle and equipment maintenance, cleaning, and fueling areas, material handling vehicles, equipment and processing areas, and areas where aggregate is stockpiled outdoors shall be visually inspected for evidence of, or the potential for, pollutants entering the drainage system. Measures to reduce pollutant loadings shall be evaluated to determine whether they are adequate and properly implemented in accordance with the terms of the permit or whether additional control measures are needed. Structural storm water management measures, (e.g., oil/water separators, detention ponds, sedimentation basins or equivalent

measures) sediment and erosion control measures, and other structural pollution prevention measures identified in the plan shall be observed to ensure that they are operating correctly. A visual inspection of equipment needed to implement the plan, such as dust collection equipment and spill response equipment, shall be made.

(2) Based on the results of the evaluation, the description of potential pollutant sources identified in the plan in accordance with *3.a.2)* of this section (description of potential pollutant sources) and pollution prevention measures and controls identified in the plan in accordance with *3.a.3)* of this section (measures and controls) shall be revised as appropriate within 2 weeks of such evaluation and shall provide for implementation of any changes to the plan in a timely manner, but in no case later than 12 weeks after the evaluation.

(3) 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 *4)f)* (above) of this section 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.

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

4. Numeric Effluent Limitations. In addition to the numeric effluent limitations listed in *Part IV.B.* of this permit, discharges from areas where production of asphalt paving and roofing emulsions occurs may not exceed a TSS concentration of 23.0 mg/L of runoff for any 1 day, nor shall the average of daily values for 30 consecutive days exceed a TSS concentration of 15.0 mg/L of runoff. Oil and grease concentrations in storm water discharges from these areas may not exceed 15.0 mg/L of runoff for any 1 day, nor should the average daily values for 30 consecutive days exceed an oil and grease concentration of 10.0 mg/L of runoff. The pH of these discharges must be within the range of 6.5 to 9.0.

5. Monitoring and Reporting Requirements.

a. Analytical Monitoring Requirements. During the first and third year of the permit, permittees with asphalt paving and roofing materials manufacturing facilities (including portable plants) 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). Asphalt paving and roofing materials manufacturing facilities are required to monitor their storm water discharges for the pollutant of concern listed in Table D-1 below. Facilities must report in accordance with *5.b.* (Reporting). In addition to the parameters listed in Table D-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 D-1.
Monitoring Requirements (SIC 2951, 2952)

Sub Sector	Pollutants of Concern	Benchmark Monitoring Cut-Off Concentration	Numeric Effluent Limitations
Asphalt Paving and Roofing Materials	Total Suspended Solids (TSS)	100 mg/L	
Discharges from areas where production of asphalt paving and roofing emulsions occurs	TSS Oil and Grease pH	....	23.0 mg/L, daily max 15.0 mg/L 30-day ave. 15.0 mg/L daily max. 10 mg/L 30-day ave. 6.0 -9.0

1) Monitoring Periods. Asphalt paving and roofing materials manufacturing 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 nonprocess 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 period and submit the data along with 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.).

b) Low Concentration Waiver. When the average concentration for a pollutant calculated from all monitoring data collected from an outfall during the second year monitoring period is less than the corresponding value for that pollutant listed in Table B-1 under the column Monitoring Cut-Off Concentration, a facility may waive monitoring and reporting requirements in the fourth year monitoring period. 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-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 in paragraph *5.c.* of this permit associated with effluent limitations.

b. Reporting. Permittees with asphalt paving and roofing materials manufacturing facilities 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 periods, 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 per storm event completed. Signed copies of *SWDMR*s, 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), asphalt paving and roofing materials manufacturing 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).

c. Quarterly Visual Examination of Storm Water Quality. Facilities shall perform and document a visual examination of a storm water discharge associated with industrial activity from each outfall, except discharges exempted below. The examination must be made at least once in each designated period [described in *1)*, below] during daylight hours unless there is insufficient rainfall or snow melt to produce a runoff event.

1) Visual Monitoring Periods. Examinations shall be conducted in each of the following periods for the purposes of evaluating storm water quality associated with storm water runoff or snow melt: January through March; April through June; July through September; and October through December.

2) Sample and Data Collection. Examinations shall be made of samples collected within the first 30 minutes (or as soon thereafter as practical, but not to exceed 1 hour) of when the runoff or snowmelt begins discharging. 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 should carry out the collection and examination of discharges for the life of the permit.

3) Visual Storm Water Discharge Monitoring Report. 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.

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 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.

5) 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 on site with the results of the visual examination. 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.).

6) 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.

d. Compliance Monitoring Requirements. Permittees with facilities that produce asphalt paving or roofing emulsions must monitor their storm water discharges associated with these activities for the presence of TSS, oil and grease, and for pH at least annually (one time per year). Facilities must report in accordance with *5.d.2)* (reporting). In addition to the parameters listed above, 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.

1) 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 grab sample shall be taken during the first 30 minutes of the discharge. If the collection of a grab sample during the first 30 minutes is impracticable, a grab sample can be taken during the first hour of the discharge, and the discharger shall submit with the monitoring report a description of why a grab sample during the first 30 minutes was impracticable.

2) Reporting. Permittees with asphalt paving or roofing emulsion production facilities shall submit monitoring results obtained during the second year reporting period on *SWDMR* form(s) postmarked no later than the last day of the following February. Signed copies of *SWDMR*s shall be submitted to the *Executive Secretary* at the address indicated in *Part V.B.* of this permit. For each outfall one *SWDMR* form shall be submitted per storm event sampled.

3) Additional Notification. In addition to filing copies of *SWDMR*s in accordance with paragraph *2)* (above), permittees that discharge through a large or medium municipal separate storm sewer system (systems serving a population of 100,000 or more) must submit signed copies of *SWDMR*s to the operator of the municipal separate storm sewer system in accordance with the dates provided in paragraph *2)* (above).

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F. Storm Water Discharges Associated With Industrial Activity From Primary Metals Facilities.

1. Coverage of This Section.

a. Discharges Covered Under This Section. The requirements listed under this section apply to storm water discharges from the primary metal industry. Activities covered include, but are not limited to, storm water discharges associated with coking operations, sintering plants, blast furnaces, smelting operations, rolling mills, casting operations, heat treating, extruding, drawing, or forging of all types of ferrous and nonferrous metals, scrap, and ore. Coverage includes the following types of facilities:

1) Steel works, blast furnaces, and rolling and finishing mills including: steel wiredrawing and steel nails and spikes; cold-rolled steel sheet, strip, and bars; and steel pipes and tubes (SIC code 331).

2) Iron and steel foundries, including: gray and ductile iron, malleable iron, steel investment, and steel foundries not elsewhere classified (SIC code 332).

3) Primary smelting and refining of nonferrous metals, including: primary smelting and refining of copper, and primary production of aluminum (SIC code 333).

4) Secondary smelting and refining of nonferrous metals (SIC code 334).

5) Rolling, drawing, and extruding of nonferrous metals, including: rolling, drawing, and extruding of copper; rolling, drawing, and extruding of nonferrous metals, except copper and aluminum; and drawing and insulating of nonferrous wire (SIC code 335).

6) Nonferrous foundries (castings), including: aluminum die-castings, nonferrous die-castings, except aluminum, aluminum foundries, copper foundries, and nonferrous foundries, except copper and aluminum (SIC code 336).

7) Miscellaneous primary metal products, not elsewhere classified, including: metal heat treating, and primary metal products, not elsewhere classified (SIC code 339).

b. Co-Located Industrial Activities. When an industrial facility, described by paragraph *a.* (above), 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. There are no additional requirements beyond those described in *Part II.A.2.* of this permit.

3. Storm Water Pollution Prevention Plan Requirements.

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

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

      2) Description of Potential Pollutant Sources. Each plan shall provide a description of potential sources that may reasonably be expected to add significant amounts of pollutants to storm water discharges or that may result in the discharge of pollutants during dry weather from storm drains on 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 indicating an outline of the portions of the drainage area of each storm water outfall that are within the facility boundaries, each existing structural control measure to reduce pollutants in storm water runoff, surface water bodies, locations where significant materials are exposed to precipitation, locations where major spills or leaks identified under paragraph *3.a.2)c)* (Spills and Leaks) of this section have occurred, and the locations of the following activities where such activities are exposed to precipitation: fueling stations, vehicle and equipment maintenance and/or cleaning areas, loading/unloading areas, locations used for the treatment, storage or disposal of wastes such as spent solvents or baths, sand, slag or dross, liquid storage tanks or drums, processing areas including pollution control equipment such as baghouses, and storage areas of raw materials such as coal, coke, scrap, sand, fluxes, refractories, or metal in any form. The map shall also indicate areas of the facility where accumulation of significant amounts of particulate matter from operations such as furnace or oven emissions or losses from coal/coke handling operations, etc., is likely, and could result in a discharge of

pollutants to waters of the State. The map must indicate the outfall locations and the types of discharges contained in the drainage areas of the outfalls.

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

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. This description should also include areas with the potential for deposition of particulate matter from process air emissions or losses during material handling activities. The description shall be updated whenever there is a significant change in the type or quantity of exposed materials, or material management practices, that may affect the exposure of materials to storm water.

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

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

e) Risk Identification and Summary of Potential Pollutant Sources. A narrative description of the potential pollutant sources from the following activities: loading and unloading operations; outdoor storage activities; outdoor manufacturing or processing activitics; significant dust or particulate generating processes occurring indoors or out, with or without pollution control equipment in place to trap particulates; and onsite waste disposal practices. The description shall specifically list any significant potential source of pollutants at the site and for each potential source, any pollutant or pollutant parameter (e.g., chemical oxygen demand, oil and grease, copper, lead, zinc, etc.) of concern, shall be identified.

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. The pollution prevention plan should consider implementation of the following measures, or equivalent measures, where applicable.

(1) Establish a cleaning or maintenance program for all impervious areas of the facility where particulate matter, dust, or debris may accumulate, particularly areas of material loading/unloading, material storage and handling, and processing.

(2) Pave areas of vehicle traffic or material storage where vegetative or other stabilization methods are not practical. Institute sweeping programs in these areas as well.

(3) For unstabilized areas of the facility where sweeping is not practical, storm water management devices such as sediment traps, vegetative buffer strips, filter fabric fence, sediment filtering boom, gravel outlet protection, or other equivalent measures, that effectively trap or remove sediment should be considered.

b) Source Controls. The permittee shall consider preventive measures to minimize the exposure of significant materials (as described in paragraph *3.a.3)* of this section) to precipitation and storm water runoff. The permittee should consider the implementation of the following measures, or equivalent measures, to reduce the exposure of all materials to storm water:

(1) Relocating all materials, including raw materials, intermediate products, material handling equipment, obsolete equipment, and wastes currently stored outside to inside locations.

(2) Establishment of a schedule for removal of wastes and obsolete equipment to minimize the volume of these materials stored onsite that may be exposed to storm water.

(3) Substitution of less hazardous materials, or materials less likely to contaminate storm water, or substitution of recyclable materials for nonrecyclables wherever possible.

(4) Constructing permanent or semipermanent covers, or other similar forms of protection over stockpiled materials, material handling and processing equipment. Options include roofs, tarps, and covers. This may also include the use of containment bins or covered dumpsters for raw materials, waste materials and nonrecyclable waste materials.

(5) Dikes, berms, curbs, trenches, or other equivalent measures to divert runon from material storage, processing, or waste disposal areas.

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

(1) A schedule for inspection and maintenance of all particulate emissions control equipment should be established to ensure proper operation. Inspections should be conducted as described in paragraph *3.a.3)e)* below. Detection of any leaks or defects that could lead to excessive emissions shall be repaired as soon as practicable. The permittee shall consider ways to reduce emissions including but not limited to: upgrading or replacing existing equipment; collecting runoff from areas of deposition for treatment or recycling; or changes in materials or processes to reduce the generation of particulate matter.

(2) Structural *Best Management Practices* (*BMPs*) shall be visually inspected for signs of washout, excessive sedimentation, deterioration, damage, or overflowing, and shall be repaired or maintained as soon as practicable.

d) Spill Prevention and Response Procedures. Areas where spills could contribute pollutants to storm water discharges shall be identified clearly in the storm water pollution prevention plan. Consideration should be given to specifying material

handling procedures, storage requirements, and use of equipment such as diversion valves in the plan. 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.

c) Inspections. Qualified facility personnel shall be identified to inspect designated equipment and areas of the facility at appropriate intervals, but no less frequently than once during each of the following periods: January through March; April through June; July through September; and October through December. A set of tracking or follow-up procedures shall be used to ensure that appropriate actions are taken in response to the inspections. Records of inspections shall be maintained. Inspections shall be conducted on a quarterly basis and address, at a minimum, the following areas where applicable:

(1) Air pollution control equipment such as baghouses, electrostatic precipitators, scrubbers, and cyclones, should be inspected on a routine basis for any signs of disrepair such as leaks, corrosion, or improper operation that could limit their efficiency and lead to excessive emissions. The permittee should consider monitoring air flow at inlets and outlets, or equivalent measures, to check for leaks or blockage in ducts. Visual inspections shall be made for corrosion, leaks, or signs of particulate deposition or visible emissions that could indicate leaks.

(2) All process or material handling equipment such as conveyors, cranes, and vehicles should be inspected for leaks, drips, etc. or for the potential loss of materials.

(3) Material storage areas such as piles, bins or hoppers for storing coke, coal, scrap, or slag, as well as chemicals stored in tanks or drums, should be examined for signs of material losses due to wind or storm water runoff.

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. The certification shall include the identification of potential significant sources of non-storm water at the site, a description of the results of any test and/or evaluation for the presence of non-storm water discharges, the evaluation criteria or testing method used, the date of any testing and/or evaluation, and the onsite drainage points that were directly observed during the test. Certifications shall be signed in accordance with *Part VI.G.* of this permit. Such certification may not be feasible if the facility operating the storm water discharge associated with industrial activity does not have access to an outfall, manhole, or other point of access to the ultimate conduit that receives the discharge. In such cases, the source identification section of the storm water pollution prevention plan shall indicate why the certification required by this part was not feasible, along with the identification of potential significant sources of non-storm water at the site. A discharger that is unable to provide the certification required by this paragraph must notify the *Executive Secretary* in accordance with paragraph *3.a.3)h)(3)* (below).

(2) Exceptions. Except for flows from fire fighting activities, 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 an *NOI* to be covered by this permit. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notification 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 that 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. The plan shall also contain a narrative consideration of the

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

j) Management of Runoff. Facilities shall consider implementation of the following storm water management practices or other equivalent measures to address pollutants of concern:

(1) Vegetative buffer strips, filter fabric fence, sediment filtering boom, or other equivalent measures, that effectively trap or remove sediment prior to discharge through an inlet or catch basin.

(2) Media filtration such as catch basin filters and sand filters.

(3) Oil/water separators or the equivalent.

(4) Structural *BMP*s such as settling basins, sediment traps, retention or detention ponds, recycling ponds or other equivalent measures.

4) Comprehensive Site Compliance Evaluation. Qualified personnel shall conduct site compliance evaluations at appropriate intervals specified in the plan but in no case less than once a year. Such evaluations shall provide:

a) Areas contributing to a storm water discharge associated with industrial activity such as material storage and handling, loading and unloading, process activities, and plant yards shall be visually inspected for evidence of, or the potential for, pollutants entering the drainage system. Measures to reduce pollutant loadings shall be evaluated to determine whether they are adequate and properly implemented in accordance with the terms of the permit or whether additional control measures are needed. Structural storm water management measures, sediment and erosion control measures, other structural pollution prevention measures identified in the plan, as well as process related pollution control equipment shall be observed or tested to ensure that they are operating correctly. A visual inspection of equipment needed to implement the plan, such as spill response equipment, shall be made.

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

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

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

4. Numeric Effluent Limitations. There are no additional effluent limitations beyond those described in *Part IV.B.* of this permit.

5. Monitoring and Reporting Requirements.

a. Analytical Monitoring Requirements. Facilities identified by SIC codes 331, 332, 335, and 336 must monitor their storm water discharges associated with industrial activity at least quarterly (4 times per year during the first and third year of coverage) except as provided in paragraphs *5.a.3)* (Sampling Waiver), *5.a.4)* (Representative Discharge), and *5.a.5)* (Alternative Certification). Primary metals facilities are required to monitor their storm water discharges for the pollutants of concern listed in Tables F-1, F-2, F-3, and F-4 below. Facilities must report in accordance with *5.b.* (Reporting). In addition to the parameters listed in Tables F-1 through F-4 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 F-1.
Steel Works, Blast Furnaces, and Rolling and Finishing Mills (SIC 331) Monitoring Requirements

Pollutants of Concern	Benchmark Monitoring Cut-Off Concentration
Total Recoverable Aluminum	0.75 mg/L
Total Recoverable Zinc	0.117 mg/L

Table F-2.
Iron and Steel Foundries (SIC 332) Monitoring Requirements

Pollutants of Concern	Benchmark Monitoring Cut-Off Concentration
Total Recoverable Aluminum	0.75 mg/L
Total Suspended Solids	100 mg/L
Total Recoverable Copper	0.0636 mg/L
Total Recoverable Iron	1 mg/L
Total Recoverable Zinc	0.117 mg/L

Table F-3.
Rolling, Drawing, and Extruding of Non-Ferrous Metals (SIC 335) Monitoring Requirements

Pollutants of Concern	Benchmark Monitoring Cut-Off Concentration
Total Recoverable Copper	0.0636 mg/L
Total Recoverable Zinc	0.117 mg/L

Table F-4.
Non-Ferrous Foundries (SIC 336) Monitoring Requirements

Pollutants of Concern	Benchmark Monitoring Cut-Off Concentration
Total Recoverable Copper	0.0636 mg/L
Total Recoverable Zinc	0.117 mg/L

1) Monitoring Periods. Primary metals 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 internal 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 nonprocess 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 period and submit the data along with data for the routine sample in that period. Adverse weather conditions that may prohibit the collection of samples include weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricane, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (drought, extended frozen conditions, etc.).

   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-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 the *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. The certification option is not applicable to compliance monitoring requirements associated with effluent limitations.

b. Reporting. Permittees with primary metals facilities 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 periods, on *Storm Water Discharge Monitoring Report* (*SWDMR*) form(s) postmarked no later than the 31st day of the following March. For each outfall, one *SWDMR* form must be submitted per storm event sampled. Signed copies of *SWDMR*s, or said certifications, shall be submitted to the *Executive Secretary* at the address listed in *Part V.B.* of permit.

1) Additional Notification. In addition to filing copies of *SWDMR*s in accordance with paragraph *b.* (above), primary metals 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 *SWDMR*s to the operator of the municipal separate storm sewer system in accordance with the dates provided in paragraph *b.* (above).

c. Quarterly Visual Examination of Storm Water Quality. Facilities shall perform and document a visual examination of a storm water discharge associated with industrial activity from each outfall, except discharges exempted below. The examination must be made at least once in each designated period [described in *1)* below] during daylight hours unless there is insufficient rainfall or snow melt to produce a runoff event.

1) Visual Monitoring Periods. Examinations shall be conducted in each of the following periods for the purposes of visually inspecting storm water quality associated with storm water runoff or snow melt: January through March; April through June; July through September; and October through December.

2) Sample and Data Collection. Examinations shall be made of samples collected within the first 30 minutes (or as soon thereafter as practical, but not to exceed 1 hour) of when the runoff or snow melt 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 should carry out the collection and examination of discharges for entire permit term.

3) 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.

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 collect a sample of effluent of one of such outfalls and report that the examination 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.

5) 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 that may prohibit the collection of samples include weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricane, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (e.g., drought, extended frozen conditions, etc.).

6) 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.

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 *1.* 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*

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.

(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 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:

(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.

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.).

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-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 *SWDMR*s, 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.

M. Storm Water Discharges Associated With Industrial Activity From Automobile Salvage Yards.

1. Coverage of This Section.

a. Discharges Covered Under This Section. The requirements of this section apply to point source discharges of storm water associated with industrial activity from facilities engaged in dismantling or wrecking used motor vehicles for parts recycling or resale and for scrap (Standard Industrial Classification (SIC) Code 5015).

b. Co-Located Industrial Activities. When an industrial facility, described by the above coverage provisions of this section, has industrial activities being conducted onsite that meet the description(s) of industrial activities in another section(s), that industrial facility shall comply with any and all applicable monitoring and pollution prevention plan requirements of the other section(s) in addition to all applicable requirements in this section. The monitoring and pollution prevention plan terms and conditions of this multi-sector permit are additive for industrial activities being conducted at the same industrial facility. 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. Storm Water Pollution Prevention Plan Requirements.

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

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

2) Description of Potential Pollutant Sources. Each storm water pollution prevention plan must describe industrial activities, significant materials, and physical features of the facility that may contribute to storm water runoff or, during periods of dry weather, result in dry weather flows. Plans must include the following elements:

a) Site Map. The plan must contain a map of the site that shows structural features that control pollutants in storm water runoff[1] and process wastewater discharges, surface water bodies (including wetlands), places where significant materials are exposed to rainfall and runoff, and locations of major spills and leaks that occurred in the 3 years prior to the date of the submission of a *Notice of Intent* (*NOI*) to be covered under this permit. The map must also indicate the flow direction of storm water runoff. The location of each storm water outfall associated with an industrial activity, as well as an outline of the drainage area for each storm water outfall and an indication of the types of discharges in each drainage area must be indicated. The map must indicate the location of each monitoring point. The map must include an estimation (in acres) of the total area

[1]Features such as grass swales and vegetative buffer strips also should be shown.

used for industrial activity including, but not limited to, dismantling, storage, and maintenance of used motor vehicles and motor vehicle parts. The map must also indicate the location of the following activities where such activities are exposed to precipitation: vehicle storage areas; dismantling areas; parts storage areas, including engine blocks, tires, hub caps, batteries, hoods, and mufflers; fueling stations; vehicle and equipment maintenance areas; cleaning areas (parts, vehicles, and/or equipment); loading and unloading areas; locations used for the treatment, storage, and disposal of wastes; and liquid storage tanks and drums for fuel and other fluids.

b) Inventory of Potential Pollutant Sources. Facility operators are required to carefully conduct an inspection of the site to identify significant materials exposed to precipitation that may contribute pollutants to storm water discharges. The inventory must address materials that within 3 years prior to the date of the submission of a *Notice of Intent* (*NOI*) to be covered under this permit have been handled, stored, processed, treated, or disposed of in a manner to allow exposure to storm water. Findings of the inventory must be documented in detail in the pollution prevention plan. At a minimum, the plan must describe the method and location of onsite storage or disposal; practices used to minimize contact of materials with rainfall and runoff; existing structural and nonstructural controls that reduce pollutants in storm water runoff; existing structural controls that prohibit/control process wastewater discharges; and any treatment the runoff receives before it is discharged to surface waters or through a separate storm sewer system. The description must be updated whenever there is a significant change in the types or amounts of materials, or material management practices, that may affect the exposure of materials to storm water.

c) Significant Spills and Leaks. The plan must include a list of any significant spills and leaks of toxic or hazardous pollutants that occurred in the 3 years prior to the date of the submission of a *Notice of Intent* (*NOI*) to be covered under this permit. Significant spills include, but are not limited to, releases of oil or hazardous substances in excess of quantities that are reportable under *Section 311 of CWA* (see *40 CFR 110.10* and *40 CFR 117.21*) or *Section 102 of the Comprehensive Environmental Response, Compensation and Liability Act* (*CERCLA*) (see *40 CFR 302.4*). Significant spills may also include releases of oil or hazardous substances that are not in excess of reporting requirements and releases of materials that are not classified as oil or a hazardous substance. This list shall be updated as appropriate during the term of the permit.

d) Sampling Data. Any existing data or data collected during the term of this permit describing the quality or quantity of storm water discharges from the facility must be summarized in the plan. The description should include a discussion of the methods used to collect and analyze the data. Sample collection points should be identified in the plan and shown on the site map.

e) Summary of Potential Pollutant Sources. The description of potential pollution sources should clearly point to activities, materials, and physical features of the facility that have a reasonable potential to contribute significant amounts of pollutants to storm water discharges. Any such industrial activities, significant materials, or features must be addressed by the measures and controls

subsequently described in the plan. In conducting the assessment, the facility operator must consider the potential for the following activities to contribute pollutants: vehicle storage areas; dismantling areas; parts storage areas, including engine blocks, tires, hub caps, batteries, and hoods; fueling stations; vehicle and equipment maintenance areas; cleaning areas (parts and vehicles and/or equipment); loading/unloading areas; locations used for the treatment, storage, and disposal of wastes; and liquid storage tanks and drums for fuel and other fluids.

The assessment must identify the pollutant parameter or parameters (i.e., copper, iron, lead, oil and grease, total suspended solids, etc.) associated with each pollutant source.

3) Measures and Controls. Following completion of the source identification and assessment phase, the permittee must evaluate, select, and describe the pollution prevention measures, *best management practices* (*BMP*s), and other controls that will be implemented at the facility. *BMP*s include processes, procedures, schedules of activities, prohibitions on practices, and other management practices that prevent or reduce the discharge of pollutants in storm water runoff.

The pollution prevention plan must discuss the reasons each selected control or practice is appropriate for the facility and how each will address the potential sources of storm water pollution. The plan also must include a schedule specifying the time or times during which each control or practice will be implemented. In addition, the plan should discuss ways in which the controls and practices relate to one another and, when taken as a whole, produce an integrated and consistent approach for preventing or controlling potential storm water contamination problems.

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

b) Preventive Maintenance. The preventive maintenance program shall schedule periodic inspections and ensure appropriate maintenance of storm water management devices and facility equipment and systems. This program will address conditions that could cause breakdowns or failures resulting in the discharge of pollutants to surface waters. The maintenance program shall include periodic removal of debris from discharge diversions, conveyance systems, and impoundments/ponds. These activities should be conducted in the spring, after snow melt, and during the fall season. Maintenance schedules for sedimentation/impoundments must be provided in the pollution prevention plan.

c) Spill and Leak Prevention and Response Procedures. Areas where potential spills which can contribute pollutants to storm water discharges can occur, and their accompanying drainage points shall be identified clearly in the storm water pollution prevention plan. Where appropriate, specifying material handling procedures, storage requirements, and use of equipment such as diversion valves 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.

After clean up from a spill, absorbants must be promptly placed in containers for proper disposal. All vehicles that are intended to be dismantled must be properly drained of all fluids upon arrival at the site, or as soon as feasible thereafter, or other equivalent means must be taken to prevent leaks or spills of such fluids.

d) Inspections.

(1) Upon arrival at the site, or as soon as feasible thereafter, vehicles must be inspected for leaks. Any equipment containing oily parts, hydraulic fluids, or any other types of fluids shall be inspected at least quarterly (four times per year) for signs of leaks. Any outdoor storage of fluids including, but not limited to, brake fluid, transmission fluid, radiator water, and antifreeze, must be inspected at least quarterly for leaks. All outdoor liquid storage containers (e.g., tanks, drums) must be inspected at least quarterly for leaks.

(2) Qualified facility personnel are required to conduct quarterly visual inspections of BMPs. The inspections shall include: 1) an assessment of the integrity of storm water flow diversion and source minimization systems; 2) visual inspections of dismantling areas, vehicle and equipment maintenance areas, vehicle, equipment, and parts cleaning and storage areas, and other potential sources of pollution for evidence of actual or potential pollutant discharges of contaminated storm water.

(3) Inspections shall be conducted in each of the following periods: January through March; April through June; July through September; and October through December.

(4) Reports of the quarterly inspections (or more frequent if appropriate) shall be retained as part of the plan. Based on the results of each inspection the plan must be revised as appropriate within 2 weeks after each inspection. Changes in the measures and controls must be implemented on the site in a timely manner, and never more than 12 weeks after completion of the inspection.

e) 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. The pollution prevention plan shall include a schedule for training. Employee training must, at a minimum, address the following areas when applicable to a facility: proper handling (collection, storage, and disposal) of oil, used mineral spirits, anti-freeze, and solvents; spill prevention and response; fueling procedures; good housekeeping practices; and used battery management.

f) 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. The permittee must describe procedures for developing

and retaining records on the status and effectiveness of plan implementation. The plan must address monitoring, and *BMP* inspection and maintenance activities. Ineffective *BMP*s must be reported and the date of their corrective action noted.

g) 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. The certification shall include the identification of potential significant sources of non-storm water at the site, a description of the results of any test and/or evaluation for the presence of non-storm water discharges, the evaluation criteria or testing method used, the date of any testing and/or evaluation, and the onsite drainage points that were directly observed during the test. Certifications shall be signed in accordance with *Part VI.G.* of this permit. Such certification may not be feasible if the facility operating the storm water discharge associated with industrial activity does not have access to an outfall, manhole, or other point of access to the ultimate conduit which receives the discharge. In such cases, the source identification section of the storm water pollution prevention plan shall indicate why the certification required by this part was not feasible, along with the identification of potential significant sources of non-storm water at the site. A discharger that is unable to provide the certification required by this paragraph must notify the *Executive Secretary* in accordance with paragraph *2.a.3)g)(3)* below (Failure to Certify) of this section.

(2) Exceptions. Except for flows from fire fighting activities, 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

h) Sediment and Erosion Control. The plan shall identify areas which, due to topography, activities, or other factors, have a high potential for significant soil

erosion, and identify structural, vegetative, and/or stabilization measures to be used to limit erosion. Permittees must consider measures to maximize stabilization of industrial areas using vegetative cover, gravel, impervious surfaces or other appropriate measures.

i) Management of Runoff. The plan shall contain a narrative consideration of the appropriateness of traditional storm water management practices (practices other than those which control the generation or source(s) of pollutants) used to divert, infiltrate, reuse, or otherwise manage storm water runoff in a manner that reduces pollutants in storm water discharges from the site. The plan shall provide measures that the permittee determines to be reasonable and appropriate and shall be implemented and maintained. The potential of various sources at the facility to contribute pollutants to storm water discharges associated with industrial activity (see paragraph *2.a.2)* [Description of Potential Pollutant Sources] of this section) shall be considered when determining reasonable and appropriate measures. Appropriate measures may include: vegetative swales and practices, reuse of collected storm water (such as for a process or as an irrigation source), inlet controls (such as oil/water separators), snow management activities, infiltration devices, wet detention/retention devices, or other equivalent measures. In addition, the permittee must describe the storm water pollutant source area or activity (e.g., dismantling area, storage area, cleaning operations) to be controlled by each storm water management practice.

The plan must consider management practices, such as berms or drainage ditches on the property line that may be used to prevent runon from neighboring properties. Berms must be considered for uncovered outdoor storage of oily parts, engine blocks, and above ground liquid storage. The installation of detention ponds must also be considered. The permittee shall consider the installation of a filtering device to receive runoff from industrial areas. The installation of oil/water separators must also be considered.

4) Comprehensive Site Compliance Evaluation. Qualified personnel shall conduct comprehensive site compliance evaluations at appropriate intervals specified in the plan, but in no case less than once a year. The storm water pollution prevention plan must describe the scope and content of comprehensive site evaluations that qualified personnel will conduct to 1) confirm the accuracy of the description of potential pollution sources contained in the plan, 2) determine the effectiveness of the plan, and 3) assess compliance with the terms and conditions of the permit. The individual or individuals who will conduct the evaluations must be identified in the plan and should be members of the pollution prevention team. Such evaluations shall provide:

a) Areas contributing to a storm water discharge associated with industrial activity shall be visually inspected for evidence of, or the potential for, pollutants entering the drainage system. Measures to reduce pollutant loadings shall be evaluated to determine whether they are adequate and properly implemented in accordance with the terms of the permit or whether additional control measures are needed. Structural storm water management measures, sediment and erosion control measures, and other structural pollution prevention measures identified in the plan shall be observed to ensure that they are operating correctly. A visual inspection of equipment

needed to implement the plan, such as spill response equipment, shall be made.

b) Based on the results of the evaluation, the description of potential pollutant sources identified in the plan in accordance with paragraph *2.a.2)* (Description of Potential Pollutant Sources) of this section and pollution prevention measures and controls identified in the plan in accordance with paragraph *2.a.3)* (Measures and Controls) 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, but in no case more than 12 weeks after the evaluation.

c) A report summarizing the scope of the evaluation, personnel making the evaluation, the date(s) of the evaluation, major observations relating to the implementation of the storm water pollution prevention plan, and actions taken in accordance with paragraph *2.a.4)b)* (above) of this section 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.

3. Numeric Effluent Limitations. There are no additional numeric effluent limitations beyond those described in *Part IV.B.* of this permit.

4. Monitoring and Reporting Requirements.

a. Analytical Monitoring Requirements. During the first and third year of the permit, permittees operating automobile salvage yards 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 *4.a.3)* (Sampling Waiver), *4.a.4)* (Representative Discharge), and *4.a.5)* (Alternative Certification). Automobile salvage yards are required to monitor their storm water discharges for the pollutants of concern listed in Table M-1 below. Facilities must report in accordance with *5.b.* (Reporting). In addition to the parameters listed in Table M-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 M-1.
Monitoring Requirements Automobile Salvage Yards (SIC 5015)

Pollutants of Concern	Benchmark Monitoring Cut-Off Concentration
Total Suspended Solids	100 mg/L
Total Recoverable Aluminum	0.75 mg/L
Total Recoverable Iron	1.0 mg/L
Total Recoverable Lead	0.0816 mg/L

1) Monitoring Periods. Automobile salvage yards 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 representativc 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 nonprocess 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 period and submit the data along with data for the routine sample in that period. Adverse weather conditions that may prohibit the collection of samples include weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricane, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (e.g., drought, extended frozen conditions, etc.).

   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 *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-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 conduct any monitoring required

up until that date. This certification option is not applicable to compliance monitoring requirements associated with effluent limitations.

b. Reporting. Permittees with automobile salvage yards shall submit monitoring results for each outfall associated with industrial activity [or a certification in accordance with paragraphs *3)*, *4)*, or *5)* above] obtained during the second and fourth year reporting periods, 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 per storm event sampled. Signed copies of *SWDMR*s, 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 *SWDMR*s in accordance with paragraph *b.* (above), automobile salvage yards 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).

c. Quarterly Visual Examination of Storm Water Quality. All automobile salvage yard facilities shall perform and document a visual examination of a storm water discharge associated with industrial activity from each outfall, except discharges exempted below. The examination(s) must be made at least once in each of the following 3-month periods: January through March, April through June, July through September, and October through December. The examination shall be made during daylight hours unless there is insufficient rainfall or snow melt to produce a runoff event.

1) Sample and Data Collection. Examinations shall be made of samples collected within the first 30 minutes (or as soon thereafter as practical, but not to exceed 1 hour) of when the runoff or snowmelt begins discharging. 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 should carry out the collection and examination of discharges for the entire permit term.

2) 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.

3) 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 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.

4) 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 examinations. Adverse weather conditions which may prohibit the collection of samples include weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricane, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (e.g., drought, extended frozen conditions, etc.).

5) 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.

5. Retention of Records. The permittee shall retain records of all inspections and monitoring information, including certification reports, noncompliance reports, calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports, and supporting data, requested by the permitting authority for at least 3 years after the date of the inspection or monitoring event.

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

1. Coverage of This Section.

a. Discharges Covered Under This Section.

1) This section covers point source discharges of storm water from 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 lands dedicated to the disposal of sewage sludge that are located within the confines of the facility with a design flow of 1.0 MGD or more, or required to have an approved pretreatment program under *40 CFR Part 403*.

2) Co-Located Industrial Activity. When an industrial facility, described by the above coverage provisions of this section, has industrial activities being conducted onsite that meet the description(s) of industrial activities in another section(s), that industrial facility shall comply with any and all applicable monitoring and pollution prevention plan requirements of the other section(s) in addition to all applicable requirements in this section. The monitoring and pollution prevention plan terms and conditions of this multi-sector permit are additive for industrial activities being conducted at the same industrial facility. 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. Prohibited non-storm water discharges including sanitary and industrial wastewater, and equipment and vehicle washwaters are not authorized by this permit. The operators of such discharges must obtain coverage under a separate *UPDES* permit if discharged to waters of the State or through a municipal separate storm sewer system.

3. Storm Water Pollution Prevention Plan Requirements.

a. Contents of the 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 who are responsible for developing the storm water pollution prevention plan and assisting the facility or plant manager in its implementation, maintenance, and revision. The plan shall clearly identify the responsibilities of each team member. The activities and responsibilities of the team shall address all aspects of the facility's storm water pollution prevention plan.

2) Description of Potential Pollutant Sources. Each plan shall provide a description of potential sources which may reasonably be expected to add significant amounts of pollutants to storm water discharges or which may result in the discharge of pollutants

during dry weather from separate storm sewers draining the facility. Each plan shall identify all activities and significant materials which may potentially be significant pollutant sources. Each plan shall include, at a minimum:

a) Drainage. A site map indicating the location of each point of discharge of storm water associated with industrial activity, types of discharges contained in the drainage areas of the outfalls, an outline of the portions of the drainage area of each storm water outfall that are within the facility boundaries (with a prediction of the direction of flow), each existing structural control measure to reduce pollutants in storm water runoff, surface water bodies, locations where significant materials are exposed to precipitation, locations where major spills or leaks identified under *Part II.B.* (Releases in Excess of Reportable Quantities) of this permit have occurred. In addition, the locations of the following activities shall be indicated: fueling areas; vehicle and equipment maintenance and/or cleaning areas; locations used for treatment, storage and disposal areas for wastes, liquid storage tanks, processing areas and storage areas for process chemicals, petroleum products, solvents, fertilizers, herbicides and pesticides; and loading/unloading areas.

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

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

e) Summary of Potential Pollutant Sources. A narrative description of the potential pollutant sources from the following activities associated with treatment works: access roads/rail lines; loading and unloading operations; outdoor storage activities; material handling sites; outdoor manufacturing or processing activities; significant dust or particulate generating processes; and onsite waste disposal practices. The description shall specifically list any significant potential source

of pollutants at the site and for each potential source, any pollutant or pollutant parameter (e.g., acid, bases, and solvents, etc.) of concern shall be identified.

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. All areas that may contribute pollutants to storm waters discharges shall be maintained in a clean, orderly manner.

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

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

d) Inspections. In addition to the comprehensive site evaluation required under paragraph *3.a.4)* of this section, qualified facility personnel shall be identified to inspect designated equipment and areas of the facility on a periodic basis. The following areas shall be included in all inspections: access roads/rail lines, equipment storage and maintenance areas (both indoor and outdoor areas); fueling; material handling areas, residual treatment, storage, and disposal areas; and wastewater treatment areas. A set of tracking or follow-up procedures shall be used to ensure that appropriate actions are taken in response to the inspections. Records of inspections shall be maintained. The use of a checklist developed by the facility is encouraged.

e) 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 how often training will take place, but training should be held at least annually (once per calendar year). Employee training must, at a minimum, address the following areas when applicable to a facility: petroleum product

management; process chemical management; spill prevention and control; fueling procedures; general good housekeeping practices; proper procedures for using fertilizers, herbicides and pesticides.

f) 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.

g) 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. The certification shall include the identification of potential significant sources of non-storm water at the site, a description of the results of any test and/or evaluation for the presence of non-storm water discharges, the evaluation criteria or testing method used, the date of any testing and/or evaluation, and the onsite drainage points that were directly observed during the test. Certifications shall be signed in accordance with *Part VI.G.* of this permit. Such certification may not be practical if the facility operating the storm water discharge associated with industrial activity does not have access to an outfall, manhole, or other point of access to the ultimate conduit which receives the discharge. In such cases, the source identification section of the storm water pollution prevention plan shall indicate why the certification required by this part was not practical, along with the identification of potential significant sources of non-storm water at the site. A discharger that is unable to provide the certification required by this paragraph must notify the *Executive Secretary* in accordance with paragraph *3.a.3)g)(i4)* (Failure to Certify) of this section.

(2) Exceptions. Except for flows from fire fighting activities, 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) Copy of Other Permits. A copy of all the current *UPDES* permit issued for wastewater, industrial, vehicle and equipment washwater discharges or, if a UPDES permit has not yet been issued, a copy of the pending application must be attached to the plan. For facilities that discharge vehicle and equipment washwaters to the sanitary sewer system, the operator of the sanitary system and associated treatment plant must be notified. In such cases, a copy of the notification letter must be attached to the plan. If an industrial user permit is issued under a pretreatment program, a copy of that permit must be attached in the plan. In all cases, any permit conditions must be considered in the plan. If the washwaters

are handled in another manner (e.g., hauled offsite), the disposal method must be described and all pertinent documentation (e.g., frequency, volume, destination, etc.) must be attached to the plan.

(4) 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

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

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

4) Comprehensive Site Compliance Evaluation. Qualified personnel shall conduct site compliance evaluations at appropriate intervals specified in the plan, but in no case less than once a year. Such evaluations shall provide:

a) Areas contributing to a storm water discharge associated with industrial activity shall be visually inspected for evidence of, or the potential for, pollutants entering the drainage system. Measures to reduce pollutant loadings shall be evaluated to determine whether they are adequate and properly implemented in accordance with the terms of the permit or whether additional control measures are needed. Structural storm water management measures, sediment and erosion control measures, and other structural pollution prevention measures identified in the plan shall be observed to ensure that they are operating correctly. A visual