

FACT SHEET/STATEMENT OF BASIS

MULTI-SECTOR GENERAL PERMIT FOR STORM WATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY RENEWAL

PERMIT NUMBER UTR000000

January 1, 2024

GENERAL DESCRIPTION OF DISCHARGES AUTHORIZED UNDER THE MULTI-SECTOR GENERAL PERMIT FOR STORM WATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY

BACKGROUND

Storm water discharges associated with industrial activities are defined by 40 CFR 122.26 (b)(14)(i-ix and xi), which specifies 10 categories of regulated industry. These 10 categories of industry are broken down into 29 sectors, based on Primary Standard Industrial Classification (SIC) code or narrative activity. Section 405 of the *Water Quality Act of 1987* added Section 402(p) to the *Clean Water Act*, which provided a phased approach to regulation of storm water discharges under the NPDES program. Final Phase I regulations, published November 16, 1990, established permit application requirements for storm water discharges associated with industrial activity.

The State of Utah was granted primacy in the National Pollutant Discharge Elimination System (NPDES) program by USEPA in 1987. In Utah, storm water discharge Permits are issued by the Utah Department of Environmental Quality, Division of Water Quality. Utah's program is known as the Utah Pollutant Discharge Elimination System (UPDES) Program. The UPDES Multi-Sector General Permit (MSGP) for Storm Water Discharges associated with Industrial Activity (UTR000000) are being reissued by the *Director*. The purpose of the MSGP is to regulate the discharge of storm water from regulated industrial facilities into waters of the State of Utah. The basis for the permit is described in Title 19, Chapter 5, the *Utah Water Quality Act*. This fact sheet has been prepared in accordance with *UAC R317-8-11.3(6)(c) and (d)*.

Permit Coverage

MSGP

Stormwater drainage areas covered by this permit include but are not limited to discharges from the following sectors:

Sector	Sector Description
A	Timber Products Facilities
B	Paper and Allied Products Manufacturing Facilities
C	Chemical and Allied Products Manufacturing and Refining
D	Asphalt Paving and Roofing Materials Manufacturers and Lubricant Manufacturers
E	Glass, Clay, Cement, Concrete, and Gypsum Product Manufacturing Facilities
F	Primary Metals Facilities

Sector	Sector Description
G	Metal Mining (Ore Mining and Dressing) Facilities
H	Coal Mines and Coal Mining-Related Facilities
I	Oil and Gas Extraction Facilities
J	Mineral Mining and Processing Facilities
K	Hazardous Waste Treatment, Storage, or Disposal Facilities
L	Landfills and Land Application Sites
M	Automobile Salvage Yards
N	Scrap Recycling and Waste Recycling Facilities
O	Steam Electric Power Generating Facilities, Including Coal Handling Areas
P	Motor Freight Transportation Facilities, Passenger Transportation Facilities, Petroleum Bulk Oil Stations and Terminals, Rail Transportation Facilities, and United States Postal Service Transportation Facilities
Q	Water Transportation Facilities with Vehicle Maintenance Shops and/or Equipment Cleaning Operations
R	Ship and Boat Building or Repair Yards
S	Vehicle Maintenance Areas, Equipment Cleaning Areas, or Deicing Areas Located at Air Transportation Facilities
T	Treatment Works
U	Food and Kindred Products Facilities
V	Textile Mills, Apparel, and Other Fabric Product Manufacturing Facilities
W	Wood and Metal Furniture and Fixture Manufacturing Facilities
X	Printing and Publishing Facilities
Y	Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries
Z	Leather Tanning and Finishing Facilities
AA	Fabricated Metal Products Manufacturing Facilities
AB	Transportation Equipment, Industrial, or Commercial Machinery Manufacturing Facilities
AC	Electronic and Electrical Equipment and Components, Photographic, and Optical Goods Manufacturing Facilities
AD	Non-Classified Facilities

This permit regulates storm water discharges only. A facility may have other permitted discharges at the site such as process water covered under a separate *UPDES* permit. Also allowed are some non-stormwater discharges covered in *Part I.4*.

SUMMARY OF CHANGES FROM PREVIOUS PERMIT

There are several changes to the 2024 MSGP from the 2019 permit. Many of the changes were done to provide clarity, to avoid unnecessary repetition across industrial sectors (*especially in Appendix I*), and to more closely align with the EPA MSGP for future revisions and easier updates during EPA permit renewal. Additions and revisions to the permit were done to bring it into alignment with the *State of Utah Administrative Code* (UAC), the *United States Code of Federal Regulations* (CFR), and the *EPA Multi-Sector General Permit* (MSGP).

Only those changes that will have an effect on the permittee or existing permit conditions are noted in this Statement of Basis/Fact Sheet. Parts of the permit that were moved from another part of the previous permit for organizational purposes may not all be noted in this document, unless it will have an impact or wording is significantly different from that listed in the previous permit. Previous permit requirements that have been removed or added will also be addressed in this Statement of Basis for each industrial sector.

I. COVERAGE UNDER THIS PERMIT

1. MSGP (REMOVED)

Previous Permit Part I.A: This section of the previous permit was removed. In order to disperse permit renewals so that approximately the same number of industrial storm water permits come up for renewal each year, the MSGP was previously divided into five Groups. The five different Groups of the MSGP had 5-year permit terms that were offset from each other by one year, two years, three years, or four years. During the term of the previous permit these groups were renewed for permit terms that are 5-years or less to align their expiration date. The groups were as follows:

- a. Group 1: Sector P
- b. Group 2: Sectors I, R, AB, and AC
- c. Group 3: Sectors E, G, U, AA, and AD
- d. Group 4: Sectors A, B, C, D, F, H, M, T, and W
- e. Group 5: Sectors J, K, L, N, O, Q, S, V, X, Y, and Z

All Groups in the previous permit are set to expire on December 31, 2023. Upon the expiration of the previous permit, this new permit will be reissued and all groups will be on the same five-year permit cycle. This will eliminate the various expiration dates across different industrial sectors and will allow those who are operating across multiple industrial sectors to evaluate any changes that may impact their facility at one time.

Permit Part I.A.1: This Part was added to give a brief description of where the referenced regulations included within the permit are obtained and where the authority to regulate the Utah Pollutant Discharge Elimination System comes from.

2. Eligibility

Permit Part I.B.1 (Previous Permit Part I.C.1): Removed the last sentence in the previous permit about military installations being required to comply with the permit and monitoring requirements. This was removed because it is repetitive of an already required condition (*Part II.B – Co-Located Industrial Activity*). All industries, including military installations, are required to comply with all permit requirements and sector-specific requirements that are taking place at their facility.

Also removed Table 1 as the industrial sectors are identified in Appendix I and simply referencing Appendix I is sufficient. The table was repetitive of the same list identified in the Table of Contents one page earlier and did not add any new information.

Permit Part I.B.4 (Previous Permit Part I.C.4): Added the sectors subject to new source performance standards (NSPS), identified by the *EPA-MSGP 1.2.1.4*, for Sector A, Sector K, Sector L, and Sector S. This requirement for NSPS already existed for Sector C, Sector D, Sector E, and Sector O facilities. EPA has identified these eight sectors as ones that shall have established numeric effluent limitation monitoring requirements.

3. Limitations of Coverage

Permit Part I.C.1 (Previous Permit Part I.D.1): The wording was changed to reference *Part I.A* of *Appendix I* rather than calling it the “coverage sections in *Appendix I*” with no specific reference.

Permit Part I.C.4 (Previous Permit Part I.D.4): No change in the requirement, just a change in the wording to allow for more clarity in the meaning.

Permit Part I.C.10: *Appendix I* has a section in *Part A.2* called “Sector Specific Limitations on Coverage” that includes any specific limitations that may apply to that individual sector and this sentence was added to include those identified in *Appendix I* as limitations on coverage.

4. Prohibition of Non-Stormwater Discharges

Permit Part I.D.2.a (Previous Permit Part II.A.2.a): The previous wording of this section did not state that the permittee was required to obtain a permit for any unauthorized non-stormwater discharges, only that they had to comply with other *UPDES* permits. The new wording is more straight forward and specific on what has to be done, as well as including those sector-specific non-stormwater discharges identified in *Appendix I*.

Permit Part I.D.2.b (Previous Permit Part II.A.2.b): The wording here was changed to be direct and clear that the listed non-stormwater discharges are the only ones authorized by the permit. Additionally, the previous permit referenced the Storm Water Pollution Prevention Plan section as what the non-stormwater components of the discharge have to comply with. This permit also includes that the non-stormwater components have to comply with *Part III* which contains the new control measures and effluent limits section of the permit. The reference to *Appendix I* was removed because *Part III* and *Part VII* both include *Appendix I* in their requirements and to include it here would be repetitive.

Permit Part I.D.2.b.3 (Previous Permit Part II.A.2.b): The non-stormwater discharge of potable water includes water line flushing, so long as it is uncontaminated.

Permit Part I.D.2.b.5 (Previous Permit Part II.A.2.b): Combined the irrigation drainage and landscape watering to allow the pesticide, herbicide, and fertilizer comment to apply to both.

Permit Part I.D.2.b.7 (Previous Permit Part II.A.2.b): External building and structure washdown and power wash water shall not use detergents or hazardous cleaning products and the permittee shall implement control measures to ensure no pollutants are being discharged.

Permit Part I.D.2.b.11: Dust control is a common practice and one that is often encouraged as an industry practice, however, the previous permit did not include spraying for dust control as an approved non-stormwater discharge. This was added as it is a typical practice with the condition that it does not cause erosion or lead to the transport of potential pollutants.

Permit Part I.D.2.b.12: Spray down of lumber and wood product storage yards for Sector A facilities was included in *Appendix I.A* as an approved non-stormwater discharge, but it was not included in the “*Prohibition of Non-Storm Water Discharges*” section. It was moved here as it is an approved non-stormwater discharge and not a prohibited one. This was also done to have all approved non-stormwater discharges identified in this part of the permit.

Permit Part I.D.2.b.13: Dewatering from mining operations is a non-stormwater discharge that is

authorized for Sector G, Sector H, and Sector J facilities if it comprised of stormwater or uncontaminated groundwater. The previous permit only allowed this for Sector J facilities, but as long as the dewatering water is properly treated, it may be dewatered from any mining operation. This section requires any dewatering water to be treated by appropriate controls prior to being discharged.

Permit Part I.D.2.b.14: Authorized non-stormwater discharges that are mixed with discharges from a source that is covered by a different individual or general permit are authorized to be discharged as both should meet the permit requirements set forth within the given permits.

5. Obtaining Authorization to Discharge

Permit Part I.E (Previous Permit Part I.E): In accordance with *40 CFR Part 127*, and in keeping with the *NPDES Electronic Reporting* rule, the State of Utah is required to implement a program for electronic submittals of reports including Notices of Intent (NOIs), Notices of Termination (NOTs), No Exposure Certifications (NOEs), and Annual Reports. All permittees and regulated entities were required to begin submitting electronically by December 21, 2025 (unless the regulatory authority directs otherwise). The State of Utah has implemented the use of EPA's NPDES eReporting Tool for the MSGP (Net-MSGP) to meet this requirement which allows for the submittal of all of these documents and reports.

This permit requires the permittee to submit all NOIs electronically using Net-MSGP, unless the *Director* grants the permittee a waiver from electronic reporting, in which case the permittee may use the paper NOI form. Net-MSGP has been in use by a majority of permittees for the life of the previous permit and will continue with the permit.

6. Authorization, Expiration, and Renewals

Permit Part I.F (Previous Permit Part I.F): Recertification will be done through NeT-MSGP and not using the paper copy of the form. This wording containing a link to the renewal form was removed from this permit.

7. Terminating Coverage

Permit Part I.G (Previous Permit Part I.H): This permit requires the permittee to submit all NOTs electronically using Net-MSGP, unless the *Director* grants the permittee a waiver from electronic reporting, in which case the permittee may use the paper NOT form. NET-MSGP has been in use by a majority of permittees for the life of the previous permit and will continue with this permit.

Additionally, the permittee's authorization to discharge shall expire at midnight on the day the termination is approved by the *Director*. If the permittee fails to meet one of the requirements of this Part or the termination has not been approved, the permittee is still responsible to comply with all conditions and effluent limitations in the permit.

Permit Part I.G.1 (Previous Permit Part I.H.1): The new owner or operator must receive authorization to discharge under a new NOI before a submitted termination by a permittee can be approved. Within 30 days of a new owner or operator taking over, a new NOI shall be submitted by the new owner and then a termination can be approved for the previous owner or operator.

Permit Part I.G.2 (Previous Permit Part I.H.2): This Part has not changed, but is being explained in this fact sheet to ensure proper termination of the facility following cessation of operations is taking place at industrial facilities and that permittees are not submitting terminations while leaving potential pollutants at the site without removal.

If equipment, materials, waste disposal, or other potential pollutants are left at the facility, they should not have exposure to stormwater. Examples of equipment, materials, waste disposal, or other

potential pollutants that should not be left on site include, but are not limited to:

- a. Removing temporary or mobile fueling operations;
- b. Removing trash, garbage, and other industrial waste or debris. This includes the removal of any industrial products, materials, or byproducts that have the potential to be transported through heavy winds or precipitation;
- c. Removing tanks, barrels, and all other temporary chemical storage containers. This includes empty containers that have been used for chemical storage that may have potential chemical residue;
- d. For mining operations covered under Sector G, Sector H, or Sector J, the following should also be met:
 - 1) Stormwater that comes into contact with raw materials, intermediate byproducts, finished products, and waste products can not have the potential to cause or contribute to violations of water quality standards;
 - 2) All soil disturbing activities related to mining at the sites or portions of the sites have been completed;
 - 3) The site or portions of the site has been stabilized to minimize soil erosion;
 - 4) The site or portions of the site have been revegetated, will be amenable to natural revegetation, or will be left in a condition consistent with the post-mining land use.

Permit Part I.G.4 (Previous Permit Part I.H.4): The permittee shall ensure if they are stating the termination is a result of a new permit covering the discharge from the facility that the new permit covers all stormwater discharges from the facility and not only some of the discharges.

8. Modification to the NOI

Permit Part I.H: Revisions to the permit have changed with the electronic submittal, so this Part was added to explain the exact process for making changes to the NOI, the timeline for making those changes, and how a change in the owner or operator should be handled. Changes in NeT-MSGP shall be done within 30 days of the change at the facility. When a change in owner or operator occurs, the new owner must obtain coverage first under a new permit number, and then the current permit holder can submit the termination. These changes should also happen within 30 days of the change and the current permittee shall submit the termination within 30 days.

9. Electronic Reporting Requirement

Permit Part I.I: This Part was added to the permit to discuss the electronic reporting requirements for the applicable permit documents, as well as the criteria for the electronic submittal waiver.

10. Conditional Exclusion for No Exposure

Permit Part I.J (Previous Permit Part I.G): This Part was updated to include the NeT-MSGP submittal requirements for electronic reporting.

11. Conditional Exclusion for No Discharge

Permit Part I.K: This Part was added as the ability to qualify for an exemption for no discharge has existed in the previous permit but the criteria were never discussed. This allows the permittee to be aware of the requirements, consider if it applies to them, and make an informed decision of the type of coverage they may be excluded from. The ability to qualify for the no discharge exclusion is not common.

In order to qualify for this exclusion, the facility can have no discharge to waters of the state or to

a conveyance to waters of the state, including surface water runoff or groundwater infiltration. This exclusion is available only on a facility-wide basis and is not applicable to individual discharge points. A no discharge exclusion cannot be obtained if the facility discharges storm water, even if storm water is not exposed to industrial materials or activities.

12. Conditional Exclusion for Oil or Gas Facilities

Permit Part I.L (Previous Permit Part III.A.2): This Part was moved from the Stormwater Pollution Prevention Plan part of the previous permit and moved here as it is a conditional exclusion, similar to No Discharge and No Exposure, with set conditions. The wording for this Part was changed from the previous permit and in this permit is taken directly from the *UAC R317-8-11.3(2)(a)(3)* in order to be exact on what the code requires and how to meet the exclusion.

13. Inactive and Unstaffed Sites

Permit Part I.N: The previous permit discussed inactive facilities, and the NeT-MSGP has allowed facilities to put that they were inactive and unstaffed, but the requirements for this were not explained. This section is to explain the requirements to qualify as an inactive and unstaffed facility and the parts of the permit the permittee shall not be required to comply with. This Part also lays out specific requirements for mining operations, considered as Sector G, Sector H, and Sector J facilities, and how materials are allowed to remain at the site and be exposed to stormwater as long as there is no discharge of sediment or other pollutants occurring during the inactive period. Inactive landfills and land application sites covered under Sector L are also defined in this Part.

The inactive and unstaffed facilities do not have to conduct the inspections outlined in the permit as quarterly (or more frequent if required for some specific sectors in Appendix I), but are still required to conduct the annual comprehensive compliance evaluation to ensure there are no pollutant discharges occurring and to evaluate the overall site conditions. Monitoring shall not be required as there will be no discharge of pollutants occurring if the facility is considered inactive and unstaffed, however an annual report must still be submitted in accordance with the permit and reflect that monitoring was not required for part or all of the monitoring period. Employee training is also not required as there should be no employees present at the facility.

II. SPECIAL CONDITIONS

1. Releases in Excess of Reportable Quantities

Permit Part II.A.1: This Part in the permit was taken directly from *UAC R315-15-9* and was included as used oil is a very common material stored at industrial facilities. This gives permittees a knowledge of when to report used oil discharges, immediate actions to take, notification requirements, and reporting requirements. This is not a new requirement as it is already written in the *UAC*, but it gives a quicker reference for permittees with a specified gallon amount.

Permit Part II.A.2 (Previous Permit Part II.B.1): The changes made to this Part were very minor organizational and wording changes. The requirement to “immediately” notify the National Response Center and the Division of Water quality was added where the previous permit did not include a timeline on notification. The requirement to not only review the Storm Water Pollution Prevention Plan but modify it to prevent the reoccurrence of releases was added.

In addition to the previous notification requirements, the written notification that is due within 14 days of the release shall also include:

- a. The location of the release. This is included in the *UAC* oil release criteria and can be used to determine the potential severity of the release.
- b. If the release resulted in a discharge of pollutants to waters of the State, through stormwater or

otherwise. This is included to determine the potential severity of the release.

- c. A description of immediate actions taken to minimize or prevent the discharge of pollutants. This is included to determine the potential severity of the release as well as what actions were taken and if the permittee followed the spill prevention and response procedures contained in the Storm Water Pollution Prevention Plan.
- d. A description of response actions taken, the date and time clean-up were completed or will be complete, and any actions taken to prevent the reoccurrence of such releases in the future. This is included to determine the potential severity of the release as well as what actions were taken and if the permittee followed the spill prevention and response procedures contained in the Storm Water Pollution Prevention Plan.
- e. A statement, signed and certified in accordance with the signatory requirements of the permit. This is included as all documents should be signed in accordance with the signatory requirements of this permit.

Previous Permit Part II.B.2: This Part was removed in this permit as permittees are already required to report every reportable release as well as every anticipated violation in this permit. This section is then repetitive and unnecessary as the *Director* should be aware if multiple anticipated discharges are expected.

2. Co-Located Industrial Activity

Permit Part II.B (Previous Permit Part II.D): The ending of this Part in the previous permit included a reference to “the narrative description of each coverage section in the NOI form” which was part of the paper NOI. NeT-MSGP and the new permit NOI do not contain this reference and it was removed in this permit.

3. Discharge Compliance with Water Quality Standards

Permit Part II.C (Previous Permit Part II.E): If information on the NOI, required reports, or from other sources indicate that discharges are not controlled as necessary, such that receiving waters of the State will not meet an applicable water quality standard, the *Director* may require the permittee to implement additional control measures, or require coverage under an individual permit. Individual permits contain more facility specific requirements and may be more applicable for those unable to comply with water quality standards through this permit.

4. Reopener Clause

Previous Permit Part VII.1: This Part was removed from this permit as it is repetitive of already existing permit Parts regarding threatened or endangered species and water quality. This section should be about reopening this permit for modifications, not individual permittees being required to obtain permit coverage. This Part in the previous permit was all about individual permits, not this permit and does not fit the intention of this Part.

Permit Part II.F.2 (Previous Permit Part VII.1): This Part was added to the permit as it allows the permit to be modified if needed during the course of the permit, prior to the expiration date and the next permit cycle, such as when EPA updates their MSGP in 2026-2027. Modifications to the permit will comply with *UAC R317-8-5.6* and *UAC R317-8-6.2*.

III. CONTROL MEASURES AND EFFLUENT LIMITS

Permit Part III: This entire Part was added as a means to give guidance to permittees on controlling pollutants at the facility through measures and practices, but also to give practical requirements for stormwater management at the facility. This Part does not require the permittee to

document anything additional, but is used to give direction on known industrial practices that can generate pollutants and to help the permittee minimize or eliminate those pollutants from the facility. Some requirements in this Part were taken from the previous permit, others were taken, from the EPA MSGP, and some were added as a result of common violations observed during inspections by DWQ. Any new measures added in this Part will be explained in this Statement of Basis/Fact Sheet.

1. Stormwater Control Measures

Permit Part III.A: The permittee shall select, design, install, and implement stormwater control measures in accordance with good engineering practices and manufacturer's specification to minimize pollutant discharges. This part was added from the EPA MSGP and requires the permittee to use stormwater control measures that will work and holds the permittee accountable for installing and operating them the way they were designed and intended to be used. Proper operation on control measures will help ensure there are no discharge of pollutants from the facility.

2. Minimize Exposure

Permit Part III.B: The permittee shall minimize the exposure of pollutant sources associated with manufacturing, processing, and material storage areas to stormwater. The wording for this Part was adapted from the EPA MSGP and other industrial general permits within EPA Region 8. The best way for the permittee to avoid discharges of pollutants in stormwater is to minimize the amount of the materials, operations, and activities exposed to stormwater. This requirement does not require the permittee to prevent exposure all industrial activity, but it does have the permittee consider their operations and minimize, to the extent practicable, the amount of potential pollutants exposed at any given time or in a given location.

3. Good Housekeeping

Permit Part III.C: The permittee shall keep clean all exposed areas that are exposed to stormwater as necessary to minimize potential sources of pollutants. The wording for this Part is a simplified version of what is contained in the EPA MSGP. Good housekeeping practices are a common and effective stormwater control measure and this Part gives a few simple practices that all facilities should be doing to minimize the potential pollutants at the facility, namely: Sweeping at regular intervals; Storing materials in appropriately labeled containers; Keep all dumpster lids closed when not in use. For dumpsters and roll off boxes that do not have lids and could leak, ensure that discharges have some form of secondary containment or other treatment or capture method; Minimize the potential for waste, garbage, and floating debris to be discharged by keeping exposed areas free from such materials. There may also be sector-specific good housekeeping measures that are included in *Part B* or *Appendix I* that should be considered. This section can also help the permittee identify good housekeeping practices that should be identified in the Storm Water Pollution Prevention Plan.

4. Maintenance of Control Measures

Permit Part III.D: The permittee shall maintain all control measures, equipment, and systems used to maintain compliance with the permit in effective operating condition, by: Performing routine inspections and preventative maintenance of stormwater drainages, source controls, treatment systems, equipment, and systems that could fail and result in discharges of pollutants via stormwater; Initiating routine maintenance, repair, or replacement within twenty-four hours from the time such needed actions are identified. The permittee shall take all reasonable steps to minimize and prevent pollutant discharges until the needed actions can be taken This Part gives

guidance on maintenance practices and ensures the permittee is maintaining the control measures in a manner that will allow for proper operation to prevent discharges of pollutants.

5. Spill Prevention and Response Procedures

Permit Part III.E: The permittee shall minimize the potential for leaks, spills, and other releases that may be exposed to stormwater and develop plans for effective response to such spills if or when they occur in order to minimize pollutant discharges. The practices in this Part may be part of another plan such as a Spill Prevention, Control and Countermeasure (SPCC) plan. This Part ensures the permittee is taking appropriate steps to prevent and respond to any spills or leaks that may occur at the facility.

Previous Permit Part III.E.5: The previous permit included requirements for stormwater discharges associated with industrial activity from facilities subject to *Emergency Planning and Community Right-to-Know Act (EPCRA) Section 313*. The requirements for the proper management of the water priority chemicals listed in *Appendix II* are included in this Part instead of providing an entire Part specifically for them. EPCRA requirements are not included as part of the MSGP or the UAC for industrial stormwater permits, but are called out here due to the importance of proper storage, handling, and transferring practices.

The permit includes a condition in *Part II.D* that requires the permittee to comply with all state, municipal, environmental, and other requirements. If a facility is subject to EPCRA requirements, then the permittee would be responsible based on this Part. The need for the permittee to have implemented security systems for these chemicals, included in the previous permit, is not included in the permit.

6. Erosion and Sediment Controls

Permit Part III.F: This Part was added to ensure exposed sediment is stabilized and appropriate controls are put in place to prevent erosion from occurring. Wording for this part was taken from EPA MSGP and other EPA region 8 industrial general permits.

7. Management of Stormwater Runoff

Permit Part III.G: The permittee shall divert, reuse, contain, or treat stormwater runoff, in a manner that minimizes pollutants in stormwater discharges from the site. The examples listed were taken from the previous permit.

8. Stormwater Ponds and Catch Basins

Permit Part III.H: If the permittee uses stormwater basins or ponds, they should be designed, constructed, operated, and maintained to prevent the discharge of pollutants from the facility to waters of the state. The permittee must ensure the pond is appropriately designed for treatment and operation and not simply a hole in the ground. The permittee must account for increased flows from impervious areas and how stormwater will enter and leave the pond to prevent erosion. If there will be potential pollutants or other non-stormwater discharges, the pond must be lined and appropriately sized to prevent discharges through overflow or infiltration from occurring.

9. Washout Operations

Permit Part III.I: Procedures for proper handling and disposal of washout operations shall be included in the permit. The wording for this Part was adapted from the *Utah Construction General Permit (CGP)* and is a practice already in place for those operating at construction facilities. These practices will help prevent discharges of high pH concentrations to waters of the state. The practices

identified here are not exclusive, but are appropriate for ensuring there is no discharge of process waters from the facility. Wash waters are not authorized to be discharged under this permit and must be properly maintained.

10. Employee Training

Permit Part III.J: The permittee shall ensure that appropriate employee training is taking place at the facility. This Part was added to assist the permittee in developing a training program for the facility. This Part includes those individuals at the facility that need to receive training, as well as topics that should be addressed in part or in whole, as part of those trainings.

11. Non-Stormwater Discharges

Permit Part III.K: The permittee shall not be allowed to discharge non-stormwater from the facility that is not authorized by the permit. Discharges of unauthorized non-stormwater must be sent to the sanitary sewer, after obtaining authorization and/or permitting from the sanitary sewer operator to do so, or hauled off site to an appropriate disposal facility.

12. Dust Generation and Vehicle Tracking of Industrial Materials

Permit Part III.L: The permittee shall minimize the generation of dust and off-site tracking or raw, final, or waste materials as these are sources of pollutants from industrial activities. The dust control and track-out language were adapted from the Construction General Permit and are included in the draft permit as many industrial facilities are located within populated or highly trafficked areas where track-out and dust can create safety, health, and environmental concerns.

13. Salt Storage Piles or Piles Containing Salt

Permit Part III.M (Previous Permit Part II.C): The wording in the previous permit used “If storage piles of salt are used for deicing or other commercial or industrial purposes” which can be interpreted to mean only certain salt piles are regulated. All salt piles are to be enclosed or covered, unless stormwater from the piles is not discharged or the piles are covered under another *UPDES* permit. The permittee shall also use appropriate controls to minimize the exposure of salt during adding and removing from piles.

14. Per- and Polyfluoroalkyl Substances (PFAS) Storage and Release

Permit Part III.N: This Part includes requirements for PFAS and requires the permittee to prevent PFAS contribution to stormwater runoff. The wording for this Part was taken from the Colorado MSGP as this is an EPA Region 8 state and the Colorado MSGP containing the PFAS requirements was recently approved by EPA. The permittee shall be responsible for identifying any materials at the facility that may contain PFAS and properly documenting, containing, and disposing of it.

15. Removed from Previous Permit

Previous Permit Part IV.B: The previous permit included requirements for coal pile runoff monitoring and reporting. This Part was removed from the permit and is now only included in Appendix I.O. The effluent limit for minimum pH was changed from 6.5 to 6.0 in accordance with the EPA MSGP. This Part is only applicable to sector O facilities.

IV. INSPECTIONS, ASSESSMENTS, AND EVALUATIONS

Permit Part IV: This Part in the permit was added to bring all of the inspection requirements contained in the previous permit into one location. There are three different inspections required in

this permit. All inspection shall be conducted by qualified personnel who are able to properly identify corrective actions that are needed and potential sources of pollutants at the facility. The three inspections are broken down in this Part, but very few requirements have been added. Changes in this Part were done for clarity and simplicity in understanding the inspection requirements.

1. Routine Facility Inspections

Permit Part IV.A.1 (Previous Permit Appendix I): All sectors were required to conduct inspections at least quarterly in *Appendix I* of the previous permit. This Part was reworded to emphasize the frequency of inspecting and the fact that some industrial sectors may choose or be required to inspect more frequently, based on their operations and potential to pollute.

Permit Part IV.A.2: The areas identified in this Part were added as each are mentioned throughout the permit as areas where pollutants are typically identified or originate. These areas are typical across most industries and therefore are included here to help keep *Appendix I* focused on only the sector-specific areas that need to be inspected. The permittee will be responsible for identifying and inspecting all areas at the facility where there may be pollutants generated or transported through stormwater.

Permit Part IV.A.3: The previous permit did not include inspection report requirements for routine facility inspections. This Part was added to include inspection record requirements that address the needed information while allowing for permittees to be flexible. The requirements in this Part align with most inspection report forms and this will allow for more detailed reporting to be maintained.

2. Visual Stormwater Quality Assessments

Permit Part IV.B.2 (Previous Permit Appendix I): The previous permit identified a storm event that would allow for the visual stormwater assessment as “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.” Since not every facility will have runoff with 0.1 inches of rainfall and there is no set value for a storm event that could cause runoff at all facilities, the permit shall instead read that a grab sample shall be collected “when runoff from a storm event begins at the facility. The storm event shall be at least three days (72-hours) from the previous storm event resulting in runoff or discharge from the facility. The assessment shall be conducted during daylight hours and during normal operating business hours. In the case of snowmelt, samples shall be taken during a period with a measurable discharge.” This is done so facilities can conduct the assessment whenever runoff is occurring, regardless of the total precipitation.

This Part shall also require the permittee to take the grab sample using any clean, colorless glass or plastic container. This will allow for a visual assessment to be done at the time of collection and does not require the permittee to purchase a specific vessel for the assessment.

Permit Part IV.B.3 (Previous Permit Appendix I): The visual assessment report shall include the items required in the previous permit, but shall also identify where the sample was grabbed, if it was not possible for the sample to be collected within the first 30 minutes, why it was not, and be signed in accordance with *Part VIII.K*. These additions provide important information on determining the areas of the facility contributing to the discharge where samples were taken, any reasoning the sample could not be collected in time, such as adverse weather, and signing it as all reports under the permit are required to be.

3. Comprehensive Site Compliance Evaluation

Permit Part IV.C.1 (Previous Permit Appendix I): The permit removed the requirement that the comprehensive site compliance evaluation could count as the routine facility inspection or visa-versa. This comprehensive site compliance evaluation should be used to review all of the materials and to ensure the site is correctly designed and the Storm Water Pollution Prevention Plan accounts for all pollutants. The routine inspection will still need to be done for the quarter the comprehensive site compliance evaluation is done. The previous permit requirements for the comprehensive site compliance evaluation that were repetitive of the routine inspection were removed so as to not be repetitive.

Permit Part IV.C.2 (Previous Permit Appendix I): The purpose of the compliance evaluation shall be to ensure all documentation is complete and accessible and that the design of the Plan is effective. This evaluation is also a good time for the permittee to ensure the Plan has been updated with all modifications and that all monitoring reports have been properly completed and submitted. Since these are annual inspections, this will allow the permittee to regularly ensure all documentation is accounted for and if anything is missing, be able to find it and maintain it with the Plan. All other requirements in the Part were included in the previous permit.

Permit Part IV.C.3 (Previous Permit Appendix I): The comprehensive site compliance evaluation shall include any corrections needed in the Storm Water Pollution Prevention Plan in relation to stormwater management measures, sediment and erosion control measures, and other pollution prevention measures. This will allow the permittee to make a note of the items identified in the evaluation and the ability to ensure the identified changes have been made in the Plan. Also, the evaluation shall include a certification that the Storm Water Pollution Prevention Plan is current with existing facility operations. This will allow the permittee to annually report that the Storm Water Pollution Prevention Plan is current and should prevent them from getting outdated. For industries that do not vary in operation, the certification will be an acknowledgement that the Storm Water Pollution Prevention Plan has not changed and operations remain the same, but it shall be made annually in the evaluation.

V. MONITORING AND REPORTING REQUIREMENTS

Permit Part V: All permittees shall be required to submit the annual report covered under this Part. Regardless of if monitoring is required at the facility or not, the permittee shall submit the annual report. For those not required to monitor under the permit, the permittee will only be required to identify the discharge points at the facility and to certify the report.

1. Monitoring Types

Permit Part V.A: This new Part was added to the permit to describe the different monitoring types. Analytical benchmark monitoring data shall be used to determine the overall effectiveness of the stormwater control measures in place at the facility and to assist with determining if additional or alternate controls may be needed. Numeric effluent limitation monitoring data shall be used for select industrial sectors to determine the concentration of pollutants that may be present in stormwater discharges associated with industrial activities, and to determine if an individual *UPDES* permit is more appropriate to regulate the discharges from the facility, in accordance with *Part I.M.*

2. Monitoring Frequency

Permit Part V.B (Previous Permit Appendix I): The required frequency for monitoring has not changed from the previous permit. Analytical benchmark monitoring shall still be required quarterly and numeric effluent limitation monitoring shall still be required annually.

In the previous permit, analytical benchmark monitoring was required during different years for different industrial sectors. As different groups were renewed, those dates were updated to include the calendar year of required monitoring. Since all groups are on the same permit cycle in the permit, the analytical benchmark monitoring periods for the different industrial sectors shall also be the same. Monitoring shall be conducted during the first year (2024) and the fourth year (2027) of the permit cycle. This monitoring will be conducted each quarter of the calendar year for a total of at least four monitoring results submittals. This was done to prevent confusion for permittees across various industrial sectors and to allow for email reminders in NeT-MSGP to be sent to all permittees, regardless of sector, co-located facilities, or other factors that may occur.

3. Monitoring Locations

Permit Part V.C (Previous Permit Appendix I): The permittee shall also include in the discharge monitoring report an identification of the discharge point where effluent testing was done that is substantially identical. This is required in the annual report in NeT-MSGP and is important know where the sample was collected.

The permit shall include a Part about comingled discharges. If any authorized stormwater discharges comeingle with discharges not authorized under this permit, sampling must be conducted at a point before the comingling with the other waste stream occurs, to the extent practicable. This is added to allow for accurate representation of the discharge and to ensure all limits are being met prior to the introduction of other potential pollutants.

Permit Part V.C.3 (Previous Permit Appendix I): This Part was included here as it was included for most sectors in *Appendix I* of the previous permit. The permittee may be exempt from analytical benchmark monitoring at certain discharge points if there was no exposure of any kind in the drainage area for the entire quarter of required monitoring. If there has been no exposure of any kind then there should be no pollutants present in the discharge of stormwater from those areas. This shall be reported in the annual report and does not apply to the numeric effluent limitation monitoring.

4. Monitoring Procedures

Permit Part V.D.1 (Previous Permit Appendix I): The wording for this Part sends the permittee to one place and prevents having to go to multiple locations to obtain monitoring parameter information. Each industrial sector, *Appendix I* will have either the required analytical benchmark and numeric effluent limitation monitoring parameters in *Part E* of *Appendix I* or it will say there are no additional monitoring parameters. This ensure the permittee if they do or do not have parameters based on their industrial sector.

The grab sample shall be taken within the first 30 minutes. The previous permit had instructions on the timing for the grab sample if not within the first 30 minutes. This requirement was that a sample can be taken during the first hour of the discharge, and the discharger then shall submit with the monitoring report a description of why a grab sample during the first 30 minutes was impracticable. This requirement was changed in the permit to be as soon as possible when runoff from a storm event begins discharging from the facility. In addition, the requirements for what constitutes a storm event was updated. The previous permit identified a storm event as an “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.” Since not every facility will have a discharge with 0.1 inches of rainfall and there is no set value for a storm event that could cause a discharge at all facilities, the permit shall instead read that a grab sample shall be collected “when runoff from a storm event begins discharging from the facility. The storm event shall be at least three days (72-hours) from the previous storm event resulting in a discharge from the facility. The assessment shall be conducted during daylight hours and during normal operating business hours. In the case of snowmelt, samples shall be taken during a period with a measurable discharge.” This is done so facilities can conduct monitoring whenever runoff is occurring, regardless of the total precipitation.

In order to prevent repetitive monitoring, when more than one type of monitoring for the same pollutant at the same discharge point is required (i.e. total suspended solids monitoring once per year for numeric effluent limitation monitoring and quarterly for analytical benchmark monitoring at a given discharge point) a single sample shall be used to satisfy both monitoring requirements (i.e. one sample satisfying both the annual numeric effluent limitation sample and one of the four quarterly analytical benchmark monitoring samples).

Permit Part V.D.2: In the previous permit, the *Director* could provide a written notice to the facility that it shall conduct discharge sampling for a specific monitoring frequency for specific parameters. This permit includes requirements that the *Director* must include in the notification to require adequate justification for the permittee and to prevent the *Director* from unnecessary additional sampling with no justification or end date. The *Director* must provide:

- a. The start date and estimated end date for the monitoring;
- b. The frequency of the monitoring (i.e. monthly, quarterly, annually, etc.);
- c. The location(s) or discharge point(s) where monitoring is required;
- d. The specific parameters that shall be monitored;
- e. Reasons for the additional monitoring parameters;
- f. The required analytical benchmark or numeric effluent limitation concentrations, if applicable; and
- g. The monitoring parameter reporting requirements.

5. Monitoring Results Reporting

Permit Part V.E.1: The permit requires the permittee to submit monitoring results using the NeT-MSGP annual report. This is a new permit requirement as electronic submittal was not possible during the previous permit renewal. Electronic submittal shall be required unless the permittee has received an electronic submittal waiver from the *Director*.

If the permittee monitors any pollutant parameter more frequently that required by the permit, the results of this monitoring shall be included in the calculation and reporting of the data. Calculations for all parameters which require averaging of measurements shall use an arithmetic mean. For averaging purposes, use a value of zero for any individual sample parameter determined to be less than the method detection limit. For sample values that fall between the method detection level and the quantitation limit (i.e., a confirmed detection but below the level that can be reliably quantified), use a value halfway between zero and the quantitation limit.

Permit Part V.E.2: The required submittal day for the permit was moved from March 31 in the previous permit to January 31 in the permit. This aligns with EPA reporting requirements for quarterly reporting and it gives one full month into the new year to submit results. This also allows for more review time of the data instead of waiting until March for monitoring results that should be obtained a few weeks into the new year, at most. Sample results are more likely to be lost or misplaced the longer the reporting deadline is from the monitoring period.

Permit Part V.E.3: This Part was added to include the reasons that may be used to state why monitoring did not occur during the required monitoring period. These were taken from NeT-MSGP and are some reasons included in the permit that monitoring may not be conducted. Selecting one of these does not necessarily relieve the permittee for failing to monitor as required.

The permittee shall include any additional parameters required to be sampled that are not prepopulated when completing the report and their sample results. The permittee shall also include any lab sample results, chain of custody forms, and other supporting information available. These documents are used to verify the information submitted on the reports. These documents can be submitted in NeT-MSGP in the annual report when submitting monitoring results.

Permit Part V.E.4 (Previous Permit Appendix I): If the facility exceeds analytical benchmark monitoring limits, it is not a violation unless the permittee does not identify and modify existing stormwater controls and practices, as well as the Storm Water Pollution Prevention Plan modification log.

The permittee shall submit an exceedance report to the *Director* if an effluent limitation is exceeded. This required reporting shall include the *UPDES* permit number; the facility name and physical address; the name of the receiving water or discharge point; monitoring data results for the parameters where the exceedance occurred; an explanation of what caused the violation; an explanation of what has been done or is planned to be done to prevent the violation in the future; and appropriate facility points of contact names and phone numbers. This reporting is required as the permittee is not allowed to violate numeric effluent limitations. This reporting is also separate from the twenty-four-hour reporting, discussed in *Part VIII.L.5*, which is only required as a result of a violation due to an upset, bypass, or daily maximum exceedance of pollutants listed for twenty-four-hour reporting.

6. Removed Permit Requirements

Appendix I: The previous permit required the permittee to submit signed copies of the DMRs to the appropriate MS4 with at least one storm water discharge associated with industrial activity through a large or medium MS4. Because all monitoring reports are submitted through the annual report in NeT-MSGP and all MS4s have access to these reports for the permittees in their jurisdiction, this requirement is no longer required in the permit.

VI. CORRECTIVE ACTIONS

Permit Part VI.A: The permit includes a Part for corrective actions. This Part was modeled after the EPA MSGP Section 5 for Corrective Actions. This gives a simple overview of events that could trigger a corrective action, a timeline for completing it, and how to notify the *Director* in the event corrective action is needed.

1. Required Corrective Actions

Permit Part VI.A.1: The permit requires corrective actions when an inspection, monitoring results, the *Director* or the MS4 informs the permittee any of the following permit conditions have occurred: An unauthorized release or discharge (i.e. spill, leak, or discharge of non-stormwater not authorized by this permit) occurs at the facility; A discharge violates a numeric effluent limit found in Part V.D; Stormwater controls installed at the facility are not stringent enough for stormwater discharges to be controlled, as necessary, such that receiving waters of the state will meet applicable water quality standards; A required control measure was never installed, was installed incorrectly, or is not being properly operated or maintained; or Whenever a visual assessment, as discussed in Part IV.B, shows evidence of stormwater pollution (i.e. color, odor, floating solids, settled solids, suspended solids, sheen, foam). These shall be used to initiate corrective actions.

Permit Part VI.A.2: The permit requires corrective actions to be initiated immediately. Completion of corrective actions should be within 14 calendar days or the next storm event, whichever comes first. If the Director, or an authorized representative is the one making the request for corrective action, the permittee shall submit to the *Director* a written certification that the changes have been made within 30 days.

Permit Part VI.A.3: If the event triggering the review is a permit violation (i.e. non-compliance with a numeric effluent limit), correcting it does not remove the original violation. Additionally, failing to take corrective action in accordance with this Part is an additional permit violation. The *Director* shall consider the appropriateness and promptness of the corrective action in determining enforcement responses to permit violations.

VII. STORM WATER POLLUTION PREVENTION PLAN

1. Deadlines for Plan Preparation and Compliance

Permit Part VII.A.2: This Part was added to give existing facilities time to make the needed modifications to their Storm Water Pollution Prevention Plan (Plan). The selected date for permittees to be in compliance was February 28, 2024 as this will give permittees two months to review the needed changes, be aware of the permit requirements (as some sectors will be required to sample during the first quarter of the permit), and to make any other additions or corrections, as needed.

Previous Part III.A.3: This Part of the permit was removed. The requirement to complete a compliance schedule and to add it to the Plan is not within the scope or the purpose of the plan. Permittees shall design the facility to ensure compliance with the permit and additional control measures may be needed where construction is needed. These will be determined on a, individual facility basis. All controls being used shall be identified in the Plan, but a compliance schedule is not necessary as long as the installed controls are effective.

2. Signature and Plan Review

Permit Part VII.B.1 (Previous Permit Part III.B.1): The permittee shall sign and date the Plan. Adding the date to the signature requirement will allow the permittee to know the last time the Plan was reviewed. The Plan shall also be maintained on site in an accessible format. This means a hard copy is not required to be on site, but an accessible version shall be maintained on site. This can be maintained electronically, on a USB device, or in another manner, but it must be accessible to employees, inspectors, and regulators upon request.

3. Keeping Plan Current

Permit Part VII.C (Previous Permit Part III.C): The Plan should be reviewed by the permittee at least annually to ensure it reflects existing operations and site conditions. The need to have an up-to-date and accurate Plan is to ensure all potential pollutants have been identified, all potential areas that could be impacted have been considered, and the permittee and other essential personnel are aware of the contents of the Plan.

4. Contents of the Plan

Permit Part VII.D.1 (Previous Permit Appendix I): The Pollution Prevention Team can include individuals by name or by title, such as plant manager or shift leader. The team can also include individuals who are not members of the facility organization, such as a Plan developer or design engineer.

Permit Part VII.D.2: Added this Part to include a brief description of the nature of industrial activities at the facility. This will just be a simple description of the operations taking place to ensure if there are co-located industrial activities they have been included in the Plan.

Permit Part VII.D.3 (Previous Permit Appendix I): The site map for the facility shall include, or no longer include as indicated, the following:

- a. The previous permit required the permittee to identify the types of discharges contained in the drainage areas but this will be removed in the permit as the site map will already identify the potential pollutant sources on the map and a narrative in the Plan. To add the additional discharge type narrative to the map is excessive.
- b. Significant structures and impervious surfaces. This is added as any potential pollutants in these areas are likely to runoff at a higher rate and controls should be considered if materials or operations are taking place in these areas.
- c. Directions of stormwater flow (indicated by arrows). This allows the permittee and employees to quickly identify the direction of flow at any point in the facility, and if conveyances or controls are needed prior to discharging, an appropriate location for them to be located.
- d. Receiving waters, including wetlands, in the immediate vicinity of the facility. The previous permit included surface water bodies as a requirement to show on the map. Surface water bodies are not required to be shown, but the surface waters that will receive discharges do still need to be shown so adequate protection can be in place and water quality standards can be met.
- e. Stormwater conveyances, including ditches, pipes, and swales. These stormwater controls shall be identified if they are being used at the facility because they have an impact on discharge points and how stormwater is managed at the facility.
- f. Potential pollutant sources identified in *Part VII.D.4*. The Part of the permit referenced here includes any sector specific pollutants that may be present at the facility. Those that are exposed to stormwater and identified in this Part should be shown on the map as well.
- g. Where stormwater discharges to the municipal separate storm sewer system MS4, if applicable. This should be shown so the MS4s are aware of connections and because it is considered a discharge point for the facility.
- h. Run-on to the site from adjacent properties that may contain significant quantities of pollutants. This is included to ensure the pollution prevention team considers the possibility of pollutants entering their facility from adjacent properties and that controls are implemented, if necessary, to provide adequate protection.
- i. Salt storage used for deicing or industrial purposes as described in *Part III.A.12*. Areas where

salt piles are being stored at the facility should be identified on the map to ensure they are not coming in contact with stormwater.

Permit Part VII.D.4 (Previous Permit Appendix I): The same requirements that exist in the current *Appendix I* are included here. The wording is changed for simplicity in reading and organized to be easier to follow. The inventory in the permit may be a list rather than a narrative description, so long as it contains all of the required information. The permit does not require all materials to be identified from 3 years prior to the NOI to the present, but does require it to be accurate and up-to-date with all sources that are currently present at the facility.

Added the requirement to ensure the permittee is identifying the water priority chemicals in the Plan and to help them plan accordingly. This helps the permittee focus on any water priority chemicals that may be present at the facility.

Permit Part VII.D.5.a (Previous Permit Appendix I): Good housekeeping practices identified in the Plan shall include, at a minimum:

- a. A list of good housekeeping practices implemented at the facility. This will help identify which of the practices identified in Part III.A.2 and that were selected by the permittee are being done at the facility and will ensure accountability in implementation.
- b. A schedule or convention that will be used for determining when housekeeping practices will occur (i.e. weekly, when identified, as needed, etc.). This will allow for the employees, permittee, and any other responsible parties to know the schedule or things to be aware of when determining when housekeeping practices need to occur.
- c. A schedule for routine inspections for leaks and conditions of drums, tanks, and containers. The Plan should identify when these will be inspected in order to identify leaks quickly, especially for facilities that only have quarterly inspections. Catching these sooner as a housekeeping practice is much better than reporting a spill as a result of not inspecting drums, tanks, and containers.

Permit Part VII.D.5.b (Previous Permit Appendix I): The Plan shall include a list of all selected control measures at the facility that need to be inspected or maintained and the schedule or frequency for inspecting and/or maintaining the selected control measures. Preventative maintenance is important to prevent failures that could lead to discharges of pollutants. Having the measures that need to be maintained and a schedule for maintaining them in the Plan helps ensure proper operation is happening and no pollutants are being discharged.

Permit Part VII.D.5.c (Previous Permit Appendix I): The Plan shall include procedures for conducting employee training. In order to be simple and to allow the permittee flexibility in developing their own training program, the three requirements shown in this Part, which were included in the previous permit, are all that are required to be included in the Plan. *Part III.A.9* of the permit includes procedures, personnel, and topics that can be helpful to the permittee in developing their own employee training program to include in the Plan.

The permit does not require training logs to be maintained with the Plan, but it does require them to be maintained in an accessible format. This is done as many facilities conduct trainings using internal electronic systems, on-boarding processes, or other facility specific programs and it allows those records to be used, so long as they are accessible and meet the requirements of this Part.

Permit Part VII.D.5.d (Previous Permit Appendix I): The Plan shall address the spill prevention and response procedures. In addition to those requirements in the previous permit, the permittee

shall identify the personnel to contact in the event of a spill, both on site and in accordance with appropriate reporting requirements in *Part II.A*.

This permit allows for the permittee to reference the existence of another plan, such as a Spill Prevention, Control and Countermeasure (SPCC) plan, to meet the requirements of this Part. If the Plan references another plan to satisfy this Part the other plan must meet the requirements of this Part and be maintained with the Plan in an accessible format. This is done to prevent repetition and to ensure any spill plans are updated together.

Permit Part VII.D.6 (Previous Permit Appendix I): The non-stormwater discharge certification section was reworded and organized in a way to provide clarity and simplicity to the requirement. A schedule for when the evaluation should be completed was added to indicate the first year of permit coverage or the first year of the permit term.

Removed the exceptions and failure to certify sections of this Part from the previous permit as the evaluation is very simple to conduct and failure to identify non-stormwater sources is not valid. Copies of other alternate permits will be maintained with the Plan as required in *Part VII.D.9.c*.

Permit Part VII.D.7: This Part was added to include inspection requirements into the Plan. The permittee is required to include the person(s) or position(s) responsible for conducting inspections. This is a requirement that should be easily determined as this person(s) should be a member of the pollution prevention team. The Plan shall also include a schedule for inspections and how often they will be done. This is included because some sectors require more frequent inspections than quarterly and some facilities may choose to conduct more frequent inspections and this allows them to document the frequency they are inspecting. The Plan shall also include an identification of specific areas, materials, and activities to be inspected. This can be found by implementing the areas from *Part IV* that apply to the facility.

The permittee does not have to print inspection reports if there is an online system or app being used, so long as the electronic reports meet the permit requirements and are accessible for review during an inspection.

Permit Part VII.D.8: This Part was added to ensure the permittee is aware of the required sampling parameters. The location for sampling, the parameters to sample for, the parameter concentrations to meet, and the frequency of sampling are all very important things to know to meet the monitoring requirements in the permit.

The permittee is not required to print sample results when obtained from the lab, but is required to maintain them in an accessible format with the Plan. These sample results must be reported in NeT-MSGP as explained in *Part V.E* and lab results, chain of custody forms, and other sample data must be maintained in an accessible format.

Permit Part VII.D.9: This Part of the permit was added as a new Part to list the additional documents to be included or maintained with the Plan. The only one that was not previously included is the electronic submittal waiver letter from the *Director*, if it has been obtained, in accordance with *Part I.I.2*.

Permit Part VII.D.10: This Part of the permit is new, but it allows for the tracking of any changes made to the Plan and is a quick resource to ensure that any inspection corrections are properly added to the Plan and any modifications made as a result of benchmark violations, as discussed in *Part V.E.4*, have been included.

VIII. STANDARD PERMIT CONDITIONS

1. **Permit Part VIII (Previous Part VI):** The Standard Permit Conditions apply to all *UPDES* permits and are taken directly from the UAC. In the previous permit, there were additional permit sections contained within this Part that are not contained within the UAC. This Part of the permit was updated to only include those conditions specifically mentioned in the UAC and to match the wording. Most of the changes are minor, but all changes include the wording taken directly from the UAC.
2. Duty to Comply
Permit Part VIII.A.2 (Previous Permit Part VI.A.2): The penalties for violations of permit conditions Part of the previous permit included the penalties for noncompliance with permit conditions. The previous permit included fine amounts and imprisonment times but did not include the applicable UAC references. Some of the penalties also appear to coincide more with the Code of Federal Regulations instead of the UAC. The wording in this Part was updated to match the wording found in the UAC with the applicable referenced sections and penalties.

A new Part was added for knowing endangerment which was also included with the UAC. The wording for this Part was taken directly from the UAC.
3. Duty to Reapply
Permit Part VIII.B (Previous Permit Part VI.B): This section in the UAC is required in the permit conditions but has been excluded from previous permits. A section of the previous permit called “Continuation of the Expired General Permit” was included, which is part of the UAC referenced, but the wording here is the exact wording from the UAC with the applicable reference.
4. Property Rights
Permit Part VIII.G (Previous Permit Part VI.K): The previous permit included that the permit does not authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State, or local laws or regulations. This was removed as it is not included in the UAC. The permit does not convey property rights, and that remains effective in this permit.
5. Duty to Provide Information
Permit Part VIII.H (Previous Permit Part VI.E): The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking, or terminating the permit to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by the permit. Wording only varies slightly from the previous permit and is taken directly from the UAC.
6. Inspection and Entry
Permit Part VIII.I (Previous Permit Part VI.Q): The wording in this Part was changed to match the UAC. It removed the reference to the EPA and the MS4 and just says authorized contractors acting as representatives of the *Director*, which would imply both. An additional criterion from the UAC for this Part allows the *Director* or the authorized contractor to sample or monitor at reasonable times for the purposes of assuring *UPDES* program compliance or as otherwise authorized by the *Utah Water Quality Act* any substances or parameters, or practices at any location.
7. Monitoring and Reporting
Permit Part VIII.J.2 (Previous Permit Part VI.P.2): The wording in this Part was changed to match the UAC. These changes include that the permittee shall retain all calibration and maintenance records and all original strip chart recordings for continuous monitoring

instrumentation. The previous permit included wording that the records in this Part must be submitted to the *Director* upon request, but this is already covered in the Duty to provide information Part of the permit. The previous permit contained wording applicable to the retention of the Storm Water Pollution Prevention Plan. This wording was removed here as it is not included in the UAC and is addressed in the Storm Water Pollution Prevention Plan Part of the permit.

8. Signatory Requirement

Permit Part VIII.K.1 (Previous Permit Part VI.G.1): The wording for this Part was taken from the UAC. The previous permit included that for Federal agencies, the signatory could be either the chief executive officer of the agency or a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency. This permit was updated using the UAC to only include the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

Permit Part VIII.K.5: Added the Part about electronic signatures due to the use of electronic signatures within NeT-MSGP. The Subscriber Agreement is a requirement within Net-MSGP for anyone identified as a Signatory when creating an account. Anyone who has obtained authorization to sign documents as a Signatory in Net-MSGP has completed this agreement and no further documentation or agreements are needed to be authorized to sign.

9. Reporting Requirements

Permit Part VIII.L: This Part was added to the permit from the UAC. It lays out the planned changes, anticipated noncompliance, transfers, monitoring reports, twenty-four-hour reporting, other non-compliance, and other information. These requirements use the wording directly from the UAC and are to be included in all *UPDES* permits.

Permit Part VIII.L.5 and Part VIII.L.6: When an exceedance of an effluent limitation occurs, the permittee shall be required to submit an exceedance report in accordance with *Part V.E.4*. When the exceedance of an effluent limitation is the result of an unanticipated bypass, upset, or violation of a maximum daily discharge limitation for pollutants listed by the *Director* in the permit to be reported within twenty-four hours, the permittee shall orally report the non-compliance within twenty-four hours and submit a written report within five days in accordance with *Part VIII.L.5.a*.

Any other instances of non-compliance shall be submitted with the Annual Report and shall include a report with the information identified in *Part VIII.L.5.a*.

10. Occurrence of a Bypass

Permit Part VIII.M.1: This Part was added from the UAC with the exact same wording. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to ensure efficient operation.

Permit Part VIII.M.2.a.2 (Previous Permit Part VI.S.2.a.2): The *Director* may take action against the permittee if there is a bypass and adequate backup equipment should have been installed in the exercise of reasonable engineering judgement to prevent it during normal periods of equipment downtime or preventive maintenance. Wording for this Part was taken directly from the UAC.

Permit Part VIII.M.3.a (Previous Permit Part VI.S.1.a): The anticipated bypass requirements for this Part were taken from the UAC. The previous permit included some of the notification requirements, but the ones listed in the UAC have been added to the permit. The previous permit required 10 days prior notice of a bypass if possible, and the UAC requires notice at least 90 days prior to discharge which has been used in the permit.

Permit Part VIII.M.3.b (Previous Permit Part VI.S.1.b): The emergency bypass section was

taken from the UAC and the wording is included in this permit.

Permit Part VIII.M.3.c (Previous Permit Part VI.S.1.c): The unanticipated bypass section was taken from the UAC and the wording is included in this permit. The previous permit included some of the reporting requirements and the references to the reporting requirements Part is included in the permit.

11. Occurrence of an Upset

Permit Part VIII.N.1 (Previous Permit Part VI.T.1): The wording for this Part was taken from the UAC. The previous permit wording was similar to the wording included in the permit.

IX. DEFINITIONS

1. Definitions Pertaining to this Permit

Permit Part IX.A: The permit shall contain definitions that are applicable to the permit. Any definitions added were done so from the EPA MSGP, the UAC, or other state or federally published documents. The previous permit included many of the same definitions. The definitions that were removed from the previous permit include:

- a. Act – Removed in the permit as it appeared in a limited number of places and writing it out helps distinguish between the federal *Clean Water Act* and the *Utah Water Quality Act*.
- b. Commercial Treatment and Disposal Facilities – Not Used in the Permit.
- c. Flow-weighted composite sample – Not Used in the Permit.
- d. Significant Spills – There is an entire Part in the permit designated to this and to include the definition here is unnecessary.

Permit Part IX.A.1: The permit includes wording on what it means to maintain documents in an accessible format. Accessible format shall be defined as being “in a manner that allows for the permittee, facility employees, the *Director*, authorized representatives, and other applicable individuals to easily obtain, review, modify, and sign documents or reports. Any documents or reports being maintained electronically shall be able to be accessed, emailed, or printed upon request.”

APPENDIX I - SECTOR SPECIFIC CHANGES

SECTOR A

1. Coverage of This Section

Permit Appendix I.A Part A.1 (Previous Permit Appendix I.A.1.a): This Part of *Appendix A.1* included coverage for facilities with SIC Code 0783 (Ornamental Shrub and Tree Services). This SIC Code has been removed from this permit as the EPA does not require this industrial activity to require industrial stormwater permit coverage.

Permit Appendix I.A Part A.2 (Previous Permit Appendix I.A.1.b): The previous permit *Appendix I.A* included that “stormwater discharges associated with an industrial activity that the *Director* has determined to be, or may reasonably be expected to be, contributing to a violation of a water quality standard” are not authorized by the permit. This has been removed in this permit as it is already covered in in *Part II.C* and to include it here would be repetitive. This requirement is

not removed in the permit, just the repeated reference here.

2. Monitoring Requirements

Permit Appendix I.A Part E.1 (Previous Permit Appendix I.A.5): The previous permit included analytical benchmark monitoring requirements for log storage and handling areas (SIC 2411) with limits on pH and debris. These are the numeric effluent limitation guidelines and are not allowed to be violated at any time during the permit. These requirements are included in the permit in the numeric effluent limitations Part and therefore are not going to be required as part of the analytical benchmark monitoring requirements.

Permit Appendix I.A Part E.2 (Previous Permit Appendix I.A.4): The previous permit included why discharges resulting from spray down or intentional wetting of logs at wet deck storage areas was included as an effluent limitation (i.e. to deter decay or infestation by insects) but removing this covers any basis for why wetting may occur.

The previous permit also includes that chemicals are not allowed to be applied, but this is covered already covered in this appendix and would be repetitive and would not change the required effluent limitations.

The numeric effluent limitation for pH in the previous permit had a minimum of 6.5 s.u. The EPA MSGP identifies the minimum pH for Sector A facilities to be 6.0 s.u., therefore the minimum pH in this permit was lowered to match the requirement given by the EPA and is 6.0 s.u. in the permit.

SECTOR B

No Additional Sector-Specific Changes to this Sector from the previous permit.

SECTOR C

Previous Permit Appendix I.C: The name of this industrial sector in the permit has been changed from Chemical and Allied Products Manufacturing Facilities to Chemical and Allied Products Manufacturing and Refining. This was done in keeping with EPA MSGP.

1. Removed Sector-Specific Requirements

Previous Permit Appendix I.C.3.a.3.i: The previous permit contained specific material handling and storage area practices that the permittee was to implement. The permit does require the permittee to include in the Plan procedures for material handling and storage, but the exact practices chosen by the facility that need to be implemented shall be made on an individual facility basis that is applicable for the type of work taking place, therefore, this Part has been removed in the permit.

SECTOR D

Previous Permit Appendix I.D: The name of this industrial sector in the permit has been changed from Asphalt Paving and Roofing Materials and Lubricant Manufacturers to Asphalt Paving and Roofing Materials Manufacturers and Lubricant Manufacturers. This was done in keeping with EPA MSGP.

1. Monitoring Requirements

Permit Appendix I.D Part E.2 (Previous Permit Appendix I.D.4): The numeric effluent limitation for pH in the previous permit had a minimum of 6.5 s.u. The EPA MSGP identifies the minimum pH for Sector D facilities to be 6.0 s.u., therefore the minimum pH in this permit was lowered to match the requirement given by the EPA and is 6.0 s.u. in the permit.

SECTOR E

1. Monitoring Requirements

Permit Appendix I.E Part E.1 (Previous Permit Appendix I.E.5.a): The previous permit required the permittee to sample discharges for concrete and gypsum product manufacturers for total suspended solids, total recoverable iron, and pH. In keeping with the EPA MSGP, for concrete and gypsum product manufacturers, the permittee shall only be required to sample for total suspended solids.

For clay product manufacturers, the previous permit had a limit for total recoverable aluminum of 0.75 mg/L. In keeping with the EPA MSGP, the limit for total recoverable aluminum for clay product manufacturers shall be 1.1 mg/L.

Permit Appendix I.E Part E.2 (Previous Permit Appendix I.E.4.a): The numeric effluent limitation for pH in the previous permit had a minimum of 6.5 s.u. The EPA MSGP identifies the minimum pH for Sector E facilities to be 6.0 s.u., therefore the minimum pH in this permit was lowered to match the requirement given by the EPA and is 6.0 s.u. in the permit.

SECTOR F

No Additional Sector-Specific Changes to this Sector from the previous permit.

SECTOR G

1. Coverage of This Section

Permit Part I.G Part A.1.b.7 (Previous Permit Appendix I.G.1.a.2): This Part discusses stormwater discharges covered by the permit, to include discharges from tailings dams or dikes when constructed of waste rock or tailings and no process fluids are present, if composed entirely of stormwater and not combining with mine drainage. This was added from the EPA MSGP and is a covered discharge.

Permit Part I.G Part A.1.d: This Part was added from the EPA MSGP and covers all stormwater discharges from facilities undergoing reclamation.

2. Sector Specific Control Measures and Effluent Limits

Permit Appendix I.G Part B.1.c (Previous Permit Appendix I.G.3.a.4.k): The wording for this Part was slightly changed and is taken from the EPA MSGP and the previous permit. The permittee shall identify and implement treatment of stormwater where it is necessary to meet water quality standards. The requirement to record in the Plan any treatment being done and where is already included in the Plan requirements in Part VII of the permit.

Permit Appendix I.G Part B.2: This Part was added to allow mine dewatering to take place, so long as it is properly conducted and there were no pollutants being discharged. Dewatering operations are currently being permitted under the General Permit for Construction Dewatering and Hydrostatic Testing. Because mine dewatering is not a construction activity, this allows mine dewatering to occur while ensuring proper water quality standards are being met.

3. Inspection Requirements

Permit Part IV.B: In the previous permit, all Sectors except for Sector G, Sector H, and Sector S were required to conduct quarterly visual monitoring as part of the permit. This process consists of a grab sample that is visually observed at the discharge point is described in detail in *Part IV.B* and

will be required for all sectors in the permit.

4. Sector Specific Plan Requirements

Permit Appendix I.G Part D.2: This permittee shall identify on the site map the location of reclaimed areas of the site. This is included from the EPA MSGP and is used to help the permittee, employees, and any others looking at the Plan to identify areas where stabilization practices should be completed and to identify areas of the facility that are no longer active.

5. Monitoring Requirements

Permit Appendix I.G Part E.1.a (Previous Permit Appendix I.G.5.a.3.b): The previous permit included a “Low Concentration Waiver” which allowed the permittee to be exempt from monitoring during the second year of required monitoring if the limits for the parameters was met in the first year of required monitoring. The permit will include the same exemption option for the permittee. The permittee shall monitor for all quarters of the first year of the permit in order to get sufficient samples to meet the exemption. Failure to sample for all quarters in the first year will not provide the needed sample results to obtain the exemption and the permittee shall be required to monitor for both years. This is a less stringent requirement than the one in the EPA MSGP which requires bi-annual monitoring for the remainder of the permit cycle for any parameter that does not meet the limit and provides a way for the permittee to be exempt following the first year.

Permit Appendix I.G Part E.1 (Previous Permit Appendix I.G.5.a): The following are changes made to the permit in order to align with the EPA MSGP monitoring parameters and limitation:

- a. All metals in the permit shall be for total “recoverable” metals. The previous permit indicated total metals.
- b. The monitoring concentration for total recoverable cadmium (saltwater) was changed from 0.04 mg/L in the previous permit to having a limit of 0.033 mg/L. This was likely a change made due to rounding but it has been changed in the permit to reflect the EPA MSGP.
- c. The limit set for total recoverable copper (freshwater) was changed from being hardness dependent in the previous permit to having a limit of 0.00519 mg/L.
- d. The limit set for total recoverable selenium (freshwater) was changed from being 0.005 mg/L in the previous permit to having a limit of 0.0015 mg/L for still/standing (lentic) waters and 0.0031 mg/L for flowing (lotic) waters.
- e. In addition to the parameters in the previous permit, facilities conducting uranium, radium, and vanadium ore mining shall also be required to monitor discharges for dissolved radium, total radium, and zinc.

6. Removed Sector-Specific Requirements

Previous Permit Appendix I.G.1.a.2: The previous permit covered all stormwater discharges from parking areas, excluding drainage exclusively from employee and visitor parking, at active and temporarily inactive facilities. Discharges of stormwater from parking areas is still covered in the permit, but it does not exclude employee and visitor parking areas. All stormwater discharges from parking areas are covered.

SECTOR H

1. Coverage of This Section

Permit Appendix I.H Part A.2.c: Added the requirement for the permittee to apply for coverage under the construction general permit in order to cover those activities that occur prior to mining.

This was taken from the sector G mining requirements and included here.

Permit Appendix I.H Part A.2.d: Added the requirement for permittees discharging process waters from coal mining operations to obtain coverage under the Utah Coal Mine General Permit.

2. Inspection Requirements

Permit Part IV.B: In the previous permit, all Sectors except for Sector G, Sector H, and Sector S were required to conduct quarterly visual monitoring as part of the permit. This process consists of a grab sample that is visually observed at the discharge point is described in detail in *Part IV.B* and will be required for all sectors in the permit.

3. Sector Specific Plan Requirements

Permit Appendix I.H Part D.2 (Previous Permit Appendix I.H.3.a.2.a): The Plan shall identify on the site map the access and haul roads, railroad spurs, sliding, and internal hauling lines, conveyor belts, chutes, and aerial tramways, coal handling buildings and structures, and inactive mines and related areas. These additional requirements were taken from the EPA MSGP and are important areas where discharges of pollutants are possible or likely.

SECTOR I

No Additional Sector-Specific Changes to this Sector from the previous permit.

SECTOR J

1. Coverage of This Section

Permit Part I.J Part A.1.d: This Part was added from the EPA MSGP and covers all stormwater discharges from facilities undergoing reclamation.

Permit Appendix I.J Part A.2.c: Added the requirement for the permittee to apply for coverage under the construction general permit in order to cover those activities that occur prior to mining. This was taken from the sector G mining requirements and included here.

2. Sector Specific Control Measures and Effluent Limits

Permit Appendix I.J Part B.1 (Previous Permit Appendix I.J.3.a.3): The permit requires stormwater control measures to be used to minimize pollutants. These stormwater controls are included in the EPA MSGP. This requirement will be included here as stormwater control measures that should be implemented where feasible.

3. Sector Specific Plan Requirements

Permit Appendix I.J Part D.1: This Part was added from the EPA MSGP and requires the permittee to include a brief description of the nature of the mining operation at the site and to include some additional information to the description in the Plan.

Permit Appendix I.J Part D.2 (Previous Permit Appendix I.J.3.a.2.a): The site map in the permit will have some changes in comparison to the previous permit. The permit shall require the permittee to identify on the Plan site map the location of outdoor chemicals and explosives storage areas; overburden, materials, soils, or waste storage areas; location of mine drainage (where water leaves mine) or other process water; heap leach pads; Off-site points of discharge for mine dewatering and process water; and Locations of reclaimed areas. These shall be required in order to identify those areas with potential to introduce pollutants as identified in the EPA MSGP. The previous permit also included rail spurs, cars and tracks and the location of transfer of substances in bulk. These were removed in the permit as they are not typical for this industry and other aspects

of the Plan site map will be able to identify these areas if they do exist.

Permit Appendix I.J Part D.3 (Previous Permit Appendix I.J.3.a.2.e): The permit shall require the permittee to identify in the Plan those areas where significant amounts of pollutants are likely to be present. Factors that will be included in determining this are the mineralogy of the waste rock (i.e. if the mineral is acid forming); toxicity and quantity of chemicals used, produced, or discharged; the likelihood of contact with stormwater; the vegetation of the site, if any; and any history of significant leaks or spills of toxic or hazardous pollutants. This wording was taken from the EPA MSGP and included in the permit.

4. Monitoring Requirements

Permit Appendix I.J Part E.2 (Previous Permit Appendix I.J.4): The previous permit did not include numeric effluent limitations for Sector J facilities. The permit does include numeric effluent limitations for those facilities conducting mine dewatering. This requirement was added from the EPA MSGP and is included in the permit.

5. Removed Sector-Specific Requirements

Previous Permit Appendix I.J.3.h.1: The previous permit required the permittee to indicate in the Plan the location and design for proposed BMPs to be implemented prior to land disturbance activities. Because the permit does not address the construction operations prior to mining, these items would be addressed in the Construction General Permit.

SECTOR K

1. Coverage of This Section

Permit Appendix I.K Part A.3: The permit does not authorize the discharge of the following non-stormwater discharges, per EPA MSGP:

- a. Leachate, meaning liquid that has passed through or emerged from solid waste and contains soluble, suspended, or miscible materials removed from such waste;
- b. Gas collection condensate;
- c. Drained free liquids, meaning aqueous wastes drained from waste containers (e.g., drums) prior to landfilling;
- d. Contaminated ground water;
- e. Laboratory-derived wastewater; and
- f. Contact wash water from washing truck and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility.

These discharges were not permitted in the previous permit, but EPA specifically notes these as they are typically present at Sector K facilities and are not authorized.

2. Monitoring Requirements

Permit Appendix I.K Part E.2 (Previous Permit Appendix I.K.5): The previous permit stated there were no numeric effluent limitations, however, they were included in the previous permit with the analytical benchmark monitoring. The permit clarifies that Sector K facilities so have numeric effluent limitations and the same limits exist from the previous permit.

SECTOR L

1. Coverage of This Section

Permit Appendix I.L Part A.2: The EPA MSGP specifically states that stormwater discharges from open dumps, which are prohibited from discharging under *Section 4005* of RCRA, and are defined as a facility for the disposal of solid waste which does not comply with *40 CFR Part 257* are not authorized by the permit.

Permit Appendix I.L Part A.3: The permit does not authorize the discharge of the following non-stormwater discharges, per EPA MSGP:

- g. Leachate, meaning liquid that has passed through or emerged from solid waste and contains soluble, suspended, or miscible materials removed from such waste;
- h. Gas collection condensate;
- i. Drained free liquids, meaning aqueous wastes drained from waste containers (e.g., drums) prior to landfilling;
- j. Contaminated ground water;
- k. Laboratory-derived wastewater; and
- l. Contact wash water from washing truck and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility.

These discharges were not permitted in the previous permit, but EPA specifically notes these as they are typically present at Sector L facilities and are not authorized.

SECTOR M

No Additional Sector-Specific Changes to this Sector from the previous permit.

SECTOR N

1. Sector Specific Control Measures and Effluent Limits

Permit Appendix I.N Part B: The previous permit included that all of the Parts listed under this Part should be identified in the Plan. In order to align with the Control Measures and Effluent Limits Part of the permit, this Part shall be used to help the permittee select, design, install, and implement stormwater control measures. The permittee is required to include the selected control measures in the Plan, but repeating it in this Part was repetitive of an already existing requirement. This Part focuses on the need to implement the practices more than the need to only document them. The permittee will be responsible for complying with all Parts listed that pertain to the industrial operations at the facility.

Permit Appendix I.N Part B.1.g: The permit shall require permittees to use mercury spill kits for any release of mercury from switches, anti-lock brake systems, and switch storage areas for proper clean-up and disposal.

Permit Appendix I.N Part B.2.b: To minimize discharges of pollutants in stormwater from outdoor waste material storage areas, the permittee shall implement drainage control and other diversionary structure, as well as corrosion protection and/or leak detection systems for storage tanks. These are used to ensure proper practices are in place to minimize pollutants.

SECTOR O

Previous Permit Appendix I.O: The name of this industrial sector in the permit has been changed from Steam Electric Power Generating Facilities to Steam Electric Power Generating Facilities, Including Coal Handling Areas. This was done in keeping with EPA MSGP.

1. Coverage of This Section

Permit Appendix I.O Part A.2: The EPA MSGP specifically states that stormwater discharges from gas turbine facilities, provided the facility is not a dual-fuel facility that includes a steam boiler and combined-cycle facilities where no supplemental fuel oil is burned and the facility is not a dual-fuel facility that includes a steam boiler are not authorized by the permit.

Previous Permit Appendix I.O.1.d: The Section 316(b) requirements of the *Clean Water Act* were not included in the permit. Individuals needing coverage under Section 316(b) shall obtain an individual permit which will contain all requirement applicable to the facility. To include them here is unnecessary as it can also apply to more than just sector O facilities. The EPA MSGP also does not discuss the Section 316(b) requirements, and for these reasons, they have been removed in the permit.

2. Sector Specific Control Measures and Effluent Limits

Permit Appendix I.O Part B.1.d: The permittee shall minimize contamination of stormwater from chemical loading and unloading areas through ensuring leaks and spills are immediately contained and cleaned up and loading and unloading in covered areas and storing chemicals indoors. These practices are included in the EPA MSGP and are good practices for preventing contact and transport of pollutants in stormwater.

3. Monitoring Requirements

Permit Appendix I.O Part E.2 (Previous Permit Appendix I.O.5.a): The numeric effluent limitation for pH in the previous permit had a minimum of 6.5 s.u. The EPA MSGP identifies the minimum pH for Sector O facilities to be 6.0 s.u., therefore the minimum pH in this permit was lowered to match the requirement given by the EPA and is 6.0 s.u. in the permit.

SECTOR P

No Additional Sector-Specific Changes to this Sector from the previous permit.

SECTOR Q

Previous Permit Appendix I.Q: The name of this industrial sector in the permit has been changed from Vehicle Maintenance Areas and Equipment Cleaning Areas of Water Transportation Facilities to Water Transportation Facilities with Vehicle Maintenance Shops and/or Equipment Cleaning Operations. This was done in keeping with EPA MSGP.

SECTOR R

No Additional Sector-Specific Changes to this Sector from the previous permit.

SECTOR S

1. Sector Specific Control Measures and Effluent Limits

Permit Appendix I.S Part B.1 (Previous Permit Appendix I.S.3.a.3.a): The good housekeeping practices identified in the permit shall include the wording was taken from the EPA MSGP which requires the permittee, upon selecting appropriate good housekeeping practices, to account for safety, space, operational constraints, and flights. This will allow for better planning and more effective practices.

Permit Appendix I.S Part B.1.g (Previous Permit Appendix I.S.3.a.3.d.1): The wording in this

Part is contained in the previous permit version of Appendix I.S. Additional source reduction control measure options are included in this Part that were not in the previous permit to assist the permittee in selecting proper source reduction methods. These are not required, only offered as potential options for source reduction.

Permit Appendix I.S Part B.1.h (Previous Permit Appendix I.S.3.a.3.d.2): The wording in this Part is contained in the previous permit version of Appendix I.S. There are several additional source reduction control measures obtained from the EPA MSGP included here to assist the permittee with source reduction practices. These are not required, only offered as potential options for source reduction.

Permit Appendix I.S Part B.1.i (Previous Permit Appendix I.S.3.a.3.e.1): The wording in this Part is contained in the previous permit version of Appendix I.S. The control measures in this Part are not required, but are only offered as potential options for source reduction.

Permit Appendix I.S Part B.1.j: The permittee shall determine the seasonal timeframe for when deicing practices shall be implemented. This is to ensure all materials and supplies are stocked and available as needed when operations are required to begin.

2. Sector Specific Inspection Requirements

Permit Appendix I.S Part C.1: The requirement for weekly inspections during periods where deicing is occurring was included in the previous permit. The permit shall require at least monthly inspections during the deicing season. This is sufficient to ensure compliance as operations should be relatively consistent at the facility.

Permit Part IV.B: In the previous permit, all Sectors except for Sector G, Sector H, and Sector S were required to conduct quarterly visual monitoring as part of the permit. This process consists of a grab sample that is visually observed at the discharge point is described in detail in *Part IV.B* and will be required for all sectors in the permit.

3. Sector Specific Plan Requirements

Permit Appendix I.S Part D.3: The permittee shall include in the Plan the method that will be used for disposal of wash water if a separate *UPDES* permit has not been obtained. This is to ensure the contaminated water is being properly treated and the permittee is aware of the proper disposal methods.

Permit Appendix I.S Part D.4: The permit shall include the procedures the permittee will use to dispose of contaminated melt water from piles used for snow piles. This is to ensure the location is not near a potential discharge point and employees are aware of where these piles can be and how to properly dispose of the water.

4. Removed Sector-Specific Requirements

Previous Permit Appendix I.S.3: The previous permit included requirements for the Plan to include areas of the facility where tenants are conducting their own industrial operations. This can include airline companies, fixed based operators and other parties which have contracts with the airport authority to conduct business operations on airport property. For the purposes of the permit, the permittee shall be responsible for developing the Plan for the entire facility. If the permittee wishes to divide the Plan or require each tenant to obtain permit coverage, this is at the discretion of the permittee. The requirements for coordination between the different tenants is not enforceable by the permit and ultimately falls back on the permittee. For this reason, this Part referencing other tenants has been removed in the permit and will only refer to the entire facility.

Previous Permit Appendix I.S.3.a.3.d.3: This Part in the previous permit required permittees to provide a narrative explanation of the source reduction options considered and the reasoning for

whether or not to implement them. The Plan shall only be required to identify control measures that have been implemented at the facility and therefore the need to explain why some measures were not selected is not relevant. This Part has been removed in the permit and only selected control measures shall be required to be included in the permit, as required in *Part VII.D.5*.

Previous Permit Appendix I.S.5.a.1: This Part in the previous permit required the permittee to prepare estimates for annual pollutant loadings resulting from discharges of spent deicing/anti-icing chemicals from the entire airport. These estimates were then to be reviewed by an environmental professional and certified. These loadings were then to remain with the Plan. Since loadings are not required to be collected or reported in the EPA MSGP and these totals are not used to meet any kind of monitoring requirements, this Part has been removed in the permit.

SECTOR T

Previous Permit Appendix I.T: The name of this industrial sector in the permit has been changed from Wastewater Treatment Works to Treatment Works. This was done in keeping with EPA MSGP.

1. Coverage of This Section

Permit Appendix I.T Part A.1 (Previous Permit Appendix I.T.1.a): The permit coverage for treatment works shall not include farm lands, domestic gardens, or lands used for sludge management where sludge is beneficially reused and which are not physically located in the confines of the facility, or areas that are in compliance with requirements for disposal of sewage sludge. This exact wording is taken from UAC R317-8-11.3(6)(d) and is included in the permit.

2. Sector Specific Control Measures and Effluent Limits

Permit Appendix I.T Part B.1 (Previous Permit Appendix I.T): The permittee shall minimize the discharge of pollutants in stormwater by implementing controls such as routing stormwater to the treatment works. This is included in the permit as a possible control measure that can be used at the facility as it prevents discharges from the facility from occurring.

SECTOR U

No Additional Sector-Specific Changes to this Sector from the previous permit.

SECTOR V

No Additional Sector-Specific Changes to this Sector from the previous permit.

SECTOR W

Previous Permit Appendix I.W: The name of this industrial sector in the permit has been changed from Furniture and Fixture Manufacturing Facilities to Wood and Metal Furniture and Fixture Manufacturing Facilities. This was done in keeping with EPA MSGP.

SECTOR X

No Additional Sector-Specific Changes to this Sector from the previous permit.

SECTOR Y

1. Sector Specific Control Measures and Effluent Limits

Permit Appendix I.Y Part B.2: This Part was added from the EPA MSGP and includes requirements for plastic products manufacturing and plastic resin control. The permittee shall minimize the discharge of plastic resin pellets in stormwater by implementing appropriate control. These have been included in the permit as they can introduce pollutants that, if they reach waters of the state, can have significant health and environmental impacts. These controls will allow for proper management and protection of water quality.

SECTOR Z

No Additional Sector-Specific Changes to this Sector from the previous permit.

SECTOR AA

Previous Permit Appendix I.AA: The name of this industrial sector in the permit has been changed from Facilities That Manufacture Metal Products including Jewelry, Silverware and Plated Ware to Fabricated Metal Products Manufacturing Facilities. This was done in keeping with EPA MSGP.

1. Coverage of This Section

Permit Appendix I.AA Part A.1 (Previous Permit Appendix I.AA.1.a): The permit coverage for this sector does not include Machinery and Transportation Equipment, and Coating, Engraving, and Allied Services. The previous permit did not include all of these and it also did not include the applicable SIC Code. The SIC code (3479) and the description are included in the permit to identify those who the permit is not applicable for.

2. Sector Specific Inspection Requirements

Permit Appendix I.AA Part C (Previous Permit Appendix I.AA.3.a.2.a.2): The permittee shall inspect all potential sources of pollutants (i.e. chromium, zinc, lubricating oil, solvents, aluminum, oil and grease, methyl ethyl ketone, steel, and related materials) as part of the routine inspections. This was added from the EPA MSGP as a sector specific inspection area. It is included in the control measures as pollutants to be aware of, so requiring these to be inspected is in line with that requirement.

3. Monitoring Requirements

Permit Appendix I.AA Part E.1 (Previous Permit Appendix I.AA.5.a): The previous permit included "Total Aluminum" with a concentration limit of 0.75 mg/L. This has been changed in the permit to Total Recoverable Aluminum with a concentration limit of 1.1 mg/L. This is in line with the EPA MSGP analytical benchmark monitoring limits.

The previous permit also included analytical benchmark monitoring requirements for total iron which has been removed in the permit. This is not required in the EPA MSGP and is no longer going to be required in the permit.

SECTOR AB

No Additional Sector-Specific Changes to this Sector from the previous permit.

SECTOR AC

No Additional Sector-Specific Changes to this Sector from the previous permit.

SECTOR AD

No Additional Sector-Specific Changes to this Sector from the previous permit.

APPENDIX II – SECTION 313 WATER PRIORITY CHEMICALS

Permit Appendix II (Previous Permit Appendix II): The list of Section 313 water priority chemicals was updated from the previous permit. The previous permit included the list of chemicals from the 1994 Federal Register. The permit has an updated list based on the most recent version of the list from September 1995. The list removed five chemicals that were previously listed and added 43 additional chemicals. These have been added and removed accordingly in the permit.

PUBLIC NOTICE

Began: November 1, 2023
Ended: November 30, 2023

Comments will be received at: 195 North 1950 West
 PO Box 144870
 Salt Lake City, UT 84114-4870

The Public Notice of the draft permit was published on the DWQ webpage.

During the public comment period provided under R317-8-6.5, any interested person may submit written comments on the draft permit and may request a public hearing, if no hearing has already been scheduled. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing. All comments will be considered in making the final decision and shall be answered as provided in R317-8-6.12.

During finalization of the Permit certain dates, spelling edits, and minor language corrections were completed. Due to the nature of these changes they were not considered Major and the permit is not required to be re-Public Noticed.

REPRESENTATIVE SUMMARY

The draft permit was public noticed on the Division of Water Quality's website from November 1, 2023 through November 30, 2023. No public comments were received during the public comment period. The permit was issued as drafted.