# STATE OF TENNESSEE

# NPDES PERMIT

## TENNESSEE STORM WATER MULTI-SECTOR GENERAL PERMIT FOR INDUSTRIAL ACTIVITIES

## PERMIT NO. TNR050000

Under authority of the Tennessee Water Quality Control Act of 1977 (T.C.A. 69-3-101 et seq.) and the delegation of authority from the United States Environmental Protection Agency under the Federal Water Pollution Control Act, as amended by the Clean Water Act of 1977 (33 U.S.C. 1251, et seq.) and the Water Quality Act of 1987, P.L. 100-4, except as provided in Part I.B.3. of this storm water multi-sector general permit, operators of point source discharges of storm water associated with industrial activity that discharge into waters of the State of Tennessee, represented by the industry sectors identified in Part XI of this permit, are authorized to discharge storm water runoff associated with industrial activity in accordance with the following storm water pollution prevention plan requirements, effluent limitations, monitoring and reporting requirements and other provisions as set forth in Parts I through XI herein, from the subject facility to waters of the State of Tennessee.

This permit is issued on: **February 6, 2002**

This permit is effective on: **March 1, 2002**

This permit expires on: **December 31, 2006**

Paul E. Davis, Director
Division of Water Pollution Control

CN-0759

RDAs 2352 and 2366

**NPDES GENERAL PERMIT**
**FOR**
**STORM WATER DISCHARGES FROM INDUSTRIAL ACTIVITIES**

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# I COVERAGE UNDER THIS PERMIT

## A Permit Area

The permit is being issued for the State of Tennessee.

## B Eligibility

1. Discharges Covered

Except for storm water discharges identified under paragraph I.B.3., this permit may cover all new and existing point source discharges of storm water to waters of the State that are associated with industrial activity identified under the coverage sections contained in Part XI. (see Table 1). Military installations must comply with the permit and monitoring requirements for all sectors that describe industrial activities that such installations perform. Similarly, facilities that have "co-located" activities that are described in more than one sector need to comply with applicable conditions of each sector.

**Table 1**

| **Storm Water Discharges From:** | Associated SIC Codes | **Are Covered if Listed in Part:** |
|---|---|---|
| Timber Products Facilities | 2411, 2421, 2426, 2429, 2431, 2435, 2436, 2439, 2441, 2448, 2449, 2451, 2452, 2491, 2493, 2499 | XI.A.1. |
| Paper and Allied Products Manufacturing Facilities | 2611, 2621, 2631, 2652, 2653, 2655, 5656, 2657, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679 | XI.B.1. |
| Chemical and Allied Products Manufacturing Facilities | 2812, 2813, 2816, 2819, 2821, 2822, 2823, 2824, 2841, 2842, 2843, 2844, 2851, 2861, 2865, 2869, 2873, 2874, 2875, 2879, 2891, 2892, 2893, 2895, 2899 | XI.C.1. |
| Asphalt Paving, Roofing Materials, and Lubricant Manufacturing Facilities | 2951, 2952, 2992 | XI.D.1. |
| Glass, Clay, Cement, Concrete, and Gypsum Product Manufacturing Facilities | 3211, 3221, 3229, 3231, 3241, 3251, | XI.E.1. |

| **Storm Water Discharges From:** | Associated SIC Codes | **Are Covered if Listed in Part:** |
|---|---|---|
| | 3252, 3255, 3259, 3261, 3262, 3263, 3264, 3269, 3271, 3272, 3273, 3274, 3275, 3281, 3285, 3295, 3296, 3297, 3299 | |
| Primary Metals Facilities | 3312, 3313, 3315, 3316, 3317, 3321, 3322, 3324, 3325, 3331, 3334, 3339, 3341, 3351, 3353, 3354, 3355, 3356, 3357, 3363, 3364, 3365, 3366, 3369, 3398, 3399 | XI.F.1. |
| Metal Mines (Ore Mining and Dressing) (RESERVED) | (RESERVED) | XI.G.1. |
| Inactive Coal Mines and Inactive Coal Mining-Related Facilities | 1221, 1222, 1231, 1241 | XI.H.1. |
| Oil or Gas Extraction Facilities | 1311, 1321, 1381, 1382, 1389 | XI.I.1. |
| Construction Sand and Gravel Mining and Processing and Dimension Stone Mining and Quarrying Facilities | 1411, 1422, 1423, 1429, 1442, 1446, 1455, 1459, 1474, 1475, 1479, 1481, 1499 | XI.J.1. |
| Hazardous Waste Treatment Storage or Disposal Facilities | 4953, however, may use main facility's SIC code | XI.K.1. |
| Landfills and Land Application Sites | 4953, except for hazardous waste TSD facilities | XI.L.1. |
| Automobile Salvage Yards | 5015 | XI.M.1. |
| Scrap Recycling and Waste and Recycling Facilities | 5093 | XI.N.1. |
| Steam Electric Power Generating Facilities | 4911 | XI.O.1. |
| Vehicle Maintenance or Equipment Cleaning areas at Motor Freight Transportation Facilities, Passenger Transportation Facilities, Petroleum Bulk Oil Stations and Terminals, the United States Postal Service, or Railroad Transportation Facilities | 4011, 4013, 4111, 4119, 4121, 4131, 4141, 4142, 4151, 4173, 4212, 4213, 4214, 4215, 4221, 4222, 4225, 4226, 4231, 4311, 5171 | XI.P.1. |
| Vehicle Maintenance Areas and Equipment | 4412, 4424, 4432, | XI.Q.1. |

| **Storm Water Discharges From:** | Associated SIC Codes | **Are Covered if Listed in Part:** |
|---|---|---|
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| Ship or Boat Building and Repair Yards | 3731, 3732 | XI.R.1. |
| Vehicle Maintenance Areas, Equipment Cleaning Areas or From Airport Deicing Operations located at Air Transportation Facilities | 4512, 4513, 4522, 4581 | XI.S.1. |
| Wastewater Treatment Works | 4952 | XI.T.1. |
| Food and Kindred Products Facilities | 2011, 2013, 2015, 2021, 2022, 2023, 2024, 2026, 2032, 2033, 2034, 2035, 2037, 2038, 2041, 2043, 2044, 2045, 2046, 2047, 2048, 2051, 2052, 2053, 2061, 2062, 2063, 2064, 2066, 2067, 2068, 2074, 2075, 2076, 2077, 2079, 2082, 2083, 2084, 2085, 2086, 2087, 2091, 2092, 2095, 2096, 2097, 2098, 2099, 2111, 2121, 2131, 2141 | XI.U.1. |
| Textile Mills, Apparel and other Fabric Product Manufacturing Facilities | 2211, 2221, 2231, 2241, 2251, 2252, 2253, 2254, 2257, 2258, 2259, 2261, 2262, 2269, 2273, 2281, 2282, 2284, 2295, 2296, 2297, 2298, 2299, 2311, 2321, 2322, 2323, 2325, 2326, 2329, 2331, 2335, 2337, 2339, 2341, 2342, 2353, 2361, 2369, 2371, 2381, 2384, 2385, 2386, 2387, 2389, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2399 | XI.V.1. |

| **Storm Water Discharges From:** | Associated SIC Codes | **Are Covered if Listed in Part:** |
|---|---|---|
| Furniture and Fixture Manufacturing Facilities | 2434, 2511, 2512, 2514, 2515, 2517, 2519, 2521, 2522, 2531, 2541, 2542, 2591, 2599 | XI.W.1. |
| Printing and Platemaking Facilities | 2721, 2732, 2752, 2754, 2759, 2771, 2796 | XI.X.1. |
| Rubber and Miscellaneous Plastic Product Manufacturing Facilities | 3011, 3021, 3052, 3053, 3061, 3069, 3081, 3082, 3083, 3084, 3085, 3086, 3087, 3088, 3089, 3931, 3942, 3944, 3949, 3951, 3952, 3953, 3955, 3961, 3965, 3991, 3993, 3995, 3996, 3999 | XI.Y.1. |
| Leather Tanning and Finishing Facilities | 3111, 3143 | XI.Z.1. |
| Facilities That Manufacture Metal Products including Jewelry, Silverware and Plated Ware | 3441, 3412, 3421, 3423, 3425, 3429, 3431, 3432, 3433, 3441, 3442, 3443, 3444, 3446, 3448, 3449, 3451, 3452, 3463, 3465, 3469, 3471, 3479, 3484, 3489, 3491, 3494, 3495, 3496, 3498, 3499, 3911, 3914, 3915 | XI.AA.1. |
| Facilities That Manufacture Transportation Equipment, Industrial or Commercial Machinery | 3511, 3519, 3523, 3524, 3531, 3532, 3533, 3534, 3535, 3536, 3537, 3541, 3542, 3543, 3544, 3545, 3546, 3547, 3548, 3549, 3552, 3553, 3554, 3555, 3556, 3559, 3561, 3562, 3563, 3564, 3565, 3566, 3567, 3568, 3569, 3581, 3582, 3585, 3586, 3589, 3592, 3593, 3594, 3596, 3599, | XI.BB.1. |

| **Storm Water Discharges From:** | Associated SIC Codes | **Are Covered if Listed in Part:** |
|---|---|---|
| | 3711, 3713, 3714, 3715, 3716, 3721, 3724, 3728, 3743, 3751, 3761, 3764, 3769, 3792, 3795, 3799 | |
| Facilities That Manufacture Electronic and Electrical Equipment and Components, Photographic and Optical Goods | 3571, 3572, 3575, 3577, 3578, 3579, 3612, 3613, 3621, 3624, 3625, 3629, 3631, 3632, 3633, 3634, 3635, 3639, 3641, 3643, 3644, 3645, 3646, 3647, 3648, 3651, 3652, 3661, 3663, 3669, 3671, 3672, 3674, 3675, 3677, 3678, 3679, 3691, 3692, 3694, 3695, 3699, 3812, 3813, 3821, 3822, 3823, 3824, 3825, 3826, 3827, 3829, 3841, 3842, 3843, 3844, 3851, 3861, 3873 | XI.CC.1. |
| Facilities That Are Not Covered Under Sectors A Thru AC (Monitoring Required) | Varies, may include 9999 | XI.DD.1. |
| Facilities That Are Not Covered Under Sectors A Thru AC (Monitoring **Not** Required) | Varies, may include 9999 | XI.EE.1. |

2. Construction

This permit may authorize storm water discharges associated with industrial activity that are mixed with storm water discharges associated with industrial activity from construction activities provided that the storm water discharge from the construction activity is authorized by and in compliance with the terms of a different NPDES general permit or individual permit authorizing such discharges.

3. Limitations on Coverage

The following storm water discharges associated with industrial activity are not authorized by this permit:

Storm water discharges associated with industrial activities that are not listed under the coverage sections contained in Part XI. (see Table 1).

Storm water discharges associated with industrial activity that are mixed with sources of non-storm water other than non-storm water discharges that are:

In compliance with a different NPDES permit; or

Identified by and in compliance with Part III.A. (Prohibition of Non-storm Water Discharges) of this permit.

Storm water discharges associated with industrial activity that are subject to an existing NPDES individual or general permit.

Are located at a facility where an NPDES permit has been issued in accordance with Part VII.K (Requiring an Individual Permit or an Alternative General Permit) of this permit.

Storm water discharges associated with industrial activity that the Division of Water Pollution Control has determined to be or may reasonably be expected to be contributing to a violation of a water quality standard.

Discharges subject to storm water effluent guidelines, not described under Part XI.

Storm water discharges associated with industrial activity from inactive mining, inactive landfills, or inactive oil and gas operations occurring on Federal lands where an operator cannot be identified.

4. Storm Water Not Associated With Industrial Activity

Storm water discharges associated with industrial activity that are authorized by this permit may be combined with other sources of storm water that are not classified as associated with industrial activity pursuant to 40 CFR 122.26(b)(14).

5. Threatened and Endangered Species Protection

a) Permit Coverage Restrictions: In order to be eligible for coverage under this permit, the applicant must comply with the Endangered Species Act. A discharge of storm water associated with industrial activity may be covered under this permit only if either:

(1) The storm water discharge(s), and the construction of BMPs to control storm water runoff, are not likely to adversely affect species identified in Addendum F of this permit; or

(2) The applicant's activity has received previous authorization under the Endangered Species Act and established an environmental baseline that is unchanged; or

(3) The applicant is implementing appropriate measures as required by the Director to address adverse affects.

b) All dischargers applying for coverage under this multi-sector storm water general permit must certify (in the Storm Water Pollution Prevention Plan) that their storm water discharge(s), and the construction of BMPs to control storm water runoff, are not likely to adversely affect species identified in Addendum F of this permit.

Discharges Not Protective of Federally or State listed Threatened and Endangered Species - Storm water discharges and storm water discharge-related activities that are not protective of legally protected listed or proposed threatened or endangered aquatic fauna in the receiving stream(s); or discharges or activities that would result in a "take" of a Federally listed endangered or threatened fish or wildlife species; if the State finds that storm water discharges or storm water related activities are likely to result in any of the above effects, the State will deny the coverage under this general permit unless and until project plans are changed to protect the listed species.

## C Authorization

Dischargers of storm water associated with industrial activity must submit a complete Notice of Intent (NOI) in accordance with the requirements of Part II of this permit, using a NOI form as found in **Addendum B** (or a copy thereof), to be authorized to discharge under this general permit. Unless notified by the Division to the contrary, owners or operators who submit such notification are authorized to discharge storm water associated with industrial activity under the terms and conditions of this permit 5 days after the date that the NOI is postmarked. The Division may deny coverage under this permit and require submittal of an application for an individual NPDES permit based on a review of the NOI or other information.

## D Discharges to Water Quality Impaired/Water Quality Limited Waters:

Any operator who intends to obtain authorization under the TMSP for all new and existing storm water discharges to water quality-impaired (303(d) listed) waters, or discharges upstream of waters impaired by the same parameter, that may affect the impaired waters, from facilities where there is a reasonable potential to contain pollutants for which the receiving water is impaired, must satisfy the following conditions prior to the authorization (for the most recent list of water quality-impaired (303(d)) waters, go to http://www.state.tn.us/environment/wpc/):

1. Requirements for New Discharges or Existing Discharges Proposing an Increase of Pollutant Loading

Prior to the Division's granting coverage under the TMSP, the operator shall provide an estimate of pollutant loads in storm water discharges from the facility to the Division. This estimate shall include the documentation upon which the estimate is based (e.g., sampling data from the facility, sampling data from substantially identical outfalls at similar facilities, modeling, etc.). Existing facilities should base this estimate on actual analytical data, if available. This information shall be submitted in writing to the Division (see Part II.C: Where to Submit) at least 90 days prior to commencement of proposed industrial activities at the site.

a) If a Total Maximum Daily Load (TMDL) has been developed, permit coverage is available only if the operator has received notice from the Division confirming eligibility.

Following receipt of the information regarding an estimate of pollutant loads, the Division anticipates using the following process in making eligibility determinations for new discharges into 303(d) waters where a TMDL has been developed:

- the Division will notify the facility operator that the estimated pollutant load is consistent with the TMDL and that the proposed storm water discharges meet the eligibility requirements of the TMSP and may be authorized under this permit; or
- the Division will notify the facility operator and EPA that the estimated pollutant load is not consistent with the TMDL and that the proposed storm water discharges do not meet the eligibility requirements of the TMSP and can not be authorized under this NPDES permit.

b) If a Total Maximum Daily Load (TMDL) has not been developed, permit coverage for new discharges or existing discharges proposing an increase of pollutant loading is not available under this permit for discharges to 303(d) waters and the operator must seek coverage under a separate (individual) permit.

2. Requirements for Existing Discharges

a) If a Total Maximum Daily Load (TMDL) has been developed, permit coverage is available only if the operator has received notice from the Division confirming eligibility.

If a TMDL has been developed, the Division will require the operator to provide an estimate of pollutant loads in storm water discharges from the facility. This estimate must include the documentation upon which the estimate is based (e.g., sampling data from the facility, sampling data from substantially identical outfalls at similar facilities, modeling, etc.). Facilities with existing discharges must base this estimate on actual analytical data, if available.

The Division anticipates using the following process in making eligibility determinations for existing discharges into 303(d) waters where a TMDL has been developed:

- the Division will notify the facility operator that the estimated pollutant load is consistent with the TMDL and that the proposed storm water discharges meet the eligibility requirements of the TMSP and may be authorized under this NPDES permit; or
- the Division will notify the facility operator that the estimated pollutant load is not consistent with the TMDL and that the proposed storm water discharges do not meet the eligibility requirements of the TMSP and can not be authorized under this NPDES permit.

b) If a Total Maximum Daily Load (TMDL) has not been developed at the time of permit authorization, coverage under this permit is available only if the pollutant loading from existing facilities remains unchanged or is reduced as a result of additional pollution prevention measures as identified in the facility's Storm Water Pollution Prevention Plan (SWPPP).

If a TMDL is developed during the term of this permit and identifies existing permitted discharges as having a reasonable potential to contain pollutants for which the receiving water is impaired, these discharges shall no longer be authorized by this permit unless, following notification by the Division:

- The operator completes revisions to the Storm Water Pollution Prevention Plan (SWPPP) to include additional and/or modified Best Management Practices (BMPs) designed to comply with any applicable Waste Load Allocation (WLA) established for facility discharges within 30 calendar days following notification by the Division; and
- The operator implements the additional and/or modified BMPs not requiring construction within 60 days;
- In cases where construction is necessary, the plan shall contain a schedule that provides compliance with the plan as expeditiously as practicable, but no later than 1 years following notification by the Division; and
- A report is submitted to the Division which documents actions taken to comply with this condition, including estimated pollutant loads, within 90 calendar days following implementation of the additional and/or modified BMPs.

c) Additional Monitoring for Existing Discharges

The permittee shall perform analytical monitoring for each outfall at least quarterly for any pollutant(s) for which the 303(d) water is impaired where there is a reasonable potential for discharges to contain any or all of these pollutants. Monitoring results should be submitted to the Division (see Reporting: Where to Submit) within 45 calendar days following sample collection. These monitoring requirements are not eligible for any waivers listed elsewhere in the permit.

## E Permit Eligibility Regarding Protection of Water Quality Standards and Compliance with State Anti-degradation Requirements

Pursuant to the Rules of the Tennessee Department of Environment and Conservation, Chapter 1200-4-3-.06, titled "Tennessee Antidegradation Statement," and in consideration of the Department's directive in attaining the greatest degree of effluent reduction achievable in municipal, industrial, and other wastes, the permittee shall further be required, pursuant to the terms and conditions of this permit, to comply with any applicable Waste Load Allocations (WLA), effluent limitations and schedules of compliance, required to implement applicable water quality standards, to comply with a State Water Quality Plan or other State or Federal laws or regulations, or where practicable, to comply with a standard permitting no discharge of pollutants. Additional Storm Water Pollution prevention plan (SWPPP) requirements, as described in Part I.F are applicable to new discharges and discharges which constitute an increase of pollutant loading for discharges to waters identified by the Department as high quality waters, or discharges upstream of high quality waters, that may affect the high quality waters. High quality waters are sometimes referred to as Tier II or Tier III (ONRW) waters.

## F Overview of the Multi-Sector General Permit

Parts I. - X. apply to all facilities. Parts I. and II. describe eligibility requirements and the process for obtaining permit coverage. Parts III. - X. contain "basic" permit requirements.

Part XI. provides additional requirements for particular sectors of industrial activity. For example, primary metal facilities add Part XI.F. to the "universal" Parts I. - X. requirements.

Some facilities may have "co-located" activities that are described in more than one sector and need to comply with applicable conditions of each sector. For example, a chemical manufacturing facility could

have a land application site and be subject to Part XI.C. - Chemical and Allied products Manufacturing sector (primary activity), with runoff from the land application site (co-located activity) also subject to conditions in the Part XI.L. - Landfills and Land Application Sites sector.

# II NOTIFICATION REQUIREMENTS

## A Deadlines for Notification

1. Existing Facility

Except as provided in paragraphs II.A.4. (New Operator), and II.A.5. (Late Notification), individuals who intend to obtain coverage for an existing storm water discharge associated with industrial activity under this general permit shall submit an NOI in accordance with the requirements of this part not more than 30 days following the effective date (March 1, 2002) of this permit;

2. New Facility

Except as provided in paragraphs II.A.3. (Oil and Gas Operations), II.A.4. (New Operator), and II.A.5. (Late Notification), operators of facilities that begin industrial activity after May 31, 1997 shall submit an NOI in accordance with the requirements of this part at least 5 days prior to the commencement of the industrial activity at the facility;

3. Oil and Gas Operations

Operators of oil and gas exploration, production, processing, or treatment operations or transmission facilities, that were not required to submit a permit application as of May 31, 1997 in accordance with 40 CFR 122.26(c)(1)(iii), but that after May 31, 1997 have a discharge of a reportable quantity of oil or a hazardous substance for which notification is required pursuant to either 40 CFR 110.6, 40 CFR 117.21, or 40 CFR 302.6, must submit an NOI in accordance with the requirements of Part II.C. of this permit within 14 calendar days of the first knowledge of such release.

4. New Operator

Where the operator of a facility with a storm water discharge associated with industrial activity that is covered by this permit changes, the new operator of the facility must submit an NOI in accordance with the requirements of this part at least 5 days prior to the change.

5. Late Notification

An operator of a storm water discharge associated with industrial activity is not precluded from submitting an NOI in accordance with the requirements of this part after the dates provided in Parts II.A.1., 2., 3., or 4. (above) of this permit.

6. Facilities Previously Subject to the Tennessee Storm Water Multi-Sector General Permit For Industrial Activities

Facilities previously covered by the Tennessee Storm Water Multi-Sector General Permit For Industrial Activities should obtain coverage under this permit. The coverage can be obtained by submitting a Notice of Intent in accordance with the requirements of the Part I.B no later than 30 days after the effective date (March 1, 2002) of the new permit.

## B Contents of Notice of Intent

The NOI shall be signed in accordance with Part VII.G. (Signatory Requirements) of this permit and shall include the following information:

1. Facility Identification and Location Information

The legal and official name of the facility, and the address or description of location of the facility, the name of county the facility is located, facility latitude and longitude, as well as a copy of U.S.G.S. topographical map, a city map, or a county map, identifying the location of the facility;

2. Facility Operator

The name of the person, firm, organization, or other entity which owns and/or operates the subject facility. The name, title or position, mailing address and E-mail of an official contact person, as well as the facility contact person (i.e. local contact, if applicable) and an indication of the mailing address where correspondence should be sent;

3. Receiving Water and Outfall Information

Number of storm water outfalls at the facility; for each outfall, names and stream miles or location(s) of the receiving stream(s) and/or lake(s);

4. Industrial Information

The SIC code(s) for the facility (primary, secondary, if applicable, etc.), a brief description of the nature of the business at the facility, and an indication of which activities are occurring at the facility; area of property associated with industrial activity in acres. Please note that area of facility property should not include recreation areas, landscaping, lawns, greenfields, forest, office buildings, employee parking lots, etc.;

5. Change of Operator

Whether this NOI is being submitted due to a change in the operator or to update facility information (such as a name of facility, new contact, E-mail address, etc.) of a facility which is currently covered under the TN Storm Water Multi-Sector General Permit, and the former operator's permit tracking number;

6. Certification and Signature

The following certification shall be signed in accordance with Part VII.G.

> *I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the site, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.*

7. Pollution Prevention Plan Preparation and Implementation

All new and existing facilities that request coverage under this permit must have a storm water pollution prevention plan (SWPPP) prepared and implemented in accordance with Part IV prior to NOI submittal. For those permittees switching coverage from the expiring TMSP, existing SWPPPs will satisfy the requirement to have a plan developed before the NOI is signed, when modified as necessary in accordance with Part IV.A.4. Do not include a copy of the SWPPP with the NOI submission, except as required by Part IV.F of this permit.

## C Where to Submit

Facilities that discharge storm water associated with industrial activity must use an NOI form provided by the Division (or a copy thereof). NOIs must be signed in accordance with Part VII.G. (Signatory Requirements) of this permit. NOIs are to be submitted to the Division at the following address:

**Storm Water NOI Processing**
**Tennessee Division of Water Pollution Control**
**6th Floor L & C Annex**
**401 Church Street**
**Nashville, TN 37243-1534**

## D Electronic Submission of NOIs

If the Division notifies dischargers (directly by mail or E-mail, by public notice, or by making information available on the Internet) of other NOI form options that become available at a later date (e.g., electronic submission of forms), the permittees may take advantage of those options to satisfy the NOI notification requirements.

# III SPECIAL CONDITIONS

## A Prohibition of Non-storm Water Discharges

1. Storm Water Discharges

All discharges covered by this permit shall be composed entirely of storm water.

2. Allowable Non-Storm Water Discharges

Discharges of material other than storm water must be in compliance with an NPDES permit (other than this permit and as listed below) issued for the discharge. This permit authorizes the following non-storm water discharges:

- Fire hydrant flushings;
- Potable water including water line flushings;
- Uncontaminated air conditioning or compressor condensate;
- Irrigation drainage;
- Landscape watering provided all pesticides, herbicides, and fertilizer have been applied in accordance with manufacturer's instructions;
- Uncontaminated ground water or spring water;
- Foundation or footing drains where flows are not contaminated with process materials such as solvents;
- Incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of your facility, but NOT intentional discharges from the cooling tower (e.g., "piped" cooling tower blowdown or drains).
- Discharges from wet deck storage areas, which are authorized only if no chemical additives are used in the spray water or applied to the logs.

## B Releases in Excess of Reportable Quantities

1. Hazardous Substances or Oil

The discharge of hazardous substances or oil in the storm water discharge(s) from a facility shall be prevented or minimized in accordance with the applicable storm water pollution prevention plan for the facility. This permit does not relieve the permittee of the reporting requirements of 40 CFR Part 117 and 40 CFR Part 302. Except as provided in paragraph III.B.2 (Multiple Anticipated Discharges) of this permit, where a release containing a hazardous substance in an amount equal to or in excess of a reporting quantity established under either 40 CFR Part 117 or 40 CFR Part 302, occurs during a 24-hour period:

The discharger is required to notify the National Response Center (NRC) at 1-800-424-8802, the Tennessee Emergency Management Agency (TEMA) at 1-800-262-3300, and the appropriate Division's Environmental Assistance Center (see list of EACs on page 15), in accordance with the requirements of 40 CFR Part 117 and 40 CFR Part 302, as soon as he or she has knowledge of the discharge;

The storm water pollution prevention plan required under Part IV. (Storm Water Pollution Prevention Plans) of this permit must be modified within 14 calendar days of knowledge of the release to provide a description of the release, the circumstances leading to the release, and the date of the release. In

addition, the plan must be reviewed by the permittee to identify measures to prevent the reoccurrence of such releases and to respond to such releases, and the plan must be modified where appropriate; and

The permittee shall submit within 14 calendar days of knowledge of the release a written description of the release (including the type and estimate of the amount of material released), the date that such release occurred, the circumstances leading to the release, and steps to be taken in accordance with paragraph III.B.1.b. (above) of this permit to the appropriate Division's Environmental Assistance Center (see list of EACs on page 15).

2. Multiple Anticipated Discharges

Facilities that have more than one anticipated discharge per year containing the same hazardous substance in an amount equal to or in excess of a reportable quantity established under either 40 CFR Part 117 or 40 CFR Part 302, that occurs during a 24-hour period, where the discharge is caused by events occurring within the scope of the relevant operating system shall:

Submit notifications in accordance with Part III.B.1.b. (above) of this permit for the first such release that occurs during a calendar year (or for the first year of this permit, after submittal of an NOI); and

Shall provide in the storm water pollution prevention plan required under Part IV. (Storm Water Pollution Prevention Plans) a written description of the dates on which all such releases occurred, the type and estimate of the amount of material released, and the circumstances leading to the releases. In addition, the plan must be reviewed to identify measures to prevent or minimize such releases and the plan must be modified where appropriate.

3. Spills

This permit does not authorize the discharge of hazardous substances or oil resulting from an onsite spill.

## C List of Division's Environmental Assistance Centers (EACs) and Counties

| EAC Name | List of Counties |
|---|---|
| Chattanooga | Bledsoe, Bradley, Grundy, Hamilton, Marion, McMinn, Meigs, Polk, Rhea, Sequatchie |
| Columbia | Bedford, Coffee, Franklin, Giles, Hickman, Lawrence, Lewis, Lincoln, Marshall, Maury, Moore, Perry, Wayne |
| Cookeville | Cannon, Clay, Cumberland, De Kalb, Fentress, Jackson, Macon, Overton, Pickett, Putnam, Smith, Van Buren, Warren, White |
| Jackson | Benton, Carroll, Chester, Crockett, Decatur, Dyer, Gibson, Hardeman, Hardin, Haywood, Henderson, Henry, Lake, Lauderdale, Madison, McNairy, Obion, Weakley |
| Johnson City | Carter, Greene, Hancock, Hawkins, Johnson, Sullivan, Unicoi, Washington |
| Knoxville | Anderson, Blount, Campbell, Claiborne, Cocke, Grainger, Hamblen, Jefferson, Knox, Loudon, Monroe, Morgan, Roane, Scott, Sevier, Union |
| Memphis | Fayette, Shelby, Tipton |
| Nashville | Cheatham, Davidson, Dickson, Houston, Humphreys, Montgomery, Robertson, Rutherford, Stewart, Sumner, Trousdale, Williamson, Wilson |

| EAC Name | Address | City | Zip | Area Code | Phone Number |
|---|---|---|---|---|---|
| Chattanooga | 540 McCallie Avenue, Suite 550 | Chattanooga | 37402-2013 | 423 | 634-5745 |
| Columbia | 2484 Park Plus Drive | Columbia | 38401 | 931 | 380-3371 |
| Cookeville | 1221 South Willow Avenue | Cookeville | 38506 | 931 | 432-4015 |
| Jackson | 362 Carriage House Drive | Jackson | 38305-2222 | 731 | 512-1300 |
| Johnson City | 2305 Silverdale Road | Johnson City | 37601-2162 | 423 | 854-5400 |
| Knoxville | 2700 Middlebrook Pike, Suite 220 | Knoxville | 37921 | 865 | 594-6035 |
| Memphis | 2510 Mt. Moriah Road, Suite E-645 | Memphis | 38115-1520 | 901 | 368-7939 |
| Nashville | 711 R.S. Gass Boulevard | Nashville | 37243-1550 | 615 | 687-7000 |

All Environmental Assistance Centers (EACs) may be reached by telephone at the toll-free number 1-888-891-8332 (TDEC).

## D Co-located Industrial Activity

In the case where a facility has industrial activities occurring onsite which are described by any of the activities in other sections of Part XI, those industrial activities are considered to be co-located industrial activities. Storm water discharges from co-located industrial activities are authorized by this permit, provided that the permittee complies with any and all additional pollution prevention plan and monitoring requirements from other sections of Part XI applicable to the co-located industrial activity. The operator of the facility shall determine which additional pollution prevention plan and monitoring requirements are applicable to the co-located industrial activity by examining the narrative descriptions of each coverage

section (Discharges Covered Under This Section) in Part XI of this permit. Provisions under this Part are applicable on an outfall-specific basis.

# IV STORM WATER POLLUTION PREVENTION PLANS

A storm water pollution prevention plan (SWPPP) shall be developed for each facility covered by this permit. Storm water pollution prevention plans shall be prepared in accordance with good engineering practices and in accordance with the factors outlined in 40 CFR 125.3(d)(2) or (3) as appropriate. The plan shall identify potential sources of pollution that may reasonably be expected to affect the quality of storm water discharges associated with industrial activity from the facility. In addition, the plan shall describe and ensure the implementation of practices that are to be used to reduce the pollutants in storm water discharges associated with industrial activity at the facility and to assure compliance with the terms and conditions of this permit. Facilities must implement the provisions of the storm water pollution prevention plan required under this part as a condition of this permit. For additional information to assist permittees in complying with these permit conditions and in the preparation of the storm water pollution prevention plan, see Addendum E, List of Applicable References.

## A Deadlines for Plan Preparation and Compliance

### 1. Existing Facilities

Except as provided in paragraphs 3., 4. and 5. (below), all facilities seeking coverage under the new TMSP who were previously covered by the expiring TMSP shall continue to implement the storm water pollution prevention plan developed under the expiring permit. The SWPPP shall be modified to address additional requirements in the new permit no later than 60 days following the effective date (March 1, 2002) of this permit. The revisions made to the plan shall be implemented within 180 days following the effective date (March 1, 2002) of this permit, except where new construction is required, in which case the construction must be completed within 1 year following the effective date (March 1, 2002) of this permit.

### 2. New Facilities

Except as provided in paragraphs 3., 4. and 5. (below), all new facilities shall prepare and implement the plan prior to submitting the Notice of Intent.

### 3. Oil and Gas Operations

Oil and gas exploration, production, processing or treatment operations or transmission facilities that are not required to submit a permit application on or before May 31, 1997 in accordance with 40 CFR 122.26(c)(1)(iii), but after May 31, 1997 have a discharge of a reportable quantity of oil or a hazardous substance for which notification is required pursuant to either 40 CFR 110.6, 40 CFR 117.21 or 40 CFR 302.6, shall prepare and implement the plan on or before the date 60 calendar days after first knowledge of such release.

4. Facilities Switching From Coverage Under an Individual NPDES permit to This Permit

Facilities previously subject to an individual NPDES permit that switch to coverage under this permit shall continue to implement the storm water pollution prevention plan required by that permit. The plan shall be revised as necessary to address requirements under Part XI. of this permit no later than 180 days following the effective date (March 1, 2002) of this permit. The revisions made to the plan shall be implemented on or before 1 year following the effective date (March 1, 2002) of this permit. The antibacksliding provisions, as contained in Section 402(o) of the Clean Water Act and codified in the NPDES regulations at 40 CFR §122.44 (l) Reissued permits shall apply to the facilities previously subject to an individual NPDES permit that switch to coverage under this permit.

5. Measures That Require Construction

In cases where construction is necessary, the plan shall contain a schedule that provides compliance with the plan as expeditiously as practicable, but no later than 2 years following the effective date (March 1, 2002) of this permit. Where a construction compliance schedule is included in the plan, the schedule shall include appropriate non-structural and/or temporary controls to be implemented in the affected portion(s) of the facility prior to completion of the permanent control measure.

6. Extensions

Upon a showing of good cause, the Division may establish a later date in writing for preparing and compliance with a storm water pollution prevention plan for a storm water discharge associated with industrial activity.

## B Signature and Plan Review

1. Signature/Location

The plan shall be signed in accordance with Part VII.G. (Signatory Requirements), and be retained onsite at the facility that generates the storm water discharge in accordance with Part VII.P.2. (Retention of Records) of this permit. For inactive facilities, the plan may be kept at the nearest office of the permittee.

2. Availability

The permittee shall make the storm water pollution prevention plan, annual site compliance inspection report, or other information available upon request to the Division; the EPA; the U.S. Fisheries and Wildlife Service Regional Director; the Tennessee Wildlife Resources Agency; or authorized representatives of these officials.

3. Required Modifications

The Director of the Division of Water Pollution Control, or authorized representative, may notify the permittee at any time that the plan does not meet one or more of the minimum requirements of this part. Such notification shall identify those provisions of the permit that are not being met by the plan, and identify which provisions of the plan require modification in order to meet the minimum requirements of this part. Within 60 days of such notification from the Director, (or as otherwise provided by the

Division), or authorized representative, the permittee shall make the required changes to the plan and shall submit to the Division a written certification that the requested changes have been made.

## C Keeping Plans Current

The permittee shall amend the storm water pollution prevention plan (SWPPP):

- whenever there is a change in design, construction, operation, or maintenance, that has a significant effect on the potential for the discharge of pollutants to the waters of the State;
- if the storm water pollution prevention plan proves to be ineffective in eliminating or significantly minimizing pollutants from sources identified under Part IV.D. (Contents of the Plan) of this permit; or
- if the storm water pollution prevention plan proves to be ineffective in otherwise achieving the general objectives of controlling pollutants in storm water discharges associated with industrial activity.

In addition, the permittee shall evaluate the results obtained from sampling and monitoring pursuant to the Monitoring and Reporting Requirements applicable to each sector in Part XI of this permit. The evaluation should be done following the required annual sampling events to determine whether the facility is below, meets, or exceeds the monitoring cut-off concentrations as shown in Part XI. for that particular industry. If the results of annual storm water runoff monitoring demonstrate that the facility has exceeded the cut-off concentration(s), the permittee must inform the Division's local Environmental Assistance Center in writing within 30 days from the time storm water monitoring results were received, describing the likely cause of the exceedance(s). Furthermore, within 60 days from the time SW monitoring results were received, the facility must:

- review its storm water pollution prevention plan, make any modifications or additions to the plan which would assist in reducing specific effluent concentrations which are equal to less than cut-off concentrations for that facility, and
- submit to the Division's local Environmental Assistance Center a brief summary of the proposed SWPPP modifications (including a timetable for implementation).

New owners shall review the existing plan and make appropriate changes using the same timetable as described above. Amendments and modifications to the plan may be reviewed by the Division in the same manner as in Part IV.B.

## D Contents of the Plan

The contents of the pollution prevention plan shall comply with the requirements listed in the appropriate section of Part XI. (Specific Requirements for Industrial Activities). Table 2 lists the location of the plan requirements for the respective industrial activities. These requirements are cumulative. If a facility has co-located activities that are covered in more than one section of Part XI., that facility's SWPPP must comply with the requirements listed in all applicable sections of this permit.

**Table 2**
**Pollution Prevention Plan Requirements**

| Storm Water Discharges From: | Are Subject to Pollution Prevention Plan Requirements Listed in Part: |
|---|---|
| Timber Products Facilities | XI.A.3. |
| Paper and Allied Products Manufacturing Facilities | XI.B.3. |
| Chemical and Allied Products Manufacturing Facilities | XI.C.3. |
| Asphalt Paving, Roofing Materials, and Lubricant Manufacturing Facilities | XI.D.3. |
| Glass, Clay, Cement Concrete and Gypsum Product Manufacturing Facilities | XI.E.3. |
| Primary Metals Facilities | XI.F.3. |
| Metal Mines (Ore Mining and Dressing) (RESERVED) | XI.G.3. |
| Inactive Coal Mines and Inactive Coal Mine-Related Facilities | XI.H.3. |
| Oil or Gas Extraction Facilities | XI.I.3. |
| Construction Sand and Gravel Mining and Processing and Dimension Stone Mining and Quarrying Facilities | XI.J.3. |
| Hazardous Waste Treatment Storage or Disposal Facilities | XI.K.3. |
| Landfills and Land Application Sites | XI.L.3. |
| Automobile Salvage Yards | XI.M.2. |
| Scrap and Waste Recycling Facilities | XI.N.3. |
| Steam Electric Power Generating Facilities | XI.O.3. |
| Vehicle Maintenance or Equipment Cleaning areas at Motor Freight Transportation Facilities, Passenger Transportation Facilities, Petroleum Bulk Oil Stations and Terminals, the United States Postal Service, or Railroad Transportation Facilities | XI.P.3. |

| Storm Water Discharges From: | Are Subject to Pollution Prevention Plan Requirements Listed in Part: |
|---|---|
| Vehicle Maintenance Areas and Equipment Cleaning Areas of Water Transportation Facilities | XI.Q.3. |
| Ship or Boat Building and Repair Yards | XI.R.3. |
| Vehicle Maintenance Areas, Equipment Cleaning Areas or From Airport Deicing Operations located at Air Transportation Facilities | XI.S.3. |
| Wastewater Treatment Works | XI.T.3. |
| Food and Kindred Products Facilities | XI.U.3. |
| Textile Mills, Apparel and other Fabric Product Manufacturing Facilities | XI.V.3. |
| Furniture and Fixture Manufacturing Facilities | XI.W.3. |
| Printing and Platemaking Facilities | XI.X.3. |
| Rubber and Miscellaneous Plastic Product Manufacturing Facilities | XI.Y.3. |
| Leather Tanning and Finishing Facilities | XI.Z.3. |
| Facilities That Manufacture Metal Products including Jewelry, Silverware and Plated Ware | XI.AA.3. |
| Facilities That Manufacture Transportation Equipment, Industrial or Commercial Machinery | XI.BB.3. |
| Facilities That Manufacture Electronic and Electrical Equipment and Components, Photographic and Optical Goods | XI.CC.3. |
| Facilities That Are Not Covered Under Sectors A Thru AC (Monitoring Required) | XI.DD.3. |
| Facilities That Are Not Covered Under Sectors A Thru AC (Monitoring **Not** Required) | XI.EE.3. |

## E <u>Special Pollution Prevention Plan Requirements</u>

In addition to the minimum standards listed in Part XI. of this permit (Specific Requirements for Industrial Activities), the storm water pollution prevention plan (SWPPP) shall include a complete discussion of measures taken to conform with the following applicable guidelines, other effective storm water pollution prevention procedures, and applicable State rules, regulations and guidelines:

1. Additional Requirements for Storm Water Discharges Associated With Industrial Activity that Discharge Into or Through Permitted Municipal Separate Storm Sewer Systems (MS4)

a) In addition to the applicable requirements of this permit, facilities covered by this permit must comply with applicable requirements in municipal storm water management programs developed under NPDES permits issued for the discharge of the municipal separate storm sewer system that receives the facility's discharge, provided the discharger has been notified of such conditions.

b) Permittees that discharge storm water associated with industrial activity through a municipal separate storm sewer system, or a municipal system designated by the Division, shall make SWPPPs available to the municipal operator of the system upon request.

2. Additional Requirements for Storm Water Discharges Associated With Industrial Activity From Facilities Subject to EPCRA Section 313 Requirements

In addition to the requirements of Part XI. of this permit and other applicable conditions of this permit, storm water pollution prevention plans for facilities subject to reporting requirements under EPCRA Section 313 for chemicals that are classified as 'Section 313 water priority chemicals' (see Addendum D) in accordance with the definition in Part X. of this permit, except as provided in paragraph IV.E.2.c) (below), shall describe and ensure the implementation of practices that are necessary to provide for conformance with the following guidelines:

a) In areas where Section 313 water priority chemicals are stored, processed or otherwise handled, appropriate containment, drainage control and/or diversionary structures shall be provided unless otherwise exempted under Part IV.E.2.c. At a minimum, one of the following preventive systems or its equivalent shall be used:

(1) Curbing, culverting, gutters, sewers, or other forms of drainage control to prevent or minimize the potential for storm water run-on to come into contact with significant sources of pollutants; or

(2) Roofs, covers or other forms of appropriate protection to prevent storage piles from exposure to storm water and wind.

b) In addition to the minimum standards listed under Part IV.E.2.a. (above) of this permit, except as otherwise exempted under Part IV.E.2.c (below) of this permit, the storm water pollution prevention plan shall include a complete discussion of measures taken to conform with other effective storm water pollution prevention procedures, and applicable State rules, regulations, and guidelines:

(1) Liquid storage areas where storm water comes into contact with any equipment, tank, container, or other vessel used for Section 313 water priority chemicals:

(a) No tank or container shall be used for the storage of a Section 313 water priority chemical unless its material and construction are compatible with the material stored and conditions of storage such as pressure and temperature, etc.

(b) Liquid storage areas for Section 313 water priority chemicals shall be operated to minimize discharges of Section 313 chemicals. Appropriate measures to minimize discharges of Section 313 chemicals may include secondary containment provided for at least the entire contents of the largest

single tank plus sufficient freeboard to allow for precipitation, a strong spill contingency and integrity testing plan, and/or other equivalent measures.

(2) Material storage areas for Section 313 water priority chemicals other than liquids that are subject to runoff, leaching, or wind shall incorporate drainage or other control features that will minimize the discharge of Section 313 water priority chemicals by reducing storm water contact with Section 313 water priority chemicals.

(3) Truck and rail car loading and unloading areas for liquid Section 313 water priority chemicals shall be operated to minimize discharges of Section 313 water priority chemicals. Protection such as overhangs or door skirts to enclose trailer ends at truck loading/unloading docks shall be provided as appropriate. Appropriate measures to minimize discharges of Section 313 chemicals may include: the placement and maintenance of drip pans (including the proper disposal of materials collected in the drip pans) where spillage may occur (such as hose connections, hose reels and filler nozzles) for use when making and breaking hose connections; a strong spill contingency and integrity testing plan; and/or other equivalent measures.

(4) Areas Where Section 313 Water Priority Chemicals Are Transferred, Processed, or Otherwise Handled: Processing equipment and materials handling equipment shall be operated so as to minimize discharges of Section 313 water priority chemicals. Materials used in piping and equipment shall be compatible with the substances handled. Drainage from process and materials handling areas shall minimize storm water contact with Section 313 water priority chemicals. Additional protection such as covers or guards to prevent exposure to wind, spraying or releases from pressure relief vents from causing a discharge of Section 313 water priority chemicals to the drainage system shall be provided as appropriate. Visual inspections or leak tests shall be provided for overhead piping conveying Section 313 water priority chemicals without secondary containment.

(5) Discharges From Areas Covered by Paragraphs (1), (2), (3), or (4):

(a) Drainage from areas covered by paragraphs (1), (2), (3), or (4) of this part should be restrained by valves or other positive means to prevent the discharge of a spill or other excessive leakage of Section 313 water priority chemicals. Where containment units are employed, such units may be emptied by pumps or ejectors; however, these shall be manually activated.

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

(c) If facility drainage is not engineered as above, the final discharge of all in-facility storm sewers shall be equipped to be equivalent with a diversion system that could, in the event of an uncontrolled spill of Section 313 water priority chemicals, return the spilled material to the facility.

(d) Records shall be kept of the frequency and estimated volume (in gallons) of discharges from containment area, and the SWPPP shall describe the inspection protocol that the facility will use prior to such discharges from containment areas.

(6) Facility Site Runoff Other Than From Areas Covered By (1), (2), (3), or (4). Other areas of the facility (those not addressed in paragraphs (1), (2), (3), or (4)), from which runoff that may contain Section 313 water priority chemicals or spills of Section 313 water priority chemicals could cause a

discharge shall incorporate the necessary drainage or other control features to prevent discharge of spilled or improperly disposed material and ensure the mitigation of pollutants in runoff or leachate.

(7) Preventive Maintenance and Housekeeping. All areas of the facility shall be inspected at specific intervals identified in the plan for leaks or conditions that could lead to discharges of Section 313 water priority chemicals or direct contact of storm water with raw materials, intermediate materials, waste materials or products. In particular, facility piping, pumps, storage tanks and bins, pressure vessels, process and material handling equipment, and material bulk storage areas shall be examined for any conditions or failures that could cause a discharge. Inspection shall include examination for leaks, wind blowing, corrosion, support or foundation failure, or other forms of deterioration or noncontainment. Inspection intervals shall be specified in the plan and shall be based on design and operational experience. Different areas may require different inspection intervals. Where a leak or other condition is discovered that may result in significant releases of Section 313 water priority chemicals to waters of the State, action to stop the leak or otherwise prevent the significant release of Section 313 water priority chemicals to waters of the State shall be immediately taken or the unit or process shut down until such action can be taken. When a leak or noncontainment of a Section 313 water priority chemical has occurred, contaminated soil, debris, or other material must be promptly removed and disposed in accordance with Federal, State, and local requirements and as described in the plan.

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

(9) Training. Facility employees and contractor personnel that work in areas where Section 313 water priority chemicals are used or stored shall be trained in and informed of preventive measures at the facility. Employee training shall be conducted at intervals specified in the plan, but not less than once per year. Training shall address: pollution control laws and regulations, the storm water pollution prevention plan and the particular features of the facility and its operation that are designed to minimize discharges of Section 313 water priority chemicals. The plan shall designate a person who is accountable for spill prevention at the facility and who will maintain the necessary spill emergency procedures and reporting requirements so that spills and emergency releases of Section 313 water priority chemicals can be isolated and contained before a discharge of a Section 313 water priority chemical can occur. Contractor or temporary personnel shall be informed of facility operation and design features in order to prevent discharges or spills from occurring.

c) Facilities subject to reporting requirements under EPCRA Section 313 for chemicals that are classified as ‘Section 313 water priority chemicals’ in accordance with the definition in Part X. of this permit that are handled and stored onsite only in gaseous or non-soluble liquid or solid (at atmospheric pressure and temperature) forms may provide a certification as such in the pollution prevention plan in lieu of the additional requirements in Part IV.E.2. Such certification shall include a narrative description of all water priority chemicals and the form in which they are handled and stored, and shall be signed in accordance with Part VII.G. (Signatory Requirements) of this permit.

d) The storm water pollution prevention plan shall be certified in accordance with Section VII.G (Signatory Requirements) of this permit.

3. Additional Requirements for Salt Storage

Storage piles of salt used for deicing or other commercial or industrial purposes and that generate a storm water discharge associated with industrial activity that is discharged to waters of the State shall be enclosed or covered to prevent exposure to precipitation, except for exposure resulting from adding or removing materials from the pile. Dischargers shall be compliant with this provision upon submittal of the NOI. Piles do not need to be enclosed or covered where storm water from the pile is not discharged to waters of the State.

4. Consistency With Other Plans

Storm water pollution prevention plans may reference the existence of other plans for Spill Prevention Control and Countermeasure (SPCC) plans developed for the facility under Section 311 of the CWA or Best Management Practices (BMP) Programs otherwise required by an NPDES permit for the facility as long as such requirement is incorporated into the storm water pollution prevention plan.

## F Additional Pollution Prevention Plan requirements for new discharges and discharges which constitute an increase of pollutant loading into 303(d) listed waters or high quality waters

If the Division has notified the facility operator that the estimated pollutant load is consistent with the TMDL and that the proposed storm water discharges meet the eligibility requirements of the TMSP and may be authorized under this permit, additional SWPPP requirements shall apply. Additional SWPPP requirements for new discharges and discharges which constitute an increase of pollutant loading into 303(d) listed waters for a parameter present in the facility's storm water runoff, or discharges upstream of waters impaired by the same parameter, that may affect the impaired waters; and for discharges to waters identified by the Department as high quality waters, or discharges upstream of high quality waters, that may affect the high quality waters, are as follows:

The Storm Water Pollution Prevention Plan shall be submitted to the appropriate Division's Environmental Assistance Center (see list of EACs on page 15). This plan may be submitted with the NOI, but must be submitted prior to commencement of new industrial activities, or a change of industrial activity that would cause an increase of pollutant loading from the site into 303(d) listed waters or high quality waters.

The permittee shall perform the inspections (as described below) at a minimum frequency of once per month.

Qualified personnel shall inspect the areas of facility used for storage of significant materials that are exposed to precipitation, as well as structural and non-structural control measures at the site. Areas used for storage of significant materials that are exposed to precipitation shall be inspected for evidence of, or the potential for, pollutants entering the drainage system. Outfall points (where discharges from the site enter into 303(d) listed waters or high quality waters) shall be inspected to determine whether structural and non-structural control measures are effective in preventing significant impacts to receiving waters. Where discharge locations are inaccessible, nearby downstream locations shall be inspected if possible.

Based on the results of the inspection, any inadequate control measures or control measures in disrepair shall be replaced or modified, or repaired as necessary, before the next rain event if possible, but in no

case more than seven days after the need is identified. If maintenance prior to the next anticipated storm event is impracticable, maintenance must be scheduled and accomplished as soon as practicable.

Based on the results of the inspection, the facility description and pollution prevention measures identified in the SWPPP shall be revised as appropriate, but in no case later than 14 calendar days following the inspection. Such modifications shall provide for timely implementation of any changes to the plan in no case later than 21 calendar days following the inspection.

Inspections shall be documented and include the scope of the inspection, name(s) and title or qualifications of personnel making the inspection, the date(s) of the inspection, major observations relating to the implementation of the storm water pollution prevention plan (including the location(s) of discharges of pollutants from the site and of any control device that failed to operate as designed or proved inadequate for a particular location), and actions taken to prevent further discharge of pollutants from the site.

The permittee must certify on a quarterly basis that inspections of structural and non-structural control measures and of outfall points were performed and whether or not all planned and designed pollution prevention controls measures are installed and in working order. The certification must be done by a person who meets the signatory requirements of this permit. The certification should be kept with the facility's SWPPP and has to be submitted to the local Environmental Assistance Center upon request.

If the Division finds that a discharge is causing a violation of water quality standards or causing or contributing to the impairment of a 303(d) listed water or any water identified as impaired since promulgation of the latest 303(d) list, and finds that the discharger is complying with storm water pollution prevention plan requirements of this permit, the discharger will be notified by the Director in writing that the discharge is no longer eligible for coverage under the general permit and that continued discharges must be covered by an individual permit. To obtain the individual permit, the operator must file an individual permit application.

# V NUMERIC EFFLUENT LIMITATIONS

## A Discharges Associated With Specific Industrial Activity

Numeric effluent limitations for storm water discharges associated with a specific industrial activity are described in Part XI. of this permit.

## B Coal Pile Runoff

Any storm water discharge composed of coal pile runoff shall not exceed a maximum concentration for any time of 50 mg/L total suspended solids (TSS). Coal pile runoff shall not be diluted with storm water or other flows in order to meet this limitation. The pH of such discharges shall be within the range of 6.0 to 9.0. Runoff from coal piles shall be compliant with this provision upon submittal of the NOI. Any untreated overflow from facilities designed, constructed and operated to treat the volume of coal pile runoff that is associated with a 10-year, 24-hour rainfall event shall not be subject to the 50 mg/L limitation for total suspended solids.

# VI MONITORING AND REPORTING REQUIREMENTS

## A Monitoring Requirements

1. Limitations on Monitoring Requirements

a) Except as required by paragraph b. (see below), only those facilities with discharges or activities identified in Part VI.D. and Part XI. are required to conduct sampling of their storm water discharges associated with industrial activity. Monitoring requirements under parts VI.D. and XI. are additive. Facilities with discharges or activities described in more than one monitoring section are subject to all applicable monitoring requirements from each section.

b) The Director can provide written notice to any facility otherwise exempt from the sampling requirements of Parts VI.D. and XI. that it shall conduct discharge sampling for a specific monitoring frequency for specific parameters.

2. Additional Monitoring by the Permittee

If the permittee monitors any pollutant required to be monitored by this permit more frequently than required in Parts VI.D. and XI., using approved analytical methods as specified herein, the results of such monitoring shall be included in the calculation and reporting of the values required in the TMSP Storm Water Monitoring Report form. Such increased frequency shall also be indicated on the form.

## B Reporting: Where to Submit

One (1) signed copy of discharge monitoring report(s) required under Parts XI. and VI.C., and all other storm water monitoring reports required herein, shall be submitted to the Division at the following address:

**Enforcement and Compliance Section**
**Tennessee Division of Water Pollution Control**
**6th Floor L & C Annex**
**401 Church Street**
**Nashville, TN 37243-1534**

Mining and Quarrying facilities only (Sectors J and H) should submit one (1) signed copy of discharge monitoring report(s) required under Parts XI. and VI.C., and all other reports required herein, to the Division's Mining Section at the following address:

**Mining Section**
**Tennessee Division of Water Pollution Control**
**3701 Middlebrook Pike, Suite 220**
**Knoxville, TN 37921-5602**

For each outfall, one discharge monitoring report form must be submitted.

## C Electronic Submission of Reports

If the Division notifies dischargers (directly by mail or E-mail, by public notice, or by making information available on the Internet) of other discharge monitoring report(s) required under Parts XI. and VI.C., and all other storm water monitoring reports options that become available at a later date (e.g., electronic submission of forms or letters), the permittees may take advantage of those options to satisfy the reporting requirements.

## D Special Monitoring Requirements for Coal Pile Runoff

During the period beginning on the effective date (March 1, 2002) and lasting through the expiration date (December 31, 2006) of this permit, permittees with storm water discharges containing coal pile runoff shall monitor such storm water for pH and TSS (mg/l) at least annually (1 time per year). Permittees with discharges containing coal pile runoff must report in accordance with Part V.B (Numeric Effluent Limitations) and Part VI.B. (Reporting: Where to Submit). In addition to the parameters listed above, the permittee shall maintain a record of the date and duration (in hours) of the storm event(s) samples; rainfall measurements or estimates (in inches) of the storm event that generated the sampled runoff; the duration between the storm event samples 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 samples.

### 1. Sample Type

For discharges containing coal pile runoff, data shall be reported for a grab sample. All samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. The required 72-hour storm event interval is waived where the preceding measurable storm event did not result in a measurable discharge from the facility. The required 72-hour storm event interval may also be waived where the permittee documents that less than a 72-hour interval is representative for local storm events during the season when sampling is being conducted. The grab sample shall be taken during the first 30 minutes of the discharge. If the collection of a grab sample during the first 30 minutes is impracticable, a grab sample can be taken during the first hour of the discharge, and the discharger shall submit with the monitoring report a description of why a grab sample during the first 30 minutes was impracticable.

### 2. Sampling Waiver

When a discharger is unable to collect samples of coal pile runoff due to adverse climatic conditions, the discharger shall collect a substitute sample from a separate subsequent qualifying storm event. Adverse weather conditions that may prohibit the collection of samples include weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricane, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (drought, extended frozen conditions, etc.).

### 3. Representative Discharge

When a facility has two or more outfalls containing coal pile runoff that, based on a consideration of the other industrial activity, and significant materials, and upon management practices and activities within the area drained by the outfall, and the permittee reasonably believes substantially identical effluents are

discharged, the permittee may test the effluent of one of such outfalls and report that the quantitative data also applies to the substantially identical outfalls provided that the permittee includes in the storm water pollution prevention plan a description of the location of the outfalls and 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. Permittees required to submit monitoring information under Part VIII. of this permit 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 Discharge Monitoring Report. This representative discharge provision is not applicable to storm water discharges from coal piles regulated under the national effluent limitations guidelines.

4. Alternative Certification

Facilities with storm water discharges containing coal pile runoff may not submit alternative certification in lieu of the required monitoring data.

5. When to Submit

Permittees with discharges containing coal pile runoff shall submit monitoring results annually no later than the 31st day of January.

# VII STANDARD PERMIT CONDITIONS

## A Duty to Comply

1. Permittee's Duty to Comply

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act (CWA) and/or the Tennessee Water Quality Control Act (TWQCA) is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

2. Penalties for Violations of Permit Conditions

Pursuant to T.C.A. ' 69-3-115 of The Tennessee Water Quality Control Act of 1977, as amended:

a) any person who violates an effluent standard or limitation or a water quality standard established under this part (T.C.A. ' 69-3-101, et.seq.); violates the terms or conditions of this permit; fails to complete a filing requirement; fails to allow or perform an entry, inspection, monitoring or reporting requirement; violates a final determination or order of the board, panel or commissioner; or violates any other provision of this part or any rule or regulation promulgated by the board, is subject to a civil penalty of up to ten thousand dollars ($10,000) per day for each day during which the act or omission continues or occurs;

b) any person unlawfully polluting the waters of the state or violating or failing, neglecting, or refusing to comply with any of the provisions of this part (T.C.A. ' 69-3-101, et.seq.) commits a Class C misdemeanor. Each day upon which such violation occurs constitutes a separate offense;

c) any person who willfully and knowingly falsifies any records, information, plans, specifications, or other data required by the board or the commissioner, or who willfully and knowingly pollutes the waters of the state, or willfully fails, neglects or refuses to comply with any of the provisions of this part (T.C.A. ' 69-3-101, et.seq.) commits a Class E felony and shall be punished by a fine of not more than twenty-five thousand dollars ($25,000) or incarceration, or both.

Nothing in this permit shall be construed to relieve the discharger from civil or criminal penalties for noncompliance. Notwithstanding this permit, the discharger shall remain liable for any damages sustained by the State of Tennessee, including but not limited to fish kills and losses of aquatic life and/or wildlife, as a result of the discharge of storm water to any surface or subsurface waters. Additionally, notwithstanding this permit, it shall be the responsibility of the discharger to conduct its storm water treatment and/or discharge activities in a manner such that public or private nuisances or health hazards will not be created. Furthermore, nothing in this permit shall be construed to preclude the State of Tennessee from any legal action or relieve the discharger from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or the Federal Water Pollution Control Act.

## B Continuation of the Expired General Permit

This permit expires on December 31, 2006. However, an expired general permit continues in force and effect until a new general permit is issued. Permittees that choose, or are required, to obtain an individual permit must submit an application (Forms 1 and 2F and any other applicable forms) 180 days prior to expiration of this permit. Permittees that are eligible and choose to be covered by a new general permit must submit an NOI by the date specified in that permit.

## C Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

## D Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

## E Duty to Provide Information

The permittee shall furnish to the Division, within a time specified by the Division, any information that the Division may request to determine compliance with this permit. The permittee shall also furnish to the Division upon request, copies of records required to be kept by this permit.

## F Other Information

When the permittee becomes aware that he or she failed to submit any relevant facts or submitted incorrect information in the NOI or in any other report to the Division, he or she shall promptly submit such facts or information.

## G Signatory Requirements

All Notices of Intent (NOI), requests for termination of permit coverage, storm water pollution prevention plans, reports, certifications or information either submitted to the Division (and/or the operator of a permitted municipal separate storm sewer system), or that this permit requires be maintained by the permittee, shall be signed.

1. Signatory Requirements for a Notice of Intent

Notice of Intent shall be signed as follows:

a) For a corporation. By a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:

(1) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or

(2) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

NOTE: The Division does not require specific assignments or delegations of authority to responsible corporate officers. The Division will presume that these responsible corporate officers have the requisite authority to sign permit applications unless the corporation has notified the Director to the contrary. Corporate procedures governing authority to sign permit applications may provide for assignment or delegation to applicable corporate positions rather than to specific individuals.

b) For a partnership or sole proprietorship. By a general partner or the proprietor, respectively; or

c) For a municipality, State, Federal, or other public agency. By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes: (i) The chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

2. Signatory Requirements for Reports

All reports required by the permit and other information requested by the Division shall be signed as follows:

a) All reports required by permits, and other information requested by the Director shall be signed by a person described in paragraph G.1. (Signatory Requirements for a Notice of Intent) of this section, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

(1) The authorization is made in writing by a person described in paragraph G.1. (Signatory Requirements for a Notice of Intent) of this section;
(2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company, (A duly authorized representative may thus be either a named individual or any individual occupying a named position.) and,
(3) The written authorization is submitted to the Director.

b) Changes to authorization

If an authorization under paragraph a)(2) of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph a)(2) of this section must be submitted to the Director prior to or together with any reports, information, or applications to be signed by an authorized representative.

c) Certification

Any person signing a document under paragraph a) (1) or (2) of this section shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

d) Penalties for Falsification of Reports

Section 309c(4) of the Clean Water Act (CWA) provides that any person who knowingly makes any false material statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than $10,000, or by imprisonment for not more than two years, or by both.

## H Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Clean Water Act (CWA) or Section 106 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA).

## I Property Rights

The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State, or local laws or regulations.

## J Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

## K Requiring an Individual Permit or an Alternative General Permit

1. Division of Water Pollution Control Designation

The Division may require any person authorized by this permit to apply for and/or obtain either an individual NPDES permit or an alternative NPDES general permit. Any interested person may petition the Division to take action under this paragraph. The Division may require any owner or operator authorized to discharge under this permit to apply for an individual NPDES permit only if the owner or operator has been notified in writing that a permit application is required. This notice shall include a brief statement of the reasons for this decision, an application form, a statement setting a deadline for the owner or operator to file the application, and a statement that on the effective date of issuance or denial of the individual NPDES permit or the alternative general permit as it applies to the individual permittee, coverage under this general permit shall automatically terminate. Individual permit applications shall be submitted to the address shown in the list of EACs on page 15 of this permit for the Division's Environmental Assistance Center responsible for the county where the facility is located. The Division may grant additional time to submit the application upon request of the applicant. If an owner or operator fails to submit in a timely manner an individual NPDES permit application as required by the Division, then the applicability of this permit to the individual NPDES permittee is automatically terminated at the end of the day specified for application submittal.

2. Individual Permit Application

Any owner or operator authorized by this permit may request to be excluded from the coverage of this permit by applying for an individual permit. The owner or operator shall submit an individual application (Form 1 and Form 2F) with reasons supporting the request to the Division. Individual permit applications shall be submitted to the address of the appropriate Division's Environmental Assistance Center (see list of EACs on page 15). The request may be granted by the issuance of any individual permit or an alternative general permit if the reasons cited by the owner or operator are adequate to support the request.

3. Individual/Alternative General Permit Issuance

When an individual NPDES permit is issued to an owner or operator otherwise subject to this permit, or the owner or operator is authorized for coverage under an alternative NPDES general permit, the applicability of this permit to the individual NPDES permittee is automatically terminated on the effective date of the individual permit or the date of authorization of coverage under the alternative general permit, whichever the case may be. When an individual NPDES permit is denied to an owner or operator otherwise subject to this permit, or the owner or operator is denied for coverage under an alternative NPDES general permit, the applicability of this permit to the individual NPDES permittee is automatically terminated on the date of such denial, unless otherwise specified by the Division.

## L State/Environmental Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable Tennessee law or regulation under authority preserved by Section 510 of the Act.

No condition of this permit shall release the permittee from any responsibility or requirements under other environmental statutes or regulations.

## M Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related equipment) that are installed or used by the permittee to achieve compliance with the conditions of this permit and with the requirements of storm water pollution prevention plans. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the operation of backup or auxiliary facilities or similar systems, installed by a permittee only when necessary to achieve compliance with the conditions of the permit.

## N Monitoring and Records

1. Representative Samples/Measurements

Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

2. Retention of Records

a) The permittee shall retain records of all monitoring information, copies of all reports required by this permit, and records of all data used to complete the application of this permit for a period of at least three (3) years from the date of sample, measurement, evaluation or inspection, report, or application. This period may be extended by request of the Division at any time. Permittees must submit any such records to the Division upon request.

b) The permittee shall retain the pollution prevention plan developed in accordance with Parts IV. and XI. of this permit until a date 3 years after the last modification or amendment is made to the plan, and at least 1 year after coverage under this permit terminates.

3. Records Contents

Records of monitoring information shall include:

a) The date, exact place, and time of sampling or measurements;
b) The initials or name(s) of the individual(s) who performed the sampling or measurements;
c) The date(s) analyses were performed;
d) The time(s) analyses were initiated;
e) The initials or name(s) of the individual(s) who performed the analyses;
f) References and written procedures, when available, for the analytical techniques or methods used; and
g) The results of such analyses, including the bench sheets, instrument readouts, computer disks or tapes, etc., used to determine these results.

4. Approved Monitoring Methods

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

## O Inspection and Entry

The permittee shall allow the Division or an authorized representative of the Division, or, in the case of a facility that discharges through a municipal separate storm sewer, an authorized representative of the municipal operator or the separate storm sewer receiving the discharge, upon the presentation of credentials and other documents as may be required by law, to: enter upon the permittee's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit; have access to and copy at reasonable times, any records that must be kept under the conditions of this permit; and inspect at reasonable times any facilities or equipment (including monitoring and control equipment).

## P Permit Actions

This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

## Q Bypass of Treatment Facility

1. Notice

a) Anticipated Bypass. If a permittee subject to the numeric effluent limitations of Parts V. and XI. of this permit knows in advance of the need for a bypass, he or she shall submit prior notice, if possible, at least 10 days before the date of the bypass; including an evaluation of the anticipated quality and effect of the bypass.

b) Unanticipated Bypass. The permittee subject to the numeric effluent limitations of Parts V. and XI. of this permit shall submit notice of an unanticipated bypass. Any information regarding the unanticipated bypass shall be provided orally within 24 hours from the time the permittee became aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee became aware of the circumstances. The written submission shall contain a description of the bypass and its cause; the period of the bypass; including exact dates and times, and if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.

2. Prohibition of Bypass

a) Bypass is prohibited and the Division may take enforcement action against a permittee for a bypass. Unless:

(1) The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
(2) There were no feasible alternatives to the bypass, such as the use of auxiliary facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if the permittee should, in the exercise of reasonable engineering judgment, have installed adequate backup equipment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance; and
(3) The permittee notified the Division in accordance with Part VII.Q.1.

b) The Division may approve an anticipated bypass after considering its adverse effects, if the Division determines that it will meet the three conditions listed in Part VII.Q.2.a.

## R Upset Conditions

1. Affirmative Defense

An upset constitutes an affirmative defense to an action brought for noncompliance with technology-based numeric effluent limitations in Parts V. and XI. of this permit if the requirements of paragraph 2 below are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

2. Required Defense

A permittee who wishes to establish the affirmative defense of an upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence, that:

a) An upset occurred and that the permittee can identify the specific cause(s) of the upset:

b) The permitted facility was at the time being properly operated; and

c) The permittee provided oral notice of the upset to the Division within 24 hours from the time the permittee became aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee became aware of the circumstances. The written submission shall contain a description of the upset and its cause; the period of the upset; including exact dates and times, and if the upset has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the upset.

3. Burden of Proof

In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

# VIII REOPENER CLAUSE

## A Potential or Realized Impacts on Water Quality

If there is evidence indicating potential or realized impacts on water quality or on a listed endangered species due to any storm water discharge associated with industrial activity covered by this permit, the owner or operator of such discharge may be required to obtain an individual permit or an alternative general permit in accordance with Part VII.K. (Requiring an Individual Permit or an Alternative General Permit) of this permit or the permit may be modified to include different limitations and/or requirements.

## B Applicable Regulations

Permit modification or revocation will be conducted according to 40 CFR 122.62, 122.63, 122.64, and 124.5.

# IX TERMINATION OF COVERAGE

## A Notice of Termination

Where all storm water discharges associated with industrial activity that are authorized by this permit are eliminated, or where the operator of storm water discharges associated with industrial activity at a facility changes, the operator of the facility shall submit a written request for such termination that is signed in accordance with Part VII.G. (Signatory Requirements) of this permit. The written notice shall include the following information:

- Facility Information

Name, mailing address, and location of the facility for which the notification is submitted;

- Operator Information

The name, address, and telephone number of the operator addressed by the notice;

- Permit Number

The NPDES permit number for the storm water discharge associated with industrial activity identified by the notice;

- Reason for Termination

An indication of whether the storm water discharges associated with industrial activity have been eliminated or the operator of the discharges has changed; and

- Certification

The following certification signed in accordance with Part VII.G. (Signatory Requirements) of this permit:

> *I certify under penalty of law that all storm water discharges associated with industrial activity from the identified facility that are authorized by an NPDES general permit have been eliminated or that I am no longer the operator of the industrial activity. I understand that by submitting this notice of termination, that I am no longer authorized to discharge storm water associated with industrial activity under this general permit, and that discharging pollutants in storm water associated with industrial activity to waters of the State is unlawful under the Clean Water Act where the discharge is not authorized by an NPDES permit. I also understand that the submittal of this notice of termination does not release an operator from liability for any violations of this permit or the Clean Water Act.*

## B Addresses

All written notices of termination are to be sent to the Division's Environmental Assistance Center responsible for the county where the facility is located (see list of EACs on page 15).

## C Electronic Submission of Notice of Termination

If the Division notifies dischargers (directly by mail or E-mail, by public notice, or by making information available on the Internet) of other Notice of Termination options that become available at a later date (e.g., electronic submission of forms or letters), the permittees may take advantage of those options to satisfy the Notice of Termination notification requirements.

## D No Exposure Certification

The facility may discontinue permit coverage under TMSP if it is eligible for the "no exposure" permit exemption. "No exposure" permit exemption is a conditional exclusion applicable to all categories of industrial activity (except construction activity) with no exposure of industrial materials and activities to storm water. All facilities with point source discharges of storm water associated with industrial activity that satisfy criteria of no exposure and complete a no exposure certification form will be able to obtain exclusion from NPDES storm water permitting under TMSP.

A condition of no exposure exists at an industrial facility when all industrial materials and activities are protected by a storm resistant shelter to prevent exposure to rain, snow, snowmelt, and/or runoff. Industrial materials or activities include, but are not limited to, material handling equipment or activities, industrial machinery, raw materials, intermediate products, by-products, final products, or waste products. Material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product or waste product. A storm resistant shelter is not required for the following industrial materials and activities:

- drums, barrels, tanks, and similar containers that are tightly sealed, provided those containers are not deteriorated and do not leak. "Sealed " means banded or otherwise secured and without operational taps or valves;
- adequately maintained vehicles used in material handling; and
- final products, other than products that would be mobilized in storm water discharges (e.g., rock salt).

A no exposure certification must be provided for each facility qualifying for the no exposure exclusion. In addition, the exclusion from NPDES permitting is available on a facility-wide basis only, not for individual outfalls. If any industrial activities or materials are or will be exposed to precipitation, the facility is not eligible for the no exposure exclusion.

No exposure certification renewals must be submitted five years from the time they are first submitted (assuming the facility still qualifies for the exemption). If conditions change at a facility such that renewed TMSP coverage is needed, the facility must submit an NOI requesting renewed coverage.

Facilities that qualify for and submit a "no exposure" certification are no longer authorized by nor required to comply with this permit. Furthermore, facilities that are no longer required to have permit coverage due to a ``no exposure" exclusion, are not required to submit a Notice of Termination.

A copy of no exposure certification form can be obtained by requesting a copy of the form at the address listed below, from the Division's Environmental Assistance Center responsible for the county where the facility is located (see list of EACs on page 15), or at the Department's web page for the TMSP (http://www.state.tn.us/environment/permits/strmh2o.htm. One (1) signed copy of no exposure certification form shall be submitted to the Division at the following address:

**Permit Section – No Exposure Certification Processing**
**Tennessee Division of Water Pollution Control**
**6th Floor L & C Annex**
**401 Church Street**
**Nashville, TN 37243-1534**

# X DEFINITIONS

303(d) List is a compilation of streams and lakes in Tennessee that are "water quality limited" or are expected to exceed water quality criteria in the future and need additional pollution controls. Water quality limited streams are those that have one or more properties that violate water quality standards. Therefore, the stream or lake which is considered to be a Section 303(d) listed water or any segment of the stream or lake identified as impaired since promulgation of the latest 303(d) list is considered to be impacted by pollution and not fully meeting its designated uses. If a discharge enters impaired waters, or is upstream of impaired waters and may affect the impaired waters, then the discharges will be subject to the special permit requirements.

Best Management Practices ("BMPs") means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the State. BMPs also include treatment requirements, operating procedures, and practices to control facility site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage..

Bypass means the intentional diversion of waste streams from any portion of a treatment facility.

Coal pile runoff means the rainfall runoff from or through any coal storage pile

Co-located industrial activity means when a facility has industrial activities being conducted onsite that are described under more than one of the coverage sections of Part XI in this permit (Discharges Covered Under This Section). Facilities with co-located industrial activities shall comply with all applicable monitoring and pollution prevention plan requirements of each section in which a co-located industrial activity is described. Provisions under applicable co-located facilities sections should be applied on an outfall-specific basis.

CWA means Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972).

Commercial Treatment and Disposal Facilities means facilities that receive, on a commercial basis, any produced hazardous waste (not their own) and treat or dispose of those wastes as a service to the generators. Such facilities treating and/or disposing exclusively residential hazardous wastes are not included in this definition.

Director means the Director of the Division of Water Pollution Control, or an authorized representative.

Flow-weighted composite sample means a composite sample consisting of a mixture of aliquots collected at a constant time interval, where the volume of each aliquot is proportional to the flow rate of the discharge.

Grab Sample is a single storm water runoff sample of at least 100 milliliters collected at a randomly-selected time over a period not exceeding 15 minutes, 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 sample shall be collected at the period most representative of the total discharge, recognizing that a "first flush" sample would be the most accurate representation for various pollutants in the storm water runoff.

High quality waters are surface waters of the State of Tennessee that are identified by the Department as high quality waters. Characteristics of high quality waters are listed at Rule 1200-4-3-.06 of the official compilation - rules and regulations of the State of Tennessee. Characteristics include waters designated by the Water Quality Control Board as Outstanding National Resource Waters (ONRW); waters that provide habitat for ecologically significant populations of certain aquatic or semi-aquatic plants or animals; waters that provide specialized recreational opportunities; waters that possess outstanding scenic or geologic values; or waters where existing conditions are better than water quality standards. High quality waters are sometimes referred to as Tier II or Tier III (ONRW) waters.

Land application unit means an area where wastes are applied onto or incorporated into the soil surface (excluding manure spreading operations) for treatment or disposal.

Landfill means an area of land or an excavation in which wastes are placed for permanent disposal, and that is not a land application unit, surface impoundment, injection well, or waste pile.

Landfill wastewater as defined in 40 CFR Part 445 (Landfills Point Source Category) is all wastewater associated with, or produced by, landfilling activities except for sanitary wastewater, non-contaminated storm water, contaminated groundwater, and wastewater from recovery pumping wells. Landfill wastewater includes, but is not limited to, leachate, gas collection condensate, drained free liquids, laboratory derived wastewater, contaminated storm water and contact washwater from washing truck, equipment, and railcar exteriors and surface areas which have come in direct contact with solid waste at the landfill facility. Non-contaminated storm water runoff from landfill is storm water which does not come into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater as defined in Part 6.K.4.5. Non-contaminated storm water includes storm water which flows off the cap, cover, intermediate cover, daily cover, and/or final cover of the landfill.

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

Large and medium municipal separate storm sewer system means all municipal separate storm sewers that are either:

(i) located in an incorporated place (city) with a population of 100,000 or more as determined by the latest Decennial Census by the Bureau of Census (these cities are listed in Appendices F and G of 40 CFR Part 122); or

(ii) located in the counties with unincorporated urbanized populations of 100,000 or more, except municipal separate storm sewers that are located in the incorporated places, townships or towns within such counties (these counties are listed in Appendices H and I of 40 CFR Part 122); or

(iii) owned or operated by a municipality other than those described in paragraph (i) or (ii) and that are designated by the Division as part of the large or medium municipal separate storm sewer system.

Load Allocation (LA): The portion of a receiving water's loading capacity that is attributed either to one of its existing or future nonpoint sources of pollution or to natural background (40 CFR 130.2(g)).

Margin of Safety (MOS): The "MOS" accounts for uncertainty in the loading calculation. The MOS may not be the same for different waterbodies due to differences in the availability and strength of data used in the calculations.

No exposure certification is a conditional exclusion applicable to all categories of industrial activity (except construction activity) with no exposure of industrial materials and activities to storm water. All facilities with point source discharges of storm water associated with industrial activity that satisfy criteria of no exposure and complete a no exposure certification form will be able to obtain exclusion from NPDES storm water permitting under TMSP.

Nonpoint Source: A nonpoint source is essentially any source of pollutant(s) that is not a point source. Examples are sheet flow from pastures and runoff from paved areas.

Point source means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

Section 313 water priority chemical means a chemical or chemical categories that: 1) are listed at 40 CFR 372.65 pursuant to Section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA) (also known as Title III of the Superfund Amendments and Reauthorization Act (SARA) of 1986); 2) are present at or above threshold levels at a facility subject to EPCRA Section 313 reporting requirements; and 3) meet at least one of the following criteria: (i) are listed in Appendix D of 40 CFR Part 122 on either Table II (organic priority pollutants), Table III (certain metals, cyanides, and phenols) or Table V (certain toxic pollutants and hazardous substances); (ii) are listed as a hazardous substance pursuant to Section 311(b)(2)(A) of the CWA at 40 CFR 116.4; or (iii) are pollutants for which EPA has published acute or chronic water quality criteria. See Addendum A of this permit. This addendum is based on the final rulemaking EPA published in the Federal Register November 30, 1994.

Significant materials includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under Section 101(14) of CERCLA; any chemical the facility is required to report pursuant to EPCRA Section 313; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with storm water discharges.

Significant spills includes, but is not limited to: releases of oil or hazardous substances in excess of reportable quantities under Section 311 of the Clean Water Act (see 40 CFR 110.10 and CFR 117.21) or Section 102 of CERCLA (see 40 CFR 302.4).

Storm water means storm water runoff, snow melt runoff, and surface runoff and drainage.

Storm water associated with industrial activity means the discharge from any conveyance that is used for collecting and conveying storm water and that is directly related to manufacturing, processing or raw materials storage areas at an industrial plant. The term does not include discharges from facilities or activities excluded from the NPDES program. For the categories of industries identified in paragraphs (i) through (x) of this definition, the term includes, but is not limited to, storm water discharges from industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process waste waters (as defined at 40 CFR Part 401); sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials, and intermediate and finished products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to storm water. For the categories of industries identified in paragraph (xi) of this definition, the term includes only storm water discharges from all areas (except access roads and rail lines) listed in the previous sentence where material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, or industrial machinery are exposed to storm water. For the purposes of this paragraph, material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, finished product, by-product or waste product. The term excludes areas located on plant lands separate from the plant's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with storm water drained from the above described areas. Industrial facilities (including industrial facilities that are Federally, State, or municipally owned or operated that meet the description of the facilities listed in paragraphs (i) to (xi) of this definition) include those facilities designated under 122.26(a)(1)(v). The following categories of facilities are considered to be engaging in "industrial activity" for purposes of this subsection:

(i) Facilities subject to storm water effluent limitations guidelines, new source performance standards, or toxic pollutant effluent standards under 40 CFR Subchapter N (except facilities with toxic pollutant effluent standards that are exempted under category (xi) of this definition);

(ii) Facilities classified as Standard Industrial Classifications 24 (except 2434), 26 (except 265 and 267), 28 (except 283 and 285), 29, 311, 32 (except 323), 33, 3441, 373;

(iii) Facilities classified as Standard Industrial Classifications 10 through 14 (mineral industry) including active or inactive mining operations (except for areas of coal mining operations no longer meeting the definition of a reclamation area under 40 CFR 434.11(l) because the performance bond issued to the facility by the appropriate SMCRA authority has been released, or except for areas of noncoal mining operations that have been released from applicable State or Federal reclamation requirements after December 12, 1990) and oil and gas exploration, production, processing or treatment operations or transmission facilities that discharge storm water contaminated by contact with or that has come into contact with, any overburden, raw material, intermediate products, finished products, byproducts or waste products located on the site of such operation; inactive mining operations are mining sites that are not being actively mined, but that have an identifiable owner/operator;

(iv) Hazardous waste treatment, storage, or disposal facilities, including those that are operating under interim status or a permit under Subtitle C of RCRA;

(v) Landfills, land application sites, and open dumps that have received any industrial wastes (waste that is received from any of the facilities described under this subsection) including those that are subject to regulation under Subtitle D of RCRA;

(vi) Facilities involved in the recycling of materials, including metal scrap yards, battery reclaimers, salvage yards, and automobile junkyards, including but limited to those classified as Standard Industrial Classification 5015 and 5093;

(vii) Steam electric power generating facilities, including coal handling sites;

(viii) Transportation facilities classified as Standard Industrial Classifications 40, 41, 42 (except 4221-25), 43, 44, 45 and 5171 that have vehicle maintenance shops, equipment cleaning operations, or airport deicing operations. Only those portions of the facility that are either involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication), equipment cleaning operations, airport deicing operations, or that are otherwise identified under paragraphs (i) to (vii) or (ix) to (xi) of this subsection are associated with industrial activity;

(ix) Treatment works treating domestic sewage or any other sewage sludge or wastewater treatment device or system, used in the storage treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated to the disposal of sewage sludge that are located within the confines of the facility, with a design flow of 1.0 mgd or more, or required to have an approved pretreatment program under 40 CFR Part 403. Not included are farm lands, domestic gardens or lands used for sludge management where sludge is beneficially reused and that are not physically located in the confines of the facility, or areas that are in compliance with 40 CFR Part 503;

(x) Construction activity including clearing, grading and excavation activities except: operations that result in the disturbance of less than 5 acres of total land area that are not part of a larger common plan of development or sale;

(xi) Facilities under Standard Industrial Classifications 20, 21, 22, 23, 2434, 25, 265, 267, 27, 283, 285, 30, 31 (except 311), 323, 34 (except 3441), 35, 36, 37 (except 373), 38, 39, 4221-25, (and that are not otherwise included within categories (i) to (x)).

<u>TMDL (Total Maximum Daily Load)</u> The sum of the individual wasteload allocations for point sources and load allocations for nonpoint sources and natural background (40 CFR 130.2(I)). TMDL is a study that: 1.quantifies the amount of a pollutant in a stream, 2.identifies the sources of the pollutant, 3.and recommends regulatory or other actions that may need to be taken in order for the stream to no longer be polluted. Following are actions that might be recommended: Re-allocate limits on the sources of pollutants documented as impacting streams. It might be necessary to lower the amount of pollutants being discharged under NPDES permits or to require the installation of other control measures, if necessary, to insure that standards will be met. For sources the Division does not have regulatory authority over, such as ordinary non-pointsource agricultural and forestry activities, provide information and technical assistance to other state and federal agencies that work directly with these groups to install appropriate Best Management Practices. Even for the impacted streams found on the 303(d) List, TMDL development is not considered appropriate for all bodies of water: if enforcement has already been taken and a compliance schedule has been developed; or if best management practices have already been installed for non-regulated activities, the TMDL is considered not applicable. In causes involving pollution sources in other states, the recommendation may be that another state or EPA perform the TMDL. TMDL's can also be described by the following equation:

TMDL = sum of non point sources (LA)+ sum of point sources (WLA)+ margin of safety

<u>Uncontrolled sanitary landfill</u> means a landfill or open dump, whether in operation or closed, that does not meet the requirements for run-on or runoff controls established pursuant to subtitle D of the Solid Waste Disposal Act.

Upset means an exceptional incident in which there is unintentional and temporary noncompliance with the numeric effluent limitations of Parts V. and XI. of this permit because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

Wasteload allocation (WLA): The portion of a receiving water's loading capacity that is allocated to one of its existing or future point sources of pollution. WLAs constitute the type of water quality-based effluent limitation. (40 CFR 130.2(h)).

Waste pile means any noncontainerized accumulation of solid, nonflowing waste that is used for treatment or storage.

Water quality-limited segments: Those water segments that do not or are not expected to meet applicable water quality standards even after the application of technology.

Waters of the State or simply Waters is defined in the Tennessee Water Quality Control Act and means any and all water, public or private, on or beneath the surface of the ground, which are contained within, flow through or border upon Tennessee or any portion thereof except those bodies of water confined to and retained within the limits of private property in single ownership which do not combine to effect a junction with natural surface or underground waters.

# XI SPECIFIC REQUIREMENTS FOR INDUSTRIAL ACTIVITIES

## A Sector A - Storm Water Discharges Associated With Industrial Activity From Timber Products Facilities

### 1. Discharges Covered Under This Section

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

| SIC Code | Sector A: Timber Products Facilities | Sampling Required? | Table Number |
|---|---|---|---|
| 2411 | Logging (Wet deck storage areas only authorized if no chemical additives are used in the spray water or applied to the logs) | Yes | A-1<br>A-4 |
| 2421 | Sawmills and Planing Mills, General | Yes | A-2 |
| 2426 | Hardwood Dimension and Flooring Mills | Yes | A-5 |
| 2429 | Special Product Sawmills, NEC | Yes | A-5 |
| 2431 | Millwork | Yes | A-5 |
| 2435 | Hardwood Veneer and Plywood | Yes | A-5 |
| 2436 | Softwood Veneer and Plywood | Yes | A-5 |
| 2439 | Structural Wood Members, NEC | Yes | A-5 |
| 2441 | Nailed and Lock Corner Wood Boxes and Shook | Yes | A-5 |
| 2448 | Wood Pallets and Skids | Yes | A-5 |
| 2449 | Wood Containers, NEC | Yes | A-5 |
| 2451 | Mobile Homes | Yes | A-5 |
| 2452 | Prefabricated Wood Buildings and Components | Yes | A-5 |
| 2491 | Wood Preserving | Yes | A-3 |
| 2493 | Reconstituted Wood Products | Yes | A-5 |
| 2499 | Wood Products, NEC | Yes | A-5 |

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 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-storm Water Discharges

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

In addition to the discharges described in part III.A.2., the following non-storm water discharges may be authorized by this permit provided the non-storm water component of the discharge is in compliance with paragraph XI.A.3.a.(3)(g)(i) (Measures and Controls for Non-storm Water Discharges): discharges from the spray down of lumber and wood product storage yards where no chemical additives are used in the spray down waters and no chemicals are applied to the wood during storage.

3. Storm Water Pollution Prevention Plan Requirements

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

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

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

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

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

Inventory of Exposed Materials—An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of 3 years prior to the date of submission of a Notice of Intent (NOI) to be covered under this permit and the present; method and location of onsite storage or disposal; materials

management practices employed to minimize contact of materials with storm water runoff between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; the location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives. The inventory of exposed materials shall include, but shall not be limited to the significant materials stored exposed to storm water and material management practices employed that were listed for the facility in the approved group application. Where information is available, facilities that have used chlorophenolic, creosote, or chromium-copper-arsenic formulations for wood surface protection or wood preserving activities onsite in the past should identify in the inventory the following: areas where contaminated soils, treatment equipment, and stored materials still remain and management practices employed to minimize the contact of these materials with storm water runoff.

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

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

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

Measures and Controls. Each facility covered by this permit shall develop a description of storm water best management practices (BMPs) and controls appropriate for the facility and implement such controls. The appropriateness of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls shall address the following areas of the site: log, lumber and other wood product storage areas; residue storage areas, loading and unloading areas; material handling areas; chemical storage areas; and equipment/vehicle maintenance, storage and repair areas. Facilities that surface protect and/or preserve wood products should address specific BMPs for wood surface protection and preserving activities. The pollution prevention plan should address the following minimum components, including a schedule for implementing such controls:

Good Housekeeping—Good housekeeping requires the maintenance of areas that may contribute pollutants to storm water discharges in a clean, orderly manner. Good housekeeping measures in storage areas, loading and unloading areas, and material handling areas should be designed to: 1) limit the discharge of wood debris; 2) minimize the leachate generated from decaying wood materials; and 3) minimize the generation of dust.

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

Spill Prevention and Response Procedures—Areas where potential spills that can contribute pollutants to storm water discharges can occur, and their accompanying drainage points shall be identified clearly in the storm water pollution prevention plan. Where appropriate, specifying material handling procedures, storage requirements, and use of equipment such as diversion valves in the plan should be considered. Procedures for cleaning up spills shall be identified in the plan and made available to the appropriate personnel. The necessary equipment to implement a clean up should be available to personnel. Response schedules should be developed to limit tracking of spilled materials to other areas of the site. Leaks or spills of wood surface protection or preservation chemicals shall be cleaned up immediately in accordance with applicable RCRA regulations at 40 CFR Part 264 and 40 CFR Part 265.

Inspections—In addition to or as part of the comprehensive site evaluation required under paragraph XI.A.3.a.(4) of this section, qualified facility personnel shall be identified to inspect designated equipment and areas of the facility at appropriate intervals specified in the plan. Operators of facilities are required to conduct quarterly visual inspections of BMPs. The inspections shall include: 1) an assessment of the integrity of storm water discharge diversions, conveyance systems, sediment control and collection systems, and containment structures; 2) visual inspection of sediment and erosion BMPs to determine if soil erosion has occurred; and 3) visual inspections of storage areas and other potential sources of pollution for evidence of actual or potential pollutant discharges of contaminated storm water.

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

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

A set of tracking or follow-up procedures shall be used to ensure that appropriate actions are taken in response to the inspections. Records of inspections shall be maintained.

Employee Training—Employee training programs shall inform personnel responsible for implementing activities identified in the storm water pollution prevention plan or otherwise responsible for storm water management at all levels of responsibility of the components and goals of the storm water pollution prevention plan. Training should address topics such as spill response, good housekeeping and material management practices. The pollution prevention plan shall identify periodic dates for such training.

Recordkeeping and Internal Reporting Procedures—A description of incidents (such as spills, or other discharges), along with other information describing the quality and quantity of storm water

discharges shall be included in the plan required under this part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan.

Non-storm Water Discharges

The plan shall include a certification that the discharge has been tested or evaluated for the presence of non-storm water discharges (except for discharges from the spray down of lumber and wood product storage yards where no chemical additives are used in the spray down waters and no chemicals are applied to the wood during storage, see Table A-1). The certification shall include the identification of potential significant sources of non-storm water at the site, a description of the results of any test and/or evaluation for the presence of non-storm water discharges, the evaluation criteria or testing method used, the date of any testing and/or evaluation, and the onsite drainage points that were directly observed during the test. Certifications shall be signed in accordance with Part VII.G. of this permit. Such certification may not be feasible if the facility operating the storm water discharge associated with industrial activity does not have access to an outfall, manhole, or other point of access to the ultimate conduit that receives the discharge. In such cases, the source identification section of the storm water pollution prevention plan shall indicate why the certification required by this part was not feasible, along with the identification of potential significant sources of non-storm water at the site. A discharger that is unable to provide the certification required by this paragraph must notify the Division of Water Pollution Control in accordance with paragraph "Failure to Certify" (below).

Sources of non-storm water that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge. Any non-storm water discharges that are not permitted under an individual NPDES permit should be brought to the attention of the Division's local Environmental Assistance Center (see list of EACs on page 15).

Failure to Certify—Any facility that is unable to provide the certification required (testing for non-storm water discharges), must notify the Division of Water Pollution Control not later than 180 days after submitting an NOI to be covered by this permit. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notification shall describe: the procedure of any test conducted for the presence of non-storm water discharges; the results of such test or other relevant observations; potential sources of non-storm water discharges to the storm sewer; and why adequate tests for such storm sewers were not feasible. Non-storm water discharges to waters of the State that are not authorized by an NPDES permit are unlawful, and must be terminated.

Sediment and Erosion Control—The plan shall identify areas that, due to topography, activities, or other factors, have a high potential for significant soil erosion, and identify structural, vegetative, and/or stabilization measures to be used to limit erosion. When developing the plan, the following areas of the site should be considered: loading and unloading areas, access roads, material handling areas, storage areas, and any other areas where heavy equipment and vehicle use is prevalent. The following erosion and sediment controls shall be considered to minimize the discharge of sediments from the site: stabilization measures such as seeding, mulching, contouring, porous pavement, paving and sodding or its equivalent and structural measures such as sediment traps and silt fences or other equivalent measures.

Management of Runoff—The plan shall contain a narrative consideration of the appropriateness of traditional storm water management practices (practices other than those that control the generation or source(s) of pollutants) used to divert, infiltrate, reuse, or otherwise manage storm water runoff in a

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

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

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

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

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

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

4. Numeric Effluent Limitations

In addition to the numeric effluent limitations described by Part V.B. of this permit, the following effluent limitations shall be met by existing and new contaminated storm water discharges from Wet Decking

Discharges at Log Storage and Handling Areas (authorized only if no chemical additives are used in the spray water or applied to the logs).

The concentration of pollutants in storm water discharges shall not exceed the effluent limitations in Table A-1.

**Table A-1. Numeric Effluent Limitations for Wet Decking Discharges at Log Storage and Handling Areas**

**(Wet deck storage areas only authorized if no chemical additives are used in the spray water or applied to the logs)**

| **Effluent Characteristics** | **Effluent Limitations (mg/L)** [1] (Maximum for any 1 day) |
|---|---|
| Debris (woody material such as bark, twigs, branches, heartwood, or sapwood). | No Discharge of debris that will not pass through a 2.54 cm (1'') diameter round opening. |
| pH | Within the range of 6.0 to 9.0 |

1.) Monitor once per year for each monitoring year.

5. Monitoring and Reporting Requirements

a) Analytical Monitoring Requirements

During the term of this permit, permittees covered under this sector must monitor their storm water discharges associated with industrial activity at least once per calendar year (annually), except as provided in paragraphs 5.a.(3) (Sampling Waiver), 5.a.(4) (Representative Discharge), and 5.a.(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). In addition to the parameters listed in Tables A-1, A-2, A-3 and A-4 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 A-2. Monitoring Requirements for General Sawmills and Planning Mills Facilities**

| **Pollutants of Concern** | **Cut-Off Concentration** | **Sector Median Value * [mg/L]** |
|---|---|---|
| Chemical Oxygen Demand | 120.0 mg/L | 43 |
| Total Suspended Solids | 200 mg/L | 37 |
| Total Recoverable Zinc | 0.395 mg/L | 0.0735 |

**Table A-3. Monitoring Requirements for Wood Preserving Facilities**

| Pollutants of Concern | Cut-Off Concentration | Sector Median Value * [mg/L] |
|---|---|---|
| Total Recoverable Arsenic | 0.16854 mg/L | 0.0075 |
| Total Recoverable Copper | 0.0636 mg/L | 0.020 |

**Table A-4. Monitoring for Log Processing, Storage and Handling**

| Pollutants of Concern | Cut-Off Concentration | Sector Median Value * [mg/L] |
|---|---|---|
| Total Suspended Solids | 200 mg/L | 37 |

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

| Pollutants of Concern | Cut-Off Concentration | Sector Median Value * [mg/L] |
|---|---|---|
| Chemical Oxygen Demand | 120 mg/L | 43 |
| Total Suspended Solids | 200 mg/L | 37 |

* Sector Median Value is a pollutant concentration calculated from all sampling results provided from facilities classified in this sector during the previous permit term. By definition, a median is a statistical term identifying a number that divides numerically ordered data into two equal halves. In easier terms, the median is the middle piece of data when those data are placed in numerical order, or the average of the middle two if there is an even number of items. Therefore, median concentration(s) listed above represent a concentration value typical for and achieved by industries in this sector.

(1) Monitoring Periods. Facilities required to perform monitoring shall monitor samples collected during any period of a calendar year, as long as the samples are representative of the quantity and quality of the storm water runoff being discharged from the facility.

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

nonprocess water, then where practicable permittees must attempt to sample the storm water discharge before it mixes with the non-storm water discharge.

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 cut-off concentrations as shown in the table above. If the results of annual storm water runoff monitoring demonstrate that the facility has exceeded the cut-off concentration(s), the permittee must inform the Division's local Environmental Assistance Center in writing within 30 days from the time SW monitoring results were received, describing the likely cause of the exceedance(s). Furthermore, within 60 days from the time storm water monitoring results were received, the facility must review its storm water pollution prevention plan, make any modifications or additions to the plan which would assist in reducing effluent concentrations to less than the monitoring cut-off concentrations for that facility, and submit to the Division's local Environmental Assistance Center a brief summary of the proposed SWPPP modifications (including a timetable for implementation).

(3) Sampling Waiver

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

(b) Low Concentration Waiver—When the average concentration for a pollutant calculated from monitoring data collected from first 4 calendar years of monitoring is less than the corresponding reporting value for that pollutant (Monitoring Cut-Off Concentration), a facility may waive monitoring and reporting requirements in the last annual monitoring period. The facility must submit to the Division of Water Pollution Control, in lieu of the monitoring data, a certification that there has not been a significant change in industrial activity or the pollution prevention measures in area of the facility that drains to the outfall for which sampling was waived.

(c) When a discharger is unable to conduct annual chemical storm water sampling at an inactive and unstaffed site, the operator of the facility may exercise a waiver of the monitoring requirements as long as the facility remains inactive and unstaffed. The facility must submit to the Division of Water Pollution Control, in lieu of monitoring data, a certification statement on the TMSP Storm Water Monitoring Report stating that the site is inactive and unstaffed so that collecting a sample during a qualifying event is not possible.

(4) Representative Discharge. When a facility has two or more outfalls that, based on a consideration of industrial activity, significant materials, and management practices and activities within the area drained by the outfall, the permittee reasonably believes discharge substantially identical effluents, the permittee may test the effluent of one of such outfalls and report that the quantitative data also applies to the substantially identical outfall(s) provided that the permittee includes in the storm water pollution prevention plan a description of the location of the outfalls and explains in detail why the outfalls are expected to discharge substantially identical effluents. In addition, for each outfall that the permittee believes is representative, an estimate of the size of the drainage area (in square feet) and an estimate of

the runoff coefficient of the drainage area [e.g., low (under 40 percent), medium (40 to 65 percent), or high (above 65 percent)] shall be provided in the plan. The permittee shall include the description of the location of the outfalls, explanation of why outfalls are expected to discharge substantially identical effluents, and estimate of the size of the drainage area and runoff coefficient with the TMSP Storm Water Monitoring Report.

(5) Alternative Certification. A discharger is not subject to the monitoring requirements of this section provided the discharger makes a certification for a given outfall, or on a pollutant-by-pollutant basis in lieu of monitoring reports required under paragraph (b) below, under penalty of law, signed in accordance with Part VII.G. (Signatory Requirements), that material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, industrial machinery or operations, or significant materials from past industrial activity that are located in areas of the facility within the drainage area of the outfall are not presently exposed to storm water and are not expected to be exposed to storm water for the certification period. Such certification must be retained in the storm water pollution prevention plan, and submitted to the Division of Water Pollution Control in accordance with Part VI.B. of this permit. In the case of certifying that a pollutant is not present, the permittee must submit the certification along with the monitoring reports required under paragraph (b) below. If the permittee cannot certify for an entire period, they must submit the date exposure was eliminated and any monitoring required up until that date. This certification option is not applicable to compliance monitoring requirements associated with effluent limitations.

b) Reporting

Permittees with 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 Storm Water Monitoring Report Form(s) postmarked **no later than the March 31st of the following calendar year**. For each outfall, one signed TMSP Storm Water Monitoring Report form must be submitted to the Division of Water Pollution Control. Signed copies of TMSP Storm Water Monitoring Reports, or said certifications, shall be submitted to the following address:

**Enforcement and Compliance Section**
**Tennessee Division of Water Pollution Control**
**6th Floor L & C Annex**
**401 Church Street**
**Nashville, TN 37243-1534**

c) Quarterly Visual Examination of Storm Water Quality.

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

(1) Examinations shall be made of samples collected within the first 30 minutes (or as soon thereafter as practical, but not to exceed 1 hour) of when the runoff or snowmelt begins discharging. The

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

(2) Visual 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 storm water discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.

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

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

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

# B Sector B - Storm Water Discharges Associated With Industrial Activity From Paper And Allied Products Manufacturing Facilities

## 1. Discharges Covered Under This Section

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

| SIC Code | Sector B: Paper and Allied Products Manufacturing Facilities | Sampling Required? | Table Number |
|---|---|---|---|
| 2611 | Pulp Mills | No | -- |
| 2621 | Paper Mills | No | -- |
| 2631 | Paperboard Mills | Yes | B-1 |
| 2652 | Setup Paperboard Boxes | No | -- |
| 2653 | Corrugated and Solid Fiber Boxes | No | -- |
| 2655 | Fiber Cans, Tubes, Drums, and Similar Products | No | -- |
| 2656 | Sanitary Food Containers, Except Folding | No | -- |
| 2657 | Folding Paperboard Boxes, Including Sanitary | No | -- |
| 2671 | Packaging Paper and Plastics Film, Coated and Laminated | No | -- |
| 2672 | Coated and Laminated Paper, NEC | No | -- |
| 2673 | Plastics, Foil, and Coated Paper Bags | No | -- |
| 2674 | Uncoated Paper and Multiwall Bags | No | -- |
| 2675 | Die-Cut Paper and Paperboard and Cardboard | No | -- |
| 2676 | Sanitary Paper Products | No | -- |
| 2677 | Envelopes | No | -- |
| 2678 | Stationery, Tablets, and Related Products | No | -- |
| 2679 | Converted Paper and Paperboard Products, NEC | No | -- |

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 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-storm Water Discharges. Except for those allowable non-storm water discharges included in Part IIIA2 (Allowable Non-Storm Water Discharges) of this permit, there are no other non-storm water discharges authorized in this Sector.

## 3. Storm Water Pollution Prevention Plan Requirements

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

Pollution Prevention Team. Each plan shall identify a specific individual or individuals within the facility organization as members of a storm water Pollution Prevention Team that are responsible for

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

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

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

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

Inventory of Exposed Materials—An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of 3 years prior to the date of submission of a Notice of Intent (NOI) to be covered under this permit and the present; method and location of onsite storage or disposal; materials management practices employed to minimize contact of materials with storm water runoff between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; the location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives. The inventory of exposed materials shall include, but shall not be limited to the significant materials stored exposed to storm water and material management practices employed that were listed for the facility in the approved group application.

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

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

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

Measures and Controls. Each facility covered by this permit shall develop a description of storm water management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls shall address the following minimum components, including a schedule for implementing such controls:

Good Housekeeping—Good housekeeping requires the maintenance of areas that may contribute pollutants to storm water discharges in a clean, orderly manner. The plan shall describe procedures performed to minimize contact of materials with storm water runoff. Examples include cleaning of lots and roofs that collect debris; routine cleaning of wastewater treatment, and other waste disposal (such as sludge handling) locations.

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

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

Inspections—Qualified facility personnel shall be identified to inspect designated equipment and areas of the facility at appropriate intervals specified in the plan. A set of tracking or follow-up procedures shall be used to ensure that appropriate actions are taken in response to the inspections. Records of inspections shall be maintained.

Employee Training—Employee training programs shall inform personnel responsible for implementing activities identified in the storm water pollution prevention plan or otherwise responsible for storm water management at all levels of responsibility of the components and goals of the storm water pollution prevention plan. Training should address topics such as spill response, good housekeeping and

material management practices. The pollution prevention plan shall identify periodic dates for such training.

Recordkeeping and Internal Reporting Procedures—A description of incidents (such as spills, or other discharges), along with other information describing the quality and quantity of storm water discharges shall be included in the plan required under this part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan.

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

Sources of non-storm water that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge. Any non-storm water discharges that are not permitted under an individual NPDES permit should be brought to the attention of the Division's local Environmental Assistance Center (see list of EACs on page 15).

Failure to Certify—Any facility that is unable to provide the certification required (testing for non-storm water discharges), must notify the Division of Water Pollution Control not later than 180 days after submitting an NOI to be covered by this permit. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notification shall describe: the procedure of any test conducted for the presence of non-storm water discharges; the results of such test or other relevant observations; potential sources of non-storm water discharges to the storm sewer; and why adequate tests for such storm sewers were not feasible. Non-storm water discharges to waters of the State that are not authorized by an NPDES permit are unlawful, and must be terminated.

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

Management of Runoff—The plan shall contain a narrative consideration of the appropriateness of traditional storm water management practices (practices other than those that control the generation or source(s) of pollutants) used to divert, infiltrate, reuse, or otherwise manage storm water runoff in a manner that reduces pollutants in storm water discharges from the site. The plan shall provide that measures that the permittee determines to be reasonable and appropriate shall be implemented and maintained. The potential of various sources at the facility to contribute pollutants to storm water discharges associated with industrial activity [see Part XI.B.3.a.(2) of this permit (Description of Potential

Pollutant Sources)] shall be considered when determining reasonable and appropriate measures. Appropriate measures may include: vegetative swales and practices; reuse of collected storm water (such as for a process or as an irrigation source); inlet controls (such as oil/water separators); snow management activities; infiltration devices, and wet detention/retention devices; screens or fences used to protect dust and particulate collection activities from wind or to minimize the effects of wind on material loading and storage, and processing activities to eliminate or reduce wind blown or airborne pollutants; secondary containment of storage areas such as berms and dikes; diversionary structures to direct storm water away from areas of potential contamination; and tarpaulins, roofs, or other coverings of outdoor storage or industrial activities or other equivalent measures.

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

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

Based on the results of the evaluation, the description of potential pollutant sources identified in the plan in accordance with Part XI.B.3.a.(2) of this permit (Description of Potential Pollutant Sources) and pollution prevention measures and controls identified in the plan in accordance with Part XI.B.3.a.(3) of this permit (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.

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

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

4. Numeric Effluent Limitations

There are no additional numeric effluent limitations beyond those described in Part V.B. of this permit.

5. Monitoring and Reporting Requirements

a) Analytical Monitoring Requirements

During the term of this permit, permittees covered under this sector must monitor their storm water discharges associated with industrial activity at least once per calendar year (annually), except as provided in paragraphs 5.a.(3) (Sampling Waiver), 5.a.(4) (Representative Discharge), and 5.a.(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.b. (Reporting). In addition to the parameters listed in Table B-1 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 B-1. Monitoring Requirements for Paper and Allied Products Mfg. Facilities**

| Pollutants of Concern | Cut-Off Concentration | Sector Median Value * [mg/L] |
|---|---|---|
| Chemical Oxygen Demand | 120 mg/L | 50 |

* Sector Median Value is a pollutant concentration calculated from all sampling results provided from facilities classified in this sector during the previous permit term. By definition, a median is a statistical term identifying a number that divides numerically ordered data into two equal halves. In easier terms, the median is the middle piece of data when those data are placed in numerical order, or the average of the middle two if there is an even number of items. Therefore, median concentration(s) listed above represent a concentration value typical for and achieved by industries in this sector.

(1) Monitoring Periods. Paperboard mills shall monitor samples collected during any period of a calendar year, as long as the samples are representative of the quantity and quality of the storm water runoff being discharged from the facility.

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

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 cut-off concentrations as shown in the table above. If the results of annual storm water runoff monitoring demonstrate that the facility has exceeded the cut-off concentration(s), the permittee must inform the Division's local Environmental Assistance Center in writing within 30 days from the time storm water monitoring results were received, describing the likely cause of the exceedance(s). Furthermore, within 60 days from the time storm water monitoring results were received, the facility must review its storm water pollution prevention plan, make any modifications or additions to the plan which would assist in reducing effluent concentrations to less than the monitoring cut-off concentrations for that facility, and submit to the Division's local Environmental Assistance Center a brief summary of the proposed SWPPP modifications (including a timetable for implementation).

(3) Sampling Waiver

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

(b) Low Concentration Waiver—When the average concentration for a pollutant calculated from monitoring data collected from first 4 calendar years of monitoring is less than the corresponding reporting value for that pollutant (Monitoring Cut-Off Concentration), a facility may waive monitoring and reporting requirements in the last annual monitoring period. The facility must submit to the Division of Water Pollution Control, in lieu of the monitoring data, a certification that there has not been a significant change in industrial activity or the pollution prevention measures in area of the facility that drains to the outfall for which sampling was waived.

(c) When a discharger is unable to conduct annual chemical storm water sampling at an inactive and unstaffed site, the operator of the facility may exercise a waiver of the monitoring requirements as long as the facility remains inactive and unstaffed. The facility must submit to the Division of Water Pollution Control, in lieu of monitoring data, a certification statement on the TMSP Storm Water Monitoring Report stating that the site is inactive and unstaffed so that collecting a sample during a qualifying event is not possible.

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

effluents, and estimate of the size of the drainage area and runoff coefficient with the TMSP Storm Water Monitoring Report.

(5) Alternative Certification. A discharger is not subject to the monitoring requirements of this section provided the discharger makes a certification for a given outfall or on a pollutant-by-pollutant basis in lieu of monitoring reports required under paragraph (b) below, under penalty of law, signed in accordance with Part VII.G. (Signatory Requirements), that material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, industrial machinery or operations, or significant materials from past industrial activity that are located in areas of the facility within the drainage area of the outfall are not presently exposed to storm water and are not expected to be exposed to storm water for the certification period. Such certification must be retained in the storm water pollution prevention plan, and submitted to the Division of Water Pollution Control in accordance with Part VI.B. of this permit. In the case of certifying that a pollutant is not present, the permittee must submit the certification along with the monitoring reports required under paragraph (b) below. If the permittee cannot certify for an entire period, they must submit the date exposure was eliminated and any monitoring required up until that date. This certification option is not applicable to compliance monitoring requirements associated with effluent limitations.

b) Reporting

Permittees with 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 Storm Water Monitoring Report Form(s) postmarked **no later than the March 31st of the following calendar year**. For each outfall, one signed TMSP Storm Water Monitoring Report form must be submitted to the Division of Water Pollution Control. Signed copies of TMSP Storm Water Monitoring Reports, or said certifications, shall be submitted to the following address:

**Enforcement and Compliance Section**
**Tennessee Division of Water Pollution Control**
**6th Floor L & C Annex**
**401 Church Street**
**Nashville, TN 37243-1534**

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

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

(2) Examinations shall be made of samples collected within the first 30 minutes (or as soon thereafter as practical, but not to exceed one hour) of when the runoff or snowmelt begins discharging. The examinations shall document observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution. The examination must be

conducted in a well lit area. No analytical tests are required to be performed on the samples. All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. Where practicable, the same individual will carry out the collection and examination of discharges for the life of the permit.

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

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

(5) Visual 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 storm water discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.

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

# C Sector C - Storm Water Discharges Associated With Industrial Activity From Chemical and Allied Products Manufacturing Facilities

## 1. Discharges Covered Under This Section

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

| SIC Code | Sector C: Chemical and Allied Products Manufacturing Facilities | Sampling Required? | Table Number |
|---|---|---|---|
| 2812 | Alkalies and Chlorine | Yes | C-3 |
| 2813 | Industrial Gases | Yes | C-3 |
| 2816 | Inorganic Pigments | Yes | C-3 |
| 2819 | Industrial Inorganic Chemicals, NEC | Yes | C-3 |
| 2821 | Plastics Material Synthetic Resins, and Nonvulcanizable Elastomers | Yes | C-5 |
| 2822 | Synthetic Rubber | Yes | C-5 |
| 2823 | Cellulosic Manmade Fibers | Yes | C-5 |
| 2824 | Manmade Organic Fibers, Except Cellulosic | Yes | C-5 |
| 2841 | Soaps and Other Detergents, Except Specialty Cleaners | Yes | C-4 |
| 2842 | Specialty Cleaning, Polishing, and Sanitary Preparations | Yes | C-4 |
| 2843 | Surface Active Agents, Finishing Agents, Sulfonated Oils, and Assistants | Yes | C-4 |
| 2844 | Perfumes, Cosmetics, and Other Toilet Preparations | Yes | C-4 |
| 2851 | Paints, Varnishes, Lacquers, Enamels, and Allied Products | No | -- |
| 2861 | Gum and Wood Chemicals | No | -- |
| 2865 | Cyclic Organic Crudes and Intermediates, and Organic Dyes and Pigments | No | -- |
| 2869 | Industrial Organic Chemicals, NEC | No | -- |
| 2873 | Nitrogenous Fertilizers | Yes | C-2 |
| 2874 | Phosphatic Fertilizers | Yes | C-2 |
| 2875 | Fertilizers, Mixing Only | Yes | C-2 |
| 2879 | Pesticides and Agricultural Chemicals, NEC | Yes | C-2 |
| 2891 | Adhesives and Sealants | No | -- |
| 2892 | Explosives | No | -- |
| 2893 | Printing Ink | No | -- |
| 2895 | Carbon Black | No | -- |
| 2899 | Chemicals and Chemical Preparations, NEC | No | -- |

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

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

- Storm water discharges from drug manufacturing facilities and other establishments classified as SIC Code 283.

2. Special Conditions

Prohibition of Non-storm Water Discharges. Except for those allowable non-storm water discharges included in Part IIIA2 (Allowable Non-Storm Water Discharges) of this permit, there are no other non-storm water discharges authorized in this Sector.

3. Storm Water Pollution Prevention Plan Requirements

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

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

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

Drainage and Site Plan—A site map shall be developed for the facility. This map shall include, at a minimum: the location of all structures (manufacturing buildings, garages, etc.), impervious areas, the location of each storm water outfall and/or connection to municipal storm sewer; types of discharges included in each discharge; an outline of the portions of the drainage area of each outfall within the facility boundaries and a prediction of the direction of flow in each area; each existing structural control measure to reduce pollutants in storm water runoff; surface water bodies; locations where materials are exposed to precipitation; and locations where major spills or leaks identified under Part XI.C.4.a.(2)(c) (below) of this permit have occurred. The map shall also indicate the locations of the following outdoor activities: fueling stations; vehicle and equipment maintenance and/or cleaning areas; loading/unloading areas; locations used for the treatment, storage or disposal of wastes; storage tanks and other containers; processing and storage areas; access roads, rail cars and tracks; the location of transfer of substances in bulk; and machinery.

Inventory of Exposed Materials and Management Practices—An inventory of the types of materials handled at the site that may be exposed to precipitation shall be collected. Such inventory shall include: a narrative description of materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; method and location of onsite storage or disposal; materials management practices employed to minimize contact of materials with storm water runoff between the time of 3 years prior to the date of the submission of a Notice of Intent

(NOI) to be covered under this permit and the present; the location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives.

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

Sampling Data—A summary of existing storm water sampling data describing pollutants discharged from the facility, including a summary of sampling data collected during the term of this permit. In addition, the report of monitoring data that is submitted to the Division of Water Pollution Control pursuant to Part VI. of this permit shall be maintained with the pollution prevention plan.

Risk Identification and Summary of Potential Pollutant Sources

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

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

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

Measures and Controls. Each facility covered by this permit shall develop a description of storm water management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls shall address the following minimum components, including a reasonable schedule for implementing such controls:

Nonstructural Controls

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

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

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

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

Maintain clean ground surfaces.

Preventive Maintenance—A preventive maintenance program shall be developed and shall involve timely inspection and maintenance of storm water management devices (e.g., oil/water separators, catch basins, dikes, storm sewer, basins, pipes). Also, preventive maintenance includes inspecting and testing facility equipment and systems to uncover conditions that could cause breakdowns or failures, and ensuring appropriate maintenance of such equipment and systems.

Spill Prevention and Response Procedures—Spill prevention and response procedures shall be developed. Areas where potential spills (that can contribute pollutants to storm water discharges) can occur and their accompanying drainage points shall be identified clearly in the storm water pollution prevention plan. Where appropriate, specifying material handling procedures, storage requirements, and use of equipment such as diversion valves in the plan should be considered. Procedures for cleaning up spills shall be identified in the plan and made available to the appropriate personnel. The necessary equipment to implement a clean up (e.g., absorbent materials) should be available to personnel.

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

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

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

Employee Training—Employee training programs shall inform personnel responsible for implementing activities identified in the storm water pollution prevention plan or otherwise responsible for storm water management at all levels of responsibility of the components and goals of the storm water pollution prevention plan. Training should address topics such as spill response, good housekeeping, material management practices and procedures for equipment and container cleaning and washing. The pollution prevention plan shall identify periodic dates for such training of at least once per year.

Recordkeeping and Internal Reporting Procedures—A description of incidents (such as spills, or other discharges), along with other information describing the quality and quantity of storm water discharges shall be included in the plan required under this part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan.

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

Structural Practices—The potential of various sources at the facility to contribute pollutants to storm water discharges associated with industrial activity [see Part XI.C.4.a.(2) (Description of Potential Pollutant Sources) of this permit] shall be considered when determining reasonable and appropriate structural measures. The plan shall provide that measures that the permittee determines to be reasonable and appropriate shall be implemented and maintained.

Practices for Material Handling and Storage Areas—Permittees shall ensure the implementation of practices that conform with the following:

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

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

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

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

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

Drainage from areas covered by paragraph XI.C.4.a.(3)(b)(i) of this section should be restrained by valves or other positive means to prevent the discharge of a spill or leak. Containment units may be emptied by pumps or ejectors; however, these shall be manually activated.

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

If facility drainage is not engineered as above, the final discharge point of all in-facility sewers should be equipped to prevent or divert the discharge, in the event of an uncontrolled spill of materials, return the spilled material to the facility.

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

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

Non-storm Water Discharges

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

Sources of non-storm water that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge. Any non-storm water discharges that are not permitted under an individual NPDES permit should be brought to the attention of the Division's local Environmental Assistance Center (see list of EACs on page 15).

Failure to Certify—Any facility that is unable to provide the certification required (testing for non-storm water discharges), must notify the Division of Water Pollution Control by not later than 180 days after submitting an NOI to be covered by this permit. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notification shall describe: the procedure of any test conducted for the presence of non-storm water discharges; the results of such test or other relevant observations; potential sources of non-storm water discharges to the storm sewer; and why adequate tests for such storm sewers were not feasible. Non-storm water discharges to waters of the State that are not authorized by an NPDES permit are unlawful, and must be terminated.

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

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

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

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

4. Numeric Effluent Limitations

In addition to the numeric effluent limitations described by Part V.B. of this permit, the following effluent limitations shall be met by existing and new discharges with:

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

**Table C-1. Numeric Effluent Limitations for the Phosphate Subcategory of the Fertilizer Mfg. Point Source Category**

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

5. Monitoring and Reporting Requirements

a) Analytical Monitoring Requirements

During the term of this permit, permittees covered under this sector must monitor their storm water discharges associated with industrial activity at least once per calendar year (annually), except as provided in paragraphs 5.a.(3) (Sampling Waiver), 5.a.(4) (Representative Discharge), and 5.a.(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 6.b. (Reporting). In addition to the parameters listed in Tables C-2, C-3, C-4, and C-5 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 C-2. Agricultural Chemicals Monitoring Requirements**

| Pollutants of Concern | Cut-Off Concentration | Sector Median Value * [mg/L] |
|---|---|---|
| Nitrate plus Nitrite Nitrogen | 0.68 mg/L | 0.46 |
| Total Recoverable Lead | 0.156 mg/L | 0.050 |
| Total Recoverable Iron | 5.0 mg/L | 0.754 |
| Total Recoverable Zinc | 0.395 mg/L | 0.160 |
| Phosphorus | 2.0 mg/L | 1.4 |

**Table C-3. Industrial Inorganic Chemicals Monitoring Requirements**

| Pollutants of Concern | Cut-Off Concentration | Sector Median Value * [mg/L] |
|---|---|---|
| Total Recoverable Aluminum | 0.75 mg/L | 0.73 |
| Total Recoverable Copper | 0.0636 mg/L | 0.35 |
| Total Recoverable Magnesium | 0.0636 | 3.63 |
| Total Recoverable Iron | 5.0 mg/L | 0.754 |
| Nitrate plus Nitrite Nitrogen | 0.68 mg/L | 0.46 |

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

| Pollutants of Concern | Cut-Off Concentration | Sector Median Value * [mg/L] |
|---|---|---|
| Nitrate plus Nitrite Nitrogen | 0.68 mg/L | 0.46 |
| Total Recoverable Zinc | 0.395 mg/L | 0.160 |

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

| Pollutants of Concern | Cut-Off Concentration | Sector Median Value * [mg/L] |
|---|---|---|
| Total Recoverable Zinc | 0.395 mg/L | 0.160 |

* Sector Median Value is a pollutant concentration calculated from all sampling results provided from facilities classified in this sector during the previous permit term. By definition, a median is a statistical term identifying a number that divides numerically ordered data into two equal halves. In easier terms, the median is the middle piece of data when those data are placed in numerical order, or the average of the middle two if there is an even number of items. Therefore, median concentration(s) listed above represent a concentration value typical for and achieved by industries in this sector.

(1) Monitoring Periods. Agricultural chemical manufacturing facilities; industrial inorganic chemical facilities; soaps, detergents, cosmetics, and perfume manufacturing facilities; and plastics, synthetics, and resin manufacturing facilities shall monitor samples collected during any period of a calendar year, as long as the samples are representative of the quantity and quality of the storm water runoff being discharged from the facility.

(2) Sample Type. A minimum of one grab sample shall be taken. All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. The required 72-hour storm event interval is waived where the preceding measurable storm event did not result in a measurable discharge from the facility. The required 72-hour storm event interval may also be waived where the permittee documents that less than a 72-hour interval is representative for local storm events during the season when sampling is being conducted. The grab sample shall be taken during the

first 30 minutes of the discharge. If the collection of a grab sample during the first 30 minutes is impracticable, a grab sample can be taken during the first hour of the discharge, and the discharger shall submit with the monitoring report a description of why a grab sample during the first 30 minutes was impracticable. If storm water discharges associated with industrial activity commingle with process or nonprocess water, then where practicable permittees must attempt to sample the storm water discharge before it mixes with the non-storm water discharge.

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 cut-off concentrations as shown in the table above. If the results of annual storm water runoff monitoring demonstrate that the facility has exceeded the cut-off concentration(s), the permittee must inform the Division's local Environmental Assistance Center in writing within 30 days from the time storm water monitoring results were received, describing the likely cause of the exceedance(s). Furthermore, within 60 days from the time storm water monitoring results were received, the facility must review its storm water pollution prevention plan, make any modifications or additions to the plan which would assist in reducing effluent concentrations to less than the monitoring cut-off concentrations for that facility, and submit to the Division's local Environmental Assistance Center a brief summary of the proposed SWPPP modifications (including a timetable for implementation).

(3) Sampling Waiver

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

(b) Low Concentration Waiver—When the average concentration for a pollutant calculated from monitoring data collected from first 4 calendar years of monitoring is less than the corresponding reporting value for that pollutant (Monitoring Cut-Off Concentration), a facility may waive monitoring and reporting requirements in the last annual monitoring period. The facility must submit to the Division of Water Pollution Control, in lieu of the monitoring data, a certification that there has not been a significant change in industrial activity or the pollution prevention measures in area of the facility that drains to the outfall for which sampling was waived.

(c) When a discharger is unable to conduct annual chemical storm water sampling at an inactive and unstaffed site, the operator of the facility may exercise a waiver of the monitoring requirements as long as the facility remains inactive and unstaffed. The facility must submit to the Division of Water Pollution Control, in lieu of monitoring data, a certification statement on the TMSP Storm Water Monitoring Report stating that the site is inactive and unstaffed so that collecting a sample during a qualifying event is not possible.

(4) Representative Discharge. When a facility has two or more outfalls that, based on a consideration of industrial activity, significant materials, and management practices and activities within the area drained by the outfall, the permittee reasonably believes discharge substantially identical effluents, the permittee may test the effluent of one of such outfalls and report that the quantitative data also applies to

the substantially identical outfall(s) provided that the permittee includes in the storm water pollution prevention plan a description of the location of the outfalls and explains in detail why the outfalls are expected to discharge substantially identical effluents. In addition, for each outfall that the permittee believes is representative, an estimate of the size of the drainage area (in square feet) and an estimate of the runoff coefficient of the drainage area [e.g., low (under 40 percent), medium (40 to 65 percent), or high (above 65 percent)] shall be provided in the plan. The permittee shall include the description of the location of the outfalls, explanation of why outfalls are expected to discharge substantially identical effluents, and estimate of the size of the drainage area and runoff coefficient with the TMSP Storm Water Monitoring Report.

(5) Alternative Certification. A discharger is not subject to the monitoring requirements of this section provided the discharger makes a certification for a given outfall or on a pollutant-by-pollutant basis in lieu of monitoring reports required under paragraph (b) below, under penalty of law, signed in accordance with Part VII.G. (Signatory Requirements), that material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, industrial machinery or operations, or significant materials from past industrial activity that are located in areas of the facility within the drainage area of the outfall are not presently exposed to storm water and are not expected to be exposed to storm water for the certification period. Such certification must be retained in the storm water pollution prevention plan, and submitted to the Division of Water Pollution Control in accordance with Part VI.B. of this permit. In the case of certifying that a pollutant is not present, the permittee must submit the certification along with the monitoring reports required under paragraph b. below. If the permittee cannot certify for an entire period, they must submit the date exposure was eliminated and any monitoring required up until that date. This certification option is not applicable to compliance monitoring requirements associated with effluent limitations.

b) Reporting

Permittees with 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 Storm Water Monitoring Report Form(s) postmarked **no later than the March 31st of the following calendar year**. For each outfall, one signed TMSP Storm Water Monitoring Report form must be submitted to the Division of Water Pollution Control. Signed copies of TMSP Storm Water Monitoring Reports, or said certifications, shall be submitted to the following address:

**Enforcement and Compliance Section**
**Tennessee Division of Water Pollution Control**
**6th Floor L & C Annex**
**401 Church Street**
**Nashville, TN 37243-1534**

c) Compliance Monitoring Requirements. In addition to the monitoring required in paragraph 6a (above), permittees with contaminated storm water runoff from phosphate fertilizer manufacturing facilities must monitor their contaminated storm water discharges for the presence of phosphorus and fluoride at least annually (one time per year). Facilities must report in accordance with Part XI.C.6.c.(2) (Reporting). In addition to the parameters listed above, 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;

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

(2) Reporting. Permittees with phosphate fertilizer manufacturing facilities shall submit monitoring results obtained during the reporting period beginning [insert date of permit issuance] on TMSP Storm Water Monitoring Report Form(s) postmarked no later than the 31st day of the following [insert month after permit issuance date]. For each outfall, one signed TMSP Storm Water Monitoring Report form must be submitted to the Division of Water Pollution Control. Signed copies of TMSP Storm Water Monitoring Reports shall be submitted to the Enforcement and Compliance Section of the Division of Water Pollution Control located at 6th Floor L & C Annex, 401 Church Street, Nashville, TN 37243-1534.

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

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

(2) Visual 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 storm water discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.

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

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

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

# D Sector D - Storm Water Discharges Associated With Industrial Activity From Asphalt Paving and Roofing Materials and Lubricant Manufacturers

## 1. Discharges Covered Under This Section

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

| SIC Code | Sector D: Asphalt Paving, Roofing Materials, and Lubricant Manufacturing Facilities | Sampling Required? | Table Number |
|---|---|---|---|
| 2951 | Asphalt Paving Mixtures and Blocks | Yes | D-1 |
| 2952 | Asphalt Felts and Coatings | Yes | D-1 |
| 2992 | Lubricating Oils and Greases | No | -- |

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

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

- Storm water discharges from petroleum refining facilities, including those that manufacture asphalt or asphalt products and that are classified as SIC code 2911,
- Storm water discharges from oil recycling facilities, and
- Storm water discharges associated with fats and oils rendering.

## 2. Special Conditions

Prohibition of Non-storm Water Discharges. Except for those allowable non-storm water discharges included in Part IIIA2 (Allowable Non-Storm Water Discharges) of this permit, there are no other non-storm water discharges authorized in this Sector.

## 3. Storm Water Pollution Prevention Plan Requirements

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

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

team member. The activities and responsibilities of the team shall address all aspects of the facility's storm water pollution prevention plan.

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

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

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

Inventory of Exposed Materials—An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; method and location of onsite storage or disposal; materials management practices employed to minimize contact of materials with storm water runoff between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; the location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives.

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

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

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

Measures and Controls. Each facility covered by this permit shall develop a description of storm water management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls shall address the following minimum components, including a schedule for implementing such controls:

Good Housekeeping—Good housekeeping requires the maintenance of areas that may contribute pollutants to storm water discharges in a clean, orderly manner. Particular attention should be paid to areas where raw materials are stockpiled, material handling areas, storage areas, liquid storage tanks, material handling areas, and loading/unloading areas.

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

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

Inspections—In addition to or as part of the comprehensive site evaluation required under XI.D.3.a.(4) of this section, qualified facility personnel shall be identified to inspect designated equipment and areas of the facility at appropriate intervals specified in the plan. Material storage and handling areas, liquid storage tanks, hoppers or silos, vehicle and equipment maintenance, cleaning, and fueling areas, material handling vehicles, equipment and processing areas shall be inspected at least once per month as part of the maintenance program. A set of tracking or follow-up procedures shall be used to ensure that appropriate actions are taken in response to the inspections. Records of inspections shall be maintained.

Employee Training—Employee training programs shall inform personnel responsible for implementing activities identified in the storm water pollution prevention plan or otherwise responsible for storm water management at all levels of responsibility of the components and goals of the storm water pollution prevention plan. Training should address topics such as spill response, good housekeeping and material management practices. The pollution prevention plan shall identify periodic dates for such training.

Recordkeeping and Internal Reporting Procedures—A description of incidents (such as spills, or other discharges), along with other information describing the quality and quantity of storm water discharges

shall be included in the plan required under this part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan.

Non-storm Water Discharges

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

Sources of non-storm water that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge. Any non-storm water discharges that are not permitted under an individual NPDES permit should be brought to the attention of the Division's local Environmental Assistance Center (see list of EACs on page 15).

Failure to Certify—Any facility that is unable to provide the certification required (testing for non-storm water discharges), must notify the Division of Water Pollution Control not later than 180 days after submitting an NOI to be covered by this permit. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notification shall describe: the procedure of any test conducted for the presence of non-storm water discharges; the results of such test or other relevant observations; potential sources of non-storm water discharges to the storm sewer; and why adequate tests for such storm sewers were not feasible. Non-storm water discharges to waters of the State that are not authorized by an NPDES permit are unlawful, and must be terminated.

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

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

process or as an irrigation source), inlet controls (such as oil/water separators), infiltration devices, and detention/retention basins or other equivalent measures.

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

Areas contributing to a storm water discharge associated with industrial activity including; material storage and handling areas, liquid storage tanks, hoppers or silos, vehicle and equipment maintenance, cleaning, and fueling areas, material handling vehicles, equipment and processing areas, and areas where aggregate is stockpiled outdoors shall be visually inspected for evidence of, or the potential for, pollutants entering the drainage system. Measures to reduce pollutant loadings shall be evaluated to determine whether they are adequate and properly implemented in accordance with the terms of the permit or whether additional control measures are needed. Structural storm water management measures, (e.g., oil/water separators, detention ponds, sedimentation basins or equivalent measures) sediment and erosion control measures, and other structural pollution prevention measures identified in the plan shall be observed to ensure that they are operating correctly. A visual inspection of equipment needed to implement the plan, such as dust collection equipment and spill response equipment, shall be made.

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

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

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

4. Numeric Effluent Limitations.

In addition to the numeric effluent limitations listed in Part V.B. of this permit, discharges from areas where production of asphalt paving and roofing emulsions occurs may not exceed a TSS concentration of 23.0 mg/L of runoff for any 1 day, nor shall the average of daily values for 30 consecutive days exceed a TSS concentration of 15.0 mg/L of runoff. Oil and grease concentrations in storm water discharges from these areas may not exceed 15.0 mg/L of runoff for any 1 day, nor should the average daily values for 30 consecutive days exceed an oil and grease concentration of 10.0 mg/L of runoff. The pH of these discharges must be within the range of 6.0 to 9.0.

5. Monitoring and Reporting Requirements

a) Analytical Monitoring Requirements

During the term of this permit, permittees covered under this sector must monitor their storm water discharges associated with industrial activity at least once per calendar year (annually), except as provided in paragraphs 5.a.(3) (Sampling Waiver), 5.a.(4) (Representative Discharge), and 5.a.(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.b. (Reporting). In addition to the parameters listed in Table D-1 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 D-1. Monitoring Requirements for Asphalt Paving and Roofing Materials Mfg. Facilities**

| Pollutants of Concern | Cut-Off Concentration | Sector Median Value * [mg/L] |
|---|---|---|
| Total Suspended Solids | 200 mg/L | 24 |

* Sector Median Value is a pollutant concentration calculated from all sampling results provided from facilities classified in this sector during the previous permit term. By definition, a median is a statistical term identifying a number that divides numerically ordered data into two equal halves. In easier terms, the median is the middle piece of data when those data are placed in numerical order, or the average of the middle two if there is an even number of items. Therefore, median concentration(s) listed above represent a concentration value typical for and achieved by industries in this sector.

(1) Monitoring Periods. Asphalt paving and roofing materials manufacturing facilities shall monitor samples collected during any period of a calendar year, as long as the samples are representative of the quantity and quality of the storm water runoff being discharged from the facility.

(2) Sample Type. A minimum of one grab sample shall be taken. All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. The required 72-hour storm event interval is waived where the preceding measurable storm event did not

result in a measurable discharge from the facility. The required 72-hour storm event interval may also be waived where the permittee documents that less than a 72-hour interval is representative for local storm events during the season when sampling is being conducted. The grab sample shall be taken during the first 30 minutes of the discharge. If the collection of a grab sample during the first 30 minutes is impracticable, a grab sample can be taken during the first hour of the discharge, and the discharger shall submit with the monitoring report a description of why a grab sample during the first 30 minutes was impracticable. If storm water discharges associated with industrial activity commingle with process or nonprocess water, then where practicable permittees must attempt to sample the storm water discharge before it mixes with the non-storm water discharge.

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 cut-off concentrations as shown in the table above. If the results of annual storm water runoff monitoring demonstrate that the facility has exceeded the cut-off concentration(s), the permittee must inform the Division's local Environmental Assistance Center in writing within 30 days from the time storm water monitoring results were received, describing the likely cause of the exceedance(s). Furthermore, within 60 days from the time storm water monitoring results were received, the facility must review its storm water pollution prevention plan, make any modifications or additions to the plan which would assist in reducing effluent concentrations to less than the monitoring cut-off concentrations for that facility, and submit to the Division's local Environmental Assistance Center a brief summary of the proposed SWPPP modifications (including a timetable for implementation).

(3) Sampling Waiver

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

(b) Low Concentration Waiver—When the average concentration for a pollutant calculated from monitoring data collected from first 4 calendar years of monitoring is less than the corresponding reporting value for that pollutant (Monitoring Cut-Off Concentration), a facility may waive monitoring and reporting requirements in the last annual monitoring period. The facility must submit to the Division of Water Pollution Control, in lieu of the monitoring data, a certification that there has not been a significant change in industrial activity or the pollution prevention measures in area of the facility that drains to the outfall for which sampling was waived.

(c) When a discharger is unable to conduct annual chemical storm water sampling at an inactive and unstaffed site, the operator of the facility may exercise a waiver of the monitoring requirements as long as the facility remains inactive and unstaffed. The facility must submit to the Division of Water Pollution Control, in lieu of monitoring data, a certification statement on the TMSP Storm Water Monitoring Report stating that the site is inactive and unstaffed so that collecting a sample during a qualifying event is not possible.

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

(5) Alternative Certification. A discharger is not subject to the monitoring requirements of this section provided the discharger makes a certification for a given outfall or on a pollutant-by-pollutant basis in lieu of monitoring reports required under paragraph (b) below, under penalty of law, signed in accordance with Part VII.G. (Signatory Requirements), that material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, industrial machinery or operations, or significant materials from past industrial activity that are located in areas of the facility within the drainage area of the outfall are not presently exposed to storm water and are not expected to be exposed to storm water for the certification period. Such certification must be retained in the storm water pollution prevention plan, and submitted to the Division of Water Pollution Control in accordance with Part VI.B. of this permit. In the case of certifying that a pollutant is not present, the permittee must submit the certification along with the monitoring reports required under paragraph (b) below. If the permittee cannot certify for an entire period, they must submit the date exposure was eliminated and any monitoring required up until that date. This certification option is not applicable to compliance monitoring requirements in part XI.D.5.c of this permit associated with effluent limitations.

b) 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 Storm Water Monitoring Report Form(s) postmarked **no later than the March 31st of the following calendar year**. For each outfall, one signed TMSP Storm Water Monitoring Report form must be submitted to the Division of Water Pollution Control. Signed copies of TMSP Storm Water Monitoring Reports, or said certifications, shall be submitted to the following address:

**Enforcement and Compliance Section**
**Tennessee Division of Water Pollution Control**
**6th Floor L & C Annex**
**401 Church Street**
**Nashville, TN 37243-1534**

d) Quarterly Visual Examination of Storm Water Quality. Facilities shall perform and document a visual examination of a storm water discharge associated with industrial activity from each outfall, except discharges exempted below. The examination must be made at least once in each designated period

[described in (1), below] during daylight hours unless there is insufficient rainfall or snow melt to produce a runoff event.

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

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

(3) Visual 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 storm water discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.

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

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

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

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

(1) Sample Type. A minimum of one grab sample shall be taken. All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. The grab sample shall be taken during the first 30 minutes of the discharge. If the collection of a grab sample during the first 30 minutes is impracticable, a grab sample can be taken during the first hour of the discharge, and the discharger shall submit with the monitoring report a description of why a grab sample during the first 30 minutes was impracticable.

(2) Reporting

Permittees with 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 Storm Water Monitoring Report Form(s) postmarked **no later than the March 31st of the following calendar year**. For each outfall, one signed TMSP Storm Water Monitoring Report form must be submitted to the Division of Water Pollution Control. Signed copies of TMSP Storm Water Monitoring Reports, or said certifications, shall be submitted to the following address:

**Enforcement and Compliance Section**
**Tennessee Division of Water Pollution Control**
**6th Floor L & C Annex**
**401 Church Street**
**Nashville, TN 37243-1534**

# E Sector E - Storm Water Discharges Associated With Industrial Activity From Glass, Clay, Cement, Concrete, and Gypsum Product Manufacturing Facilities

## 1. Discharges Covered Under This Section

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

| SIC Code | Sector E: Glass, Clay, Cement, Concrete, and Gypsum Product Manufacturing Facilities | Sampling Required? | Table Number |
|---|---|---|---|
| 3211 | Flat Glass | No | -- |
| 3221 | Glass Containers | No | -- |
| 3229 | Pressed and Blown Glass and Glassware, NEC | No | -- |
| 3231 | Glass Products, Made of Purchased Glass | No | -- |
| 3241 | Cement, Hydraulic | No | -- |
| 3251 | Brick and Structural Clay Tile | Yes | E-1 |
| 3253 | Ceramic Wall and Floor Tile | Yes | E-1 |
| 3255 | Clay Refractories | Yes | E-1 |
| 3259 | Structural Clay Products, NEC | Yes | E-1 |
| 3261 | Vitreous China Plumbing Fixtures and China and Earthenware Fittings and Bathroom Accessories | No | -- |
| 3262 | Vitreous China Table and Kitchen Articles | No | -- |
| 3263 | Fine Earthenware (Whiteware) Table and Kitchen Articles | No | -- |
| 3264 | Porcelain Electrical Supplies | No | -- |
| 3269 | Pottery Products, NEC | No | -- |
| 3271 | Concrete Block and Brick | Yes | E-2 |
| 3272 | Concrete Products, Except Block and Brick | Yes | E-2 |
| 3273 | Ready-Mixed Concrete | Yes | E-2 |
| 3274 | Lime | Yes | E-2 |
| 3275 | Gypsum Products | Yes | E-2 |
| 3281 | Cut Stone and Stone Products | No | -- |
| 3295 | Minerals and Earths, Ground or Otherwise Treated | No | -- |
| 3296 | Mineral Wool | No | -- |
| 3297 | Nonclay Refractories | No | -- |
| 3299 | Nonmetallic Mineral Products, NEC | No | -- |

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 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-storm Water Discharges. Except for those allowable non-storm water discharges included in Part IIIA2 (Allowable Non-Storm Water Discharges) of this permit, there are no other non-storm water discharges authorized in this Sector.

3. Storm Water Pollution Prevention Plan Requirements

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

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

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

Drainage. A site map indicating an outline of the portions of the drainage area of each storm water outfall that are within the facility boundaries, each existing structural control measure to reduce pollutants in storm water runoff, surface water bodies, locations where significant materials are exposed to precipitation, locations where major spills or leaks identified under Part XI.E.3.a.(2)(c) (Spills and Leaks) of this permit have occurred, and the locations of the following activities where such activities are exposed to precipitation: fueling stations, vehicle and equipment maintenance and/or cleaning areas, loading/unloading areas, locations used for the treatment, storage or disposal of wastes, liquid storage tanks, processing areas and storage areas. Facilities shall also identify, on the site map, the location of any: bag house or other dust control device; recycle/sedimentation pond, clarifier or other device used for the treatment of process wastewater and the areas that drain to the treatment device. The map must indicate the outfall locations and the types of discharges contained in the drainage areas of the outfalls.

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

Inventory of Exposed Materials—An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; method and location of onsite storage or disposal; materials

management practices employed to minimize contact of materials with storm water runoff between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; the location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives.

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

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

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

Measures and Controls. Each facility covered by this permit shall develop a description of storm water management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls shall address the following minimum components, including a schedule for implementing such controls:

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

Facilities shall prevent or minimize the discharge of spilled cement, aggregate (including sand or gravel), kiln dust, fly ash, settled dust other significant materials in storm water from paved portions of the site that are exposed to storm water. Measures used to minimize the presence of these materials may include regular sweeping, or other equivalent measures. The plan shall indicate the frequency of sweeping or other measures. The frequency shall be determined based upon consideration of the amount of industrial activity occurring in the area and frequency of precipitation, but shall not be less than once per week when cement, aggregate, kiln dust or fly ash are being handled or otherwise processed in the area.

Facilities shall prevent the exposure of fine granular solids such as cement, fly ash, and kiln dust to storm water. Where practicable, these materials shall be stored in enclosed silos, hoppers or buildings, in covered areas, or under covering.

Preventive Maintenance—A preventive maintenance program shall involve routine inspection and maintenance of storm water management devices (e.g., cleaning oil/water separators, catch basins) as well as inspecting and testing facility equipment and systems to uncover conditions that could cause

breakdowns or failures resulting in discharges of pollutants to surface waters, and ensuring appropriate maintenance of such equipment and systems.

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

Inspections—Qualified facility personnel shall be identified to inspect designated equipment and areas of the facility specified in the plan. The inspection frequency shall be specified in the plan based upon a consideration of the level of industrial activity at the facility, but shall be a minimum of once per month while the facility is in operation. The inspection shall take place while the facility is in operation and shall at a minimum include all of the following areas that are exposed to storm water at the site: material handling areas, above ground storage tanks, hoppers or silos, dust collection/containment systems, truck wash down and equipment cleaning areas. 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.

Employee Training—Employee training programs shall inform personnel responsible for implementing activities identified in the storm water pollution prevention plan or otherwise responsible for storm water management at all levels of responsibility of the components and goals of the storm water pollution prevention plan. Training should address topics such as spill response, good housekeeping, truck wash out procedures, equipment wash down procedures and material management practices. The pollution prevention plan shall identify periodic dates for such training.

Recordkeeping and Internal Reporting Procedures—A description of incidents (such as spills, or other discharges), along with other information describing the quality and quantity of storm water discharges shall be included in the plan required under this part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan.

Non-storm Water Discharges

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

Facilities engaged in production of concrete block, brick or other products shall include in the certification a description of measures that insure that process waste water that results from washing of trucks, mixers, transport buckets, forms or other equipment are discharged in accordance with NPDES requirements or are recycled. Facilities with wash water recycle ponds shall include an estimate of the amount of rainfall (in inches) required to cause the recycle pond to overflow in a 24-hour period.

Sources of non-storm water that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge. Any non-storm water discharges that are not permitted under an individual NPDES permit should be brought to the attention of the Division's local Environmental Assistance Center (see list of EACs on page 15).

Failure to Certify—Any facility that is unable to provide the certification required (testing for non-storm water discharges), must notify the Division of Water Pollution Control not later than 180 days after submitting an NOI to be covered by this permit. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notification shall describe: the procedure of any test conducted for the presence of non-storm water discharges; the results of such test or other relevant observations; potential sources of non-storm water discharges to the storm sewer; and why adequate tests for such storm sewers were not feasible. Non-storm water discharges to waters of the State that are not authorized by an NPDES permit are unlawful, and must be terminated.

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

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

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

Areas contributing to a storm water discharge associated with industrial activity including but not limited to: material handling areas, above ground storage tanks, hoppers or silos, dust collection/containment systems, truck wash down and equipment cleaning areas shall be visually inspected for evidence of, or the potential for, pollutants entering the drainage system. Measures to reduce pollutant loadings shall be evaluated to determine whether they are adequate and properly implemented in accordance with the terms of the permit or whether additional control measures are

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

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

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

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

4. Numeric Effluent Limitations

In addition to the numeric effluent limitations described by Part V.B, the following limitations shall be met by existing and new dischargers.

Cement Manufacturing Facility, Material Storage Runoff. Any discharge composed of runoff that derives from the storage of materials including raw materials, intermediate products, finished products, and waste materials that are used in or derived from the manufacture of cement shall not exceed a maximum concentration for any time of 50 mg/L Total Suspended Solids (TSS) nor the 6.0 to 9.0 range limitation for pH. Runoff from the storage piles shall not be diluted with other storm water runoff or flows to meet this limitation. Any untreated overflow from facilities designed, constructed and operated to treat the volume of material storage pile runoff that is associated with a 10-year, 24-hour rainfall event shall not be subject to the TSS or pH limitations. Dischargers subject to these numeric effluent limitations must be in compliance with these limits upon commencement of coverage and for the entire term of this permit.

5. Monitoring and Reporting Requirements

a) Analytical Monitoring Requirements

During the term of this permit, permittees covered under this sector must monitor their storm water discharges associated with industrial activity at least once per calendar year (annually), except as provided in paragraphs 5.a.(3) (Sampling Waiver), 5.a.(4) (Representative Discharge), and 5.a.(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.b. (Reporting). In addition to the parameters listed in Tables E-1 and E-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 E-1. Monitoring Requirements for Clay Product Manufacturers**

| Pollutants of Concern | Monitoring Cut-Off Concentration | Sector Median Value * [mg/L] |
|---|---|---|
| Total Recoverable Aluminum | 0.75 mg/L | 1.15 |

**Table E-2. Monitoring Requirements for Concrete and Gypsum Product Manufacturers**

| Pollutants of Concern | Monitoring Cut-Off Concentration | Sector Median Value * [mg/L] |
|---|---|---|
| Total Suspended Solids (TSS) | 200 mg/L | 29 |
| Total Recoverable Iron | 5.0 mg/L | 1.3 |

* Sector Median Value is a pollutant concentration calculated from all sampling results provided from facilities classified in this sector during the previous permit term. By definition, a median is a statistical term identifying a number that divides numerically ordered data into two equal halves. In easier terms, the median is the middle piece of data when those data are placed in numerical order, or the average of the middle two if there is an even number of items. Therefore, median concentration(s) listed above represent a concentration value typical for and achieved by industries in this sector.

(1) Monitoring Periods. Facilities subject to analytical monitoring requirements described in part XI.E.5.a, shall monitor samples collected during any period of a calendar year, as long as the samples are representative of the quantity and quality of the storm water runoff being discharged from the facility.

(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 waived when the preceding measurable storm event did not result in a measurable discharge from the facility. The required 72-hour storm event interval may also be waived where the permittee documents that less than a 72-hour interval is representative for local storm events during the season when sampling is being conducted. The grab sample shall be taken during the first 30 minutes of the discharge. If the collection of a grab sample during the first 30 minutes is impracticable, a grab sample can be taken during the first hour of the discharge, and the discharger shall submit with the monitoring report a description of why a grab sample during the first 30 minutes was impracticable. If storm water discharges associated with industrial activity commingle with process or non-process water, then where practicable permittees must attempt to sample the storm water discharge before it mixes with the non-storm water discharge.

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 cut-off concentrations as shown in the table above. If the results of annual storm water runoff monitoring demonstrate that the facility has exceeded the cut-off concentration(s), the permittee must inform the Division's local Environmental Assistance Center in writing within 30 days from the time storm water monitoring results were received, describing the likely cause of the exceedance(s). Furthermore, within 60 days from the time storm water monitoring results were received, the facility must review its storm water pollution prevention plan, make any modifications or additions to the plan which would assist in reducing effluent concentrations to less than the monitoring cut-off concentrations for that facility, and submit to the Division's local Environmental Assistance Center a brief summary of the proposed SWPPP modifications (including a timetable for implementation).

(3) Sampling Waiver

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

(b) Low Concentration Waiver—When the average concentration for a pollutant calculated from monitoring data collected from first 4 calendar years of monitoring is less than the corresponding reporting value for that pollutant (Monitoring Cut-Off Concentration), a facility may waive monitoring and reporting requirements in the last annual monitoring period. The facility must submit to the Division of Water Pollution Control, in lieu of the monitoring data, a certification that there has not been a significant change in industrial activity or the pollution prevention measures in area of the facility that drains to the outfall for which sampling was waived.

(c) When a discharger is unable to conduct annual chemical storm water sampling at an inactive and unstaffed site, the operator of the facility may exercise a waiver of the monitoring requirements as long as the facility remains inactive and unstaffed. The facility must submit to the Division of Water Pollution Control, in lieu of monitoring data, a certification statement on the TMSP Storm Water Monitoring Report stating that the site is inactive and unstaffed so that collecting a sample during a qualifying event is not possible.

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

location of the outfalls, explanation of why outfalls are expected to discharge substantially identical effluents, and estimate of the size of the drainage area and runoff coefficient with the TMSP Storm Water Monitoring Report.

(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, on pollutant by pollutant basis in lieu of monitoring reports required by paragraph (b) below, under penalty of law, signed in accordance with Part VII.G. (Signatory Requirements), that material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, industrial machinery or operations, or significant materials from past industrial activity that are located in areas of the facility within the drainage area of the outfall are not presently exposed to storm water and are not expected to be exposed to storm water for the certification period. Such certification must be retained in the storm water pollution prevention plan, and submitted to the Division of Water Pollution Control in accordance with Part VI.B. of this permit. In the case of certifying that a pollutant is not present, the permittee must submit the certification along with the monitoring reports required under paragraph (b) below. If the permittee cannot certify for an entire period, they must submit the date exposure was eliminated and any monitoring required up until that date. This certification option is not applicable to compliance monitoring requirements associated with effluent limitations. The Division of Water Pollution Control does not expect facilities to be able to exercise this certification for indicator parameters, such as TSS and BOD.

b) 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 Storm Water Monitoring Report Form(s) postmarked **no later than the March 31st of the following calendar year**. For each outfall, one signed TMSP Storm Water Monitoring Report form must be submitted to the Division of Water Pollution Control. Signed copies of TMSP Storm Water Monitoring Reports, or said certifications, shall be submitted to the following address:

**Enforcement and Compliance Section**
**Tennessee Division of Water Pollution Control**
**6th Floor L & C Annex**
**401 Church Street**
**Nashville, TN 37243-1534**

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

(1) Examinations shall be made of grab samples collected within the first 30 minutes (or as soon thereafter as practical, but not to exceed 1 hour) of when the runoff or snowmelt begins discharging. The examinations shall document observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution. The examination must be

conducted in a well lit area. No analytical tests are required to be performed on the samples. All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. Where practicable, the same individual should carry out the collection and examination of discharges for entire permit term.

(2) Visual examination reports must be maintained onsite in the pollution prevention plan or with other compliance records 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 storm water discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.

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

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

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

d) Compliance Monitoring Requirements. Permittees with cement manufacturing facilities must monitor runoff from material storage for the presence of TSS and pH at least annually (one time per year). Facilities must report in accordance with 5.d.(2) below (reporting). In addition to the parameters listed above, 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.

(1) Sample Type. A minimum of one grab sample shall be taken. All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. The grab sample shall be taken during the first 30 minutes of the discharge. If the collection of a grab sample during the first 30 minutes is impracticable, a grab sample can be taken during the first hour of the discharge, and the discharger shall submit with the monitoring report a description of why a grab sample during the first 30 minutes was impracticable.

(2) Reporting

Permittees with 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 Storm Water Monitoring Report Form(s) postmarked **no later than the March 31st of the following calendar year**. For each outfall, one signed TMSP Storm Water Monitoring Report form must be submitted to the Division of Water Pollution Control. Signed copies of TMSP Storm Water Monitoring Reports, or said certifications, shall be submitted to the following address:

**Enforcement and Compliance Section**
**Tennessee Division of Water Pollution Control**
**6th Floor L & C Annex**
**401 Church Street**
**Nashville, TN 37243-1534**

# F Sector F - Storm Water Discharges Associated With Industrial Activity From Primary Metals Facilities

## 1. Discharges Covered Under This Section

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

| SIC Code | Sector F: Primary Metals Facilities | Sampling Required? | Table Number |
|---|---|---|---|
| 3312 | Steel Works, Blast Furnaces (Including Coke Ovens), and Rolling Mills | Yes | F-1 |
| 3313 | Electrometallurgical Products, Except Steel | Yes | F-1 |
| 3315 | Steel Wiredrawing and Steel Nails and Spikes | Yes | F-1 |
| 3316 | Cold-Rolled Steel Sheet, Strip, and Bars | Yes | F-1 |
| 3317 | Steel Pipe and Tubes | Yes | F-1 |
| 3321 | Gray and Ductile Iron Foundries | Yes | F-2 |
| 3322 | Malleable Iron Foundries | Yes | F-2 |
| 3324 | Steel Investment Foundries | Yes | F-2 |
| 3325 | Steel Foundries, NEC | Yes | F-2 |
| 3331 | Primary Smelting and Refining of Copper | No | -- |
| 3334 | Primary Production of Aluminum | No | -- |
| 3339 | Primary Smelting and Refining of Nonferrous Metals, Except Copper and Aluminum | No | -- |
| 3341 | Secondary Smelting and Refining of Nonferrous Metals | No | -- |
| 3351 | Rolling, Drawing, and Extruding of Copper | Yes | F-3 |
| 3353 | Aluminum Sheet, Plate, and Foil | Yes | F-3 |
| 3354 | Aluminum Extruded Products | Yes | F-3 |
| 3355 | Aluminum Rolling and Drawing, NEC | Yes | F-3 |
| 3356 | Rolling, Drawing, and Extruding of Nonferrous Metals, Except Copper and Aluminum | Yes | F-3 |
| 3357 | Drawing and Insulating of Nonferrous Wire | Yes | F-3 |
| 3363 | Aluminum Die-Castings | Yes | F-4 |
| 3364 | Nonferrous Die-Castings, Except Aluminum | Yes | F-4 |
| 3365 | Aluminum Foundries | Yes | F-4 |
| 3366 | Copper Foundries | Yes | F-4 |
| 3369 | Nonferrous Foundries, Except Aluminum and Copper | Yes | F-4 |
| 3398 | Metal Heat Treating | No | -- |
| 3399 | Primary Metal Products, NEC | No | -- |

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 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-storm Water Discharges. Except for those allowable non-storm water discharges included in Part IIIA2 (Allowable Non-Storm Water Discharges) of this permit, there are no other non-storm water discharges authorized in this Sector.

3. Storm Water Pollution Prevention Plan Requirements

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

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

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

Drainage. A site map indicating an outline of the portions of the drainage area of each storm water outfall that are within the facility boundaries, each existing structural control measure to reduce pollutants in storm water runoff, surface water bodies, locations where significant materials are exposed to precipitation, locations where major spills or leaks identified under Part XI.F.3.a.(2)(c) (Spills and Leaks) of this permit have occurred, and the locations of the following activities where such activities are exposed to precipitation: fueling stations, vehicle and equipment maintenance and/or cleaning areas, loading/unloading areas, locations used for the treatment, storage or disposal of wastes such as spent solvents or baths, sand, slag or dross, liquid storage tanks or drums, processing areas including pollution control equipment such as baghouses, and storage areas of raw materials such as coal, coke, scrap, sand, fluxes, refractories, or metal in any form. The map shall also indicate areas of the facility where accumulation of significant amounts of particulate matter from operations such as furnace or oven emissions or losses from coal/coke handling operations, etc., is likely, and could result in a discharge of pollutants to waters of the State. The map must indicate the outfall locations and the types of discharges contained in the drainage areas of the outfalls.

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

Inventory of Exposed Materials—An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of

significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; method and location of onsite storage or disposal; materials management practices employed to minimize contact of materials with storm water runoff between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; the location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives. This description should also include areas with the potential for deposition of particulate matter from process air emissions or losses during material handling activities. The description shall be updated whenever there is a significant change in the type or quantity of exposed materials, or material management practices, that may affect the exposure of materials to storm water.

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

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

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

Measures and Controls. Each facility covered by this permit shall develop a description of storm water management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls shall address the following minimum components, including a schedule for implementing such controls:

Good Housekeeping—Good housekeeping requires the maintenance of areas that may contribute pollutants to storm water discharges in a clean, orderly manner. The pollution prevention plan should consider implementation of the following measures, or equivalent measures, where applicable.

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

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

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

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

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

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

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

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

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

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

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

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

Spill Prevention and Response Procedures—Areas where potential spills that can contribute pollutants to storm water discharges may occur, and their accompanying drainage points shall be

identified clearly in the storm water pollution prevention plan. Where appropriate, specifying material handling procedures, storage requirements, and use of equipment such as diversion valves in the plan should be considered. Procedures for cleaning up spills shall be identified in the plan and made available to the appropriate personnel. The necessary equipment to implement a clean up should be available to personnel.

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

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

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

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

Employee Training—Employee training programs shall inform personnel responsible for implementing activities identified in the storm water pollution prevention plan or otherwise responsible for storm water management at all levels of responsibility of the components and goals of the storm water pollution prevention plan. Training should address topics such as spill response, good housekeeping and material management practices. The pollution prevention plan shall identify periodic dates for such training.

Recordkeeping and Internal Reporting Procedures—A description of incidents (such as spills, or other discharges), along with other information describing the quality and quantity of storm water discharges shall be included in the plan required under this part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan.

Non-storm Water Discharges

Certification. The plan shall include a certification that the discharge has been tested or evaluated for the presence of non-storm water discharges. The certification shall include the identification of potential significant sources of non-storm water at the site, a description of the results of any test and/or evaluation for the presence of non-storm water discharges, the evaluation criteria or testing method used, the date of any testing and/or evaluation, and the onsite drainage points that were directly observed during the test. Certifications shall be signed in accordance with Part VII.G. of this permit. Such certification

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

Sources of non-storm water that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge. Any non-storm water discharges that are not permitted under an individual NPDES permit should be brought to the attention of the Division's local Environmental Assistance Center (see list of EACs on page 15).

Failure to Certify—Any facility that is unable to provide the certification required (testing for non-storm water discharges), must notify the Division of Water Pollution Control not later than 180 days after submitting an NOI to be covered by this permit. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notification shall describe: the procedure of any test conducted for the presence of non-storm water discharges; the results of such test or other relevant observations; potential sources of non-storm water discharges to the storm sewer; and why adequate tests for such storm sewers were not feasible. Non-storm water discharges to waters of the State that are not authorized by an NPDES permit are unlawful, and must be terminated.

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

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

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

Media filtration such as catch basin filters and sand filters.

Oil/water separators or the equivalent.

Structural BMPs such as settling basins, sediment traps, retention or detention ponds, recycling ponds or other equivalent measures.

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

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

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

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

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

4. Numeric Effluent Limitations

There are no additional effluent limitations beyond those described in Part V.B. of this permit.

5. Monitoring and Reporting Requirements

a) Analytical Monitoring Requirements

During the term of this permit, permittees covered under this sector must monitor their storm water discharges associated with industrial activity at least once per calendar year (annually), except as provided in paragraphs 5.a.(3) (Sampling Waiver), 5.a.(4) (Representative Discharge), and 5.a.(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.b. (Reporting). In addition to the parameters listed in Tables F-1 through F□4 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 F-1. Steel Works, Blast Furnaces, and Rolling and Finishing Mills (SIC 331) Monitoring Requirements**

| Pollutants of Concern | Cut-Off Concentration | Sector Median Value * [mg/L] |
|---|---|---|
| Total Recoverable Aluminum | 0.75 mg/L | 1.19 |
| Total Recoverable Zinc | 0.395 mg/L | 0.16 |
| Chemical Oxygen Demand (COD) | 120 | 99.3 |

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

| Pollutants of Concern | Cut-Off Concentration | Sector Median Value * [mg/L] |
|---|---|---|
| Total Recoverable Aluminum | 0.75 mg/L | 1.19 |
| Total Suspended Solids | 200 mg/L | 50 |
| Total Recoverable Copper | 0.0636 mg/L | 0.029 |
| Total Recoverable Iron | 5.0 mg/L | 1.9 |
| Total Recoverable Zinc | 0.395 mg/L | 0.16 |
| Chemical Oxygen Demand (COD) | 120 | 99.3 |

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

| Pollutants of Concern | Cut-Off Concentration | Sector Median Value * [mg/L] |
|---|---|---|
| Total Recoverable Copper | 0.0636 mg/L | 0.029 |
| Total Recoverable Zinc | 0.395 mg/L | 0.16 |
| Chemical Oxygen Demand (COD) | 120 | 99.3 |

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

| Pollutants of Concern | Cut-Off Concentration | Sector Median Value * [mg/L] |
|---|---|---|
| Total Recoverable Copper | 0.0636 mg/L | 0.029 |
| Total Recoverable Zinc | 0.395 mg/L | 0.16 |
| Chemical Oxygen Demand (COD) | 120 | 99.3 |

* Sector Median Value is a pollutant concentration calculated from all sampling results provided from facilities classified in this sector during the previous permit term. By definition, a median is a statistical term identifying a number that divides numerically ordered data into two equal halves. In easier terms, the median is the middle piece of data when those data are placed in numerical order, or the average of the middle two if there is an even number of items. Therefore, median concentration(s) listed above represent a concentration value typical for and achieved by industries in this sector.

(1) Monitoring Periods. Primary metals facilities shall monitor samples collected during any period of a calendar year, as long as the samples are representative of the quantity and quality of the storm water runoff being discharged from the facility.

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

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 cut-off concentrations as shown in the table above. If the results of annual storm water runoff monitoring demonstrate that the facility has exceeded the cut-off concentration(s), the permittee must inform the Division's local Environmental Assistance Center in writing within 30 days from the time storm water monitoring results were received, describing the likely cause of the exceedance(s). Furthermore, within 60 days from the time storm water monitoring results were received, the facility must review its storm water pollution prevention plan, make any modifications or additions to the plan which would assist in reducing effluent concentrations to less than the monitoring cut-off concentrations for that facility, and submit to the Division's local Environmental Assistance Center a brief summary of the proposed SWPPP modifications (including a timetable for implementation).

(3) Sampling Waiver

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

(b) Low Concentration Waiver—When the average concentration for a pollutant calculated from monitoring data collected from first 4 calendar years of monitoring is less than the corresponding reporting value for that pollutant (Monitoring Cut-Off Concentration), a facility may waive monitoring and reporting requirements in the last annual monitoring period. The facility must submit to the Division of Water Pollution Control, in lieu of the monitoring data, a certification that there has not been a significant change in industrial activity or the pollution prevention measures in area of the facility that drains to the outfall for which sampling was waived.

(c) When a discharger is unable to conduct annual chemical storm water sampling at an inactive and unstaffed site, the operator of the facility may exercise a waiver of the monitoring requirements as long as the facility remains inactive and unstaffed. The facility must submit to the Division of Water Pollution Control, in lieu of monitoring data, a certification statement on the TMSP Storm Water Monitoring Report stating that the site is inactive and unstaffed so that collecting a sample during a qualifying event is not possible.

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

(5) Alternative Certification. A discharger is not subject to the monitoring requirements of this section provided the discharger makes a certification for a given outfall or on a pollutant-by-pollutant basis in lieu of monitoring reports required under paragraph (b) below, under penalty of law, signed in accordance with Part VII.G. (Signatory Requirements), that material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, industrial machinery or operations, or significant materials from past industrial activity that are located in areas of the facility within the drainage area of the outfall are not presently exposed to storm water and are not expected to be exposed to storm water for the certification period. Such certification must be retained in the storm water pollution prevention plan, and submitted to the Division of Water Pollution Control in accordance with Part VI.B. of this permit. In the case of certifying that a pollutant is not present, the permittee must

submit the certification along with the monitoring reports required under paragraph (b) below. If the permittee cannot certify for an entire period, they must submit the date exposure was eliminated and any monitoring required up until that date. The certification option is not applicable to compliance monitoring requirements associated with effluent limitations.

b) Reporting

Permittees with 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 Storm Water Monitoring Report Form(s) postmarked **no later than the March 31st of the following calendar year**. For each outfall, one signed TMSP Storm Water Monitoring Report form must be submitted to the Division of Water Pollution Control. Signed copies of TMSP Storm Water Monitoring Reports, or said certifications, shall be submitted to the following address:

**Enforcement and Compliance Section**
**Tennessee Division of Water Pollution Control**
**6th Floor L & C Annex**
**401 Church Street**
**Nashville, TN 37243-1534**

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

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

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

(3) Visual examination reports must be maintained onsite in the pollution prevention plan or with other compliance records 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 storm water discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.

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

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

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

## G Sector G - Storm Water Discharges Associated With Industrial Activity From Metal Mining (Ore Mining and Dressing) Facilities

# RESERVED

# H Sector H - Storm Water Discharges Associated With Industrial Activity From Inactive Coal Mines Not Under SMCRA Bond and Inactive Coal Mining-Related Facilities

## 1. Discharges Covered Under This Section

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

| SIC Code | Sector H: Inactive Coal Mines and Inactive Coal Mining-Related Facilities | Sampling Required? | Table Number |
|---|---|---|---|
| 1221 | Bituminous Coal and Lignite Surface Mining | Yes | H-1 |
| 1222 | Bituminous Coal Underground Mining | Yes | H-1 |
| 1231 | Anthracite Mining | Yes | H-1 |
| 1241 | Coal Mining Services | Yes | H-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 facility shall determine which other monitoring and pollution prevention plan section(s) of this permit (if any) are applicable to the facility.

Limitations. Storm water discharges from inactive mining activities occurring on Federal lands where an operator cannot be identified are not eligible for coverage under this permit.

## 2. Special Conditions

Prohibition of Non-storm Water Discharges. Except for those allowable non-storm water discharges included in Part IIIA2 (Allowable Non-Storm Water Discharges) of this permit, there are no other non-storm water discharges authorized in this Sector.

## 3. Storm Water Pollution Prevention Plan Requirements

Most active coal mining-related areas are subject to sediment and erosion control regulations of the U.S. Office of Surface Mining (OSM) that enforces the Surface Mining Control and Reclamation Act (SMCRA). OSM has granted authority to most coal- producing states to implement SMCRA through State SMCRA regulations. All SMCRA requirements regarding control of erosion, siltation and other pollutants resulting from storm water runoff, including road dust resulting from erosion, shall be primary requirements of the pollution prevention plan and shall be included in the contents of the plan directly, or by reference. Where determined to be appropriate for protection of water quality, additional sedimentation and erosion controls may be warranted.

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

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

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

Drainage. A site map, such as a drainage map required for SMCRA permit applications, that indicate drainage areas and storm water outfalls. These shall include but not be limited to the following:

Drainage direction and discharge points from all applicable mining-related areas described in Section XI.H.1.a. (discharges covered under this section) above, including culvert and sump discharges from roads and rail beds and also from equipment and maintenance areas subject to storm runoff of fuel, lubricants and other potentially harmful liquids.

Location of each existing erosion and sedimentation control structure or other control measures for reducing pollutants in storm water runoff.

Receiving streams or other surface water bodies.

Locations exposed to precipitation that contain acidic spoil, refuse or unreclaimed disturbed areas.

Locations where major spills or leaks of toxic or hazardous pollutants have occurred.

Locations where liquid storage tanks containing potential pollutants, such as caustics, hydraulic fluids and lubricants, are exposed to precipitation.

Locations where fueling stations, vehicle and equipment maintenance areas are exposed to precipitation.

Locations at outfalls and the types of discharges contained in the drainage areas of the outfalls.

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

Inventory of Exposed Materials—An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; method and location of onsite storage or disposal; materials management practices employed to minimize contact of materials with storm water runoff between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; the location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives.

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

Sampling Data—A summary of any existing discharge sampling data describing pollutants in storm water discharges from the portions of the facility covered by this permit, including a summary of any sampling data collected during the term of this permit.

Risk Identification and Summary of Potential Pollutant Sources—A narrative description of the potential pollutant sources from the following activities: truck traffic on haul roads and resulting generation of sediment subject to runoff and dust generation; fuel or other liquid storage; pressure lines containing slurry, hydraulic fluid or other potential harmful liquids; and loading or temporary storage of acidic refuse or spoil. Specific potential pollutants shall be identified, where known.

Measures and Controls. Each facility covered by this permit shall develop a description of storm water management controls appropriate for the facility and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls shall address the following minimum components, including a schedule for implementing such controls.

Good Housekeeping—Good housekeeping requires the maintenance of areas that may contribute pollutants to storm water discharges in a clean, orderly manner. These would be practices that would minimize the generation of pollutants at the source or before it would be necessary to employ sediment ponds or other control measures at the discharge outlets. Where applicable, such measures or other equivalent measures would include the following: sweepers and covered storage to minimize dust generation and storm runoff; conservation of vegetation where possible to minimize erosion; watering of haul roads to minimize dust generation; collection, removal, and proper disposal of waste oils and other fluids resulting from vehicle and equipment maintenance; or other equivalent measures.

Preventive Maintenance—A preventive maintenance program shall involve timely inspection and maintenance of storm water management devices as well as inspecting and testing facility equipment and systems to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters, and ensuring appropriate maintenance of such equipment and systems. Where applicable, such measures would include the following: removal and proper disposal of settled solids in catch basins to allow sufficient retention capacity; periodic replacement of siltation control measures subject to deterioration such as straw bales; inspections of storage tanks and pressure lines for

fuels, lubricants, hydraulic fluid or slurry to prevent leaks due to deterioration or faulty connections; or other equivalent measures.

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

Inspections—In addition to or as part of the comprehensive site evaluation required under paragraph XI.H.3.a.(4) of this section, qualified facility personnel shall be identified to inspect designated areas of the facility at appropriate intervals specified in the plan. The following shall be included in the plan:

Inactive Mining-Related Areas Not Under SMCRA Bond—The plan shall require annual inspections by the facility representative except in situations referred to in paragraph XI.H.3.a.(4)(d) below.

Inspection Records—The plan shall require that inspection records of the facility representative and those of the SMCRA authority inspector, if applicable, shall be maintained. A set of tracking or follow-up procedures shall be used to ensure that appropriate actions are taken in response to the inspections.

Employee Training—Employee training programs shall inform personnel responsible for implementing activities identified in the storm water pollution prevention plan or otherwise responsible for storm water management at all levels of responsibility of the components and goals of the storm water pollution prevention plan. Training should address topics such as spill response, good housekeeping and material management practices. The pollution prevention plan shall identify periodic dates for such training.

Recordkeeping and Internal Reporting Procedures—A description of incidents (such as spills, or other discharges) along with other information describing the quality and quantity of storm water discharges shall be included in the plan required under this part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan.

Non-storm Water Discharges

The plan shall include a certification that the discharge has been tested or evaluated for the presence of non-storm water discharges such as drainage from underground portions of inactive mines or floor drains from maintenance or coal handling buildings. The certification shall include the identification of potential significant sources of non-storm water discharges at the site, a description of the results of any test and/or evaluation, a description of the evaluation criteria or testing method used, the date of any testing and/or evaluation, and the onsite drainage points that were directly observed during the test. Certifications shall be signed in accordance with Part VII.G. of this permit.

Sources of non-storm water that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge. Any non-storm water discharges that are not permitted under an individual NPDES permit should be brought to the attention of the Division's local Environmental Assistance Center (see list of EACs on page 15).

Any facility that is unable to provide the certification required (testing or other evaluation for non-storm water discharges) must notify the Division of Water Pollution Control not later than 180 days after submitting an NOI to be covered by this permit. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notification shall describe: the procedure of any test conducted for the presence of non-storm water discharges; the results of such test or other relevant observations; potential sources of non-storm water to the storm discharge lines; and why adequate tests for such storm discharge lines were not feasible. Non-storm water discharges to waters of the State that are not authorized by an NPDES permit are unlawful, and must be terminated.

Sediment and Erosion Control—The plan shall identify areas that, due to topography, activities, or other factors, have a high potential for significant soil erosion, and identify structural, vegetative, and/or stabilization measures to be used to limit erosion and reduce sediment concentrations in storm water discharges. As indicated in paragraph XI.H.3.a.(3) above, SMCRA requirements regarding sediment and erosion control measures are primary requirements of the pollution prevention plan for mining-related areas subject to SMCRA authority. The following sediment and erosion control measures or other equivalent measures, should be included in the plan where reasonable and appropriate for all areas subject to storm water runoff:

Stabilization Measures—Interim and permanent stabilization measures to minimize erosion and lessen amount of structural sediment control measures needed, including: mature vegetation preservation; temporary seeding; permanent seeding and planting; temporary mulching, matting, and netting; sod stabilization; vegetative buffer strips; temporary chemical mulch, soil binders, and soil palliatives; nonacidic roadsurfacing material; and protective trees.

Structural Measures—Structural measures to lessen erosion and reduce sediment discharges, including: silt fences; earth dikes; straw dikes; gradient terraces; drainage swales; sediment traps; pipe slope drains; porous rock check dams; sedimentation ponds; riprap channel protection; capping of contaminated sources; and physical/chemical treatment of storm water.

Management of Flow—The plan shall contain a narrative consideration of the appropriateness of traditional storm water management practices (other than those as sediment and erosion control measures listed above) used to manage storm water runoff in a manner that reduces pollutants in storm water runoff from the site. The plan shall provide that the measures, which the permittee determines to be reasonable and appropriate, shall be implemented and maintained. Appropriate measures may include: discharge diversions; drainage/storm water conveyances; runoff dispersion; sediment control and collection; vegetation/soil stabilization; capping of contaminated sources; treatment; or other equivalent measures.

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

Areas contributing to a storm water discharge associated with coal mining-related areas shall be visually inspected for evidence of, or the potential for, pollutants entering the drainage system. These areas include haul and access roads; railroad spurs, sidings, and internal haulage lines; conveyor belts, chutes and aerial tramways; equipment storage and maintenance yards; coal handling buildings and structures; and inactive mines and related areas. Measures to reduce pollutant loadings shall be evaluated to determine whether they are adequate and properly implemented in accordance with the terms of the permit or whether additional control measures are needed. Structural storm water management measures, sediment and erosion control measures, and other structural pollution prevention measures, as indicated in paragraphs XI.H.3.a.(3)(h) and XI.H.3.a.(3)(i) above and where identified in the plan, shall be observed to ensure that they are operating correctly. A visual evaluation of any equipment needed to implement the plan, such as spill response equipment, shall be made.

Based on the results of the evaluation, the description of potential pollutant sources identified in the plan, in accordance with paragraph XI.H.3.a.(2) of this section, and pollution prevention measures and controls identified in the plan, in accordance with paragraph XI.H.3.a.(3) of this section, shall be revised as appropriate within 2 weeks of such evaluation and shall provide for implementation of any changes to the plan in a timely manner. For inactive mines, such revisions may be extended to a maximum of 12 weeks after the evaluation.

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

Where compliance evaluation schedules overlap with inspections required under 3.a.(3)(d), the compliance evaluation may be conducted in place of one such inspection. Where annual site compliance evaluations are shown in the plan to be impractical for inactive mining sites due to the remote location and inaccessibility of the site, site inspections required under this part shall be conducted at appropriate intervals specified in the plan, but, in no case less than once in 3 years.

4. Numeric Effluent Limitations

There are no additional numeric effluent limitations beyond those described in Part V.B. of this permit.

5. Monitoring and Reporting Requirements

a) Analytical Monitoring Requirements

During the term of this permit, permittees covered under this sector must monitor their storm water discharges associated with industrial activity at least four times per calendar year (quarterly), except as provided in paragraphs 5.a.(3) (Sampling Waiver), 5.a.(4) (Representative Discharge), and 5.a.(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.b. (Reporting). In addition to

the parameters listed in Table H-1 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 H-1. Monitoring Requirements for Inactive Coal Mining Facilities**

| Pollutants of Concern | Cut-Off Concentration |
|---|---|
| Total Recoverable Aluminum | 0.75 mg/L |
| Total Recoverable Iron | 1.0 mg/L |
| Total Suspended Solids | 200 mg/L |

(1) Monitoring Periods. Inactive coal mining facilities shall monitor samples collected during any period of a calendar year, as long as the samples are representative of the quantity and quality of the storm water runoff being discharged from the facility.

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

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 cut-off concentrations as shown in the table above. If the results of annual storm water runoff monitoring demonstrate that the facility has exceeded the cut-off concentration(s), the permittee must inform the Division's local Environmental Assistance Center in writing within 30 days from the time storm water monitoring results were received, describing the likely cause of the exceedance(s). Furthermore, within 60 days from the time storm water monitoring results were received, the facility must review its storm water pollution prevention plan, make any modifications or additions to the plan which would assist in reducing effluent concentrations to less than the monitoring cut-off concentrations for that facility, and submit to the Division's local Environmental Assistance Center a brief summary of the proposed SWPPP modifications (including a timetable for implementation).

(3) Sampling Waiver

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

(b) Low Concentration Waiver—When the average concentration for a pollutant calculated from monitoring data collected from first 4 calendar years of monitoring is less than the corresponding reporting value for that pollutant (Monitoring Cut-Off Concentration), a facility may waive monitoring and reporting requirements in the last annual monitoring period. The facility must submit to the Division of Water Pollution Control, in lieu of the monitoring data, a certification that there has not been a significant change in industrial activity or the pollution prevention measures in area of the facility that drains to the outfall for which sampling was waived.

(c) When a discharger is unable to conduct annual chemical storm water sampling at an inactive and unstaffed site, the operator of the facility may exercise a waiver of the monitoring requirements as long as the facility remains inactive and unstaffed. The facility must submit to the Division of Water Pollution Control, in lieu of monitoring data, a certification statement on the TMSP Storm Water Monitoring Report stating that the site is inactive and unstaffed so that collecting a sample during a qualifying event is not possible.

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

(5) Alternative Certification. A discharger is not subject to the monitoring requirements of this section provided the discharger makes a certification for a given outfall or on a pollutant-by-pollutant basis in lieu of monitoring reports required under paragraph b. below, under penalty of law, signed in accordance with Part VII.G. (Signatory Requirements), that material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, industrial machinery or operations, or significant materials from past industrial activity that are located in areas of the facility within the drainage area of the outfall are not presently exposed to storm water and are not expected to be exposed to storm water for the certification period. Such certification must be retained in the storm water pollution prevention plan, and submitted to the Division of Water Pollution Control in accordance with

Part VI.B. of this permit. In the case of certifying that a pollutant is not present, the permittee must submit the certification along with the monitoring reports required under paragraph b. below. If the permittee cannot certify for an entire period, they must submit the date exposure was eliminated and any monitoring required up until that date. This certification option is not applicable to compliance monitoring requirements associated with effluent limitations.

b) Reporting

Permittees with 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 Storm Water Monitoring Report Form(s) postmarked **no later than the March 31st of the following calendar year**. For each outfall, one signed TMSP Storm Water Monitoring Report form must be submitted to the Division of Water Pollution Control. Signed copies of TMSP Storm Water Monitoring Reports, or said certifications, shall be submitted to the following address:

**Mining Section**
**Tennessee Division of Water Pollution Control**
**3701 Middlebrook Pike, Suite 220**
**Knoxville, TN 37921-5602**

c) Visual Examination of Storm Water Quality. Visual examinations are not required at inactive areas not under SMCRA bond.

(1) Examinations shall be conducted in each of the following periods for the purposes of visually inspecting storm water runoff or snow melt: Quarterly-January through March; April through June; July through September; and October through December. Semi-annually—January through June and July through December.

(2) Examinations shall be made of samples collected within the first 60 minutes (or as soon thereafter as practical, but not to exceed two hours) of when the runoff or snowmelt begins discharging. The examinations shall document observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution. The examination must be conducted in a well lit area. No analytical tests are required to be performed on the samples. All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. Where practicable, the same individual will carry out the collection and examination of discharges for the life of the permit.

(3) Visual examination reports must be maintained onsite in the pollution prevention plan or with other compliance records 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 storm water discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.

(4) When a facility has two or more outfalls that, based on a consideration of industrial activity, significant materials, and management practices and activities within the area drained by the outfall, the

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

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

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

# I Sector I - Storm Water Discharges Associated With Industrial Activity From Oil and Gas Extraction Facilities

## 1. Discharges Covered Under This Section

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

| SIC Code | Sector I: Oil or Gas Extraction Facilities | Sampling Required? | Table Number |
|---|---|---|---|
| 1311 | Crude Petroleum and Natural Gas | No | -- |
| 1321 | Natural Gas Liquids | No | -- |
| 1381 | Drilling Oil and Gas Wells | No | -- |
| 1382 | Oil and Gas Field Exploration Services | No | -- |
| 1389 | Oil and Gas Field Services, NEC | No | -- |

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

Limitations. Storm water discharges associated with industrial activity from inactive oil and gas operations occurring on Federal lands where an operator cannot be identified are not covered by this permit.

## 2. Special Conditions

There are no additional requirements beyond those listed in Part III. of this permit.

## 3. Storm Water Pollution Prevention Plan Requirements

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

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

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

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

Drainage. A site map indicating an outline of the portions of the drainage area of each storm water outfall that are within the facility boundaries, each existing structural control measure to reduce pollutants in storm water runoff, surface water bodies, locations where significant materials are exposed to precipitation, locations where major spills or leaks identified under Part IX.I.3.a.(1)(c) (Spills and Leaks) of this permit have occurred, location of any areas where Reportable Quantity (RQ) releases have occurred; and the locations of the following activities where such activities are exposed to precipitation: fueling stations, vehicle and equipment maintenance and/or cleaning areas, loading/unloading areas, locations used for the treatment, storage or disposal of wastes, liquid storage tanks, processing areas and storage areas, chemical mixing areas, construction and drilling areas. The site map will indicate all areas subject to the effluent guidelines requirement of "No Discharge" in accordance with 40 CFR 435.32 and the existing structural controls to achieve compliance with the "No Discharge" requirement. The map must indicate the outfall locations and the types of discharges contained in the drainage areas of the outfalls.

For each area of the facility that generates storm water discharges associated with industrial activity with a reasonable potential for containing significant amounts of pollutants, a prediction of the direction of flow, and an identification of the types of pollutants which are likely to be present in storm water discharges associated with industrial activity. Factors to consider include the toxicity of chemical; quantity of chemicals used, produced or discharged; the likelihood of contact with storm water; and history of significant leaks or spills of toxic or hazardous pollutants. The permittee should consider the cause of RQ releases, the materials used to contain and remediate releases, and any other aspect of releases or clean-up which could potentially contribute pollutants to a storm water discharge. Flows with a significant potential for causing erosion shall be identified.

Inventory of Exposed Materials—An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; method and location of onsite storage or disposal; materials management practices employed to minimize contact of materials with storm water runoff between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; the location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives.

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

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

Risk Identification and Summary of Potential Pollutant Sources—A narrative description of the potential pollutant sources from the following activities: loading and unloading operations; outdoor storage activities; chemical, cement, mud or gel mixing activities; outdoor manufacturing or processing activities; drilling or mining activities; significant dust or particulate generating processes; and onsite waste disposal practices, equipment cleaning and rehabilitation activities. List any significant potential source of pollutants at the site and for each potential source, any pollutant or pollutant parameter (e.g., biochemical oxygen demand, etc.) of concern shall be identified.

In its description of potential pollutant sources, a facility must include information about the RQ release which triggered the permit application requirements. Such information must include: the nature of the release (e.g., spill of oil from a drum storage area); the amount of oil or hazardous substance released; amount of substance recovered; date of the release; cause of the release (e.g., poor handling techniques as well as lack of containment in area); area affected by release, including land and waters; procedure to cleanup release; actions or procedures implemented to prevent or better respond to a release; and remaining potential contamination of storm water from release. The analysis shall take into account human health risks, the control of drinking water intakes, and the designated uses of the receiving stream.

Measures and Controls. Each facility covered by this permit shall develop and implement storm water management controls appropriate for the facility. The controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls shall address the following minimum components, including a schedule for implementing such measures:

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

Preventive Maintenance—A preventive maintenance program shall involve timely inspection and maintenance of storm water management devices (e.g., cleaning oil/water separators, catch basins) as well as inspecting and testing facility equipment and systems to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters, and ensuring appropriate maintenance of such equipment and systems. The preventative maintenance program shall also include the inspection of all on site and off site mixing tanks and equipment, and all vehicles which carry supplies and chemicals to oil field activities.

Spill Prevention and Response Procedures—Areas where potential spills which can contribute pollutants to storm water discharges can occur, and their accompanying drainage points shall be identified clearly in the storm water pollution prevention plan. Materials shall be stored indoors where possible, and drainage systems designed to discharge downstream from drinking water intakes. Where appropriate, specifying material handling procedures, storage requirements, and use of equipment such as diversion valves in the plan should be considered. Procedures for cleaning up spills shall be identified in the plan and made available to the appropriate personnel. The necessary equipment to implement a clean up should be available to personnel.

Inspections—In addition to or as part of the comprehensive site evaluation required under paragraph XI.I.3.a.(4) of this section, qualified facility or plant personnel shall be identified to inspect designated equipment and areas of the facility at appropriate intervals specified in the plan. All equipment and areas addressed in the pollution prevention plan shall be inspected at a minimum of 6-month intervals. Equipment and vehicles which store, mix or transport hazardous materials will be inspected routinely, but not less than quarterly. 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.

Employee Training—Employee training programs shall inform personnel responsible for implementing activities identified in the storm water pollution prevention plan or otherwise responsible for storm water management at all levels of responsibility of the components and goals of the storm water pollution prevention plan. Training should address topics such as spill response, good housekeeping and material management practices. The pollution prevention plan shall identify periodic dates for such training.

Recordkeeping and Internal Reporting Procedures—A description of incidents (such as spills, or other discharges), along with other information describing the quality and quantity of storm water discharges shall be included in the plan required under this part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan. All records shall be kept for a period of not less than 3 years.

Non-storm Water Discharges

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

Sources of non-storm water that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge. Any non-storm water discharges that are not permitted under an individual NPDES permit should be brought to the attention of the Division's local Environmental Assistance Center (see list of EACs on page 15).

Failure to Certify—Any facility that is unable to provide the certification required (testing for non-storm water discharges), must notify the Division of Water Pollution Control by not later than 180 days after submitting an NOI to be covered by this permit. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notification shall describe: the procedure of any test conducted for the presence of non-storm water discharges; the results of such test or other relevant observations; potential sources of non-storm water discharges to the storm sewer; and why adequate tests for such storm sewers were not feasible. Non-storm water discharges to waters of the State which are not authorized by an NPDES permit are unlawful, and must be terminated.

Sediment and Erosion Control—The plan shall identify areas which, due to topography, activities, or other factors, have a high potential for significant soil erosion, and identify structural, vegetative, and/or stabilization measures to be used to limit erosion. Unless covered by the General Permit for Construction Activity (57 FR 41209), the additional erosion control requirement for well drillings oil, sand, and shale mining areas are as follows:

Site Description—Each plan shall provide a description of the following: 1) a description of the nature of the exploration activity; 2) estimates of the total area of the site and the area of the site that is expected to be disturbed due to the exploration activity; 3) an estimate of the runoff coefficient of the site; 4) a site map indicating drainage patterns and approximate slopes, the location of major control structures identified in the plan, and surface waters; and 5) the name of the receiving water(s) and the ultimate receiving water(s) of the runoff.

Controls—The pollution prevention plan shall include a description of controls appropriate for the activity and implement such controls. The description of controls shall address the following minimum components:

A description of vegetative practices designed to preserve existing vegetation where attainable and revegetate open areas as soon as practicable after grade drilling. Such practices may include: temporary seeding, permanent seeding, mulching, sod stabilization, vegetative buffer strips, protection of trees, or other equivalent measures. The operator shall initiate appropriate vegetative practices on all disturbed areas within 14 calendar days of the last activity at that area.

A description of structural practices that, to the degree attainable, divert flows from exposed soils, store flows or otherwise limit runoff from exposed areas of the site. Such practices may include straw bale dikes, silt fences, earth dikes, brush barriers, drainage swales, check dams, subsurface drain, pipe slope drain, level spreaders storm drain inlet protection, rock outlet protection, sediment traps, temporary sediment basins, or other equivalent measures.

Offsite vehicle tracking of sediments shall be minimized.

Procedures in a plan shall provide that all erosion controls on the site are inspected at least once every 7 calendar days. Weekly inspections are necessary to ensure erosion controls continue to effectively reduce the amount of sediment carried offsite. A silt fence or silt trap is no longer effective when filled with silt.

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

Reportable Quantity (RQ) Release—The permittee must describe the measures taken to clean up RQ releases or related spills of materials, as well as measures proposed to avoid future releases of RQs. Such measures may include, among others: improved handling or storage techniques; containment around handling areas of liquid materials; and use of improved spill cleanup materials and techniques.

Vehicle and Equipment Storage Areas—The storage of vehicles and equipment awaiting or having completed maintenance must be confined to designated areas (delineated on the site map). The plan must describe measures that prevent or minimize contamination of the storm water runoff from these areas. The facility may consider the use of drip pans under vehicles and equipment, indoor storage of the vehicles and equipment, installation of berming and diking of this area, or other equivalent measures.

Vehicle and Equipment Cleaning and Maintenance Areas—The plan must describe measures that prevent or minimize contamination of the storm water runoff from all areas used for vehicle and equipment cleaning. The facility may consider performing all cleaning operations indoors, covering the cleaning operation, ensuring that all washwaters drain to a sanitary sewer, and/or collecting the storm water runoff from the cleaning area and providing treatment or recycling. The discharge of vehicle and equipment wash waters, including tank cleaning operations, are not authorized by this permit and must be authorized under a separate NPDES permit or discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements.

The plan must describe measures that prevent or minimize contamination of the storm water runoff from all areas used for vehicle and equipment maintenance and rehabilitation. The facility may consider performing all maintenance activities indoors, using drip pans, maintaining an organized inventory of materials used in the shop, draining all parts of fluids prior to disposal, prohibiting the practice of hosing down the shop floor where the practice would result in the exposure of pollutants to storm water, using dry cleanup methods, collecting the storm water runoff from the maintenance area and providing treatment or recycling, or other equivalent measures.

Materials and Chemical Storage Areas—Storage units of all chemicals and materials (e.g., fuels, oils, used filters, spent solvents, paint wastes, radiator fluids, transmission fluids, hydraulic fluids, detergents drilling mud components, acids, organic additives) must be maintained in good condition so as to prevent contamination of storm water. Hazardous materials must be plainly labeled. The plan must describe measures that prevent or minimize contamination of the storm water runoff from such storage areas. The facility may consider indoor storage of the materials and/or installation of berming and diking at the area.

Chemical Mixing Areas—The plan must describe measures that prevent or minimize contamination of the storm water runoff from chemical mixing areas. The facility may consider covering the mixing area, using spill and overflow protection, minimizing runon of storm water to the mixing area, using dry cleanup methods, and/or collecting the storm water runoff and providing treatment or recycling. The facility may consider installation of berming and diking of the area.

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

Areas contributing to a storm water discharge associated with industrial activity (e.g., materials and chemical storage areas, vehicle and equipment cleaning and maintenance areas, vehicle and

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

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

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

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

4. Numeric Effluent Limitations

There are no additional requirements beyond those listed in Part V.B. of this permit.

5. Monitoring and Reporting Requirements

a) Monitoring Requirements

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

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

Examinations shall be made of samples collected within the first 30 minutes (or as soon thereafter as practical, but not to exceed one hour) of when the runoff or snowmelt begins discharging. The

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

Visual examination reports must be maintained onsite in the pollution prevention plan or with other compliance records 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 storm water discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.

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

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

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

# J Sector J - Storm Water Discharges Associated With Industrial Activity From Construction Sand and Gravel Mining and Processing and Dimension Stone Mining and Quarrying Facilities

## 1. Discharges Covered Under This Section

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

| SIC Code | Sector J: Construction Sand and Gravel Mining and Processing and Dimension Stone Mining and Quarrying Facilities | Sampling Required? | Table Number |
|---|---|---|---|
| 1411 | Dimension Stone | Yes | J-1 |
| 1422 | Crushed and Broken Limestone | No | -- |
| 1423 | Crushed and Broken Granite | No | -- |
| 1429 | Crushed and Broken Stone, NEC | No | -- |
| 1442 | Construction Sand and Gravel | Yes | J-1 |
| 1446 | Industrial Sand | No | -- |
| 1455 | Kaolin and Ball Clay | No | -- |
| 1459 | Clay, Ceramic, and Refractory Minerals, NEC | No | -- |
| 1474 | Potash, Soda, and Borate Minerals | No | -- |
| 1475 | Phosphate Rock | No | -- |
| 1479 | Chemical and Fertilizer Mineral Mining, NEC | No | -- |
| 1481 | Nonmetallic Minerals Services Except Fuels | No | -- |
| 1499 | Miscellaneous Nonmetallic Minerals, Except Fuels | No | -- |

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

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

- Storm water discharges associated with industrial activity which are subject to an existing effluent limitation guideline (40 CFR Part 436).
- Storm water discharges associated with industrial activity from inactive mining activities occurring on Federal lands where an operator cannot be identified are not eligible for coverage under this permit.

2. Special Conditions

Prohibition of Non-storm Water Discharges. Except for those allowable non-storm water discharges included in Part IIIA2 (Allowable Non-Storm Water Discharges) of this permit, there are no other non-storm water discharges authorized in this Sector.

3. Storm Water Pollution Prevention Plan Requirements

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

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

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

Drainage—The plan must contain a map of the site that shows the pattern of storm water drainage, structural or nonstructural features that control pollutants in storm water runoff and process wastewater discharges, surface water bodies (including wetlands), places where significant materials are exposed to rainfall and runoff, and locations of major spills and leaks that occurred in the 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit. The map also must show areas where the following activities take place: fueling, vehicle and equipment maintenance and/or cleaning, loading and unloading, material storage (including tanks or other vessels used for liquid or waste storage), material processing, and waste disposal, haul roads, access roads, and rail spurs. In addition, the map must indicate the outfall locations and the types of discharges contained in the drainage areas of the outfalls.

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

Significant Spills and Leaks—The plan must include a list of any significant spills and leaks of toxic or hazardous pollutants that occurred in the 3 years prior to the date of the submission of a Notice of

Intent (NOI) to be covered under this permit. Significant spills include, but are not limited to, releases of oil or hazardous substances in excess of quantities that are reportable under Section 311 of CWA (see 40 CFR 110.10 and 117.21) or Section 102 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (see 40 CFR 302.4). Significant spills may also include releases of oil or hazardous substances that are not in excess of reporting requirements and releases of materials that are not classified as oil or a hazardous substance.

Sampling Data—Any existing data on the quality or quantity of storm water discharges from the facility must be described in the plan. The description should include a discussion of the methods used to collect and analyze the data. Sample collection points should be identified in the plan and shown on the site map.

Risk Identification and Summary of Potential Pollutant Sources—The description of potential pollution sources culminates in a narrative assessment of the risk potential that sources of pollution pose to storm water quality. This assessment should clearly point to activities, materials, and physical features of the facility that have a reasonable potential to contribute significant amounts of pollutants to storm water. Any such industrial activities, significant materials, or features must be addressed by the measures and controls subsequently described in the plan. In conducting the assessment, the facility operator must consider the following activities: loading and unloading operations; outdoor storage activities; outdoor processing activities; significant dust or particulate generating processes; and onsite waste disposal practices. The assessment must list any significant pollution sources at the site and identify the pollutant parameter or parameters (i.e., total suspended solids, total dissolved solids, etc.) associated with each source.

Measures and Controls. Following completion of the source identification and assessment phase, the permittee must evaluate, select, and describe the pollution prevention measures, best management practices (BMPs), and other controls that will be implemented at the facility. The permittee must assess the applicability of the following BMPs for their site: discharge diversions, drainage/storm water conveyance systems, runoff dispersions, sediment control and collection mechanisms, vegetation/soil stabilization, and capping of contaminated sources. In addition, BMPs include processes, procedures, schedules of activities, prohibitions on practices, and other management practices that prevent or reduce the discharge of pollutants in storm water runoff.

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

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

Preventive Maintenance—The maintenance program requires periodic removal of debris from discharge diversions and conveyance systems. These activities should be conducted in the spring, after snowmelt, and during the fall season. Permittees using ponds to control their effluents frequently use impoundments or sedimentation ponds as their BAT/BCT. Maintenance schedules for these ponds must be provided in the pollution prevention plan.

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

Inspections—Operators of active facilities are required to conduct quarterly visual inspections of all BMPs. Temporarily and permanently inactive operations are required to perform annual inspections. The inspections shall include: 1) an assessment of the integrity of storm water discharge diversions, conveyance systems, sediment control and collection systems, and containment structures; 2) visual inspections of vegetative BMPs, serrated slopes, and benched slopes to determine if soil erosion has occurred; and 3) visual inspections of material handling and storage areas and other potential sources of pollution for evidence of actual or potential pollutant discharges of contaminated storm water.

The inspection must be made at least once in each designated period during daylight hours unless there is insufficient rainfall or snow-melt to produce a runoff event. Inspections shall be conducted in each of the following periods for the purposes of inspecting storm water quality associated with storm water runoff and snow melt: January through March (storm water runoff or snow melt); April through June(storm water runoff); July through September (storm water runoff); October through December (storm water runoff or snow melt).

Employee Training—Employee training programs shall inform personnel responsible for implementing activities identified in the storm water pollution prevention plan or otherwise responsible for storm water management at all levels of responsibility of the components and goals of the storm water pollution prevention plan. Training should address topics such as spill response, good housekeeping and material management practices. The pollution prevention plan shall identify periodic dates for such training.

Recordkeeping and Internal Reporting Procedures—A description of incidents such as spills or other discharges along with other information describing the quality and quantity of storm water discharges shall be included in the plan required under this part. The permittee must describe procedures for developing and retaining records on the status and effectiveness of plan implementation. The plan must address spills, monitoring, and BMP inspection and maintenance activities. Ineffective BMPs must be recorded and the date of their corrective action noted.

Non-storm Water Discharges

The plan shall include a certification that the discharge has been tested or evaluated for the presence of non-storm water discharges. The certification shall include the identification of potential significant sources of non-storm water at the site, a description of the results of any test and/or evaluation for the presence of non-storm water discharges, the evaluation criteria or testing method used, the date of any testing and/or evaluation, and the onsite drainage points that were directly observed during the test. Certifications shall be signed in accordance with Part VII.G. of this permit. Such certification may not be feasible if the facility operating the storm water discharge associated with industrial activity does not have access to an outfall, manhole, or other point of access to the ultimate conduit which receives the

discharge. In such cases, the source identification section of the storm water pollution prevention plan shall indicate why the certification required by this part was not feasible, along with the identification of potential significant sources of non-storm water at the site. A discharger that is unable to provide the certification required by this paragraph must notify the Division of Water Pollution Control in accordance with Part XI.J.3.a.(g)(iii) (Failure to Certify) of this permit.

Sources of non-storm water that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge. Any non-storm water discharges that are not permitted under an individual NPDES permit should be brought to the attention of the Division's local Environmental Assistance Center (see list of EACs on page 15).

Failure to Certify.—Any facility that is unable to provide the certification required (testing for non-storm water discharges), must notify the Division of Water Pollution Control by not later than 180 days after submitting an NOI to be covered by this permit. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notification shall describe the procedure of any test conducted for the presence of non-storm water discharges to the storm sewer and why adequate tests for such storm sewers were not feasible. Non-storm water discharges to waters of the State which are not authorized by an NPDES permit are unlawful and must be terminated.

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

Permittees must indicate the location and design for proposed BMPs to be implemented prior to land disturbance activities. For sites already disturbed but without BMPs, the permittee must indicate the location and design of BMPs that will be implemented. The permittee is required to indicate plans for grading, contouring, stabilization, and establishment of vegetative cover for all disturbed areas, including road banks. Reclamation activities must continue until final closure notice has been issued.

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

Comprehensive Site Compliance Evaluation. Qualified personnel shall conduct site compliance evaluations at appropriate intervals specified in the plan, but, in no case less than once a year. When annual compliance evaluations are shown in the plan to be impractical for inactive mining sites, due to

remote location and inaccessibility, site evaluations must be conducted at least once every 3 years. Such evaluations shall provide:

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

Based on the results of the evaluation, the description of potential pollutant sources identified in the plan in accordance with Part XI.J.3.a.(2) (Description of Potential Pollutant Sources) of this permit and pollution prevention measures and controls identified in the plan in accordance with paragraph XI.J.3.a.(3) (Measures and Controls) of this permit 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.

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

The storm water pollution prevention plan must describe the scope and content of comprehensive site evaluation that qualified personnel will conduct to 1) confirm the accuracy of the description of potential pollution sources contained in the plan, 2) determine the effectiveness of the plan, and 3) assess compliance with the terms and conditions of the permit. Where compliance evaluation schedules overlap with inspections required under 3.a.(3)(d), the compliance evaluation may be conducted in place of one such inspection.

4. Numeric Effluent Limitations

There are no additional numeric effluent limitations beyond those described in Part V.B of this permit.

5. Monitoring and Reporting Requirements

a) Analytical Monitoring Requirements

During the term of this permit, permittees covered under this sector must monitor their storm water discharges associated with industrial activity at least four times per calendar year (quarterly), except as provided in paragraphs 5.a.(3) (Sampling Waiver), 5.a.(4) (Representative Discharge), and 5.a.(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.b. (Reporting). In addition to the parameters listed in Table J-1 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 J-1. Monitoring Requirements for Construction Sand and Gravel Mining and Dimension Stone Mining**

| Pollutants of Concern | Cut-Off Concentration | Sector Median Value * [mg/L] |
|---|---|---|
| Construction Sand and Gravel Mining | | |
| Nitrate plus Nitrite Nitrogen | 0.68 mg/L | 0.88 |
| Total Suspended Solids (TSS) | 200 mg/L | 45 |
| Dimension Stone Mining | | |
| Total Suspended Solids (TSS) | 200 mg/L | 45 |

* Sector Median Value is a pollutant concentration calculated from all sampling results provided from facilities classified in this sector during the previous permit term. By definition, a median is a statistical term identifying a number that divides numerically ordered data into two equal halves. In easier terms, the median is the middle piece of data when those data are placed in numerical order, or the average of the middle two if there is an even number of items. Therefore, median concentration(s) listed above represent a concentration value typical for and achieved by industries in this sector.

(1) Monitoring Periods. Facilities subject to analytical monitoring requirements shall monitor samples collected during any period of a calendar year, as long as the samples are representative of the quantity and quality of the storm water runoff being discharged from the facility.

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

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 cut-off concentrations as shown in the table above. If the results of annual storm water runoff monitoring demonstrate that the facility has exceeded the cut-off concentration(s), the permittee must inform the Division's local Environmental Assistance Center in writing within 30 days from the time storm water monitoring results were received, describing the likely cause of the exceedance(s). Furthermore, within 60 days from the time storm water monitoring results were received, the facility must review its storm water pollution prevention plan, make any modifications or additions to the plan which would assist in reducing effluent concentrations to less than the monitoring cut-off concentrations for that facility, and submit to the Division's local Environmental Assistance Center a brief summary of the proposed SWPPP modifications (including a timetable for implementation).

(3) Sampling Waiver

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

(b) Low Concentration Waiver—When the average concentration for a pollutant calculated from monitoring data collected from first 4 calendar years of monitoring is less than the corresponding reporting value for that pollutant (Monitoring Cut-Off Concentration), a facility may waive monitoring and reporting requirements in the last annual monitoring period. The facility must submit to the Division of Water Pollution Control, in lieu of the monitoring data, a certification that there has not been a significant change in industrial activity or the pollution prevention measures in area of the facility that drains to the outfall for which sampling was waived.

(c) When a discharger is unable to conduct annual chemical storm water sampling at an inactive and unstaffed site, the operator of the facility may exercise a waiver of the monitoring requirements as long as the facility remains inactive and unstaffed. The facility must submit to the Division of Water Pollution Control, in lieu of monitoring data, a certification statement on the TMSP Storm Water Monitoring Report stating that the site is inactive and unstaffed so that collecting a sample during a qualifying event is not possible.

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

(5) Alternative Certification. A discharger is not subject to the monitoring requirements of this section provided the discharger makes a certification for a given outfall or on a pollutant-by-pollutant basis in lieu of monitoring reports required under paragraph b below, under penalty of law, signed in accordance with Part VII.G. (Signatory Requirements), that material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, industrial machinery or operations, or significant materials from past industrial activity that are located in areas of the facility within the drainage area of the outfall are not presently exposed to storm water and are not expected to be exposed to storm water for the certification period. Such certification must be retained in the storm water pollution prevention plan, and submitted to the Division of Water Pollution Control in accordance with Part VI.B. of this permit. In the case of certifying that a pollutant is not present, the permittee must submit the certification along with the monitoring reports required under paragraph (b) below. If the permittee cannot certify for an entire period, they must submit the date exposure was eliminated and any monitoring required up until that date. This certification option is not applicable to compliance monitoring requirements associated with effluent guidelines.

b) 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 Storm Water Monitoring Report Form(s) postmarked **no later than the March 31st of the following calendar year**. For each outfall, one signed TMSP Storm Water Monitoring Report form must be submitted to the Division of Water Pollution Control. Signed copies of TMSP Storm Water Monitoring Reports, or said certifications, shall be submitted to the following address:

**Mining Section**
**Tennessee Division of Water Pollution Control**
**3701 Middlebrook Pike, Suite 220**
**Knoxville, TN 37921-5602**

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

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

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

rainfall) storm event. Where practicable, the same individual will carry out the collection and examination of discharges for the life of the permit.

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.).

(3) Visual examination reports must be maintained onsite in the pollution prevention plan or with other compliance records 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 storm water discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.

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

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

# K Sector K - Storm Water Discharges Associated With Industrial Activity From Hazardous Waste Treatment, Storage, or Disposal Facilities

## 1. Discharges Covered Under This Section

The requirements listed under this section shall apply to storm water discharges associated with industrial activity from facilities that treat, store, or dispose of hazardous wastes, including those that are operating under interim status or a permit under subtitle C of RCRA:

| SIC Code | Sector K: Hazardous Waste Treatment Storage or Disposal Facilities | Sampling Required? | Table Number |
|---|---|---|---|
| -- | Hazardous Waste Treatment Storage or Disposal Facilities (TSDF) | Yes | K-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 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-storm Water Discharges. Except for those allowable non-storm water discharges included in Part IIIA2 (Allowable Non-Storm Water Discharges) of this permit, there are no other non-storm water discharges authorized in this Sector.

## 3. Storm Water Pollution Prevention Plan Requirements

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

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

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

Drainage. A site map indicating an outline of the portions of the drainage area of each storm water outfall that are within the facility boundaries, each existing structural control measure to reduce pollutants in storm water runoff, surface water bodies, locations where significant materials are exposed

to precipitation, locations where major spills or leaks identified under Part IV.D.3.c. (Spills and Leaks) of this permit have occurred, and the locations of the following activities where such activities are exposed to precipitation: fueling stations, vehicle and equipment maintenance and/or cleaning areas, loading/unloading areas, locations used for the treatment, storage or disposal of wastes, liquid storage tanks, processing areas and storage areas. The map must indicate the outfall locations and the types of discharges contained in the drainage areas of the outfalls.

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

Inventory of Exposed Materials—An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; method and location of onsite storage or disposal; materials management practices employed to minimize contact of materials with storm water runoff between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; the location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives.

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

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

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

Measures and Controls. Each facility covered by this permit shall develop a description of storm water management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls shall address the following minimum components, including a schedule for implementing such controls:

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

Preventive Maintenance—A preventive maintenance program shall involve timely inspection and maintenance of storm water management devices (e.g., berms, 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.

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

Inspections—In addition to or as part of the comprehensive site evaluation required under paragraph XI.K.3.a.(4) of this section, qualified facility personnel shall be identified to inspect designated equipment and areas of the facility at appropriate intervals specified in the plan. 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.

Employee Training—Employee training programs shall inform personnel responsible for implementing activities identified in the storm water pollution prevention plan or otherwise responsible for storm water management at all levels of responsibility of the components and goals of the storm water pollution prevention plan. Training should address topics such as spill response, good housekeeping and material management practices. The pollution prevention plan shall identify periodic dates for such training.

Recordkeeping and Internal Reporting Procedures—A description of incidents (such as spills, or other discharges), along with other information describing the quality and quantity of storm water discharges shall be included in the plan required under this part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan.

Non-storm Water Discharges

The plan shall include a certification that the discharge has been tested or evaluated for the presence of non-storm water discharges. The certification shall include the identification of potential significant sources of non-storm water at the site, a description of the results of any test and/or evaluation for the presence of non-storm water discharges, the evaluation criteria or testing method used, the date of any testing and/or evaluation, and the onsite drainage points that were directly observed during the test. Certifications shall be signed in accordance with Part VII.G. of this permit. Such certification may not be feasible if the facility operating the storm water discharge associated with industrial activity does not have access to an outfall, manhole, or other point of access to the ultimate conduit which receives the discharge. In such cases, the source identification section of the storm water pollution prevention plan

shall indicate why the certification required by this part was not feasible, along with the identification of potential significant sources of non-storm water at the site. A discharger that is unable to provide the certification required by this paragraph must notify the Division of Water Pollution Control in accordance with paragraph "Failure to Certify" (below).

Sources of non-storm water that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge. Any non-storm water discharges that are not permitted under an individual NPDES permit should be brought to the attention of the Division's local Environmental Assistance Center (see list of EACs on page 15).

Failure to Certify—Any facility that is unable to provide the certification required (testing for non-storm water discharges), must notify the Division of Water Pollution Control by not later than 180 days after submitting an NOI to be covered by this permit. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notification shall describe: the procedure of any test conducted for the presence of non-storm water discharges; the results of such test or other relevant observations; potential sources of non-storm water discharges to the storm sewer; and why adequate tests for such storm sewers were not feasible. Non-storm water discharges to waters of the State which are not authorized by an NPDES permit are unlawful, and must be terminated.

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

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

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

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

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

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

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

4. Numeric Effluent Limitations

There are no additional numeric effluent limitations beyond those in Part V.B of this permit.

5. Monitoring and Reporting Requirements

a) Analytical Monitoring Requirements

During the term of this permit, permittees covered under this sector must monitor their storm water discharges associated with industrial activity at least once per calendar year (annually), except as provided in paragraphs 5.a.(3) (Sampling Waiver), 5.a.(4) (Representative Discharge), and 5.a.(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.b. (Reporting). In addition to the parameters listed in Table K-1 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 K-1. Monitoring Requirements for Treatment, Storage and Disposal Facilities (TSDF)**

| Pollutants of Concern | Cut-Off Concentration | Sector Median Value * [mg/L] |
|---|---|---|
| Ammonia | 4.0 mg/L | 0.21 |
| Total Recoverable Magnesium | 0.0636 mg/L | 1.41 |
| Chemical Oxygen Demand (COD) | 120.0 mg/L | 20 |
| Total Recoverable Cadmium | 0.0159 mg/L | 0.010 |
| Total Cyanide** | 0.0636 mg/L | 0.010 |
| Total Recoverable Lead | 0.156 mg/L | 0.016 |
| Total Recoverable Mercury | 0.0024 mg/L | 0.0002 |
| Total Recoverable Selenium | 0.2385 mg/L | 0.100 |
| Total Recoverable Silver | 0.0318 mg/L | 0.009 |

* Sector Median Value is a pollutant concentration calculated from all sampling results provided from facilities classified in this sector during the previous permit term. By definition, a median is a statistical term identifying a number that divides numerically ordered data into two equal halves. In easier terms, the median is the middle piece of data when those data are placed in numerical order, or the average of the middle two if there is an even number of items. Therefore, median concentration(s) listed above represent a concentration value typical for and achieved by industries in this sector.
** The Method Detection Level (MDL) for cyanide is 0.02 mg/L method 335.1, 335.2, or 335.3.

(1) Monitoring Periods. TSDFs shall monitor samples collected during any period of a calendar year, as long as the samples are representative of the quantity and quality of the storm water runoff being discharged from the facility.

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

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 cut-off concentrations as shown in the table above. If the results of annual storm water runoff monitoring demonstrate that the facility has exceeded the cut-off concentration(s), the permittee must

inform the Division's local Environmental Assistance Center in writing within 30 days from the time storm water monitoring results were received, describing the likely cause of the exceedance(s). Furthermore, within 60 days from the time storm water monitoring results were received, the facility must review its storm water pollution prevention plan, make any modifications or additions to the plan which would assist in reducing effluent concentrations to less than the monitoring cut-off concentrations for that facility, and submit to the Division's local Environmental Assistance Center a brief summary of the proposed SWPPP modifications (including a timetable for implementation).

(3) Sampling Waiver

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

(b) Low Concentration Waiver—When the average concentration for a pollutant calculated from monitoring data collected from first 4 calendar years of monitoring is less than the corresponding reporting value for that pollutant (Monitoring Cut-Off Concentration), a facility may waive monitoring and reporting requirements in the last annual monitoring period. The facility must submit to the Division of Water Pollution Control, in lieu of the monitoring data, a certification that there has not been a significant change in industrial activity or the pollution prevention measures in area of the facility which drains to the outfall for which sampling was waived.

(c) When a discharger is unable to conduct annual chemical storm water sampling at an inactive and unstaffed site, the operator of the facility may exercise a waiver of the monitoring requirements as long as the facility remains inactive and unstaffed. The facility must submit to the Division of Water Pollution Control, in lieu of monitoring data, a certification statement on the TMSP Storm Water Monitoring Report stating that the site is inactive and unstaffed so that collecting a sample during a qualifying event is not possible.

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

(5) Alternative Certification. A discharger is not subject to the monitoring requirements of this section provided the discharger makes a certification for a given outfall, or on a pollutant-by-pollutant basis in lieu of monitoring reports required under paragraph b below, under penalty of law, signed in accordance with Part VII.G. (Signatory Requirements), that material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, industrial machinery or operations, or significant materials from past industrial activity that are located in areas of the facility within the drainage area of the outfall are not presently exposed to storm water and are not expected to be exposed to storm water for the certification period. Such certification must be retained in the storm water pollution prevention plan, and submitted to the Division of Water Pollution Control in accordance with Part VI.B. of this permit. In the case of certifying that a pollutant is not present, the permittee must submit the certification along with the monitoring reports required under paragraph (b) below. If the permittee cannot certify for an entire period, they must submit the date exposure was eliminated and any monitoring required up until that date. This certification option is not applicable to compliance monitoring requirements associated with effluent limitations.

b) Reporting

Permittees with 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 Storm Water Monitoring Report Form(s) postmarked **no later than the March 31st of the following calendar year**. For each outfall, one signed TMSP Storm Water Monitoring Report form must be submitted to the Division of Water Pollution Control. Signed copies of TMSP Storm Water Monitoring Reports, or said certifications, shall be submitted to the following address:

**Enforcement and Compliance Section**
**Tennessee Division of Water Pollution Control**
**6th Floor L & C Annex**
**401 Church Street**
**Nashville, TN 37243-1534**

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

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

(2) Visual examination reports must be maintained onsite in the pollution prevention plan or with other compliance records 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 storm water discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.

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

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

# L Sector L - Storm Water Discharges Associated With Industrial Activity From Landfills and Land Application Sites

1. Discharges Covered Under This Section.

a) Coverage. The requirements listed under this section shall apply to storm water discharges associated with industrial activity from waste disposal at landfills and land application sites that receive or have received industrial wastes. Landfill and land application operators that have storm water discharges from other types of industrial activities such as vehicle maintenance, truck washing, and/or recycling may be subject to additional requirements specified elsewhere in this permit:

| SIC Code | Sector L: Landfills and Land Application Sites | Sampling Required? | Table Number |
|---|---|---|---|
| 4953 | Refuse Systems | Yes | L-1 or L-2 |

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

b) Limitations. Storm water discharges associated with industrial activities from inactive landfills and land application sites occurring on Federal lands where an operator cannot be identified are ineligible for coverage under this permit.

2. Special Conditions

Prohibition of Non-storm Water Discharges. Except for those allowable non-storm water discharges included in Part IIIA2 (Allowable Non-Storm Water Discharges) of this permit, there are no other non-storm water discharges authorized in this Sector.

3. Storm Water Pollution Prevention Plan Requirements

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

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

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

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

Drainage. A site map indicating an outline of the portions of the drainage area of each storm water outfall that are within the facility boundaries, each existing structural control measure to reduce pollutants in storm water runoff, surface water bodies, locations of active and closed landfill cells or trenches, locations of active and closed land application areas, locations of any known leachate springs or other areas where uncontrolled leachate may commingle with runoff, locations of any leachate collection and handling systems, locations where major spills or leaks identified under Part XI.L.3.a.(2)(c) (Spills and Leaks) of this permit have occurred, and locations of the following activities where such activities are exposed to precipitation: fueling station, vehicle and equipment maintenance and/or cleaning areas, and waste and other significant material loading/unloading and storage areas. The map must indicate the outfall locations and the types of discharges contained in the drainage areas of the outfalls.

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

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, or disposed of in a manner to allow exposure to storm water between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; method and location of onsite storage or disposal; materials management practices employed to minimize contact of materials with storm water runoff between the time of 3 years prior to the date of submission of a Notice of Intent (NOI) to be covered under this permit and the present; the location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives. The inventory of exposed materials shall include, but shall not be limited to the significant material management practices employed.

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

Sampling Data—A summary of existing discharge sampling data describing pollutants in storm water of sampling data collected during the term of this permit. Permittees shall also provide all available sampling data for leachate generated at the site.

Risk Identification and Summary of Potential Pollutant Sources—Include a narrative description of potential pollutant sources associated with any of the following, providing they occur at the facility: fertilizer, herbicide and pesticide application; earth/soil moving; waste hauling and loading/unloading; outdoor storage of significant materials including daily, interim and final cover material stockpiles as well

as temporary waste storage areas; exposure of active and inactive landfill and land application areas; uncontrolled leachate flows; failure or leaks from leachate collection and treatment systems; haul roads; and vehicle tracking of sediments. The description shall specifically list any significant potential sources of pollutants at the site and for each potential source, any pollutant or pollutant parameter (e.g., biochemical oxygen demand, etc.) of concern shall be identified.

Measures and Controls. Each facility covered by this permit shall develop a description of storm water management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls shall address the following minimum components, including a schedule for implementing such controls:

Good Housekeeping—Good housekeeping requires the maintenance of areas which may contribute pollutants to storm water discharges in a clean, orderly manner. Permittees shall consider providing protected materials storage areas for pesticides, herbicides, fertilizers, and other significant materials.

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

Where applicable, permittees addressed by this section shall also: 1) maintain containers used for outdoor chemical and significant materials storage to prevent leaking or rupture; 2) maintain all elements of leachate collection and treatment systems to prevent commingling of leachate with storm water; and 3) maintain the integrity and effectiveness of any intermediate or final cover, including making repairs to the cover as necessary to minimize the effects of settlement, sinking, and erosion.

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

Inspections—Qualified facility personnel shall be identified to inspect designated equipment and areas of the facility at appropriate internals specified in the plan.

For operating landfills and land application sites, inspections shall be conducted at least once every 7 days. Qualified personnel shall inspect areas of landfills that have not yet been finally stabilized, active land application areas, areas used for storage of materials/wastes that are exposed to precipitation, stabilization and structural control measures, leachate collection and treatment systems, and locations where equipment and waste trucks enter and exit the site. Where landfill areas have been finally stabilized and where land application has been completed, or during seasonal arid periods in arid areas (areas with an average annual rainfall of 0 to 10 inches) and semiarid areas (areas with an average annual

rainfall of 10 to 20 inches), inspections will be conducted at least once every month. Erosion and sediment control measures shall be observed to ensure they are operating correctly.

For inactive landfills and land application sites, inspections shall be conducted at least quarterly, and qualified personnel shall inspect: landfill stabilization and structural erosion control measures and leachate collection and treatment systems, and all closed land application areas.

A set of tracking or follow-up procedures shall be used to ensure that appropriate actions are taken in response to the inspections. The pollution prevention plan shall be revised to address any problems found during inspections. Records of inspections shall be maintained.

Employee Training—Employee training programs shall inform personnel responsible for implementing activities identified in the storm water pollution prevention plan or otherwise responsible for storm water management at all levels of responsibility of the components and goals of the storm water pollution prevention plan. Training should address topics such as conducting inspections, spill response, good housekeeping, conducting inspections and material management practices. The pollution prevention plan shall identify periodic dates for such training.

Recordkeeping and Internal Reporting Procedures—A description of incidents (such as spills, or other discharges), along with other information describing the quality and quantity of storm water discharges shall be included in the plan required under this part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan. Landfill operators shall provide for a tracking system for the types of wastes disposed of in each cell or trench of a landfill. Land application site operators shall track the types and quantities of wastes applied in specific areas.

Non-storm Water Discharges

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

Sources of non-storm water that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge. Any non-storm water discharges that are not permitted under an individual NPDES permit should be brought to the attention of the Division’s local Environmental Assistance Center (see list of EACs on page 15).

Failure to Certify—Any facility that is unable to provide the certification required (testing for non-storm water discharges), must notify the Division of Water Pollution Control by not later than 180 days after submitting an NOI to be covered by this permit. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notification shall describe: the procedure of any test conducted for the presence of non-storm water discharges; the results of such test or other relevant observations; potential sources of non-storm water discharges to the storm sewer; and why adequate tests for such storm sewers were not feasible. Non-storm water discharges to waters of the State which are not authorized by an NPDES permit are unlawful, and must be terminated.

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

Landfill operators shall provide for temporary stabilization of materials stockpiled for daily, intermediate and final cover. Stabilization practices to consider include, but are not limited to, temporary seeding, mulching, and placing geotextiles on the inactive portions of the stockpiles.

Landfill operators shall provide for temporary stabilization of inactive areas of the landfill which have an intermediate cover but no final cover.

Landfill operators shall provide for temporary stabilization of any landfill areas which have received a final cover until vegetation has established itself. Land application site operators shall also stabilize areas where waste application has been completed until vegetation has been established.

Management of Runoff—The plan shall also contain a narrative consideration of the appropriateness of traditional storm water management practices (practices other than those which control the generation or source(s) of pollutants) used to divert, infiltrate, reuse, or otherwise manage storm water runoff in a manner that reduces pollutants in storm water discharges from the site. The plan shall provide that measures that the permittee determines to be reasonable and appropriate shall be implemented and maintained. The potential of various sources at the facility to contribute pollutants to storm water discharges associated with industrial activity [see paragraph XI.L.3.a.(2) of this section (Description of Potential Pollutant Sources)] shall be considered when determining reasonable and appropriate measures. Appropriate measures may include: silt fences, earth dikes, gradient terraces, drainage swales, sediment traps, check dams, pipe slope drains, level spreaders, storm drain inlet protection, rock outlet protection, reinforced soil retaining systems, gabions and temporary or permanent sediment basins, or other equivalent measures. Structural practices should be placed on upland soils as practicable.

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

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

ensure that they are operating correctly. A visual inspection of equipment needed to implement the plan, such as spill response equipment, shall be made.

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

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

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

4. Numeric Effluent Limitations

a) In addition to the numeric effluent limitations described by Part V.B. of this permit, the following effluent limitations shown in Table L-1 below shall be met by existing and new contaminated storm water discharges from landfills which are subject to the requirements of 40 CFR Part 445 Subpart B.

As set forth at 40 CFR Part 445 Subpart B, these numeric limitations apply to contaminated storm water discharges from Municipal Solid Waste Landfills (MSWLFs) which have not been closed in accordance with 40 CFR 258.60, and contaminated storm water discharges from those landfills which are subject to the provisions of 40 CFR Part 257 except for discharges from any of facilities described in (a) through (d) below:
(i) landfills operated in conjunction with other industrial or commercial operations when the landfill only receives wastes generated by the industrial or commercial operation directly associated with the landfill;
(ii) landfills operated in conjunction with other industrial or commercial operations when the landfill receives wastes generated by the industrial or commercial operation directly associated with the landfill and also receives other wastes provided the other wastes received for disposal are generated by a facility that is subject to the same provisions in 40 CFR Subchapter N as the industrial or commercial operation or the other wastes received are of similar nature to the wastes generated by the industrial or commercial operation;
(iii) landfills operated in conjunction with Centralized Waste Treatment (CWT) facilities subject to 40 CFR Part 437 so long as the CWT facility commingles the landfill wastewater with other non-landfill wastewater for discharge. A landfill directly associated with a CWT facility is subject to this part if the CWT facility discharges landfill wastewater separately from other CWT wastewater or commingles the wastewater from its landfill only with wastewater from other landfills; or
(iv) landfills operated in conjunction with other industrial or commercial operations when the landfill receives wastes from public service activities so long as the company owning the landfill does not receive a fee or other remuneration for the disposal service.

b) The concentration of pollutants in storm water discharges from landfills subject to the requirements of 40 CFR Part 445 Subpart B (except the 4 types of landfills specifically exempted, as shown above in 4.a)(i), (ii), (iii), and (iv) above) shall not exceed the effluent limitations in Table L-1. For the 4 types of landfills specified in 4.a)(i), (ii), (iii), and (iv), the permittee shall monitor its storm water for the parameters listed in Table L-2 as required in 5.a) below.

**Table L-1. Numeric Effluent Limitations for Landfills and Land Application Sites**

| Effluent Characteristics | Effluent Limitations (mg/L) | |
|---|---|---|
| | Maximum for any 1 day | Average of daily values for 30 consecutive days shall not exceed |
| Biochemical Oxygen Demand ($BOD_5$) | 140 | 37 |
| Total Suspended Solids (TSS) | 88 | 27 |
| Ammonia | 10 | 4.9 |
| Alpha Terpineol | 0.033 | 0.016 |
| Benzoic Acid | 0.12 | 0.071 |
| p-Cresol | 0.025 | 0.014 |
| Phenol | 0.026 | 0.015 |
| Zinc (Total) | 0.20 | 0.11 |
| pH | Within the range of 6.0 to 9.0 | |

5. Monitoring and Reporting Requirements

a) Analytical Monitoring Requirements

During the term of this permit, permittees covered under this sector must monitor their storm water discharges associated with industrial activity at least once per calendar year (annually), except as provided in paragraphs 5.a.(3) (Sampling Waiver), 5.a.(4) (Representative Discharge), and 5.a.(5) (Alternative Certification). For the breakdown of applicable monitoring requirements for different types of landfills, see Paragraph 4 – Numeric Effluent Limitations. Facilities must report in accordance with 5.b. (Reporting). In addition to the applicable parameters listed in Table L-1 above and Table L-2 below (depending on the type of landfill, as determined in Paragraph 4 – Numeric Effluent Limitations), 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 L-2. Monitoring Requirements for Landfills and Land Application Sites**

| Pollutants of Concern | Cut-Off Concentration | Sector Median Value * [mg/L] |
|---|---|---|
| Total Suspended Solids (TSS)[i] | 200 mg/L | 47 |
| Total Recoverable Iron[ii] | 5.0 mg/L | 2.2 |
| Total Recoverable Aluminum[iii] | 0.75 | 1.37 |
| Total Recoverable Magnesium[iii] | 0.0636 | 5.35 |

* Sector Median Value is a pollutant concentration calculated from all sampling results provided from facilities classified in this sector during the previous permit term. By definition, a median is a statistical term identifying a number that divides numerically ordered data into two equal halves. In easier terms, the median is the middle piece of data when those data are placed in numerical order, or the average of the middle two if there is an even number of items. Therefore, median concentration(s) listed above represent a concentration value typical for and achieved by industries in this sector.
i) Applicable to all landfill and land application sites.
ii) Applicable to all facilities except Municipal Solid Waste Landfill areas closed in accordance with 40 CFR 258.60 requirements.
iii) Applicable only to Municipal Solid Waste Landfill areas closed in accordance with 40 CFR 258.60 requirements.

(1) Monitoring Periods. Landfill/land application sites shall monitor samples collected during any period of a calendar year, as long as the samples are representative of the quantity and quality of the storm water runoff being discharged from the facility.

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

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 cut-off concentrations as shown in the table above. If the results of annual storm water runoff monitoring demonstrate that the facility has exceeded the cut-off concentration(s), the permittee must inform the Division's local Environmental Assistance Center in writing within 30 days from the time storm water monitoring results were received, describing the likely cause of the exceedance(s). Furthermore, within 60 days from the time storm water monitoring results were received, the facility

must review its storm water pollution prevention plan, make any modifications or additions to the plan which would assist in reducing effluent concentrations to less than the monitoring cut-off concentrations for that facility, and submit to the Division's local Environmental Assistance Center a brief summary of the proposed SWPPP modifications (including a timetable for implementation).

(3) Sampling Waiver

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

(b) Low Concentration Waiver—When the average concentration for a pollutant calculated from monitoring data collected from first 4 calendar years of monitoring is less than the corresponding reporting value for that pollutant (Monitoring Cut-Off Concentration), a facility may waive monitoring and reporting requirements in the last annual monitoring period. The facility must submit to the Division of Water Pollution Control, in lieu of the monitoring data, a certification that there has not been a significant change in industrial activity or the pollution prevention measures in area of the facility which drains to the outfall for which sampling was waived.

(c) When a discharger is unable to conduct annual chemical storm water sampling at an inactive and unstaffed site, the operator of the facility may exercise a waiver of the monitoring requirements as long as the facility remains inactive and unstaffed. The facility must submit to the Division of Water Pollution Control, in lieu of monitoring data, a certification statement on the TMSP Storm Water Monitoring Report stating that the site is inactive and unstaffed so that collecting a sample during a qualifying event is not possible.

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

(5) Alternative Certification. A discharger is not subject to the monitoring requirements of this section provided the discharger makes a certification for a given outfall or on a pollutant-by-pollutant basis in lieu of monitoring reports required under paragraph (b) below, under penalty of law, signed in accordance with Part VII.G. (Signatory Requirements), that material handling equipment or activities, raw

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

d) 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 Storm Water Monitoring Report Form(s) postmarked **no later than the March 31st of the following calendar year**. For each outfall, one signed TMSP Storm Water Monitoring Report form must be submitted to the Division of Water Pollution Control. Signed copies of TMSP Storm Water Monitoring Reports, or said certifications, shall be submitted to the following address:

**Enforcement and Compliance Section**
**Tennessee Division of Water Pollution Control**
**6th Floor L & C Annex**
**401 Church Street**
**Nashville, TN 37243-1534**

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

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

(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 storm water pollution. The examination must be conducted in a well lit area. No analytical tests are required to be performed on the samples. All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. Where practicable, the same individual should carry out the collection and examination of discharges for the entire permit term.

(3) Visual examination reports must be maintained onsite in the pollution prevention plan or with other compliance records 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 storm water discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.

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

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

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

Definitions

"Inactive Landfill" —For the purposes of this permit, a landfill is considered inactive when, on a permanent basis, it will no longer receive waste and has completed closure in accordance with any applicable Federal, State, and/or local requirements.

# M Sector M - Storm Water Discharges Associated With Industrial Activity From Automobile Salvage Yards

## 1. Discharges Covered Under This Section

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

| SIC Code | Sector M: Automobile Salvage Yards | Sampling Required? | Table Number |
|---|---|---|---|
| 5015 | Motor Vehicle Parts, Used | Yes | M-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 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-storm Water Discharges. Except for those allowable non-storm water discharges included in Part IIIA2 (Allowable Non-Storm Water Discharges) of this permit, there are no other non-storm water discharges authorized in this Sector.

## 3. Storm Water Pollution Prevention Plan Requirements

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

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

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

Site Map—The plan must contain a map of the site that shows structural features that control pollutants in storm water runoff and process wastewater discharges, surface water bodies (including wetlands), places where significant materials are exposed to rainfall and runoff, and locations of major spills and leaks that occurred in the 3 years prior to the date of the submission of a Notice of Intent (NOI)

to be covered under this permit. The map must also indicate the flow direction of storm water runoff. The location of each storm water outfall associated with an industrial activity, as well as an outline of the drainage area for each storm water outfall and an indication of the types of discharges in each drainage area must be indicated. The map must indicate the location of each monitoring point. The map must include an estimation (in acres) of the total area used for industrial activity including, but not limited to, dismantling, storage, and maintenance of used motor vehicles and motor vehicle parts. The map must also indicate the location of the following activities where such activities are exposed to precipitation: vehicle storage areas; dismantling areas; parts storage areas, including engine blocks, tires, hub caps, batteries, hoods, and mufflers; fueling stations; vehicle and equipment maintenance areas; cleaning areas (parts, vehicles, and/or equipment); loading and unloading areas; locations used for the treatment, storage, and disposal of wastes; and liquid storage tanks and drums for fuel and other fluids.

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

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

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

Summary of Potential Pollutant Sources—The description of potential pollution sources should clearly point to activities, materials, and physical features of the facility that have a reasonable potential to contribute significant amounts of pollutants to storm water discharges. Any such industrial activities, significant materials, or features must be addressed by the measures and controls subsequently described in the plan. In conducting the assessment, the facility operator must consider the potential for the following activities to contribute pollutants: vehicle storage areas; dismantling areas; parts storage areas, including engine blocks, tires, hub caps, batteries, and hoods; fueling stations; vehicle and equipment

maintenance areas; cleaning areas (parts and vehicles and/or equipment); loading/unloading areas; locations used for the treatment, storage, and disposal of wastes; and liquid storage tanks and drums for fuel and other fluids.

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

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

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

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

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

Spill and Leak Prevention and Response Procedures—Areas where potential spills which can contribute pollutants to storm water discharges can occur, and their accompanying drainage points shall be identified clearly in the storm water pollution prevention plan. Where appropriate, specifying material handling procedures, storage requirements, and use of equipment such as diversion valves in the plan should be considered. Procedures for cleaning up spills shall be identified in the plan and made available to the appropriate personnel. The necessary equipment to implement a clean up should be available to personnel. After clean up from a spill, absorbents must be promptly placed in containers for proper disposal. All vehicles that are intended to be dismantled must be properly drained of all fluids upon arrival at the site, or as soon as feasible thereafter, or other equivalent means must be taken to prevent leaks or spills of such fluids.

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

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

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

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

Employee Training—Employee training programs shall inform personnel responsible for implementing activities identified in the storm water pollution prevention plan or otherwise responsible for storm water management at all levels of responsibility of the components and goals of the storm water pollution prevention plan. The pollution prevention plan shall include a schedule for training. Employee training must, at a minimum, address the following areas when applicable to a facility: proper handling (collection, storage, and disposal) of oil, used mineral spirits, anti-freeze, and solvents; spill prevention and response; fueling procedures; good housekeeping practices; and used battery management.

Recordkeeping and Internal Reporting Procedures—A description of incidents such as spills, or other discharges, along with other information describing the quality and quantity of storm water discharges shall be included in the plan required under this part. The permittee must describe procedures for developing and retaining records on the status and effectiveness of plan implementation. The plan must address monitoring, and BMP inspection and maintenance activities. Ineffective BMPs must be reported and the date of their corrective action noted.

Non-storm Water Discharges

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

Sources of non-storm water that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of

appropriate pollution prevention measures for the non-storm water component(s) of the discharge. Any non-storm water discharges that are not permitted under an individual NPDES permit should be brought to the attention of the Division's local Environmental Assistance Center (see list of EACs on page 15).

Failure to Certify—Any facility that is unable to provide the certification required (testing for non-storm water discharges), must notify the Division of Water Pollution Control by not later than 180 days after submitting an NOI to be covered by this permit. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notification shall describe: the procedure of any test conducted for the presence of non-storm water discharges; the results of such test or other relevant observations; potential sources of non-storm water discharges to the storm sewer; and why adequate tests for such storm sewers were not feasible. Non-storm water discharges to waters of the State which are not authorized by an NPDES permit are unlawful, and must be terminated.

Sediment and Erosion Control—The plan shall identify areas which, due to topography, activities, or other factors, have a high potential for significant soil erosion, and identify structural, vegetative, and/or stabilization measures to be used to limit erosion. Permittees must consider measures to maximize stabilization of industrial areas using vegetative cover, gravel, impervious surfaces or other appropriate measures.

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

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

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

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

Based on the results of the evaluation, the description of potential pollutant sources identified in the plan in accordance with Part XI.M.2.a.(2) (Description of Potential Pollutant Sources) of this permit and pollution prevention measures and controls identified in the plan in accordance with paragraph XI.M.2.a.(3) (Measures and Controls) of this permit 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.

A report summarizing the scope of the evaluation, personnel making the evaluation, the date(s) of the evaluation, major observations relating to the implementation of the storm water pollution prevention plan, and actions taken in accordance with paragraph XI.M.2.a.(4)(b) (above) of the permit shall be made and retained as part of the storm water pollution prevention plan for at least 3 years after the date of the evaluation. The report shall identify any incidents of noncompliance. Where a report does not identify any incidents of noncompliance, the report shall contain a certification that the facility is in compliance with the storm water pollution prevention plan and this permit. The report shall be signed in accordance with Part VII.G. (Signatory Requirements) of this permit.

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

4. Numeric Effluent Limitations

There are no additional numeric effluent limitations beyond those described in Part V.B of this permit.

5. Monitoring and Reporting Requirements

a) Analytical Monitoring Requirements

During the term of this permit, permittees covered under this sector must monitor their storm water discharges associated with industrial activity at least once per calendar year (annually), except as provided in paragraphs 5.a.(3) (Sampling Waiver), 5.a.(4) (Representative Discharge), and 5.a.(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.b. (Reporting). In addition to the parameters listed in Table M-1 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 M-1. Monitoring Requirements for Automobile Salvage Yards**

| Pollutants of Concern | Cut-Off Concentration | Sector Median Value * [mg/L] |
|---|---|---|
| Total Suspended Solids | 200 mg/L | 18 |
| Total Recoverable Aluminum | 0.75 mg/L | 0.74 |
| Total Recoverable Iron | 5.0 mg/L | 0.767 |
| Total Recoverable Lead | 0.156 mg/L | 0.042 |

* Sector Median Value is a pollutant concentration calculated from all sampling results provided from facilities classified in this sector during the previous permit term. By definition, a median is a statistical term identifying a number that divides numerically ordered data into two equal halves. In easier terms, the median is the middle piece of data when those data are placed in numerical order, or the average of the middle two if there is an even number of items. Therefore, median concentration(s) listed above represent a concentration value typical for and achieved by industries in this sector.

(1) Monitoring Periods. Automobile salvage yards shall monitor samples collected during any period of a calendar year, as long as the samples are representative of the quantity and quality of the storm water runoff being discharged from the facility.

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

impracticable. If storm water discharges associated with industrial activity commingle with process or nonprocess water, then where practicable permittees must attempt to sample the storm water discharge before it mixes with the non-storm water discharge.

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 cut-off concentrations as shown in the table above. If the results of annual storm water runoff monitoring demonstrate that the facility has exceeded the cut-off concentration(s), the permittee must inform the Division's local Environmental Assistance Center in writing within 30 days from the time storm water monitoring results were received, describing the likely cause of the exceedance(s). Furthermore, within 60 days from the time storm water monitoring results were received, the facility must review its storm water pollution prevention plan, make any modifications or additions to the plan which would assist in reducing effluent concentrations to less than the monitoring cut-off concentrations for that facility, and submit to the Division's local Environmental Assistance Center a brief summary of the proposed SWPPP modifications (including a timetable for implementation).

(3) Sampling Waiver

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

(b) Low Concentration Waiver—When the average concentration for a pollutant calculated from monitoring data collected from first 4 calendar years of monitoring is less than the corresponding reporting value for that pollutant (Monitoring Cut-Off Concentration), a facility may waive monitoring and reporting requirements in the last annual monitoring period. The facility must submit to the Division of Water Pollution Control, 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 the area of the facility which drains to the outfall for which sampling was waived.

(c) When a discharger is unable to conduct annual chemical storm water sampling at an inactive and unstaffed site, the operator of the facility may exercise a waiver of the monitoring requirements as long as the facility remains inactive and unstaffed. The facility must submit to the Division of Water Pollution Control, in lieu of monitoring data, a certification statement on the TMSP Storm Water Monitoring Report stating that the site is inactive and unstaffed so that collecting a sample during a qualifying event is not possible.

(4) Representative Discharge. When a facility has two or more outfalls that, based on a consideration of industrial activity, significant materials, and management practices and activities within the area drained by the outfall, the permittee reasonably believes discharge substantially identical effluents, the permittee may test the effluent of one of such outfalls and report that the quantitative data also applies to the substantially identical outfall(s) provided that the permittee includes in the storm water pollution prevention plan a description of the location of the outfalls and explains in detail why the outfalls are expected to discharge substantially identical effluents. In addition, for each outfall that the permittee

believes is representative, an estimate of the size of the drainage area (in square feet) and an estimate of the runoff coefficient of the drainage area [e.g., low (under 40 percent), medium (40 to 65 percent), or high (above 65 percent)] shall be provided in the plan. The permittee shall include the description of the location of the outfalls, explanation of why outfalls are expected to discharge substantially identical effluents, and estimate of the size of the drainage area and runoff coefficient with the TMSP Storm Water Monitoring Report.

(5) Alternative Certification. A discharger is not subject to the monitoring requirements of this section provided the discharger makes a certification for a given outfall or on a pollutant-by-pollutant basis in lieu of monitoring reports required under b below, under penalty of law, signed in accordance with Part VII.G. (Signatory Requirements), that material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, industrial machinery or operations, or significant materials from past industrial activity, that are located in areas of the facility within the drainage area of the outfall are not presently exposed to storm water and are not expected to be exposed to storm water for the certification period. Such certification must be retained in the storm water pollution prevention plan, and submitted to the Division of Water Pollution Control in accordance with Part VI.B. of this permit. In the case of certifying that a pollutant is not present, the permittee must submit the certification along with the monitoring reports required under paragraph (b) below. If the permittee cannot certify for an entire period, they must submit the date exposure was eliminated and conduct any monitoring required up until that date. This certification option is not applicable to compliance monitoring requirements associated with effluent limitations.

b) Reporting

Permittees with 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 Storm Water Monitoring Report Form(s) postmarked **no later than the March 31st of the following calendar year**. For each outfall, one signed TMSP Storm Water Monitoring Report form must be submitted to the Division of Water Pollution Control. Signed copies of TMSP Storm Water Monitoring Reports, or said certifications, shall be submitted to the following address:

**Enforcement and Compliance Section**
**Tennessee Division of Water Pollution Control**
**6th Floor L & C Annex**
**401 Church Street**
**Nashville, TN 37243-1534**

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

(1) Examinations shall be made of samples collected within the first 30 minutes (or as soon thereafter as practical, but not to exceed 1 hour) of when the runoff or snowmelt begins discharging. The examinations shall document observations of color, odor, clarity, floating solids, settled solids, suspended

solids, foam, oil sheen, and other obvious indicators of storm water pollution. The examination must be conducted in a well lit area. No analytical tests are required to be performed on the samples. All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. Where practicable, the same individual should carry out the collection and examination of discharges for the entire permit term.

(2) Visual examination reports must be maintained onsite in the pollution prevention plan or with other compliance records 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 storm water discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.

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

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

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

Retention of Records

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

## N Sector N - Storm Water Discharges Associated With Industrial Activity From Scrap Recycling and Waste Recycling Facilities

### 1. Discharges Covered Under This Section

The requirements listed under this section shall apply to storm water discharges associated with industrial activity from a facility engaged in manufacturing the following products and generally described by the SIC codes shown below. Separate permit requirements have been established for recycling facilities that only receive source-separated recyclable materials primarily from non-industrial and residential sources (e.g., common consumer products including paper, newspaper, glass, cardboard, plastic containers, aluminum and tin cans). This includes recycling facilities commonly referred to as material recovery facilities (MRF).

| SIC Code | Sector N: Scrap Recycling and Waste and Recycling Facilities | Sampling Required? | Table Number |
|---|---|---|---|
| 5093 | Scrap and Waste Materials | Yes | N-1 |

Note: Recycling facilities that are material recovery facilities are not required to sample.

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 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-storm Water Discharges. Except for those allowable non-storm water discharges included in Part IIIA2 (Allowable Non-Storm Water Discharges) of this permit, there are no other non-storm water discharges authorized in this Sector.

### 3. Storm Water Pollution Prevention Plan Requirements

Contents of Plan. The following general requirements for the storm water pollution prevention plan are applicable to activities which reclaim and recycle either recyclable nonliquid and liquid waste materials. In addition to the general requirements, Paragraph XI.N.3.a.(3)(a) (below) identifies special requirements for scrap recycling and waste recycling facilities (nonsource-separated facilities) that handle nonliquid wastes. Paragraph XI.N.3.a.(3)(b) (below) identifies special requirements for waste recycling facilities that handle only liquid wastes. Paragraph XI.N.3.a.(3)(c) identifies special requirements for recycling facilities, including MRFs, that receive only source-separated recyclable materials primarily from non-industrial and residential sources. The plan shall include, at a minimum, the following items:

Pollution Prevention Team. Each plan shall identify a specific individual or individuals within the facility organization as members of a storm water Pollution Prevention Team that are responsible for developing the storm water pollution prevention plan and assisting the facility or plant manager in its

implementation, maintenance, and revision. The plan shall clearly identify the responsibilities of each team member. The activities and responsibilities of the team shall address all aspects of the facility's storm water pollution prevention plan.

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

Drainage. A site map indicating the outfall locations and the types of discharges contained in the drainage areas of the outfalls, an outline of the portions of the drainage area of each storm water outfall that are within the facility boundaries, each existing structural control measure to reduce pollutants in storm water runoff, surface water bodies (including wetlands), locations where significant materials are exposed to precipitation including scrap and waste material storage and outdoor scrap and waste processing equipment, locations where major spills or leaks identified in paragraph XI.N.3.a.(2)(c) of this section have occurred, and the locations of the following activities where such activities are exposed to precipitation: fueling stations, vehicle and equipment maintenance and/or cleaning areas, loading/unloading areas, locations used for the treatment, storage or disposal of wastes, material storage (including tanks or other vessels used for liquid or waste storage). Scrap recycling facilities that handle turnings that have been previously exposed to cutting fluids will delineate these containment areas as required in paragraph XI.N.3.a.(iii). The site map must also identify monitoring locations.

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

Inventory of Exposed Materials—An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water; method and location of onsite storage or disposal; materials management practices employed to minimize contact of materials with storm water runoff; the location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives.

Spills and Leaks—A list of significant spills and leaks of toxic or hazardous pollutants that occurred at areas that are exposed to precipitation or that otherwise drain to a storm water conveyance at the facility after the date of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit. Significant spills include, but are not limited to, releases of oil or hazardous substances in excess of quantities that are reportable under Section 311 of the Clean Water Act (CWA) (see 40 CFR 110.10 and 117.21) or Section 102 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (see 40 CFR 302.4). Such a list shall be updated as appropriate during the term of the permit.

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

Risk Identification and Summary of Potential Pollutant Sources—A narrative description of potential pollutant sources from the following activities: loading and unloading operations; outdoor storage activities, outdoor processing activities; significant dust or particulate generating processes and onsite waste disposal practices. The description shall specifically list any significant potential source of pollutants at the site and for each potential source, any pollutant or pollutant parameter (e.g., Chemical Oxygen Demand (COD), oil and grease, Total Suspended Solids (TSS), zinc, lead, copper, etc.) of concern shall be identified.

Measures and Controls. Each facility covered by this permit shall develop a description of storm water management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls for scrap recycling and waste recycling facilities (nonsource-separated, nonliquid recyclable materials), waste recycling facilities (recyclable liquid wastes), and recycling facilities (source-separated materials) are identified in Parts XI.N.3.a.(3)(a), XI.N.3.a.(3)(b), and XI.N.3.a.(3)(c), respectively. At a minimum, the description shall also include a schedule for implementing such controls:

Scrap and Waste Recycling Facilities (nonsource-separated, nonliquid recyclable wastes)—The following special conditions have been established for the pollution prevention plan for those scrap and waste recycling facilities that receive, process and provide wholesale distribution of nonliquid recyclable wastes, (e.g., ferrous and nonferrous metals, plastics, glass, cardboard, and paper). This section of the permit is intended to distinguish waste recycling facilities that receive both nonrecyclable and recyclable materials from those recycling facilities that only accept recyclable materials primarily from non-industrial and residential sources. Under the description of measures and controls in the storm water pollution prevention plan, the plan will address all areas that have a reasonable potential to contribute pollutants to storm water discharges and will be maintained in a clean and orderly manner. At a minimum, the plan will address the following activities and areas within the plan:

Inbound Recyclable and Waste Material Control Program—The plan shall include a recyclable and waste material inspection program to minimize the likelihood of receiving materials that may be significant pollutant sources to storm water discharges. At a minimum, the plan shall address the following:

Provision of information/education (flyers, brochures and pamphlets) to encourage suppliers of scrap and recyclable waste materials to drain residual fluids, whenever applicable, prior to its arrival at the facility. This includes vehicles and equipment engines, radiators, and transmissions, oil-filled transformers, and individual containers or drums;

Activities which accept scrap and materials that may contain residual fluids, e.g., automotive engines containing used oil, transmission fluids, etc., shall describe procedures to minimize the potential for these fluids from coming in contact with either precipitation or runoff. The description shall also identify measures or procedures to properly store, handle and dispose of these residual fluids;

Procedures pertaining to the acceptance of scrap lead-acid batteries. Additional requirements for the handling, storage and disposal or recycling of batteries shall be in conformance with conditions for a scrap lead-acid battery program, see paragraph XI.N.3.a.(3)(a)(vi) (below);

A description of training requirements for those personnel engaged in the inspection and acceptance of inbound recyclable materials.

Liquid wastes, including used oil, shall be stored in materially compatible and nonleaking containers and disposed or recycled in accordance with all requirements under the Resource Recovery and Conservation Act (RCRA), and other State or local requirements.

Scrap and Waste Material Stockpiles/Storage (outdoors)—The plan shall address areas where significant materials are exposed to either storm water runoff or precipitation. The plan must describe those measures and controls used to minimize contact of storm water runoff with stockpiled materials, processed materials and nonrecyclable wastes. The plan should include measures to minimize the extent of storm water contamination from these areas. The operator may consider the use of permanent or semipermanent covers, or other similar forms of protection over stockpiled materials where the operator determines that such measures are reasonable and appropriate. The operator may consider the use of sediment traps, vegetated swales and strips, to facilitate settling or filtering out of pollutants. The operator shall consider within the plan the use of the following BMPs (either individually or in combination) or their equivalent to minimize contact with storm water runoff:

Promoting the diversion of runoff away from these areas through such practices as dikes, berms, containment trenches, culverts and/or surface grading;

Media filtration such as catch basin filters and sand filters; and,

silt fencing; and,

Oil/water separators, sumps and dry adsorbents in stockpile areas that are potential sources of residual fluids, e.g., automotive engine storage areas.

Stockpiling of Turnings Previously Exposed to Cutting Fluids (outdoors)—The plan shall address all areas where stockpiling of industrial turnings previously exposed to cutting fluids occurs. The plan shall implement those measures necessary to minimize contact of surface runoff with residual cutting fluids. The operator shall consider implementation of either of the following two alternatives or a combination of both or equivalent measures:

Alternative 1: Storage of all turnings previously exposed to cutting fluids under some form of permanent or semi-permanent cover. Discharges of residual fluids from these areas to the storm sewer system in the absence of a storm event is prohibited. Discharges to the storm sewer system as a consequence of a storm event is permitted provided the discharge is first directed through an oil/water separator or its equivalent. Procedures to collect, handle, and dispose or recycle residual fluids that may be present shall be identified in the plan, or,

Alternative 2: Establish dedicated containment areas for all turnings that have been exposed to cutting fluids where runoff from these areas is directed to a storm sewer system, providing the following:

i) containment areas constructed of either concrete, asphalt or other equivalent type of impermeable material;

ii) a perimeter around containment areas to prevent runoff from moving across these areas. This would include the use of shallow berms, curbing, or constructing an elevated pad or other equivalent measure;

iii) a suitable drainage collection system to collect all runoff generated from within containment areas. At a minimum, the drainage system shall include a plate-type oil/water separator or its equivalent. The oil/water separator or its equivalent shall be installed according to the manufacturer's recommended specifications, whenever available, specifications will be kept with the plan.

iv) a schedule to maintain the oil/water separator (or its equivalent) to prevent the accumulation of appreciable amounts of fluids. In the absence of a storm event, no discharge from containment areas to the storm sewer system are prohibited unless covered by a separate NPDES permit;

v) identify procedures for the proper disposal or recycling of collected residual fluids.

Scrap and Waste Material Stockpiles/Storage (covered or indoor storage)—The plan shall address measures and controls to minimize residual liquids and accumulated particulate matter, originating from scrap and recyclable waste materials stored indoors or under cover, from coming in contact with surface runoff. The operator shall consider including in the plan the following or equivalent measures:

Good housekeeping measures, including the use of dry absorbent or wet vacuum clean up methods, to collect, handle, store and dispose or recycle residual liquids originating from recyclable containers, e.g., beverage containers, paint cans, household cleaning products containers, etc.;

Prohibiting the practice of allowing washwater from tipping floors or other processing areas from discharging to any portion of a storm sewer system;

Disconnecting or sealing off all existing floor drains connected to any portion of the storm sewer system.

Scrap and Recyclable Waste Processing Areas—The plan shall address areas where scrap and waste processing equipment are sited. This includes measures and controls to minimize surface runoff from coming in contact with scrap processing equipment. In the case of processing equipment that generate visible amounts of particulate residue, e.g., shredding facilities, the plan shall describe good housekeeping and preventive maintenance measures to minimize contact of runoff with residual fluids and accumulated particulate matter. At a minimum, the operator shall consider including in the plan the following or other equivalent measures:

A schedule of periodic inspections of equipment for leaks, spills, malfunctioning, worn or corroded parts or equipment;

Preventive maintenance program to repair and/or maintain processing equipment;

Measures to minimize shredder fluff from coming in contact with surface runoff;

Use of dry-absorbents or other cleanup practices to collect and to dispose or recycle spilled or leaking fluids;

Installation of low-level alarms or other equivalent protection devices on unattended hydraulic reservoirs over 150 gallons in capacity. Alternatively, provide secondary containment with sufficient volume to contain the entire volume of the reservoir.

The operator shall consider employing the following additional BMPs or equivalent measures: diversion structures such as dikes, berms, culverts, containment trenches, elevated concrete pads, grading to minimize contact of storm water runoff with outdoor processing equipment; oil/water separators, sumps or equivalent, in processing areas that are potential sources of residual fluids and grease; permanent or semipermanent covers, or other similar measures; retention and detention basins or ponds, sediment traps or vegetated swales and strips, to facilitate settling or filtering out of pollutants in runoff from processing areas; or media filtration such as catch basin filters and sand filters.

Scrap Lead-Acid Battery Program—The plan shall address measures and controls for the proper handling, storage and disposition of scrap lead-acid batteries (note. this permit does apply to the reclaiming of scrap lead-acid batteries, i.e., breaking up battery casings to recover lead). The operator shall consider including in the plan the following or equivalent measures:

Segregating all scrap lead-acid batteries from other scrap materials;

A description of procedures and/or measures for the handling, storage and proper disposal of cracked or broken batteries;

A description of measures to collect and dispose of leaking battery fluid (lead-acid);

A description of measures to minimize and, whenever possible, eliminate exposure of scrap lead-acid batteries to precipitation or runoff; and

A description of employee training for the management of scrap batteries.

Erosion and Sediment Control—The plan shall identify all areas associated with industrial activity that have a high potential for soil erosion and suspended solids loadings, i.e., areas that tend to accumulate significant particulate matter. Appropriate source control, stabilization measures, nonstructural, structural controls or an equivalent shall be provided in these areas. The plan shall also contain a narrative discussion of the reason(s) for selected erosion and sediment controls. At a minimum, the operator shall consider in the plan, either individually or in combination, the following erosion and sediment control measures:

Filtering or diversion practices, such as filter fabric fence, sediment filter boom, earthen or gravel berms, curbing or other equivalent measure,

Catch basin filters, filter fabric fence, or equivalent measure, place in or around inlets or catch basins that receive runoff from scrap and waste storage areas, and processing equipment; or

Sediment traps, vegetative buffer strips, or equivalent, to remove sediment prior to discharge through an inlet or catch basin.

Structural Controls for Sediment and Erosion Control—In instances where significant erosion and suspended solids loadings continue after installation of one or more of the BMPs identified in paragraph XI.N.3.a.(3)(a)(vii) (above), the operator shall consider providing in the plan for a detention or retention basin or other equivalent structural control. All structural controls shall be designed using good engineering practice. All structural controls and outlets that are likely to receive discharges containing oil and grease must include appropriate measures to minimize the discharge of oil and grease through the outlet. This may include the use of an absorbent boom or other equivalent measures.

Where space limitations (e.g., obstructions caused by permanent structures such as buildings and permanently-sited processing equipment and limitations caused by a restrictive property boundary) prevent the siting of a structural control, i.e., retention basin, such a determination will be noted in the plan. The operator will identify in the plan what existing practices shall be modified or additional measures shall be undertaken to minimize erosion and suspended sediment loadings in lieu of a structural BMP.

Spill Prevention and Response Procedures—To prevent or minimize storm water contamination at loading and unloading areas, and from equipment or container failures, the operator shall consider including in the plan the following practices:

Description of spill prevention and response measures to address areas that are potential sources of leaks or spills of fluids;

Leaks and spills should be contained and cleaned up as soon as possible. If malfunctioning equipment is responsible for the spill or leak, repairs should also be conducted as soon as possible;

Cleanup procedures should be identified in the plan, including the use of dry absorbent materials or other cleanup methods. Where dry absorbent cleanup methods are used, an adequate supply of dry absorbent material should be maintained onsite. Used absorbent material should be disposed of properly;

Drums containing liquids, including oil and lubricants, should be stored indoors; or in a bermed area; or in overpack containers or spill pallets; or in similar containment devices;

Overfill prevention devices should be installed on all fuel pumps or tanks;

Drip pans or equivalent measures should be placed under any leaking piece of stationary equipment until the leak is repaired. The drip pans should be inspected for leaks and checked for potential overflow and emptied regularly to prevent overflow and all liquids will be disposed of in accordance with all requirements under RCRA.

An alarm and/or pump shut off system should be installed and maintained on all outside equipment with hydraulic reservoirs exceeding 150 gallons (only those reservoirs not directly visible by the operator of the equipment) in order to prevent draining the tank contents in the event of a line break. Alternatively, the equipment may have a secondary containment system capable of containing the contents of the hydraulic reservoir plus adequate freeboard for precipitation. Leaking hydraulic fluids should be disposed of in accordance with all requirements under RCRA.

Quarterly Inspection Program—A quarterly inspection shall include all designated areas of the facility and equipment identified in the plan. The inspection shall include a means of tracking and conducting follow up actions based on the results of the inspection. The inspections shall be conducted by members of the Storm Water Pollution Prevention team. At a minimum, quarterly inspections shall include the following areas: all outdoor scrap processing areas; all material unloading and loading areas (including rail sidings) that are exposed to either precipitation or storm water runoff; areas where structural BMPs have been installed; all erosion and sediment BMPs; outdoor vehicle and equipment maintenance areas; vehicle and equipment fueling areas; and all areas where waste is generated, received, stored, treated, or disposed and which are exposed to either precipitation or storm water runoff.

The objective of the inspection shall be identify any corroded or leaking containers, corroded or leaking pipes, leaking or improperly closed valves and valve fittings, leaking pumps and/or hose connections, and deterioration in diversionary or containment structures that are exposed to precipitation or storm water runoff.

Spills or leaks identified during the visual inspection shall be immediately addressed using the procedures identified in Part XI.N.3.a.(3)(a)(ix) (Spill Prevention and Response Procedures). Structural BMPs shall be visually inspected for signs of washout, breakage, deterioration, damage, or overflowing and breaks shall be repaired or replaced as expeditiously as possible.

Employee Training—At a minimum, storm water control training appropriate to their job function shall be provided for truck drivers, scale operators, supervisors, buyers and other operating personnel. The plan shall include a proposed schedule for the training. The employee training program shall address at a minimum: BMPs and other requirements of the plan; proper scrap inspection, handling and storage procedures; procedures to follow in the event of a spill, leak, or break in any structural BMP. A training and education program shall be developed for employees and for suppliers for implementing appropriate activities identified in the storm water pollution prevention plan.

Supplier Notification—The plan shall include a supplier notification program that will be applicable to major suppliers and shall include: description of scrap materials that will not be accepted at the facility or that are accepted only under certain conditions.

Waste Recycling Facilities (liquid recyclable wastes)—The following special conditions have been established for the pollution prevention plan for those facilities that reclaim and recycle liquid wastes (e.g., used oil, antifreeze, mineral spirits, and industrial solvents). For these facilities, the storm water pollution prevention plan shall address all areas that have a reasonable potential to contribute pollutants to storm water discharges and will be maintained in a clean and orderly manner. At a minimum, the plan shall address the following activities and areas within the plan:

Waste Material Storage (indoors)—The plan shall address measures and controls to minimize/eliminate residual liquids from waste materials stored indoors from coming in contact with surface runoff. The plan may refer to applicable portions of other existing plans such as SPCC plans required under 40 CFR Part 112. At a minimum, the operator shall consider including in the plan the following:

Procedures for material handling (including labeling and marking);

A sufficient supply of dry-absorbent materials or a wet vacuum system to collect spilled or leaked materials;

An appropriate containment structure, such as trenches, curbing, gutters or other equivalent measures; and

A drainage system to handle discharges from diked or bermed areas. The drainage system should include appurtenances, (e.g., pumps or ejectors, manually operated valves). Drainage should be discharged to an appropriate treatment facility, sanitary sewer system, or otherwise disposed of properly. Discharges from these areas should be covered by a separate NPDES permit or industrial user permit under the pretreatment program.

Waste Material Storage (outdoors)—The plan shall address areas where waste materials are exposed to either storm water runoff or precipitation. The plan shall include measures to provide appropriate containment, drainage control and other appropriate diversionary structures. The plan may refer to applicable portions of other existing plans such as SPCC plans required under 40 CFR Part 112. At a minimum, the plan shall describe those measures and controls used to minimize contact of storm water runoff with stored materials. The operator shall consider including in the plan the following preventative measures, or an equivalent:

An appropriate containment structure such as dikes, berms, curbing or pits, or other equivalent measures. The containment should be sufficient to store the volume of the largest single tank and should include sufficient freeboard for precipitation;

A sufficient supply of dry-absorbent materials or a wet vacuum system, or other equivalent measure, to collect liquids from minor spills and leaks in contained areas; and

Discharges of precipitation from containment areas containing used oil shall be in accordance with applicable sections of 40 CFR Part 112.

Truck and Rail Car Waste Transfer Areas—The plan shall describe measures and controls for truck and rail car loading and unloading areas. This includes appropriate containment and diversionary structures to minimize contact with precipitation or storm water runoff. The plan shall also address measures to clean up minor spills and/or leaks originating from the transfer of liquid wastes. This may include the use of dry-clean up methods, roof coverings, runoff controls, or other equivalent measures.

Erosion and Sediment Control—The plan shall identify all areas associated with industrial activity that have a high potential for soil erosion. Appropriate stabilization measures, nonstructural and structural controls shall be provided in these areas. The plan shall contain a narrative consideration of the appropriateness for selected erosion and sediment controls. Where applicable, the facility shall consider the use of the following types of preventive measures: sediment traps; vegetative buffer strips; filter fabric fence; sediment filtering boom; gravel outlet protection; or other equivalent measures that effectively trap or remove sediment prior to discharge through an inlet or catch basin.

Spill Prevention and Response Procedures—The plan shall address measures and procedures to address potential spill scenarios that could occur at the facility. This includes all applicable handling and storage procedures, containment and/or diversion equipment, and clean-up procedures. The plan shall

specifically address all outdoor and indoor storage areas, waste transfer areas, material receiving areas (loading and unloading), and waste disposal areas.

Quarterly Inspections—Quarterly visual inspections shall be conducted by a member, or members, of the storm water pollution prevention team. The quarterly inspection shall include all designated areas of the facility and equipment identified in the plan. The inspection shall include a means of tracking and conducting follow up actions based on the results of the inspection. At a minimum, the inspections shall include the following areas: material storage areas; material unloading and loading areas (including rail sidings) that are exposed to either precipitation or storm water runoff; areas where structural BMPs have been installed; all erosion and sediment BMPs; outdoor vehicle and equipment maintenance areas (if applicable); vehicle and equipment fueling areas (if applicable); and all areas where waste is generated, received, stored, treated, or disposed and which are exposed to either precipitation or storm water runoff.

The inspection shall identify the presence of any corroded or leaking containers, corroded or leaking pipes, leaking or improperly closed valves and valve fittings, leaking pumps and/or hose connections, and deterioration in diversionary or containment structures that are exposed to precipitation or storm water runoff. Spills or leaks shall be immediately addressed according to the facility's spill prevention and response procedures.

Recycling Facilities (source separated materials)—The following special conditions have been established for the pollution prevention plan for recycling facilities, including MRFs, that receive only source-separated recyclable materials primarily from non-industrial and residential sources.

Inbound Recyclable Material Control Program. The plan shall include a recyclable material inspection program to minimize the likelihood of receiving non-recyclable materials (e.g., hazardous materials) that may be a significant source of pollutants in surface runoff. At a minimum, the operator shall consider addressing in the plan the following:

A description of information and education measures to educate the appropriate suppliers of recyclable materials on the types of recyclable materials that are acceptable and those that are not acceptable, e.g., household hazardous wastes;

A description of training requirements for drivers responsible for pickup of recyclable materials;

Clearly mark public drop-off containers as to what materials can be accepted;

Rejecting non-recyclable wastes or household hazardous wastes at the source; and

A description of procedures for the handling and disposal of non-recyclable materials.

Outdoor Storage. The plan shall include BMPs to minimize or reduce the exposure of recyclable materials to surface runoff and precipitation. The plan, at a minimum, shall include good housekeeping measures to prevent the accumulation of visible quantities of residual particulate matter and fluids, particularly in high traffic areas. The plan shall consider tarpaulins or their equivalent to be used to cover exposed bales of recyclable waste paper. The operator shall consider within the plan the use of the following types of BMPs (individually or in combination) or their equivalent, where practicable:

Provide totally-enclosed drop-off containers for public.

Provide a sump and sump pump with each containment pit. Discharge collected fluids to sanitary sewer system. Prevent discharging to the storm sewer system;

Provide dikes and curbs for secondary containment, i.e., around bales of recyclable waste paper;

Divert surface runoff away from outside material storage areas; and/or

Provide covers over containment bins, dumpsters, roll-off boxes; and,

Store the equivalent one day's volume of recyclable materials indoors.

Indoor Storage and Material Processing. The plan shall address BMPs to minimize the release of pollutants from indoor storage and processing areas to the storm sewer system. The plan shall establish specific measures to ensure that all floor drains do not discharge to the storm sewer system. The following BMPs shall be considered for inclusion in the plan:

Schedule routine good housekeeping measures for all storage and processing areas;

Prohibit a practice of allowing tipping floor washwaters from draining to any portion of the storm sewer system;

Provide employee training on pollution prevention practices.

Vehicle and Equipment Maintenance. The plan shall also provide for BMPs in those areas where vehicle and equipment maintenance is occurring outdoors. At a minimum, the following BMPs or equivalent measures shall be considered for inclusion in the plan:

Prohibit vehicle and equipment washwater from discharging to the storm sewer system;

Minimize or eliminate outdoor maintenance areas, wherever possible;

Establish spill prevention and clean-up procedures in fueling areas;

Provide employee training on avoiding topping off fuel tanks;

Divert runoff from fueling areas;

Store lubricants and hydraulic fluids indoors;

Provide employee training on proper, handling, storage of hydraulic fluids and lubricants.

Recordkeeping and Internal Reporting Procedures—The following record and internal reporting procedures are applicable to all discharges seeking coverage under this permit. The plan shall include a description of incidents (such as spills, or other discharges), along with other information describing the quality and quantity of storm water discharges. Inspections and maintenance activities shall be

documented and records of such activities shall be incorporated into the plan. The plan must address spills, monitoring, and BMP inspection and maintenance activities. BMPs which are ineffective must be reported and the date of their corrective action noted. Employees must report incidents of leaking fluids to facility management and these reports must be incorporated into the plan.

Non-storm Water Discharges

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

Sources of non-storm water that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge. Any non-storm water discharges that are not permitted under an individual NPDES permit should be brought to the attention of the Division's local Environmental Assistance Center (see list of EACs on page 15).

Failure to Certify—Any facility that is unable to provide the certification required (testing for non-storm water discharges), must notify the Division of Water Pollution Control not later than 180 days after submitting an NOI to be covered by this permit. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notification shall describe: the procedure of any test conducted for the presence of non-storm water discharges; the results of such test or other relevant observations; potential sources of non-storm water discharges to the storm sewer; and why adequate tests for such storm sewers were not feasible. Non-storm water discharges to waters of the State which are not authorized by an NPDES permit are unlawful, and must be terminated.

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

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

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

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

The storm water pollution prevention plan must describe the scope and content of comprehensive site evaluations that qualified personnel shall conduct to 1) confirm the accuracy of the description of potential pollution sources contained in the plan, 2) determine the effectiveness of the plan, and 3) assess compliance with the terms and conditions of the permit. The individual or individuals who shall conduct the evaluation must be identified in the plan and should be members of the pollution prevention team.

4. Numeric Effluent Limitations

There are no additional numeric effluent limitations beyond those described in Part V.B of this permit.

5. Monitoring and Reporting Requirements

a) Analytical Monitoring Requirements

During the term of this permit, permittees covered under this sector must monitor their storm water discharges associated with industrial activity at least once per calendar year (annually), except as provided in paragraphs 5.a.(3) (Sampling Waiver), 5.a.(4) (Representative Discharge), and 5.a.(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.b. (Reporting). In addition to the parameters listed in Table N-1 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 N-1. Industry Monitoring Requirements for Scrap Recycling and Waste Recycling Facilities (non-source separated only)**

| Pollutants of Concern[i] | Cut-Off Concentration | Sector Median Value * [mg/L] |
|---|---|---|
| Chemical Oxygen Demand (COD) | 120 mg/L | 79 |
| Total Suspended Solids (TSS) | 200 mg/L | 72 |
| Total Recoverable Aluminum | 0.75 mg/L | 2.08 |
| Total Recoverable Copper | 0.0636 mg/L | 0.091 |
| Total Recoverable Iron | 5.0 mg/L | 3.7 |
| Total Recoverable Lead | 0.156 mg/L | 0.058 |
| Total Recoverable Zinc | 0.395 mg/L | 0.243 |

* Sector Median Value is a pollutant concentration calculated from all sampling results provided from facilities classified in this sector during the previous permit term. By definition, a median is a statistical term identifying a number that divides numerically ordered data into two equal halves. In easier terms, the median is the middle piece of data when those data are placed in numerical order, or the average of the middle two if there is an even number of items. Therefore, median concentration(s) listed above represent a concentration value typical for and achieved by industries in this sector.

i) Several congeners of PCBs (PCB-1016, -1221, -1242, -1248, -1260) were above established benchmarks, however, EPA believes that these constituents will readily bound up with sediment and particulate matter. Therefore, EPA believes that BMPs will effectively address sources of PCBs and that monitoring for TSS will serve as an adequate indicator of the control of PCBs.

(1) Monitoring Periods. Scrap recycling and waste recycling facilities (non-source separated only) shall monitor samples collected during any period of a calendar year, as long as the samples are representative of the quantity and quality of the storm water runoff being discharged from the facility.

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

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 cut-off concentrations as shown in the table above. If the results of annual storm water runoff monitoring demonstrate that the facility has exceeded the cut-off concentration(s), the permittee must inform the Division's local Environmental Assistance Center in writing within 30 days from the time storm water monitoring results were received, describing the likely cause of the exceedance(s). Furthermore, within 60 days from the time storm water monitoring results were received, the facility must review its storm water pollution prevention plan, make any modifications or additions to the plan which would assist in reducing effluent concentrations to less than the monitoring cut-off concentrations for that facility, and submit to the Division's local Environmental Assistance Center a brief summary of the proposed SWPPP modifications (including a timetable for implementation).

(3) Sampling Waiver

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

(b) Low Concentration Waiver—When the average concentration for a pollutant calculated from monitoring data collected from first 4 calendar years of monitoring is less than the corresponding reporting value for that pollutant (Monitoring Cut-Off Concentration), a facility may waive monitoring and reporting requirements in the last annual monitoring period. The facility must submit to the Division of Water Pollution Control, 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 the area of the facility which drains to the outfall for which sampling was waived.

(c) When a discharger is unable to conduct annual chemical storm water sampling at an inactive and unstaffed site, the operator of the facility may exercise a waiver of the monitoring requirements as long as the facility remains inactive and unstaffed. The facility must submit to the Division of Water Pollution Control, in lieu of monitoring data, a certification statement on the TMSP Storm Water Monitoring Report stating that the site is inactive and unstaffed so that collecting a sample during a qualifying event is not possible.

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

effluents, and estimate of the size of the drainage area and runoff coefficient with the TMSP Storm Water Monitoring Report.

(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 the monitoring reports required under paragraph b below, under penalty of law, signed in accordance with Part VII.G. (Signatory Requirements), that material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, industrial machinery or operations, or significant materials from past industrial activity, that are located in areas of the facility within the drainage area of the outfall are not presently exposed to storm water and are not expected to be exposed to storm water for the certification period. Such certification must be retained in the storm water pollution prevention plan, and submitted to the Division of Water Pollution Control in accordance with Part VI.B. of this permit. In the case of certifying that a pollutant is not present, the permittee must submit the certification along with the monitoring reports required under paragraph b. below. If the permittee cannot certify for an entire period, they must submit the date exposure was eliminated and any monitoring required up until that date. This certification option is not applicable to compliance monitoring requirements associated with effluent limitations.

b) Reporting

Permittees with 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 Storm Water Monitoring Report Form(s) postmarked **no later than the March 31st of the following calendar year**. For each outfall, one signed TMSP Storm Water Monitoring Report form must be submitted to the Division of Water Pollution Control. Signed copies of TMSP Storm Water Monitoring Reports, or said certifications, shall be submitted to the following address:

**Enforcement and Compliance Section**
**Tennessee Division of Water Pollution Control**
**6th Floor L & C Annex**
**401 Church Street**
**Nashville, TN 37243-1534**

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

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

rainfall) storm event. Where practicable, the same individual should carry out the collection and examination of discharges for the entire permit term.

(2) Visual examination reports must be maintained onsite in the pollution prevention plan or with other compliance records 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 storm water discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.

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

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

# O Sector O - Storm Water Discharges Associated With Industrial Activity From Steam Electric Power Generating Facilities, Including Coal Handling Areas

## 1. Discharges Covered Under This Section

The requirements listed under this section shall apply to storm water discharges from steam electric power generating facilities, including coal handling areas. Non-storm water discharges subject to effluent limitations guidelines are not covered by this permit. Storm water discharges from coal pile runoff subject to numeric limitations are eligible for coverage under this permit, but are subject to the limitations established by 40 CFR 423.

| SIC Code | Sector O: Steam Electric Power Generating Facilities | Sampling Required? | Table Number |
|---|---|---|---|
| 4911 | Electric Services | Yes | O-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 facility shall determine which other monitoring and pollution prevention plan section(s) of this permit (if any) are applicable to the facility.

Limitations on Coverage. Storm water discharges from ancillary facilities such as fleet centers, gas turbine stations, and substations that are not contiguous to a steam electric power generating facility are not covered by this permit. Heat capture co-generation facilities are not covered by this permit; however, dual fuel co-generation facilities are included.

## 2. Special Conditions

Prohibition of Non-storm Water Discharges. Except for those allowable non-storm water discharges included in Part IIIA2 (Allowable Non-Storm Water Discharges) of this permit, there are no other non-storm water discharges authorized in this Sector.

## 3. Storm Water Pollution Prevention Plan Requirements

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

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

Description of Potential Pollutant Sources. Each plan shall provide a description of potential sources which may reasonably be expected to add significant amounts of pollutants to storm water

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

Drainage. A site map which clearly outlines the locations of the following, as they apply to the facility: The outfall locations and the types of discharges contained in the drainage areas of the outfalls, and an outline of the drainage area of each storm water outfall that is within the facility boundaries (and indicating the direction of storm water flow); processing areas and buildings; treatment ponds; locations where significant materials are exposed to precipitation; storage tanks; scrap yards, and general refuse areas; fuel storage and distribution areas; vehicle and equipment maintenance and storage areas; loading/unloading areas; locations used for treatment, storage or disposal of wastes; location of short and long term storage of general materials (including but not limited to: supplies, construction materials, plant equipment, oils, fuels, used and unused solvents, cleaning materials, paint, water treatment chemicals, fertilizers, and pesticides); landfills; location of construction sites; locations of stock pile areas (such as coal piles and limestone piles); locations where major spills or leaks identified under Part XI.O.3.a.(2)(c) (Spills and Leaks) of this permit have occurred; surface water bodies; and existing structural control measures to reduce pollutants in storm water runoff (such as bermed areas, grassy swales, etc.).

For each storm water outfall identify the types of pollutants which are likely to be present in the storm water discharges. Factors to consider include the toxicity of a chemical; quantity of chemicals used, produced or discharged; the likelihood of contact with storm water; and history of significant leaks or spills of toxic or hazardous pollutants. Flows with a significant potential for causing erosion shall be identified.

Inventory of Exposed Materials—An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; method and location of onsite storage or disposal; materials management practices employed to minimize contact of materials with storm water runoff between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; the location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives.

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

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

Risk Identification and Summary of Potential Pollutant Sources—A narrative description of the potential pollutant sources from the following activities: loading and unloading operations; outdoor storage activities; outdoor manufacturing or processing activities; significant dust or particulate

generating processes; and onsite waste disposal practices. The description shall specifically list any significant potential source of pollutants at the site and for each potential source, any pollutant or pollutant parameter (e.g., total suspended solids, copper, etc.) of concern shall be identified.

Measures and Controls. Each facility covered by this permit shall develop a description of storm water management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls shall address the following minimum components, including a schedule for implementing such controls:

Good Housekeeping—Good housekeeping requires the maintenance of areas which may contribute pollutants to storm water discharges in a clean, orderly manner. The following areas must be specifically addressed:

Fugitive Dust Emissions—The plan must describe measures that prevent or minimize fugitive dust emissions from coal handling areas. The permittee shall consider establishing procedures to minimize offsite tracking of coal dust. To prevent offsite tracking the facility may consider specially designed tires, or washing vehicles in a designated area before they leave the site, and controlling the wash water.

Delivery Vehicles—The plan must describe measures that prevent or minimize contamination of storm water runoff from delivery vehicles arriving on the plant site. At a minimum the permittee should consider the following:

Develop procedures for the inspection of delivery vehicles arriving on the plant site, and ensure overall integrity of the body or container; and

Develop procedures to deal with leakage or spillage from vehicles or containers, and ensure that proper protective measures are available for personnel and environment.

Fuel Oil Unloading Areas—The plan must describe measures that prevent or minimize contamination of storm water runoff from fuel oil unloading areas. At a minimum the facility operator must consider using the following measures, or an equivalent:

Use containment curbs in unloading areas;

During deliveries station personnel familiar with spill prevention and response procedures must be present to ensure that any leaks or spills are immediately contained and cleaned up; and

Use spill and overflow protection (drip pans, drip diapers, and/or other containment devices shall be placed beneath fuel oil connectors to contain any spillage that may occur during deliveries or due to leaks at such connectors).

Chemical Loading/Unloading Areas—The plan must describe measures that prevent or minimize the contamination of storm water runoff from chemical loading/unloading areas. Where practicable, chemical loading/unloading areas should be covered, and chemicals should be stored indoors.

At a minimum the permittee must consider using the following measures or an equivalent:

Use containment curbs at chemical loading/unloading areas to contain spills; and

During deliveries station personnel familiar with spill prevention and response procedures must be present to ensure that any leaks or spills are immediately contained and cleaned up.

Miscellaneous Loading/Unloading Areas—The plan must describe measures that prevent or minimizes the contamination of storm water runoff from loading and unloading areas. The facility may consider covering the loading area, minimizing storm water runon to the loading area by grading, berming, or curbing the area around the loading area to direct storm water away from the area, or locate the loading/unloading equipment and vehicles so that leaks can be contained in existing containment and flow diversion systems.

Liquid Storage Tanks—The plan must describe measures that prevent or minimize contamination of storm water runoff from above ground liquid storage tanks. At a minimum the facility operator must consider employing the following measures or an equivalent:

Use protective guards around tanks;

Use containment curbs;

Use spill and overflow protection (drip pans, drip diapers, and/or other containment devices shall be placed beneath chemical connectors to contain any spillage that may occur during deliveries or due to leaks at such connectors); and

Use dry cleanup methods.

Large Bulk Fuel Storage Tanks—The plan must describe measures that prevent or minimize contamination of storm water runoff from liquid storage tanks. At a minimum the facility operator must consider employing the following measures, or an equivalent:

Comply with applicable State and Federal laws, including Spill Prevention Control and Countermeasures (SPCC); and

Containment berms.

The plan must describe measures to reduce the potential for an oil spill, or a chemical spill, or reference the appropriate section of their SPCC plan. At a minimum the structural integrity of all above ground tanks, pipelines, pumps and other related equipment shall be visually inspected on a weekly basis. All repairs deemed necessary based on the findings of the inspections shall be completed immediately to reduce the incidence of spills and leaks occurring from such faulty equipment.

Oil Bearing Equipment in Switchyards—The plan must describe measures to reduce the potential for storm water contamination from oil bearing equipment in switchyard areas. The facility operator may consider level grades and gravel surfaces to retard flows and limit the spread of spills; collection of storm water runoff in perimeter ditches.

Residue Hauling Vehicles—All residue hauling vehicles shall be inspected for proper covering over the load, adequate gate sealing and overall integrity of the body or container. Vehicles without load coverings or adequate gate sealing, or with leaking containers or beds must be repaired as soon as practicable.

Ash Loading Areas—Plant procedures shall be established to reduce and/or control the tracking of ash or residue from ash loading areas including, where practicable, requirements to clear the ash building floor and immediately adjacent roadways of spillage, debris and excess water before each loaded vehicle departs.

Areas Adjacent to Disposal Ponds or Landfills—The plan must describe measures that prevent or minimize contamination of storm water runoff from areas adjacent to disposal ponds or landfills. The facility must develop procedures to:

Reduce ash residue which may be tracked on to access roads traveled by residue trucks or residue handling vehicles; and

Reduce ash residue on exit roads leading into and out of residue handling areas.

Landfills, Scrapyards, Surface Impoundments, Open Dumps, General Refuse Sites—The plan must address landfills, scrapyards, surface impoundments, open dumps and general refuse sites. The permittee is referred to Parts XI.L. and XI.N of the permit for applicable Best Management Practices (BMPs).

Maintenance Activities—For vehicle maintenance activities performed on the plant site, the permittee shall use the applicable BMPs outlined in Part XI.P. of the permit (Storm Water Discharges Associated With Industrial Activity From Motor Freight Transportation Facilities, Passenger Transportation Facilities, Rail Transportation Facilities, and United States Postal Service Transportation Facilities).

Material Storage Areas—The plan must describe measures that prevent or minimize contamination of storm water from material storage areas (including areas used for temporary storage of miscellaneous products, and construction materials stored in lay down areas). The facility operator may consider flat yard grades, runoff collection in graded swales or ditches, erosion protection measures at steep outfall sites (e.g., concrete chutes, riprap, stilling basins), covering lay down areas, storing the materials indoors, covering the material with a temporary covering made of polyethylene, polyurethane, polypropylene, or hypalon. Storm water runon may be minimized by constructing an enclosure or building a berm around the area.

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

Spill Prevention and Response Procedures—Areas where potential spills which can contribute pollutants to storm water discharges can occur, and their accompanying drainage points, shall be identified clearly in the storm water pollution prevention plan. Where appropriate, specifying material

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

Inspections—In addition to or as part of the comprehensive site evaluation required under Part XI.O.3.a.(4) of this section, qualified facility personnel shall be identified to inspect the following areas on a monthly basis: coal handling areas, loading/unloading areas, switchyards, fueling areas, bulk storage areas, ash handling areas, areas adjacent to disposal ponds and landfills, maintenance areas, liquid storage tanks, and long term and short term material storage areas. 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 onsite. Such records are subject to review by the U.S. Environmental Protection Agency, and State, and local agencies with jurisdiction, and must be retained onsite a minimum of 3 years after the date of the inspection.

Employee Training—Employee training programs shall inform personnel responsible for implementing activities identified in the storm water pollution prevention plan or otherwise responsible for storm water management at all levels of responsibility of the components and goals of the storm water pollution prevention plan. Training should address topics such as goals of the pollution prevention plan, spill prevention and control, proper handling procedures for hazardous wastes, good housekeeping and material management practices, and storm water sampling techniques. The pollution prevention plan shall identify periodic dates for such training, but in all cases training must be held at least annually.

Recordkeeping and Internal Reporting Procedures—A description of incidents (such as spills, or other discharges), along with other information describing the quality and quantity of storm water discharges shall be included in the plan required under this part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan.

Non-storm Water Discharges

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

Sources of non-storm water that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge. Any

non-storm water discharges that are not permitted under an individual NPDES permit should be brought to the attention of the Division's local Environmental Assistance Center (see list of EACs on page 15).

Failure to Certify—Any facility that is unable to provide the certification required (testing for non-storm water discharges), must notify the Division of Water Pollution Control by not later than 180 days after submitting an NOI to be covered by this permit. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notification shall describe: the procedure of any test conducted for the presence of non-storm water discharges; the results of such test or other relevant observations; potential sources of non-storm water discharges to the storm sewer; and, why adequate tests for such storm sewers were not feasible. Non-storm water discharges to waters of the State which are not authorized by an NPDES permit are unlawful, and must be terminated.

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

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

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

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

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

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

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

4. Numeric Effluent Limitations

Coal pile runoff is subject to the effluent guidelines described in Part V.B. of this permit. However, steam electric generating facilities must comply with the requirement of Part V.B. immediately upon permit issuance. Steam electric generating facilities are not permitted to take 3 years to meet this requirement.

5. Monitoring and Reporting Requirements

a) Analytical Monitoring Requirements

During the term of this permit, permittees covered under this sector must monitor their storm water discharges associated with industrial activity at least once per calendar year (annually), except as provided in paragraphs 5.a.(3) (Sampling Waiver), 5.a.(4) (Representative Discharge), and 5.a.(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.b.(reporting). In addition to the parameter listed in Table O-1 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 which 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 O-1. Monitoring Requirements for Steam Electric Power Generating Facilities**

| Pollutant of Concern | Cut-Off Concentration | Sector Median Value * [mg/L] |
|---|---|---|
| Total Recoverable Iron | 5.0 mg/L | 1.9 |

* Sector Median Value is a pollutant concentration calculated from all sampling results provided from facilities classified in this sector during the previous permit term. By definition, a median is a statistical term identifying a number that divides numerically ordered data into two equal halves. In easier terms, the median is the middle piece of data when those data are placed in numerical order, or the average of the middle two if there is an even number of items. Therefore, median concentration(s) listed above represent a concentration value typical for and achieved by industries in this sector.

(1) Monitoring Periods. Steam electric power generating facilities shall monitor samples collected during any period of a calendar year, as long as the samples are representative of the quantity and quality of the storm water runoff being discharged from the facility.

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

(3) Sampling Waiver

(a) Adverse Conditions—When a discharger is unable to collect samples within a specified sampling period due to adverse climatic conditions, the discharger shall collect a substitute sample from a separate qualifying event in the next period and submit the data along with data for the routine sample in that period. Adverse weather conditions 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.).

(b) 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 Cut-Off Concentration), a facility may waive monitoring and reporting requirements in the last annual monitoring period. The facility must submit to the Division of Water Pollution Control, in lieu of the monitoring data, a certification that there has not been a significant change in industrial activity or the pollution prevention measures in area of the facility which drains to the outfall for which sampling was waived.

(c) When a discharger is unable to conduct annual chemical storm water sampling at an inactive and unstaffed site, the operator of the facility may exercise a waiver of the monitoring requirements as long as the facility remains inactive and unstaffed. The facility must submit to the Division of Water Pollution Control, in lieu of monitoring data, a certification statement on the TMSP Storm Water Monitoring Report stating that the site is inactive and unstaffed so that collecting a sample during a qualifying event is not possible.

(4) Representative Discharge. When a facility has 2 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 outfalls provided that the permittee includes in the storm water pollution prevention plan a description of the location of the outfalls and explaining in detail why the outfalls are expected to discharge substantially identical effluents. In addition, for each outfall that the permittee believes is representative, an estimate of the size of the drainage area (in square feet) and an estimate of the runoff coefficient of the drainage area (e.g., low (under 40 percent), medium (40 to 65 percent) or high (above 65 percent)) shall be provided in the plan. 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 Storm Water Monitoring Report.

(5) Alternative Certification. A discharger is not subject to the monitoring requirements of this section provided the discharger makes a certification for a given outfall, or on a pollutant-by-pollutant basis in lieu of monitoring reports required under paragraph b below, under penalty of law, signed in accordance with Part VII.G. (signatory requirements), that material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, industrial machinery or operations, significant materials from past industrial activity that are located in areas of the facility within the drainage area of the outfall are not presently exposed to storm water and are not expected to be exposed to storm water for the certification period. Such certification must be retained in the storm water pollution prevention plan, and submitted to the Division of Water Pollution Control in accordance with Part VI.B. of this permit. In the case of certifying that a pollutant is not present, the permittee must submit the certification along with the monitoring reports required under paragraph (b) below. If the permittee cannot certify for an entire period, they must submit the date exposure was eliminated and any monitoring required up until that date. This certification option is not applicable to compliance monitoring requirements associated with effluent limitations.

b) Reporting

Permittees with 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 Storm Water Monitoring Report Form(s) postmarked **no later than the March 31st of the following calendar year**. For each outfall, one signed TMSP Storm Water Monitoring Report form must be submitted to the Division of Water Pollution Control. Signed copies of TMSP Storm Water Monitoring Reports, or said certifications, shall be submitted to the following address:

**Enforcement and Compliance Section**
**Tennessee Division of Water Pollution Control**
**6th Floor L & C Annex**
**401 Church Street**
**Nashville, TN 37243-1534**

c) Compliance Monitoring Requirements. Permittees with point sources of coal pile runoff associated with steam electric power generation must monitor these storm water discharges for the presence of TSS and for pH at least annually (one time per year). Facilities must report in accordance with 5.c.(2) (reporting). In addition to the parameters listed above, 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.

(1) Sample Type. A minimum of one grab sample shall be taken. All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. The grab sample shall be taken during the first 30 minutes of the discharge. If the collection of a grab sample during the first 30 minutes is impracticable, a grab sample can be taken during the first hour of the discharge, and the discharger shall submit with the monitoring report a description of why a grab sample during the first 30 minutes was impracticable.

(2) Reporting

Permittees with 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 Storm Water Monitoring Report Form(s) postmarked **no later than the March 31st of the following calendar year**. For each outfall, one signed TMSP Storm Water Monitoring Report form must be submitted to the Division of Water Pollution Control. Signed copies of TMSP Storm Water Monitoring Reports, or said certifications, shall be submitted to the following address:

**Enforcement and Compliance Section**
**Tennessee Division of Water Pollution Control**
**6th Floor L & C Annex**
**401 Church Street**
**Nashville, TN 37243-1534**

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

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

(2) Examinations shall be made of samples collected within the first 30 minutes (or as soon thereafter as practical, but not to exceed one hour) of when the runoff or snowmelt begins discharging. The examination must be conducted in a well lit area. No analytical tests are required to be performed on the samples. All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. Where practicable the same individual should carry out the collection and examination of discharges for entire permit term.

(3) Visual examination reports must be maintained on-site in the pollution prevention plan. The report shall include the examination date and time, examination personnel, the nature of the discharge (i.e., runoff or snow melt), visual quality of the storm water discharge including observations of color,

odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution, and probable sources of any observed storm water contamination.

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

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

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

## P Sector P - Storm Water Discharges Associated With Industrial Activity From Motor Freight Transportation Facilities, Passenger Transportation Facilities, Petroleum Bulk Oil Stations and Terminals, Rail Transportation Facilities, and United States Postal Service Transportation Facilities

### 1. Discharges Covered Under This Section

Storm water discharges from ground transportation facilities and rail transportation facilities that have vehicle and equipment maintenance shops (vehicle and equipment rehabilitation, mechanical repairs, painting, fueling and lubrication) and/or equipment cleaning operations are eligible for coverage under this section:

| SIC Code | Sector P: Vehicle Maintenance or Equipment Cleaning areas at Motor Freight Transportation Facilities, Passenger Transportation Facilities, Petroleum Bulk Oil Stations and Terminals, the United States Postal Service, or Railroad Transportation Facilities | Sampling Required? | Table Number |
|---|---|---|---|
| 4011 | Railroads, Line-haul Operating | No | -- |
| 4013 | Railroad Switching and Terminal Establishments | No | -- |
| 4111 | Local and Suburban Transit | No | -- |
| 4119 | Local Passenger Transportation, NEC | No | -- |
| 4121 | Taxicabs | No | -- |
| 4131 | Intercity and Rural Bus Transportation | No | -- |
| 4141 | Local Bus Charter Service | No | -- |
| 4142 | Bus Charter Service, Except Local | No | -- |
| 4151 | School Buses | No | -- |
| 4173 | Terminal and Service Facilities for Motor Vehicle Passenger Transportation | No | -- |
| 4212 | Local Trucking Without Storage | No | -- |
| 4213 | Trucking, Except Local | No | -- |
| 4214 | Local Trucking with Storage | No | -- |
| 4215 | Couriers Services Except by Air | No | -- |
| 4221 | Farm Product Warehousing and Storage | No | -- |
| 4222 | Refrigerated Warehousing and Storage | No | -- |
| 4225 | General Warehousing and Storage | No | -- |
| 4226 | Special Warehousing and Storage, NEC | No | -- |
| 4231 | Terminal and Joint Terminal Maintenance Facilities for Motor Freight Transportation | No | -- |
| 4311 | United States Postal Service | No | -- |
| 5171 | Petroleum Bulk Stations and Terminals | No | -- |

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 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-storm Water Discharges. Except for those allowable non-storm water discharges included in Part IIIA2 (Allowable Non-Storm Water Discharges) of this permit, there are no other non-storm water discharges authorized in this Sector.

3. Storm Water Pollution Prevention Plan Requirements

a) Deadlines for Plan Preparation and Compliance. There are no additional deadlines for plan preparation and compliance, other than those stated in Part IV.A.

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

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

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

(a) Drainage—A site map indicating the location of each point of discharge of storm water associated with industrial activity, an outline of the portions of the drainage area of each storm water outfall that are within the facility boundaries (with a prediction of the direction of flow), each existing structural control measure to reduce pollutants in storm water runoff, surface water bodies, locations where significant materials are exposed to precipitation, locations where major spills or leaks identified under Part XI.P.3.b.(2)(c) (Spills and Leaks) of this permit have occurred, and the locations of the following activities: fueling stations, vehicle and equipment maintenance and/or cleaning areas, storage areas for vehicles and equipment with actual or potential fluid leaks loading/unloading areas, locations used for the treatment, storage or disposal of wastes, liquid storage tanks, processing areas, storage areas, and all monitoring locations. The site map must also indicate the types of discharges contained in the drainage areas of the outfalls (e.g., storm water and air conditioner condensate). In order to increase the readability of the map, the inventory of the types of discharges contained in each outfall may be kept as an attachment to the site map.

(b) Inventory of Exposed Materials—An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; method and location of onsite storage or disposal; dirt or gravel parking areas for storage of vehicles to be maintained; materials management practices employed to minimize contact of materials with storm water runoff between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; the location

and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives.

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

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

(e) Summary of Potential Pollutant Sources—A narrative description of the potential pollutant sources from the following activities associated with vehicle and equipment maintenance and equipment cleaning: fueling stations; maintenance shops; equipment or vehicle cleaning areas; paved dirt or gravel parking areas for vehicles to be maintained; loading and unloading operations; outdoor storage activities; outdoor manufacturing or processing activities; significant dust or particulate generating processes; and onsite waste disposal practices. The description shall specifically list any significant potential source of pollutants at the site and for each potential source, any pollutant or pollutant parameter (e.g., oil and grease, etc.) of concern shall be identified.

(3) Measures and Controls. Each facility covered by this permit shall develop a description of storm water management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls shall address the following minimum components, including a schedule for implementing such controls:

(a) Good Housekeeping—All areas that may contribute pollutants to storm water discharges shall be maintained in a clean, orderly manner. The following areas must be specifically addressed:

(i) Vehicle and Equipment Storage Areas—The storage of vehicles and equipment awaiting maintenance with actual or potential fluid leaks must be confined to designated areas (delineated on the site map). The plan must describe measures that prevent or minimize contamination of the storm water runoff from these areas. The facility shall consider the use of drip pans under vehicles and equipment, indoor storage of the vehicles and equipment, installation of berming and diking of this area, use of absorbents, roofing or covering storage areas, cleaning pavement surface to remove oil and grease, or other equivalent methods.

(ii) Fueling Areas—The plan must describe measures that prevent or minimize contamination of the storm water runoff from fueling areas. The facility shall consider covering the fueling area, using spill and overflow protection and cleanup equipment, minimizing runon/runoff of storm water to the fueling area, using dry cleanup methods, collecting the storm water runoff and providing treatment or recycling, or other equivalent measures.

(iii) Material Storage Areas—Storage units of all materials (e.g., used oil, used oil filters, spent solvents, paint wastes, radiator fluids, transmission fluids, hydraulic fluids) must be maintained in good condition, so as to prevent contamination of storm water, and plainly labeled (e.g., "used oil," "spent

solvents," etc.). The plan must describe measures that prevent or minimize contamination of the storm water runoff from such storage areas. The facility shall consider indoor storage of the materials, installation of berming and diking of the area, minimizing runon/runoff of storm water to the areas, using dry cleanup methods, collecting the storm water runoff and providing treatment, or other equivalent methods.

(iv) Vehicle and Equipment Cleaning Areas—The plan must describe measures that prevent or minimize contamination of the storm water runoff from all areas used for vehicle and equipment cleaning. The facility shall consider performing all cleaning operations indoors, covering the cleaning operation, ensuring that all washwaters drain to the intended collection system (i.e., not the storm water drainage system unless NPDES permitted), collecting the storm water runoff from the cleaning area and providing treatment or recycling, or other equivalent measures. The discharge of vehicle and equipment wash waters, including tank cleaning operations, are not authorized by this permit and must be covered under a separate NPDES permit or discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements.

(v) Vehicle and Equipment Maintenance Areas—The plan must describe measures that prevent or minimize contamination of the storm water runoff from all areas used for vehicle and equipment maintenance. The facility shall consider performing all maintenance activities indoors, using drip pans, maintaining an organized inventory of materials used in the shop, draining all parts of fluids prior to disposal, prohibiting wet clean up practices where the practices would result in the discharge of pollutants to storm water drainage systems, using dry cleanup methods, collecting the storm water runoff from the maintenance area and providing treatment or recycling, minimizing runon/runoff of storm water areas or other equivalent measures.

(vi) Locomotive Sanding (loading sand for traction) Areas—The plan must describe measures that prevent or minimize contamination of the storm water runoff from areas used for locomotive sanding. The facility shall consider covering sanding areas, minimizing storm water runon/runoff, appropriate sediment removal practices to minimize the offsite transport of sanding material by storm water, or other equivalent measures.

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

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

(d) Inspections—Qualified facility personnel shall be identified to inspect designated equipment and areas of the facility on a quarterly basis. The following areas shall be included in all inspections: storage area for vehicles and equipment awaiting maintenance, fueling areas, vehicle and equipment maintenance areas (both indoors and outdoors), material storage areas, vehicle and equipment cleaning areas, and

loading and unloading areas. Follow-up procedures shall be used to ensure that appropriate actions are taken in response to the inspections. Records of inspections shall be maintained. The use of a checklist should be considered by the facility.

(e) Employee Training—Employee training programs shall inform personnel responsible for implementing activities identified in the storm water pollution prevention plan or otherwise responsible for storm water management of the components and goals of the storm water pollution prevention plan. Training should address topics such as spill response, good housekeeping and material management practices. The pollution prevention plan shall identify how often training will take place; at a minimum, training must be held annually (once per calendar year). Employee training must, at a minimum, address the following areas when applicable to a facility: summary of the facility's pollution prevention plan requirements; used oil management; spent solvent management; spill prevention, response and control; fueling procedures; general good housekeeping practices; proper painting procedures; and used battery management.

(f) Recordkeeping and Internal Reporting Procedures—A description of incidents (such as spills, or other discharges), along with other information describing the quality and quantity of storm water discharges shall be included in the plan required under this part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan.

(g) Non-storm Water Discharges

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

(ii) Sources of non-storm water that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge. Any non-storm water discharges that are not permitted under an individual NPDES permit should be brought to the attention of the Division's local Environmental Assistance Center (see list of EACs on page 15).

(iii) A copy of the NPDES permit issued for vehicle and equipment washwaters or, if an NPDES permit has not yet been issued, a copy of the pending application must be attached to or referenced in the plan. For facilities that discharge vehicle and equipment washwaters to the sanitary sewer system, the operator of the sanitary system and associated treatment plant must be notified. In such cases, a copy of the notification letter must be attached to the plan. If an industrial user permit is issued under a

pretreatment program, a copy of that permit must be attached in the plan. In all cases, any permit conditions or pretreatment requirements must be considered in the plan. If the washwaters are handled in another manner (e.g., hauled offsite), the disposal method must be described and all pertinent documentation (e.g., frequency, volume, destination, etc.) must be attached to the plan.

(iv) Failure to Certify—Any facility that is unable to provide the certification required (testing for non-storm water discharges), must notify the Division of Water Pollution Control by not later than 180 days after submitting an NOI to be covered by this permit. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notification shall describe: the procedure of any test conducted for the presence of non-storm water discharges; the results of such test or other relevant observations; potential sources of non-storm water discharges to the storm sewer; and why adequate tests for such storm sewers were not feasible. Non-storm water discharges to waters of the State which are not authorized by an NPDES permit are unlawful, and must be terminated.

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

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

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

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

(b) Based on the results of the evaluation, the description of potential pollutant sources identified in the plan in accordance with Part XI.P.3.b.(2) (Description of Potential Pollutant Sources) of this permit and pollution prevention measures and controls identified in the plan in accordance with paragraph XI.P.3.b.(3) (Measures and Controls) of this permit shall be revised as appropriate within 2 weeks of such

evaluation and shall provide for implementation of any changes to the plan in a timely manner, but in no case more than 12 weeks after the evaluation.

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

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

4. Numeric Effluent Limitations

There are no additional numeric effluent limitations beyond those described in Part V.B of this permit.

5. Monitoring and Reporting Requirements

a) Monitoring Requirements

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

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

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

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, hurricanes, tornadoes,

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

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 storm water discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.

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

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

# Q Sector Q - Storm Water Discharges Associated With Industrial Activity From Water Transportation Facilities That Have Vehicle Maintenance Shops and/or Equipment Cleaning Operations

## 1. Discharges Covered Under This Section

The requirements listed under this section shall apply to storm water discharges from water transportation facilities that have vehicle (vessel) maintenance shops and/or equipment cleaning operations, generally described by the SIC codes shown below:

| SIC Code | Sector Q: Vehicle Maintenance Areas and Equipment Cleaning Areas of Water Transportation Facilities | Sampling Required? | Table Number |
|---|---|---|---|
| 4412 | Deep Sea Foreign Transportation of Freight | Yes | Q-1 |
| 4424 | Deep Sea Domestic Transportation of Freight | Yes | Q-1 |
| 4432 | Freight Transportation on the Great Lakes - St. Lawrence Seaway | Yes | Q-1 |
| 4449 | Water Transportation of Freight, NEC | Yes | Q-1 |
| 4481 | Deep Sea Transportation of Passengers, Except by Ferry | Yes | Q-1 |
| 4482 | Ferries | Yes | Q-1 |
| 4489 | Water Transportation of Passengers, NEC | Yes | Q-1 |
| 4491 | Marine Cargo Handling | Yes | Q-1 |
| 4492 | Towing and Tugboat Services | Yes | Q-1 |
| 4493 | Marinas | Yes | Q-1 |
| 4499 | Water Transportation Services, NEC | Yes | Q-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 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-storm Water Discharges. Except for those allowable non-storm water discharges included in Part IIIA2 (Allowable Non-Storm Water Discharges) of this permit, there are no other non-storm water discharges authorized in this Sector. This section specifically prohibits non-storm water discharges of wastewaters, such as bilge and ballast water, sanitary wastes, pressure wash water, and cooling water originating from vessels.

## 3. Storm Water Pollution Prevention Plan Requirements

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

Pollution Prevention Team. Each plan shall identify a specific individual or individuals within the facility organization as members of a storm water Pollution Prevention Team who are responsible for developing the storm water pollution prevention plan and assisting the facility or plant manager in its implementation, maintenance, and revision. The plan shall clearly identify the responsibilities of each

team member. The activities and responsibilities of the team shall address all aspects of the facility's storm water pollution prevention plan.

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

Drainage. A site map indicating an outline of the portions of the drainage area of each storm water outfall that are within the facility boundaries, each existing structural control measure to reduce pollutants in storm water runoff, surface water bodies, locations where significant materials are exposed to precipitation, locations where major spills or leaks identified under Part XI.Q.3.a.(2)(c) (Spills and Leaks) of this section have occurred, and the locations of the following activities where such activities are exposed to precipitation: fueling, engine maintenance and repair, vessel maintenance and repair, pressure washing, painting, sanding, blasting, welding, metal fabrication, loading/unloading areas, locations used for the treatment, storage or disposal of wastes; liquid storage tanks, liquid storage areas (i.e., paint, solvents, resins), and material storage areas (i.e., blasting media, aluminum, steel, scrap iron). In addition, the map must indicate the outfall locations and the types of discharges contained in the drainage areas of the outfalls.

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

Inventory of Exposed Materials—An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; method and location of onsite storage or disposal; materials management practices employed to minimize contact of materials with storm water runoff between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; the location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives.

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

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

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

Measures and Controls. Each facility covered by this permit shall develop a description of storm water management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls shall address the following minimum components, including a schedule for implementing such controls:

Good Housekeeping—Good housekeeping requires the maintenance of areas which may contribute pollutants to storm water discharges in a clean, orderly manner. The following areas must be specifically addressed, when applicable at a facility:

Pressure Washing Area—When pressure washing is used to remove marine growth from vessels, the discharge water must be permitted by an NPDES permit. The pollution prevention plan must describe the measures to collect or contain the discharge from the pressure washing area, detail the method for the removal of the visible solids, describe the method of disposal of the collected solids, and identify where the discharge will be released (i.e., the receiving waterbody, storm sewer system, sanitary sewer system).

Blasting and Painting Areas—The facility must consider containing all blasting and painting activities to prevent abrasives, paint chips, and overspray from reaching the receiving water or the storm sewer system. The plan must describe measures taken at the facility to prevent or minimize the discharge of spent abrasive, paint chips, and paint into the receiving waterbody and storm sewer system. The facility may consider hanging plastic barriers or tarpaulins during blasting or painting operations to contain debris. Where required, a schedule for cleaning storm water conveyances to remove deposits of abrasive blasting debris and paint chips should be addressed within the plan. The plan should include any standard operating practices with regard to blasting and painting activities. Such included items may be the prohibition of performing uncontained blasting and painting over open water or blasting and painting during windy conditions which can render containment ineffective.

Material Storage Areas—All stored and containerized materials (fuels, paints, solvents, waste oil, antifreeze, batteries) must be stored in a protected, secure location away from drains and plainly labeled. The plan must describe measures that prevent or minimize contamination of the storm water runoff from such storage areas. The facility must specify which materials are stored indoors and consider containment or enclosure for materials that are stored outdoors. Above ground storage tanks, drums, and barrels permanently stored outside must be delineated on the site map with a description of the containment measures in place to prevent leaks and spills. The facility must consider implementing an inventory control plan to prevent excessive purchasing, storage, and handling of potentially hazardous materials.

Those facilities where abrasive blasting is performed must specifically include a discussion on the storage and disposal of spent abrasive materials generated at the facility.

Engine Maintenance and Repair Areas—The plan must describe measures that prevent or minimize contamination of the storm water runoff from all areas used for engine maintenance and repair. The facility may consider performing all maintenance activities indoors, maintaining an organized inventory of materials used in the shop, draining all parts of fluids prior to disposal, prohibiting the practice of hosing down the shop floor, using dry cleanup methods, and/or collecting the storm water runoff from the maintenance area and providing treatment or recycling.

Material Handling Areas—The plan must describe measures that prevent or minimize contamination of the storm water runoff from material handling operations and areas (i.e., fueling, paint and solvent mixing, disposal of process wastewater streams from vessels). The facility may consider covering fueling areas; using spill and overflow protection; mixing paints and solvents in a designated area, preferably indoors or under a shed; and minimizing runon of storm water to material handling areas or other equivalent measures. Where applicable, the plan must address the replacement or repair of leaking connections, valves, pipes, hoses, and soil chutes carrying wastewater from vessels.

Drydock Activities—The plan must address the routine maintenance and cleaning of the drydock to minimize the potential for pollutants in the storm water runoff. The plan must describe the procedures for cleaning the accessible areas of the drydock prior to flooding and final cleanup after the vessel is removed and the dock is raised. Cleanup procedures for oil, grease, or fuel spills occurring on the drydock must also be included within the plan. The facility should consider items such as sweeping rather than hosing off debris and spent blasting material from the accessible areas of the drydock prior to flooding and having absorbent materials and oil containment booms readily available to contain and cleanup any spills or other equivalent measures.

General Yard Area—The plan must include a schedule for routine yard maintenance and cleanup. Scrap metal, wood, plastic, miscellaneous trash, paper, glass, industrial scrap, insulation, welding rods, packaging, etc., must be routinely removed from the general yard area. The facility may consider such measures as providing covered trash receptacles in each yard, on each pier, and on board each vessel being repaired.

Preventive Maintenance—A preventive maintenance program shall involve timely inspection and maintenance of storm water management devices (e.g., cleaning oil/water separators, sediment traps to ensure that spent abrasives, paint chips, and solids will be intercepted and retained prior to entering the storm drainage system) as well as inspecting and testing facility equipment and systems to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters, and ensuring appropriate maintenance of such equipment and systems.

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

Inspections—Qualified facility personnel shall be identified to inspect designated equipment and areas of the facility on a monthly basis. The following areas shall be included in all inspections: pressure washing area; blasting, sanding, and painting areas; material storage areas; engine maintenance and repair areas; material handling areas; drydock area; and general yard area. 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.

Employee Training—Employee training programs shall inform personnel responsible for implementing activities identified in the storm water pollution prevention plan or otherwise responsible for storm water management at all levels of responsibility of the components and goals of the storm water pollution prevention plan. Training should address topics such as spill response, good housekeeping and material management practices. The pollution prevention plan shall identify how often training will take place, but in all cases training must be held at least annually (once per calendar year). Employee training must, at a minimum, address the following areas when applicable to a facility: used oil management; spent solvent management; proper disposal of spent abrasives; proper disposal of vessel wastewaters, spill prevention and control; fueling procedures; general good housekeeping practices; proper painting and blasting procedures; and used battery management. Employees, independent contractors, and customers must be informed about BMPs and be required to perform in accordance with these practices. The facility must consider posting instructions, easy to read descriptions or graphic depictions of BMPs, spill control/clean-up equipment and emergency phone numbers in the work areas.

Recordkeeping and Internal Reporting Procedures—A description of incidents (such as spills, or other discharges), along with other information describing the quality and quantity of storm water discharges shall be included in the plan required under this part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan.

Non-storm Water Discharges

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

Sources of non-storm water that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge. Any non-storm water discharges that are not permitted under an individual NPDES permit should be brought to the attention of the Division's local Environmental Assistance Center (see list of EACs on page 15).

Failure to Certify—Any facility that is unable to provide the certification required (testing for non-storm water discharges), must notify the Division of Water Pollution Control by not later than 180 days after submitting an NOI to be covered by this permit. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notification shall describe: the procedure of any test conducted for the presence of non-storm water discharges; the results of such test or other relevant observations; potential sources of non-storm water discharges to the storm sewer; and why adequate tests for such storm sewers were not feasible. Non-storm water discharges to waters of the State which are not authorized by an NPDES permit are unlawful, and must be terminated.

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

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

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

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

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

A report summarizing the scope of the evaluation, personnel making the evaluation, the date(s) of the evaluation, major observations relating to the implementation of the storm water pollution prevention

plan, and actions taken in accordance with paragraph XI.Q.3.a.(4)(b) (above) of the permit shall be made and retained as part of the storm water pollution prevention plan for at least 3 years from the date of the 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 storm water pollution prevention plan and this permit. The report shall be signed in accordance with Part VII.G. (Signatory Requirements) of this permit.

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

4. Numeric Effluent Limitations

There are no additional numeric effluent limitations beyond those described in Part V.B of this permit.

5. Monitoring and Reporting Requirements

a) Analytical Monitoring Requirements

During the term of this permit, permittees covered under this sector must monitor their storm water discharges associated with industrial activity at least once per calendar year (annually), except as provided in paragraphs 5.a.(3) (Sampling Waiver), 5.a.(4) (Representative Discharge), and 5.a.(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.b. (Reporting). In addition to the parameters listed in Table Q-1 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 Q-1. Monitoring Requirements**

| Pollutants of Concern | Cut-Off Concentration | Sector Median Value * [mg/L] |
|---|---|---|
| Total Recoverable Aluminum | 0.75 mg/L | 1.25 |
| Total Recoverable Iron | 5.0 mg/L | 1.1 |
| Total Recoverable Lead | 0.156 mg/L | 0.005 |
| Total Recoverable Zinc | 0.395 mg/L | 0.072 |

* Sector Median Value is a pollutant concentration calculated from all sampling results provided from facilities classified in this sector during the previous permit term. By definition, a median is a statistical term identifying a number that divides numerically ordered data into two equal halves. In easier terms, the median is the middle piece of data when those data are placed in numerical order, or the average of the middle two if there is an even number of items. Therefore, median concentration(s) listed above represent a concentration value typical for and achieved by industries in this sector.

(1) Monitoring Periods. Water transportation facilities shall monitor samples collected during any period of a calendar year, as long as the samples are representative of the quantity and quality of the storm water runoff being discharged from the facility.

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

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 cut-off concentrations as shown in the table above. If the results of annual storm water runoff monitoring demonstrate that the facility has exceeded the cut-off concentration(s), the permittee must inform the Division's local Environmental Assistance Center in writing within 30 days from the time storm water monitoring results were received, describing the likely cause of the exceedance(s). Furthermore, within 60 days from the time storm water monitoring results were received, the facility must review its storm water pollution prevention plan, make any modifications or additions to the plan which would assist in reducing effluent concentrations to less than the monitoring cut-off concentrations for that facility, and submit to the Division's local Environmental Assistance Center a brief summary of the proposed SWPPP modifications (including a timetable for implementation).

(3) Sampling Waiver

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

(b) Low Concentration Waiver—When the average concentration for a pollutant calculated from monitoring data collected from first 4 calendar years of monitoring is less than the corresponding reporting value for that pollutant (Monitoring Cut-Off Concentration), a facility may waive monitoring and reporting requirements in the last annual monitoring period. The facility must submit to the Division of Water Pollution Control, in lieu of the monitoring data, a certification that there has not been a significant change in industrial activity or the pollution prevention measures in area of the facility which drains to the outfall for which sampling was waived.

(c) When a discharger is unable to conduct annual chemical storm water sampling at an inactive and unstaffed site, the operator of the facility may exercise a waiver of the monitoring requirements as long as the facility remains inactive and unstaffed. The facility must submit to the Division of Water Pollution Control, in lieu of monitoring data, a certification statement on the TMSP Storm Water Monitoring Report stating that the site is inactive and unstaffed so that collecting a sample during a qualifying event is not possible.

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

(5) Alternative Certification. A discharger is not subject to the monitoring requirements of this section provided the discharger makes a certification for a given outfall or on a pollutant-by-pollutant basis in lieu of monitoring reports required under paragraph b below, under penalty of law, signed in accordance with Part VII.G. (Signatory Requirements), that material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, industrial machinery or operations, or significant materials from past industrial activity that are located in areas of the facility within the drainage area of the outfall are not presently exposed to storm water and are not expected to be exposed to storm water for the certification period. Such certification must be retained in the storm water pollution prevention plan, and submitted to the Division of Water Pollution Control in accordance with Part VI.B. of this permit. In the case of certifying that a pollutant is not present, the permittee must submit the certification along with the monitoring reports required under paragraph (b) below. If the permittee cannot certify for an entire period, they must submit the date exposure was eliminated and any monitoring required up until that date. This certification option is not applicable to compliance monitoring requirements associated with effluent limitations.

b) Reporting

Permittees with 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 Storm Water Monitoring Report Form(s) postmarked **no later than the March 31st of the following calendar year**. For each outfall, one signed TMSP Storm Water Monitoring Report form must be submitted to the Division of Water Pollution Control. Signed copies of TMSP Storm Water Monitoring Reports, or said certifications, shall be submitted to the following address:

**Enforcement and Compliance Section**
**Tennessee Division of Water Pollution Control**
**6th Floor L & C Annex**
**401 Church Street**
**Nashville, TN 37243-1534**

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

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

(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 storm water pollution. The examination must be conducted in a well lit area. No analytical tests are required to be performed on the samples. All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. Where practicable, the same individual should carry out the collection and examination of discharges for entire permit term.

(3) Visual 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 storm water discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.

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

(5) When a discharger is unable to collect samples over the course of the visual examination period as a result of adverse climatic conditions, the discharger must document the reason for not performing the visual examination and retain this documentation onsite with the records of the visual examination. Adverse weather conditions which may prohibit the collection of samples include weather conditions that

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

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

# R Sector R - Storm Water Discharges Associated With Industrial Activity From Ship and Boat Building or Repairing Yards

## 1. Discharges Covered Under This Section

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

| SIC Code | Sector R: Ship or Boat Building and Repair Yards | Sampling Required? | Table Number |
|---|---|---|---|
| 3731 | Ship Building and Repairing | No | -- |
| 3732 | Boat Building and Repairing | No | -- |

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 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-storm Water Discharges. In addition to the prohibitions listed in Part III.A of the permit, this section specifically prohibits non-storm water discharges of wastewaters, such as bilge and ballast water, pressure wash water, sanitary wastes, and cooling water originating from vessels, are not authorized by this permit. The operators of such discharges must obtain coverage under a separate NPDES permit if discharged to waters of the State or through a municipal separate storm sewer system.

## 3. Storm Water Pollution Prevention Plan Requirements

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

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

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

Drainage. A site map indicating the location of the outfalls and the types of discharges contained in the drainage areas of the outfalls, an outline of the portions of the drainage area of each storm water outfall that are within the facility boundaries, each existing structural control measure to reduce pollutants in storm water runoff, surface water bodies, locations where significant materials are exposed to precipitation, locations where major spills or leaks identified under Part XI.R.3.a.(2)(c) (Spills and Leaks) of this section have occurred, and the locations of the following activities where such activities are exposed to precipitation: fueling, engine maintenance and repair, vessel maintenance and repair, pressure washing, painting, sanding, blasting, welding, metal fabrication, loading/unloading areas, locations used for the treatment, storage or disposal of wastes; liquid storage tanks, liquid storage areas (i.e., paint, solvents, resins), and material storage areas (i.e., blasting media, aluminum, steel, scrap iron).

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

Inventory of Exposed Materials—An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; method and location of onsite storage or disposal; materials management practices employed to minimize contact of materials with storm water runoff between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; the location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives.

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

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

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

Measures and Controls. Each facility covered by this permit shall develop a description of storm water management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls shall address the following minimum components, including a schedule for implementing such controls:

Good Housekeeping—Good housekeeping requires the maintenance of areas which may contribute pollutants to storm water discharges in a clean, orderly manner. The following areas must be specifically addressed, when applicable at a facility:

Pressure Washing Area—When pressure washing is used to remove marine growth from vessels, the discharge water must be permitted as a process wastewater by an NPDES permit.

Blasting and Painting Areas—The facility must consider containing all blasting and painting activities to prevent abrasives, paint chips, and overspray from reaching the receiving water or the storm sewer system. The plan must describe measures taken at the facility to prevent or minimize the discharge of spent abrasive, paint chips, and paint into the receiving waterbody and storm sewer system. The facility may consider hanging plastic barriers or tarpaulins during blasting or painting operations to contain debris. Where required, a schedule for cleaning storm systems to remove deposits of abrasive blasting debris and paint chips should be addressed within the plan. The plan should include any standard operating practices with regard to blasting and painting activities. Practices may include the prohibition of performing uncontained blasting and painting over open water or blasting and painting during windy conditions which can render containment ineffective.

Material Storage Areas—All stored and containerized materials (fuels, paints, solvents, waste oil, antifreeze, batteries) must be stored in a protected, secure location away from drains and plainly labeled. The plan must describe measures that prevent or minimize contamination of the storm water runoff from such storage areas. The facility must specify which materials are stored indoors and consider containment or enclosure for materials that are stored outdoors. Above ground storage tanks, drums, and barrels permanently stored outside must be delineated on the site map with a description of the containment measures in place to prevent leaks and spills. The facility must consider implementing an inventory control plan to prevent excessive purchasing, storage, and handling of potentially hazardous materials. Those facilities where abrasive blasting is performed must specifically include a discussion on the storage and disposal of spent abrasive materials generated at the facility.

Engine Maintenance and Repair Areas—The plan must describe measures that prevent or minimize contamination of the storm water runoff from all areas used for engine maintenance and repair. The facility must consider performing all maintenance activities indoors, maintaining an organized inventory of materials used in the shop, draining all parts of fluids prior to disposal, prohibiting wet clean up practice where the practice would result in the exposure of pollutants to storm water, using dry cleanup methods, and/or collecting the storm water runoff from the maintenance area and providing treatment or recycling.

Material Handling Areas—The plan must describe measures that prevent or minimize contamination of the storm water runoff from material handling operations and areas (i.e., fueling, paint & solvent mixing, disposal of process wastewater streams from vessels). The facility must consider covering fueling areas; using spill and overflow protection; mixing paints and solvents in a designated area, preferably indoors or under a shed; and minimizing runon of storm water to material handling areas.

Where applicable, the plan must address the replacement or repair of leaking connections, valves, pipes, hoses, and soil chutes carrying wastewater from vessels.

Drydock Activities—The plan must address the routine maintenance and cleaning of the drydock to minimize the potential for pollutants in the storm water runoff. The plan must describe the procedures for cleaning the accessible areas of the drydock prior to flooding and final cleanup after the vessel is removed and the dock is raised. Cleanup procedures for oil, grease, or fuel spills occurring on the drydock must also be included within the plan. The facility must consider items such as sweeping rather than hosing off debris and spent blasting material from the accessible areas of the drydock prior to flooding and having absorbent materials and oil containment booms readily available to contain and cleanup any spills.

General Yard Area—The plan must include a schedule for routine yard maintenance and cleanup. Scrap metal, wood, plastic, miscellaneous trash, paper, glass, industrial scrap, insulation, welding rods, packaging, etc., must be routinely removed from the general yard area. The facility must consider such measures as providing covered trash receptacles in each yard, on each pier, and on board each vessel being repaired.

Preventive Maintenance—A preventive maintenance program shall involve timely inspection and maintenance of storm water management devices (e.g., cleaning oil/water separators, sediment traps to ensure that spent abrasives, paint chips, and solids will be intercepted and retained prior to entering the storm drainage system) as well as inspecting and testing facility equipment and systems to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters, and ensuring appropriate maintenance of such equipment and systems.

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

Inspections—Qualified facility personnel shall be identified to inspect designated equipment and areas of the facility on a monthly basis. The following areas shall be included in all inspections: pressure washing area; blasting, sanding, and painting areas; material storage areas; engine maintenance and repair areas; material handling areas; drydock area; and general yard area. 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.

Employee Training—Employee training programs shall inform personnel responsible for implementing activities identified in the storm water pollution prevention plan or otherwise responsible for storm water management at all levels of responsibility of the components and goals of the storm water pollution prevention plan. The pollution prevention plan shall identify how often training will take place, but in all cases training must be held at least annually (once per calendar year). Employee training must, at a minimum, address the following areas when applicable to a facility: used oil management; spent solvent management; proper disposal of spent abrasives; proper disposal of vessel wastewaters, spill prevention and control; fueling procedures; general good housekeeping practices; proper painting and

blasting procedures; and used battery management. Employees, independent contractors, and customers must be informed about BMPs and be required to perform in accordance with these practices. The facility should consider posting easy to read descriptions or graphic depictions of BMPs and emergency phone numbers in the work areas.

Recordkeeping and Internal Reporting Procedures—A description of incidents (such as spills, or other discharges), along with other information describing the quality and quantity of storm water discharges shall be included in the plan required under this part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan.

Non-storm Water Discharges

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

Sources of non-storm water that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge. Any non-storm water discharges that are not permitted under an individual NPDES permit should be brought to the attention of the Division's local Environmental Assistance Center (see list of EACs on page 15).

Failure to Certify—Any facility that is unable to provide the certification required (testing for non-storm water discharges), must notify the Division of Water Pollution Control by not later than 180 days after submitting an NOI to be covered by this permit. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notification shall describe: the procedure of any test conducted for the presence of non-storm water discharges; the results of such test or other relevant observations; potential sources of non-storm water discharges to the storm sewer; and why adequate tests for such storm sewers were not feasible. Non-storm water discharges to waters of the State which are not authorized by an NPDES permit are unlawful, and must be terminated.

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

Management of Runoff—The plan shall contain a narrative consideration of the appropriateness of traditional storm water management practices (practices other than those which control the generation or source(s) of pollutants) used to divert, infiltrate, reuse, or otherwise manage storm water runoff in a

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

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

Areas contributing to a storm water discharge associated with industrial activity including, but not limited to, pressure washing area, blasting and sanding areas, painting areas, material storage areas, engine maintenance and repair areas, material handling areas, and drydock area, shall be visually inspected for evidence of, or the potential for, pollutants entering the drainage system. Measures to reduce pollutant loadings shall be evaluated to determine whether they are adequate and properly implemented in accordance with the terms of the permit or whether additional control measures are needed. Structural storm water management measures, sediment and erosion control measures, and other structural pollution prevention measures identified in the plan shall be observed to ensure that they are operating correctly. A visual inspection of equipment needed to implement the plan, such as spill response equipment, shall be made.

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

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

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

4. Numeric Effluent Limitations

There are no additional numeric effluent limitations beyond those described in Part V.B of this permit.

5. Monitoring and Reporting Requirements

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

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

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

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 storm water discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.

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

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

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

# S Sector S - Storm Water Discharges Associated With Industrial Activity From Vehicle Maintenance Areas, Equipment Cleaning Areas, or Deicing Areas Located at Air Transportation Facilities

## 1. Discharges Covered Under This Section

The requirements listed under this section shall apply to storm water discharges from establishments and/or facilities including airports, air terminals, air carriers, flying fields, and establishments engaged in servicing or maintaining airports and/or aircraft which have vehicle maintenance shops, material handling facilities, equipment cleaning operations or airport and/or aircraft deicing/anti-icing operations:

| SIC Code | Sector S: Vehicle Maintenance Areas, Equipment Cleaning Areas or From Airport Deicing Operations located at Air Transportation Facilities | Sampling Required? | Table Number |
|---|---|---|---|
| 4512 | Air Transportation, Scheduled | No* | S-1 |
| 4513 | Air Courier Services | No* | S-1 |
| 4522 | Air Transportation, Nonscheduled | No* | S-1 |
| 4581 | Airports, Flying Fields, and Airport Terminal Services | No* | S-1 |
| | * Except for airports that use more than 100,000 gallons of glycol-based deicing/anti-icing) chemicals and/or 100 tons or more of urea on an average annual basis: see Part 5: "Monitoring and Reporting Requirements." | | |

For the purpose of this permit, the term "deicing" is defined as the process to remove frost, snow, or ice and "anti-icing" is the process which prevents the accumulation of frost, snow, or ice.

Coverage. Only those portions of the facility or establishment that are either involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication), equipment cleaning operations, or deicing/anti-icing operations are addressed under this section.

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

## 2. Special Conditions

a) Prohibition of Non-storm Water Discharges. In addition to those discharges prohibited under Part III.A.2, non-storm water discharges including aircraft, ground vehicle, runway and equipment washwaters, and dry weather discharges of deicing/anti-icing chemicals are not authorized by this permit. Dry weather discharges are those discharges generated by processes other than those included in the definition of storm water. The definition of storm water includes storm water runoff, snow melt runoff, and surface runoff and drainage. All other discharges constitute non-storm water discharges. Operators of non-storm water discharges must obtain coverage under a separate National Pollutant Discharge Elimination System (NPDES) permit if discharged to waters of the State or through a municipal separate storm sewer system.

b) Releases of Reportable Quantities of Hazardous Substances and Oil. Each individual permittee is required to report spills equal to or exceeding the reportable quantity levels specified at 40 CFR 110, 117, and 302 as described at Part VI.B.2. If an airport authority is the sole permittee, then the sum total of all spills at the airport must be assessed against the RQ. If the airport authority is a co-permittee with other deicing/anti-icing operators at the airport, such as numerous different airlines, the assessed amount must be the summation of spills by each co-permittee. If separate, distinct individual permittees exist at the airport, then the amount spilled by each separate permittee must be the assessed amount for the RQ determination.

3. Storm Water Pollution Prevention Plan Requirements

Storm water pollution prevention plans developed for areas of the facility occupied by tenants of the airport shall be integrated with the plan for the entire airport. For the purposes of today's permit, tenants of the airport facility include airline companies, fixed based operators and other parties which have contracts with the airport authority to conduct business operations on airport property which result in storm water discharges associated with industrial activity as described in paragraph 1 of this section. Plans should be developed in accordance with Part IV. Storm Water Pollution Prevention Plans).

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

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

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

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

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

history of significant leaks or spills of toxic or hazardous pollutants. Flows with a significant potential for causing erosion shall be identified.

The site map developed for the entire airport shall indicate the location of each tenant of the facility that conducts industrial activities as described in Part XI.S.1.a., and incorporate information from the tenants site map (including a description of industrial activities, significant materials exposed, and existing management practices).

Inventory of Exposed Materials—An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; method and location of onsite storage or disposal; materials management practices employed to minimize contact of materials with storm water runoff between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; the location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and a description of any treatment of storm water runoff.

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

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

Risk Identification and Summary of Potential Pollutant Sources—A narrative description of the potential pollutant sources from the following activities: aircraft, runway, ground vehicle and equipment maintenance and cleaning; aircraft and runway deicing/anti-icing operations (including apron and centralized aircraft deicing/anti-icing stations, runways, taxiways and ramps); outdoor storage activities; loading and unloading operations; and onsite waste disposal. The description shall specifically list any significant potential source of pollutants at the facility and for each potential source, any pollutant or pollutant parameter [e.g., biochemical oxygen demand (BOD5), oil and grease, etc.] of concern shall be identified.

Facilities which conduct deicing/anti-icing operations shall maintain a record of the types [including the Material Safety Data Sheets (MSDS)] and monthly quantities of deicing/anti-icing chemicals used. Tenants and fixed-base operators who conduct deicing/anti-icing operations shall provide the above information to the airport authority for inclusion in the storm water pollution prevention plan for the entire facility.

Measures and Controls. Operators covered by this permit shall develop a description of storm water management controls appropriate for their areas of operation, and implement such controls. The priority in selecting controls shall reflect identified potential sources of pollutants at the facility. The

description of storm water management controls shall address the following minimum components, including a schedule for implementing such controls:

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

Aircraft, Ground Vehicle and Equipment Maintenance Areas—Permittees should ensure the maintenance of equipment is conducted in designated areas only and clearly identify these areas on the ground and delineate them on the site map. The plan must describe measures that prevent or minimize the contamination of the storm water runoff from all areas used for aircraft, ground vehicle and equipment maintenance (including the maintenance conducted on the terminal apron and in dedicated hangars). Management practices or equivalent measures such as performing maintenance activities indoors, maintaining an organized inventory of materials used in the maintenance areas, draining all parts of fluids prior to disposal, preventing the practice of hosing down the apron or hangar floor, using dry cleanup methods, and/or collecting the storm water runoff from the maintenance area and providing treatment or recycling should be considered.

Aircraft, Ground Vehicle and Equipment Cleaning Areas—Permittees should ensure that cleaning of equipment is conducted in designated areas only and clearly identify these areas on the ground and delineate them on the site map. The plan must describe measures that prevent or minimize the contamination of the storm water runoff from all areas used for aircraft, ground vehicle and equipment cleaning. Management practices such as performing cleaning operations indoors, and/or collecting the storm water runoff from the cleaning area and providing treatment or recycling should be considered.

Aircraft, Ground Vehicle and Equipment Storage Areas—The storage of aircraft, ground vehicles and equipment awaiting maintenance must be confined to designated areas (delineated on the site map). The plan must describe measures that prevent or minimize the contamination of the storm water runoff from these areas. Management practices such as indoor storage of aircraft and ground vehicles, the use of drip pans for the collection of fluid leaks, and perimeter drains, dikes or berms surrounding storage areas should be considered.

Material Storage Areas—Storage units of all materials (e.g., used oils, hydraulic fluids, spent solvents, and waste aircraft fuel) must be maintained in good condition, so as to prevent or minimize contamination of storm water, and plainly labeled (e.g., "used oil," "Contaminated Jet A," etc.). The plan must describe measures that prevent or minimize contamination of the storm water runoff from storage areas. Management practices or equivalent measures such as indoor storage of materials, centralized storage areas for waste materials, and/or installation of berming and diking around storage areas should be considered for implementation.

Airport Fuel System and Fueling Areas—The plan must describe measures that prevent or minimize the discharge of fuels to the storm sewer resulting from fuel servicing activities or other operations conducted in support of the airport fuel system. Where the discharge of fuels into the storm sewer cannot be prevented, the plan shall indicate measures that will be employed to prevent or minimize the discharge of the contaminated runoff into receiving surface waters. Management practices or equivalent measures such as implementing spill and overflow practices (e.g., placing sorptive materials beneath aircraft during fueling operations), using dry cleanup methods, and/or collecting the storm water runoff should be considered.

Preventive Maintenance—A preventive maintenance program shall involve timely inspection and maintenance of storm water management devices (e.g., cleaning oil/water separators, removing debris from 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.

Spill Prevention and Response Procedures—Areas where potential spills which can contribute pollutants to storm water discharges can occur, and their accompanying drainage points shall be identified clearly in the storm water pollution prevention plan. The plan shall describe material handling procedures, storage requirements, and consider the 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.

Source Reduction—Operators who conduct aircraft and/or runway (including taxiways and ramps) deicing/anti-icing operations shall evaluate present operating procedures to consider alternative practices to reduce the overall amount of deicing/anti-icing chemicals used and/or lessen the environmental impact of the pollutant source.

With regard to runway deicing operations, operators, at a minimum, shall evaluate: present application rates to ensure against excessive over application; metered application of deicing chemical; pre-wetting dry chemical constituents prior to application; installation of runway ice detection systems; implementing anti-icing operations as a preventive measure against ice buildup; the use of substitute deicing compounds such as potassium acetate in lieu of ethylene glycol, propylene glycol and/or urea.

In considering source reduction management practices for aircraft deicing operations, operators, at a minimum, should evaluate current application rates and practices to ensure against excessive over application, and consider pretreating aircraft with hot water prior to the application of a deicing chemical, thus reducing the overall amount of chemical used per operation.

Source reduction measures that the operator determines to be reasonable and appropriate shall be implemented and maintained. The plan shall provide a narrative explanation of the options considered and the reasoning for whether or not to implement them.

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

Operators that conduct aircraft and/or runway deicing/anti-icing operations shall also provide a narrative consideration of management practices to control or manage contaminated runoff from areas where deicing/anti-icing operations occur to reduce the amount of pollutants being discharged from the

site. Structural controls such as establishing a centralized aircraft deicing facility, and/or collection of contaminated runoff for treatment or recycling should be considered. Collection and treatment alternatives include, but are not limited to, retention basins, detention basins with metered controlled release, Underground Storage Tanks (USTs) and/or disposal to Publicly Owned Treatment Works (POTW) by way of sanitary sewer or hauling tankers. Runoff management controls that the operator determines to be reasonable and appropriate shall be implemented and maintained. The plan should consider the recovery of deicing/anti-icing materials when these materials are applied during non-precipitation events to prevent these materials from later becoming a source of storm water contamination. The plan shall provide a narrative explanation of the controls selected and the reasons for their selection.

Inspections—In addition to or as part of the comprehensive site evaluation required under paragraph XI.S.3.a.(4) of this section, qualified facility personnel shall be identified to inspect designated equipment and areas of the facility specified in the plan. The inspection frequency shall be specified in the plan, but at a minimum be conducted once per week during deicing/anti-icing application periods for areas where deicing/anti-icing operations are being conducted. A set of tracking or follow-up procedures shall be used to ensure that appropriate actions are taken in response to the inspections. Records of inspections shall be maintained. The use of a checklist developed by the pollution prevention team is encouraged.

Pollution Prevention Training—Pollution prevention training programs shall be developed to inform management and personnel responsible for implementing activities identified in the storm water pollution prevention plan of the components and goals of the plan. Training should address topics such as spill response, good housekeeping, aircraft and runway deicing/anti-icing procedures, and material management practices. The pollution prevention plan shall identify periodic dates for such training.

Recordkeeping and Internal Reporting Procedures—A description of incidents (such as spills, or other discharges), along with other information describing the quality and quantity of storm water discharges shall be included in the plan. Inspections and maintenance activities shall be documented and records shall be incorporated into the plan.

Non-storm Water Discharges

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

Sources of non-storm water that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge. Any non-storm water discharges that are not permitted under an individual NPDES permit should be brought to the attention of the Division's local Environmental Assistance Center (see list of EACs on page 15).

Failure to Certify—Any facility that is unable to provide the certification required (testing for non-storm water discharges), must notify the Division of Water Pollution Control 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-storm water discharges; the results of such test or other relevant observations; potential sources of non-storm water discharges to the storm sewer; and why adequate tests for such storm sewers were not feasible. Non-storm water discharges to waters of the State which are not authorized by an NPDES permit are unlawful, and must be terminated.

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

Comprehensive Site Compliance Evaluation. Qualified personnel shall conduct site compliance evaluations during periods of deicing/anti-icing operations at appropriate intervals specified in the plan, but in no case less than once a year. Such evaluations shall provide:

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

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

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

Where compliance evaluation schedules overlap with inspections required under 3.a.(3)(f), 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 in Part V.B of this permit.

5. Monitoring and Reporting Requirements

a) During the period beginning on the effective date (March 1, 2002) and lasting through the expiration date (December 31, 2006) of this permit, (airports that use more than 100,000 gallons of glycol-based deicing/anti-icing) chemicals and/or 100 tons or more of urea on an average annual basis):

(1) Shall prepare estimates for annual pollutant loadings resulting from discharges of spent deicing/anti-icing chemicals from the entire airport. The loading estimates shall reflect the amounts of deicing/anti-icing chemicals discharged to separate storm sewer systems or surface waters, prior to and after implementation of the facility's storm water pollution prevention plan. Such estimates shall be reviewed by an environmental professional, and certified by such professional. By means of the certification, the environmental professional, having examined the facility's deicing/anti-icing procedures, and proposed control measures described in the storm water pollution prevention plan, shall attest that the loading estimates have been accurately prepared. Certified loading estimates are to be retained at the airport facility and attached to the storm water pollution prevention plan.

b) Analytical Monitoring Requirements

During the term of this permit, permittees covered under this sector must monitor their storm water discharges associated with industrial activity at least once per calendar year (annually), except as provided in paragraphs 5.a.(3) (Sampling Waiver), 5.a.(4) (Representative Discharge), and 5.a.(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). Airports which are subject to these monitoring requirements must sample their storm water discharges for the parameters listed in Table S-1 below. Such facilities must report in accordance with 5.b. (Reporting). In addition to the parameters listed in Table S-1 below, the permittee shall maintain a record of the date and duration (in hours) of the precipitation event(s) sampled; measurements or estimates (in inches) of the precipitation event that generated the sampled runoff; the duration between the event sampled and the end of the previous measurable (greater than 0.1 inch rainfall) event; and an estimate of the total volume (in gallons) of the discharge sampled.

**Table S-1. Monitoring Requirements**

| Pollutants of Concern | Cut-Off Concentration | Sector Median Value * [mg/L] |
|---|---|---|
| Biochemical Oxygen Demand ($BOD_5$) | 30 mg/L | 7.5 |
| Chemical Oxygen Demand (COD) | 120 mg/L | 28 |
| Ammonia | 4 mg/L | No Data |
| pH | 5.0 to 9.0 | Not Applicable |

* Sector Median Value is a pollutant concentration calculated from all sampling results provided from facilities classified in this sector during the previous permit term. By definition, a median is a statistical term identifying a number that divides numerically ordered data into two equal halves. In easier terms, the median is the middle piece of data when those data are placed in numerical order, or the average of the middle two if there is an even number of items. Therefore, median concentration(s) listed above represent a concentration value typical for and achieved by industries in this sector.

For the purposes of today's final permit, the "average annual" usage rate of deicing/anti-icing chemicals is determined by averaging the cumulative amount of deicing/anti-icing chemicals used by all operators at the airport facility in the 3 previous calendar years.

(1) Monitoring Periods. Airports where more than 100,000 gallons of glycol-based deicing/anti-icing chemicals and/or 100 tons or more of urea are used on an average annual basis shall monitor outfalls from the facility that collect runoff from areas where deicing/anti-icing activities occur four times per year during the months of December, January, and February when deicing/anti-icing activities are occurring, in the years specified in paragraph b. (above).

(2) Sample Type. A minimum of one grab sample and one flow-weighted composite sample shall be taken from each outfall that collects runoff from areas where deicing/anti-icing activities occur. All such samples shall be collected from a discharge resulting from a precipitation 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) precipitation 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 should be taken when pollutant concentrations in the storm water/melt water discharges from deicing/anti-icing operations are expected to be at a maximum. The recommended methodology for performing grab and flow-weighted composite sampling is described at 40 CFR 122.21(g)(7). The permittee has the option to submit site-specific deicing/anti-icing discharge monitoring protocol and methodology, better suited to the particular facility, to the Division of Water Pollution Control for approval.

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 cut-off concentrations as shown in the table above. If the results of annual storm water runoff monitoring demonstrate that the facility has exceeded the cut-off concentration(s), the permittee must inform the Division's local Environmental Assistance Center in writing within 30 days from the time

storm water monitoring results were received, describing the likely cause of the exceedance(s). Furthermore, within 60 days from the time storm water monitoring results were received, the facility must review its storm water pollution prevention plan, make any modifications or additions to the plan which would assist in reducing effluent concentrations to less than the monitoring cut-off concentrations for that facility, and submit to the Division's local Environmental Assistance Center a brief summary of the proposed SWPPP modifications (including a timetable for implementation).

(3) Sampling Waiver

(a) Adverse Conditions—Adverse weather conditions that may prohibit the collection of samples include weather conditions that create dangerous conditions for personnel (such as high winds, blizzard conditions, ice storms, etc.) or otherwise make the collection of a sample impracticable (extended frozen conditions, etc.).

(b) 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 Cut-Off Concentration), a facility may waive monitoring and reporting requirements in the last annual monitoring period. The facility must submit to the Division of Water Pollution Control, in lieu of the monitoring data, a certification that there has not been a significant change in industrial activity or the pollution prevention measures in area of the facility which drains to the outfall for which sampling was waived.

(c) When a discharger is unable to conduct annual chemical storm water sampling at an inactive and unstaffed site, the operator of the facility may exercise a waiver of the monitoring requirements as long as the facility remains inactive and unstaffed. The facility must submit to the Division of Water Pollution Control, in lieu of monitoring data, a certification statement on the TMSP Storm Water Monitoring Report stating that the site is inactive and unstaffed so that collecting a sample during a qualifying event is not possible.

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

(5) Alternative Certification. The Alternative Certification provision discussed in other sections of Part XI is not applicable to discharges included under Part XI.S. (Storm Water Discharges Associated with Industrial Activity from Vehicle Maintenance Areas, Equipment Cleaning Areas, or Deicing/Anti-icing Areas Located at Air Transportation Facilities).

e) Reporting

Airports identified in Part XI.S.5.6 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 Storm Water Monitoring Report Form(s) postmarked **no later than the March 31st of the following calendar year**. For each outfall, one signed TMSP Storm Water Monitoring Report form must be submitted to the Division of Water Pollution Control. Signed copies of TMSP Storm Water Monitoring Reports, or said certifications, shall be submitted to the following address:

**Enforcement and Compliance Section**
**Tennessee Division of Water Pollution Control**
**6th Floor L & C Annex**
**401 Church Street**
**Nashville, TN 37243-1534**

# T Sector T - Storm Water Discharges Associated With Industrial Activity From Treatment Works

## 1. Discharges Covered Under This Section

This permit covers all existing point source discharges of storm water from treatment works treating domestic sewage or any other sewage sludge or wastewater treatment device or system, used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage, including lands dedicated to the disposal of sewage sludge that are located within the confines of the facility with a design flow of 1.0 MGD or more, or required to have an approved pretreatment program under 40 CFR Part 403.

| SIC Code | Sector T: Wastewater Treatment Works | Sampling Required? | Table Number |
|---|---|---|---|
| 4952 | Sewerage Systems | No | -- |

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 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-storm Water Discharges. Except for those allowable non-storm water discharges included in Part IIIA2 (Allowable Non-Storm Water Discharges) of this permit, there are no other non-storm water discharges authorized in this Sector.

## 3. Storm Water Pollution Prevention Plan Requirements

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

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

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

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

Inventory of Exposed Materials—An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; method and location of onsite storage or disposal; materials management practices employed to minimize contact of materials with storm water runoff between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; the location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives.

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

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

Summary of Potential Pollutant Sources—A narrative description of the potential pollutant sources from the following activities associated with treatment works: access roads/rail lines; loading and unloading operations; outdoor storage activities; material handling sites; outdoor manufacturing or processing activities; significant dust or particulate generating processes; and onsite waste disposal practices. The description shall specifically list any significant potential source of pollutants at the site and for each potential source, any pollutant or pollutant parameter (e.g., acid, bases, and solvents, etc.) of concern shall be identified.

Measures and Controls. Each facility covered by this permit shall develop a description of storm water management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls shall address the following minimum components, including a schedule for implementing such controls:

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

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

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

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

Employee Training—Employee training programs shall inform personnel responsible for implementing activities identified in the storm water pollution prevention plan or otherwise responsible for storm water management at all levels of responsibility of the components and goals of the storm water pollution prevention plan. Training should address topics such as spill response, good housekeeping and material management practices. The pollution prevention plan shall identify how often training will take place, but training should be held at least annually (once per calendar year). Employee training must, at a minimum, address the following areas when applicable to a facility: petroleum product management; process chemical management; spill prevention and control; fueling procedures; general good housekeeping practices; proper procedures for using fertilizers, herbicides and pesticides.

Recordkeeping and Internal Reporting Procedures—A description of incidents (such as spills, or other discharges), along with other information describing the quality and quantity of storm water discharges shall be included in the plan required under this part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan.

Non-storm Water Discharges

The plan shall include a certification that the discharge has been tested or evaluated for the presence of non-storm water discharges. The certification shall include the identification of potential significant sources of non-storm water at the site, a description of the results of any test and/or evaluation for the presence of non-storm water discharges, the evaluation criteria or testing method used, the date of any testing and/or evaluation, and the onsite drainage points that were directly observed during the test. Certifications shall be signed in accordance with Part VII.G. of this permit. Such certification may not be practical if the facility operating the storm water discharge associated with industrial activity does not have access to an outfall, manhole, or other point of access to the ultimate conduit which receives the

discharge. In such cases, the source identification section of the storm water pollution prevention plan shall indicate why the certification required by this part was not practical, along with the identification of potential significant sources of non-storm water at the site. A discharger that is unable to provide the certification required by this paragraph must notify the Division of Water Pollution Control in accordance with Part XI.T.3.a.(3)(g)(iv) (Failure to Certify) of this permit.

Sources of non-storm water that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge. Any non-storm water discharges that are not permitted under an individual NPDES permit should be brought to the attention of the Division's local Environmental Assistance Center (see list of EACs on page 15).

A copy of all the current NPDES permit issued for wastewater, industrial, vehicle and equipment washwater discharges or, if an NPDES permit has not yet been issued, a copy of the pending application must be attached to the plan. For facilities that discharge vehicle and equipment washwaters to the sanitary sewer system, the operator of the sanitary system and associated treatment plant must be notified. In such cases, a copy of the notification letter must be attached to the plan. If an industrial user permit is issued under a pretreatment program, a copy of that permit must be attached in the plan. In all cases, any permit conditions must be considered in the plan. If the washwaters are handled in another manner (e.g., hauled offsite), the disposal method must be described and all pertinent documentation (e.g., frequency, volume, destination, etc.) must be attached to the plan.

Failure to Certify. Any facility that is unable to provide the certification required (testing for non-storm water discharges), must notify the Division of Water Pollution Control not later than 180 days after submitting an NOI to be covered by this permit. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notifications shall describe: the procedure of any test conducted for the presence of non-storm water discharges; the results of such test or other relevant observations; potential sources of non-storm water discharges to the storm sewer; and why adequate tests for such storm sewers were not feasible. Non-storm water discharges to waters of the State that are not authorized by an NPDES permit are unlawful and must be terminated.

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

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

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

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

Based on the results of the evaluation, the description of potential pollutant sources identified in the plan in accordance with Part XI.T.3.a.(2) (Description of Potential Pollutant Sources) of this permit and pollution prevention measures and controls identified in the plan in accordance with paragraph XI.T.3.a.(3) (Measures and Controls) of this permit 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.

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

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

4. Numeric Effluent Limitations

There are no numeric effluent limitations beyond those in Part V.B.

5. Monitoring and Reporting Requirements

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

Examinations shall be made of samples collected within the first 30 minutes (or as soon thereafter as practical, but not to exceed 1 hour) of when the runoff or snowmelt begins discharging. The examinations shall document observations of color, odor, clarity, floating solids, settled solids, suspended

solids, foam, oil sheen, and other obvious indicators of storm water pollution. The examination must be conducted in a well lit area. No analytical tests are required to be performed on the samples. All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. Where practicable, the same individual should carry out the collection and examination of discharges for entire permit term.

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 storm water discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.

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

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

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

# U Sector U - Storm Water Discharges Associated With Industrial Activity From Food and Kindred Products Facilities

## 1. Discharges Covered Under This Section

This section covers all storm water discharges from food and kindred products processing facilities, manufacturing the following products and generally described by the SIC codes shown below, except for storm water discharges identified under paragraph I.B.3. where industrial plant yards; material handling sites; refuse sites; sites used for application or disposal of process wastewaters; sites used for storage and maintenance of material handling equipment; sites used for residential treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; and storage areas for raw material and intermediate and finished products are exposed to storm water and areas where industrial activity has taken place in the past and significant materials remain. For the purposes of this paragraph, material handling activities include the storage, loading, and unloading, transportation, or conveyance of any raw material, intermediate product, finished product, by-product, or waste product.

| SIC Code | Sector U: Food and Kindred Products Facilities | Sampling Required? | Table Number |
|---|---|---|---|
| 2011 | Meat Packing Plants | No | -- |
| 2013 | Sausages and Other Prepared Meats | No | -- |
| 2015 | Poultry Slaughtering and Processing | No | -- |
| 2021 | Creamery Butter | No | -- |
| 2022 | Natural, Processed, and Imitation Cheese | No | -- |
| 2023 | Dry, Condensed, and Evaporated Dairy Products | No | -- |
| 2024 | Ice Cream and Frozen Desserts | No | -- |
| 2026 | Fluid Milk | No | -- |
| 2032 | Canned Specialties | No | -- |
| 2033 | Canned Fruits, Vegetables, Preserves, Jams, and Jellies | No | -- |
| 2034 | Dried and Dehydrated Fruits, Vegetables, and Soup Mixes | No | -- |
| 2035 | Pickled Fruits and Vegetables, Vegetables Sauces and Seasonings, and Salad Dressings | No | -- |
| 2037 | Frozen Fruits, Fruit Juices, and Vegetables | No | -- |
| 2038 | Frozen Specialties, NEC | No | -- |
| 2041 | Flour and Other Grain Mill Products | Yes | U-1 |
| 2043 | Cereal Breakfast Foods | Yes | U-1 |
| 2044 | Rice Milling | Yes | U-1 |
| 2045 | Prepared Flour Mixes and Doughs | Yes | U-1 |
| 2046 | Wet Corn Milling | Yes | U-1 |
| 2047 | Dog and Cat Food | Yes | U-1 |
| 2048 | Prepared Feed and Feed Ingredients for Animals and Fowls, Except Dogs and Cats | Yes | U-1 |
| 2051 | Bread and Other Bakery Products, Except Cookies and Crackers | No | -- |
| 2052 | Cookies and Crackers | No | -- |
| 2053 | Frozen Bakery Products, Except Bread | No | -- |
| 2061 | Cane Sugar, Except Refining | No | -- |
| 2062 | Cane Sugar Refining | No | -- |
| 2063 | Beet Sugar | No | -- |
| 2064 | Candy and Other Confectionery Products | No | -- |
| 2066 | Chocolate and Cocoa Products | No | -- |
| 2067 | Chewing Gum | No | -- |
| 2068 | Salted and Roasted Nuts and Seeds | No | -- |
| 2074 | Cottonseed Oil Mills | Yes | U-2 |
| 2075 | Soybean Oil Mills | Yes | U-2 |

| SIC Code | Sector U: Food and Kindred Products Facilities | Sampling Required? | Table Number |
|---|---|---|---|
| 2076 | Vegetable Oil Mills, Except Corn, Cottonseed, and Soybeans | Yes | U-2 |
| 2077 | Animal and Marine Fats and Oils | Yes | U-2 |
| 2079 | Shortening, Table Oils, Margarine, and Other Edible Fats and Oils, NEC | Yes | U-2 |
| 2082 | Malt Beverages | No | -- |
| 2083 | Malt | No | -- |
| 2084 | Wines, Brandy, and Brandy Spirits | No | -- |
| 2085 | Distilled and Blended Liquors | No | -- |
| 2086 | Bottled and Canned Soft Drinks and Carbonated Waters | No | -- |
| 2087 | Flavoring Extracts and Flavoring Syrups NEC | No | -- |
| 2091 | Canned and Cured Fish and Seafood | No | -- |
| 2092 | Prepared Fresh or Frozen Fish and Seafoods | No | -- |
| 2095 | Roasted Coffee | No | -- |
| 2096 | Potato Chips, Corn Chips, and Similar Snacks | No | -- |
| 2097 | Manufactured Ice | No | -- |
| 2098 | Macaroni, Spaghetti, Vermicelli, and Noodles | No | -- |
| 2099 | Food Preparations, NEC | No | -- |
| 2111 | Cigarettes | No | -- |
| 2121 | Cigars | No | -- |
| 2131 | Chewing and Smoking Tobacco and Snuff | No | -- |
| 2141 | Tobacco Stemming and Redrying | No | -- |

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 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-storm Water Discharges. Except for those allowable non-storm water discharges included in Part IIIA2 (Allowable Non-Storm Water Discharges) of this permit, there are no other non-storm water discharges authorized in this Sector.

3. Storm Water Pollution Prevention Plan Requirements

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

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

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

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

Drainage—A site map indicating the pattern of storm water drainage, existing structural control measures to reduce pollutants in storm water runoff, surface water bodies, locations where significant materials are exposed to precipitation, and locations where major spills or leaks identified under Part XI.U.3.a.(2)(c) (Spills and Leaks) of this permit have occurred since 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit. The map must also indicate the locations of all industrial activities that are exposed to precipitation, including, but not limited to: loading/unloading areas; vehicle fueling; vehicle and equipment maintenance and/or cleaning areas; waste treatment, storage and disposal locations; liquid storage tanks; vents and stacks from cooking, drying, and similar operations, dry product vacuum transfer lines; animal holding pens; spoiled product and broken product container storage areas; significant dust or particulate generating areas; and any other processing and storage areas exposed to storm water. Flows with a significant potential for causing erosion shall also be identified. In addition, the site map must identify monitoring locations. In addition, the map must indicate the outfall locations and the types of discharges contained in the drainage areas of the outfalls.

Inventory of Exposed Materials—An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; method and location of onsite storage or disposal; materials management practices employed to minimize contact of materials with storm water runoff between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; the location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives.

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

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

Summary of Potential Pollutant Sources—The description of potential pollutant sources culminates in a narrative assessment of the risk potential that the industrial activities, materials, and physical features of the site, as identified in XI.U.3.a.(2)(a) (drainage), pose to storm water quality. The description shall specifically list any significant potential source of pollutants at the site and for each potential source, any pollutant or pollutant parameter (e.g., biochemical oxygen demand, oil and grease, etc.) of concern shall be identified.

In addition to food and kindred products processing-related industrial activities, the plan must also describe application/storage of pest control chemicals (e.g., rodenticides, insecticides, fungicides, and

others) used on plant grounds, including a description of pest control application and chemical storage practices.

Measures and Controls. Each facility covered by this permit shall develop a description of storm water management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls shall address the following minimum components, including a schedule for implementing such controls:

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

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

Spill Prevention and Response Procedures—Areas where potential spills which can contribute pollutants to storm water discharges can occur, and their accompanying drainage points shall be identified clearly in the storm water pollution prevention plan. Areas that must be identified should include loading/unloading stations, outdoor storage areas, and waste management areas exposed to storm water. Where appropriate, specifying material handling procedures, storage requirements, and use of equipment such as diversion valves in the plan should be considered. Procedures for cleaning up spills shall be identified in the plan and made available to the appropriate personnel. The necessary equipment to implement a clean up should be available to personnel.

Inspections—In addition to the comprehensive site evaluation required under Part XI.U.3.a.(4) of this section, qualified facility personnel shall be identified to inspect designated equipment and areas of the facility. At a minimum, the following areas, where the potential for exposure to storm water exists, must be inspected on a regularly scheduled basis: loading and unloading areas for all significant materials; storage areas, including associated containment areas; waste management units; vents and stacks emanating from industrial activities; spoiled product and broken product container holding areas; animal holding pens; staging areas; and air pollution control equipment. 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. Based on the results of the inspection, the description of potential pollutant sources and pollution prevention measures and controls identified in the plan shall be revised as appropriate within 2 weeks of such inspection 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 inspection.

Employee Training—Employee training programs shall inform personnel responsible for implementing activities identified in the storm water pollution prevention plan or otherwise responsible for storm water management at all levels of responsibility of the components and goals of the storm water pollution prevention plan. Training should address topics such as spill response, good housekeeping, material management practices, unloading/loading practices, outdoor storage areas, waste management practices, pest control, and improper connections to the storm sewer. At a minimum, this training must be provided annually. The pollution prevention plan shall identify frequencies and approximate dates for such training.

Recordkeeping and Internal Reporting Procedures—A description of incidents (such as spills, or other discharges), along with other information describing the quality and quantity of storm water discharges shall be included in the plan required under this part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan. Ineffective BMPs must be recorded and the date of their corrective actions noted in the plan.

Non-storm Water Discharges

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

Sources of non-storm water that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge. Any non-storm water discharges that are not permitted under an individual NPDES permit should be brought to the attention of the Division's local Environmental Assistance Center (see list of EACs on page 15).

If the facility discharges wastewater, other than storm water via an existing NPDES permit, a copy of the NPDES permit authorizing the discharge must be attached to the plan. Similarly, if the facility submitted an application for an NPDES permit for non-storm water discharges, but has not yet received that permit, a copy of the permit application must be attached. Upon issuance or reissuance of an NPDES permit, the facility must modify its plan to include a copy of that permit.

Failure to Certify—Any facility that is unable to provide the certification required (testing for non-storm water discharges), must notify the Division of Water Pollution Control by not later than 180 days after submitting an NOI to be covered by this permit. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notification shall describe: the procedure of any test conducted for the presence of non-storm water discharges; the results of such test or other relevant observations; potential sources of non-storm water discharges to the storm sewer; and why adequate tests for such storm sewers were not feasible. Non-storm water discharges to waters of the State which are not authorized by an NPDES permit are unlawful and must be terminated.

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

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

Comprehensive Site Compliance Evaluation. Qualified personnel shall conduct site compliance evaluations at appropriate intervals specified in the plan, but in no case less than once a year. Where compliance evaluation schedules overlap with inspections required under XI.U.3.a.(3)(d) of this section, the compliance evaluation may be conducted in place of one such inspection. Such evaluations shall provide:

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

Based on the results of the evaluation, the description of potential pollutant sources identified in the plan in accordance with Part XI.U.3.a.(2) (Description of Potential Pollutant Sources) of this permit and pollution prevention measures and controls identified in the plan in accordance with paragraph XI.U.3.a.(3) (Measures and Controls) of this permit shall be revised as appropriate within 2 weeks of such inspection 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 inspection.

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

The storm water pollution prevention plan must describe the scope and content of the comprehensive site evaluations that qualified personnel will conduct to 1) confirm the accuracy of the description of potential sources contained in the plan, 2) determine the effectiveness of the plan, and 3) assess compliance with the terms and conditions of the permit. The individual or individuals who will

conduct the evaluations must be identified in the plan and should be members of the pollution prevention team, as identified in Part XI.U.3.a.(1) (Pollution Prevention Team).

4. Numeric Effluent Limitations

There are no additional numeric effluent limitations beyond those described in Part V.B of this permit.

5. Monitoring and Reporting Requirements

a) Analytical Monitoring Requirements

During the term of this permit, permittees covered under this sector must monitor their storm water discharges associated with industrial activity at least once per calendar year (annually), except as provided in paragraphs 5.a.(3) (Sampling Waiver), 5.a.(4) (Representative Discharge), and 5.a.(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.b. (Reporting). In addition to the parameters listed in Table U-1 or U-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 U-1. Grain Mill Products**

| Pollutant of Concern | Cut-Off Concentration | Sector Median Value * [mg/L] |
|---|---|---|
| Total Suspended Solids | 200 mg/L | 31 |

**Table U-2. Fats and Oils Products Monitoring Requirements**

| Pollutants of Concern | Cut-Off Concentration | Sector Median Value * [mg/L] |
|---|---|---|
| Biochemical Oxygen Demand ($BOD_5$) | 30 mg/L | 10 |
| Chemical Oxygen Demand (COD) | 120 mg/L | 53 |
| Nitrate Plus Nitrite Nitrogen | 0.68 mg/L | 0.49 |
| Total Suspended Solids | 200 mg/L | 31 |

* Sector Median Value is a pollutant concentration calculated from all sampling results provided from facilities classified in this sector during the previous permit term. By definition, a median is a statistical term identifying a number that divides numerically ordered data into two equal halves. In easier terms, the median is the middle piece of data when those data are placed in numerical order, or the average of the middle two if there is an even number of items. Therefore, median concentration(s) listed above represent a concentration value typical for and achieved by industries in this sector.

(1) Monitoring Periods. Grain mill and fats and oils products facilities shall monitor samples collected during any period of a calendar year, as long as the samples are representative of the quantity and quality of the storm water runoff being discharged from the facility.

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

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 cut-off concentrations as shown in the table above. If the results of annual storm water runoff monitoring demonstrate that the facility has exceeded the cut-off concentration(s), the permittee must inform the Division's local Environmental Assistance Center in writing within 30 days from the time storm water monitoring results were received, describing the likely cause of the exceedance(s). Furthermore, within 60 days from the time storm water monitoring results were received, the facility must review its storm water pollution prevention plan, make any modifications or additions to the plan which would assist in reducing effluent concentrations to less than the monitoring cut-off concentrations for that facility, and submit to the Division's local Environmental Assistance Center a brief summary of the proposed SWPPP modifications (including a timetable for implementation).

(3) Sampling Waiver

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

(b) Low Concentration Waiver—When the average concentration for a pollutant calculated from monitoring data collected from first 4 calendar years of monitoring is less than the corresponding reporting value for that pollutant (Monitoring Cut-Off Concentration), a facility may waive monitoring and reporting requirements in the last annual monitoring period. The facility must submit to the Division of Water Pollution Control, in lieu of the monitoring data, a certification that there has not been a significant change in industrial activity or the pollution prevention measures in area of the facility which drains to the outfall for which sampling was waived.

(c) When a discharger is unable to conduct annual chemical storm water sampling at an inactive and unstaffed site, the operator of the facility may exercise a waiver of the monitoring requirements as long as the facility remains inactive and unstaffed. The facility must submit to the Division of Water Pollution Control, in lieu of monitoring data, a certification statement on the TMSP Storm Water Monitoring Report stating that the site is inactive and unstaffed so that collecting a sample during a qualifying event is not possible.

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

(5) Alternative Certification. A discharger is not subject to the monitoring requirements of this section provided the discharger makes a certification for a given outfall, or on a pollutant-by-pollutant basis in lieu of monitoring reports required under paragraph b below, under penalty of law, signed in accordance with Part VII.G. (Signatory Requirements), that material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, industrial machinery or operations, or significant materials from past industrial activity, that are located in areas of the facility within the drainage area of the outfall are not presently exposed to storm water and are not expected to be exposed to storm water for the certification period. Such certification must be retained in the storm water pollution prevention plan, and submitted to the Division of Water Pollution Control in accordance with Part VI.B. of this permit. In the case of certifying that a pollutant is not present, the permittee must submit the certification along with the monitoring reports required under paragraph (b) below. If the permittee cannot certify for an entire period, they must submit the date exposure was eliminated and any monitoring required up until that date. This certification option is not applicable to compliance monitoring requirements associated with effluent limitations.

b) Reporting

Permittees with 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 Storm Water Monitoring Report Form(s) postmarked **no later than the March 31st of the following calendar year**. For each outfall, one signed TMSP Storm Water Monitoring Report form must be submitted to the Division of Water Pollution Control. Signed copies of TMSP Storm Water Monitoring Reports, or said certifications, shall be submitted to the following address:

**Enforcement and Compliance Section**
**Tennessee Division of Water Pollution Control**
**6th Floor L & C Annex**
**401 Church Street**
**Nashville, TN 37243-1534**

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

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

(2) Visual 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 storm water discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.

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

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

# V Sector V - Storm Water Discharges Associated With Industrial Activity From Textile Mills, Apparel, and Other Fabric Product Manufacturing Facilities

## 1. Discharges Covered Under This Section

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

| SIC Code | Sector V: Textile Mills, Apparel and other Fabric Product Manufacturing Facilities | Sampling Required? | Table Number |
|---|---|---|---|
| 2211 | Broadwoven Fabric Mills, Cotton | No | -- |
| 2221 | Broadwoven Fabric Mills, Manmade Fiber and Silk | No | -- |
| 2231 | Broadwoven Fabric Mills, Wool (Including Dyeing and Finishing) | No | -- |
| 2241 | Narrow Fabric and Other Smallware Mills: Cotton, Wool, Silk, and Manmade Fiber | No | -- |
| 2251 | Women's Full-Length and Knee-Length Hosiery, Except Socks | No | -- |
| 2252 | Hosiery, NEC | No | -- |
| 2253 | Knit Outerwear Mills | No | -- |
| 2254 | Knit Underwear and Nightwear Mills | No | -- |
| 2257 | Weft Knit Fabric Mills | No | -- |
| 2258 | Lace and Warp Knit Fabric Mills | No | -- |
| 2259 | Knitting Mills, NEC | No | -- |
| 2261 | Finishers of Broadwoven Fabrics of Cotton | No | -- |
| 2262 | Finishers of Broadwoven Fabrics of Manmade Fiber and Silk | No | -- |
| 2269 | Finishers of Textiles, NEC | No | -- |
| 2273 | Carpets and Rugs | No | -- |
| 2281 | Yarn Spinning Mills | No | -- |
| 2282 | Yarn Texturizing, Throwing, Twisting, and Winding Mills | No | -- |
| 2284 | Thread Mills | No | -- |
| 2295 | Coated Fabrics, Not Rubberized | No | -- |
| 2296 | Tire Cord and Fabrics | No | -- |
| 2297 | Nonwoven Fabrics | No | -- |
| 2298 | Cordage and Twine | No | -- |
| 2299 | Textile Goods, NEC | No | -- |
| 2311 | Men's and Boys' Suits, Coats and Overcoats | No | -- |
| 2321 | Men's and Boys' Shirts, Except Work Shirts | No | -- |
| 2322 | Men's and Boys' Underwear and Nightwear | No | -- |
| 2323 | Men's and Boys' Neckwear | No | -- |
| 2325 | Men's and Boys' Trousers and Slacks | No | -- |
| 2326 | Men's and Boys' Work Clothing | No | -- |
| 2329 | Men's and Boys' Clothing, NEC | No | -- |
| 2331 | Women's, Misses', and Juniors' Blouses and Shirts | No | -- |
| 2335 | Women's, Misses' and Junior's Dresses | No | -- |
| 2337 | Women's, Misses' and Juniors' Suits, Skirts and Coats | No | -- |
| 2339 | Women's, Misses' and Juniors' Outerwear, NEC | No | -- |
| 2341 | Women's, Misses, Children's, and Infants' Underwear and Nightwear | No | -- |
| 2342 | Brassieres, Girdles, and Allied Garments | No | -- |
| 2353 | Hats, Caps, and Millinery | No | -- |
| 2361 | Girls', Children's and Infants' Dresses, Blouses and Shirts | No | -- |
| 2369 | Girls', Children's and Infants' Outerwear, NEC | No | -- |
| 2371 | Fur Goods | No | -- |
| 2381 | Dress and Work Gloves, Except Knit and All-Leather | No | -- |
| 2384 | Robes and Dressing Gowns | No | -- |

| SIC Code | Sector V: Textile Mills, Apparel and other Fabric Product Manufacturing Facilities | Sampling Required? | Table Number |
|---|---|---|---|
| 2385 | Waterproof Outerwear | No | -- |
| 2386 | Leather and Sheep-Lined Clothing | No | -- |
| 2387 | Apparel Belts | No | -- |
| 2389 | Apparel and Accessories, NEC | No | -- |
| 2391 | Curtains and Draperies | No | -- |
| 2392 | House furnishings, Except Curtains and Draperies | No | -- |
| 2393 | Textile Bags | No | -- |
| 2394 | Canvas and Related Products | No | -- |
| 2395 | Pleating, Decorative and Novelty Stitching, and Tucking for the Trade | No | -- |
| 2396 | Automotive Trimmings, Apparel Findings, and Related Products | No | -- |
| 2397 | Schiffli Machine Embroideries | No | -- |
| 2399 | Fabricated Textile Products, NEC | No | -- |

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 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-storm Water Discharges. Except for those allowable non-storm water discharges included in Part IIIA2 (Allowable Non-Storm Water Discharges) of this permit, there are no other non-storm water discharges authorized in this Sector.

3. Storm Water Pollution Prevention Plan Requirements

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

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

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

Drainage. A site map indicating an outline of the portions of the drainage area of each storm water outfall that are within the facility boundaries, each existing structural control measure to reduce pollutants in storm water runoff, surface water bodies, locations where significant materials are exposed

to precipitation, locations where major spills or leaks identified under Part XI.V.3.a.(2)(c) (Spills and Leaks) of this permit have occurred, and the locations of the following activities where such activities are exposed to precipitation: loading/unloading areas, locations used for the treatment, storage or disposal of wastes, liquid storage tanks or silos, bulk storage areas that may exist, processing areas and storage areas, fueling stations, vehicle and equipment maintenance and/or cleaning areas. The map must indicate the outfall locations and the types of discharges contained in the drainage areas of the outfalls.

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

Inventory of Exposed Materials—An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; method and location of onsite storage or disposal; materials management practices employed to minimize contact of materials with storm water runoff between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; the location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives.

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

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

Risk Identification and Summary of Potential Pollutant Sources—A narrative description of the potential pollutant sources from the following activities: loading and unloading operations; outdoor storage activities; outdoor manufacturing or processing activities; significant dust or particulate generating processes; onsite waste disposal practices; industry-specific significant materials and industrial activities (e.g., backwinding, beaming, bleaching, backing, bonding carbonizing, carding, cut and sew operations, desizing, drawing, dyeing flocking, fulling, knitting, mercerizing, opening, packing, plying, scouring, slashing, spinning, synthetic-felt processing, textile waste processing, tufting, turning, weaving, web forming, winging, yarn spinning, and yarn texturing). The description shall specifically list any significant potential source of pollutants at the site and for each potential source, any pollutant or pollutant parameter (e.g., biochemical oxygen demand, etc.) of concern shall be identified.

Measures and Controls. Each facility covered by this permit shall develop a description of storm water management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls shall address the following minimum components, including a schedule for implementing such controls:

Good Housekeeping—Good housekeeping requires the maintenance of areas which may contribute pollutants to storm water discharges in a clean, orderly manner. The following areas must be specifically addressed, when applicable at the facility:

Material Storage Areas—All stored and containerized materials (fuels, petroleum products, solvents, dyes, etc.) must be stored in a protected area, away from drains and clearly labeled. The plan must describe measures that prevent or minimize contamination of storm water runoff from such storage areas. The facility should specify which materials are stored indoors and must provide a description of the containment area or enclosure for those materials which are stored outdoors. Above ground storage tanks, drums, and barrels permanently stored outside must be delineated on the site map with a description of the appropriated containment measures in place to prevent leaks and spills. The facility may consider an inventory control plan to prevent excessive purchasing, storage, and handling of potentially hazardous substances. In the case of storage of empty chemical drums and containers, facilities should employ practices which ensure that barrels are clean and residuals are not subject to contact with storm water, such practices may include triple-rinsing containers. The discharge waters from such washings must be collected and disposed of properly.

Material Handling Area—The plan must describe measures that prevent or minimize contamination of the storm water runoff from materials handling operations and areas. The facility may consider the use of spill and overflow protection; covering fueling areas; covering and enclosing areas where the transfer of materials may occur. Where applicable, the plan must address the replacement or repair of leaking connections, valves, transfer lines and pipes that may carry chemicals, dyes, or wastewater.

Fueling Areas—The plan must describe measures that prevent or minimize contamination of the storm water runoff from fueling areas. The facility may consider covering the fueling area, using spill and overflow protection, minimizing runon of storm water to the fueling area, using dry cleanup methods, and/or collecting the storm water runoff and providing treatment or recycling.

Above Ground Storage Tank Areas—The plan must describe measures that prevent or minimize contamination of the storm water runoff from above ground storage tank areas. The facility must consider storage tanks and their associated piping and valves. The facility may consider regular cleanup of these areas, preparation of a spill prevention control and countermeasure program, provide spill and overflow protection, minimizing runon of storm water from adjacent areas, restrict access to the area, insertion of filters in adjacent catch basins, provide absorbent booms in unbermed fueling areas, use of dry cleanup methods, and permanently sealing drains within critical areas that may discharge to a storm drain.

Preventive Maintenance—A preventive maintenance program shall involve timely inspection and maintenance of storm water management devices (e.g., cleaning oil/water separators, sediment traps, catch basins, infiltration devices, ponds) 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.

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

Inspections—Qualified facility personnel shall be identified to inspect designated equipment and areas of the facility at appropriate intervals specified in the plan. Inspection intervals are to occur on a monthly basis. Inspections of this nature shall include, but not be limited to, the following areas: all containment and storage areas, transfer and transmission lines, spill prevention, good housekeeping practices, management of process waste products, all structural and nonstructural management practices. 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.

Employee Training—Employee training programs shall inform personnel responsible for implementing activities identified in the storm water pollution prevention plan or otherwise responsible for storm water management at all levels of responsibility of the components and goals of the storm water pollution prevention plan. Training should address topics such as spill response, good housekeeping and material management practices. The pollution prevention plan shall identify dates for such training to take place at least annually (once per calendar year). Employee training must, at a minimum address the following areas when applicable to a facility: use of reused/recycled waters; solvents management; proper disposal of dyes; proper disposal of petroleum products and spent lubricants; spill prevention and control; fueling procedures; and general good housekeeping practices. Employees, independent contractors, and customers must be informed about BMPs and be required to perform in accordance with these practices. Copies of BMPs and any specific management plans, including emergency phone numbers, shall be posted in the work areas.

Recordkeeping and Internal Reporting Procedures—A description of incidents (such as spills, or other discharges), along with other information describing the quality and quantity of storm water discharges shall be included in the plan required under this part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan.

Non-storm Water Discharges

The plan shall include a certification that the discharge has been tested or evaluated for the presence of non-storm water discharges. The certification shall include the identification of potential significant sources of non-storm water at the site, a description of the results of any test and/or evaluation for the presence of non-storm water discharges, the evaluation criteria or testing method used, the date of any testing and/or evaluation, and the onsite drainage points that were directly observed during the test. Certifications shall be signed in accordance with Part VII.G. of this permit. Such certification may not be feasible if the facility operating the storm water discharge associated with industrial activity does not have access to an outfall, manhole, or other point of access to the ultimate conduit which receives the discharge. In such cases, the source identification section of the storm water pollution prevention plan

shall indicate why the certification required by this part was not feasible, along with the identification of potential significant sources of non-storm water at the site. A discharger that is unable to provide the certification required by this paragraph must notify the Division of Water Pollution Control in accordance with paragraph "Failure to Certify" (below).

Sources of non-storm water that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge. Any non-storm water discharges that are not permitted under an individual NPDES permit should be brought to the attention of the Division's local Environmental Assistance Center (see list of EACs on page 15).

Failure to Certify—Any facility that is unable to provide the certification required (testing for non-storm water discharges), must notify the Division of Water Pollution Control by not later than 180 days after submitting an NOI to be covered by this permit. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notification shall describe: the procedure of any test conducted for the presence of non-storm water discharges; the results of such test or other relevant observations; potential sources of non-storm water discharges to the storm sewer; and why adequate tests for such storm sewers were not feasible. Non-storm water discharges to waters of the State which are not authorized by an NPDES permit are unlawful, and must be terminated.

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

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

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

Areas contributing to a storm water discharge associated with industrial activity (storage tank areas, waste disposal and storage areas, dumpsters and open containers stored outside, materials storage areas, engine maintenance and repair areas, material handling areas, and loading dock areas) shall be visually inspected for evidence of, or the potential for, pollutants entering the drainage system. Measures to reduce pollutant loadings shall be evaluated to determine whether they are adequate and properly implemented in accordance with the terms of the permit or whether additional control measures are needed. Structural storm water management measures, sediment and erosion control measures, and other structural pollution prevention measures identified in the plan shall be observed to ensure that they are

operating correctly. A visual inspection of equipment needed to implement the plan, such as spill response equipment, shall be made.

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

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

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

4. Numeric Effluent Limitations

There are no additional numeric effluent limitations beyond those described in Part V.B of this permit.

5. Monitoring and Reporting Requirements

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

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

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

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

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

When a facility has two or more outfalls that, based on a consideration of industrial activity, significant materials, and management practices and activities within the area drained by the outfall, the permittee reasonably believes discharge substantially identical effluents, the permittee may collect a sample of effluent of one of such outfalls and report that the examination data also applies to the substantially identical outfalls provided that the permittee includes in the storm water pollution prevention plan a description of the location of the outfalls and an explanation 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.

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

# W Sector W - Storm Water Discharges Associated With Industrial Activity From Wood and Metal Furniture and Fixture Manufacturing Facilities

## 1. Discharges Covered Under This Section

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

| SIC Code | Sector W: Furniture and Fixture Manufacturing Facilities | Sampling Required? | Table Number |
|---|---|---|---|
| 2434 | Wood Kitchen Cabinets | No | -- |
| 2511 | Wood Household Furniture, Except Upholstered | No | -- |
| 2512 | Wood Household Furniture, Upholstered | No | -- |
| 2514 | Metal Household Furniture | No | -- |
| 2515 | Mattresses, Foundations, and Convertible Beds | No | -- |
| 2517 | Wood Television, Radio, Phonograph and Sewing Machine Cabinets | No | -- |
| 2519 | Household Furniture, NEC | No | -- |
| 2521 | Wood Office Furniture | No | -- |
| 2522 | Office Furniture, Except Wood | No | -- |
| 2531 | Public Building and Related Furniture | No | -- |
| 2541 | Wood Office and Store Fixtures, Partitions, Shelving, and Lockers | No | -- |
| 2542 | Office and Store Fixtures, Partitions Shelving, and Lockers, Except Wood | No | -- |
| 2591 | Drapery Hardware and Window Blinds and Shades | No | -- |
| 2599 | Furniture and Fixtures, NEC | No | -- |

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 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-storm Water Discharges. Except for those allowable non-storm water discharges included in Part IIIA2 (Allowable Non-Storm Water Discharges) of this permit, there are no other non-storm water discharges authorized in this Sector.

## 3. Storm Water Pollution Prevention Plan Requirements

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

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

team member. The activities and responsibilities of the team shall address all aspects of the facility's storm water pollution prevention plan.

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

Drainage. A site map indicating an outline of the portions of the drainage area of each storm water outfall that are within the facility boundaries, each existing structural control measure to reduce pollutants in storm water runoff, surface water bodies, locations where significant materials are exposed to precipitation, locations where major spills or leaks identified under Part XI.W.3.a.(2)(c) (Spills and Leaks) of this permit have occurred, and the locations of the following activities where such activities are exposed to precipitation: fueling stations; vehicle and equipment maintenance and/or cleaning areas; loading and unloading areas; material storage (including tanks or other vessels used for liquid or waste storage) areas; outdoor material processing areas; areas where wastes are treated, stored, or disposed; access roads; and rail spurs. The map must indicate the outfall locations and the types of discharges contained in the drainage areas of the outfalls.

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

Inventory of Exposed Materials—An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; method and location of onsite storage or disposal; materials management practices employed to minimize contact of materials with storm water runoff between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; the location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives.

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

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

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

Measures and Controls. Each facility covered by this permit shall develop a description of storm water management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls shall address the following minimum components, including a schedule for implementing such controls:

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

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

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

Inspections—In addition to the comprehensive site compliance evaluation required under Part XI.W.3.a.(4), of this permit, qualified facility personnel shall be identified to inspect the following on a quarterly basis: the integrity of storm water discharge diversions, conveyance systems, sediment control and collection systems, and containment structures; vegetative BMPs to determine if soil erosion has occurred; and material handling and storage areas and other potential sources of pollution for evidence of actual or potential pollutant discharges of contaminated storm water. Information must be maintained onsite and include the inspection date and time and the name of personnel conducting the visual inspection. The pollution prevention plan must be updated based on the results of each inspection. A set of tracking or follow-up procedures shall be used to ensure that appropriate actions are taken in response to the inspections. Records of inspections shall be maintained. The use of a checklist developed by the facility is encouraged.

Employee Training—Employee training programs shall inform personnel responsible for implementing activities identified in the storm water pollution prevention plan or otherwise responsible for storm water management at all levels of responsibility of the components and goals of the storm water pollution prevention plan. Training should address topics such as spill response, good housekeeping and material management practices. The pollution prevention plan shall identify periodic dates for such

training.

Recordkeeping and Internal Reporting Procedures—A description of incidents (such as spills, or other discharges), BMP inspection and maintenance activities, along with other information describing the quality and quantity of storm water discharges shall be included in the plan required under this part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan. Ineffective BMPs must be reported and the date of their corrective action noted.

Non-storm Water Discharges

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

Sources of non-storm water that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge. Any non-storm water discharges that are not permitted under an individual NPDES permit should be brought to the attention of the Division's local Environmental Assistance Center (see list of EACs on page 15).

Failure to Certify—Any facility that is unable to provide the certification required (testing for non-storm water discharges), must notify the Division of Water Pollution Control by not later than 180 days after submitting an NOI to be covered by this permit. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notification shall describe: the procedure of any test conducted for the presence of non-storm water discharges; the results of such test or other relevant observations; potential sources of non-storm water discharges to the storm sewer; and why adequate tests for such storm sewers were not feasible. Non-storm water discharges to waters of the State which are not authorized by an NPDES permit are unlawful, and must be terminated.

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

Management of Runoff—The plan shall contain a narrative consideration of the appropriateness of traditional storm water management practices (practices other than those which control the generation or source(s) of pollutants) used to divert, infiltrate, reuse, or otherwise manage storm water runoff in a manner that reduces pollutants in storm water discharges from the site. The plan shall provide that

measures that the permittee determines to be reasonable and appropriate shall be implemented and maintained. The potential of various sources at the facility to contribute pollutants to storm water discharges associated with industrial activity [see paragraph XI.W.3.a.(2) of this section (Description of Potential Pollutant Sources)] shall be considered when determining reasonable and appropriate measures. Appropriate measures or other equivalent measures may include: vegetative swales and practices, reuse of collected storm water (such as for a process or as an irrigation source), inlet controls (such as oil/water separators), snow management activities, infiltration devices, and wet detention/retention devices.

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

Areas contributing to a storm water discharge associated with industrial activity including, but not limited to, coal piles, ash disposal areas, loading/unloading operations, and waste treatment, storage, or disposal locations shall be visually inspected for evidence of, or the potential for, pollutants entering the drainage system. Measures to reduce pollutant loadings shall be evaluated to determine whether they are adequate and properly implemented in accordance with the terms of the permit or whether additional control measures are needed. Structural storm water management measures, sediment and erosion control measures, and other structural pollution prevention measures identified in the plan shall be observed to ensure that they are operating correctly. A visual inspection of equipment needed to implement the plan, such as spill response equipment, shall be made.

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

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

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

4. Numeric Effluent Limitations

There are no additional numeric effluent limitations beyond those described in Part V.B of this permit.

5. Monitoring and Reporting Requirements

a) Monitoring Requirements.

(1) Quarterly Visual Examination of Storm Water Quality.

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

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

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

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

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

(e) 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 storm water discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.

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

(g) 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. 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.).

# X Sector X - Storm Water Discharges Associated With Industrial Activity From Printing and Platemaking Facilities

## 1. Discharges Covered Under This Section

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

| SIC Code | Sector X: Printing and Platemaking Facilities | Sampling Required? | Table Number |
|---|---|---|---|
| 2721 | Periodicals: Publishing, or Publishing and Printing | No | -- |
| 2732 | Book Printing | No | -- |
| 2752 | Commercial Printing, Lithographic | No | -- |
| 2754 | Commercial Printing, Gravure | No | -- |
| 2759 | Commercial Printing, NEC | No | -- |
| 2771 | Greeting Cards | No | -- |
| 2796 | Platemaking and Related Services | No | -- |

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 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

There are no additional special conditions beyond those found in Part III. of today's permit.

## 3. Storm Water Pollution Prevention Plan Requirements

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

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

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

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

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

Inventory of Exposed Materials—An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; method and location of onsite storage or disposal; materials management practices employed to minimize contact of materials with storm water runoff between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; the location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives.

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

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

Risk Identification and Summary of Potential Pollutant Sources—A narrative description of the potential pollutant sources from the following activities associated with printing, platemaking and allied facilities: loading and unloading operations; outdoor storage activities; significant dust or particulate generating processes; and onsite waste disposal practices (i.e., blanket wash). 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., oil and grease, scrap metal, etc.) of concern shall be identified.

Measures and Controls. Each facility covered by this permit shall develop a description of storm water management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls shall address the following minimum components, including a schedule for implementing such controls:

Good Housekeeping—Good housekeeping requires the maintenance of areas which may contribute pollutants to storm water discharges in a clean, orderly manner. Areas where good housekeeping should be implemented include:

Material Storage Areas—All stored and containerized materials (skids, pallets, solvents, bulk inks, and hazardous waste, empty drums, portable/mobile containers of plant debris, wood crates, steel racks, fuel oil, etc.) should be stored in a protected area, away from drains and properly labeled. The plan should describe measures that prevent or minimize contamination of the storm water runoff from such storage areas. The facility should specify which materials are stored indoors and must provide a description of the containment area or enclosure for those materials which are stored outdoors. The facility may consider an inventory control plan to prevent excessive purchasing, storage, and handling of potentially hazardous substances. The facility may consider indoor storage of the materials and/or installation of berming and diking of the area.

Material Handling Areas—The plan must describe measures that prevent or minimize contamination of the storm water runoff from materials handling operations and areas (i.e., blanket wash, mixing solvents, loading/unloading materials). The facility may consider the use of spill and overflow protection; covering fuel areas; covering and enclosing areas where the transfer of materials may occur. Where applicable, the plan must address the replacement or repair of leaking connections, valves, transfer lines and pipes that may carry chemicals, or wastewater.

Fueling Areas—The plan must describe measures that prevent or minimize contamination of the storm water runoff from fueling areas. The facility may consider covering the fueling area, using spill and overflow protection, minimizing runon of storm water to the fueling area, using dry cleanup methods, and/or collecting the storm water runoff and providing treatment or recycling.

Above Ground Storage Tank Areas—The plan must describe measures that prevent or minimize contamination of the storm water runoff from above ground storage tanks and their associated piping and valves. The facility may consider regular cleanup of these areas, preparation of a spill prevention control and countermeasure program, provide spill and overflow protection, minimizing runon of storm water from adjacent facilities and properties, restrict access to the area, insertion of filters in adjacent catch basins, provide absorbent booms in unbermed fueling areas, use of dry cleanup methods, and permanently sealing drains within critical areas that may discharge to a storm drain.

Preventive Maintenance—A preventive maintenance program shall involve timely inspection and maintenance of storm water management devices (e.g., cleaning oil/water separators, vegetative swales, secondary containment, 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.

Spill Prevention and Response Procedures—Areas where potential spills which can contribute pollutants to storm water discharges can occur, and their accompanying drainage points shall be identified

clearly in the storm water pollution prevention plan. Where appropriate, specifying material handling procedures, storage requirements, and use of equipment such as diversion valves in the plan should be considered. Procedures 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.

Inspections—Qualified facility personnel shall be identified to inspect designated equipment and areas of the facility on an annual basis. The following areas shall be included in, but not limited to, all inspections: all containment and material storage areas, fueling areas, loading and unloading areas, equipment cleaning 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.

Employee Training—Employee training programs shall inform personnel responsible for implementing activities identified in the storm water pollution prevention plan or otherwise responsible for storm water management at all levels of responsibility of the components and goals of the storm water pollution prevention plan. The pollution prevention plan shall identify how often training will take place, but training should be provided annually. Employee training must, at a minimum, address the following areas when applicable to a facility: spent solvent management; spill prevention and control; used oil management; fueling procedures; and general good housekeeping practices. The pollution prevention plan shall identify periodic dates for such training.

Recordkeeping and Internal Reporting Procedures—A description of incidents (such as spills, or other discharges), along with other information describing the quality and quantity of storm water discharges shall be included in the plan required under this part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan.

Non-storm Water Discharges

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

Sources of non-storm water that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge. Any non-storm water discharges that are not permitted under an individual NPDES permit should be brought to the attention of the Division's local Environmental Assistance Center (see list of EACs on page 15).

Failure to Certify—Any facility that is unable to provide the certification required (testing for non-storm water discharges), must notify the Division of Water Pollution Control by not later than 180 days after submitting an NOI to be covered by this permit. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notification shall describe: the procedure of any test conducted for the presence of non-storm water discharges; the results of such test or other relevant observations; potential sources of non-storm water discharges to the storm sewer; and why adequate tests for such storm sewers were not feasible. Non-storm water discharges to waters of the State which are not authorized by an NPDES permit are unlawful, and must be terminated.

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

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

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

Areas contributing to a storm water discharge associated with industrial activity (including, but not limited to, material handling areas, material storage areas, waste disposal and storage areas, loading/unloading areas) shall be visually inspected for evidence of, or the potential for, pollutants entering the drainage system. Measures to reduce pollutant loadings shall be evaluated to determine whether they are adequate and properly implemented in accordance with the terms of the permit or whether additional control measures are needed. Structural storm water management measures, sediment and erosion control measures, and other structural pollution prevention measures identified in the plan shall be observed to ensure that they are operating correctly. A visual inspection of equipment needed to implement the plan, such as spill response equipment, shall be made.

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

A report summarizing the scope of the evaluation, personnel making the evaluation, the date(s) of the evaluation, major observations relating to the implementation of the storm water pollution prevention

plan, and actions taken in accordance with paragraph XI.X.3.a.(4)(b) (above) of the permit shall be made and retained as part of the storm water pollution prevention plan for at least 3 years from the date of the evaluation. The report shall identify any incidents of noncompliance. Where a report does not identify any incidents of noncompliance, the report shall contain a certification that the facility is in compliance with the storm water pollution prevention plan and this permit. The report shall be signed in accordance with Part VII.G. (Signatory Requirements) of this permit.

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

4. Numeric Effluent Limitations

There are no additional numeric effluent limitations beyond those described in Part V.B. of this permit.

5. Monitoring and Reporting Requirements

a) Monitoring Requirements

(1) Quarterly Visual Examination of Storm Water Quality.

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

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

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

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

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

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

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

# Y Sector Y - Storm Water Discharges Associated With Industrial Activity From Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries

## 1. Discharges Covered Under This Section

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

| SIC Code | Sector Y: Rubber and Miscellaneous Plastic Product Manufacturing Facilities | Sampling Required? | Table Number |
|---|---|---|---|
| 3011 | Tires and Inner Tubes | Yes | Y-1 |
| 3021 | Rubber and Plastics Footwear | Yes | Y-1 |
| 3052 | Rubber and Plastics Hose and Belting | Yes | Y-1 |
| 3053 | Gaskets, Packing, and Sealing Devices | Yes | Y-1 |
| 3061 | Molded, Extruded, and Lathe-Cut Mechanical Rubber Products | Yes | Y-1 |
| 3069 | Fabricated Rubber Products, NEC | Yes | Y-1 |
| 3081 | Unsupported Plastics Film and Sheet | No | -- |
| 3082 | Unsupported Plastics Profile Shapes | No | -- |
| 3083 | Laminated Plastics Plate, Sheet, and Profile Shapes | No | -- |
| 3084 | Plastic Pipe | No | -- |
| 3085 | Plastics Bottles | No | -- |
| 3086 | Plastics Foam Products | No | -- |
| 3087 | Custom Compounding of Purchased Plastics Resins | No | -- |
| 3088 | Plastics Plumbing Fixtures | No | -- |
| 3089 | Plastics Products, NEC | No | -- |
| 3931 | Musical Instruments | No | -- |
| 3942 | Dolls and Stuffed Toys | No | -- |
| 3944 | Games, Toys, and Children's Vehicles, Except Dolls and Bicycles | No | -- |
| 3949 | Sporting and Athletic Goods, NEC | No | -- |
| 3951 | Pens, Mechanical Pencils and Parts | No | -- |
| 3952 | Lead Pencils, Crayons, and Artist's Materials | No | -- |
| 3953 | Marking Devices | No | -- |
| 3955 | Carbon Paper and Inked Ribbons | No | -- |
| 3961 | Costume Jewelry and Costume Novelties, Except Precious Metals | No | -- |
| 3965 | Fasteners, Buttons, Needles, and Pins | No | -- |
| 3991 | Brooms and Brushes | No | -- |
| 3993 | Signs and Advertising Specialties | No | -- |
| 3995 | Burial Caskets | No | -- |
| 3996 | Linoleum, Asphalted-Felt-Base, and Other Hard Surface Floor Coverings, NEC | No | -- |
| 3999 | Manufacturing Industries, NEC | No | -- |

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 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-storm Water Discharges. Except for those allowable non-storm water discharges included in Part IIIA2 (Allowable Non-Storm Water Discharges) of this permit, there are no other non-storm water discharges authorized in this Sector.

3. Storm Water Pollution Prevention Plan Requirements

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

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

Description of Potential Pollutant Sources. Each plan shall provide a description of potential sources which may reasonably be expected to add significant amounts of pollutants to storm water discharges or which may result in the discharge of pollutants during dry weather from separate storm sewers draining the facility. Each plan shall identify all activities and significant materials which may potentially be significant pollutant sources. All rubber manufacturers shall in particular review the use of zinc at their facilities and the possible pathways through which zinc may be discharged in storm water runoff. Each plan shall include, at a minimum:

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

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

Inventory of Exposed Materials—An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to

be covered under this permit and the present; method and location of onsite storage or disposal; materials management practices employed to minimize contact of materials with storm water runoff between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; the location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives.

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

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

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

Measures and Controls. Each facility covered by this permit shall develop a description of storm water management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. Facilities subject to EPCRA Section 313 should note that the special requirements of Part IV.E. of this permit also apply to their facilities. The description of storm water management controls shall address the following minimum components, including a schedule for implementing such controls:

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

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

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

Inspections—In addition to or as part of the comprehensive site evaluation required under paragraph XI.Y.3.a.(4) of this section, qualified facility personnel shall be identified to inspect designated equipment and areas of the facility at appropriate intervals specified in the plan. 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.

Employee Training—Employee training programs shall inform personnel responsible for implementing activities identified in the storm water pollution prevention plan or otherwise responsible for storm water management at all levels of responsibility of the components and goals of the storm water pollution prevention plan. Training should address topics such as spill response, good housekeeping and material management practices. The pollution prevention plan shall identify periodic dates for such training.

Recordkeeping and Internal Reporting Procedures—A description of incidents (such as spills, or other discharges), along with other information describing the quality and quantity of storm water discharges shall be included in the plan required under this part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan.

Non-storm Water Discharges

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

Sources of non-storm water that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge. Any non-storm water discharges that are not permitted under an individual NPDES permit should be brought to the attention of the Division's local Environmental Assistance Center (see list of EACs on page 15).

Failure to Certify—Any facility that is unable to provide the certification required (testing for non-storm water discharges), must notify the Division of Water Pollution Control by not later than 180 days after submitting an NOI to be covered by this permit. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notification shall describe: the procedure of any test conducted for the presence of non-storm water discharges; the results of such test or other relevant observations; potential sources of non-storm water discharges to the storm sewer; and why adequate tests

for such storm sewers were not feasible. Non-storm water discharges to waters of the State which are not authorized by an NPDES permit are unlawful, and must be terminated.

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

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

Special Requirements for All Rubber Products Manufacturers—All rubber products manufacturing facilities shall include specific measures and controls to minimize the discharge of zinc in their storm water discharges. The following possible sources of zinc shall be reviewed and the accompanying BMPs shall be included as appropriate in the storm water pollution prevention plan:

Inadequate Housekeeping—All permittees shall review the handling and storage of zinc bags at their facilities and consider the following BMPs for the pollution prevention plan: employee training regarding the handling and storage of zinc bags, indoor storage of zinc bags, thorough cleanup of zinc spills without washing the zinc into the storm drain, and the use of 2,500-pound sacks of zinc rather than 50- to 100-pound sacks.

Zinc in Dumpsters—The following BMPs or equivalent measures shall be considered to reduce discharges of zinc from dumpsters: providing a cover for the dumpster; move the dumpster to an indoors location; or provide a lining for the dumpster.

Malfunctioning Dust Collectors or Baghouses—Permittees shall review dust collectors and baghouses as possible sources in zinc in storm water runoff. Improperly operating dust collectors or baghouses shall be replaced or repaired as appropriate. The pollution prevention plan shall also provide for regular maintenance of these facilities.

Grinding Operations—Permittees shall review dust generation from rubber grinding operations at their facility and, as appropriate, install a dust collection system.

Zinc Stearate Coating Operations—Permittees shall include in the pollution prevention plan appropriate measures to prevent and/or clean up drips or spills of zinc stearate slurry which may be released to the storm drain. Alternate compounds to zinc stearate shall also be considered.

Comprehensive Site Compliance Evaluation. Qualified personnel shall conduct site compliance evaluations once a year. Such evaluations shall provide:

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

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

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

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

4. Numeric Effluent Limitations

There are no additional numeric effluent limitations beyond those described in Part V.B of this permit.

5. Monitoring and Reporting Requirements

a) Analytical Monitoring Requirements

During the term of this permit, permittees covered under this sector must monitor their storm water discharges associated with industrial activity at least once per calendar year (annually), except as provided in paragraphs 5.a.(3) (Sampling Waiver), 5.a.(4) (Representative Discharge), and 5.a.(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 6.b. (Reporting). In addition to the parameters listed in Table Y-1 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 Y-1 Monitoring Requirements**

| Pollutants of Concern | Cut-Off Concentration | Sector Median Value * [mg/L] |
|---|---|---|
| Total Recoverable Zinc | 0.395 mg/L | 0.11 |

* Sector Median Value is a pollutant concentration calculated from all sampling results provided from facilities classified in this sector during the previous permit term. By definition, a median is a statistical term identifying a number that divides numerically ordered data into two equal halves. In easier terms, the median is the middle piece of data when those data are placed in numerical order, or the average of the middle two if there is an even number of items. Therefore, median concentration(s) listed above represent a concentration value typical for and achieved by industries in this sector.

(1) Monitoring Periods. Rubber product manufacturing facilities shall monitor samples collected during any period of a calendar year, as long as the samples are representative of the quantity and quality of the storm water runoff being discharged from the facility.

(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 may also be waived where the permittee documents that less than a 72-hour interval is representative for local storm events during the season when sampling is being conducted. The grab sample shall be taken during the first 30 minutes of the discharge. If the collection of a grab sample during the first 30 minutes is impracticable, a grab sample can be taken during the first hour of the discharge, and the discharger shall submit with the monitoring report a description of why a grab sample during the first 30 minutes was impracticable. If storm water discharges associated with industrial activity commingle with process or nonprocess water, then where practicable permittees must attempt to sample the storm water discharge before it mixes with the non-storm water discharge.

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 cut-off concentrations as shown in the table above. If the results of annual storm water runoff monitoring demonstrate that the facility has exceeded the cut-off concentration(s), the permittee must inform the Division's local Environmental Assistance Center in writing within 30 days from the time storm water monitoring results were received, describing the likely cause of the exceedance(s). Furthermore, within 60 days from the time storm water monitoring results were received, the facility must review its storm water pollution prevention plan, make any modifications or additions to the plan which would assist in reducing effluent concentrations to less than the monitoring cut-off concentrations for that facility, and submit to the Division's local Environmental Assistance Center a brief summary of the proposed SWPPP modifications (including a timetable for implementation).

(3) Sampling Waiver

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

(b) Low Concentration Waiver—When the average concentration for a pollutant calculated from monitoring data collected from first 4 calendar years of monitoring is less than the corresponding reporting value for that pollutant (Monitoring Cut-Off Concentration), a facility may waive monitoring and reporting requirements in the last annual monitoring period. The facility must submit to the Division of Water Pollution Control, in lieu of the monitoring data, a certification that there has not been a significant change in industrial activity or the pollution prevention measures in area of the facility that drains to the outfall for which sampling was waived.

(c) When a discharger is unable to conduct annual chemical storm water sampling at an inactive and unstaffed site, the operator of the facility may exercise a waiver of the monitoring requirements as long as the facility remains inactive and unstaffed. The facility must submit to the Division of Water Pollution Control, in lieu of monitoring data, a certification statement on the TMSP Storm Water Monitoring Report stating that the site is inactive and unstaffed so that collecting a sample during a qualifying event is not possible.

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

effluents, and estimate of the size of the drainage area and runoff coefficient with the TMSP Storm Water Monitoring Report.

(5) Alternative Certification. A discharger is not subject to the monitoring requirements of this section provided the discharger makes a certification for a given outfall or on a pollutant-by-pollutant basis, in lieu of monitoring reports required under paragraph b below, under penalty of law, signed in accordance with Part VII.G. (Signatory Requirements), that material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, industrial machinery or operations, or significant materials, by-products, industrial machinery or operations, or significant materials from past industrial activity that are located in areas of the facility within the drainage area of the outfall are not presently exposed to storm water and are not expected to be exposed to storm water for the certification period. Such certification must be retained in the storm water pollution prevention plan, and submitted to the Division of Water Pollution Control in accordance with Part VI.B. of this permit. In the case of certifying that a pollutant is not present, the permittee must submit the certification along with the monitoring reports required under paragraph b below. If the permittee cannot certify for an entire period, they must submit the date exposure was eliminated and any monitoring required up until that date. This certification option is not applicable to compliance monitoring requirements associated with effluent limitations.

b) Reporting

Permittees with 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 Storm Water Monitoring Report Form(s) postmarked **no later than the March 31st of the following calendar year**. For each outfall, one signed TMSP Storm Water Monitoring Report form must be submitted to the Division of Water Pollution Control. Signed copies of TMSP Storm Water Monitoring Reports, or said certifications, shall be submitted to the following address:

**Enforcement and Compliance Section**
**Tennessee Division of Water Pollution Control**
**6th Floor L & C Annex**
**401 Church Street**
**Nashville, TN 37243-1534**

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

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

(2) Examinations shall be made of samples collected within the first 30 minutes (or as soon thereafter as practical, but not to exceed one hour) of when the runoff or snowmelt begins discharging. The examinations shall document observations of color, odor, clarity, floating solids, settled solids, suspended

solids, foam, oil sheen, and other obvious indicators of storm water pollution. The examination must be conducted in a well lit area. No analytical tests are required to be performed on the samples. All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. Whenever practicable the same individual will carry out the collection and examination of discharges for the life of the permit.

(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 storm water discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.

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

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

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

# Z Sector Z - Storm Water Discharges Associated With Industrial Activity From Leather Tanning and Finishing Facilities

## 1. Discharges Covered Under This Section

The requirements listed under this section shall apply to storm water discharges associated with industrial activity from a facility engaged in manufacturing the following products and generally described by the SIC codes shown below. Discharges from facilities that make fertilizer solely from leather scraps and leather dust are also covered under this section.

| SIC Code | Sector Z: Leather Tanning and Finishing Facilities | Sampling Required? | Table Number |
|---|---|---|---|
| 3111 | Leather Tanning and Finishing | No | -- |
| 3143 | Men's Footwear, Except Athletic | No | -- |

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 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

There are no special conditions for this section beyond those in Part III. of this permit.

## 3. Storm Water Pollution Prevention Plan Requirements

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

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

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

Drainage. A site map indicating an outline of the portions of the drainage area of each storm water outfall that are within the facility boundaries, each existing structural control measure to reduce

pollutants in storm water runoff, surface water bodies (including wetlands), locations where significant materials are exposed to precipitation, locations where major spills or leaks identified under Part XI.Z.3.a.(2)(c) (Spills and Leaks) of this permit have occurred, and the locations of the following activities where such activities are exposed to precipitation: fueling stations, vehicle and equipment maintenance and/or cleaning areas, loading/unloading areas, locations used for the treatment, storage or disposal of wastes, material storage (including tanks or other vessels used for liquid or waste storage), processing and storage areas for activities associated with beamhouse, tanyard, retan-wet finishing and dry finishing operations, and haul roads, access roads and rail spurs. The site map must also identify the location of all outfalls covered by this permit and include an inventory of the types of discharges contained in each outfall.

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

Inventory of Exposed Materials—An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; method and location of onsite storage or disposal; materials management practices employed to minimize contact of materials with storm water runoff between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; the location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives. The description must be updated whenever there is a significant change in the types or amounts of materials, or material management practices, that may affect the exposure of materials to storm water.

Spills and Leaks—A list of significant spills and significant leaks of toxic or hazardous pollutants that occurred at areas that are exposed to precipitation or that otherwise drain to a storm water conveyance at the facility after the date of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit. Significant spills include but are not limited to, releases of oil or hazardous substances in excess of quantities that are reportable under Section 311 of the Clean Water Act (CWA) (see 40 CFR 110.10 and 40 CFR 117.21) or Section 102 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (see 40 CFR 302.4). Significant spills may also include releases of oil or hazardous substances that are not in excess of reporting requirements and releases of materials that are not classified as oil or a hazardous substance. Such list shall be updated as appropriate during the term of the permit.

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

Risk Identification and Summary of Potential Pollutant Sources—A narrative description of potential pollutant sources including but not limited to the following activities: loading and unloading

operations; outdoor storage activities, including but not limited to: temporary or permanent storage of fresh and brine cured hides, chemical drums, bags, containers and above ground tanks, leather dust, scraps, trimmings and shavings, spent solvents, extraneous hide substances and hair, and empty chemical containers and bags; floor sweepings and washings; refuse and waste piles and sludge; outdoor manufacturing or processing activities; significant dust or particulate generating processes including buffing; vehicle maintenance, washing and fueling and onsite waste disposal practices. The description shall specifically list any significant potential source of pollutants at the site and for each potential source, any pollutant or pollutant parameter (e.g., biochemical oxygen demand, total suspended solids, chromium, etc.) of concern shall be identified.

Measures and Controls. Each facility covered by this permit shall develop a description of storm water management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls shall address the following minimum components, including a schedule for implementing such controls:

Good Housekeeping—Good housekeeping requires the maintenance of areas which may contribute pollutants to storm water discharges in a clean, orderly manner. The following areas must be specifically addressed:

Storage Areas for Raw, Semiprocessed, or Finished Tannery By-products—Pallets and/or bales of raw, semiprocessed or finished tannery by-products (e.g., splits, trimmings, shavings, etc.) should be stored indoors or protected by polyethylene wrapping, tarpaulins, roofed storage area or other suitable means. Materials should be placed on an impermeable surface, the area should be enclosed or bermed or other equivalent measures should be employed to prevent runon and runoff of storm water.

Material Storage Areas—Label storage units of all materials (e.g., specific chemicals, hazardous materials, spent solvents, waste materials). Maintain such containers and units in good condition. Describe measures that prevent or minimize contact with storm water. The facility must consider indoor storage, installation of berming and diking around the area, and/or other equivalent measures to prevent runon and runoff of storm water.

Buffing/Shaving Areas—The plan must describe measures that prevent or minimize contamination of the storm water runoff with leather dust from buffing/shaving areas. The facility may consider dust collection enclosures, preventive inspection/maintenance programs or other appropriate preventive measures.

Receiving, Unloading, and Storage Areas—The plan must describe measures that prevent or minimize contamination of the storm water runoff from receiving, unloading, and storage areas. Exposed receiving, unloading and storage areas for hides and chemical supplies should be protected by a suitable cover, diversion of drainage to the process sewer, grade berming or curbing area to prevent runon of storm water or other appropriate preventive measures. Materials must be plainly labeled and maintained in good condition.

Outdoor Storage of Contaminated Equipment—The plan must describe measures that minimize contact of storm water with contaminated equipment. Equipment should be protected by suitable cover, diversion of drainage to the process sewer, thorough cleaning prior to storage or other appropriate preventive measures.

Waste Management—The plan must describe measures that prevent contamination of the storm water runoff from waste storage areas. The facility may consider inspection/maintenance programs or other equivalent measures for leaking containers or spills, covering dumpsters, moving waste management activities indoors, covering waste piles with temporary covering material such as tarpaulins or polyethylene, and minimizing storm water runon by enclosing the area or building berms around the area.

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

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

Inspections—Qualified facility personnel shall be identified to inspect designated equipment and areas of the facility at least on a quarterly basis. The following areas shall be included in all inspections: leather processing areas, storage areas for chemicals, including but not limited to above ground tanks, fueling areas, vehicle and equipment maintenance areas, material storage areas, loading and unloading areas, waste management areas and other potential sources of pollution for evidence of actual or potential discharges of contaminated storm water. A set of tracking or follow-up procedures shall be used to ensure that appropriate actions are taken in response to the inspections and that the pollution prevention plan is appropriately modified. Records of inspections shall be maintained as part of the pollution prevention plan.

Qualified personnel are required to conduct quarterly inspections of all Best Management Practices (BMPs). The inspections shall include an assessment of the effectiveness and need for maintenance of storm water roofing and covers, dikes and curbs, discharge diversions, sediment control and collection systems and all other BMPs.

Quarterly inspections must be made at least once in each of the following designated periods during daylight hours: January through March (storm water runoff or snow melt), April through June (storm water runoff), July through September (storm water runoff), and October through December (snow melt runoff). Records shall be maintained as part of the pollution prevention plan.

Employee Training—Employee training programs shall inform personnel responsible for implementing activities identified in the storm water pollution prevention plan or otherwise responsible for storm water management at all levels of responsibility of the components and goals of the storm water pollution prevention plan. The pollution prevention plan shall identify how often training will take place, but in all cases, training must be held at least annually. Employee training must, at a minimum, address the following areas when applicable to a facility: general good housekeeping practices, spill prevention

and control, waste management, inspections, preventive maintenance, detection of non-storm water discharges and other areas.

Recordkeeping and Internal Reporting Procedures—A description of incidents (such as leaks, spills, or other discharges), along with other information describing the quality and quantity of storm water discharges shall be included in the plan required under this part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan. The plan must address spills, monitoring, and BMP inspection and maintenance activities. BMPs which were ineffective must be reported and the date of their corrective action recorded. Employees must report incidents of leaking fluids to facility management and these reports must be incorporated into the plan.

Non-storm Water Discharges

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

Sources of non-storm water that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge. Any non-storm water discharges that are not permitted under an individual NPDES permit should be brought to the attention of the Division's local Environmental Assistance Center (see list of EACs on page 15).

Failure to Certify—Any facility that is unable to provide the certification required (testing for non-storm water discharges), must notify the Division of Water Pollution Control by not later than 180 days after submitting an NOI to be covered by this permit. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notification shall describe: the procedure of any test conducted for the presence of non-storm water discharges; the results of such test or other relevant observations; potential sources of non-storm water discharges to the storm sewer; and why adequate tests for such storm sewers were not feasible. Non-storm water discharges to waters of the State which are not authorized by an NPDES permit are unlawful, and must be terminated.

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

Management of Runoff—The plan shall contain a narrative consideration of the appropriateness of traditional storm water management practices (practices other than those which control the generation

or source(s) of pollutants) used to divert, infiltrate, reuse, or otherwise manage storm water runoff in a manner that reduces pollutants in storm water discharges from the site. The plan shall provide that measures that the permittee determines to be reasonable and appropriate shall be implemented and maintained. The potential of various sources at the facility to contribute pollutants to storm water discharges associated with industrial activity [see paragraph XI.Z.3.a.(2) of this section (Description of Potential Pollutant Sources)] shall be considered when determining reasonable and appropriate measures. Appropriate measures or equivalent measures may include: vegetative swales and practices, reuse of collected storm water (such as for a process or as an irrigation source), inlet controls (such as oil/water separators), snow management activities, infiltration devices, and wet detention/retention devices. In addition, the permittee must describe the storm water pollutant source area or activity (e.g., storage areas, loading and unloading areas, above ground storage of chemicals) to be controlled by each storm water management practice.

The plan must consider management practices, such as berms for uncovered storage areas, uncovered loading and unloading areas, above ground liquid storage and waste management areas. The installation of detention ponds must also be considered.

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

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

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

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

The storm water pollution prevention plan must describe the scope and content of comprehensive site inspections that qualified personnel will conduct to 1) confirm the accuracy of the description of

potential pollution sources contained in the plan, 2) determine the effectiveness of the plan, and 3) assess compliance with the terms and conditions of the permit. Comprehensive site compliance evaluations must be conducted at least once a year. The individual or individuals who will conduct the inspections must be identified in the plan and should be members of the pollution prevention team. Evaluation reports must be retained for at least 3 years from the date of the evaluation.

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

4. Numeric Effluent Limitations

There are no additional numeric effluent limitations beyond those described in Part V.B of this permit.

5. Monitoring and Reporting Requirements

a) Quarterly Visual Examination of Storm Water Quality.

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

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

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

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 storm water discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.

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 observation data also applies to the substantially identical outfall(s) provided that the permittee includes in the storm water pollution

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

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

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

## AA Sector AA - Storm Water 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 storm water discharges associated with industrial activity from a facility engaged in manufacturing the following products and generally described by the SIC codes shown below:

| SIC Code | Sector AA: Facilities That Manufacture Metal Products including Jewelry, Silverware and Plated Ware | Sampling Required? | Table Number |
|---|---|---|---|
| 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-1 |
| 3479 | Coating, Engraving, and Allied Services, NEC | Yes | AA-1 |
| 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 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-storm Water Discharges Except for those allowable non-storm water discharges included in Part IIIA2 (Allowable Non-Storm Water Discharges) of this permit, there are no other non-storm water discharges authorized in this Sector.

3. Storm Water Pollution Prevention Plan Requirements

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

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

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

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 storm water outfall that are within the facility boundaries, each existing structural control measure to reduce pollutants in storm water runoff, surface water bodies, locations where significant materials are exposed to precipitation, locations where major spills or leaks identified under Part IX.AA.3.a.(2)(c) (Spills and Leaks) of this permit have occurred, and the locations of the following activities where such activities are exposed to precipitation: 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 storm water discharges associated with industrial activity with a reasonable potential for containing significant amounts of pollutants, a prediction of the direction of flow, and an identification of the types of pollutants which are likely to be present in storm water discharges associated with industrial activity. Factors to consider include the toxicity of chemical; quantity of chemicals used, produced or discharged; the likelihood of contact with storm water; and history of significant leaks or spills of toxic or hazardous pollutants. 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.

Inventory of Exposed Materials—An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; method and location of onsite storage or disposal; materials management practices employed to minimize contact of materials with storm water runoff between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; the location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives.

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

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

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.

Measures and Controls. Each facility covered by this permit shall develop a description of storm water management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls shall address the following minimum components, including a schedule for implementing such controls:

Good Housekeeping—Good housekeeping requires the maintenance of areas which may contribute pollutants to storm water discharges in a clean, orderly manner. Permittees should address the following areas in the manner described.

Raw Steel Handling Storage-Include measures controlling or recovering scrap metals, fines, and iron dust, including measures for containing materials within storage handling areas.

Paints and Painting Equipment-Consider control measures to prevent or minimize exposure of paint and painting equipment from exposure to storm water.

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

Spill Prevention and Response Procedures—Areas where potential spills which could contribute pollutants to storm water discharges may occur, and their accompanying drainage points shall be identified clearly in the storm water pollution prevention plan. Where appropriate, specifying material handling procedures, storage requirements, and use of equipment such as diversion valves in the plan should be considered. Procedures for cleaning up spills shall be identified in the plan and made available to the appropriate personnel. The necessary equipment to implement a clean up should be available to personnel. The following areas should be addressed:

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.

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.

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.

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.

Metal Working Fluid Storage Areas-The plan should include measures that identify controls particularly for storage of metal working fluids.

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

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.

Chemical Storage Areas-Identify proper storage that prevents storm water contamination and prevents accidental spillage. The plan should include a program to inspect containers, and identify proper disposal and spill controls.

Inspections—Qualified facility personnel shall be identified to inspect designated equipment and areas of the facility at appropriate intervals specified in the plan. 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.

Employee Training—Employee training programs shall inform personnel responsible for implementing activities identified in the storm water pollution prevention plan or otherwise responsible for storm water management at all levels of responsibility of the components and goals of the storm water pollution prevention plan. Training should address topics such as spill response, good housekeeping, and material management practices. The pollution prevention plan shall identify periodic dates for such training.

Recordkeeping and Internal Reporting Procedures—A description of incidents (such as spills, or other discharges), along with other information describing the quality and quantity of storm water discharges shall be included in the plan required under this part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan.

Non-storm Water Discharges

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

Sources of non-storm water that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge. Any non-storm water discharges that are not permitted under an individual NPDES permit should be brought to the attention of the Division's local Environmental Assistance Center (see list of EACs on page 15).

Failure to Certify—Any facility that is unable to provide the certification required (testing for non-storm water discharges), must notify the Division of Water Pollution Control 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-storm water discharges; the results of such test or other relevant observations; potential sources of non-storm water discharges to the storm sewer; and why

adequate tests for such storm sewers were not feasible. Non-storm water discharges to waters of the State which are not authorized by an NPDES permit are unlawful, and must be terminated.

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.

Management of Runoff—The plan shall contain a narrative consideration of the appropriateness of traditional storm water management practices (practices other than those which control the generation or source(s) of pollutant(s) used to divert, infiltrate, reuse, or otherwise manage storm water runoff in a manner that reduces pollutants in storm water discharges from the site. The plan shall provide that measures that the permittee determines to be reasonable and appropriate shall be implemented and maintained. The potential of various sources at the facility to contribute pollutants to storm water discharges associated with industrial activities under the SIC codes identified under paragraph XI.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 storm water (such as for a process or as an irrigation source), inlet controls (such as oil/water separators), snow management activities, infiltration devices, and wet detention/retention devices.

Comprehensive Site Compliance Evaluation. Qualified personnel shall conduct site compliance evaluations at least once a year. Such evaluations shall include:

Visual inspection of areas contributing to a storm water discharge for evidence of, or the potential for, pollutants entering the drainage system. 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 storm water 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.

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

A report summarizing the scope of the evaluation, personnel making the evaluation, the date(s) of the evaluation, major observations relating to the implementation of the storm water pollution prevention plan, and actions taken in accordance with paragraph XI.AA.3.a.(4)(b) (above) of the permit shall be made and retained as part of the storm water pollution prevention plan for at least 3 years from the date of the 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 storm water pollution prevention plan and this permit. The report shall be signed in accordance with Part VII.G. (Signatory Requirements) of this permit.

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

4. Numeric Effluent Limitations

There are no additional numeric effluent limitations beyond those described in Part V.B. of this permit.

5. Monitoring and Reporting Requirements

a) Analytical Monitoring Requirements

During the term of this permit, permittees covered under this sector must monitor their storm water discharges associated with industrial activity at least once per calendar year (annually), except as provided in paragraphs 5.a.(3) (Sampling Waiver), 5.a.(4) (Representative Discharge), and 5.a.(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.b. (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. Monitoring Requirements for Fabricated Metal Products Except Coating**

| Pollutants of Concern | Cut-Off Concentration | Sector Median Value * [mg/L] |
|---|---|---|
| Total Recoverable Aluminum | 0.75 mg/L | 0.60 |
| Total Recoverable Iron | 5.0 mg/L | 0.67 |
| Total Recoverable Zinc | 0.395 mg/L | 0.16 |
| Nitrate plus Nitrite Nitrogen | 0.68 mg/L | 0.53 |

**Table AA-2. Monitoring Requirements for Fabricated Metal Coating and Engraving**

| Pollutants of Concern | Cut-Off Concentration | Sector Median Value * [mg/L] |
|---|---|---|
| Total Recoverable Zinc | 0.395 mg/L | 0.16 |
| Nitrate plus Nitrite Nitrogen | 0.68 mg/L | 0.53 |

* Sector Median Value is a pollutant concentration calculated from all sampling results provided from facilities classified in this sector during the previous permit term. By definition, a median is a statistical term identifying a number that divides numerically ordered data into two equal halves. In easier terms, the median is the middle piece of data when those data are placed in numerical order, or the average of the middle two if there is an even number of items. Therefore, median concentration(s) listed above represent a concentration value typical for and achieved by industries in this sector.

(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 of the storm water runoff being discharged from the facility.

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

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 cut-off concentrations as shown in the table above. If the results of annual storm water runoff monitoring demonstrate that the facility has exceeded the cut-off concentration(s), the permittee must inform the Division's local Environmental Assistance Center in writing within 30 days from the time storm water monitoring results were received, describing the likely cause of the exceedance(s). Furthermore, within 60 days from the time storm water monitoring results were received, the facility must review its storm water pollution prevention plan, make any modifications or additions to the plan which would assist in reducing effluent concentrations to less than the monitoring cut-off concentrations for that facility, and submit to the Division's local Environmental Assistance Center a brief summary of the proposed SWPPP modifications (including a timetable for implementation).

(3) Sampling Waiver

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

(b) Low Concentration Waiver—When the average concentration for a pollutant calculated from monitoring data collected from first 4 calendar years of monitoring is less than the corresponding reporting value for that pollutant (Monitoring Cut-Off Concentration), a facility may waive monitoring and reporting requirements in the last annual monitoring period. The facility must submit to the Division of Water Pollution Control, 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.

(c) When a discharger is unable to conduct annual chemical storm water sampling at an inactive and unstaffed site, the operator of the facility may exercise a waiver of the monitoring requirements as long as the facility remains inactive and unstaffed. The facility must submit to the Division of Water Pollution Control, in lieu of monitoring data, a certification statement on the TMSP Storm Water Monitoring Report stating that the site is inactive and unstaffed so that collecting a sample during a qualifying event is not possible.

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

(5) Alternative Certification. A discharger is not subject to the monitoring requirements of this section provided the discharger makes a certification for a given outfall or on a pollutant-by-pollutant basis in lieu of monitoring reports required under paragraph b below, under penalty of law, signed in accordance with Part VII.G. (Signatory Requirements), that material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, industrial machinery or operations, or significant materials from past industrial activity that are located in areas of the facility within the drainage area of the outfall are not presently exposed to storm water and are not expected to be exposed to storm water for the certification period. Such certification must be retained in the storm water pollution prevention plan, and submitted to the Division of Water Pollution Control in accordance with Part VI.B. of this permit. In the case of certifying that a pollutant is not present, the permittee must submit the certification along with the monitoring reports required under paragraph (b) below. If the

permittee cannot certify for an entire period, they must submit the date exposure was eliminated and any monitoring required up until that date. This certification option is not applicable to compliance monitoring requirements associated with effluent limitations.

b) Reporting

Permittees with 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 Storm Water Monitoring Report Form(s) postmarked **no later than the March 31st of the following calendar year**. For each outfall, one signed TMSP Storm Water Monitoring Report form must be submitted to the Division of Water Pollution Control. Signed copies of TMSP Storm Water Monitoring Reports, or said certifications, shall be submitted to the following address:

**Enforcement and Compliance Section**
**Tennessee Division of Water Pollution Control**
**6th Floor L & C Annex**
**401 Church Street**
**Nashville, TN 37243-1534**

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

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

(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 storm water pollution. The examination must be conducted in a well lit area. No analytical tests are required to be performed on the samples. All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. Where practicable, the same individual should carry out the collection and examination of discharges for the entire permit term.

(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 storm water discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.

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

(5) 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.).

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

## BB Sector AB - Storm Water Discharges Associated With Industrial Activity From Facilities That Manufacture Transportation Equipment, Industrial, or Commercial Machinery

### 1. Discharges Covered Under This Section

The requirements listed under this section shall apply to storm water discharges associated with industrial activity from a facility engaged in manufacturing the following products and generally described by the SIC codes shown below. Common activities include: industrial plant yards; material handling sites; refuse sites; sites used for application or disposal of process wastewaters; sites used for storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas for raw material and intermediate and finished products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to storm water.

| SIC Code | Sector AB: Facilities That Manufacture Transportation Equipment, Industrial or Commercial Machinery | Sampling Required? | Table Number |
|---|---|---|---|
| 3511 | Steam, Gas, and Hydraulic Turbines, and Turbine Generator Set Units | No | -- |
| 3519 | Internal Combustion Engines, NEC | No | -- |
| 3523 | Farm Machinery and Equipment | No | -- |
| 3524 | Lawn and Garden Tractors and Home Lawn and Garden Equipment | No | -- |
| 3531 | Construction Machinery and Equipment | No | -- |
| 3532 | Mining Machinery and Equipment, Except Oil and Gas Field Machinery and Equipment | No | -- |
| 3533 | Oil and Gas Field Machinery and Equipment | No | -- |
| 3534 | Elevators and Moving Stairways | No | -- |
| 3535 | Conveyors and Conveying Equipment | No | -- |
| 3536 | Overhead Traveling Cranes, Hoists and Monorail Systems | No | -- |
| 3537 | Industrial Trucks, Tractors, Trailers, and Stackers | No | -- |
| 3541 | Machine Tools, Metal Cutting Type | No | -- |
| 3542 | Machine Tools, Metal Forming Type | No | -- |
| 3543 | Industrial Patterns | No | -- |
| 3544 | Special Dies and Tools, Die Sets, Jigs and Fixtures, and Industrial Molds | No | -- |
| 3545 | Cutting Tools, Machine Tool Accessories, and Machinists' Precision Measuring Devices | No | -- |
| 3546 | Power-Driven Handtools | No | -- |
| 3547 | Rolling Mill Machinery and Equipment | No | -- |
| 3548 | Electric and Gas Welding and Soldering Equipment | No | -- |
| 3549 | Metalworking Machinery, NEC | No | -- |
| 3552 | Textile Machinery | No | -- |
| 3553 | Woodworking Machinery | No | -- |
| 3554 | Paper Industries Machinery | No | -- |
| 3555 | Printing Trades Machinery and Equipment | No | -- |
| 3556 | Food Products Machinery | No | -- |
| 3559 | Special Industry Machinery, NEC | No | -- |
| 3561 | Pumps and Pumping Equipment | No | -- |
| 3562 | Ball and Roller Bearings | No | -- |
| 3563 | Air and Gas Compressors | No | -- |
| 3564 | Industrial and Commercial Fans and Blowers and Air Purification Equipment | No | -- |
| 3565 | Packaging Machinery | No | -- |
| 3566 | Speed Changers, Industrial High-Speed Drives, and Gears | No | -- |
| 3567 | Industrial Process Furnaces and Ovens | No | -- |
| 3568 | Mechanical Power Transmission Equipment, NEC | No | -- |

| SIC Code | Sector AB: Facilities That Manufacture Transportation Equipment, Industrial or Commercial Machinery | Sampling Required? | Table Number |
|---|---|---|---|
| 3569 | General Industrial Machinery and Equipment, NEC | No | -- |
| 3581 | Automatic Vending Machines | No | -- |
| 3582 | Commercial Laundry, Drycleaning, and Pressing Machines | No | -- |
| 3585 | Air-Conditioning and Warm Air Heating Equipment and Commercial and Industrial Refrigeration Equipment | No | -- |
| 3586 | Measuring and Dispensing Pumps | No | -- |
| 3589 | Service Industry Machinery, NEC | No | -- |
| 3592 | Carburetors, Pistons, Piston Rings and Valves | No | -- |
| 3593 | Fluid Power Cylinders and Actuators | No | -- |
| 3594 | Fluid Power Pumps and Motors | No | -- |
| 3596 | Scales and Balances, Except Laboratory | No | -- |
| 3599 | Industrial and Commercial Machinery and Equipment, NEC | No | -- |
| 3711 | Motor Vehicles and Passenger Car Bodies | No | -- |
| 3713 | Truck and Bus Bodies | No | -- |
| 3714 | Motor Vehicle Parts and Accessories | No | -- |
| 3715 | Truck Trailers | No | -- |
| 3716 | Motor Homes | No | -- |
| 3721 | Aircraft | No | -- |
| 3724 | Aircraft Engines and Engine Parts | No | -- |
| 3728 | Aircraft Parts and Auxiliary Equipment, NEC | No | -- |
| 3743 | Railroad Equipment | No | -- |
| 3751 | Motorcycles, Bicycles, and Parts | No | -- |
| 3761 | Guided Missiles and Space Vehicles | No | -- |
| 3764 | Guided Missile and Space Vehicle Propulsion Units and Propulsion Unit Parts | No | -- |
| 3769 | Guided Missile Space Vehicle Parts and Auxiliary Equipment, NEC | No | -- |
| 3792 | Travel Trailers and Campers | No | -- |
| 3795 | Tanks and Tank Components | No | -- |
| 3799 | Transportation Equipment, NEC | No | -- |

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 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-storm Water Discharges. Except for those allowable non-storm water discharges included in Part IIIA2 (Allowable Non-Storm Water Discharges) of this permit, there are no other non-storm water discharges authorized in this Sector.

3. Storm Water Pollution Prevention Plan Requirements

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

Pollution Prevention Team. Each plan shall identify the specific individual or individuals within the facility organization as members of a storm water Pollution Prevention Team that are responsible for developing the storm water pollution prevention plan and assisting the facility or plant manager in its

implementation, maintenance, and revision. The plan shall clearly identify the responsibilities of each team member. The activities and responsibilities of the team shall address all aspects of the facility's storm water pollution prevention plan.

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

Drainage. A site map indicating the pattern of storm water drainage, existing structural control measures to reduce pollutants in storm water runoff, surface water bodies, locations where significant materials are exposed to precipitation, and locations where major spills or leaks identified under Part XI.AB.3.a.(2)(c) (Spills and Leaks) of this permit have occurred since 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit. The map must also indicate the locations of all industrial activities that are exposed to precipitation, including, but not limited to: loading/unloading areas; waste treatment; storage and disposal locations; liquid storage tanks; vents and stacks from metal processing and similar operations; significant dust or particulate generating areas; and any other processing and storage areas exposed to storm water. The map must indicate the outfall locations and the types of discharges contained in the drainage areas of the outfalls.

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

Inventory of Exposed Materials—An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; method and location of onsite storage or disposal; materials management practices employed to minimize contact of materials with storm water runoff between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; the location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives.

Spills and Leaks—A list of significant spills and significant leaks of toxic or hazardous pollutants that occurred at areas that are exposed to precipitation or that otherwise drain to a storm water conveyance at the facility after the date of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit. Significant spills include, but are not limited to, releases of oil or hazardous substances in excess of quantities that are reportable under Section 311 of CWA (see 40 CFR 110.10 and 117.21) or Section 102 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (see 40 CFR 302.4). Significant spills may also include releases of oil or hazardous substances that are not excess of reporting requirements and releases of materials that are not

classified as oil or hazardous substance. Such list shall be updated as appropriate during the term of the permit.

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

Risk Identification and Summary of Potential Pollutant Sources—A narrative description of the potential pollutant sources from the following activities: loading and unloading operations; outdoor storage activities; significant dust or particulate generating processing activities; and onsite waste disposal. 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., oil and grease, etc.) of concern shall be identified.

Measures and Controls. Each facility covered by this permit shall develop a description of storm water management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls shall address the following minimum components, including a schedule for implementing such controls:

Good Housekeeping—Good housekeeping requires the maintenance of areas which may contribute pollutants to storm waters discharges in a clean, orderly manner. Areas where good housekeeping practices should be implemented are storage areas for raw materials, waste materials and finished products; loading/unloading areas; and waste disposal areas for hazardous and nonhazardous wastes. Examples of good housekeeping measures include sweeping; labeling drums containing hazardous materials; and preventive monitoring practices (e.g., routine observation of manufacturing processes) or equivalent measures.

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

Spill Prevention and Response Procedures—Areas where potential spills which can contribute pollutants to storm water discharges can occur, and their accompanying drainage points shall be identified clearly in the storm water pollution prevention plan. Areas to be identified should include loading/unloading areas, outdoor storage areas, and waste management areas exposed to storm water. Where appropriate, specifying material handling procedures, storage requirements, and use of equipment such as diversion valves in the plan should be considered. Procedures for cleaning up spills shall be identified in the plan and made available to the appropriate personnel. The necessary equipment to implement a clean up should be available to personnel.

Inspections—Qualified facility personnel shall be identified to inspect designated equipment and areas of the facility on a periodic basis. At a minimum, the following areas, where the potential for exposure to storm water exists, must be inspected on a regularly scheduled basis: loading and unloading areas for all significant materials; storage areas, including associated containment areas; waste management units; and vents and stacks from industrial activities. For any problems identified during

inspections, the plan shall be revised to include measures to address these problems. 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.

Employee Training—Employee training programs shall inform personnel responsible for implementing activities identified in the storm water pollution prevention plan or otherwise responsible for storm water management at all levels of responsibility of the components and goals of the storm water pollution prevention plan. Training should address topics such as spill response, good housekeeping, material management practices, unloading/loading practices, outdoor storage areas, waste management practices, proper handling procedures of hazardous waste, and improper connections to the storm sewer. At a minimum, this training should be provided annually. The pollution prevention plan shall identify frequencies and approximate dates for such training.

Recordkeeping and Internal Reporting Procedures—A description of incidents (such as spills, or other discharges), along with other information describing the quality and quantity of storm water discharges shall be included in the plan required under this part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan. Ineffective BMPs should be reported and the date of their corrective actions noted.

Non-storm Water Discharges

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

Sources of non-storm water that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge. Any non-storm water discharges that are not permitted under an individual NPDES permit should be brought to the attention of the Division's local Environmental Assistance Center (see list of EACs on page 15).

If the facility discharges wastewater, other than storm water via an existing NPDES permit, a copy of the NPDES permit authorizing the discharge must be attached to the plan. Similarly, if the facility submitted an application for an NPDES permit for non-storm water discharges, but has not yet received that permit, a copy of the permit application must be attached. Upon issuance or reissuance of an NPDES permit, the facility must modify its plan to include a copy of that permit. For facilities that discharge wastewater, other than solely domestic wastewater, to a Publicly Owned Treatment Works (POTW), the facility must notify the POTW of its discharge. Proof of this notification should be attached

to the plan in the form of either 1) a copy of the permit issued by the treatment plant to the facility or 2) a copy of a notification letter to the POTW. Notification should identify, in general, the types of wastewater discharged to the POTW, including any storm water discharges. In any of these cases, specific permit conditions must be considered in the plan.

Failure to Certify—Any facility that is unable to provide the certification required (testing for non-storm water discharges), must notify the Division of Water Pollution Control by Not later than 180 days after submitting an NOI to be covered by this permit. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notification shall describe: the procedure of any test conducted for the presence of non-storm water discharges; the results of such test or other relevant observations; potential sources of non-storm water discharges to the storm sewer; and why adequate tests for such storm sewers were not feasible. Non-storm water discharges to waters of the State which are not authorized by an NPDES permit are unlawful, and must be terminated.

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

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

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

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

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

XI.AB.3.a.(3) (Measures and Controls) of this permit 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.

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

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

4. Numeric Effluent Limitations

There are no additional numeric limitations beyond those described in Part V.B of this permit.

5. Monitoring and Reporting Requirements

a) Monitoring Requirements

(1) Quarterly Visual Examination of Storm Water Quality.

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

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

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

(c) When a discharger is unable to collect samples over the course of the visual examination period as a result of adverse climatic conditions, the discharger must document the reason for not performing the visual examination and retain this documentation onsite with the records of the visual examination.

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

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

(e) 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 storm water discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.

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

## CC Sector AC - Storm Water Discharges Associated With Industrial Activity From Facilities That Manufacture Electronic and Electrical Equipment and Components, Photographic and Optical Goods

### 1. Discharges Covered Under This Section

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

| SIC Code | Sector AC: Facilities That Manufacture Electronic and Electrical Equipment and Components, Photographic and Optical Goods | Sampling Required? | Table Number |
|---|---|---|---|
| 3571 | Electronic Computers | No | -- |
| 3572 | Computer Storage Devices | No | -- |
| 3575 | Computer Terminals | No | -- |
| 3577 | Computer Peripheral Equipment, NEC | No | -- |
| 3578 | Calculating and Accounting Machines, Except Electronic Computers | No | -- |
| 3579 | Office Machines, NEC | No | -- |
| 3612 | Power, Distribution, and Specialty Transformers | No | -- |
| 3613 | Switchgear and Switchboard Apparatus | No | -- |
| 3621 | Motors and Generators | No | -- |
| 3624 | Carbon and Graphite Products | No | -- |
| 3625 | Relays and Industrial Controls | No | -- |
| 3629 | Electrical Industrial Apparatus, NEC | No | -- |
| 3631 | Household Cooking Equipment | No | -- |
| 3632 | Household Refrigerators and Home and Farm Freezers | No | -- |
| 3633 | Household Laundry Equipment | No | -- |
| 3634 | Electric Housewares and Fans | No | -- |
| 3635 | Household Vacuum Cleaners | No | -- |
| 3639 | Household Appliances, NEC | No | -- |
| 3641 | Electric Lamp Bulbs and Tubes | No | -- |
| 3643 | Current-Carrying Wiring Devices | No | -- |
| 3644 | Noncurrent-Carrying Wiring Devices | No | -- |
| 3645 | Residential Electric Lighting Fixtures | No | -- |
| 3646 | Commercial, Industrial, and Institutional Electric Lighting Fixtures | No | -- |
| 3647 | Vehicular Lighting Equipment | No | -- |
| 3648 | Lighting Equipment, NEC | No | -- |
| 3651 | Household Audio and Video Equipment | No | -- |
| 3652 | Phonograph Records and Prerecorded Audio Tapes and Disks | No | -- |
| 3661 | Telephone and Telegraph Apparatus | No | -- |
| 3663 | Radio and Television Broadcasting and Communication Equipment | No | -- |
| 3669 | Communications Equipment, NEC | No | -- |
| 3671 | Electron Tubes | No | -- |
| 3672 | Printed Circuit Boards | No | -- |
| 3674 | Semiconductors and Related Devices | No | -- |
| 3675 | Electronic Capacitors | No | -- |
| 3676 | Electronic Resistors | No | -- |
| 3677 | Electronic Coils, Transformers, and Other Inductors | No | -- |
| 3678 | Electronic Connectors | No | -- |
| 3679 | Electronic Components, NEC | No | -- |
| 3691 | Storage Batteries | No | -- |
| 3692 | Primary Batteries, Dry and Wet | No | -- |

| SIC Code | Sector AC: Facilities That Manufacture Electronic and Electrical Equipment and Components, Photographic and Optical Goods | Sampling Required? | Table Number |
|---|---|---|---|
| 3694 | Electrical Equipment for Internal Combustion Engines | No | -- |
| 3695 | Magnetic and Optical Recording Media | No | -- |
| 3699 | Electrical Machinery, Equipment, and Supplies, NEC | No | -- |
| 3812 | Search, Detection, Navigation, Guidance, Aeronautical, and Nautical Systems and Instruments | No | -- |
| 3821 | Laboratory Apparatus and Furniture | No | -- |
| 3822 | Automatic Controls for Regulating Residential and Commercial Environments and Appliances | No | -- |
| 3823 | Industrial Instruments for Measurement, Display, and Control of Process Variables; and Related Products | No | -- |
| 3824 | Totalizing Fluid Meters and Counting Devices | No | -- |
| 3825 | Instruments for Measuring and Testing of Electricity and Electrical Signals | No | -- |
| 3826 | Laboratory Analytical Instruments | No | -- |
| 3827 | Optical Instruments and Lenses | No | -- |
| 3829 | Measuring and Controlling Devices, NEC | No | -- |
| 3841 | Surgical and Medical Instruments and Apparatus | No | -- |
| 3842 | Orthopedic, Prosthetic, and Surgical Appliances and Supplies | No | -- |
| 3843 | Dental Equipment and Supplies | No | -- |
| 3844 | X-Ray Apparatus and Tubes and Related Irradiation Apparatus | No | -- |
| 3845 | Electromedical and Electrotherapeutic Apparatus | No | -- |
| 3851 | Ophthalmic Goods | No | -- |
| 3861 | Photographic Equipment and Supplies | No | -- |
| 3873 | Watches, Clocks, Clockwork Operated Devices and Parts | No | -- |

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 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-storm Water Discharges. Except for those allowable non-storm water discharges included in Part IIIA2 (Allowable Non-Storm Water Discharges) of this permit, there are no other non-storm water discharges authorized in this Sector.

3. Storm Water Pollution Prevention Plan Requirements

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

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

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

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

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

Inventory of Exposed Materials—An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; method and location of onsite storage or disposal; materials management practices employed to minimize contact of materials with storm water runoff between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; the location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives.

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

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

Risk Identification and Summary of Potential Pollutant Sources—A narrative description of the potential pollutant sources from the following activities: loading and unloading operations; outdoor storage activities; outdoor manufacturing or processing activities; significant dust or particulate

generating processes; and onsite waste disposal practices. The description shall specifically list any significant potential source of pollutants at the site and for each potential source, any pollutant or pollutant parameter (e.g., biochemical oxygen demand, etc.) of concern shall be identified.

Measures and Controls. Each facility covered by this permit shall develop a description of storm water management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls shall address the following minimum components, including a schedule for implementing such controls:

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

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

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

Inspections—In addition to or as part of the comprehensive site evaluation required under paragraph XI.AC.3.a.(4) of this section, qualified facility personnel shall be identified to inspect designated equipment and areas of the facility at appropriate intervals specified in the plan. 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.

Employee Training—Employee training programs shall inform personnel responsible for implementing activities identified in the storm water pollution prevention plan or otherwise responsible for storm water management at all levels of responsibility of the components and goals of the storm water pollution prevention plan. Training should address topics such as spill response, good housekeeping and material management practices. The pollution prevention plan shall identify periodic dates for such training.

Recordkeeping and Internal Reporting Procedures—A description of incidents (such as spills, or other discharges), along with other information describing the quality and quantity of storm water discharges shall be included in the plan required under this part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan.

Non-storm Water Discharges

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

Sources of non-storm water that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge. Any non-storm water discharges that are not permitted under an individual NPDES permit should be brought to the attention of the Division's local Environmental Assistance Center (see list of EACs on page 15).

Failure to Certify—Any facility that is unable to provide the certification required (testing for non-storm water discharges), must notify the Division of Water Pollution Control by not later than 180 days after submitting an NOI to be covered by this permit. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notification shall describe: the procedure of any test conducted for the presence of non-storm water discharges; the results of such test or other relevant observations; potential sources of non-storm water discharges to the storm sewer; and why adequate tests for such storm sewers were not feasible. Non-storm water discharges to waters of the State which are not authorized by an NPDES permit are unlawful, and must be terminated.

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

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

Comprehensive Site Compliance Evaluation. Qualified personnel shall conduct site compliance evaluations once a year. Such evaluations shall provide:

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

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

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

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

4. Numeric Effluent Limitations

There are no additional numeric effluent limitations beyond those described in Part V.B of this permit.

5. Monitoring and Reporting Requirements

a) Monitoring Requirements

(1) Quarterly Visual Examination of Storm Water Quality.

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

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

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

(c) 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 storm water discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.

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

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

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

## DD Sector AD - Storm Water Discharges Associated With Industrial Activity From Facilities That Are Not Covered Under Sectors A Thru AC

1. Discharges Covered Under This Section

The requirements listed under this section shall apply to storm water discharges associated with industrial activity from those facilities that are not covered for such discharges under Sectors A thru AC. It is the intent of the Division that this Sector include those storm water discharges which are not covered under Sectors A thru AC, as well as those facilities which had no previous storm water permit that are applying for the first time and will not be covered under Sectors A thru AC.

| SIC Code | **Sector AD:** Facilities That Are Not Covered Under Sectors A Thru AC (Monitoring Required) | Required? | Table Number |
|---|---|---|---|
| N/A | Nonclassifiable Establishments | Yes | AD-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 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-storm Water Discharges. Except for those allowable non-storm water discharges included in Part IIIA2 (Allowable Non-Storm Water Discharges) of this permit, there are no other non-storm water discharges authorized in this Sector.

3. Storm Water Pollution Prevention Plan Requirements

Contents of Plan. If the facility was previously permitted and subject to the TMSP's storm water pollution prevention plan requirements, the permittee may substitute it's current storm water pollution prevention plan for the one required below, provided it meets the minimum requirements of the following plan; otherwise, the plan shall include, at a minimum, the following items:

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

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

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 storm water outfall that are within the facility boundaries, each existing structural control measure to reduce pollutants in storm water runoff, surface water bodies, locations where significant materials are exposed to precipitation, and locations where major spills or leaks identified under Part IX.AD.3.a.(2)(c) (Spills and Leaks) of this permit have occurred.

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

Inventory of Exposed Materials—An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; method and location of onsite storage or disposal; materials management practices employed to minimize contact of materials with storm water runoff between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; the location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives.

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

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

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

Measures and Controls. Each facility covered by this permit shall develop a description of storm water management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls shall address the following minimum components, including a schedule for implementing such controls:

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

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

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

Inspections—Qualified facility personnel shall be identified to inspect designated equipment and areas of the facility at appropriate intervals specified in the plan. A set of tracking or follow-up procedures shall be used to ensure that appropriate actions are taken in response to the inspections. Records of inspections shall be maintained.

Employee Training—Employee training programs shall inform personnel responsible for implementing activities identified in the storm water pollution prevention plan or otherwise responsible for storm water management at all levels of responsibility of the components and goals of the storm water pollution prevention plan. Training should address topics such as spill response, good housekeeping, and material management practices. The pollution prevention plan shall identify periodic dates for such training.

Recordkeeping and Internal Reporting Procedures—A description of incidents (such as spills, or other discharges), along with other information describing the quality and quantity of storm water discharges shall be included in the plan required under this part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan.

Non-storm Water Discharges

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

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

Sources of non-storm water that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge. Any non-storm water discharges that are not permitted under an individual NPDES permit should be brought to the attention of the Division's local Environmental Assistance Center (see list of EACs on page 15).

Failure to Certify—Any facility that is unable to provide the certification required (testing for non-storm water discharges), must notify the Division of Water Pollution Control 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-storm water discharges; the results of such test or other relevant observations; potential sources of non-storm water discharges to the storm sewer; and why adequate tests for such storm sewers were not feasible. Non-storm water discharges to waters of the State which are not authorized by an NPDES permit are unlawful, and must be terminated.

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.

Management of Runoff—The plan shall contain a narrative consideration of the appropriateness of traditional storm water management practices (practices other than those which control the generation or source(s) of pollutant(s) used to divert, infiltrate, reuse, or otherwise manage storm water runoff in a manner that reduces pollutants in storm water discharges from the site. The plan shall provide that measures that the permittee determines to be reasonable and appropriate shall be implemented and maintained. The potential of various sources at the facility to contribute pollutants to storm water discharges associated with industrial activities under the SIC codes identified under paragraph XI.AD.1. of this section shall be considered when determining reasonable and appropriate measures. Appropriate measures may include: vegetative swales and practices, reuse of collected storm water (such as for a process or as an irrigation source), inlet controls (such as oil/water separators), snow management activities, infiltration devices, and wet detention/retention devices.

Comprehensive Site Compliance Evaluation. Qualified personnel shall conduct site compliance evaluations at least once a year. Such evaluations shall include:

Visual inspection of areas contributing to a storm water discharge for evidence of, or the potential for, pollutants entering the drainage system. Inspection shall address areas associated with the storage of raw metals, storage of spent solvents and chemicals, drainage from roof, unloading and loading areas, equipment storage areas, recycling areas, and retention ponds (sludge). Measures to reduce pollutant loadings shall be evaluated to determine whether they are adequate and properly implemented in

accordance with the terms of the permit or whether additional control measures are needed. Structural storm water management measures, 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.

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

A report summarizing the scope of the evaluation, personnel making the evaluation, the date(s) of the evaluation, major observations relating to the implementation of the storm water pollution prevention plan, and actions taken in accordance with paragraph XI.AD.3.a.(4)(b) (above) of the permit shall be made and retained as part of the storm water pollution prevention plan for at least 3 years from the date of the 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 storm water pollution prevention plan and this permit. The report shall be signed in accordance with Part VII.G. (Signatory Requirements) of this permit.

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

4. Numeric Effluent Limitations

There are no additional numeric effluent limitations beyond those described in Part V.B. of this permit.

5. Monitoring and Reporting Requirements

a) Analytical Monitoring Requirements

During the term of this permit, permittees covered under this sector must monitor their storm water discharges associated with industrial activity at least once per calendar year (annually), except as provided in paragraphs 5.a.(3) (Sampling Waiver), 5.a.(4) (Representative Discharge), and 5.a.(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.b. (Reporting). In addition to the parameters listed in Table AD-1 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 AD-1. Monitoring Requirements**

| Pollutants of Concern | Cut-Off Concentration | Sector Median Value * [mg/L] |
|---|---|---|
| Biochemical Oxygen Demand (BOD5) | 30 mg/L | 6 |
| Chemical Oxygen Demand (COD) | 120 mg/L | 46 |
| Total Suspended Solids | 200 mg/L | 42 |
| Ammonia as Nitrogen | 4 mg/L | 0.29 |
| Oil and Grease | 15 mg/L | 5 |
| pH | 5.0 - 9.0 | Not Applicable |

* Sector Median Value is a pollutant concentration calculated from all sampling results provided from facilities classified in this sector during the previous permit term. By definition, a median is a statistical term identifying a number that divides numerically ordered data into two equal halves. In easier terms, the median is the middle piece of data when those data are placed in numerical order, or the average of the middle two if there is an even number of items. Therefore, median concentration(s) listed above represent a concentration value typical for and achieved by industries in this sector.

(1) Monitoring Periods. Facilities shall monitor samples collected during any period of a calendar year, as long as the samples are representative of the quantity and quality of the storm water runoff being discharged from the facility.

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

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 cut-off concentrations as shown in the table above. If the results of annual storm water runoff monitoring demonstrate that the facility has exceeded the cut-off concentration(s), the permittee must inform the Division's local Environmental Assistance Center in writing within 30 days from the time storm water monitoring results were received, describing the likely cause of the exceedance(s). Furthermore, within 60 days from the time storm water monitoring results were received, the facility must review its storm water pollution prevention plan, make any modifications or additions to the plan

which would assist in reducing effluent concentrations to less than the monitoring cut-off concentrations for that facility, and submit to the Division's local Environmental Assistance Center a brief summary of the proposed SWPPP modifications (including a timetable for implementation).

(3) Sampling Waiver

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

(b) Low Concentration Waiver—When the average concentration for a pollutant calculated from monitoring data collected from first 4 calendar years of monitoring is less than the corresponding reporting value for that pollutant (Monitoring Cut-Off Concentration), a facility may waive monitoring and reporting requirements in the last annual monitoring period. The facility must submit to the Division of Water Pollution Control, 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 drain to the outfall for which sampling was waived.

(c) When a discharger is unable to conduct annual chemical storm water sampling at an inactive and unstaffed site, the operator of the facility may exercise a waiver of the monitoring requirements as long as the facility remains inactive and unstaffed. The facility must submit to the Division of Water Pollution Control, in lieu of monitoring data, a certification statement on the TMSP Storm Water Monitoring Report stating that the site is inactive and unstaffed so that collecting a sample during a qualifying event is not possible.

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

(5) Alternative Certification. A discharger is not subject to the monitoring requirements of this section provided the discharger makes a certification for a given outfall or on a pollutant-by-pollutant basis in lieu of monitoring reports required under paragraph b below, under penalty of law, signed in accordance with Part VII.G. (Signatory Requirements), that material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, industrial machinery or

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

g) 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 Storm Water Monitoring Report Form(s) postmarked **no later than the March 31st of the following calendar year**. For each outfall, one signed TMSP Storm Water Monitoring Report form must be submitted to the Division of Water Pollution Control. Signed copies of TMSP Storm Water Monitoring Reports, or said certifications, shall be submitted to the following address:

**Enforcement and Compliance Section**
**Tennessee Division of Water Pollution Control**
**6th Floor L & C Annex**
**401 Church Street**
**Nashville, TN 37243-1534**

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

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

(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 storm water pollution. The examination must be conducted in a well lit area. No analytical tests are required to be performed on the samples. All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. Where practicable, the same individual should carry out the collection and examination of discharges for the entire permit term.

(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 storm water discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.

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

(5) 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.).

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

## EE Sector AE - Storm Water Discharges Associated With Industrial Activity From Facilities That Are Not Covered Under Sectors A Thru AC (Monitoring Not Required)

1. Discharges Covered Under This Section

The requirements listed under this section shall apply to storm water discharges associated with industrial activity from those facilities that are not covered for such discharges under Sectors A thru AC, but due to nature of manufacturing or industrial process at a site, do not require analytical monitoring of storm water runoff. It is the intent of the Division that this Sector include those storm water discharges which are not covered under Sectors A thru AC, as well as those facilities which had no previous storm water permit that are applying for the first time and will not be covered under Sectors A thru AC.

| SIC Code | **Sector AE:** Facilities That Are Not Covered Under Sectors A Thru AC (Monitoring **Not** Required) | Sampling Required? | Table Number |
|---|---|---|---|
| N/A | Nonclassifiable Establishments | No | -- |

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 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-storm Water Discharges. Except for those allowable non-storm water discharges included in Part IIIA2 (Allowable Non-Storm Water Discharges) of this permit, there are no other non-storm water discharges authorized in this Sector.

3. Storm Water Pollution Prevention Plan Requirements

Contents of Plan. If the facility was previously permitted and subject to the TMSP's storm water pollution prevention plan requirements, the permittee may substitute it's current storm water pollution prevention plan for the one required below, provided it meets the minimum requirements of the following plan; otherwise, the plan shall include, at a minimum, the following items:

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

Description of Potential Pollutant Sources. Each plan shall provide a description of potential sources which may reasonably be expected to add significant amounts of pollutants to storm water

discharges or which may result in the discharge of pollutants during dry weather from separate storm sewers draining the facility. Each plan shall identify all 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 storm water runoff. Each plan shall include, at a minimum:

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 storm water outfall that are within the facility boundaries, each existing structural control measure to reduce pollutants in storm water runoff, surface water bodies, locations where significant materials are exposed to precipitation, and locations where major spills or leaks identified under Part IX.AD.3.a.(2)(c) (Spills and Leaks) of this permit have occurred.

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

Inventory of Exposed Materials—An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; method and location of onsite storage or disposal; materials management practices employed to minimize contact of materials with storm water runoff between the time of 3 years prior to the date of the submission of a Notice of Intent (NOI) to be covered under this permit and the present; the location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives.

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

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

Risk Identification and Summary of Potential Pollutant Sources—A narrative description of the potential pollutant sources from the following activities: loading and unloading operations, chemicals and raw materials; outdoor storage activities for raw materials; outdoor manufacturing or processing activities; significant dust or particulate generating processes; and onsite waste disposal practices. The description shall specifically list any significant potential source of pollutants at the site and for each

potential source, any pollutant or pollutant parameter (e.g., biochemical or chemical oxygen demand, chromium, total suspended solids, oil and grease, etc.) of concern shall be identified.

Measures and Controls. Each facility covered by this permit shall develop a description of storm water management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls shall address the following minimum components, including a schedule for implementing such controls:

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

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

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

Inspections—Qualified facility personnel shall be identified to inspect designated equipment and areas of the facility at appropriate intervals specified in the plan. A set of tracking or follow-up procedures shall be used to ensure that appropriate actions are taken in response to the inspections. Records of inspections shall be maintained.

Employee Training—Employee training programs shall inform personnel responsible for implementing activities identified in the storm water pollution prevention plan or otherwise responsible for storm water management at all levels of responsibility of the components and goals of the storm water pollution prevention plan. Training should address topics such as spill response, good housekeeping, and material management practices. The pollution prevention plan shall identify periodic dates for such training.

Recordkeeping and Internal Reporting Procedures—A description of incidents (such as spills, or other discharges), along with other information describing the quality and quantity of storm water discharges shall be included in the plan required under this part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan.

Non-storm Water Discharges

The plan shall include a certification that the discharge has been tested or evaluated for the presence of non-storm water discharges. The certification shall include the identification of potential significant sources of non-storm water at the site, a description of the results of any test and/or evaluation

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

Sources of non-storm water that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge. Any non-storm water discharges that are not permitted under an individual NPDES permit should be brought to the attention of the Division's local Environmental Assistance Center (see list of EACs on page 15).

Failure to Certify—Any facility that is unable to provide the certification required (testing for non-storm water discharges), must notify the Division of Water Pollution Control 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-storm water discharges; the results of such test or other relevant observations; potential sources of non-storm water discharges to the storm sewer; and why adequate tests for such storm sewers were not feasible. Non-storm water discharges to waters of the State which are not authorized by an NPDES permit are unlawful, and must be terminated.

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.

Management of Runoff—The plan shall contain a narrative consideration of the appropriateness of traditional storm water management practices (practices other than those which control the generation or source(s) of pollutant(s) used to divert, infiltrate, reuse, or otherwise manage storm water runoff in a manner that reduces pollutants in storm water discharges from the site. The plan shall provide that measures that the permittee determines to be reasonable and appropriate shall be implemented and maintained. The potential of various sources at the facility to contribute pollutants to storm water discharges associated with industrial activities under the SIC codes identified under paragraph XI.AD.1. of this section shall be considered when determining reasonable and appropriate measures. Appropriate measures may include: vegetative swales and practices, reuse of collected storm water (such as for a process or as an irrigation source), inlet controls (such as oil/water separators), snow management activities, infiltration devices, and wet detention/retention devices.

Comprehensive Site Compliance Evaluation. Qualified personnel shall conduct site compliance evaluations at least once a year. Such evaluations shall include:

Visual inspection of areas contributing to a storm water discharge for evidence of, or the potential for, pollutants entering the drainage system. Inspection shall address areas associated with the storage of

raw metals, storage of spent solvents and chemicals, drainage from roof, unloading and loading areas, equipment storage areas, recycling areas, and retention ponds (sludge). Measures to reduce pollutant loadings shall be evaluated to determine whether they are adequate and properly implemented in accordance with the terms of the permit or whether additional control measures are needed. Structural storm water management measures, 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.

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

A report summarizing the scope of the evaluation, personnel making the evaluation, the date(s) of the evaluation, major observations relating to the implementation of the storm water pollution prevention plan, and actions taken in accordance with paragraph XI.AD.3.a.(4)(b) (above) of the permit shall be made and retained as part of the storm water pollution prevention plan for at least 3 years from the date of the 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 storm water pollution prevention plan and this permit. The report shall be signed in accordance with Part VII.G. (Signatory Requirements) of this permit.

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

4. Numeric Effluent Limitations

There are no additional numeric effluent limitations beyond those described in Part V.B. of this permit.

5. Monitoring and Reporting Requirements

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

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

(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 storm water pollution. The examination must be conducted in a well lit area. No analytical tests are required to be performed on the samples. All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. Where practicable, the same individual should carry out the collection and examination of discharges for the entire permit term.

(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 storm water discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.

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

(5) 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.).

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

ADDENDUM A - POLLUTANTS IDENTIFIED IN TABLES II AND III OF APPENDIX D OF 40 CFR PART 122

**TABLE II—ORGANIC TOXIC POLLUTANTS IN EACH OF FOUR FRACTIONS IN ANALYSIS BY GAS CHROMATOGRAPHY/MASS SPECTROSCOPY (GS/MS)**

| **Volatiles** | | **Base/Neutral** | |
|---|---|---|---|
| 1V | acrolein | 1B | acenaphthene |
| 2V | acrylonitrile | 2B | acenaphthylene |
| 3V | benzene | 3B | anthracene |
| 5V | bromoform | 4B | benzidine |
| 6V | carbon tetrachloride | 5B | benzo(a)anthracene |
| 7V | chlorobenzene | 6B | benzo(a)pyrene |
| 8V | chlorodibromomethane | 7B | 3,4-benzofluoranthene |
| 9V | chloroethane | 8B | benzo(ghi)perylene |
| 10V | 2-chloroethylvinyl ether | 9B | benzo(k)fluoranthene |
| 11V | chloroform | 10B | bis(2-chloroethoxy)methane |
| 12V | dichlorobromomethane | 11B | bis(2-chloroethyl)ether |
| 14V | 1,1-dichloroethane | 12B | bis(2-chloroisopropyl)ether |
| 15V | 1,2-dichloroethane | 13B | bis (2-ethylhexyl)phthalate |
| 16V | 1,1-dichloroethylene | 14B | 4-bromophenyl phenyl ether |
| 17V | 1,2-dichloropropane | 15B | butylbenzyl phthalate |
| 18V | 1,3-dichloropropylene | 16B | 2-chloronaphthalene |
| 19V | ethylbenzene | 17B | 4-chlorophenyl phenyl ether |
| 20V | methyl bromide | 18B | chrysene |
| 21V | methyl chloride | 19B | dibenzo(a,h)anthracene |
| 22V | methylene chloride | 20B | 1,2-dichlorobenzene |
| 23V | 1,1,2,2-tetrachloroethane | 21B | 1,3-dichlorobenzene |
| 24V | tetrachloroethylene | 22B | 1,4-dichlorobenzene |
| 25V | toluene | 23B | 3,3'-dichlorobenzidine |
| 26V | 1,2-trans-dichloroethylene | 24B | diethyl phthalate |
| 27V | 1,1,1-trichloroethane | 25B | dimethyl phthalate |
| 28V | 1,1,2-trichloroethane | 26B | di-n-butyl phthalate |
| 29V | trichloroethylene | 27B | 2,4-dinitrotoluene |
| 31V | vinyl chloride | 28B | 2,6-dinitrotoluene |
| | | 29B | di-n-octyl phthalate |
| **Acid Compounds** | | 30B | 1,2-diphenylhydrazine (as azobenzene) |
| | | 31B | fluroranthene |
| 1A | 2-chlorophenol | 32B | fluorene |
| 2A | 2,4-dichlorophenol | 33B | hexachlorobenzene |
| 3A | 2,4-dimethylphenol | 34B | hexachlorobutadiene |
| 4A | 4,6-dinitro-o-cresol | 35B | hexachlorocyclopentadiene |
| 5A | 2,4-dinitrophenol | 36B | hexachloroethane |
| 6A | 2-nitrophenol | 37B | indeno(1,2,3-cd)pyrene |
| 7A | 4-nitrophenol | 38B | isophorone |
| 8A | p-chloro-m-cresol | 39B | napthalene |

| | | | |
|---|---|---|---|
| 9A | pentachlorophenol | 40B | nitrobenzene |
| 10A | phenol | 41B | N-nitrosodimethylamine |
| 11A | 2,4,6-trichlorophenol | 42B | N-nitrosodi-n-propylamine |
| | | 43B | N-nitrosodiphenylamine |
| | | 44B | phenanthrene |
| | | 45B | pyrene |
| | | 46B | 1,2,4-trichlorobenzene |

| **Pesticides** | |
|---|---|
| 1P | aldrin |
| 2P | alpha-BHC |
| 3P | beta-BHC |
| 4P | gamma-BHC |
| 5P | delta-BHC |
| 6P | chlordane |
| 7P | 4,4'-DDT |
| 8P | 4,4'-DDE |
| 9P | 4,4'-DDD |
| 10P | dieldrin |
| 11P | alpha-endosulfan |
| 12P | beta-endosulfan |
| 13P | endosulfan sulfate |
| 14P | endrin |
| 15P | endrin aldehyde |
| 16P | heptachlor |
| 17P | heptachlor epoxide |
| 18P | PCB-1242 |
| 19P | PCB-1254 |
| 20P | PCB-1221 |
| 21P | PCB-1232 |
| 22P | PCB-1248 |
| 23P | PCB-1260 |
| 24P | PCB-1016 |
| 25P | toxaphene |

## TABLE III—OTHER TOXIC POLLUTANTS (METALS AND CYANIDE) AND TOTAL PHENOLS

| |
|---|
| Antimony, Total |
| Arsenic, Total |
| Beryllium, Total |
| Cadmium, Total |
| Chromium, Total |
| Copper, Total |
| Lead, Total |
| Mercury, Total |
| Nickel, Total |
| Selenium, Total |
| Silver, Total |
| Thallium, Total |
| Zinc, Total |
| Cyanide, Total |
| Phenols, Total |

## TABLE V—TOXIC POLLUTANTS AND HAZARDOUS SUBSTANCES REQUIRED TO BE IDENTIFIED BY EXISTING DISCHARGERS IF EXPECTED TO BE PRESENT

| **Toxic Pollutants** | |
|---|---|
| Asbestos | |
| | |
| **Hazardous Substances** | **Hazardous Substances (Continued)** |
| Acetaldehyde | Malathion |
| Allyl alcohol | Mercaptodimethur |
| Allyl chloride | Methoxychlor |
| Amyl acetate | Methyl mercaptan |
| Aniline | Methyl methacrylate |
| Benzonitrile | Methyl parathion |
| Benzyl chloride | Mevinphos |
| Butyl acetate | Mexacarbate |
| Butylamine | Monoethyl amine |
| Captan | Monomethyl amine |
| Carbaryl | Naled |
| Carbofuran | Napthenic acid |
| Carbon disulfide | Nitrotoluene |
| Chlorpyrifos | Parathion |
| Coumaphos | Phenosulfanate |
| Cresol | Phosgene |
| Crotonaldehyde | Propargite |
| Cyclohexane | Propylene oxide |
| 2,4-D (2,4-Dichlorophenoxy acetic acid) | Pyrethrins |
| Diazinon | Quinoline |

**Addendum A**

| | |
|---|---|
| Dicamba | Resorcinol |
| Dichlobenil | Strontium |
| Dichlone | Strychnine |
| 2,2-Dichloropropionic acid | Styrene |
| Dichlorvos | 2,4,5-T (2,4,5-Trichlorophenoxy acetic acid) |
| Diethyl amine | TDE (Tetrachlorodiphenylethane) |
| Dimethyl amine | 2,4,5-TP [2-(2,4,5-Trichlorophenoxy) propanoic acid] |
| Dintrobenzene | Trichlorofan |
| Diquat | Triethanolamine dodecylbenzenesulfonate |
| Disulfoton | Triethylamine |
| Diuron | Trimethylamine |
| Epichlorohydrin | Uranium |
| Ethion | Vanadium |
| Ethylene diamine | Vinyl acetate |
| Ethylene dibromide | Xylene |
| Formaldehyde | Xylenol |
| Furfural | Zirconium |
| Guthion | |
| Isoprene | |
| Isopropanolamine Dodecylbenzenesulfonate | |
| Kelthane | |
| Kepone | |

ADDENDUM B - NOTICE OF INTENT (NOI) FORM
(NEXT PAGE)

Department of Environment and Conservation - Division of Water Pollution Control

# NOTICE OF INTENT (NOI)

for Storm Water Discharges Associated with Industrial Activity under the

# TENNESSEE MULTI-SECTOR GENERAL PERMIT (TMSP)

| Facility Name: | County: | |
|---|---|---|
| Street Address or Location: | Latitude: | |
| | Longitude: | |

Attach a copy of U.S.G.S. topographical map, a city map, or a county map, identifying the location of this facility.

Owner or Operator: (the person or legal entity which controls facility's operation; this may or may not be the same as the facility name or the official contact name)

| | | | | |
|---|---|---|---|---|
| 1 | Official Contact Person Name: (Individual Responsible for a Facility) | Title or Position: | | |
| | Mailing Address: | City: | State: | Zip: |
| | Phone: ( ) | E-mail: | | |

| | | | | |
|---|---|---|---|---|
| 2 | Local Contact Person Name: (if appropriate, write "same as #1") | Title or Position: | | |
| | Facility Address: (this may or may not be the same as street address) | Facility City: | State: **TN** | Zip: |
| | Phone: ( ) | E-mail: | | |

Please write in the box (to the right) or circle the number next to the Official Contact Person or the Facility/Local Contact Person information (above) to indicate where would you like us to send invoices and correspondence:

| | |
|---|---|
| Storm water runoff from facility enters following stream(s) and/or lake(s): (for each outfall, give names and stream miles) | Number of storm water outfalls: |

| Nature of business: | SIC code(s): (primary code listed as No.1, secondary, if applicable, as No.2, etc.) | | | | | |
|---|---|---|---|---|---|---|
| | 1. | 2. | 3. | 4. | 5. | 6. |
| Area of property associated with industrial activity: **Acres** (area of facility property should not include recreation areas, landscaping, lawns, greenfields, forest, office buildings, employee parking lots, etc.) | Permit Sectors (STATE USE ONLY) | | | | | |

Activities at facility: Check all that apply.

| | | | |
|---|---|---|---|
| 01. _____ Manufacturing | 05. _____ Vehicle Maintenance | 09. _____ Wastewater treatment | 13. _____ Coal Pile |
| 02. _____ Storage/Distribution | 06. _____ Hazardous waste TSD | 10. _____ Land application | 14. _____ Borrow Pit or Soil Harvesting |
| 03. _____ Vehicle Storage | 07. _____ Outside waste disposal | 11. _____ Landfill | 99. _____ Other_____ |
| 04. _____ Trucking Terminal | 08. _____ Recycling | 12. _____ Mining operation | |

**CERTIFICATION AND SIGNATURE** (Make all entries in ink, not with a pencil. This NOI must be signed by a responsible corporate officer for a corporation, a general partner for a partnership, the proprietor for a sole proprietorship, or a principal executive officer or ranking elected official for a public agency.)

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations

| _____ | _____ | _____ | _____ |
|---|---|---|---|
| Printed Name | Official Title | Signature | Date |

If this NOI is submitted because of new operator or to update facility information (such as name of facility, new contact, E-mail address, etc.), please provide the existing permit tracking number:

## STATE USE ONLY

| Received Date | Postmark | NOC Date | Tracking No. | EAC |
|---|---|---|---|---|
| Impaired Receiving Stream? | High Quality Water? | T & E Aquatic Fauna? | Fee | Reviewer |

Submit the original of the completed and signed form to:
Storm Water NOI Processing
Tennessee Division of Water Pollution Control
6th Floor L&C Annex, 401 Church Street
Nashville, TN 37243-1534

Mining and Quarrying facilities only (Sectors J and H):
Storm Water NOI Processing – Mining Section
Tennessee Division of Water Pollution Control
2700 Middlebrook Pike, Suite 220
Knoxville, TN 37921-5602

ADDENDUM C - PROPOSED LIST OF LARGE, MEDIUM, AND DESIGNATED MUNICIPALITIES

Phase II

The Phase II Final Rule, published in the Federal Register on December 8, 1999, affects mainly 40 CFR Part 122.26, adds Parts 122.30-37, and requires NPDES permit coverage for storm water discharges from:

- Certain regulated small municipal separate storm sewer systems (MS4s) (those serving less than 100,000 persons)
- Construction activity disturbing between 1 and 5 acres of land (i.e., small construction activities).

The State of Tennessee, Department of Environment and Conservation, implements the NPDES program and will be implementing the Phase II storm water program. The program will affect about 80 cities and counties by requiring them to obtain coverage under a storm water discharge permit and to implement a set of programs to manage the quality of storm water runoff from the storm sewer systems:

| **PERMIT NUMBER** | **Municipality:** |
|---|---|
| TNS075108 | Anderson County |
| TNS075116 | Blount County |
| TNS075124 | Carter County |
| TNS075132 | City of Alcoa |
| TNS075141 | City of Athens |
| TNS075698 | City of Bartlett |
| TNS075159 | City of Belle Meade |
| TNS075167 | City of Berry Hill |
| TNS075175 | City of Brentwood |
| TNS075183 | City of Bristol |
| TNS075191 | City of Brownsville |
| TNS075701 | City of Church Hill |
| TNS075205 | City of Clarksville |
| TNS075213 | City of Cleveland |
| TNS075221 | City of Collegedale |
| TNS075230 | City of Collierville |
| TNS075248 | City of Columbia |
| TNS075256 | City of Cookeville |
| TNS077542 | City of Dickson |
| TNS075264 | City of Dyersburg |
| TNS075272 | City of East Ridge |
| TNS075281 | City of Elizabethton |
| TNS075299 | City of Farragut |
| TNS075302 | City of Forest Hills |

| | |
|---|---|
| TNS075311 | City of Franklin |
| TNS077534 | City of Gallatin |
| TNS075337 | City of Germantown |
| TNS075345 | City of Goodlettsville |
| TNS075710 | City of Greeneville |
| TNS075353 | City of Hendersonville |
| TNS075361 | City of Jackson |
| TNS075370 | City of Johnson City |
| TNS075728 | City of Jonesborough |
| TNS075388 | City of Kingsport |
| TNS075396 | City of Lakesite |
| TNS075400 | City of Lakewood |
| TNS075418 | City of Lavergne |
| TNS077551 | City of Lawrenceburg |
| TNS075426 | City of Lebanon |
| PEND2 | City of Lewisburg |
| TNS075736 | City of Lookout Mountain |
| PEND1 | City of Martin |
| TNS075434 | City of Maryville |
| TNS075442 | City of Millington |
| TNS076031 | City of Morristown |
| TNS075744 | City of Mount Carmel |
| TNS075451 | City of Mount Juliet |
| TNS075469 | City of Murfreesboro |
| TNS075477 | City of Oak Hill |
| TNS076040 | City of Oak Ridge |
| TNS075493 | City of Red Bank |
| TNS075507 | City of Ridgeside |
| TNS075515 | City of Rockford |
| TNS075523 | City of Sevierville |
| TNS075531 | City of Shelbyville |
| TNS075761 | City of Signal Mountain |
| TNS075779 | City of Smyrna |
| TNS075540 | City of Soddy-Daisy |
| PEND4 | City of Tullahoma |
| TNS075558 | City of Union City |
| TNS075566 | Hamilton County |
| TNS075574 | Hawkins County |
| TNS075582 | Knox County |
| TNS075591 | Loudon County |
| TNS075604 | Madison County |
| TNS075612 | Maury County |
| TNS075621 | Montgomery County |
| TNS075639 | Robertson County |
| TNS075647 | Rutherford County |
| TNS075655 | Sevier County |
| TNS075663 | Shelby County |

**Addendum C**

| | |
|---|---|
| TNS075671 | Sullivan County |
| TNS075680 | Sumner County |
| TNS075787 | Washington County |
| TNS075795 | Williamson County |
| TNS075809 | Wilson County |

ADDENDUM D - SECTION 313 WATER PRIORITY CHEMICALS

| CAS Number | Common Name |
|---|---|
| 75-07-0 | Acetaldehyde |
| 107-02-8 | Acrolein |
| 107-13-1 | Acrylonitrile |
| 309-00-2 | Aldrin[1,4:5,8-Dimethanonaphthalene,1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a hexahydro-(1.alpha.,4.alpha.,4a.beta.,5.alpha.,8.alpha.,8a.beta.)-] |
| 107-05-1 | Allyl Chloride |
| 7429-90-5 | Aluminum (fume or dust) |
| 7664-41-7 | Ammonia |
| 62-53-3 | Aniline |
| 120-12-7 | Anthracene |
| 7440-36-0 | Antimony |
| 7647189 | Antimony pentachloride |
| 28300745 | Antimony potassium tartrate |
| 7789619 | Antimony tribromide |
| 10025919 | Antimony trichloride |
| 7783564 | Antimony trifluoride |
| 1309644 | Antimony trioxide |
| 7440-38-2 | Arsenic |
| 1303328 | Arsenic disulfide |
| 1303282 | Arsenic pentoxide |
| 7784341 | Arsenic trichloride |
| 1327533 | Arsenic trioxide |
| 1303339 | Arsenic trisulfide |
| 1332-21-4 | Asbestos (friable) |
| 542621 | Barium cyanide |
| 71-43-2 | Benzene |
| 92-87-5 | Benzidine |
| 100470 | Benzonitrile |
| 218019 | Benzo(a)phenanthrene |
| 50328 | Benzo(a)pyrene |
| 205992 | Benzo(b)fluoranthene |
| 205823 | Benzo(j)fluoranthene |
| 207089 | Benzo(k)fluoranthene |
| 189559 | Benzo(rst)pentaphene |
| 56553 | Benzo(a)anthracene |
| 100-44-7 | Benzyl chloride |
| 7440-41-7 | Beryllium |
| 7787475 | Beryllium chloride |
| 7787497 | Beryllium fluoride |
| 7787555 | Beryllium nitrate |
| 111-44-4 | Bis(2-chloroethyl) ether |
| 75-25-2 | Bromoform |
| 74-83-9 | Bromomethane (Methyl bromide) |

**Addendum D**

| | |
|---|---|
| 85-68-7 | Butyl benzyl phthalate |
| 7440-43-9 | Cadmium |
| 543908 | Cadmium acetate |
| 7789426 | Cadmium bromide |
| 10108642 | Cadmium chloride |
| 7778441 | Calcium arsenate |
| 52740166 | Calcium arsenite |
| 13765190 | Calcium chromate |
| 592018 | Calcium cyanide |
| 133-06-2 | Captan [1H-Isoindole-1,3(2H)-dione,3a,4,7,7a-tetrahydro-2-[(trichloromethyl)thio]-] |
| 63-25-2 | Carbaryl [1-Naphthalenol, methylcarbamate] |
| 75-15-0 | Carbon disulfide |
| 1563662 | Carbofuran |
| 56-23-5 | Carbon tetrachloride |
| 57-74-9 | Chlordane [4,7-Methanoindan,1,2,4,5,6,7,8,8- octachloro-2,3,3a,4,7,7a-hexahydro-] |
| 7782-50-5 | Chlorine |
| 59-50-7 | 4-Chloro 3-methyl phenol-p-Chloro-m-cresol |
| 108-90-7 | Chlorobenzene |
| 75-00-3 | Chloroethane (Ethyl chloride) |
| 67-66-3 | Chloroform |
| 74-87-3 | Chloromethane (Methyl chloride) |
| 95-57-8 | 2-Chlorophenol |
| 106-48-9 | 4-Chlorophenol |
| 75729 | Chlorotrifluoromethane |
| 1066304 | Chromic acetate |
| 11115745 | Chromic acid |
| 10101538 | Chromic sulfate |
| 7440-47-3 | Chromium |
| 1308-14-1 | Chromium (Tri) |
| 10049055 | Chromous chloride |
| 7789437 | Cobaltous bromide |
| 544183 | Cobaltous formate |
| 14017415 | Cobaltous sulfamate |
| 7440-50-8 | Copper |
| 108-39-4 | m-Cresol |
| 9548-7 | o-Cresol |
| 106-44-5 | p-Cresol |
| 4170303 | Crotonaldehyde |
| 1319-77-3 | Cresol (mixed isomers) |
| 142712 | Cupric acetate |
| 12002038 | Cupric acetoarsenite |
| 7447394 | Cupric chloride |
| 3251238 | Cupric nitrate |
| 5893663 | Cupric oxalate |
| 7758987 | Cupric sulfate |
| 10380297 | Cupric sulfate, ammoniated |

| | |
|---|---|
| 815827 | Cupric tartrate |
| 57-12-5 | Cyanide |
| 506774 | Cyanogen chloride |
| 333415 | Diazinon |
| 94-75-7 | 2,4-D [Acetic acid, (2,4-dichlorophenoxy)-] |
| 226368 | Dibenz(a,h)acridine |
| 224420 | Dibenz(a,j)acridene |
| 5385751 | Dibenzo(a,e)fluoranthene |
| 192654 | Dibenzo(a,e)pyrene |
| 53703 | Dibenzo(a,h)anthracene |
| 189640 | Dibenzo(a,l)pyrene |
| 191300 | Dibenzo(a,h)pyrene |
| 194592 | 7, H-Dibenzo(c,g)carbazole |
| 106-93-4 | 1,2-Dibromoethane (Ethylene dibromide) |
| 84-74-2 | Dibutyl phthalate |
| 1929733 | 2,4 D Butoxyethyl ester |
| 94804 | 2,4 D Butyl ester |
| 2971382 | 2,4 D Chlorocrotyl ester |
| 1918009 | Dicamba |
| 95-50-1 | 1,2-Dichlorobenzene |
| 541-73-1 | 1,3-Dichlorobenzene |
| 106-46-7 | 1,4-Dichlorobenzene |
| 91-94-1 | 3,3'-Dichlorobenzidine |
| 75-27-4 | Dichlorobromomethane |
| 107-06-2 | 1,2-Dichloroethane (Ethylene dichloride) |
| 75434 | Dichlorofluoromethane |
| 540-59-0 | 1,2-Dichloroethylene |
| 120-83-2 | 2,4-Dichlorophenol |
| 78-87-5 | 1,2-Dichloropropane |
| 10061026 | trans-1,3-Dichloropropene |
| 542-75-6 | 1,3-Dichloropropylene |
| 62-73-7 | Dichlorvos [Phosphoric acid, 2,2-dichloroethenyl dimethyl ester] |
| 115-32-2 | Dicofol [Benzenemethanol, 4-chloro-.alpha.-(4-chlorophenyl)-.alpha.-(trichloromethyl)-] |
| 177-81-7 | Di-(2-ethylhexyl) phthalate (DEHP) |
| 84-66-2 | Diethyl phthalate |
| 124403 | Dimethylamine |
| 57976 | 7,12-Dimethylbenz(a)anthracene |
| 105-67-9 | 2,4-Dimethylphenol |
| 131-11-3 | Dimethyl phthalate |
| 534-52-1 | 4,6-Dinitro-o-cresol |
| 51-28-5 | 2,4-Dinitrophenol |
| 121-14-2 | 2,4-Dinitrotoluene |
| 606-20-2 | 2,6-Dinitrotoluene |
| 117-84-0 | n-Dioctyl phthalate |
| 122-66-7 | 1,2-Diphenylhydrazine (Hydrazobenzene) |
| 94111 | 2,4-D Isopropyl ester |
| 106-89-8 | Epichlorohydrin |

| | |
|---|---|
| 1320189 | 2,4-D Propylene glycol butyl ether ester |
| 330541 | Diuron |
| 100-41-4 | Ethylbenzene |
| 106934 | Ethylene dibromide |
| 50-00-0 | Formaldehyde |
| 76-44-8 | Heptachlor [1,4,5,6,7,8,8-Heptachloro-3a,4,7,7a-tetrahydro-4,7-methano-1H-indene] |
| 118-74-1 | Hexachlorobenzene |
| 319846 | alpha-Hexachlorocyclohexane |
| 87-68-3 | Hexachloro-1,3-butadiene |
| 77-47-4 | Hexachlorocyclopentadiene |
| 67-72-1 | Hexachloroethane |
| 7647-01-0 | Hydrochloric acid |
| 74-90-8 | Hydrogen cyanide |
| 7664-39-3 | Hydrogen fluoride |
| 193395 | Indeno[1,2,3-cd]pyrene |
| 7439-92-1 | Lead |
| 301042 | Lead acetate |
| 7784409 | Lead arsenate |
| 7645252 | “ “ |
| 10102484 | “ “ |
| 7758954 | Lead chloride |
| 13814965 | Lead fluoborate |
| 7783462 | Lead fluoride |
| 10101630 | Lead iodide |
| 10099748 | Lead nitrate |
| 7428480 | Lead stearate |
| 1072351 | “ “ |
| 52652592 | “ “ |
| 7446142 | Lead sulfate |
| 1314870 | Lead sulfide |
| 592870 | Lead thiocyanate |
| 58-89-9 | Lindane [Cyclohexane, 1,2,3,4,5,6-hexachloro-(1.alpha.,3.beta.,4.alpha.,5.alpha.,6.beta.)-] |
| 14307258 | Lithium chromate |
| 121755 | Malathion |
| 108-31-6 | Maleic anhydride |
| 592041 | Mercuric cyanide |
| 10045940 | Mercuric nitrate |
| 7783359 | Mercuric sulfate |
| 592858 | Mercuric thiocyanate |
| 7782867 | Mercurous nitrate |
| 7439-97-6 | Mercury |
| 72-43-5 | Methoxychlor [Benzene, 1,1’-(2,2,2-trichloroethylidene)bis[4-methoxy-] |
| 80-62-6 | Methyl methacrylate |
| 75865 | 2-Methyllactonitrile |
| 3697243 | 5-Methylchrysene |
| 298000 | Methyl parathion |

| | |
|---|---|
| 7786347 | Mevinphos |
| 300765 | Naled |
| 91-20-3 | Naphthalene |
| 7440-02-0 | Nickel |
| 15699180 | Nickel ammonium sulfate |
| 37211055 | Nickel chloride |
| 7718549 | " " |
| 12054487 | Nickel hydroxide |
| 14216752 | Nickel nitrate |
| 7786814 | Nickel sulfate |
| 7697-37-2 | Nitric acid |
| 98-95-3 | Nitrobenzene |
| 88-75-5 | 2-Nitrophenol |
| 100-02-7 | 4-Nitrophenol |
| 5522430 | 1-Nitropyrene |
| 62-75-9 | N-Nitrosodimethylamine |
| 86-30-6 | N-Nitrosodiphenylamine |
| 621-64-7 | N-Nitrosodi-n-propylamine |
| 56-38-2 | Parathion [Phosphorothioic acid, O,O-diethyl-O-(4-nitrophenyl) ester] |
| 87-86-5 | Pentachlorophenol (PCP) |
| 85018 | Phenanthrene |
| 108-95-2 | Phenol |
| 7664-38-2 | Phosphoric acid |
| 7723-14-0 | Phosphorus (yellow or white) |
| 1336-36-3 | Polychlorinated biphenyls (PCBs) |
| 7784410 | Potassium arsenate |
| 10124502 | Potassium arsenite |
| 7778509 | Potassium bichromate |
| 7789006 | Potassium chromate |
| 151508 | Potassium cyanide |
| 2312358 | Propargite |
| 75-56-9 | Propylene oxide |
| 91-22-5 | Quinoline |
| 7782-49-2 | Selenium |
| 7446084 | Selenium oxide |
| 7440-22-4 | Silver |
| 7761888 | Silver nitrate |
| 7631892 | Sodium arsenate |
| 7784465 | Sodium arsenite |
| 10588019 | Sodium bichromate |
| 7775113 | Sodium chromate |
| 143339 | Sodium cyanide |
| 7632000 | Sodium nitrite |
| 10102188 | Sodium selenite |
| 7782823 | " " |
| 7789062 | Strontium chromate |
| NA | Strychnine & salts |
| 100-42-5 | Styrene |

**Addendum D**

| | |
|---|---|
| 7664-93-9 | Sulfuric acid |
| 79-34-5 | 1,1,2,2-Tetrachloroethane |
| 127-18-4 | Tetrachloroethylene (Perchloroethylene) |
| 935-95-5 | 2,3,5,6-Tetrachlorophenol |
| 78002 | Tetraethyl lead |
| 7440-28-0 | Thallium |
| 10031591 | Thallium sulfate |
| 108-88-3 | Toluene |
| 8001-35-2 | Toxaphene |
| 52-68-6 | Trichlorfon [Phosphonic acid, (2,2,2-trichloro-1-hydroxyethyl)-dimethylester] |
| 120-82-1 | 1,2,4-Trichlorobenzene |
| 71-55-6 | 1,1,1-Trichloroethane (Methyl chloroform) |
| 79-00-5 | 1,1,2-Trichloroethane |
| 79-01-6 | Trichloroethylene |
| 95-95-4 | 2,4,5-Trichlorophenol |
| 88-06-2 | 2,4,6-Trichlorophenol |
| 121448 | Triethylamine |
| 7440-62-2 | Vanadium (fume or dust) |
| 108-05-4 | Vinyl acetate |
| 75-01-4 | Vinyl chloride |
| 75-35-4 | Vinylidene chloride |
| 108-38-3 | m-Xylene |
| 95-47-6 | o-Xylene |
| 106-42-3 | p-Xylene |
| 1330-20-7 | Xylene (mixed isomers) |
| 7440-66-6 | Zinc (fume or dust) |
| 557346 | Zinc acetate |
| 14639975 | Zinc ammonium chloride |
| 14639986 | " " " |
| 52628258 | " " " |
| 1332076 | Zinc borate |
| 7699458 | Zinc bromide |
| 3486359 | Zinc carbonate |
| 7646857 | Zinc chloride |
| 557211 | Zinc cyanide |
| 7783495 | Zinc fluoride |
| 557415 | Zinc formate |
| 7779864 | Zinc hydrosulfite |
| 7779886 | Zinc nitrate |
| 127822 | Zinc phenolsulfonate |
| 1314847 | Zinc phosphide |
| 16871719 | Zinc silicofluoride |
| 7733020 | Zinc sulfate |

## ADDENDUM E - LIST OF APPLICABLE REFERENCES

The following guidance manuals contain valuable information in assisting permittees in complying with the permit conditions of the multi-sector general permit and are available from
The Office of Water Resources Center
USEPA - RC-4100
401 M Street, S.W.
Washington, D.C. 20460
Telephone: (202) 260-7786

Storm Water Management for Industrial Activities, Developing Pollution Prevention Plans and Best Management Practices (EPA-832-R-92-006, September 1992).
Summary: Storm Water Management for Industrial Activities, Developing Pollution Prevention Plans and Best Management Practices (October 1992).
NPDES Storm Water Sampling Guidance Document (EPA 833-B-92-001, July 1992).

# ADDENDUM F - TENNESSEE FEDERALLY LISTED ENDANGERED AND THREATENED SPECIES AND DESIGNATED CRITICAL HABITATS

*Federally Listed Endangered and Threatened Aquatic Species*

Holston River
The river reach from the confluence of the Tennessee River upstream to mile point 14.5 in Knox County. This reach supports populations of the treatened snail darter.
French Broad River
The river reach from the confluence of the Tennessee River upstream to mile point 30.0 in Knox County. This reach supports populations of the threatened snail darter.
Little River
The river reach below the Highway 33 bridge and the reach near Milrose Mill Dam in Blount County. These reaches support populations of the threatened snail darter.
Little Tennessee River
The river reach from the confluence of the Tennessee River upstream to Tellico Cam in Roane and Loudon Counties. This reach supports populations of the threatened snail darter.
Sewee Creek
The reach from the confluence of the Tennessee River upstream to mile point 6.0 in Meigs County. This reach supports populations of the threatened snail darter.
Ocoee River
The river reach from the confluence of the Hiwassee River to the Highway 33 bridge in Polk County. This reach supports populations of the threatened snail darter.
Hiwassee River
The river reach from mile point 35.8 in Bradley and McMinn counties, upstream to the Bradley/Polk County line. The river reach from the Bradley County line to the confluence of the Ocoee River in Polk County. These reaches support populations of the threatened snail darter. The river reach from Reliance to the Tennessee/North Carolina line in Polk County. This reach supports populations of the endangered tan riffleshell and Cumberland bean pearlymussel.
Minnewauga Creek
The entire reach in Polk County. This reach supports populations of the threatened blue shiner.
South Chickamauga Creek
The reach from the confluence of the Tennessee River upstream to mile point 19.5 in Hamilton County. This reach supports populations of the threatened snail darter.
Sequatchie River
The river reach from the confluence with the Tennessee River to mile point 10.0 in Marion County. This reach supports a population of the endangered Anthony's river snail.
Elk River
The reiver reach from the City of Fayetteville in Lincoln County downstream through Giles County to the Alabama State line, and the lower two miles of the tributaries, Richland Creek and Indian Creek. This reach supports the only known population of the endangered boulder darter. It also supports populations of at least three species of endangered mussels (the Cumberland monkeyface, shiny pigtoe, and birdwing pearlymussel).

Duck River
The river reach between the cities of Columbia and Shelbyville in Maury, Marshall, and Bedford Counties, including Big Rock Creek in Marshall County. This reach supports the best known populations of the endangered birdwing pearlymussel, one of only three known populations of the endangered tan riffleshell, and populations of the endangered Cumberland monkeyface and pale lilliput pearlymussel. The river reach from the confluence with the Piney River to the confluence with Hurricane Creek in Hickman and Humphreys Counties. This reach supports one of only two known populations of the endangered pygmy madtom.
Buffalo River
The entire river reach in Lewis County. This reach supports a population of the threatened spotfin chub and possibly supports at least one endangered mussel species (the pale lilliput pearlymussel).
Paint Rock River
The tributaries, Larkin Spring Branch and Estill Fork, in Franklin County. These tributaries may support populations of at least three endangered mussel species (the shiny pigtoe, fine-rayed pigtoe, and Alabama lampmussel) and one of only two known populations of the endangered palezone shiner.
Tennessee River
The river reaches below the confluence with the Little Tennessee River in Loudon County, below Watts Bar Dam in Meigs County, below Nickajack Dam in Marion County, and below Chickamauga Dam in Hamilton County. These reaches support populations of the threatened snail darter. River reaches below Watts Bar (dam to Hunter Shoals) in Meigs and Rhea Counties, Chickamauga (dam to I-24 bridge) in Hamilton County, and Pickwick (dam to mouth of Duck River) in Hardin, Decatur, Perry, and Humphreys Counties. These reaches support populations of seven endangered large river mussels (i.e., the orangefooted peralymussel, dromedary pearlymussel, white wartyback pearlymussel, rough pigtoe, fanshell, cracking pearlymussel, and the pink mucket pearlymussel).
Upper Caney Fork Drainage
The upper Caney Fork River, Collins River, Rocky River, Cane Creek, and Hickory Creek, in White, Warren, Grundy, and Van Buren Counties support the only known populations of the federally endangered Cumberland pigtoe mussel and bluemask darter.
Upper Cumberland Drainage
Tributaries to the upper Cumberland River in Scott, Campbell, and Claiborne Counties support populations of the threatened blackside dace.
Mill Creek
The entire reach in Davidson and Williamson Counties, including Sims Branch, Sevenmile Creek, Whittemore Branch, Edmonson Branch, Indian Creek, Owl Creek, and Collins Creek. The Mill Creek drainage support the only known population of the endangered Nashville crayfish.
Cumberland River
The river reach from Cordell Hull dam downstream to the Smith/Trousdale County line. This reach supports populations of at least two endangered mussel species (the dromedary pearly mussel and pink mucket pearly mussel).

*Designated Critical Habitats*

Wayne County
Cypress Creek, Middle Cypress Creek, and all tributaries thereto. The slackwater darter is Threatened.
Lawrence County
Buffalo River and its tributaries. A slackwater darter critical habitat.
Claiborne County
Powell River and Clinch River. The slender chub and the yellowfin madtom are Threatened.

**Addendum F**

Hancock County
Powell River and Clinch River. A slender chub and yellowfin madtom critical habitat.
Morgan County
Emory River, Obed River, Clear Creek, and Daddy's Creek. The spotfin chub is Threatened.
Fentress County
Clear Creek. A spotfin chub critical habitat.
Cumberland County
Obed River (upstream to I-40), Clear Creek (upstream to I-40), Daddy's Creek (upstream to U.S. 127). A spotfin chub critical habitat.
Hawkins County
North Fork Holston River. A spotfin chub critical habitat.
Sullivan County
North Fork Holston River. A spotfin chub critical habitat.
Monroe County
Citico Creek. The smoky madtom is Endangered.
Polk County
Conasauga River. The amber darter and Conasauga logperch are Endangered.
Blount County
White Oak Blowhole Cave. An Indiana Bat critical habitat.