

Tennessee Storm Water Multi-Sector  
 General Permit for Industrial Activities (TMSP)  
**Sector AA**

**Sector AA - Stormwater Discharges Associated With Industrial Activity From Fabricated Metal Products Industry**

**1. Discharges Covered Under This Section**

The requirements listed under this section shall apply to stormwater discharges associated with industrial activity from a facility engaged in manufacturing the following products and generally described by the SIC codes shown below:

<b>SIC Code</b>	<b>Sector AA: Facilities That Manufacture Metal Products including Jewelry, Silverware and Plated Ware</b>	<b>Sampling Required?</b>	<b>Table Number</b>
3411	Metal Cans	Yes	AA-1
3412	Metal Shipping Barrels, Drums, Kegs, and Pails	Yes	AA-1
3421	Cutlery	Yes	AA-1
3423	Hand and Edge Tools, Except Machine Tools and Handsaws	Yes	AA-1
3425	Saw Blades and Handsaws	Yes	AA-1
3429	Hardware, NEC	Yes	AA-1
3431	Enameled Iron and Metal Sanitary Ware	Yes	AA-1
3432	Plumbing Fixture Fittings and Trim	Yes	AA-1
3433	Heating Equipment, Except Electric and Warm Air Furnaces	Yes	AA-1
3441	Fabricated Structural Metal	Yes	AA-1
3442	Metal Doors, Sash, Frames, Molding, and Trim Manufacturing	Yes	AA-1
3443	Fabricated Plate Work (Boiler Shops)	Yes	AA-1
3444	Sheet Metal Work	Yes	AA-1
3446	Architectural and Ornamental Metal Work	Yes	AA-1
3448	Prefabricated Metal Buildings and Components	Yes	AA-1
3449	Miscellaneous Structural Metal Work	Yes	AA-1
3451	Screw Machine Products	Yes	AA-1
3452	Bolts, Nuts, Screws, Rivets, and Washers	Yes	AA-1
3462	Iron and Steel Forgings	Yes	AA-1
3463	Nonferrous Forgings	Yes	AA-1
3465	Automotive Stamping	Yes	AA-1
3469	Metal Stamping, NEC	Yes	AA-1
3471	Electroplating, Plating, Polishing, Anodizing, and Coloring	Yes	AA-2
3479	Coating, Engraving, and Allied Services, NEC	Yes	AA-2
3484	Small Arms	Yes	AA-1
3489	Ordnance and Accessories, NEC	Yes	AA-1
3491	Industrial Valves	Yes	AA-1
3494	Valves and Pipe Fittings, NEC	Yes	AA-1
3495	Wire Springs	Yes	AA-1
3496	Miscellaneous Fabricated Wire Products	Yes	AA-1
3498	Fabricated Pipe and Pipe Fittings	Yes	AA-1
3499	Fabricated Metal Products, NEC	Yes	AA-1
3911	Jewelry, Precious Metal	Yes	AA-1
3914	Silverware, Plated Ware, and Stainless Steel Ware	Yes	AA-1
3915	Jewelers' Findings and Materials, and Lapidary Work	Yes	AA-1

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

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facility shall determine which other monitoring and pollution prevention plan section(s) of this permit (if any) are applicable to the facility.

**2. Special Conditions**

Prohibition of Non-stormwater Discharges. Except for those allowable non-stormwater discharges included in Part 3.1.2 (Allowable Non-Stormwater Discharges) of this permit, there are no other non-stormwater discharges authorized in this Sector.

**3. Stormwater Pollution Prevention Plan Requirements**

3.1 Deadlines for Plan Preparation and Compliance. There are no additional deadlines for plan preparation and compliance, other than those stated in subpart 4.1.

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

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

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

3.2.2.1 Drainage. A site map indicating the outfall locations and types of discharges contained in the drainage areas of the outfalls, an outline of the portions of the drainage area of each stormwater outfall that are within the facility boundaries, each existing structural control measure to reduce pollutants in stormwater runoff, surface water bodies, locations where significant materials are exposed to precipitation, locations where major spills or leaks identified under Part 11.AA.3.2.2.3 (Spills and Leaks) of this permit have occurred, and the locations of the following activities where such activities are exposed to precipitation: raw metal storage areas, finished metal storage areas, scrap disposal collection sites, equipment storage areas, retention and detention basins, temporary diversion dikes or berms, permanent diversion dikes or berms, right-of-way or perimeter diversion devices, any sediment traps or barriers, vehicle and equipment maintenance and/or cleaning areas, loading/unloading areas, locations used for the treatment, storage or disposal of wastes, liquid storage tanks, processing areas including outside painting areas, wood preparation, recycling and raw material storage.

For each area of the facilities that generates stormwater discharges associated with industrial activity with a reasonable potential for containing significant amounts of pollutants, the plan

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should include a prediction of the direction of flow, and an identification of the types of pollutants which are likely to be present in stormwater discharges associated with industrial activity. Factors to consider include the toxicity of chemical; quantity of chemicals used, produced or discharged; the likelihood of contact with stormwater; and history of significant leaks or spills of toxic or hazardous pollutants. In addition, flows with a significant potential for causing erosion shall be identified such as heavy equipment use areas, drainage from roofs, parking lots, etc.

- 3.2.2.2 Inventory of Exposed Materials - An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to stormwater between the time of 3 years prior to the date of the submission of an NOI to be covered under this permit and the present; method and location of onsite storage or disposal; materials management practices employed to minimize contact of materials with stormwater runoff between the time of 3 years prior to the date of the submission of an NOI to be covered under this permit and the present; the location and a description of existing structural and nonstructural control measures to reduce pollutants in stormwater runoff; and a description of any treatment the stormwater receives.
- 3.2.2.3 Spills and Leaks - A list of significant spills and significant leaks of toxic or hazardous pollutants that occurred at areas that are exposed to precipitation or that otherwise drain to a stormwater conveyance at the facility after the date of 3 years prior to the date of the submission of an NOI to be covered under this permit. Significant spills that should be considered for the fabricated metals industry include, but are not limited to, chromium, toluene, pickle liquor, sulfuric acid, zinc and other water priority chemicals and hazardous chemicals and wastes. Such list shall be updated as appropriate during the term of the permit.
- 3.2.2.4 Sampling Data - A summary of existing discharge sampling data describing pollutants in stormwater discharges from the facility, including a summary of sampling data collected during the term of this permit.
- 3.2.2.5 Risk Identification and Summary of Potential Pollutant Sources - A narrative description of the potential pollutant sources from the following activities: loading and unloading operations for paints, chemicals and raw materials; outdoor storage activities for raw materials, paints, empty containers, corn cob, chemicals, scrap metals; outdoor manufacturing or processing activities such as grinding, cutting, degreasing, buffing, brazing, etc.; significant dust or particulate generating processes; and onsite waste disposal practices for spent solvents, sludge, pickling baths, shavings, ingots pieces, refuse and waste piles. The description shall specifically list any significant potential source of pollutants at the site and for each potential source, any pollutant or pollutant parameter (e.g., biochemical or chemical oxygen demand, chromium, total suspended solids, oil and grease, etc.) of concern shall be identified.
- 3.2.3 Measures and Controls. Each facility covered by this permit shall develop a description of stormwater management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of stormwater management controls shall address the following minimum components, including a schedule for implementing such controls:

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- 3.2.3.1 Good Housekeeping - Good housekeeping requires the maintenance of areas which may contribute pollutants to stormwater discharges in a clean, orderly manner. Permittees should address the following areas in the manner described.
  - 3.2.3.1.1 Raw Steel Handling Storage-Include measures controlling or recovering scrap metals, fines, and iron dust, including measures for containing materials within storage handling areas.
  - 3.2.3.1.2 Paints and Painting Equipment-Consider control measures to prevent or minimize exposure of paint and painting equipment from exposure to stormwater.
- 3.2.3.2 Preventive Maintenance - Preventive maintenance measures shall include timely inspection and maintenance of stormwater management devices (e.g., cleaning oil/water separators, catch basins) as well as inspecting and testing facility equipment and systems to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters, and ensuring appropriate maintenance of such equipment and systems.
- 3.2.3.3 Spill Prevention and Response Procedures - Areas where potential spills which could contribute pollutants to stormwater discharges may occur, and their accompanying drainage points shall be identified clearly in the stormwater pollution prevention plan. The plan should be considered where appropriate, specifying material handling procedures, storage requirements, and use of equipment such as diversion valves. Procedures for cleaning up spills shall be identified in the plan and made available to the appropriate personnel. The necessary equipment to implement a clean-up should be available to personnel. The following areas should be addressed:
  - 3.2.3.3.1 Metal Fabricating Areas-Include measures for maintaining clean, dry, orderly conditions in these areas. Use of dry clean-up techniques should be considered in the plan.
  - 3.2.3.3.2 Storage Areas for Raw Metal-Include measures to keep these areas free of conditions that could cause spills or leakage of materials. Storage areas should be maintained for easy access in case spill clean-up is necessary. Stored materials should be able to be identified correctly and quickly.
  - 3.2.3.3.3 Receiving, Unloading, and Storage Areas-Include measures to prevent spills and leaks; plan for quick remedial clean-up and instruct employees on clean-up techniques and procedures.
  - 3.2.3.3.4 Storage of Equipment-Include measures for preparing equipment for storage and the proper method to store equipment including protecting with covers, storing indoors. The plan should include clean-up measures for equipment that will be stored outdoors to remove potential pollutants.
  - 3.2.3.3.5 Metal Working Fluid Storage Areas-The plan should include measures that identify controls particularly for storage of metal working fluids.
  - 3.2.3.3.6 Cleaners and Rinse Water-The plan should include measures to control and cleanup spills of solvents and other liquid cleaners; control sand buildup and disbursement from sand-blasting

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operations, prevent exposure of recyclable wastes; and employ substitute cleaners when possible.

- 3.2.3.3.7 Lubricating Oil and Hydraulic Fluid Operations-Consider using devices or monitoring equipment to detect and control leaks and overflows, including the installation of perimeter controls such as dikes, curbs, grass filter strips, or other equivalent measures.
- 3.2.3.3.8 Chemical Storage Areas-Identify proper storage that prevents stormwater contamination and prevents accidental spillage. The plan should include a program to inspect containers, and identify proper disposal and spill controls.
- 3.2.3.4 Inspections - Qualified facility personnel shall be identified to inspect designated equipment and areas of the facility at appropriate intervals specified in the SWPPP. Metal fabricators shall at a minimum include the following areas for inspection: raw metal storage areas, finished product storage areas, material and chemical storage areas, recycling areas, loading and unloading areas, equipment storage areas, paint areas, fueling and maintenance areas, and waste management areas. A set of tracking or follow-up procedures shall be used to ensure that appropriate actions are taken in response to the inspections. Records of inspections shall be maintained as part of the SWPPP. The use of a checklist developed by the facility is encouraged.

Note that additional Stormwater Pollution Prevention Plan (SWPPP) requirements for discharges into waters with unavailable parameters or Exceptional Tennessee waters, as described in the subpart 4.6 of this permit may be applicable to your facility.

- 3.2.3.5 Employee Training - Employee training programs shall inform personnel responsible for implementing activities identified in the stormwater pollution prevention plan or otherwise responsible for stormwater management at all levels of responsibility of the components and goals of the stormwater pollution prevention plan. Training should address topics such as spill response, good housekeeping, and material management practices. The pollution prevention plan shall identify periodic dates for such training.
- 3.2.3.6 Recordkeeping and Internal Reporting Procedures - A description of incidents (such as spills, or other discharges), along with other information describing the quality and quantity of stormwater discharges shall be included in the plan required under this part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan.
- 3.2.3.7 Non-stormwater Discharges
  - 3.2.3.7.1 The plan shall include a certification that the discharge has been tested or evaluated for the presence of non-stormwater discharges. The certification shall include the identification of potential significant sources of non-stormwater at the site, a description of the results of any test and/or evaluation for the presence of non-stormwater discharges, the evaluation criteria or testing method used, the date of any testing and/or evaluation, and the onsite drainage points that were directly observed during the test. Certifications shall be signed in accordance with Part VII.G. of this permit. Such certification may not be feasible if the facility operating the stormwater discharge associated with industrial activity does not have access to an outfall,

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manhole, or other point of access to the ultimate conduit which receives the discharge. In such cases, the source identification section of the stormwater pollution prevention plan shall indicate why the certification required by this part was not feasible, along with the identification of potential significant sources of non-stormwater at the site. A discharger that is unable to provide the certification required by this paragraph must notify the Division of Water Resources in accordance with paragraph “Failure to Certify” (below).

- 3.2.3.7.2 Sources of non-stormwater that are combined with stormwater discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-stormwater component(s) of the discharge. Any non-stormwater discharges that are not authorized under this permit or another NPDES permit should be brought to the attention of the division’s local Environmental Field Office (see list of EFOs on page 14).
- 3.2.3.7.3 Failure to Certify - Any facility that is unable to provide the certification required (testing for non-stormwater discharges), must notify the Division of Water Resources by not later than 180 days after submitting a notice of intent to be covered by this permit. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notification shall describe: the procedure of any test conducted for the presence of non-stormwater discharges; the results of such test or other relevant observations; potential sources of non-stormwater discharges to the storm sewer; and why adequate tests for such storm sewers were not feasible. Non-stormwater discharges to waters of the state which are not authorized by an NPDES permit are unlawful, and must be terminated.
- 3.2.3.7.4 Sediment and Erosion Control - The plan shall identify areas which, due to topography, activities, or other factors, have a high potential for significant soil erosion. The plan shall identify structural, vegetative, and/or stabilization measures to be used to limit erosion. These shall include but not be limited to grass swales, filter strips, treatment works, or other equivalent measures. Metal fabricators must include in their plan measures to minimize erosion related to the high volume of traffic from heavy equipment for delivery to and from the facility and for equipment operating at the facility on a daily basis such as forklifts, cranes, etc.
- 3.2.3.7.5 Management of Runoff - The plan shall contain a narrative consideration of the appropriateness of traditional stormwater management practices (practices other than those which control the generation or source(s) of pollutant(s) used to divert, infiltrate, reuse, or otherwise manage stormwater runoff in a manner that reduces pollutants in stormwater discharges from the site. The plan shall provide that measures that the permittee determines to be reasonable and appropriate shall be implemented and maintained. The potential of various sources at the facility to contribute pollutants to stormwater discharges associated with industrial activities under the SIC codes identified under paragraph 11.AA.1. of this section shall be considered when determining reasonable and appropriate measures. Appropriate measures may include: vegetative swales and practices, reuse of collected stormwater (such as for a process or as an irrigation source), inlet controls (such as oil/water separators), snow management activities, infiltration devices, and wet detention/retention devices.
- 3.2.4 Comprehensive Site Compliance Evaluation. Qualified personnel shall conduct site compliance evaluations at least once a year. Such evaluations shall include:

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- 3.2.4.1 Visual inspection of areas contributing to a stormwater discharge for evidence of, or the potential for, pollutants entering the drainage system (and potentially waters of the state). Inspection shall address areas associated with the storage of raw metals, storage of spent solvents and chemicals, outdoor paint areas, drainage from roof, unloading and loading areas, equipment storage areas, recycling areas, and retention ponds (sludge). Potential pollutants include chromium, zinc, lubricating oil, solvents, aluminum, oil and grease, methyl ethyl ketone, steel, and other related materials. Measures to reduce pollutant loadings shall be evaluated to determine whether they are adequate and properly implemented in accordance with the terms of the permit or whether additional control measures are needed. Structural stormwater management measures, such as detention basins and channels, gutters or drains to direct discharge flow, oil/water separators in storm drains, containment structures, concrete pads, sediment and erosion control measures, and other structural pollution prevention measures identified in the plan shall be observed to ensure that they are operating correctly. A visual inspection of equipment needed to implement the plan, such as spill response equipment and containment drums, shall be made to determine if the equipment is functioning properly and that drums are not in a corrosive or deteriorating state.
- 3.2.4.2 Based on the results of the evaluation, the description of potential pollutant sources identified in the plan in accordance with paragraph 11.AA.3.2.2 of this section (Description of Potential Pollutant Sources) and pollution prevention measures and controls identified in the plan in accordance with paragraph 11.AA.3.2.3 of this section (Measures and Controls) shall be revised as appropriate within 2 weeks of such evaluation and shall provide for implementation of any changes to the plan in a timely manner, but in no case more than 12 weeks after the evaluation.
- 3.2.4.3 A report summarizing the scope of the evaluation, personnel making the evaluation, the date(s) of the evaluation, major observations relating to the implementation of the stormwater pollution prevention plan, and actions taken in accordance with the permit shall be made and retained as part of the stormwater pollution prevention plan for at least 3 years from the date of the inspection. The report shall identify any incidents of noncompliance. Where a report does not identify any incidents of noncompliance, the report shall contain a certification that the facility is in compliance with the stormwater pollution prevention plan and this permit. The report shall be signed in accordance with subpart 7.7 (Signatory Requirements) of this permit.
- 3.2.4.4 Where compliance evaluation schedules overlap with inspections required under 11.AA.3.2.3.4, the compliance evaluation may be conducted in place of one such inspection.

**4. Numeric Effluent Limitations**

There are no additional numeric effluent limitations beyond those described in subpart 5.2 (Coal Pile Runoff) of the TMSP.

**5. Monitoring and Reporting Requirements**

Permittees subject to Numeric Effluent Limitations described in subpart 5.2 above (Coal Pile Runoff) must submit to the division monitoring results annually on a signed copy of the Discharge Monitoring Report (DMR, see Addendum E).

Permittees subject to Analytical Monitoring Requirements as described in subpart 5.1 of this sector (see below) must submit the benchmark results using an Annual Stormwater Monitoring Report (see Addendum D) to the division.

**5.1 Analytical Monitoring Requirements**

During the term of this permit, permittees covered under this sector must monitor their stormwater discharges associated with industrial activity at least once per calendar year (annually), except as provided in paragraphs 5.1.3 (Sampling Waiver), 5.1.4 (Representative Discharge), and 5.1.5 (Alternative Certification). For SIC-specific breakdown of monitoring requirements and applicable Monitoring Requirements (listed below), see Table in Part 1 of this industrial sector (1. Discharges Covered Under This Section). Facilities must report in accordance with 5.2 (Reporting). In addition to the parameters listed in Tables AA-1 and AA-2 below, the permittee shall maintain a record of the date and duration (in hours) of the storm event(s) sampled; rainfall measurements or estimates (in inches) of the storm event that generated the sampled runoff; the duration between the storm event sampled and the end of the previous measurable (greater than 0.1 inch rainfall) storm event; and an estimate of the total volume (in gallons) of the discharge sampled.

**Table AA-1. Benchmark Monitoring Requirements for Fabricated Metal Products Except SIC 3471-3479**

<b>Pollutants of Concern</b>	<b>Benchmark [mg/L]</b>
Total Recoverable Aluminum	0.75
Total Recoverable Iron	5.0
Total Recoverable Zinc	0.395
Nitrate plus Nitrite Nitrogen	0.68

**Table AA-2. Benchmark Monitoring Requirements for Fabricated Metal Coating and Engraving (SIC 3471-3479)**

<b>Pollutants of Concern</b>	<b>Benchmark [mg/L]</b>
Total Recoverable Zinc	0.395
Nitrate plus Nitrite Nitrogen	0.68

5.1.1 Monitoring Periods. Metal fabricating facilities shall monitor samples collected during any period of a calendar year, as long as the samples are representative of the quantity and quality

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of the stormwater runoff being discharged from the facility.

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

In addition, the permittee shall evaluate the results obtained from sampling and monitoring following the required annual sampling events to determine whether the facility is below, meets, or exceeds the monitoring benchmarks as shown in the table above. If the results of annual stormwater runoff monitoring demonstrate that the facility has exceeded the benchmark(s), the permittee must inform the division's local Environmental Field Office in writing within 30 days from the time stormwater monitoring results were received, describing the likely cause of the exceedance(s). Furthermore, within 60 days from the time stormwater monitoring results were received, the facility must review its stormwater pollution prevention plan, make any modifications or additions to the plan which would assist in reducing effluent concentrations to less than the monitoring benchmarks for that facility, and submit to the division's local Environmental Field Office a brief summary of the proposed SWPPP modifications (including a timetable for implementation). The modification or additions to the SWPPP should be implemented as soon as practicable.

In the event of a repeated benchmark exceedance, the permittee can, in consultation with the division, make a determination that no further pollutant reduction is technologically available, economically practicable and achievable in light of best industry practices. The permittee must document the rationale for concluding that no further pollutant reductions are achievable, and retain all records related to this documentation with the SWPPP.

5.1.3 **Sampling Waiver**

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

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otherwise make the collection of a sample impracticable (drought, extended frozen conditions, etc.).

- 5.1.3.2 Low Concentration Waiver - When the average concentration for a pollutant calculated from monitoring data collected from first 4 calendar years of monitoring is less than the corresponding reporting value for that pollutant (Monitoring Benchmark), a facility may waive monitoring and reporting requirements in the last annual monitoring period. The facility must submit to the Division of Water Resources, in lieu of the monitoring data, a certification that there has not been a significant change in industrial activity or the pollution prevention measures in areas of the facility which drains to the outfall for which sampling was waived.
- 5.1.3.3 When a discharger is unable to conduct annual chemical stormwater sampling at an inactive and unstaffed site, the operator of the facility may exercise a waiver of the monitoring requirements as long as the facility remains inactive and unstaffed. The facility must submit to the Division of Water Resources, in lieu of monitoring data, a certification statement on the TMSP Stormwater Monitoring Report stating that the site is inactive and unstaffed so that collecting a sample during a qualifying event is not possible.
- 5.1.4 Representative Discharge. When a facility has two or more outfalls that, based on a consideration of industrial activity, significant materials, and management practices and activities within the area drained by the outfall, the permittee reasonably believes discharge substantially identical effluents, the permittee may test the effluent of one of such outfalls and report that the quantitative data also applies to the substantially identical outfall(s) provided that the permittee includes in the stormwater pollution prevention plan a description of the location of the outfalls and explains in detail why the outfalls are expected to discharge substantially identical effluents. In addition, for each outfall that the permittee believes is representative, an estimate of the size of the drainage area (in square feet) and an estimate of the runoff coefficient of the drainage area [e.g., low (under 40 percent), medium (40 to 65 percent), or high (above 65 percent)] shall be provided in the plan. The permittee shall include the description of the location of the outfalls, explanation of why outfalls are expected to discharge substantially identical effluents, and estimate of the size of the drainage area and runoff coefficient with the TMSP Stormwater Monitoring Report.
- 5.1.5 Alternative Certification. A discharger is not subject to the monitoring requirements of this section provided the discharger makes a certification for a given outfall or on a pollutant-by-pollutant basis in lieu of monitoring reports required under paragraph b below, under penalty of law, signed in accordance with subpart 7.7 (Signatory Requirements), that material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, industrial machinery or operations, or significant materials from past industrial activity that are located in areas of the facility within the drainage area of the outfall are not presently exposed to stormwater and are not expected to be exposed to stormwater for the certification period. Such certification must be retained in the stormwater pollution prevention plan, and submitted to the Division of Water Resources in accordance with subpart 6.2 of this permit. In the case of certifying that a pollutant is not present, the permittee must submit the certification along with the monitoring reports required under paragraph (b) below. If the permittee cannot certify for an entire period, they must submit the date exposure was eliminated and any monitoring required up until that date. This

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certification option is not applicable to compliance monitoring requirements associated with effluent limitations.

5.2 Reporting

Permittees with analytical monitoring requirements shall submit monitoring results for each outfall associated with industrial activity [or a certification in accordance with Sections (3), (4), or (5) above] obtained during the annual reporting period on TMSP Stormwater Monitoring Report Form(s). **The form(s) shall be submitted 30 days after the sampling results are obtained, but no later than the March 31st of the following calendar year, whichever comes first.** For each outfall, one signed TMSP Stormwater Monitoring Report form must be submitted to the Division of Water Resources. Signed copies of TMSP Stormwater Monitoring Reports, or said certifications, shall be submitted to the division at the appropriate EFO for the county where the facility is located. A list of EFOs and their addresses are available in subpart 3.3 above.

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

5.3.1 Examinations shall be conducted in each of the following periods for the purposes of visually inspecting stormwater quality associated with stormwater runoff or snowmelt: January through March; April through June; July through September; and October through December.

5.3.2 Examinations shall be made of samples collected within the first 30 minutes (or as soon thereafter as practical, but not to exceed 1 hour) of when the runoff or snowmelt begins discharging. The examinations shall document observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of stormwater pollution. The examination must be conducted in a well-lit area. No analytical tests are required to be performed on the samples. All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. Where practicable, the same individual should carry out the collection and examination of discharges for the entire permit term.

5.3.3 Visual examination reports must be maintained onsite in the pollution prevention plan or with other compliance records. The report shall include the examination date and time, examination personnel, the nature of the discharge (i.e., runoff or snow melt), visual quality of the stormwater discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of stormwater pollution), and probable sources of any observed stormwater contamination.

5.3.4 When a facility has two or more outfalls that, based on a consideration of industrial activity, significant materials, and management practices and activities within the area drained by the outfall, the permittee reasonably believes discharge substantially identical effluents, the permittee may collect a sample of effluent of one of such outfalls and report that the

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examination data also applies to the substantially identical outfall(s) provided that the permittee includes in the stormwater pollution prevention plan a description of the location of the outfalls and explains in detail why the outfalls are expected to discharge substantially identical effluents. In addition, for each outfall that the permittee believes is representative, an estimate of the size of the drainage area (in square feet) and an estimate of the runoff coefficient of the drainage area [e.g., low (under 40 percent), medium (40 to 65 percent), or high (above 65 percent)] shall be provided in the plan.

- 5.3.5 When a discharger is unable to collect samples over the course of the visual examination period as a result of adverse climatic conditions, the discharger must document the reason for not performing the visual examination and retain this documentation onsite with the records of the visual examinations. Adverse weather conditions which may prohibit the collection of samples include weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricane, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (drought, extended frozen conditions, etc.).
- 5.3.6 When a discharger is unable to conduct visual stormwater examinations at an inactive and unstaffed site, the operator of the facility may exercise a waiver of the monitoring requirement as long as the facility remains inactive and unstaffed. The facility must maintain a certification with the pollution prevention plan stating that the site is inactive and unstaffed so that performing visual examinations during a qualifying event is not feasible.