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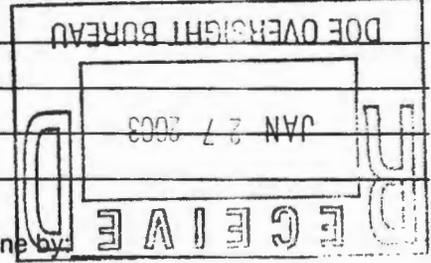
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## STORM WATER POLLUTION PREVENTION PLAN

**Voluntary** Has been  
**Potential** Submitted to  
RPF  
#73189

**Measure at  
e 21-011(k)**

### Los Alamos National Laboratory

a requirement of the

### NPDES GENERAL PERMIT

for Storm Water Discharges Associated with Construction Activities

Prepared By:

WGI/PMC/SEA

2237 Trinity Drive, Bldg. 2, 1<sup>st</sup> Floor

Los Alamos, NM 87544

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Revision 0

May 2002

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## STORM WATER POLLUTION PREVENTION PLAN

### PRS 21-011(k) Voluntary Corrective Measure

### LOS ALAMOS NATIONAL LABORATORY

## PREFACE

On July 6, 1998, Environmental Protection Agency (EPA), Region VI, issued the final National Pollutant Discharge Elimination System (NPDES) General Permit for storm water discharges associated with construction activity. For construction projects disturbing at least five (5) acres, or for smaller areas, which are part of a larger common plan of development, authorization to discharge storm water is required under this Permit. Permit requirements include the following:

- Conduct a critical habitat and threatened/endangered species study
- Develop and implement a Storm Water Pollution Prevention (SWPP) Plan
- Submit a Notice of Intent (NOI) at least two days prior to the start of construction
- Conduct and document storm water inspections during construction
- Maintain Best Management Practices (BMPs)
- Amend the SWPP Plan as necessary
- Submit a Notice of Termination (NOT) following both project completion and final stabilization

This Storm Water Pollution Prevention (SWPP) Plan applies to discharges of storm water from construction activities related to the PRS 21-011(k) Voluntary Corrective Measure (VCM) project at the Los Alamos National Laboratory (LANL). The Plan describes potential sources of pollution and identifies the Best Management Practices (BMPs) to minimize the potential for erosion and storm water pollution.

This Plan was developed in accordance with the provisions of the Clean Water Act (33 U.S.C. § §1251 et seq., as amended by the Water Quality Act of 1987, P.L. 100-4) and the regulations established by the U.S. Environmental Protection Agency (EPA) for National Pollutant Discharge Elimination System (NPDES) General Permits for Storm Water Discharges Associated with Construction Activities in Region 6.

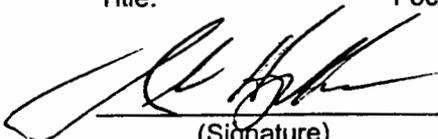
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STORM WATER POLLUTION PREVENTION PLAN

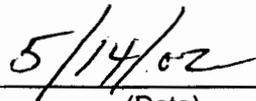
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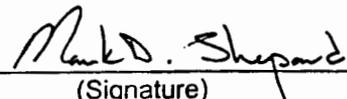
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Contact: John Hopkins  
Title: Focus Area Leader

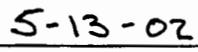
  
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(Date)

NPDES Permit Number: NMR 05A734

ORGANIZATION: Washington Group International, Inc.  
Contact: *for* John DeJoia  
Title: Program Manager

  
\_\_\_\_\_  
(Signature)

  
\_\_\_\_\_  
(Date)

## 1. GENERAL PROJECT INFORMATION

PRS 21-011(k) was the NPDES-permitted Outfall (NPDES Outfall No. EPA050050) for treated industrial wastewater from buildings TA-21-35 and -257, the former industrial wastewater treatment plants (WWTP) located in Technical Area (TA) 21 at the Los Alamos National Laboratory (LANL). It is listed in Module VIII of the Laboratory's Hazardous Waste Facility Permit (HSWA, 1994). The PRS contains a drain line from two industrial wastewater treatment tanks that discharged to an outfall ditch, which channeled wastewater to the canyon rim, and down the hillside toward DP Canyon. The ditch is no longer visible; however, a 4-inch cast iron drain line is located approximately 55 feet north of the TA-21 perimeter road in the area where the outfall ditch would have ended. A gently sloping, rocky surface extends from the outfall pipe approximately 30 feet to the canyon rim.

This Voluntary Corrective Measure (VCM) will involve excavation and stabilization of soil and tuff in the area of PRS 21-011(k) with radionuclide concentrations that exceed acceptable human health and ecological risk levels based on anticipated future land use scenarios. The hillside and canyon bottom areas of PRS 21-011(k) are located on DOE property that has historically been used for industrial purposes. The PRS 21-011(k) site will be restored in accordance with a 200-year design plan, and returned to a pre-job natural condition.

Major elements of the PRS 21-011(k) Project include:

Excavation of contaminated soil

Stabilization and solidification of contaminated soils

Site restoration and remediation

Confirmatory sampling

This SWPP Plan covers work related to the VCM at PRS 21-011(k). Field work is expected to begin July 8, 2002, and continue through the end of September 2002. After the VCM activity at PRS 21-011(k) is completed, control of the site will be assumed by LANL.

### 1.1. Operators

The "operator" of a storm water discharge associated with construction activity is the individual or party responsible for applying to the EPA for NPDES permit coverage. The EPA defines an "operator" to be anyone who meets either of the following two criteria:

- 1) Has operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications, or
- 2) Has day-to-day operational control of project activities.

The permittee with operational control over construction plans and specifications for this project, including the ability to make modifications to those plans and specifications is:

University of California  
Los Alamos National Laboratory (LANL)  
Los Alamos, NM 87545  
Contact: John Hopkins  
Permit # NMR 05A734

For the PRS 21-011(k) Project, the permittee with day-to-day operations control of project activities is:

Washington Group International, Inc. (WGII)  
2237 Trinity Drive  
Building 2, 1<sup>st</sup> Floor  
Los Alamos, NM  
Contact: John DeJoia  
Permit # NMR 05A734

### **1.2. Posting Requirements**

Washington Group International, Inc. will post on site the following information:

NPDES permit number, NMR 05A734.

The name and telephone number of a local contact person.

A brief description of the project.

Location of the current SWPPP.

A sample posting form is included with the permit regulations in Appendix A.

### **1.3. Inspections**

Disturbed areas and stabilization and structural control measures shall be inspected at least once every fourteen (14) calendar days, and within 24 hours or the next working day of the end of a storm event exceeding ½ inch of precipitation. If a portion of the site has been finally or temporarily stabilized, runoff is unlikely due to winter conditions (e.g., site is covered with snow, ice, or frozen ground exists), or during seasonal arid periods, inspections shall be conducted at least once every month.

Inspections to be performed by qualified personnel shall include the following:

Disturbed areas and areas used for storage of materials that are exposed to precipitation shall be inspected for evidence of, or the potential for, pollutants entering the drainage system.

Sediment and erosion control measures identified in the SWPP Plan shall be observed to ensure that they are operating correctly.

Where discharge locations or points are accessible, they shall be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to receiving waters.

Where discharge locations are inaccessible, nearby downstream locations shall be inspected to the extent that such inspections are practicable.

Locations where vehicles enter or exit the site shall be inspected for evidence of offsite sediment tracking.

Inspections shall be documented on the inspection and maintenance form provided in Appendix B.

Where a report does not identify any incidents of noncompliance, operators shall certify that the facility is in compliance with the SWPP Plan and the permit. Inspections shall be continued by LANL until final stabilization of an area is achieved as defined in Section 4.5 and/or the notice of termination is submitted. The LANL Project Director or his authorized representative will certify these inspections. Inspector qualifications are included in Appendix B.

#### 1.4. Maintenance

All erosion and sediment control measures, stabilization and structural controls, and other protective measures identified in this Plan will be maintained in effective operating condition. Maintenance procedures for this project will include but are not limited to the following:

If sediment escapes the construction site, off-site accumulations of sediment will be removed at a frequency sufficient to minimize offsite impacts. This includes mud on roadways, blowouts on silt fences, etc.

Sediment will be removed from sediment retention structures when design capacity has been reduced by 50% or retained sediment has reached ½ the height of the structure.

Offsite material storage areas used solely by the permitted project shall be addressed in the SWPP Plan and controls associated with these areas shall be maintained as appropriate.

If inspections indicate that existing BMPs require modification, or additional BMPs are necessary, implementation shall be completed before the next anticipated storm event. If implementation before the next anticipated storm event is impracticable, it shall be completed as soon as practicable.

#### 1.5. Record Keeping

The PRS 21-011(k) SWPP Plan will be maintained at the construction site for the use of all operators and those identified in the SWPP Plan as having on-site responsibilities until project work is completed. After project work is completed the Plan will be located at the ESH-18 office until the Permit is terminated. The SWPP Plan will contain required signatures, a copy of permit language, all reports required by permit coverage, and any other applicable documentation. Items that will be maintained and attached to the SWPP include:

Inspection Reports (Appendix B)

Plan Amendment Tracking Form (Appendix C)

Site Map (Appendix D)

Land Disturbance Log containing: dates when major soil disturbing activities occur, dates when construction activities temporarily or permanently cease on a portion of the site, and dates when stabilization measures are initiated (Appendix E)

Material Inventory Form of equipment and construction and waste materials stored on site (Appendix F)

Spill Tracking Form (Appendix H)

Copies of SWPP Plans, inspection records, spill reports, all reports required by NPDES permit coverage, and data used to complete the NOI shall be retained by the permittees for a period of at least three (3) years from the date of final stabilization. LANL will also retain records in accordance with DOE policy.

#### 1.6. Plan Amendment

This SWPP Plan will be amended when:

There is a change in design, construction, operation, or maintenance that has a significant effect on the discharge of pollutants to the waters of the United States and such change has not been addressed in the SWPP Plan.

If the inspection report identifies problems or inadequacies with the current BMPs, the SWPP Plan shall be modified as necessary to include additional or modified BMPs designed to correct the problems. Revisions to the SWPP Plan shall be completed within seven (7) calendar days following the inspection.

In the event of a spill equal to or in excess of a reportable quantity, the SWPP Plan will be amended within 14 calendar days of the release. The amendment will provide the release date, a description of the release, and the circumstances leading to the release. The SWPP Plan will also be reviewed to identify measures to both prevent the reoccurrence of such a release and to properly respond to such releases.

A record of Plan amendments will be maintained using the table provided in Appendix C.

## **2. SITE DESCRIPTION**

The total area expected to be disturbed by activities associated with the PRS 21-011(k) project, including staging and storage areas, is approximately 2 acres. There will be no offsite borrow or fill areas. Work associated with the PRS 21-011(k) project is located in TA-21 within the area bordered by the TA -21 fence line along the TA-21 perimeter road and extending north into DP canyon. Site maps are located in Appendix D.

The PRS 21-011(k) area drains north into DP Canyon. The PRS 21-011(k) area consists of asphalt, soil/tuff, and vegetation. Vegetation consists of ponderosa pines and native grasses and shrubs. The soils at the PRS 21-011(k) area consist primarily of silty sand from decomposed volcanic tuff.

### **2.1. Storm Water Characteristics**

The project site is located in a semi-arid region that typically receives an annual rainfall of 10-20 inches. Drainage patterns for the site indicate that runoff occurs from above the site. This runoff is currently being diverted with sand bags; diversion channels will be installed prior to the start of work at PRS 21-011(k). Water entering the site drains primarily through established natural gullies and channels to DP canyon. One channel runs along on the east boundary of the site; another drainage on the west boundary was cut off during past excavations. Natural drainage patterns are not directing stormwater onto the PRS 21-011(k) site.

The runoff coefficients for the asphalted areas at the site is approximately 0.85. The runoff coefficient for site areas with soil/vegetative cover is approximately 0.3. BMP's were installed as of 10/31/96. Silt fence, straw mulch, and straw bale check dams are used extensively to reduce erosion potential and to limit sediment transport.

Data describing the quality of storm water discharge at TA-21 can be found in the annual discharge monitoring reports (Station E039), prepared by ESH-18, or on the ESH-18 webpage.

### **2.2. Threatened & Endangered Species and Historic Property**

The Environmental Safety and Health Identification (ESH-ID) performed for VCM Activities at PRS 21-011(k) determined that the proposed project is within a developed buffer habitat. Alteration is not restricted as long as activities (particularly noise and light) do not adversely impact the surrounding undeveloped core, especially during occupancy (March 1 to August 31). However, timing restrictions do not apply. In order to protect downstream adjacent habitat areas, measures should be taken so construction debris does not enter the adjacent watercourse.

The PRS 21-011(k) site contains an historic trail that has been previously declared potentially eligible for the National Register of Historic Places by the State of Historic Preservation Office (SHPO). This trail boundary is within the fenced area proposed for sampling/excavations. ESH-20 has been notified. This situation is being reviewed by ESH-20 representatives.

NEPA granted a categorical exclusion for this project, see Appendix I.

### **2.3. Receiving Waters & Wetlands**

Storm water from the VCM at PRS 21-011(k) site drains to DP Canyon. This canyon is classified as a receiving water. Storm water reaches the canyon through an existing storm water drainage system from Los Alamos townsite and through sheet flow. Currently, storm water runoff from TA-21 and Los Alamos townsite enters the DP watershed at several locations other than the PRS 21-011(k) site.

### **2.4. Site Maps**

Site maps provide information on drainage patterns, receiving streams, general land features, and storm water control structures. Appendix D contains site maps that identify the following features:

Drainage patterns and approximate slopes after major grading activities

Locations of major structural and nonstructural controls identified in the SWPP Plan

Location of equipment storage areas

Locations where storm water discharges to surface waters or canyons

Locations of surface waters

### 3. PROJECT DESCRIPTION

The VCM activity at SWMU 21-011(k) involves solidification and stabilization of contaminated media from a former NPDES-permitted industrial wastewater outfall. The proposed VCM activities include the excavation, solidification and reburial of as much as 500 yd<sup>3</sup> of contaminated soil, tuff and sediment; engineered site restoration; and long-term monitoring. In addition, the 4-in drain line from Tanks 21-112 and 21-113 to the SWMU boundary will be removed.

Site preparation will include clearing 70,000 square feet of grass, scrub, and trees. The access road to the site will be improved, and work areas will be leveled. Soil solidification and reburial is proposed for SWMU 21-011(k) to stabilize elevated concentrations of radionuclides (cesium-137, strontium-90, americium-241, and plutonium-239) in the soil, sediment, and tuff. These materials will be mixed with portland cement and bentonite chips, and solidified on-site.

Site restoration will include the placement of a compacted soil layer over the stabilized/solidified material and soil over other areas to accommodate revegetation. The soil layer over the solidified material will provide additional shielding and protection of the stabilized material. The soil layer is designed to provide freeze/thaw protection and at least four feet of cover over the solidified material for the service life of the engineered soil layer. The area will, with time, blend with the existing Canyon topography for a natural appearance. Storm-water pollution prevention controls will be installed to remain after VCM activities are complete.

The approximate sequence of activities is:

- Install construction fence and storm water pollution prevention controls
- Clear and grub ~70,000 sq. ft. of vegetation (including grass, scrub, and trees) for preparation of stockpile areas, process areas, and areas to be remediated
- Excavate 4-in pipe and contaminated soils, patch asphalt on perimeter road
- Stabilize and solidify contaminated soils using a portland cement mixture and bentonite chips
- Fill and compact excavated areas in accordance with a 200-year design plan
- Install storm water pollution prevention controls to remain after VCM activities are complete (described in Section 4.4)

#### 3.1. Materials Inventory

Equipment and materials including a stock pile not exceeding 500 yd<sup>3</sup> of soil, sediment, and tuff to be stabilized, will be stored onsite within the project boundary in defined staging areas. The stock pile will contain approximately 398 pci/g Cesium-137, 128 pci/g Strontium-90, 57 pci/g Americium-241, and 33 pci/g Total Plutonium. Appropriate controls including but not limited to berming, covering, and the use of enclosed containers will be established based on site conditions and the type of equipment/materials. As equipment and materials are used on the project, project personnel will add the item and its applicable storm water control to the Material Inventory Form provided in Appendix F. Controls that may be used on projects are discussed in more detail in Section 4.

#### 3.2. Potential Pollutants

Typical potential pollutants may include, but are not limited to:

- Construction and excavation materials (i.e. asphalt, cement, backfill materials)
- Vehicle fluids such as hydraulic fluid, motor oil, gasoline, and diesel fuel

- Contaminated soils
- Stored additives (e.g., bentonite)
- Sediment from exposed areas, excavations and fill materials
- Typical controls to be used for these potential pollutants are included in Section 4.

### **3.3. Non-Storm Water Discharges**

Non-storm water discharges are defined as significant discharges of water not associated with the natural runoff from a storm event. Controls are discussed in Section 4.2 for the following possible non-storm water discharges included under this Permit:

- Water used for dust suppression
- Process water used for soil stabilization
- For health and safety purposes during excavation
- For dust suppression on gravel access roads and throughout active work area
- Water application to allow optimum soil compaction
- Periodic testing of a fire hydrant located above the site
- Water will be applied as a mist to control dust, but will not be applied at a rate that will create surface flow from the site.

#### 4. CONTROLS

Controls are used to prevent the contamination of storm water runoff by retaining sediment on-site; minimizing contact with spoil piles, other disturbed soils, and equipment; and by diverting it from the locations in which erosion or sediment transport regularly take place. This is achieved through the use of applicable stabilization methods, structural controls and appropriate work procedures. Details of controls are included in Appendix G and locations of controls are shown on the site map in Appendix D. Additional information on installation, inspection, and maintenance of controls is provided in the LANL Storm Water/Surface Water Pollution Prevention Best Management Practices Guidance Document (<http://drambuie.LANL.gov/~esh18/index.html>).

Stabilization and structural controls identified in this SWPP Plan will be implemented and maintained by WGII until the VCM activities are completed and their Permit is terminated. The following Sections identify controls that may be implemented or locations that require the implementation of appropriate controls.

##### 4.1. Structural Controls

Structural controls are used to divert flows from exposed soils, or otherwise limit runoff and the discharge of pollutants from exposed areas. Before soil disturbing activities begin, WGII will implement structural controls as needed and maintain them as required until the VCM activities are completed. Controls are not limited to the typical structural controls described below:

**Silt fence:** silt fence or silt dike will be installed downslope of disturbed areas to prevent the off-site transport of sediment or other pollutants.

Appropriate controls such as silt fence, silt dikes, sandbags, straw wattles, and soil berms shall be installed within the site to control or direct the flow of storm water runoff and minimize sediment transport, as necessary.

Appropriate controls shall be installed within and around equipment, material staging areas, and soil stockpiles to prevent potential pollutants from leaving the site. Controls include covering, berming, or the use of silt fence, silt dikes, straw wattles, or sandbags.

##### 4.2. Controls for Non-Storm Water Discharges

In addition to the structural controls, appropriate controls will also be implemented for non-storm water discharges. WGII will ensure that the dust suppression water application and water applied for soil compaction does not result in runoff. If runoff from such an application does occur, appropriate controls will be established prior to the next anticipated discharge and the SWPP Plan will be amended to reflect such a change. Vehicle or equipment washing will occur on pavement or areas stabilized with base course. Pavement wash waters where no spills or leaks of toxic or hazardous materials have occurred and detergents were not used, uncontaminated ground water or spring water, and foundation or footing drains where flows are not contaminated will be controlled using silt fence, silt dike, sandbags, and/or berms. If additional controls are required they will be implemented and added to the plan. WGII will also ensure that proper controls are in place at locations where utility line flushing occurs prior to excavation and removal. When locations and controls to be used for utility line flushing are determined, they will be added to the plan.

### 4.3. Other Controls

Additional controls to be incorporated with the subproject activity include but are not limited to:

**Equipment/Material Staging Area:** As necessary, appropriate controls shall be installed within and around the equipment and material staging areas to prevent potential pollutants from leaving the site. Controls may include covering, berming, or the use of silt fence, silt dike, or straw wattles. Equipment will be regularly inspected for safety, cleanliness and leaks. Equipment found to be leaking will be removed from service and repaired. Equipment will be parked on asphalt or concrete when possible. Plastic liners will be placed beneath any leaking equipment as necessary.

**Waste Disposal:** All litter, excavation debris, and any other waste material generated from construction sites will be disposed of properly.

**Sanitary Waste:** Portable lavatories will be used and maintained in accordance with manufacturer recommendations. Lavatory waste will be treated off-site.

**Dust Generation:** Where deemed necessary, dust generation shall be minimized with the application of water.

**Off-site Vehicle Tracking:** No contaminated soils will be tracked from the site's controlled areas. Any off-site tracking of sediment from non-contaminated excavation areas adjacent to paved roadways will be removed by sweeping. If sweeping is shown to be ineffective, a stabilized construction entrance shall be constructed with 6" of gravel.

**Storm Water Entering an Excavation:** In the event of storm water entering an open excavation, WGII will pump the water to a containment structure for LANL to sample for final disposition. If the water is uncontaminated WGII will discharge the containment water at LANL's direction.

**Petroleum Contaminated Soil:** Petroleum contaminated soil will be containerized per the Spill Preparedness Plan.

**Vehicle Fluids:** Vehicle fluids such as hydraulic fluid, motor oil, gasoline and diesel fuel will be containerized per the Spill Preparedness Plan.

**Excavation and Fill Materials:** Excavation and fill materials will be covered with plastic sheeting and silt fence, silt dike, and/or straw wattles will be used to control runoff.

### 4.4. Post VCM Activity Storm Water Management

Storm water management consists of measures installed during the project to control pollutants in storm water discharges that will occur after VCM operations have been completed. After VCM is completed, pollutants in storm water discharges will be controlled by the following measures:

- Silt fence: silt fence or silt dike will be installed downslope of disturbed areas to prevent the off-site transport of sediment or other pollutants
- Appropriate controls such as silt fence, silt dike, sandbags, and berms shall be installed within the site to control or direct the flow of storm water runoff and minimize sediment transport, as necessary

#### **4.5. Stabilization**

The PRS 21-011(k) site will be restored in accordance with a 200-year design plan, and returned to a pre-job natural condition. The site will be stabilized, restored, and revegetated according to a design plan created by a licensed landscape architect. This design plan will be maintained at the work site and in records storage at the WGII office in Los Alamos.

#### **4.6. Spill Prevention, Response & Reporting**

Spill prevention for this project includes inspecting equipment regularly for safety, cleanliness, and leaks. Appropriate controls at equipment and vehicle staging areas will be implemented. Equipment found to be leaking will be removed from service and repaired. Equipment will be parked on asphalt or concrete when possible. Plastic liners will be placed beneath any leaking equipment as necessary.

The discharge of hazardous substances or oil resulting from an on-site spill is not authorized under this Permit coverage. Spills or releases shall be reported in accordance with LANL LIR 402-130-01.1, Abnormal Events. If fire or explosion is present, or if the potential for such exists, the situation will be reported by dialing 911.

In accordance with LANL requirements, internal spill reporting will be completed in the event of any release. Spill reports will be completed by the LANL organization responsible for overseeing site operations, and copies of the reports will be maintained by both the responsible organization and ESH-18. Federal reporting is the responsibility of ESH-18, and the determination for such notification will be made by ESH-18 and the EM&R Office in accordance with Laboratory and DOE policies, and federal and state regulatory reporting requirements.

In the event of a release equal to or in excess of a reportable quantity, the SWPP Plan will be amended as stated in Section 1.6. All spills will be documented in the Spill Tracking Form (Appendix H).

**APPENDIX A:**

**Permit Regulations  
and  
Sample Posting Form**



# Federal Register

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Monday,  
October 30, 2000

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Part II

## Environmental Protection Agency

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**Final Reissuance of National Pollutant  
Discharge Elimination System (NPDES)  
Storm Water Multi-Sector General Permit  
for Industrial Activities; Notice**

Signed and issued this 15th day of September, 2000.

Linda M. Murphy,  
Director, Office of Ecosystem Protection,  
Region 1.

Signed and issued this 15th day of September, 2000.

Kathleen C. Callahan,  
Director, Division of Environmental Planning  
and Protection, Region 2.

Signed and issued this 15th day of September, 2000.

Joseph T. Piotrowski,  
Acting Director, Water Protection Division,  
Region 3.

Signed and issued this 12th day of September, 2000.

Douglas Mundrick,  
Acting Deputy Division Director, Water  
Management Division, Region 4.

Signed and issued this 27th day of September, 2000.

Sam Becker,  
Acting Director, Water Quality Protection  
Division, Region 6.

Signed and issued this 2d day of October, 2000.

Stephen S. Tuber,  
Acting Assistant Regional Administrator,  
Office of Partnerships and Regulatory  
Assistance, Region 8.

Signed and issued this 28th day of September, 2000.

Alexis Strauss,  
Director, Water Division, Region 9.

Signed and issued this 14th day of September, 2000.

Michael A. Bussell,  
Deputy Director, Office of Water, Region 10.

## NPDES Multi-Sector General Permits for Storm Water Discharges Associated With Industrial Activities

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Note: In the Spirit of the Agency's "Readable Regulations" policy, this permit was written as much as practicable in a more reader-friendly, plain language format that should make it easier for people less familiar with traditional EPA permits and regulations to read and understand the permit requirements. Terms like "you" and "your" are used to refer to the party(ies) that are operators of a discharge, applicants, permittees, etc. Terms like "must" are used

instead of "shall." Phrasing such as "If you . . . ." is used to identify conditions that may not apply to all permittees.

### 1. Coverage Under This Permit

#### 1.1 Permit Area

The permit language is structured as if it were a single permit, with State, Indian country land or other area-specific conditions contained in Part 13.

Permit coverage is actually provided by legally separate and distinctly numbered permits, all of which are contained herein, and which cover each of the areas listed in Parts 1.1.1 through 1.1.10.

Note: EPA can only provide permit coverage for areas and classes of discharges not within the scope of a State's NPDES authorization. For discharges not described

in an area of coverage below, please contact the appropriate State NPDES permitting authority to obtain a permit.

#### 1.1.1 EPA Region 1: CT, MA, ME, NH, RI, VT

The states of Connecticut, Rhode Island, and Vermont are the NPDES Permitting Authority for the majority of discharges within their respective states.

| Permit No.      | Areas of coverage/where EPA is permitting authority            |
|-----------------|--|
| CTR05*##1 ..... | Indian country lands within the State of Connecticut.          |
| MAR05*### ..... | Commonwealth of Massachusetts, except Indian country lands.    |
| MAR05*##1 ..... | Indian country lands within the Commonwealth of Massachusetts. |
| MER05*### ..... | State of Maine, except Indian country lands.                   |
| MER05*##1 ..... | Indian country lands within the State of Maine.                |
| NHR05*### ..... | State of New Hampshire.  |
| RIO05*##1 ..... | Indian country lands within the State of Rhode Island.         |
| VTR05*##F ..... | Federal Facilities in the State of Vermont.                    |

#### 1.1.2 EPA Region 2: NJ, NY, PR, VI

The state of New York is the NPDES Permitting Authority for the majority of discharges within that state. New Jersey and the Virgin Islands are the NPDES Permitting Authority for all discharges within their respective states.

| Permit No.      | Areas of coverage/where EPA is permitting authority |
|-----------------|---|
| PRR05*### ..... | The Commonwealth of Puerto Rico.                    |

#### 1.1.3 EPA REGION 3: DE, DC, MD, PA, VA, WV

The state of Delaware is the NPDES Permitting Authority for the majority of discharges within that state. Maryland, Pennsylvania, and Virginia, West Virginia are the NPDES Permitting Authority for all discharges within these states.

| Permit No.      | Areas of coverage/where EPA is permitting authority |
|-----------------|---|
| DCR05*### ..... | The District of Columbia.                           |
| DER05*##F ..... | Federal Facilities in the State of Delaware.        |

#### 1.1.4 EPA Region 4: AL, FL, GA, KY, MS, NC, SC, TN

The states of Alabama, Florida, Mississippi, and North Carolina are the NPDES Permitting Authority for the majority of discharges within their respective states. Georgia, Kentucky, South Carolina and Tennessee are the NPDES Permitting Authority for all discharges within their respective states.

| Permit No.      | Areas of coverage/where EPA is permitting authority      |
|-----------------|--|
| ALR05*##1 ..... | Indian country lands within the State of Alabama.        |
| FLR05*##1 ..... | Indian country lands within the State of Florida.        |
| MSR05*##1 ..... | Indian country lands within the State of Mississippi.    |
| NCR05*##1 ..... | Indian country lands within the State of North Carolina. |

#### 1.1.5 EPA Region 5: IL, IN, MI, MN, OH, WI

Coverage Not Available.

#### 1.1.6 EPA Region 6: AR, LA, OK, TX, NM (Except See Region 9 for Navajo Lands, and See Region 8 for Ute Mountain Reservation Lands)

The states of Louisiana, Oklahoma, and Texas are the NPDES Permitting Authority for the majority of discharges within their respective states. Arkansas is the NPDES Permitting Authority for all discharges within that state.

| Permit No.      | Areas of coverage/where EPA is permitting authority   |
|-----------------|---|
| LAR05*##1 ..... | Indian country lands within the State of Louisiana.   |
| NMR05*### ..... | The State of New Mexico, except Indian country lands.   |
| NMR05*##1 ..... | Indian country lands within the State of New Mexico, except Navajo Reservation Lands that are covered under Arizona permit AZR05*##1 listed in Part 1.1.9 and Ute Mountain Reservation Lands that are covered under Colorado permit COR05*##1 listed in Part 1.1.8.   |
| OKR05*##1 ..... | Indian country lands within the State of Oklahoma.  |
| OKR05*##F ..... | Facilities in the State of Oklahoma not under the jurisdiction of the Oklahoma Department of Environmental Quality, except those on Indian country lands. EPA-jurisdiction facilities include SIC codes 1311, 1381, 1382, 1389 and 5171 and point source (but not non-point source) discharges associated with agricultural production, services, and silviculture. |

| Permit No.      | Areas of coverage/where EPA is permitting authority   |
|-----------------|---|
| TXR05*##F ..... | Facilities in the State of Texas not under the jurisdiction of the Texas Natural Resource Conservation Commission, except those on Indian country lands. EPA-jurisdiction facilities include SIC codes 1311, 1321, 1381, 1382, and 1389 (other than oil field service company "home base" facilities).<br>Indian country lands within the State of Texas. |
| TXR05*##I ..... |   |

**1.1.7 EPA Region 7: IA, KS, MO, NE**

Coverage Not Available.

**1.1.8 EPA Region 8: CO, MT, ND, SD, WY, UT (Except See Region 9 for Goshute Reservation and Navajo Reservation Lands), the Ute Mountain Reservation in NM, and the Pine Ridge Reservation in NE**

The states of Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming are the NPDES Permitting Authority for the majority of discharges within their respective states.

| Permit No.      | Areas of coverage/where EPA is permitting authority   |
|-----------------|---|
| COR05*##F ..... | Federal Facilities in the State of Colorado, except those located on Indian country lands which are covered under Colorado permit COR05*##I below.  |
| COR05*##I ..... |   |
| MTR05*##I ..... | Reserved.   |
| NDR05*##I ..... |   |
| SDR05*##I ..... | Indian country lands within the State of North Dakota, including that portion of the Standing Rock Reservation located in South Dakota except Indian country within the former boundaries of the Lake Traverse Reservation that is covered under South Dakota permit SDR05*##I listed below.  |
| UTR05*##I ..... | Indian country lands within the State of South Dakota, including the portion of the Pine Ridge Reservation located in Nebraska and the portion of Indian country within the former boundaries of the Lake Traverse Reservation located in North Dakota except for the Standing Rock Reservation that is covered under North Dakota permit NDR05*##I listed above. |
| WYR05*##I ..... | Indian country lands within the State of Utah, except Goshute and Navajo Reservation lands that are covered under Arizona permit AZR05*##I (Goshute) listed in Part 1.1.9 and Nevada permit NVR05*##I (Navajo) listed in Part 1.1.9.  |
| WYR05*##I ..... | Indian country lands within the State of Wyoming.   |

**1.1.9 EPA Region 9: CA, HI, NV, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Goshute Reservation in UT and NV, the Navajo Reservation in UT, NM, and AZ, the Duck Valley Reservation in ID, and the Fort McDermitt Reservation in OR**

The states of California and Nevada are the NPDES Permitting Authority for the majority of discharges within their respective states. Hawaii is the NPDES Permitting Authority for all discharges within that state.

| Permit No.      | Areas of coverage/where EPA is permitting authority  |
|-----------------|--|
| ASR05*### ..... | The Island of American Samoa.  |
| AZR05*### ..... |  |
| AZR05*##I ..... | Indian country lands within the State of Arizona, including Navajo Reservation lands in New Mexico and Utah.   |
| CAR05*##I ..... | Indian country lands within the State of California.   |
| GUR05*### ..... |  |
| JAR05*### ..... | The Island of Guam.  |
| MWR05*### ..... | Johnston Atoll.  |
| NIR05*### ..... | Midway Island and Wake Island.   |
| NVR05*##I ..... | Commonwealth of the Northern Mariana Islands.  |
| NVR05*##I ..... | Indian country lands within the State of Nevada, including the Duck Valley Reservation in Idaho, the Fort McDermitt Reservation in Oregon and the Goshute Reservation in Utah. |

**1.1.10 Region 10: AK, ID (Except See Region 9 for Duck Valley Reservation Lands), OR (Except See Region 9 for Fort McDermitt Reservation), WA**

The states of Oregon and Washington are the NPDES Permitting Authority for the majority of discharges within their respective states. The 1995 Multi-Sector General Permit was issued in the State of Alaska on February 9, 1996 (61 FR 5247) and the terms and conditions of the 1995 permit are effective for facilities in Alaska through February 9, 2001. EPA will reissue this permit for the State of Alaska at a future date.

| Permit No.      | Areas of coverage/where EPA is permitting authority  |
|-----------------|--|
| AKR05*##I ..... | Indian country lands within Alaska.  |
| IDR05*### ..... |  |
| IDR05*##I ..... | The State of Idaho, except Indian country lands.   |
| ORR05*##I ..... | Indian country lands within the State of Idaho, except Duck Valley Reservation lands which are covered under Nevada permit NVR05*##I listed in Part 1.1.9.   |
| WAR05*##I ..... | Indian country lands within the State of Oregon except Fort McDermitt Reservation lands that are covered under Nevada permit NVR05*##I listed in Part 1.1.9. |
| WAR05*##F ..... | Indian country lands within the State of Washington.   |
| WAR05*##F ..... | Federal Facilities in the State of Washington, except those located on Indian country lands.   |

## 1.2 Eligibility

You must maintain permit eligibility to discharge under this permit. Any discharges that are not compliant with the eligibility conditions of this permit are not authorized by the permit and you must either apply for a separate permit to cover those ineligible discharges or take necessary steps to make the discharges eligible for coverage.

## 1.2.1 Facilities Covered

Your permit eligibility is limited to discharges from facilities in the "sectors" of industrial activity based on Standard Industrial Classification (SIC) codes and Industrial Activity Codes summarized in Table 1-1. References to "sectors" in this permit (e.g., sector-specific monitoring requirements, etc.) refer to these sectors.

TABLE 1-1.—SECTORS OF INDUSTRIAL ACTIVITY COVERED BY THIS PERMIT

| SIC code or activity code <sup>1</sup>                               | Activity represented  |
|--|---|
| <b>Sector A: Timber Products</b>                                     |   |
| 2411 .....   | Log Storage and Handling (Wet deck storage areas only authorized if no chemical additives are used in the spray water or applied to the logs).  |
| 2421 .....   | General Sawmills and Planning Mills.  |
| 2426 .....   | Hardwood Dimension and Flooring Mills.  |
| 2429 .....   | Special Product Sawmills, Not Elsewhere Classified.   |
| 2431-2439 (except 2434) .....  | Millwork, Veneer, Plywood, and Structural Wood (see Sector W).  |
| 2448, 2449 .....   | Wood Containers.  |
| 2451, 2452 .....   | Wood Buildings and Mobile Homes.  |
| 2491 .....   | Wood Preserving.  |
| 2493 .....   | Reconstituted Wood Products.  |
| 2499 .....   | Wood Products, Not Elsewhere Classified.  |
| <b>Sector B: Paper and Allied Products</b>                           |   |
| 2611 .....   | Pulp Mills.   |
| 2621 .....   | Paper Mills.  |
| 2631 .....   | Paperboard Mills.   |
| 2652-2657 .....  | Paperboard Containers and Boxes.  |
| 2671-2679 .....  | Converted Paper and Paperboard Products, Except Containers and Boxes.   |
| <b>Sector C: Chemical and Allied Products</b>                        |   |
| 2812-2819 .....  | Industrial Inorganic Chemicals.   |
| 2821-2824 .....  | Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers Except Glass.  |
| 2833-2836 .....  | Medicinal chemicals and botanical products; pharmaceutical preparations; in vitro and in vivo diagnostic substances; biological products, except diagnostic substances.                         |
| 2841-2844 .....  | Soaps, Detergents, and Cleaning Preparations; Perfumes, Cosmetics, and Other Toilet Preparations.   |
| 2851 .....   | Paints, Varnishes, Lacquers, Enamels, and Allied Products.  |
| 2861-2869 .....  | Industrial Organic Chemicals.   |
| 2873-2879 .....  | Agricultural Chemicals.   |
| 2873 .....   | Facilities that Make Fertilizer Solely from Leather Scraps and Leather Dust.  |
| 2891-2899 .....  | Miscellaneous Chemical Products.  |
| 3952 (limited to list) .....   | Inks and Paints, Including China Painting Enamels, India Ink, Drawing Ink, Platinum Paints for Burnt Wood or Leather Work, Paints for China Painting, Artist's Paints and Artist's Watercolors. |
| <b>Sector D: Asphalt Paving and Roofing Materials and Lubricants</b> |   |
| 2951, 2952 .....   | Asphalt Paving and Roofing Materials.   |
| 2992, 2999 .....   | Miscellaneous Products of Petroleum and Coal.   |
| <b>Sector E: Glass Clay, Cement, Concrete, and Gypsum Products</b>   |   |
| 3211 .....   | Flat Glass.   |
| 3221, 3229 .....   | Glass and Glassware, Pressed or Blown.  |
| 3231 .....   | Glass Products Made of Purchased Glass.   |
| 3241 .....   | Hydraulic Cement.   |
| 3251-3259 .....  | Structural Clay Products.   |
| 3261-3269 .....  | Pottery and Related Products.   |
| 3271-3275 .....  | Concrete, Gypsum and Plaster Products.  |
| 3291-3299 .....  | Abrasive, Asbestos, and Miscellaneous Nonmetallic Mineral Products.   |
| <b>Sector F: Primary Metals</b>                                      |   |
| 3312-3317 .....  | Steel Works, Blast Furnaces, and Rolling and Finishing Mills.   |
| 3321-3325 .....  | Iron and Steel Foundries.   |
| 3331-3339 .....  | Primary Smelting and Refining of Nonferrous Metals.   |
| 3341 .....   | Secondary Smelting and Refining of Nonferrous Metals.   |
| 3351-3357 .....  | Rolling, Drawing, and Extruding of Nonferrous Metals.   |

TABLE 1-1.—SECTORS OF INDUSTRIAL ACTIVITY COVERED BY THIS PERMIT—Continued

| SIC code or activity code <sup>1</sup>                                      | Activity represented                               |
|---|--|
| 3363-3369 .....   | Nonferrous Foundries (Castings).                   |
| 3398, 3399 .....  | Miscellaneous Primary Metal Products.              |
| <b>Sector G: Metal Mining (Ore Mining and Dressing)</b>                     |  |
| 1011 .....  | Iron Ores.   |
| 1021 .....  | Copper Ores.                                       |
| 1031 .....  | Lead and Zinc Ores.                                |
| 1041, 1044 .....  | Gold and Silver Ores.                              |
| 1061 .....  | Ferroalloy Ores, Except Vanadium.                  |
| 1081 .....  | Metal Mining Services.                             |
| 1094, 1099 .....  | Miscellaneous Metal Ores.                          |
| <b>Sector H: Coal Mines and Coal Mining Related Facilities</b>              |  |
| 1221-1241 .....   | Coal Mines and Coal Mining-Related Facilities.     |
| <b>Sector I: Oil and Gas Extraction and Refining</b>                        |  |
| 1311 .....  | Crude Petroleum and Natural Gas.                   |
| 1321 .....  | Natural Gas Liquids.                               |
| 1381-1389 .....   | Oil and Gas Field Services.                        |
| 2911 .....  | Petroleum Refineries.                              |
| <b>Sector J: Mineral Mining and Dressing</b>                                |  |
| 1411 .....  | Dimension Stone.                                   |
| 1422-1429 .....   | Crushed and Broken Stone, Including Rip Rap.       |
| 1442, 1446 .....  | Sand and Gravel                                    |
| 1455, 1459 .....  | Clay, Ceramic, and Refractory Materials.           |
| 1474-1479 .....   | Chemical and Fertilizer Mineral Mining.            |
| 1481 .....  | Nonmetallic Minerals Services, Except Fuels.       |
| 1499 .....  | Miscellaneous Nonmetallic Minerals, Except Fuels.  |
| <b>Sector K: Hazardous Waste Treatment, Storage, or Disposal Facilities</b> |  |
| HZ .....  | Hazardous Waste Treatment Storage or Disposal.     |
| <b>Sector L: Landfills and Land Application Sites</b>                       |  |
| LF .....  | Landfills, Land Application Sites, and Open Dumps. |
| <b>Sector M: Automobile Salvage Yards</b>                                   |  |
| 5015 .....  | Automobile Salvage Yards.                          |
| <b>Sector N: Scrap Recycling Facilities</b>                                 |  |
| 5093 .....  | Scrap Recycling Facilities.                        |
| <b>Sector O: Steam Electric Generating Facilities</b>                       |  |
| SE .....  | Steam Electric Generating Facilities.              |
| <b>Sector P: Land Transportation and Warehousing</b>                        |  |
| 4011, 4013 .....  | Railroad Transportation.                           |
| 4111-4173 .....   | Local and Highway Passenger Transportation.        |
| 4212-4231 .....   | Motor Freight Transportation and Warehousing.      |
| 4311 .....  | United States Postal Service.                      |
| 5171 .....  | Petroleum Bulk Stations and Terminals.             |
| <b>Sector Q: Water Transportation</b>                                       |  |
| 4412-4499 .....   | Water Transportation.                              |
| <b>Sector R: Ship and Boat Building or Repairing Yards</b>                  |  |
| 3731, 3732 .....  | Ship and Boat Building or Repairing Yards.         |
| <b>Sector S: Air Transportation</b>   |  |
| 4512-4581 .....   | Air Transportation Facilities.                     |

TABLE 1-1.—SECTORS OF INDUSTRIAL ACTIVITY COVERED BY THIS PERMIT—Continued

| SIC code or activity code <sup>1</sup>  | Activity represented  |
|---|---|
| <b>Sector T: Treatment Works</b>  |   |
| TW .....  | Treatment Works.  |
| <b>Sector U: Food and Kindred Products</b>  |   |
| 2011-2015 .....   | Meat Products.  |
| 2021-2026 .....   | Dairy Products.   |
| 2032 .....  | Canned, Frozen and Preserved Fruits, Vegetables and Food Specialties.   |
| 2041-2048 .....   | Grain Mill Products.  |
| 2051-2053 .....   | Bakery Products.  |
| 2061-2068 .....   | Sugar and Confectionery Products.   |
| 2074-2079 .....   | Fats and Oils.  |
| 2082-2087 .....   | Beverages.  |
| 2091-2099 .....   | Miscellaneous Food Preparations and Kindred Products.   |
| 2111-2141 .....   | Tobacco Products.   |
| <b>Sector V: Textile Mills, Apparel, and Other Fabric Product Manufacturing, Leather and Leather Products</b> |   |
| 2211-2299 .....   | Textile Mill Products.  |
| 2311-2399 .....   | Apparel and Other Finished Products Made From Fabrics and Similar Materials.  |
| 3131-3199 (except 3111) .....   | Leather and Leather Products, except Leather Tanning and Finishing (see Sector Z).  |
| <b>Sector W: Furniture and Fixtures</b>   |   |
| 2434 .....  | Wood Kitchen Cabinets.  |
| 2511-2599 .....   | Furniture and Fixtures.   |
| <b>Sector X: Printing and Publishing</b>  |   |
| 2711-2796 .....   | Printing, Publishing, and Allied Industries.  |
| <b>Sector Y: Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries.</b>          |   |
| 3011 .....  | Tires and Inner Tubes.  |
| 3021 .....  | Rubber and Plastics Footwear.   |
| 3052, 3053 .....  | Gaskets, Packing, and Sealing Devices and Rubber and Plastics Hose and Belting.   |
| 3061, 3069 .....  | Fabricated Rubber Products, Not Elsewhere Classified.   |
| 3081-3089 .....   | Miscellaneous Plastics Products.  |
| 3931 .....  | Musical Instruments.  |
| 3942-3949 .....   | Dolls, Toys, Games and Sporting and Athletic Goods.   |
| 3951-3955 (except 3952 facilities as specified in Sector C) .....   | Pens, Pencils, and Other Artists' Materials.  |
| 3961, 3965 .....  | Costume Jewelry, Costume Novelties, Buttons, and Miscellaneous Notions, Except Precious Metal.  |
| 3991-3999 .....   | Miscellaneous Manufacturing Industries.   |
| 3411-3499 .....   | Fabricated Metal Products, Except Machinery and Transportation Equipment.   |
| 3911-3915 .....   | Jewelry, Silverware, and Plated Ware.   |
| <b>Sector AB: Transportation Equipment, Industrial or Commercial Machinery</b>                                |   |
| 3511-3599 (except 3571-3579) .....  | Industrial and Commercial Machinery (except Computer and Office Equipment) (see Sector AC).   |
| 3711-3799 (except 3731, 3732) .....   | Transportation Equipment (except Ship and Boat Building and Repairing) (see Sector R).  |
| <b>Sector AC: Electronic, Electrical, Photographic, and Optical Goods</b>                                     |   |
| 3571-3579 .....   | Computer and Office Equipment.  |
| 3612-3699 .....   | Electronic, Electrical Equipment and Components, except Computer Equipment.   |
| 3812 .....  | Measuring, Analyzing and Controlling Instrument; Photographic and Optical Goods.  |
| <b>Sector AD: Non-Classified Facilities</b>   |   |
| N/A .....   | Other storm water discharges designated by the Director as needing a permit (see 40 CFR 122.26(g)(1)(I)) or any facility discharging storm water associated with industrial activity not described by any of Sectors A-AC. <b>Note:</b> Facilities may not elect to be covered under Sector AD. Only the Director may assign a facility to Sector AD. |

<sup>1</sup> A complete list of SIC codes (and conversions from the newer North American Industry Classification System (NAICS)) can be obtained from the Internet at <http://www.census.gov/epcd/www/naics.html> or in paper form from various locations in the document entitled "Handbook of Standard Industrial Classifications," Office of Management and Budget, 1987. Industrial activity codes are provided on the Multi-Sector General Permit Notice of Intent (NOI) application form (EPA Form Number 3510-6).

**1.2.1.1 Co-located Activities.** If you have co-located industrial activities on-site that are described in a sector(s) other than your primary sector, you must comply with all other applicable sector-specific conditions found in Part 6 for the co-located industrial activities. The extra sector-specific requirements are applied only to those areas of your facility where the extra-sector activities occur. An activity at a facility is not considered co-located if the activity, when considered separately, does not meet the description of a category of industrial activity covered by the storm water regulations, and identified by the MSGP-2000 SIC code list. For example, unless you are actually hauling substantial amounts of freight or materials with your own truck fleet or are providing a trucking service to outsiders, simple maintenance of vehicles used at your facility is unlikely to meet the SIC code group 42 description of a motor freight transportation facility. Even though Sector P may not apply, the runoff from your vehicle maintenance facility would likely still be considered storm water associated with industrial activity. As

such, your SWPPP must still address the runoff from the vehicle maintenance facility—although not necessarily with the same degree of detail as required by Sector P—but you would not be required to monitor as per Sector P.

If runoff from co-located activities commingles, you must monitor the discharge as per the requirements of all applicable sectors (regardless of the actual location of the discharge). If you comply with all applicable requirements from all applicable sections of Part 6 for the co-located industrial activities, the discharges from these co-located activities are authorized by this permit.

**1.2.2 Discharges Covered**

**1.2.2.1 Allowable Storm Water Discharges.** Subject to compliance with the terms and conditions of this permit, you are authorized to discharge pollutants in:

**1.2.2.1.1** Discharges of storm water runoff associated with industrial activities as defined in 40 CFR 122.26 (b)(14)(i-ix and xi) from the sectors of industry described in Table 1-1, and that are specifically identified by outfall or discharge location in the Storm Water

Pollution Prevention Plan (see Part 4.2.2.3.7);

**1.2.2.1.2** Non-storm water discharges as noted in Part 1.2.2.2 or otherwise specifically allowed by the permit;

**1.2.2.1.3** Discharges subject to an effluent guideline listed in Table 1-2 that also meet all other eligibility requirements of the permit. Interim coverage is also available for discharges subject to a new storm water effluent limitation guideline promulgated after the effective date of this permit. Discharges subject to a New Source Performance Standard (NSPS) effluent guideline must also meet the requirements of Part 1.2.4.;

**1.2.2.1.4** Discharges designated by the Director as needing a storm water permit under 40 CFR 122.26(a)(1)(v) or under 122.26(a)(9) and 122.26(g)(1)(i); and

**1.2.2.1.5** Discharges comprised of a discharge listed in Parts 1.2.2.1.1 to 1.2.2.1.4 above commingled with a discharge authorized by a different NPDES permit and/or a discharge that does not require NPDES permit authorization.

**TABLE 1-2.—EFFLUENT GUIDELINES APPLICABLE TO DISCHARGES THAT MAY BE ELIGIBLE FOR PERMIT COVERAGE**

| Effluent guideline   | New source performance standards included in effluent guidelines? | Sectors with affected facilities |
|--|---|----------------------------------|
| Runoff from material storage piles at cement manufacturing facilities [40 CFR Part 411 Subpart C (established February 23, 1977)].                         | Yes .....   | E                                |
| Contaminated runoff from phosphate fertilizer manufacturing facilities [40 CFR Part 418 Subpart A (established April 8, 1974)].                            | Yes .....   | C                                |
| Coal pile runoff at steam electric generating facilities [40 CFR Part 423 (established November 19, 1982)] .....   | Yes .....   | O                                |
| Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas [40 CFR Part 429, Subpart I (established January 26, 1981)]. | Yes .....   | A                                |
| Mine dewatering discharges at crushed stone mines [40 CFR part 436, Subpart B] .....   | No .....  | J                                |
| Mine dewatering discharges at construction sand and gravel mines [40 CFR part 436, Subpart C] .....  | No .....  | J                                |
| Mine dewatering discharges at industrial sand mines [40 CFR part 436, Subpart D] .....   | No .....  | J                                |
| Runoff from asphalt emulsion facilities [40 CFR Part 443 Subpart A (established July 24, 1975)] .....  | Yes .....   | D                                |
| Runoff from landfills, [40 CFR Part 445, Subpart A and B (established February 2, 2000)] .....   | Yes .....   | K & L                            |

**1.2.2.2 Allowable Non-Storm Water Discharges.** You are also authorized for the following non-storm water discharges, provided the non-storm water component of your discharge is in compliance with Part 4.4.2 (non-storm water discharges):

- 1.2.2.2.1 Discharges from fire fighting activities;
- 1.2.2.2.2 Fire hydrant flushings;
- 1.2.2.2.3 Potable water including water line flushings;
- 1.2.2.2.4 Uncontaminated air conditioning or compressor condensate;
- 1.2.2.2.5 Irrigation drainage;
- 1.2.2.2.6 Landscape watering provided all pesticides, herbicides, and

fertilizer have been applied in accordance with manufacturer's instructions;

**1.2.2.2.7** Pavement wash waters where no detergents are used and no spills or leaks of toxic or hazardous materials have occurred (unless all spilled material has been removed);

**1.2.2.2.8** Routine external building wash down which does not use detergents;

**1.2.2.2.9** Uncontaminated ground water or spring water;

**1.2.2.2.10** Foundation or footing drains where flows are not contaminated with process materials such as solvents;

**1.2.2.2.11** 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).

**1.2.3 Limitations on Coverage**

**1.2.3.1 Prohibition on Discharges Mixed with Non-Storm Water.** You are not authorized for discharges that are mixed with sources of non-storm water. This exclusion does not apply to discharges identified in Part 1.2.2.2, provided the discharges are in compliance with Part 4.4.2 (Storm

Water Pollution Prevention Plan requirements for authorized non-storm water discharges), and to any discharge explicitly authorized by the permit.

1.2.3.2 *Storm Water Discharges Associated with Construction Activity.* You are not authorized for storm water discharges associated with construction activity as defined in 40 CFR 122.26(b)(14)(x) or 40 CFR 122.26(b)(15).

1.2.3.3 *Discharges Currently or Previously Covered by Another Permit.* You are not authorized for the following:

1.2.3.3.1 Storm water discharges associated with industrial activity that are currently covered under an individual permit or an alternative general permit.

1.2.3.3.2 Discharges previously covered by an individual permit or alternative general permit (except the 1992 "Baseline" or the 1995 Multi-Sector NPDES General Permits for Storm Water Discharges Associated With Industrial Activity) that has expired, or been terminated at the request of the permittee unless:

1.2.3.3.2.1 The individual permit did not contain numeric water quality-based limitations developed for the storm water component of the discharge; and

1.2.3.3.2.2 The permittee includes any specific BMPs for storm water required under the individual permit in the SWPPP required under Part 4 of this permit.

1.2.3.3.3 Storm water discharges associated with industrial activity from facilities where any NPDES permit has been or is in the process of being denied, terminated, or revoked by the Director (other than in a replacement permit issuance process). Upon request, the Director may waive this exclusion if operator of the facility has since passed to a different owner/operator and new circumstances at the facility justify a waiver.

1.2.3.4 *Discharges Subject to Effluent Limitations Guidelines.* You are not authorized for discharges subject to any effluent limitation guideline that is not included in Table 1-2. For discharges subject to a New Source Performance Standard (NSPS) effluent guideline identified in Table 1-2, you must comply with Part 1.2.4 prior to being eligible for permit coverage.

1.2.3.5 *Discharge Compliance with Water Quality Standards.* You are not authorized for storm water discharges that the Director determines will cause, or have reasonable potential to cause or contribute to, violations of water quality standards. Where such determinations have been made, the Director may notify

you that an individual permit application is necessary in accordance with Part 9.12. However, the Director may authorize your coverage under this permit after you have included appropriate controls and implementation procedures designed to bring your discharges into compliance with water quality standards in your Storm Water Pollution Prevention Plan.

1.2.3.6 *Endangered and Threatened Species or Critical Habitat Protection.* You are not authorized for discharges that do not avoid unacceptable effects on Federally listed endangered and threatened ("listed") species or designated critical habitat ("critical habitat").

**Caution:** Additional endangered and threatened species have been listed and critical habitat designated since the 1995 MSGP was issued. Even if you were previously covered by the 1995 MSGP, you must determine eligibility for this permit through the processes described below and in Addendum A. Where applicable, you may incorporate information from your previous endangered species analysis in your documentation of eligibility for this permit.

1.2.3.6.1 Coverage under this permit is available only if your storm water discharges, allowable non-storm water discharges, and discharge-related activities are not likely to jeopardize the continued existence of any species that are listed as endangered or threatened ("listed") under the ESA or result in the adverse modification or destruction of habitat that is designated or proposed to be designated as critical under the ESA ("critical habitat"). Submission of a signed NOI will be deemed to also constitute your certification of eligibility.

1.2.3.6.2 "Discharge-related activities" include: activities which cause, contribute to, or result in storm water point source pollutant discharges; and measures to control storm water discharges including the siting, construction and operation of best management practices (BMPs) to control, reduce or prevent storm water pollution.

1.2.3.6.3 *Determining Eligibility:* You must use the most recent Endangered and Threatened Species County-Species List available from EPA and the process in Addendum A (ESA Screening Process) to determine your eligibility *PRIOR* to submittal of your NOI. As of the effective date of this permit, the most current version of the List is located on the EPA Office of Water Web site at <http://www.epa.gov/owm/esalst2.htm>. You must meet one or more of the criteria in 1.2.3.6.3.1 through 1.2.3.6.3.5 below for the entire term of coverage under the permit. You

must include a certification of eligibility and supporting documentation on the eligibility determination in your Storm Water Pollution Prevention Plan.

1.2.3.6.3.1 *Criteria A:* No endangered or threatened species or critical habitat are in proximity to your facility or the point where authorized discharges reach the receiving water; or

1.2.3.6.3.2 *Criteria B:* In the course of a separate federal action involving your facility (e.g., EPA processing request for an individual NPDES permit, issuance of a CWA § 404 wetlands dredge and fill permit, etc.), formal or informal consultation with the Fish and Wildlife Service and/or the National Marine Fisheries Service (the "Services") under section 7 of the Endangered Species Act (ESA) has been concluded and that consultation:

(a) Addressed the effects of your storm water discharges, allowable non-storm water discharges, and discharge-related activities on listed species and critical habitat and

(b) The consultation resulted in either a no jeopardy opinion or a written concurrence by the Service on a finding that your storm water discharges, allowable non-storm water discharges, and discharge-related activities are not likely to adversely affect listed species or critical habitat; or

1.2.3.6.3.3 *Criteria C:* Your activities are authorized under section 10 of the ESA and that authorization addresses the effects of your storm water discharges, allowable non-storm water discharges, and discharge-related activities on listed species and critical habitat; or

1.2.3.6.3.4 *Criteria D:* Using best judgement, you have evaluated the effects of your storm water discharges, allowable non-storm water discharges, and discharge-related activities on listed endangered or threatened species and critical habitat and do not have reason to believe listed species or critical habitat would be adversely affected.

1.2.3.6.3.5 *Criteria E:* Your storm water discharges, allowable non-storm water discharges, and discharge-related activities were already addressed in another operator's certification of eligibility under Part 1.2.3.6.3.1 through 1.2.3.6.3.4 which included your facility's activities. By certifying eligibility under this Part, you agree to comply with any measures or controls upon which the other operator's certification was based;

1.2.3.6.4 The Director may require any permittee or applicant to provide documentation of the permittee or applicant's determination of eligibility for this permit using the procedures in Addendum A where EPA or the Fish

and Wildlife and/or National Marine Fisheries Services determine that there is a potential impact on endangered or threatened species or a critical habitat.

1.2.3.6.5 You are not authorized to discharge if the discharges or discharge-related activities cause a prohibited "take" of endangered or threatened species (as defined under section 3 of the Endangered Species Act and 50 CFR 17.3), unless such takes are authorized under sections 7 or 10 of the Endangered Species Act.

1.2.3.6.6 You are not authorized for any discharges where the discharges or discharge-related activities are likely to jeopardize the continued existence of any species that are listed as endangered or threatened under the ESA or result in the adverse modification or destruction of habitat that is designated or proposed to be designated as critical under the ESA.

1.2.3.6.7 The Endangered Species Act (ESA) provisions upon which part 1.2.3.6 is based do not apply to state-issued permits. Should administration of all or a portion of this permit be transfer to a State as a result of that State assuming the NPDES program pursuant to Clean Water Act § 402(b), Part 1.2.3.6 will not apply to any new NOIs submitted to the State after the State assumes administration of the permit (unless otherwise provided in the state program authorization agreement). Likewise, any other permit conditions based on Part 1.2.3.6 will no longer apply to new NOIs accepted by the NPDES-authorized state.

1.2.3.7 *Storm water Discharges and Storm Water Discharge-Related Activities with Unconsidered Adverse Effects on Historic Properties.*

1.2.3.7.1 *Determining Eligibility:* In order to be eligible for coverage under this permit, you must be in compliance with the National Historic Preservation Act. Your discharges may be authorized under this permit only if:

1.2.3.7.1.1 *Criteria A:* Your storm water discharges, allowable non-storm water discharges, and discharge-related activities do not affect a property that is listed or is eligible for listing on the National Register of Historic Places as maintained by the Secretary of the Interior; or

1.2.3.7.1.2 *Criteria B:* You have obtained and are in compliance with a written agreement with the State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Officer (THPO) that outlines all measures you will undertake to mitigate or prevent adverse effect to the historic property.

1.2.3.7.2 Addendum B of this permit provides guidance and references to

assist you with determining your permit eligibility concerning this provision.

1.2.3.8 *Discharges to Water Quality-Impaired or Water Quality-Limited Receiving Waters.*

1.2.3.8.1 You are not authorized to discharge if your discharge is prohibited under 40 CFR 122.4(i).

1.2.3.8.2 You are not authorized to discharge any pollutant into any water for which a Total Maximum Daily Load (TMDL) has been either established or approved by the EPA unless your discharge is consistent with that TMDL.

1.2.3.9 *Storm Water Discharges Subject to Anti-degradation Water Quality Standards.* You are not authorized for discharges that do not comply with your State or Tribe's anti-degradation policy for water quality standards. State and Tribal anti-degradation policies can be obtained from the appropriate State or Tribal environmental office or their Internet sites.

1.2.4 *Discharges Subject to New Source Performance Standards (NSPS)<sup>1</sup>*

1.2.4.1 *Documentation of New Source Review.* If you have a discharge(s) subject to a NSPS effluent guideline, you must obtain and retain the following on site prior to the submittal of your Notice of Intent:

1.2.4.1.1 Documentation from EPA of "No Significant Impact" or

1.2.4.1.2 A completed Environmental Impact Statement in accordance with an environmental review conducted by EPA pursuant to 40 CFR 6.102(a)(6).

1.2.4.2 *Initiating a New Source Review.* If the Agency's decision has not been obtained, you may use the format and procedures specified in Addendum C to submit information to EPA to initiate the process of the environmental review.

To maintain eligibility, you must implement any mitigation required of the facility as a result of the National Environmental Policy Act (NEPA) review process. Failure to implement mitigation measures upon which the Agency's NEPA finding is based is

<sup>1</sup> NSPS apply only to discharges from those facilities or installations that were constructed after the promulgation of NSPS. For example, storm water discharges from areas where the production of asphalt paving and roofing emulsions occurs are subject to NSPS only if the asphalt emulsion facility was constructed after July 24, 1975.

<sup>2</sup> The provisions specified in Part 1.2.2.3 and Part 1.2.4 related to documenting New Source reviews are requirements of Federal programs under the National Environmental Policy Act of 1969 and will not apply to such facilities in the event that authority for the NPDES program has been assumed by the State/Tribe agency and administration of this permit has been transferred to the State/Tribe.

grounds for termination of permit coverage.

1.2.4.3 *NEPA Requirements after State Assumption of this Permit.* The National Environmental Policy Act (NEPA) provisions upon which part 1.2.4 is based do not apply to state-issued permits. Should administration of all or a portion of this permit be transfer to a State as a result of that State assuming the NPDES program pursuant to Clean Water Act § 402(b), Part 1.2.4 will not apply to any new NOIs submitted to the State after the State assumes administration of the permit. Likewise, any other permit conditions based on Part 1.2.4 will no longer apply to new NOIs accepted by the NPDES-authorized state.

1.3 *How To Obtain Authorization Under This Permit*

1.3.1 *Basic Eligibility*

You may be authorized under this permit only if you have a discharge of storm water associated with industrial activity from your facility. In order to obtain authorization under this permit, you must:

1.3.1.1 Meet the Part 1.2 eligibility requirements; and

1.3.1.2 Develop and implement a Storm Water Pollution Prevention Plan (SWPPP) (see definition in Part 12) according to the requirements in Part 4 of this permit.

1.3.1.3 Submit a complete Notice of Intent (NOI) in accordance with the requirements of Part 2 of this permit. Any new operator at a facility, including those who replace an operator who has previously obtained permit coverage, must submit an NOI to be covered for discharges for which they are the operator.

1.3.2 *Effective Date of Permit Coverage*

Unless notified by the Director to the contrary, if you submit a correctly completed NOI in accordance with the requirements of this permit, you are authorized to discharge under the terms and conditions of this permit two (2) days after the date the NOI is postmarked (but in no event, earlier than the effective date of the permit). The Director may deny coverage under this permit and require submission of an application for an individual NPDES permit based on a review of your NOI or other information (see Part 9.12). Authorization to discharge is not automatically granted two days after the NOI is mailed if your NOI is materially incomplete (e.g., critical information left off, NOI unsigned, etc.) or if your discharge(s) is not eligible for coverage by the permit.

## 1.4 Terminating Coverage

### 1.4.1 Submitting a Notice of Termination

If you wish to terminate coverage under this permit, you must submit a Notice of Termination (NOT) in accordance with Part 11 of this permit. You must continue to comply with this permit until you submit an NOT. Your authorization to discharge under the permit terminates at midnight of the day the NOT is signed.

### 1.4.2 When to Submit an NOT

You must submit an NOT within thirty (30) days after one or more of the following conditions have been met:

1.4.2.1 A new owner/operator has assumed responsibility for the facility.

1.4.2.2 You have ceased operations at the facility and there no longer are discharges of storm water associated with industrial activity from the facility and you have already implemented necessary sediment and erosion controls as required by Part 4.2.7.2.2.1

### 1.4.3 Discharges After the NOT Is Submitted

Enforcement actions may be taken if you submit an NOT without meeting one or more of these conditions, unless you have obtained coverage under an alternate permit or have satisfied the requirements of Part 1.5.

## 1.5 Conditional Exclusion for No Exposure

If you are covered by this permit, but later are able to file a "no exposure" certification to be excluded from permitting under 40 CFR 122.26(g), you are no longer authorized by nor required to comply with this permit. If you are no longer required to have permit coverage due to a "no exposure" exclusion, you are not required to submit a Notice of Termination.

## 2. Notice of Intent Requirements

### 2.1 Notice of Intent (NOI) Deadlines

Your NOI must be submitted in accordance with the deadlines in Table 2-1. You must meet all applicable eligibility conditions of Part 1.2 before you submit your NOI.

TABLE 2.-1—DEADLINES FOR NOI SUBMITTAL

| Category   | Deadline           |
|--|--------------------|
| 1. Existing discharges covered under the 1995 MSGP (see also Part 2.1.2—Interim Coverage). | December 29, 2000. |

TABLE 2.-1—DEADLINES FOR NOI SUBMITTAL—Continued

| Category   | Deadline   |
|--|--|
| 2. New discharges ....                                 | Two (2) days prior to commencing operation of the facility with discharges of storm water associated with industrial activity. |
| 3. New owner/operator of existing discharges.          | Two (2) days prior to taking operational control of the facility.  |
| 4. Continued coverage when the permit expires in 2005. | See Part 9.2   |

Only one NOI need be submitted to cover all of your activities at the facility (e.g., you do not need to submit a separate NOI for each separate type of industrial activity located at a facility or industrial complex, provided your SWPPP covers each area for which you are an operator).

### 2.1.1 Submitting a Late NOI

You are not prohibited from submitting an NOI after the dates provided in Table 2-1. If a late NOI is submitted, your authorization is only for discharges that occur after permit coverage is granted. The Agency reserves the right to take appropriate enforcement actions for any unpermitted discharges.

### 2.1.2 Interim Permit Coverage for 1995 MSGP Permittees

If you had coverage for your facility under the 1995 MSGP, you may be eligible for continued coverage under this permit on an interim basis.

2.1.2.1 *Discharges Authorized Under the 1995 MSGP.* If permit coverage for your facility under the 1995 MSGP was effective as of the date the 1995 MSGP expired (or the date this permit replaced the 1995 MSGP if earlier), your authorization is automatically continued into this replacement permit on an interim basis for up to ninety (90) days from the effective date of the permit. Interim coverage will terminate earlier than the 90 days when an NOI has been submitted and coverage either granted or denied; or after submittal of an NOT.

2.1.2.2 *Discharges Authorized Under the 1995 MSGP, But Not Clearly Eligible for Coverage Under This Permit.* If you were previously covered by the 1995 MSGP, but cannot meet (or cannot immediately determine if you meet) the eligibility requirements of this permit, you may nonetheless be authorized

under this permit for a period not to exceed 270 days from the date this permit is published in the Federal Register, provided you submit an application for an alternative permit within 90 days from the permit publication date.

2.1.2.3 *Interim Coverage Permit Requirements.* While you are operating under interim coverage status, you must:

2.1.2.3.1 Submit a complete NOI (see Part 2.2) by the deadlines listed in Table 2-1 or Part 2.1.2.2 above.

2.1.2.3.2 Comply with the terms and conditions of the 1995 MSGP.

2.1.2.3.3 Update your Storm Water Pollution Prevention Plan to comply with the requirements of this permit within 90 days after the effective date of this permit.

## 2.2 Contents of Notice of Intent (NOI)

Your NOI for coverage under this permit must include the following information:

### 2.2.1 Permit Selection

2.2.1.1 If you were covered under the previous MSGP, provide the permit number assigned to your facility.

### 2.2.2 Owner/Operator Information

2.2.2.1 The name, address, and telephone number of the operator (e.g., your company, etc.) filing the NOI for permit coverage;

### 2.2.3 Facility Information

2.2.3.1 The name (or other identifier), address, county, and latitude/longitude of the facility for which the NOI is submitted;

2.2.3.2 An indication of whether you are a Federal, State, Tribal, private, or other public entity;

2.2.3.3 An indication of whether the facility is located on Indian country lands;

2.2.3.4 Certification that a Storm Water Pollution Prevention Plan (SWPPP) meeting the requirements of Part 4 has been developed (including attaching a copy of this permit to the plan);

2.2.3.5 The name of the receiving water(s);

2.2.3.6 The name of the municipal operator if the discharge is through a municipal separate storm sewer system, unless you are the owner/operator of that municipal separate storm sewer system;

2.2.3.7 Identification of applicable sector(s) in this permit, as designated in Table 1-1, that cover the discharges associated with industrial activity you wish to cover under this permit;

2.2.3.8 Up to four 4-digit Standard Industrial Classification (SIC) codes or

the 2-letter Activity Codes for hazardous waste treatment, storage, or disposal activities (HZ); land/disposal facilities that receive or have received any industrial waste (LF); steam electric power generating facilities (SE); or treatment works treating domestic sewage (TW) that best represent the principal products produced or services rendered by your facility and major co-located activities;

#### 2.2.4 Eligibility Screening

2.2.4.1 Based on the instructions in Addendum A, whether any listed or proposed threatened or endangered species, or designated critical habitat, are in proximity to the storm water discharges or storm water discharge-related activities to be covered by this permit;

2.2.4.2 Whether any historic property listed or eligible for listing on the National Register of Historic Places is located on the facility or in proximity to the discharge;

2.2.4.3 A signed and dated certification, signed by a authorized representative of your facility and maintained with your SWPPP, as detailed in Part 9.7 that certifies the following:

"I certify under penalty of law that I have read and understand the Part 1.2 eligibility requirements for coverage under the multi-sector storm water general permit including those requirements relating to the protection of endangered or threatened species or critical habitat. To the best of my knowledge, the storm water and allowable non-storm discharges authorized by this permit (and discharged related activities), pose no jeopardy to endangered or threatened species or critical habitat, or are otherwise eligible for coverage under Part 1.2.3.6 of the permit. To the best of my knowledge, I further certify that such discharges and discharge related activities do not have an effect on properties listed or eligible for listing on the National Register of Historic Places under the National Historic Preservation Act, or are otherwise eligible for coverage under Part 1.2.3.7 of the permit. I understand that continued coverage under the multi-sector storm water general permit is contingent upon maintaining eligibility as provided for in Part 1.2"

#### 2.3 Use of NOI Form

You must submit the information required under Part 2.2 on the latest version of the NOI form (or photocopy thereof) contained in Addendum D. Your NOI must be signed and dated in accordance with Part 9.7 of this permit.

Note: If EPA notifies dischargers (either directly, 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), you may take advantage of those options to satisfy the NOI use and submittal requirements of Part 2.

#### 2.4 Where To Submit

Your NOI must be signed in accordance with Part 9.7 of this permit and submitted to the Director of the NPDES Permitting Program at the following address: Storm Water Notice of Intent (4203), US EPA, 1200 Pennsylvania Avenue NW, Washington, DC 20460.

#### 2.5 Additional Notification

If your facility discharges through a large or medium municipal separate storm sewer system (MS4), or into a MS4 that has been designated by the permitting authority, you must also submit a signed copy of the NOI to the operator of that MS4 upon request by the MS4 operator.

#### 3. Special Conditions

##### 3.1 Hazardous Substances or Oil

You must prevent or minimize the discharge of hazardous substances or oil in your discharge(s) in accordance with the Storm Water Pollution Prevention Plan for your facility. This permit does not relieve you of the reporting requirements of 40 CFR 110, 40 CFR 117 and 40 CFR 302 relating to spills or other releases of oils or hazardous substances.

##### 3.1.1 Single Releases and Spills

Where a release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under either 40 CFR 110, 40 CFR 117 or 40 CFR 302, occurs during a 24 hour period:

3.1.1.1 You must notify the National Response Center (NRC) (800-424-8802; in the Washington, DC, metropolitan area call 202-426-2675) in accordance with the requirements of 40 CFR 110, 40 CFR 117 and 40 CFR 302 as soon as he or she has knowledge of the discharge;

3.1.1.2 You must modify your Storm Water Pollution Prevention Plan required under Part 4 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, you must review your plan to identify measures to prevent the reoccurrence of such releases and to respond to such releases, and you must modify your plan where appropriate.

##### 3.1.2 Anticipated Discharges

Anticipated discharges containing a hazardous substance in an amount equal to or in excess of reporting quantities are those caused by events occurring within the scope of the relevant operating system. If your facilities has (or will have) more than one anticipated

discharge per year containing a hazardous substance in an amount equal to or in excess of a reportable quantity, you must:

3.1.2.1 Submit notifications of the first release that occurs during a calendar year (or for the first year of this permit, after submittal of an NOI); and

3.1.2.2 Provide a written description in the SWPPP of the dates on which such releases occurred, the type and estimate of the amount of material released, and the circumstances leading to the releases. In addition, your SWPPP must address measures to minimize such releases.

3.1.2.3 Where a discharge of a hazardous substance or oil in excess of reporting quantities is caused by a non-storm water discharge (e.g., a spill of oil into a separate storm sewer), that discharge is not authorized by the MSGP and you must report the discharge as required under 40 CFR Part 110, 40 CFR Part 117, or 40 CFR Part 302 (see Part 3.1.1. above). In the event of a spill, the requirements of Section 311 of the CWA and other applicable provisions of Sections 301 and 402 of the CWA continue to apply.

##### 3.2 Additional Requirements for Salt Storage

If you have storage piles of salt used for deicing or other commercial or industrial purposes, they must be enclosed or covered to prevent exposure to precipitation (except for exposure resulting from adding or removing materials from the pile). Piles do not need to be enclosed or covered where storm water from the pile is not discharged to waters of the United States or the discharges from the piles are authorized under another permit.

##### 3.3 Discharge Compliance With Water Quality Standards

Your discharges must not be causing or have the reasonable potential to cause or contribute to a violation of a water quality standard. Where a discharge is already authorized under this permit and is later determined to cause or have the reasonable potential to cause or contribute to the violation of an applicable water quality standard, the Director will notify you of such violation(s). You must take all necessary actions to ensure future discharges do not cause or contribute to the violation of a water quality standard and document these actions in the Storm Water Pollution Prevention Plan. If violations remain or re-occur, then coverage under this permit may be terminated by the Director, and an alternative general permit or individual permit may be issued. Compliance with

this requirement does not preclude any enforcement activity as provided by the Clean Water Act for the underlying violation.

#### 4. Storm Water Pollution Prevention Plans

##### 4.1 Storm Water Pollution Prevention Plan Requirements

You must prepare a Storm Water Pollution Prevention Plan (SWPPP) for your facility before submitting your Notice of Intent for permit coverage. Your SWPPP must be prepared in accordance with good engineering practices. Use of a registered professional engineer for SWPPP preparation is not required by the permit, but may be independently required under state law and/or local ordinance. Your SWPPP must:

- 4.1.1 Identify potential sources of pollution which may reasonably be expected to affect the quality of storm water discharges from your facility;
- 4.1.2 Describe and ensure implementation of practices which you will use to reduce the pollutants in storm water discharges from the facility; and
- 4.1.3 assure compliance with the terms and conditions of this permit.

**Note:** At larger installations such as military bases where there are well-defined industrial versus non-industrial areas, the SWPPP required under this Part need only address those areas with discharges of storm water associated with industrial activity. (e.g., under this permit, a U.S. Air Force Base would need to address the vehicle maintenance areas associated with the "airport" portion of the base in the SWPPP, but would not need to address a car wash that served only the on-base housing areas.)

#### 4.2 Contents of Plan

##### 4.2.4.2.1 Pollution Prevention Team

You must identify the staff individual(s) (by name or title) that comprise the facility's storm water Pollution Prevention Team. Your Pollution Prevention Team is responsible for assisting the facility/plant manager in developing, implementing, maintaining and revising the facility's SWPPP. Responsibilities of each staff individual on the team must be listed.

##### 4.2.2 Site Description

Your SWPPP must include the following:

- 4.2.2.1 *Activities at Facility.* description of the nature of the industrial activity(ies) at your facility;
- 4.2.2.2 *General Location Map.* a general location map (e.g., U.S.G.S. quadrangle, or other map) with enough detail to identify the location of your

facility and the receiving waters within one mile of the facility;

4.2.2.3 *A legible site map identifying the following:*

- 4.2.2.3.1 Directions of storm water flow (e.g. use arrows to show which ways storm water will flow);
- 4.2.2.3.2 Locations of all existing structural BMPs;
- 4.2.2.3.3 Locations of all surface water bodies;
- 4.2.2.3.4 Locations of potential pollutant sources identified under 4.2.4 and where significant materials are exposed to precipitation;

4.2.2.3.5 Locations where major spills or leaks identified under 4.2.5 have occurred;

4.2.2.3.6 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 liquid storage tanks;

4.2.2.3.7 Locations of storm water outfalls and an approximate outline of the area draining to each outfall;

4.2.2.3.8 Location and description of non-storm water discharges;

4.2.2.3.9 Locations of the following activities where such activities are exposed to precipitation: processing and storage areas; access roads, rail cars and tracks; the location of transfer of substance in bulk; and machinery;

4.2.2.3.10 Location and source of runoff from adjacent property containing significant quantities of pollutants of concern to the facility (an evaluation of how the quality of the storm water running onto your facility impacts your storm water discharges may be included).

##### 4.2.3 Receiving Waters and Wetlands

You must provide the name of the nearest receiving water(s), including intermittent streams, dry sloughs, arroyos and the areal extent and description of wetland or other "special aquatic sites" (see Part 12 for definition) that may receive discharges from your facility.

##### 4.2.4 Summary of Potential Pollutant Sources

You must identify each separate area at your facility where industrial materials or activities are exposed to storm water. 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. For each, separate area identified, the description must include:

4.2.4.1 *Activities in Area.* A list of the activities (e.g., material storage, equipment fueling and cleaning, cutting steel beams); and

4.2.4.2 *Pollutants.* A list of the associated pollutant(s) or pollutant parameter(s) (e.g., crankcase oil, iron, biochemical oxygen demand, pH, etc.) for each activity/The pollutant list must include all significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of three (3) years before being covered under this permit and the present.

##### 4.2.5 Spills and Leaks

You must clearly identify areas where potential spills and leaks, which can contribute pollutants to storm water discharges, can occur, and their accompanying drainage points. For areas that are exposed to precipitation or that otherwise drain to a storm water conveyance at the facility to be covered under this permit, you must provide a list of significant spills and leaks of toxic or hazardous pollutants that occurred during the three (3) year period prior to the date of the submission of a Notice of Intent (NOI). Your list must be updated if significant spills or leaks occur in exposed areas of your facility during the time you are covered by the permit.

Significant spills and leaks include, but are not limited to releases of oil or hazardous substances in excess of quantities that are reportable under CWA § 311 (see 40 CFR 110.10 and 40 CFR 117.21) or section 102 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). Significant spills may also include releases of oil or hazardous substances that are not in excess of reporting requirements.

##### 4.2.6 Sampling Data

You must provide a summary of existing storm water discharge sampling data taken at your facility. All storm water sampling data collected during the term of this permit must also be summarized and included in this part of the SWPPP.

##### 4.2.7 Storm Water Controls

4.2.7.1 *Description of Existing and Planned BMPs.* Describe the type and location of existing non-structural and structural best management practices (BMPs) selected for each of the areas where industrial materials or activities

are exposed to storm water. All the areas identified in Part 4.2.4 should have a BMP(s) identified for the area's discharges. For areas where BMPs are not currently in place, describe appropriate BMPs that you will use to control pollutants in storm water discharges. Selection of BMPs should take into consideration:

4.2.7.1.1 The quantity and nature of the pollutants, and their potential to impact the water quality of receiving waters;

4.2.7.1.2 Opportunities to combine the dual purposes of water quality protection and local flood control benefits (including physical impacts of high flows on streams—e.g., bank erosion, impairment of aquatic habitat, etc.);

4.2.7.1.3 Opportunities to offset the impact of impervious areas of the facility on ground water recharge and base flows in local streams (taking into account the potential for ground water contamination—See "User's Guide to the MSGP-2000" section on groundwater considerations).

4.2.7.2 *BMP Types to be Considered.* The following types of structural, non-structural and other BMPs must be considered for implementation at your facility. Describe how each is, or will be, implemented. This requirement may have been fulfilled with the area-specific BMPs identified under Part 4.2.7.2, in which case the previous description is sufficient. However, many of the following BMPs may be more generalized or non site-specific and therefore not previously considered. If you determine that any of these BMPs are not appropriate for your facility, you must include an explanation of why they are not appropriate. The BMP examples listed below are not intended to be an exclusive list of BMPs that you may use. You are encouraged to keep abreast of new BMPs or new applications of existing BMPs to find the most cost effective means of permit compliance for your facility. If BMPs are being used or planned at the facility which are not listed here (e.g., replacing a chemical with a less toxic alternative, adopting a new or innovative BMP, etc.), include descriptions of them in this section of the SWPPP.

4.2.7.2.1 *Non-Structural BMPs.*

4.2.7.2.1.1 *Good Housekeeping:* You must keep all exposed areas of the facility in a clean, orderly manner where such exposed areas could contribute pollutants to storm water discharges. Common problem areas include: around trash containers, storage areas and loading docks. Measures must also include: a schedule for regular pickup and disposal of

garbage and waste materials; routine inspections for leaks and conditions of drums, tanks and containers.

4.2.7.2.1.2 *Minimizing Exposure:* Where practicable, industrial materials and activities should be protected by a storm resistant shelter to prevent exposure to rain, snow, snowmelt, or runoff.

Note: Eliminating exposure at all industrial areas may make the facility eligible for the 40 CFR 122.26(g) "No Exposure" exclusion from needing to have a permit.

4.2.7.2.1.3 *Preventive Maintenance:* You must have a preventive maintenance program which includes timely inspection and maintenance of storm water management devices, (e.g., cleaning oil/water separators, catch basins) as well as inspecting, testing, maintaining and repairing facility equipment and systems to avoid breakdowns or failures that may result in discharges of pollutants to surface waters.

4.2.7.2.1.4 *Spill Prevention and Response Procedures:* You must describe the procedures which will be followed for cleaning up spills or leaks. Those procedures, and necessary spill response equipment, must be made available to those employees that may cause or detect a spill or leak. Where appropriate, you must explain existing or planned material handling procedures, storage requirements, secondary containment, and equipment (e.g., diversion valves), which are intended to minimize spills or leaks at the facility. Measures for cleaning up hazardous material spills or leaks must be consistent with applicable RCRA regulations at 40 CFR Part 264 and 40 CFR Part 265.

4.2.7.2.1.5 *Routine Facility Inspections:* In addition to or as part of the comprehensive site evaluation required under Part 4.9, you must have qualified facility personnel inspect all areas of the facility where industrial materials or activities are exposed to storm water. The inspections must include an evaluation of existing storm water BMPs. Your SWPPP must identify how often these inspections will be conducted. You must correct any deficiencies in implementation of your SWP3 you find as soon as practicable, but not later than within 14 days of the inspection. You must document in your SWPPP the results of your inspections and the corrective actions you took in response to any deficiencies or opportunities for improvement that you identify.

4.2.7.2.1.6 *Employee Training:* You must describe the storm water employee training program for the facility. The

description should include the topics to be covered, such as spill response, good housekeeping and material management practices, and must identify periodic dates (e.g., every 6 months during the months of July and January) for such training. You must provide employee training for all employees that work in areas where industrial materials or activities are exposed to storm water, and for employees that are responsible for implementing activities identified in the SWPPP (e.g., inspectors, maintenance people). The employee training should inform them of the components and goals of your SWPPP.

4.2.7.2.2 *Structural BMPs.*

4.2.7.2.2.1 *Sediment and Erosion Control:* You must identify the areas at your facility which, due to topography, land disturbance (e.g., construction), or other factors, have a potential for significant soil erosion. You must describe the structural, vegetative, and/or stabilization BMPs that you will be implementing to limit erosion.

4.2.7.2.2.2 *Management of Runoff:* You must describe the traditional storm water management practices (permanent structural BMPs other than those which control the generation or source(s) of pollutants) that currently exist or that are planned for your facility. These types of BMPs typically are used to divert, infiltrate, reuse, or otherwise reduce pollutants in storm water discharges from the site. All BMPs that you determine are reasonable and appropriate, or are required by a State or local authority; or are necessary to maintain eligibility for the permit (see Part 1.2.3—Limitations on Coverage) must be implemented and maintained. Factors to consider when you are selecting appropriate BMPs should include: (1) The industrial materials and activities that are exposed to storm water, and the associated pollutant potential of those materials and activities; and (2) the beneficial and potential detrimental effects on surface water quality, ground water quality, receiving water base flow (dry weather stream flow), and physical integrity of receiving waters. (See "User's Guide to the MSGP-2000" for Considerations in Selection of BMPs) Structural measures should be placed on upland soils, avoiding wetlands and floodplains, if possible. Structural BMPs may require a separate permit under section 404 of the CWA before installation begins.

4.2.7.2.2.3 *Example BMPs:* BMPs you could use include but are not limited to: storm water detention structures (including wet ponds); storm water retention structures; flow attenuation by use of open vegetated swales and natural depressions;

infiltration of runoff onsite; and sequential systems (which combine several practices).

4.2.7.2.3 *Other Controls.* No solid materials, including floatable debris, may be discharged to waters of the United States, except as authorized by a permit issued under section 404 of the CWA. Off-site vehicle tracking of raw, final, or waste materials or sediments, and the generation of dust must be minimized. Tracking or blowing of raw, final, or waste materials from areas of no exposure to exposed areas must be minimized. Velocity dissipation devices must be placed at discharge locations and along the length of any outfall channel if they are necessary to provide a non-erosive flow velocity from the structure to a water course.

#### 4.3 Maintenance

All BMPs you identify in your SWPPP must be maintained in effective operating condition. If site inspections required by Part 4.9 identify BMPs that are not operating effectively, maintenance must be performed before the next anticipated storm event, or as necessary to maintain the continued effectiveness of storm water controls. If maintenance prior to the next anticipated storm event is impracticable, maintenance must be scheduled and accomplished as soon as practicable. In the case of non-structural BMPs, the effectiveness of the BMP must be maintained by appropriate means (e.g., spill response supplies available and personnel trained, etc.).

#### 4.4 Non-Storm Water Discharges

##### 4.4.1 Certification of Non-Storm Water Discharges

4.4.1.1 Your SWPPP must include a certification that all discharges (i.e., outfalls) have been tested or evaluated for the presence of non-storm water. The certification must be signed in accordance with Part 9.7 of this permit, and include:

4.4.1.1.1 The date of any testing and/or evaluation;

4.4.1.1.2 Identification of potential significant sources of non-storm water at the site;

4.4.1.1.3 A description of the results of any test and/or evaluation for the presence of non-storm water discharges;

4.4.1.1.4 A description of the evaluation criteria or testing method used; and

4.4.1.1.5 A list of the outfalls or onsite drainage points that were directly observed during the test.

4.4.1.2 You do not need to sign a new certification if one was already completed for either the 1992 baseline

Industrial General Permit or the 1995 Multi-sector General Permit and you have no reason to believe conditions at the facility have changed.

4.4.1.3 If you are unable to provide the certification required (testing for non-storm water discharges), you must notify the Director 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 must describe:

4.4.1.3.1 Reason(s) why certification was not possible;

4.4.1.3.2 The procedure of any test attempted;

4.4.1.3.3 The results of such test or other relevant observations; and

4.4.1.3.4 Potential sources of non-storm water discharges to the storm sewer.

4.4.1.4 A Copy of the notification must be included in the SWPPP at the facility. Non-storm water discharges to waters of the United States which are not authorized by an NPDES permit are unlawful, and must be terminated.

##### 4.4.2 Allowable Non-Storm Water Discharges

4.4.2.1 Certain sources of non-storm water are allowable under this permit (see 1.2.2.2—Allowable Non-Storm Water Discharges). In order for these discharges to be allowed, your SWPPP must include:

4.4.2.1.1 Identification of each allowable non-storm water source;

4.4.2.1.2 The location where it is likely to be discharged; and

4.4.2.1.3 Descriptions of appropriate BMPs for each source.

4.4.2.2 Except for flows from fire fighting activities, you must identify in your SWPPP all sources of allowable non-storm water that are discharged under the authority of this permit.

4.4.2.3 If you include mist blown from cooling towers amongst your allowable non-storm water discharges, you must specifically evaluate the potential for the discharges to be contaminated by chemicals used in the cooling tower and determined that the levels of such chemicals in the discharges would not cause or contribute to a violation of an applicable water quality standard after implementation of the BMPs you have selected to control such discharges.

##### 4.5 Documentation of Permit Eligibility Related to Endangered Species

Your SWPPP must include documentation supporting your determination of permit eligibility with regard to Part 1.2.3.6 (Endangered Species), including:

4.5.1 Information on whether listed endangered or threatened species, or critical habitat, are found in proximity to your facility;

4.5.2 Whether such species may be affected by your storm water discharges or storm water discharge-related activities;

4.5.3 Results of your Addendum A endangered species screening determinations; and

4.5.4 A description of measures necessary to protect listed endangered or threatened species, or critical habitat, including any terms or conditions that are imposed under the eligibility requirements of Part 1.2.3.6. If you fail to describe and implement such measures, your discharges are ineligible for coverage under this permit.

##### 4.6 Documentation of Permit Eligibility Related to Historic Places

Your SWPPP must include documentation supporting your determination of permit eligibility with regard to Part 1.2.3.7 (Historic Places), including:

4.6.1 Information on whether your storm water discharges or storm water discharge-related activities would have an effect on a property that is listed or eligible for listing on the National Register of Historic Places;

4.6.2 Where effects may occur, any written agreements you have made with the State Historic Preservation Officer, Tribal Historic Preservation Officer, or other Tribal leader to mitigate those effects;

4.6.3 Results of your Addendum B historic places screening determinations; and

4.6.4 Description of measures necessary to avoid or minimize adverse impacts on places listed, or eligible for listing, on the National Register of Historic Places, including any terms or conditions that are imposed under the eligibility requirements of Part 1.2.3.7 of this permit. If you fail to describe and implement such measures, your discharges are ineligible for coverage under this permit.

##### 4.7 Copy of Permit Requirements

You must include a copy of this permit in your SWPPP.

Note: The confirmation of coverage letter you receive from the NOI Processing Center assigning your permit number IS NOT your permit—it merely acknowledges that your NOI has been accepted and you have been authorized to discharge subject to the terms and conditions of today's permit.

##### 4.8 Applicable State, Tribal or Local Plans

Your SWPPP must be consistent (and updated as necessary to remain

consistent) with applicable State, Tribal and/or local storm water, waste disposal, sanitary sewer or septic system regulations to the extent these apply to your facility and are more stringent than the requirements of this permit.

#### 4.9 Comprehensive Site Compliance Evaluation

##### 4.9.1 Frequency and Inspectors

You must conduct facility inspections at least once a year. The inspections must be done by qualified personnel provided by you. The qualified personnel you use may be either your own employees or outside consultants that you have hired, provided they are knowledgeable and possess the skills to assess conditions at your facility that could impact storm water quality and assess the effectiveness of the BMPs you have chosen to use to control the quality of your storm water discharges. If you decide to conduct more frequent inspections, your SWPPP must specify the frequency of inspections.

##### 4.9.2 Scope of the Compliance Evaluation

Your inspections must include all areas where industrial materials or activities are exposed to storm water as identified in 4.2.4, and areas where spills and leaks have occurred within the past 3 years. Inspectors should look for: (a) Industrial materials, residue or trash on the ground that could contaminate or be washed away in storm water; (b) leaks or spills from industrial equipment, drums, barrels, tanks or similar containers; (c) offsite tracking of industrial materials or sediment where vehicles enter or exit the site; (d) tracking or blowing of raw, final, or waste materials from areas of no exposure to exposed areas and (e) for evidence of, or the potential for, pollutants entering the drainage system. Results of both visual and any analytical monitoring done during the year must be taken into consideration during the evaluation. Storm water BMPs identified in your SWPPP must be observed to ensure that they are operating correctly. Where discharge locations or points are accessible, they must be inspected to see whether BMPs are effective in preventing significant impacts to receiving waters. Where discharge locations are inaccessible, nearby downstream locations must be inspected if possible.

##### 4.9.3 Follow-Up Actions

Based on the results of the inspection, you must modify your SWPPP as necessary (e.g., show additional controls on map required by Part 4.2.2.3; revise description of controls required by Part

4.2.7 to include additional or modified BMPs designed to correct problems identified. You must complete revisions to the SWPPP within 14 calendar days following the inspection. If existing BMPs need to be modified or if additional BMPs are necessary, implementation must be completed before the next anticipated storm event, if practicable, but not more than twelve (12) weeks after completion of the comprehensive site evaluation.

##### 4.9.4 Compliance Evaluation Report

You must insure a report summarizing the scope of the inspection, name(s) of personnel making the inspection, the date(s) of the inspection, and major observations relating to the implementation of the SWPPP is completed and retained as part of the SWPPP for at least three years from the date permit coverage expires or is terminated. Major observations should include the location(s) of discharges of pollutants from the site, location(s) of BMPs that need to be maintained, location(s) of BMPs that failed to operate as designed or proved inadequate for a particular location, and location(s) where additional BMPs are needed that did not exist at the time of inspection. You must retain a record of actions taken in accordance with Part 4.9 of this permit as part of the Storm Water Pollution Prevention Plan for at least three years from the date that permit coverage expires or is terminated. The inspection reports must identify any incidents of non-compliance. Where an inspection report does not identify any incidents of non-compliance, the report must contain a certification that the facility is in compliance with the Storm Water Pollution Prevention Plan and this permit. Both the inspection report and any reports of follow-up actions must be signed in accordance with Part 9.7 (reporting) of this permit.

##### 4.9.5 Credit As a Routine Facility Inspection

Where compliance evaluation schedules overlap with inspections required under Part 4.2.7.2.1.5, your annual compliance evaluation may also be used as one of the Part 4.2.7.5 routine inspections.

##### 4.10 Maintaining Updated SWPPP

You must amend the Storm Water Pollution Prevention Plan whenever:

4.10.1 there is a change in design, construction, operation, or maintenance at your facility which has a significant effect on the discharge, or potential for discharge, of pollutants from your facility;

4.10.2 During inspections, monitoring, or investigations by you or by local, State, Tribal or Federal officials it is determined the SWPPP is ineffective in eliminating or significantly minimizing pollutants from sources identified under 4.2.4, or is otherwise not achieving the general objectives of controlling pollutants in discharges from your facility.

##### 4.11 Signature, Plan Review and Making Plans Available

4.11.1 You must sign your SWPPP in accordance with Part 9.7, and retain the plan on-site at the facility covered by this permit (see Part 8 for records retention requirements).

4.11.2 You must keep a copy of the SWPPP on-site or locally available to the Director for review at the time of an on-site inspection. You must make your SWPPP available upon request to the Director, a State, Tribal or local agency approving storm water management plans, or the operator of a municipal separate storm sewer receiving discharge from the site. Also, in the interest of the public's right to know, you must provide a copy of your SWPPP to the public if requested in writing to do so.

4.11.3 The Director may notify you at any time that your SWPPP does not meet one or more of the minimum requirements of this permit. The notification will identify provisions of this permit which are not being met, as well as the required modifications. Within thirty (30) calendar days of receipt of such notification, you must make the required changes to the SWPPP and submit to the Director a written certification that the requested changes have been made.

4.11.4 You must make the SWPPP available to the USFWS or NMFS upon request.

##### 4.12 Additional Requirements for Storm Water Discharges Associated With Industrial Activity From Facilities Subject to EPCRA Section 313 Reporting Requirements

Potential pollutant sources for which you have reporting requirements under EPCRA 313 must be identified in your summary of potential pollutant sources as per Part 4.2.4. Note this additional requirement only applies to you if you are subject to reporting requirements under EPCRA 313.

##### 5. Monitoring Requirements and Numeric Limitations

There are five individual and separate categories of monitoring requirements and numeric limitations that your facility may be subject to under this

permit. The monitoring requirements and numeric limitations applicable to your facility depend on a number of factors, including: (1) The types of industrial activities generating storm water runoff from your facility, and (2) the state or tribe where your facility is located. Part 6 identifies monitoring requirements applicable to specific sectors of industrial activity. Part 13 contains additional requirements that apply only to facilities located in a particular State or Indian country land. You must review Parts 5, 6 and 13 of the permit to determine which monitoring requirements and numeric limitations apply to your facility. Unless otherwise specified, limitations and monitoring requirements under Parts 5, 6, and 13 are additive.

Sector-specific monitoring requirements and limitations are applied discharge by discharge at facilities with co-located activities. Where storm water from the co-located activities are co-mingled, the monitoring requirements and limitations are additive. Where more than one numeric limitation for a specific parameter applies to a discharge, compliance with the more restrictive limitation is required. Where monitoring requirements for a monitoring quarter overlap (e.g., need to monitor TSS 1/ year for a limit and also 1/quarter for benchmark monitoring), you may use a single sample to satisfy both monitoring requirements.

**5.1 Types of Monitoring Requirements and Limitations**

**5.1.1 Quarterly Visual Monitoring**

The requirements and procedures for quarterly visual monitoring are applicable to all facilities covered under this permit, regardless of your facility's sector of industrial activity.

5.1.1.1 You must perform and document a quarterly visual examination of a storm water discharge associated with industrial activity from each outfall, except discharges exempted below. The visual examination must be made during daylight hours (e.g., normal working hours). If no storm event resulted in runoff from the facility during a monitoring quarter, you are excused

from visual monitoring for that quarter provided you document in your monitoring records that no runoff occurred. You must sign and certify the documentation in accordance with Part 9.7.

5.1.1.2 Your visual examinations must 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 from your facility. The examination must 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 must 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 72-hour storm interval is waived when the preceding measurable storm did not yield a measurable discharge, or if you are able to document that less than a 72-hour interval is representative for local storm events during the sampling period. Where practicable, the same individual should carry out the collection and examination of discharges for the entire permit term. If no qualifying storm event resulted in runoff from the facility during a monitoring quarter, you are excused from visual monitoring for that quarter provided you document in your monitoring records that no qualifying storm event occurred that resulted in storm water runoff during that quarter. You must sign and certify the documentation in accordance with Part 9.7.

5.1.1.3 You must maintain your visual examination reports onsite with the Storm Water Pollution Prevention Plan. The report must 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.

5.1.1.4 Inactive and Unstaffed Sites: When you are unable to conduct visual storm water examinations at an inactive and unstaffed site, you may exercise a waiver of the monitoring requirement as long as the facility remains inactive and unstaffed. If you exercise this waiver, you must maintain a certification with the Storm Water Pollution Prevention Plan stating that the site is inactive and unstaffed and that performing visual examinations during a qualifying event is not feasible. You must sign and certify the waiver in accordance with Part 9.7.

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**5.1.2 Benchmark Monitoring of Discharges Associated With Specific Industrial Activities**

Table 5-1 identifies the specific industrial sectors subject to the Benchmark Monitoring requirements of this permit and the industry-specific pollutants of concern. You must refer to the tables found in the individual Sectors in Part 6 for Benchmark Monitoring Cut-Off Concentrations. If your facility has co-located activities (see Part 1.2.1.1) described in more than one sector in Part 6, you must comply with all applicable benchmark monitoring requirements from each sector.

The results of benchmark monitoring are primarily for your use to determine the overall effectiveness of your SWPPP in controlling the discharge of pollutants to receiving waters. Benchmark values, included in Part 6 of this permit, are not viewed as effluent limitations. An exceedance of a benchmark value does not, in and of itself, constitute a violation of this permit. While exceedance of a benchmark value does not automatically indicate that violation of a water quality standard has occurred, it does signal that modifications to the SWPPP may be necessary. In addition, exceedance of benchmark values may identify facilities that would be more appropriately covered under an individual, or alternative general permit where more specific pollution prevention controls could be required.

TABLE 5-1.—INDUSTRY SECTORS/SUB-SECTORS SUBJECT TO BENCHMARK MONITORING

| MSGP sector <sup>1</sup> | Industry sub-sector                         | Required parameters for benchmark monitoring |
|--------------------------|---|--|
| A .....                  | General Sawmills and Planing Mills .....    | COD, TSS, Zinc.                              |
|                          | Wood Preserving Facilities .....            | Arsenic, Copper.                             |
|                          | Log Storage and Handling .....              | TSS.   |
|                          | Hardwood Dimension and Flooring Mills ..... | COD, TSS.                                    |
| B .....                  | Paperboard Mills .....                      | COD.   |

TABLE 5-1.—INDUSTRY SECTORS/SUB-SECTORS SUBJECT TO BENCHMARK MONITORING—Continued

| MSGP sector <sup>1</sup> | Industry sub-sector   | Required parameters for benchmark monitoring   |
|--------------------------|---|--|
| C                        | Industrial Inorganic Chemicals<br>Plastics, Synthetic Resins, etc.<br>Soaps, Detergents, Cosmetics, Perfumes<br>Agricultural Chemicals  | Aluminum, Iron, Nitrate + Nitrite N.<br>Zinc.<br>Nitrate + Nitrite N, Zinc.<br>Nitrate + Nitrite N, Lead, Iron, Zinc, Phosphorus.      |
| D                        | Asphalt Paving and Roofing Materials  | TSS.   |
| E                        | Clay Products   | Aluminum.  |
| F                        | Concrete Products<br>Steel Works, Blast Furnaces, and Rolling and Finishing Mills.<br>Iron and Steel Foundries<br>Non-Ferrous Rolling and Drawing<br>Non-Ferrous Foundries (Castings)<br>Copper Ore Mining and Dressing | TSS, Iron.<br>Aluminum, Zinc.<br>Aluminum, TSS, Copper, Iron, Zinc.<br>Copper, Zinc.<br>Copper, Zinc.<br>COD, TSS, Nitrate + Nitrite N |
| G <sup>2</sup>           | Coal Mines and Coal-Mining Related Facilities   | TSS, Aluminum, Iron  |
| H                        | Dimension Stone, Crushed Stone, and Nonmetallic Minerals (except fuels).  | TSS.   |
| J                        | Sand and Gravel Mining  | Nitrate + Nitrite N, TSS.  |
| K                        | Hazardous Waste Treatment Storage or Disposal   | Ammonia, Magnesium, COD, Arsenic, Cadmium, Cyanide, Lead, Mercury, Selenium, Silver.   |
| L                        | Landfills, Land Application Sites, and Open Dumps   | Iron, TSS.   |
| M                        | Automobile Salvage Yards  | TSS, Aluminum, Iron, Lead.   |
| N                        | Scrap Recycling   | Copper, Aluminum, Iron, Lead, Zinc, TSS, COD.  |
| O                        | Steam Electric Generating Facilities  | Iron.  |
| Q                        | Water Transportation Facilities   | Aluminum, Iron, Lead, Zinc.  |
| S                        | Airports with deicing activities <sup>3</sup>   | BOD, COD, Ammonia, pH.   |
| U                        | Grain Mill Products<br>Fats and Oils  | TSS.<br>BOD, COD, Nitrate + Nitrite N, TSS.  |
| Y                        | Rubber Products   | Zinc.  |
| AA                       | Fabricated Metal Products Except Coating<br>Fabricated Metal Coating and Engraving  | Iron, Aluminum, Zinc, Nitrate + Nitrite N.<br>Zinc, Nitrate + Nitrite N.   |

<sup>1</sup> Table does not include parameters for compliance monitoring under effluent limitations guidelines.

<sup>2</sup> See Sector G (Part 6.G) for additional monitoring discharges from waste rock and overburden piles from active ore mining or dressing facilities.

<sup>3</sup> Monitoring requirement is for airports with deicing activities that utilize more than 100 tons of urea or more than 100,000 gallons of ethylene glycol per year.

**5.1.2.1 Monitoring Periods for Benchmark Monitoring.** Unless otherwise specified in Part 6, benchmark monitoring periods are October 1, 2001 to September 30, 2002 (year two of the permit) and October 1, 2003 to September 30, 2004 (year four of the permit). If your facility falls within a Sector(s) required to conduct benchmark monitoring, you must monitor quarterly (4 times a year) during at least one, and potentially both, monitoring periods; unless otherwise specified in the sector-specific requirements of Part 6. Depending on the results of the 2001–2002 monitoring year, you may not be required to conduct benchmark monitoring in the 2003–2004 monitoring year (see Part 5.1.2.2).

**5.1.2.2 Benchmark Monitoring Year 2003–2004 Waivers for Facilities Testing Below Benchmark Values.** All of the provisions of Part 5.1.2.2 are available to permittees except as noted in Part 6. Waivers from benchmark monitoring are

available to facilities whose discharges are below benchmark values, thus there is an incentive for facilities to improve the effectiveness of their SWPPPs in eliminating discharges of pollutants and avoid the cost of monitoring.

On both a parameter by parameter and outfall by outfall basis, you are not required to conduct sector-specific benchmark monitoring in the 2003–2004 monitoring year provided:

- You collected samples for all four quarters of the 2001–2002 monitoring year and the average concentration was below the benchmark value in Part 6; and
- You are not subject to a numeric limitation or State/Tribal-specific monitoring requirement for that parameter established in Part 5.2 or Part 13; and
- You include a certification in the SWPPP that based on current potential pollutant sources and BMPs used, discharges from the facility are reasonably expected to be essentially the same (or cleaner) compared to when

the benchmark monitoring for the 2001–2002 monitoring year was done.

**5.1.2.3 Inactive and Unstaffed Sites.** If you are unable to conduct benchmark monitoring at an inactive and unstaffed site, you may exercise a waiver of the monitoring requirement as long as the facility remains inactive and unstaffed. If you exercise this waiver, you must maintain a certification with your Storm Water Pollution Prevention Plan stating that the site is inactive and unstaffed and that performing benchmark monitoring during a qualifying storm event is not feasible. You must sign and certify the waiver in accordance with Part 9.7.

### 5.1.3 Coal Pile Runoff

**5.1.3.1** If your facility has discharges of storm water from coal storage piles, you must comply with the limitations and monitoring requirements of Table 5–2 for all discharges containing the coal pile runoff, regardless of your facility's sector of industrial activity.

TABLE 5-2.—NUMERIC LIMITATIONS FOR COAL PILE RUNOFF

| Parameter                          | Limit                      | Monitoring frequency | Sample type |
|------------------------------------|----------------------------|----------------------|-------------|
| Total Suspended Solids (TSS) ..... | 50 mg/L, max .....         | 1/year .....         | Grab.       |
| pH .....                           | 6.0–9.0 min. and max ..... | 1/year .....         | Grab.       |

5.1.3.2 You must not dilute coal pile runoff with storm water or other flows in order to meet this limitation.

5.1.3.3 If your facility is designed, constructed and operated to treat the volume of coal pile runoff that is associated with a 10-year, 24-hour rainfall event, any untreated overflow of coal pile runoff from the treatment unit is not subject to the 50 mg/L limitation for total suspended solids.

5.1.3.4 You must collect and analyze your samples in accordance with Part 5.2.2. Results of the testing must be retained and reported in accordance with Part 8 and 9.16.

#### 5.1.4 Compliance Monitoring for Discharges Subject to Numerical Effluent Limitation Guidelines

Table 1–2 of Part 1.2.2.1.3 of the permit identifies storm water discharges subject to effluent limitation guidelines that are authorized for coverage under the permit. Facilities subject to storm water effluent limitation guidelines are required to monitor such discharges to evaluate compliance with numerical effluent limitations. Industry-specific numerical limitations and compliance monitoring requirements are described in Part 6 of the permit.

#### 5.1.5 Monitoring for Limitations Required by a State or Tribe

Unless otherwise specified in Part 13 (state/tribal-specific permit conditions), you must sample once per year for any permit limit established as a result of a state or tribe's conditions for certification of this permit under CWA § 401.

### 5.2 Monitoring Instructions

#### 5.2.1 Monitoring Periods

If you are required to conduct monitoring on an annual or quarterly basis, you must collect your samples within the following time periods (unless otherwise specified in Part 6):

- The monitoring year is from October 1 to September 30
- If your permit coverage was effective less than one month from the end of a quarterly or yearly monitoring period, your first monitoring period starts with the next respective monitoring period. (e.g., if permit coverage begins June 5th, you would not need to start quarterly sampling until the July–September quarter, but you

would only have from June 5th to September 30th to complete that year's annual monitoring )

#### 5.2.2 Collection and Analysis of Samples

You must assess your sampling requirements on an outfall by outfall basis. You must collect and analyze your samples in accordance with the requirements of Part 9.16.

5.2.2.1 *When and How to Sample.* Take a minimum of one grab sample from the discharge associated with industrial activity resulting from a storm event with at least 0.1 inch of precipitation (defined as a "measurable" event), providing the interval from the preceding measurable storm is at least 72 hours. The 72-hour storm interval is waived when the preceding measurable storm did not yield a measurable discharge, or if you are able to document that less than a 72-hour interval is representative for local storm events during the sampling period.

Take the grab sample during the first 30 minutes of the discharge. If it is not practicable to take the sample during the first 30 minutes, sample during the first hour of discharge and describe why a grab sample during the first 30 minutes was impracticable. Submit this information on or with the discharge monitoring report (see Part 7.1). If the sampled discharge commingles with process or non-process water, attempt to sample the storm water discharge before it mixes with the non-storm water.

To get help with monitoring, consult the *Guidance Manual for the Monitoring and Reporting Requirements of the NPDES Storm Water Multi-Sector General Permit* which can be down loaded from the EPA Web Site at [www.epa.gov/OWM/sw/industry/index.htm](http://www.epa.gov/OWM/sw/industry/index.htm). It can also be ordered from the Office of Water Resource Center by calling 202–260–7786.

#### 5.2.3 Storm Event Data

Along with the results of your monitoring, you must provide 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.

#### 5.2.4 Representative Outfalls—Essential Identical Discharges

If your facility has two (2) or more outfalls that you believe discharge substantially identical effluents, based on similarities of the industrial activities, significant materials or storm water management practices occurring within the outfalls' drainage areas, you may test the effluent of just one of the outfalls and report that the quantitative data also applies to the substantially identical outfall(s). For this to be permissible, you must describe in the Storm Water Pollution Prevention Plan and include in the Discharge Monitoring Report the following: locations of the outfalls; why the outfalls are expected to discharge substantially identical effluents; estimates of the size of the drainage area (in square feet) for each of the outfalls; and an estimate of the runoff coefficient of the drainage areas (low: under 40 percent; medium: 40 to 65 percent; high: above 65 percent). Note: Page 107 of the *NPDES Storm Water Sampling Guidance Document* (EPA 800/B–92–001) lists criteria for substantially identical outfalls (available on EPA's web site at <http://www.epa.gov/owm/sw/industry/>).

### 5.3 General Monitoring Waivers

Unless specifically stated otherwise, the following waivers may be applied to any monitoring required under this permit.

#### 5.3.1 Adverse Climatic Conditions Waiver

When adverse weather conditions prevent the collection of samples, take a substitute sample during a qualifying storm event in the next monitoring period, or four samples per monitoring year when weather conditions do not allow for samples to be spaced evenly during the year. Adverse conditions (i.e., those which are dangerous or create inaccessibility for personnel) may include such things as local flooding, high winds, electrical storms, or situations which otherwise make sampling impracticable such as drought or extended frozen conditions.

### 5.3.2 Alternative Certification of "Not Present or No Exposure"

You are not subject to the analytical monitoring requirements of Part 5.1.2 provided:

5.3.2.1 You make a certification for a given outfall, or on a pollutant-by-pollutant basis in lieu of monitoring required under Part 5.1.2, 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; and

5.3.2.2 Your certification is signed in accordance with Part 9.7, retained in the Storm Water Pollution Prevention Plan, and submitted to EPA in accordance with Part 7. In the case of certifying that a pollutant is not present, the permittee must submit the certification along with the monitoring reports required Part 7; and

5.3.2.3 If you cannot certify for an entire period, you must submit the date exposure was eliminated and any monitoring required up until that date; and

5.3.2.4 No numeric limitation or State-specific monitoring requirement for that parameter is established in Part 5 or Part 13.

### 5.4 Monitoring Required by the Director

The Director may provide written notice to any facility, including those otherwise exempt from the sampling requirements of Parts 5, 6 and 12, requiring discharge sampling for a specific monitoring frequency for specific parameters. Any such notice will briefly state the reasons for the monitoring, parameters to be monitored, frequency and period of monitoring, sample types, and reporting requirements.

### 5.5 Reporting Monitoring Results

Deadlines and procedures for submitting monitoring reports are contained in Part 7.

### 6. Sector-Specific Requirements for Industrial Activity

You only need to comply with the additional requirements of Part 6 that

apply to the sector(s) of industrial activity at your facility. These sector-specific requirements are in addition to the "basic" requirements specified in Parts 1-5 and 7-13 of this permit.

#### 6.A Sector A—Timber Products

##### 6.A.1 Covered Storm Water Discharges

The requirements in Part 6.A apply to storm water discharges associated with industrial activity from Timber Products facilities as identified by the SIC Codes specified under Sector A in Table 1-1 of Part 1.2.1.

##### 6.A.2 Industrial Activities Covered by Sector A

The types of activities that permittees under Sector A are primarily engaged in are:

6.A.2.1 Cutting timber and pulpwood (those that have log storage or handling areas);

6.A.2.2 Mills, including merchant, lath, shingle, cooperage stock, planing, plywood and veneer;

6.A.2.3 Producing lumber and wood basic materials;

6.A.2.4 Wood preserving;

6.A.2.5 Manufacturing finished articles made entirely of wood or related materials except wood kitchen cabinet manufacturers (covered under Part 6.23);

6.A.2.6 Manufacturing wood buildings or mobile homes.

##### 6.A.3 Special Coverage Conditions

6.A.3.1 *Prohibition of Discharges.* (See also Part 1.2.3.1) Not covered by this permit: storm water discharges from areas where there may be contact with the chemical formulations sprayed to provide surface protection. These discharges must be covered by a separate NPDES permit.

6.A.3.2 *Authorized Non-Storm Water Discharges.* (See also Part 1.2.3.1) Also authorized by this permit, provided the non-storm water component of the discharge is in compliance with SWPPP requirements in Part 4.2.7 (Controls): 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.

#### 6.A.4 Storm Water Pollution Prevention Plan (SWPPP) Requirements

In addition to the following requirements, you must also comply with the requirements listed in Part 4.

6.A.4.1 *Drainage Area Site Map.* (See also Part 4.2.2.3) Also identify where any of the following may be exposed to precipitation/surface runoff: 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.

6.A.4.2 *Inventory of Exposed Materials.* (See also Part 4.2.4) Where such information exists, if your facility has used chlorophenolic, creosote or chromium-copper-arsenic formulations for wood surface protection or preserving, identify the following: areas where contaminated soils, treatment equipment and stored materials still remain, and the management practices employed to minimize the contact of these materials with storm water runoff.

6.A.4.3 *Description of Storm Water Management Controls.* (See also Part 4.2.7). Describe and implement measures to address the following activities/sources: log, lumber and 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. If your facility performs wood surface protection/preservation activities, address the specific BMPs for these activities.

6.A.4.4 *Good Housekeeping.* (See also Part 4.2.7.2.1.1). In areas where storage, loading/unloading and material handling occur, perform good housekeeping to limit the discharge of wood debris; minimize the leachate generated from decaying wood materials; and minimize the generation of dust.

6.A.4.5 *Inspections.* (See also Part 4.2.7.2.1.5). If your facility performs wood surface protection/preservation activities, inspect processing areas, transport areas and treated wood storage areas monthly to assess the usefulness of practices to minimize the deposit of treatment chemicals on unprotected soils and in areas that will come in contact with storm water discharges.

##### 6.A.5 Monitoring and Reporting Requirements (See also Part 5)

TABLE J-1.—SECTOR-SPECIFIC NUMERIC EFFLUENT LIMITATIONS AND BENCHMARK MONITORING—Continued

| Subsector<br>(Discharges may be subject to requirements for more than one sector/subsector)            | Parameter                   | Benchmark monitoring cut-off concentration <sup>1</sup> | Numeric limitation <sup>2</sup> |
|--|-----------------------------|---|---------------------------------|
| Dimension and Crushed Stone and Nonmetallic Minerals (except fuels) (SIC 1411, 1422-1429, 1481, 1499). | Total Suspended Solids .... | 100 mg/L  |                                 |

<sup>1</sup> Monitor once/quarter for the year 2 and year 4 Monitoring Years.

<sup>2</sup> Monitor once/year for Each Monitoring Year.

### 6.K Sector K—Hazardous Waste Treatment, Storage or Disposal Facilities

#### 6.K.1 Covered Storm Water Discharges

The requirements in Part 6.K apply to storm water discharges associated with industrial activity from Hazardous Waste Treatment, Storage or Disposal facilities as identified by the Activity Code specified under Sector K in Table 1-1 of Part 1.2.1.

#### 6.K.2 Industrial Activities Covered by Sector K

This permit authorizes 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.

#### 6.K.3 Limitations on Coverage

For facilities located in Region 6, coverage is limited to Hazardous Waste Treatment Storage or Disposal Facilities (TSDF's) that are self-generating or handle residential wastes only and to those facilities that only store hazardous wastes and do not treat or dispose. Those permits are issued by EPA Region 6 for Louisiana (LAR05\*###), New Mexico (NMR05\*###), Oklahoma (OKR05\*###), and Federal Indian Reservations in these States (LAR05\*##F, NMR05\*##F, OKR05\*##F, or TXR05\*##F). Coverage under this permit is not available to commercial hazardous waste disposal/treatment facilities located in Region 6 that dispose and treat on a commercial basis any produced hazardous wastes (not their own) as a service to generators.

6.K.3.1 *Prohibition of Non-Storm Water Discharges.* (See also Part 1.2.3.1) Not authorized by this permit: leachate, gas collection condensate, drained free liquids, contaminated ground water,

laboratory-derived wastewater and contact washwater from washing truck and railcar exteriors and surface areas which have come in direct contact with solid waste at the landfill facility.

#### 6.K.4 Definitions.

6.K.4.1 *Contaminated storm water*—storm water which comes in direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater as defined in Part 6.K.4.5. Some specific areas of a landfill that may produce contaminated storm water include (but are not limited to): the open face of an active landfill with exposed waste (no cover added); the areas around wastewater treatment operations; trucks, equipment or machinery that has been in direct contact with the waste; and waste dumping areas.

6.K.4.2 *Drained free liquids*—aqueous wastes drained from waste containers (e.g., drums, etc.) prior to landfilling.

6.K.4.3 *Land treatment facility*—a facility or part of a facility at which hazardous waste is applied onto or incorporated into the soil surface; such facilities are disposal facilities if the waste will remain after closure.

6.K.4.4 *Landfill*—an area of land or an excavation in which wastes are placed for permanent disposal, that is not a land application or land treatment unit, surface impoundment, underground injection well, waste pile, salt dome formation, a salt bed formation, an underground mine or a cave as these terms are defined in 40 CFR 257.2, 258.2 and 260.10.

6.K.4.5 *Landfill wastewater*—as defined in 40 CFR Part 445 (Landfills Point Source Category) 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.

6.K.4.6 *Leachate*—liquid that has passed through or emerged from solid waste and contains soluble, suspended, or miscible materials removed from such waste.

6.K.4.7 *Non-contaminated storm water*—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.

6.K.4.8 *Pile*—any non-containerized accumulation of solid, nonflowing hazardous waste that is used for treatment or storage and that is not a containment building.

6.K.4.9 *Surface impoundment*—a facility or part of a facility which is a natural topographic depression, man-made excavation or diked area formed primarily of earthen materials (although it may be lined with man-made materials), which is designed to hold an accumulation of liquid wastes or wastes containing free liquids, and which is not an injection well. Examples of surface impoundments are holding, storage, settling, and aeration pits, ponds and lagoons.

6.K.5 **Numeric Limitations, Monitoring and Reporting Requirements.** (See also Part 5)

TABLE K-1.—SECTOR-SPECIFIC NUMERIC EFFLUENT LIMITATIONS AND BENCHMARK AND COMPLIANCE MONITORING

| Subsector<br>(Discharges may be subject to requirements for more than one sector/subsector)        | Parameter                     | Benchmark monitoring cut-off concentration <sup>1</sup> | Numeric limitation <sup>2</sup>                              |
|--|-------------------------------|---|--|
| <b>Part of Permit Affected/Supplemental Requirements</b>   |                               |   |  |
| ALL—Industrial Activity Code .....<br>"HZ" (Note: permit coverage limited in some States) ....     | Ammonia .....                 | 19.0 mg/L   |  |
|  | Total Recoverable Magnesium.  | 0.0636 mg/L   |  |
|  | Chemical Oxygen Demand (COD). | 120.0 mg/L  |  |
|  | Total Recoverable Arsenic     | 0.16854 mg/L  |  |
|  | Total Recoverable Cadmium.    | 0.0159 mg/L   |  |
|  | Total Cyanide .....           | 0.0636 mg/L   |  |
|  | Total Recoverable Lead ....   | 0.0816 mg/L   |  |
|  | Total Recoverable Mercury     | 0.0024 mg/L   |  |
|  | Total Recoverable Selenium.   | 0.2385 mg/L   |  |
|  | Total Recoverable Silver ...  | 0.0318 mg/L   |  |
| ALL—Industrial Activity Code .....<br>"HZ" Subject to the Provisions of 40 CFR Part 445 Subpart A. | BOD5 .....                    |   | 220 mg/l, daily max.<br>56 mg/l, monthly avg. maximum.       |
|  | TSS .....                     |   | 88 mg/l, daily max.<br>27 mg/l, monthly avg. maximum.        |
|  | Ammonia .....                 |   | 10 mg/l, daily maximum.<br>4.9 mg/l, monthly avg. maximum.   |
|  | Alpha Terpineol .....         |   | 0.042 mg/l, daily max.<br>0.019 mg/l, monthly avg. maximum.  |
|  | Aniline .....                 |   | 0.024 mg/l, daily max.<br>0.015 mg/l, monthly avg. maximum.  |
|  | Benzoic Acid .....            |   | 0.119 mg/l, daily max.<br>0.073 mg/l, monthly avg. maximum.  |
|  | Naphthalene .....             |   | 0.059 mg/l, daily max.<br>0.022 mg/l, monthly avg. maximum.  |
|  | p-Cresol .....                |   | 0.024 mg/l, daily max.<br>0.015 mg/l, monthly avg. maximum.  |
|  | Phenol .....                  |   | 0.048 mg/l, daily max.<br>0.029 mg/l, monthly avg. maximum.  |
|  | Pyridine .....                |   | 0.072 mg/l, daily max.<br>0.025 mg/l, monthly avg. maximum.  |
|  | Arsenic (Total) .....         |   | 1.1 mg/l, daily maximum.<br>0.54 mg/l, monthly avg. maximum. |
|  | Chromium (Total) .....        |   | 1.1 mg/l, daily maximum.<br>0.46 mg/l, monthly avg. maximum. |
|  | Zinc (Total) .....            |   | 0.535 mg/l, daily max.<br>0.296 mg/l, monthly avg. maximum.  |
|  | pH .....                      |   | Within the range of 6–9 pH units.                            |

<sup>1</sup> These benchmark monitoring cutoff concentrations apply to storm water discharges associated with industrial activity other than contaminated storm water discharges from landfills subject to the numeric effluent limitations set forth in Table K-1. Monitor once/quarter for the year 2 and year 4 monitoring years.

<sup>2</sup> As set forth at 40 CFR Part 445 Subpart A, these numeric limitations apply to contaminated storm water discharges from hazardous waste landfills subject to the provisions of RCRA Subtitle C at 40 CFR Parts 264 (Subpart N) and 265 (Subpart N) except for any of the facilities described below:

(a) 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;

(b) 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;

TABLE AA-1.—SECTOR-SPECIFIC NUMERIC LIMITATIONS AND BENCHMARK MONITORING

| Subsector<br>(Discharges may be subject to requirements for more than one sector/subsector) | Parameter                     | Benchmark, monitoring, cutoff, concentration <sup>1</sup> | Numeric limitation |
|---|-------------------------------|---|--------------------|
| <b>Part of Permit Affected/Supplemental Requirements</b>                                    |                               |   |                    |
| Fabricated Metal Products Except Coating (SIC 3411-3471, 3482-3499, 3911-3915).             | Total Recoverable Aluminum.   | 0.75 mg/L.  |                    |
|   | Total Recoverable Iron .....  | 1.0 mg/L.   |                    |
|   | Total Recoverable Zinc .....  | 0.117 mg/L.   |                    |
| Fabricated Metal Coating and Engraving (SIC 3479) .....                                     | Nitrate plus Nitrite Nitrogen | 0.68 mg/L.  |                    |
|   | Total Recoverable Zinc .....  | 0.117 mg/L.   |                    |
|   | Nitrate plus Nitrite Nitrogen | 0.68 mg/L.  |                    |

<sup>1</sup> Monitor once/quarter for the year 2 and year 4 Monitoring Years

## 6.AB Sector AB—Transportation Equipment, Industrial or Commercial Machinery

### 6.AB.1 Covered Storm Water Discharges

The requirements in Part 6.AB apply to storm water discharges associated with industrial activity from Transportation Equipment, Industrial or Commercial Machinery facilities as identified by the Activity Code specified under Sector AB in Table 1-1 of Part 1.2.1.

### 6.AB.2 Industrial Activities Covered by Sector AB

The types of activities that permittees under Sector AB are primarily engaged in are:

6.AB.2.1 Industrial and Commercial Machinery (except Computer and Office Equipment) (see Sector AC); and

6.AB.2.2 Transportation Equipment (except Ship and Boat Building and Repairing) (see Sector R).

### 6.AB.3 Storm Water Pollution Plan (SWPPP) Requirements

In addition to the following requirements, you must also comply with the requirements listed in Part 4.

6.AB.3.1 *Drainage Area Site Map.* (See also Part 4.2.2.3) Identify where any of the following may be exposed to precipitation/surface runoff: vents and stacks from metal processing and similar operations.

6.AB.3.2 *Non-Storm Water Discharges.* (See also Part 4.4) If your facility has a separate NPDES permit (or has applied for a permit) authorizing discharges of wastewater, attach a copy of the permit (or the application) to your SWPPP. Any new wastewater permits issued/reissued to you must then replace the old one in your SWPPP. If you discharge wastewater, other than solely domestic wastewater, to a Publicly Owned Treatment Works (POTW), you must notify the POTW of the discharge (identify the types of

wastewater discharged, including any storm water). As proof of this notification, attach to your SWPPP a copy of the permit issued to your facility by the POTW or a copy of your notification to the POTW.

## 6.AC Sector AC—Electronic, Electrical Equipment and Components, Photographic and Optical Goods

### 6.AC.1 Covered Storm Water Discharges

The requirements in Part 6.AC apply to storm water discharges associated with industrial activity from facilities that manufacture Electronic, Electrical Equipment and Components, Photographic and Optical Goods as identified by the SIC Codes specified in Table 1-1 of Part 1.2.1.

### 6.AC.2 Industrial Activities Covered by Sector AC

The types of manufacturing activities that permittees under Sector AC are primarily engaged in are:

6.AC.2.1 Measuring, analyzing, and controlling instruments;

6.AC.2.2 Photographic, medical and optical goods;

6.AC.2.3 Watches and clocks; and

6.AC.2.4 Computer and office equipment.

### 6.AC.3 Additional Requirements

No additional sector-specific requirements apply to this sector.

## 6.AD Storm Water Discharges Designated by the Director as Requiring Permits

### 6.AD.1 Covered Storm Water Discharges

Sector AD is used to provide permit coverage for facilities designated by the Director as needing a storm water permit, or any discharges of industrial activity that do not meet the description of an industrial activity covered by Sectors A-AC. Therefore, almost any type of storm water discharge could be covered under this sector. You must be

assigned to Sector AD by the Director and may NOT choose sector AD as the sector describing your activities on your own.

6.AD.1.1 *Eligibility for Permit Coverage.* Because this Sector only covers discharges designated by the Director as needing a storm water permit (which is an atypical circumstance) or your facility's industrial activities were inadvertently left out of Sectors A-AC, and your facility may or may not normally be discharging storm water associated with industrial activity, you must obtain the Director's written permission to use this permit prior to submitting a Notice of Intent. If you are authorized to use this permit, you will be required to ensure your discharges meet the basic eligibility provisions of this permit at Part 1.2.

### 6.AD.2 Storm Water Pollution Prevention Plan (SWPPP) Requirements

The Director will establish any additional Storm Water Pollution Prevention Plan requirements for your facility at the time of accepting your Notice of Intent to be covered by this permit. Additional requirements would be based on the nature of activities at your facility and your storm water discharges.

### 6.AD.3 Monitoring and Reporting Requirements

The Director will establish any additional monitoring and reporting requirements for your facility at the time of accepting your Notice of Intent to be covered by this permit. Additional requirements would be based on the nature of activities at your facility and your storm water discharges.

## 7. Reporting

### 7.1 Reporting Results of Monitoring

Depending on the types of monitoring required for your facility, you may have to submit the results of your monitoring or you may only have to keep the results

with your Storm Water Pollution Prevention Plan. You must follow the reporting requirements and deadlines in Table 7-1 that apply to the types of monitoring that apply to your facility.

If required by the conditions of the permit that apply to your facility, you must submit analytical monitoring results obtained from each outfall associated with industrial activity (or a certification as per 5.3.1) on a Discharge

Monitoring Report (DMR) form (one form must be submitted for each storm event sampled). An example of a form is found in the Guidance Manual for the Monitoring and Reporting Requirements of the NPDES Storm Water Multi-Sector General Permit. A copy of the DMR is also available on the Internet at <http://www.epa.gov/owm/sw/permits-and-forms/index.htm>. The signed DMR must

be sent to: MSGP DMR (4203), US EPA, 1200 Pennsylvania Avenue NW., Washington, DC 20460.

Note: If EPA notifies dischargers (either directly, by public notice or by making information available on the Internet) of other DMR form options that become available at a later date (e.g., electronic submission of forms), you may take advantage of those options to satisfy the DMR use and submission requirements of Part 7.

TABLE 7-1.—DMR/ALTERNATIVE CERTIFICATION SUBMISSION DEADLINES

| Type of monitoring  | Reporting deadline (postmark)  |
|---|--|
| Monitoring for Numeric Limitation .....                         | Submit results by the 28th day of the month following the monitoring period.                                 |
| Benchmark Monitoring:   |  |
| Monitoring Year 2001-2002 .....                                 | Save and submit all results for year in one package by January 28, 2003.                                     |
| Monitoring Year 2003-2004 .....                                 | Save and submit all results for year in one package by January 28, 2005.                                     |
| Biannual Monitoring for Metal Mining Facilities (see Part 6.G). | Save and submit all results for year in one package by January 28 of the year following the monitoring year. |
| Visual Monitoring .....   | Retain results with SWPPP—do not submit unless requested to do so by Permitting Authority.                   |
| State/Tribal/Territory—Specific Monitoring .....                | See Part 13 (conditions for specific States, Indian country, and Territories).                               |

## 7.2 Additional Reporting for Dischargers to a Large or Medium Municipal Separate Storm Sewer System

If you discharge storm water discharge associated with industrial activity through a large or medium municipal separate storm sewer system (systems serving a population of 100,000 or more), you must also submit signed copies of your discharge monitoring reports to the operator of the municipal separate storm sewer system in accordance with the dates provided in Table 7-1.

## 7.3 Miscellaneous Reports

You must submit any other reports required by this permit to the Director of the NPDES program at the address of the appropriate Regional Office listed in Part 8.3.

## 8. Retention of Records

### 8.1 Documents

In addition to the requirements of Part 9.16.2, you must retain copies of Storm Water Pollution Prevention Plans and all reports and certifications required by this permit, and records of all data used to complete the Notice of Intent to be covered by this permit, for a period of at least three years from the date that the facility's coverage under this permit expires or is terminated. This period may be extended by request of the Director at any time.

### 8.2 Accessibility

You must retain a copy of the Storm Water Pollution Prevention Plan required by this permit (including a copy of the permit language) at the

facility (or other local location accessible to the Director, a State, Tribal or Territorial agency with jurisdiction over water quality protection; local government officials; or the operator of a municipal separate storm sewer receiving discharges from the site) from the date of permit coverage to the date of permit coverage ceases. You must make a copy of your Storm Water Pollution Prevention Plan available to the public if requested to do so in writing.

### 8.3 Addresses

Except for the submittal of NOIs and NOTs (see Parts 2.1 and 11.2, respectively), all written correspondence concerning discharges in any State, Indian country land, Territory, or from any Federal facility covered under this permit and directed to the EPA, including the submittal of individual permit applications, must be sent to the address of the appropriate EPA Regional Office listed below:

#### 8.3.1 Region 1: CT, MA, ME, NH, RI, VT

EPA Region 1, Office of Ecosystem Protection, One Congress Street—CMU, Boston, MA 02114.

#### 8.3.2 Region 2: NJ, NY, PR, VI

United States EPA, Region 2, Caribbean Environmental Protection Division, Environmental Management Branch, Centro Europa Building, 1492 Ponce de Leon Ave., Suite 417, San Juan, PR 00907-4127.

#### 8.3.3 Region 3: DE, DC, MD, PA, VA, WV

EPA Region 3, Water Protection Division (3WP13), Storm Water Coordinator, 1650 Arch Street, Philadelphia, PA 19103.

#### 8.3.4 Region 4: AL, FL, GA, KY, MS, NC, SC, TN

Environmental Protection Agency, Region 4, Clean Water Act Enforcement Section, Water Programs Enforcement Branch, Water Management Division, Atlanta Federal Center, 61 Forsyth Street, SW., Atlanta, GA 30303.

#### 8.3.5 Region 5: IL, IN, MI, MN, OH, WI

(Coverage Not Available Under This Permit.)

#### 8.3.6 Region 6: AR, LA, OK, TX, NM

(Except see Region 9 for Navajo lands, and see Region 8 for Ute Mountain Reservation lands)

United States EPA, Region 6, Storm Water Staff, Enforcement and Compliance Assurance Division (GEN-WC), EPA SW MSGP, P.O. Box 50625, Dallas, TX 75205.

#### 8.3.7 Region 7:

(Coverage Not Available Under This Permit.)

#### 8.3.8 Region 8: CO, MT, ND, SD, WY, UT

(Except see Region 9 for Goshute Reservation and Navajo Reservation lands), the Ute Mountain Reservation in NM, and the Pine Ridge Reservation in NE

United States EPA, Region 8, Ecosystems Protection Program (8EPR—

EP), Storm Water Staff, 999 18th Street, Suite 300, Denver, CO 80202-2466.

**8.3.9 Region 9: AZ, CA, HI, NV, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Goshute Reservation in UT and NV, the Navajo Reservation in UT, NM, and AZ, the Duck Valley Reservation in ID, Fort McDermitt Reservation in OR**

United States EPA, Region 9, Water Management Division, WTR-5, Storm Water Staff, 75 Hawthorne Street, San Francisco, CA 94105.

**8.3.10 Region 10: ID, WA, OR**

(Except see Region 9 for Fort McDermitt Reservation.)

United States EPA, Region 10, Office of Water OW-130, 1200 6th Avenue, Seattle, WA 98101.

**8.4 State, Tribal, and Other Agencies**

See Part 13 for addresses of States or Tribes that require submission of information to their agencies.

**9. Standard Permit Conditions**

**9.1 Duty To Comply**

9.1.1 You must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of CWA and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

9.1.2 *Penalties for Violations of Permit Conditions:* The Director will adjust the civil and administrative penalties listed below in accordance with the Civil Monetary Penalty Inflation Adjustment Rule (Federal Register: December 31, 1996, Volume 61, Number 252, pages 69359-69366, as corrected, March 20, 1997, Volume 62, Number 54, pages 13514-13517) as mandated by the Debt Collection Improvement Act of 1996 for inflation on a periodic basis. This rule allows EPA's penalties to keep pace with inflation. The Agency is required to review its penalties at least once every four years thereafter and to adjust them as necessary for inflation according to a specified formula. The civil and administrative penalties listed below were adjusted for inflation starting in 1996.

9.1.2.1 *Criminal Penalties.*

9.1.2.1.1 *Negligent Violations.*

The CWA provides that any person who negligently violates permit conditions implementing sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a fine of not less than \$2,500 nor more than \$25,000 per day

of violation, or by imprisonment for not more than 1 year, or both.

9.1.2.1.2 *Knowing Violations.* The CWA provides that any person who knowingly violates permit conditions implementing sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a fine of not less than \$5,000 nor more than \$50,000 per day of violation, or by imprisonment for not more than 3 years, or both.

9.1.2.1.3 *Knowing Endangerment.* The CWA provides that any person who knowingly violates permit conditions implementing sections 301, 302, 306, 307, 308, 318, or 405 of the Act and who knows at that time that he is placing another person in imminent danger of death or serious bodily injury is subject to a fine of not more than \$250,000, or by imprisonment for not more than 15 years, or both.

9.1.2.1.4 *False Statement.* The CWA provides that any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under the Act or who knowingly falsifies, tampers with, or renders inaccurate, any monitoring device or method required to be maintained under the Act, 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. If a conviction is for a violation committed after a first conviction of such person under this paragraph, punishment shall be by a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than 4 years, or by both. (See section 309(c)(4) of the Clean Water Act.)

9.1.2.2 *Civil Penalties.* The CWA provides that any person who violates a permit condition implementing sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a civil penalty not to exceed \$27,500 per day for each violation.

9.1.2.3 *Administrative Penalties.* The CWA provides that any person who violates a permit condition implementing sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to an administrative penalty, as follows:

9.1.2.3.1 *Class I Penalty.* Not to exceed \$11,000 per violation nor shall the maximum amount exceed \$27,500.

9.1.2.3.2 *Class II Penalty.* Not to exceed \$11,000 per day for each day during which the violation continues nor shall the maximum amount exceed \$137,500.

**9.2 Continuation of the Expired General Permit**

If this permit is not reissued or replaced prior to the expiration date, it will be administratively continued in accordance with the Administrative Procedures Act and remain in force and effect. Any permittee who was granted permit coverage prior to the expiration date will automatically remain covered by the continued permit until the earlier of:

9.2.1 Reissuance or replacement of this permit, at which time you must comply with the Notice of Intent conditions of the new permit to maintain authorization to discharge; or

9.2.2 Your submittal of a Notice of Termination; or

9.2.3 Issuance of an individual permit for your discharges; or

9.2.4 A formal permit decision by the Director not to reissue this general permit, at which time you must seek coverage under an alternative general permit or an individual permit.

**9.3 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.

**9.4 Duty To Mitigate**

You must take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

**9.5 Duty To Provide Information**

You must furnish to the Director or an authorized representative of the Director any information which is requested to determine compliance with this permit or other information.

**9.6 Other Information**

If you become aware that you have failed to submit any relevant facts or submitted incorrect information in the Notice of Intent or in any other report to the Director, you must promptly submit such facts or information.

**9.7 Signatory Requirements**

All Notices of Intent, Notices of Termination, Storm Water Pollution Prevention Plans, reports, certifications or information either submitted to the Director or the operator of a large or medium municipal separate storm sewer system, or that this permit requires be maintained by you, must be signed as follows:

9.7.1 All notices of intent and notices of termination must be signed as follows:

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

9.7.1.2 *For a partnership or sole proprietorship:* By a general partner or the proprietor, respectively; or

9.7.1.3 *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: (1) The chief executive officer of the agency, or (2) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

9.7.2 All reports required by this permit and other information must be signed as follows:

9.7.2.1 All reports required by this permit and other information requested by the Director or authorized representative of the Director must be signed by a person described in Part 9.7.1 or by a duly authorized representative of that person.

9.7.2.2 A person is a duly authorized representative only if the authorization is made in writing by a person described Part 9.7.1 and submitted to the Director.

9.7.2.3 The authorization must specify either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of manager, operator, superintendent, or 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).

9.7.3 *Changes to Authorization.* If the information on the NOI filed for permit coverage is no longer accurate because a different operator has responsibility for the overall operation of the facility, a new Notice of Intent satisfying the requirements of Part 2 must be submitted to the Director prior to or together with any reports, information, or applications to be signed by an authorized representative. The change in authorization must be submitted within the time frame specified in Part 2.1, and sent to the address specified in Part 2.4.

9.7.4 *Certification.* Any person signing documents under Part 9.7 must 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 gathered and evaluated 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.~~

## 9.8 Penalties for Falsification of Reports

Section 309(c)(4) of the Clean Water Act 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.

## 9.9 Oil and Hazardous Substance Liability

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

## 9.10 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.

## 9.11 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.

## 9.12 Requiring Coverage Under an Individual Permit or an Alternative General Permit

9.12.1 Eligibility for this permit does not confer a vested right to coverage under the permit.

The Director 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 Director to take action under this paragraph. Where the Director requires a permittee authorized to discharge under this permit to apply for an individual NPDES permit, the Director will notify you in writing that a permit application is required. This notification will include a brief statement of the reasons for this decision, an application form, a statement setting a deadline for you 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 will automatically terminate. Applications must be submitted to the appropriate Regional Office indicated in Part 8.3 of this permit. The Director may grant additional time to submit the application upon request of the applicant. If a permittee fails to submit in a timely manner an individual NPDES permit application as required by the Director under this paragraph, then the applicability of this permit to the individual NPDES permittee is automatically terminated at the end of the day specified by the Director for application submittal.

9.12.2 Any permittee authorized by this permit may request to be excluded from the coverage of this permit by applying for an individual permit. In such cases, you must submit an individual application in accordance with the requirements of 40 CFR 122.26(c)(1)(ii), with reasons supporting the request, to the Director at the address for the appropriate Regional

Office indicated in Part 8.3 of this permit. The request may be granted by issuance of any individual permit or an alternative general permit if the reasons cited by you are adequate to support the request.

9.12.3 When an individual NPDES permit is issued to a permittee otherwise subject to this permit, or the permittee is authorized to discharge 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 Director.

9.12.4 The Director's notification that coverage under an alternative permit is required does not imply that any discharge that did not or does not meet the eligibility requirements of Part 1.2 is or has been covered by this permit.

#### 9.13 State/Tribal Environmental Laws

9.13.1 Nothing in this permit will be construed to preclude the institution of any legal action or relieve you from any responsibilities, liabilities, or penalties established pursuant to any applicable State/Tribal law or regulation under authority preserved by section 510 of the Act.

9.13.2 No condition of this permit releases you from any responsibility or requirements under other environmental statutes or regulations.

#### 9.14 Proper Operation and Maintenance

You must at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by you 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 this permit.

#### 9.15 Inspection and Entry

You must allow the Director or an authorized representative of EPA, the State/Tribe, or, in the case of a facility which discharges through a municipal separate storm sewer, an authorized representative of the municipal owner/operator or the separate storm sewer receiving the discharge, upon the presentation of credentials and other documents as may be required by law, to:

9.15.1 Enter upon the your premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;

9.15.2 Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit; and

9.15.3 Inspect at reasonable times any facilities or equipment (including monitoring and control equipment).

#### 9.16 Monitoring and Records

9.16.1 *Representative Samples/Measurements.* Samples and measurements taken for the purpose of monitoring must be representative of the monitored activity.

9.16.2 *Retention of Records.*

9.16.2.1 You must retain records of all monitoring information, and copies of all monitoring reports required by this permit for at least three (3) years from the date of sample, measurement, evaluation or inspection, or report. This period may be extended by request of the Director at any time. Permittees must submit any such records to the Director upon request.

9.16.2.2 You must retain the Storm Water Pollution Prevention Plan developed in accordance with Part 4 of this permit, including the certification required under Section 2.2.4.3 of this permit, for at least 3 years after the last modification or amendment is made to the plan.

9.16.3 *Records Contents.* Records of monitoring information must include:

9.16.3.1 The date, exact place, and time of sampling or measurements;

9.16.3.2 The initials or name(s) of the individual(s) who performed the sampling or measurements;

9.16.3.3 The date(s) analyses were performed;

9.16.3.4 The time(s) analyses were initiated;

9.16.3.5 The initials or name(s) of the individual(s) who performed the analyses;

9.16.3.6 References and written procedures, when available, for the analytical techniques or methods used; and

9.16.3.7 The results of such analyses, including the bench sheets, instrument readouts, computer disks or tapes, etc., used to determine these results.

9.16.4 *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.

#### 9.17 Permit Actions

This permit may be modified; revoked and reissued; or terminated for cause. Your filing of a request for a permit modification; revocation and reissuance; or your submittal of a notification of planned changes or anticipated non-compliance does not automatically stay any permit condition.

### 10. Reopener Clause

#### 10.1 Water Quality Protection

If there is evidence indicating that the storm water discharges authorized by this permit cause, have the reasonable potential to cause, or contribute to a violation of a water quality standard, you may be required to obtain an individual permit or an alternative general permit in accordance with Part 3.3 of this permit, or the permit may be modified to include different limitations and/or requirements.

#### 10.2 Procedures for Modification or Revocation

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

### 11. Transfer or Termination of Coverage

#### 11.1 Transfer of Permit Coverage

Automatic transfers of permit coverage under 40 CFR 122.61(b) are not allowed for this general permit.

11.1.1 Transfer of coverage from one operator to a different operator (e.g., facility sold to a new company): the new owner/operator must complete and file an NOI in accordance with Part 1.3 at least 2 days prior to taking over operational control of the facility. The old owner/operator must file an NOT (Notice of Termination) within thirty (30) days after the new owner/operator has assumed responsibility for the facility.

11.1.2 Simple name changes of the permittee (e.g., Company "A" changes name to "ABC, Inc." or Company "B" buys out Company "A") may be done by filing an amended NOI referencing the facility's assigned permit number and requesting a simple name change.

### 11.2 Notice of Termination (NOT)

You must submit a completed Notice of Termination (NOT) that is signed in accordance with Part 9.7 when one or more of the conditions contained in Part 1.4 (Terminating Coverage) have been met. The NOT form found in Addendum E will be used unless it has been replaced by a revised version by the Director. The Notice of Termination must include the following information:

11.2.1 The NPDES permit number for the storm water discharge identified by the Notice of Termination;

11.2.2 An indication of whether the storm water discharges associated with industrial activity have been eliminated (*i.e.*, regulated discharges of storm water are being terminated); you are no longer an operator of the facility; or you have obtained coverage under an alternative permit;

11.2.3 The name, address and telephone number of the permittee submitting the Notice of Termination;

11.2.4 The name and the street address (or a description of location if no street address is available) of the facility for which the notification is submitted;

11.2.5 The latitude and longitude of the facility; and

11.2.6 The following certification, signed in accordance with Part 9.7 (signatory requirements) of this permit. For facilities with more than one permittee and/or operator, you need only make this certification for those portions of the facility where the you were authorized under this permit and not for areas where the you were not an operator:

I certify under penalty of law that all storm water discharges associated with industrial activity from the identified facility that authorized by a general permit have been eliminated or that I am no longer the operator of the facility or construction site. I understand that by submitting this notice of termination, 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 United States is unlawful under the Clean Water Act where the discharge is not authorized by a 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.

### 11.3 Addresses

All Notices of Termination must be submitted using the form provided by the Director (or a photocopy thereof) to the address specified on the NOT form.

### 11.4 Facilities Eligible for "No Exposure" Exemption for Storm Water Permitting

By filing a certification of "No Exposure" under 40 CFR 122.26(g), you are automatically removed from permit coverage and a NOT to terminate permit coverage is not required.

### 12. Definitions

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

*Commencement of Construction* the initial disturbance of soils associated with clearing, grading, or excavating activities or other construction activities.

*Control Measure* as used in this permit, refers to any Best Management Practice or other method (including effluent limitations) used to prevent or reduce the discharge of pollutants to waters of the United States.

*CWA* means the Clean Water Act or the Federal Water Pollution Control Act, 33 U.S.C. 1251 *et seq.*

*Director* means the Regional Administrator of the Environmental Protection Agency or an authorized representative.

*Discharge* when used without qualification means the "discharge of a pollutant."

*Discharge of Storm Water Associated with Construction Activity* as used in this permit, refers to a discharge of pollutants in storm water runoff from areas where soil disturbing activities (*e.g.*, clearing, grading, or excavation), construction materials or equipment storage or maintenance (*e.g.*, fill piles, borrow areas, concrete truck washout, fueling), or other industrial storm water directly related to the construction process (*e.g.*, concrete or asphalt batch plants) are located. (See 40 CFR 122.26(b)(14)(x) and 40 CFR 122.26(b)(15) for the two regulatory definitions on regulated storm water associated with construction sites).

*Discharge of Storm Water Associated with Industrial Activity* is defined at 40 CFR 122.26(b)(14).

*Facility or Activity* means any NPDES "point source" or any other facility

or activity (including land or appurtenances thereto) that is subject to regulation under the NPDES program.

*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.

*Indian country*, as defined in 18 USC 1151, means: (a) All land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and including rights-of-way running through the reservation; (b) all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a state; and (c) all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same. This definition includes all land held in trust for an Indian tribe.

*Industrial Activity* as used in this permit refers to the eleven categories of industrial activities included in the definition of "discharges of storm water associated with industrial activity".

*Industrial Storm Water* as used in this permit refers to storm water runoff associated with the definition of "discharges of storm water associated with industrial activity".

*Large and Medium Municipal Separate Storm Sewer Systems* are defined at 40 CFR 122.26(b)(4) and (7), respectively and means all municipal separate storm sewers that are either:

1. Located in an incorporated place (city) with a population of 100,000 or more as determined by the 1990 Census by the Bureau of Census (these cities are listed in Appendices F and G of 40 CFR 122); or
2. 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 122); or
3. Owned or operated by a municipality other than those described in paragraph (i) or (ii) and that are designated by the Director as part of the large or medium

municipal separate storm sewer system.

*Municipal Separate Storm Sewer* is defined at 40 CFR 122.26.

*No exposure* means that all industrial materials or activities are protected by a storm resistant shelter to prevent exposure to rain, snow, snowmelt and/or runoff.

*NOI* means Notice of Intent to be covered by this permit (see Part 2 of this permit.)

*NOT* means Notice of Termination (see Part 11.2 of this permit).

*Owner or operator* means the owner or operator of any "facility or activity" subject to regulation under the NPDES program.

*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.

*Pollutant* is defined at 40 CFR 122.2. A partial listing from this definition includes: dredged spoil, solid waste, sewage, garbage, sewage sludge, chemical wastes, biological materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial or municipal waste.

*Runoff coefficient* means the fraction of total rainfall that will appear at the conveyance as runoff.

*Special Aquatic Sites*, as defined at 40 CFR 230.3(q-1), means those sites identified in 40 CFR 230 Subpart E. They are geographic areas, large or small, possessing special ecological characteristics of productivity, habitat, wildlife protection, or other important and easily disrupted ecological values. These areas are generally recognized as significantly influencing or positively contributing to the general overall environmental health or vitality of the entire ecosystem of a region. (See 40 CFR 230.10(a)(3)).

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

*Storm Water Associated with Industrial Activity* refers to storm water, that if allowed to discharge, would constitute a "discharge of storm water associated with industrial activity" as defined at 40 CFR

122.26(b)(14) and incorporated here by reference.

*Waters of the United States* means:

1. All waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;
2. All interstate waters, including interstate "wetlands";
3. All other waters such as interstate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters:
  - a. Which are or could be used by interstate or foreign travelers for recreational or other purposes;
  - b. From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or
  - c. Which are used or could be used for industrial purposes by industries in interstate commerce;
4. All impoundments of waters otherwise defined as waters of the United States under this definition;
5. Tributaries of waters identified in paragraphs (1) through (4) of this definition;
6. The territorial sea; and
7. Wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs 1. through 6. of this definition.

Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of the CWA (other than cooling ponds for steam electric generation stations per 40 CFR 423) which also meet the criteria of this definition) are not waters of the United States. Waters of the United States do not include prior converted cropland. Notwithstanding the determination of an area's status as prior converted cropland by any other federal agency, for the purposes of the Clean Water Act, the final authority regarding Clean Water Act jurisdiction remains with EPA.

*You* and *Your* as used in this permit is intended to refer to the permittee, the operator, or the discharger as the context indicates and that party's facility or responsibilities. The use of "you" and "your" refers to a particular facility and not to all facilities operated by a particular entity. For example, "you must submit" means the permittee must submit something for that particular

facility. Likewise, "all your discharges" would refer only to discharges at that one facility.

### 13. Permit Conditions Applicable to Specific States, Indian Country Lands, or Territories

The provisions of Part 13 provide modifications or additions to the applicable conditions of Parts 1 through 12 of this permit to reflect specific additional conditions required as part of the State or Tribal CWA Section 401 certification process, or Coastal Zone Management Act certification process, or as otherwise established by the permitting authority. The additional revisions and requirements listed below are set forth in connection with, and only apply to, the following States, Indian country lands and Federal facilities.

#### 13.1 Region 1

13.1.1 *CTR05\*\*\*I*: Indian country lands within the State of Connecticut.

13.1.2 *MAR05\*\*\**: Commonwealth of Massachusetts, except Indian country lands.

13.1.2.1 Discharges covered by the general permit must comply with the provisions of 314 CMR 3.00; 314 CMR 4.00; 314 CMR 9.00; and 310 CMR 10.00 and any other related policies adopted under the authority of the Massachusetts Clean Waters Act, M.G.L. c.21, ss. 26-53 and Wetlands Protection Act, M.G.L., s.40. Specifically, new facilities or the redevelopment of existing facilities subject to this permit must comply with applicable storm water performance standards prescribed by state regulation or policy. A permit under 314 CMR 3.04 is not required for existing facilities which meet state storm water performance standards. An application for a permit under 314 CMR 3.00 is required only when required under 314 CMR 3.04(2)(b) (designation of a discharge on a case-by-case basis) or is otherwise identified in 314 CMR 3.00 or Department policy as a discharge requiring a permit application. Department regulations and policies may be obtained through the State House Bookstore or online at [www.magnet.state.ma.us/dep](http://www.magnet.state.ma.us/dep).

13.1.2.2 The department may request a copy of the Storm Water Pollution Prevention Plan (SWPPP) or conduct an inspection of any facility covered by this permit to ensure compliance with state law requirements, including state water quality standards. The Department may enforce its certification conditions.

13.1.2.3 The results of any quarterly monitoring required by this permit must be sent to the appropriate Regional

Office of the Department where the monitoring identifies violations of effluent limits or benchmarks for any parameter for which monitoring is required under this permit.

13.1.3 *MAR05\*\*\*I*: Indian country lands within the Commonwealth of Massachusetts.

13.1.4 *MER05\*\*\*S*: State of Maine, except Indian country lands.

13.1.5 *MER05\*\*\*I*: Indian country lands within the State of Maine.

13.1.6 *NHR05\*\*\*S*: State of New Hampshire.

13.1.7 *RIR05\*\*\*I*: Indian country lands within the State of Rhode Island.

13.1.8 *VTR05\*\*\*F*: Federal Facilities in the State of Vermont.

## 13.2. Region 2

13.2.1 *PRR05\*\*\*S*: The Commonwealth of Puerto Rico. No additional requirements

## 13.3 Region 3

13.3.1 *DCR05\*\*\*S*: The District of Columbia.

13.3.2 *DER05\*\*\*F*: Federal Facilities in the State of Delaware.

## 13.4 Region 4

13.4.1 *ALR05\*\*\*I*: Indian country lands within the State of Alabama.

13.4.2 *FLR05\*\*\*I*: Indian country lands within the State of Florida.

13.4.3 *MSR05\*\*\*I*: Indian country lands within the State of Mississippi.

13.4.4 *NCR05\*\*\*I*: Indian country lands within the State of North Carolina.

## 13.5 Region 5

Permit coverage not available.

## 13.6 Region 6

13.6.1 *LAR05\*\*\*I*: Indian Country lands within the State of Louisiana. No additional requirements.

13.6.2 *NMR05\*\*\*S*: The State of New Mexico, except Indian Country lands.

13.6.2.1 *Discharges to Water Quality Impaired/Water Quality Limited Waters*: Any operator who intends to obtain authorization under the MSGP for all new and existing storm water discharges to water quality-impaired (303(d)) waters (see <http://www.nmenv.state.nm.us/>) 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. Signature of the NOI (which includes certifying eligibility for permit coverage) will be deemed the operator's certification that this eligibility requirement has been satisfied.

13.6.2.1.1 Prior to submitting a Notice of Intent (NOI) for coverage

under the MSGP, provide an estimate of pollutant loads in storm water discharges from the facility to the New Mexico Environment Department, Surface Water Quality Bureau (SWQB). 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.). Existing facilities must base this estimate on actual analytical data, if available.

13.6.2.1.2 Eligibility Requirements for New Discharges.

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

Note: Following receipt of the information required under Part 13.6.2.1.1, SWQB anticipates using the following process in making eligibility determinations for new discharges into 303(d) waters where a TMDL has been developed:

- SWQB will notify the facility operator and EPA that the estimated pollutant load is consistent with the TMDL and that the proposed storm water discharges meet the eligibility requirements of Part 1.2.3.8 of the MSGP and may be authorized under this NPDES permit; or

- SWQB 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 Part 1.2.3.8 of the MSGP and can not be authorized under this NPDES permit.

13.6.2.1.2.2 If a Total Maximum Daily Load (TMDL) has not been developed, permit coverage is not available under this permit for discharges to 303(d) waters and the operator must seek coverage under a separate permit.

Note: Following receipt of the information required under Part 13.6.2.1.1, SWQB anticipates using the following process in making eligibility determinations for new discharges into 303(d) waters where a TMDL has not yet been developed: SWQB will notify the facility operator and EPA that the proposed storm water discharges do not meet the eligibility requirements of Part 1.2.3.8 of the MSGP and can not be authorized under this NPDES permit.

13.6.2.1.3 Eligibility Requirements for Existing Discharges:

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

Note: Following receipt of the information required under Part 13.6.2.1.1, SWQB anticipates using the following process in

making eligibility determinations for existing discharges into 303(d) waters where a TMDL has been developed:

- SWQB will notify the facility operator and EPA that the estimated pollutant load is consistent with the TMDL and that the proposed storm water discharges meet the eligibility requirements of Part 1.2.3.8 of the MSGP and may be authorized under this NPDES permit; or

- SWQB 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 Part 1.2.3.8 of the MSGP and can not be authorized under this NPDES permit.

13.6.2.1.3.2 If a Total Maximum Daily Load (TMDL) has not been developed at the time of permit authorization, but is later 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 SWQB:

- The operator completes revisions to his/her 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 his/her discharges within 14 calendar days following notification by SWQB; and
- The operator implements the additional and/or modified BMPs before the next anticipated discharge following revision of the SWPPP; and

- A report is submitted to SWQB which documents actions taken to comply with this condition, including estimated pollutant loads, within 30 calendar days following implementation of the additional and/or modified BMPs.

13.6.2.1.4 Additional Monitoring—perform analytical monitoring for each outfall at least annually 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. Submit monitoring results to SWQB within 45 calendar days following sample collection. These monitoring requirements are not eligible for any waivers listed elsewhere in the permit.

13.6.2.2 Permit Eligibility Regarding Protection of Water Quality Standards and Compliance with State Anti-degradation Requirements: Storm water discharges associated with industrial activity to 303(d) waters as well as all other "waters of the State" that SWQB has determined to be or may reasonably be expected to be contributing to a violation of a water quality standard

and/or that do not comply with the applicable anti-degradation provisions of the State's WQS are not authorized by this permit.

Note: Upon receipt of this determination, NMED anticipates that, within a reasonable period of time, EPA will notify the general permittee to apply for and obtain an individual NPDES permit for these discharges per 40 CFR 122.28(b)(3).

13.6.2.3 Signed Copies of discharge monitoring reports, individual permit applications, the data and reports addressed in Part 13.6.2.1, and all other reports required herein, shall be submitted to the appropriate state office address: New Mexico—Program Manager, Point Source Regulation Section, Surface Water Quality Bureau, New Mexico Environment Department, P.O. Box 26110, Santa Fe, New Mexico 87502.

13.6.3. NMR05\*##1: Indian Country lands in the State of New Mexico, except Navajo Reservation lands (see Region 9) and Ute Mountain Reservation lands (see Region 8).

13.6.3.1 *Pueblo of Isleta* The following conditions apply only to discharges on the Pueblo of Isleta.

13.6.3.1.1 Copies of "Certification of Eligibility of Coverage" under Part 1.2.3.6.3 (Endangered Species) and Part 1.2.3.7 (Historical Properties), and their justifications, must be provided to the Tribe 10 days prior to filing the Notice of Intent (NOI).

13.6.3.1.2 A copy of the Storm Water Pollution Prevention Plan (SWPPP) must be provided to the Tribe 5 days prior to filing the NOI.

13.6.3.1.3 A copy of the NOI must be provided to the Tribe at the same time it is sent to the Environmental Protection Agency.

13.6.3.1.4 A copy of the Notice of Termination (NOT) must be provided to the Tribe at the same time it is sent to the Environmental Protection Agency.

13.6.3.1.5 Any notice of release of hazardous substances (Part 3.1.2) shall also be sent to the Tribe at the same time it is sent to the Environmental Protection Agency. Notification of a release of hazardous substances shall also be made to the Pueblo's Police Department (505-869-3030) or Governor's Office (505-869-3111) or Environment Department (505-869-5748).

13.6.3.1.6 Copies of all "Routine Inspection Reports: (Part 4.2.7.2.1.5) and "Comprehensive Inspection Reports" (Part 4.9) shall be sent to the Tribe within 5 days of completion.

13.6.3.1.7 All analytical data (e.g., Discharge Monitoring Reports, etc.) shall be provided to the Tribe at the same time it is provided to the EPA.

13.6.3.1.8 Exceedance of any EPA-established "Benchmark Value" for any pollutant will require quarterly monitoring for that pollutant until such time as analytical results from 4 consecutive quarters are below the "Benchmark."

13.6.3.1.9 Any permittee in Sector F shall monitor for all Clean Water Act Section 307(a) priority pollutants used in any of their processes. Monitoring shall be on a quarterly basis.

13.6.3.1.10 Any permittee in Sector M shall monitor for total oil & grease, glycols, and those solvents regulated under Safe Drinking Water Act mandates at 40 CFR 141.61(a) in addition to those parameters identified in Table M-1. Monitoring shall be on a quarterly basis.

13.6.3.1.11 Any permittee in Sector N shall monitor for PCBs in addition to those parameters identified in Table N-1. Monitoring shall be on a quarterly basis.

13.6.3.1.12 All written reports shall be sent to: Director, Environment Department, Pueblo of Isleta, Isleta, NM 87022.

13.6.3.2 *Pueblo of Nambe*. The following conditions apply only to discharges on the Pueblo of Nambe. No additional requirements.

13.6.3.3 *Pueblo of Picuris*. The following conditions apply only to discharges on the Pueblo of Picuris.

13.6.3.4 *Pueblo of Pojoaque*. The following conditions apply only to discharges on the Pueblo of Pojoaque.

13.6.3.4.1 Notices of Intent (NOI) and notices of Termination (NOT) shall be submitted to the Pueblo of Pojoaque Environment Department at the same time they are submitted to EPA.

13.6.3.4.2 Storm Water Pollution Prevention Plans (SWPPP) shall be submitted to the Pueblo of Pojoaque Environment Department 30 days before commencement of the project.

13.6.3.4.3 If requested by the Pueblo of Pojoaque Environment Department (PPED), the permittee shall provide additional information necessary for a "case by case" eligibility determination to assure compliance with Pojoaque Pueblo Water Quality Standards.

Note: Upon receipt of a determination by the Pueblo of Pojoaque that discharges from a facility have the reasonable potential to be causing or contributing to a violation of Pojoaque Pueblo Water Quality Standards, EPA would notify the general permittee to either improve their Storm Water Pollution Prevention Plan to achieve compliance with Pojoaque Pueblo Water Quality Standards or apply for and obtain an individual NPDES permit for these discharges per 40 CFR 122.28(b)(3).

13.6.3.4.4 All written reports shall be sent to: Pueblo of Pojoaque

Environment Department, 2 W. Gutierrez, Santa Fe, NM 87501; Phone (505) 455-2087; FAX (505) 455-2177.

13.6.3.5 *Pueblo of San Juan*. The following conditions apply only to discharges on the Pueblo of San Juan.

13.6.3.5.1 Copies of the Notice of Intent (NOI) and Notice of Termination (NOT) shall be provided to the Pueblo five (5) days prior to the time it is provided to the Environmental Protection Agency. A copy of the Storm Water Pollution Prevention Plan shall be provided to the Pueblo five (5) days prior to the time the NOI is submitted to the Environmental Protection Agency.

13.6.3.5.2 All analytical data (e.g., Discharge Monitoring Reports, etc.) shall be provided to the Pueblo at the same time it is provided to the Environmental Protection Agency. Monitoring activities must be coordinated with the Director of the Environment Department to insure consistency with the Pueblo of San Juan Surface Water Quality Monitoring Program.

13.6.3.5.3 Copies of all written reports required under the permit shall be sent to: Director, Environment Department, San Juan Pueblo, P.O. Box 717, San Juan Pueblo, NM 87566. For questions or coordination, you may contact the Director at (505) 852-4212.

13.6.3.6 *Pueblo of Sandia*. The following conditions apply only to discharges on the Pueblo of Sandia.

13.6.3.6.1 Copies of the Notice of Intent (NOI) and Notice of Termination (NOT) shall be provided to the Pueblo at the same time it is provided to the Environmental Protection Agency. A copy of the Storm Water Pollution Prevention Plan must also be provided to the Pueblo at the time the NOI is submitted.

13.6.3.6.2 All analytical data (e.g., Discharge Monitoring Reports, etc) shall be provided to the Pueblo at the same time it is provided to the Environmental Protection Agency.

13.6.3.6.3 All written reports shall be sent to: Director, Environment Department, Pueblo of Sandia, Box 6008, Bernalillo, NM 87004.

13.6.3.7 *Pueblo of Tesuque*. The following conditions apply only to discharges on the Pueblo of Tesuque. No additional requirements.

13.6.3.8 *Santa Clara Pueblo*. The following conditions apply only to discharges on the Santa Clara Pueblo. No additional requirements.

13.6.3.9 *All Other Indian Country lands in New Mexico*. No additional requirements.

## **APPENDIX B:**

### **Inspections**

1. Inspector Qualifications
2. Sample Inspection Form
3. Completed Inspections

# Inspector Qualifications

NPDES General Permit for Storm Water Discharges Associated with Construction Activities

Steve Veenis, ESH-18 for LANL ER

Qualifications: LANL's Subject Matter Expert (SME) for NPDES Storm Water requirements (8 years). Assisted in the development of LANL's BMP Guidance document and Construction SWPP Plan Development Guidance document. Prior to employment at LANL, experience in the construction field. Certified Professional in Erosion and Sediment Control (CPESC).

Tom Benson, WGII

Qualifications: Experience writing SWPP Plans, installing, maintaining, and inspecting storm water BMPs. Mr. Benson has installed and inspected storm water BMPs on LANL Environmental Restoration projects at TA-21 MDA V PRS 21-018(a)-99, TA-21 PRS 21-027(d)-99, TA-21 MDA U, South Fork of Acid Canyon, and wrote the SWPPP for the Sherwood Complex Demolition and Disposal Project at TA-3. Geologist with extensive field management experience.

Shannon Purdue, PMC

Qualifications: Involved in the development of a SWPP plan. Geologist with 2 years of experience working for the LANL ER Project, including Geomorphic mapping of several canyons.

Dana Williams, WGII

Qualifications: Construction Manager for WGII with over 15 years experience in construction. Several years experience in storm water control planning and prevention.

**MATERIAL STORAGE AREAS**

EVIDENCE OR POTENTIAL FOR POLLUTANTS ENTERING THE DRAINAGE SYSTEM: \_\_\_\_\_  
\_\_\_\_\_

OTHER COMMENTS: \_\_\_\_\_  
\_\_\_\_\_

**LOCATIONS WHERE VEHICLES ENTER OR EXIT SITE**

EVIDENCE OF OFFSITE SEDIMENT TRACKING: \_\_\_\_\_  
\_\_\_\_\_

**OFFSITE DISCHARGES**

EVIDENCE OF SEDIMENT OR OTHER POLLUTANTS LEAVING SITE:  YES  NO

IF YES, LOCATION: \_\_\_\_\_  
\_\_\_\_\_

**PLAN UPDATE SECTION**

If this inspection has revealed any issues that require an update to the SWPP Plan, include them here.

CHANGES REQUIRED TO THE SWPP PLAN (if appropriate): \_\_\_\_\_  
\_\_\_\_\_

REASONS FOR CHANGES (if appropriate): \_\_\_\_\_  
\_\_\_\_\_

LIST ANY ADDITIONAL LOCATIONS WHERE BMPs ARE NEEDED: \_\_\_\_\_  
\_\_\_\_\_

LIST ANY INCIDENTS OF NONCOMPLIANCE WITH SWPP PLAN AND NECESSARY MODIFICATIONS TO SWPP PLAN: \_\_\_\_\_  
\_\_\_\_\_

IS FACILITY IN COMPLIANCE WITH SWPP PLAN AND PERMIT? \_\_\_\_\_  
\_\_\_\_\_

If yes, this inspection must be properly signed and certified that the facility is in compliance.

**APPENDIX C:**

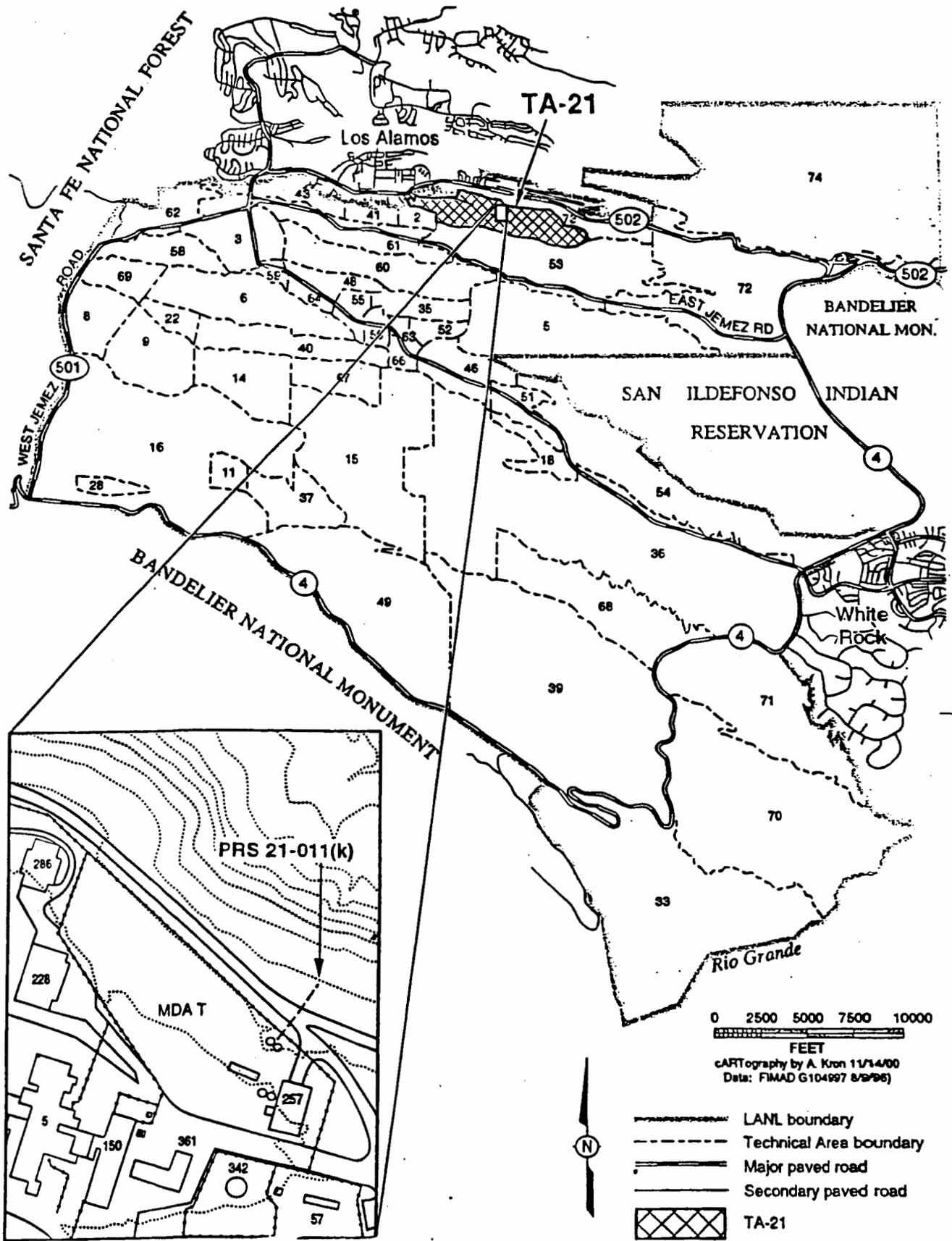
**Plan Amendment Tracking Log**

**PLAN AMENDMENT TRACKING LOG**

| Date | Plan Section | Reason for Amendment | Amendment |
|------|--------------|----------------------|-----------|
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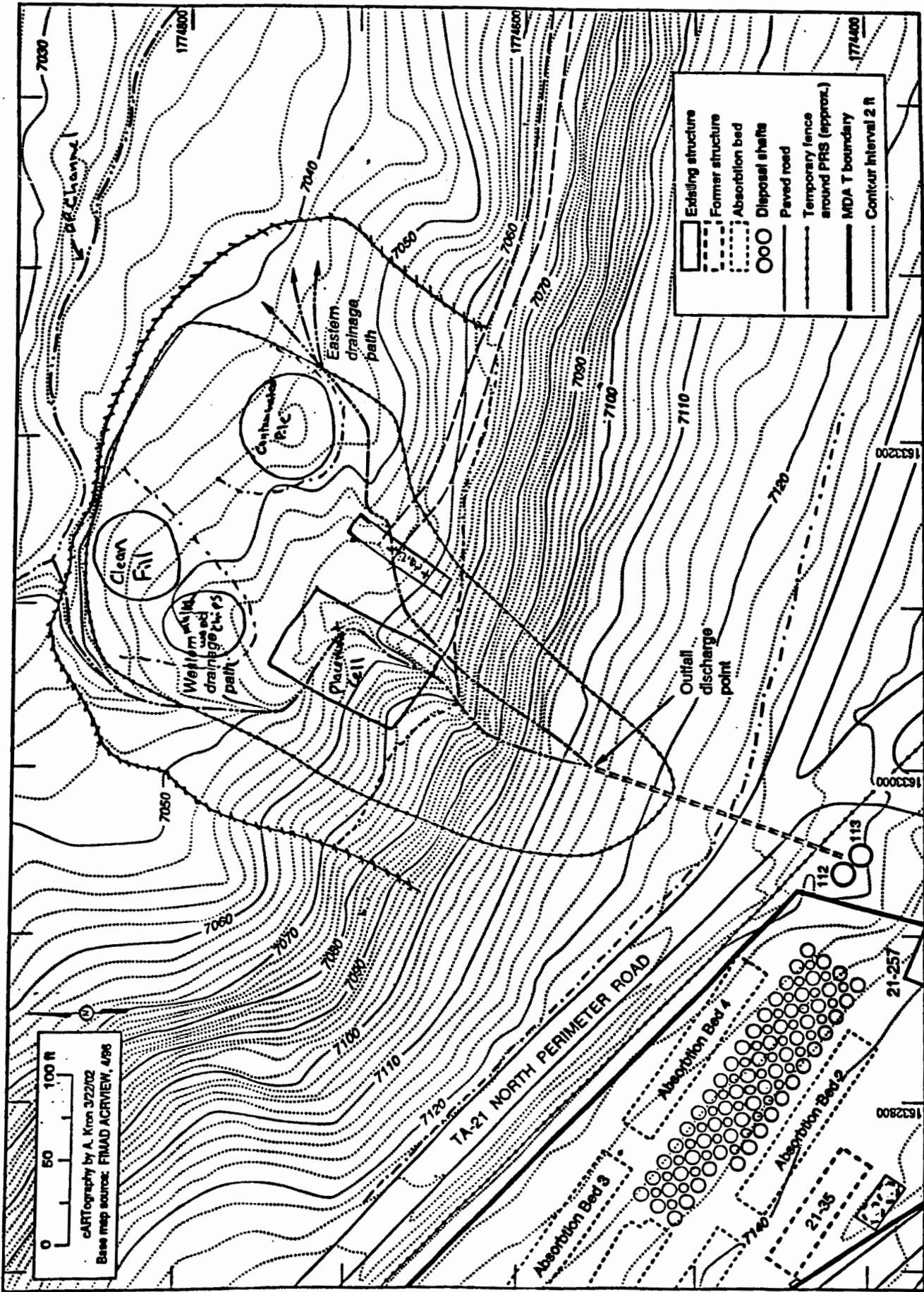
**APPENDIX D:**

**Site Maps**

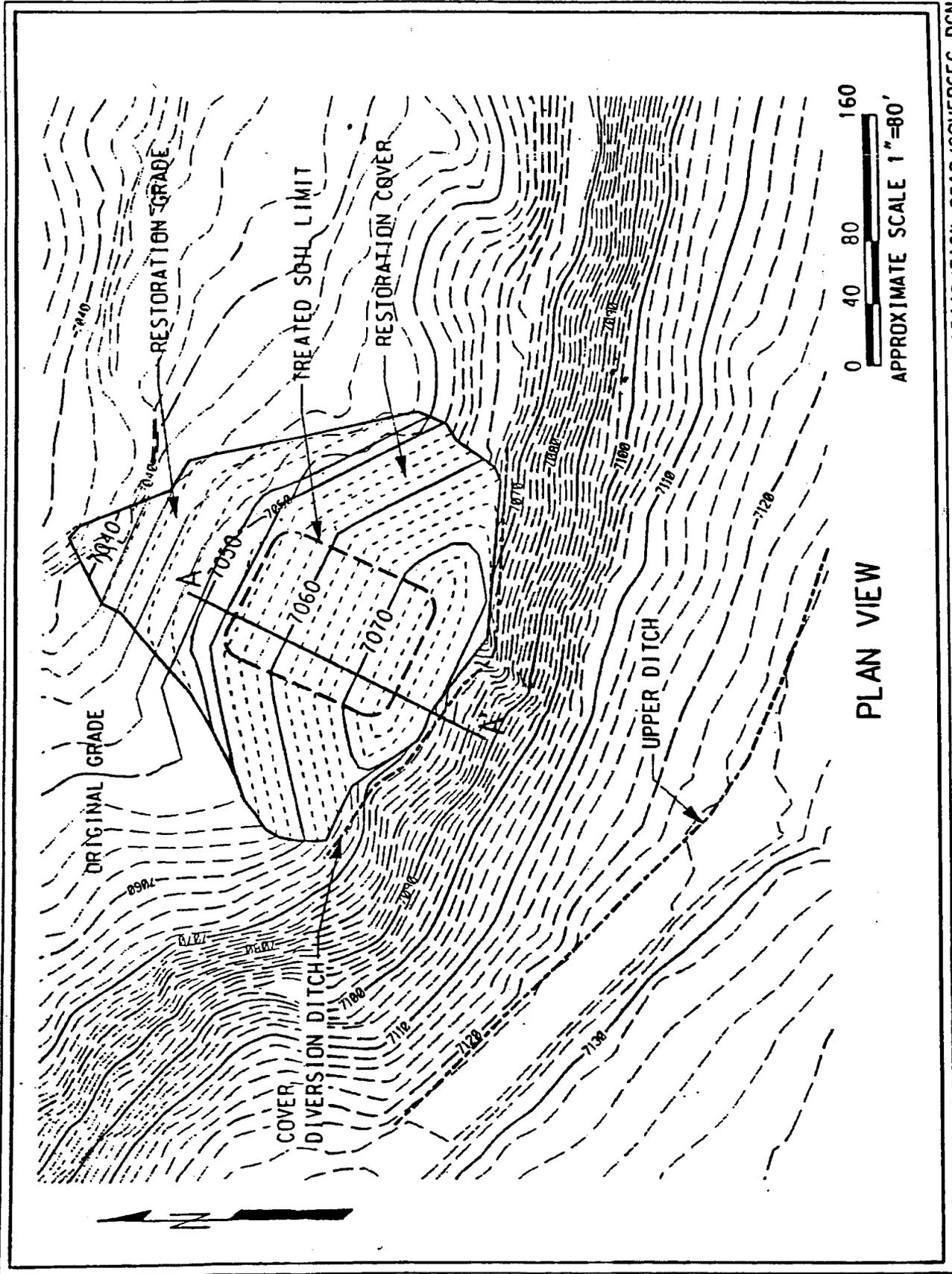


Location of TA-21 with respect to Laboratory technical areas and surrounding land holdings. \ /

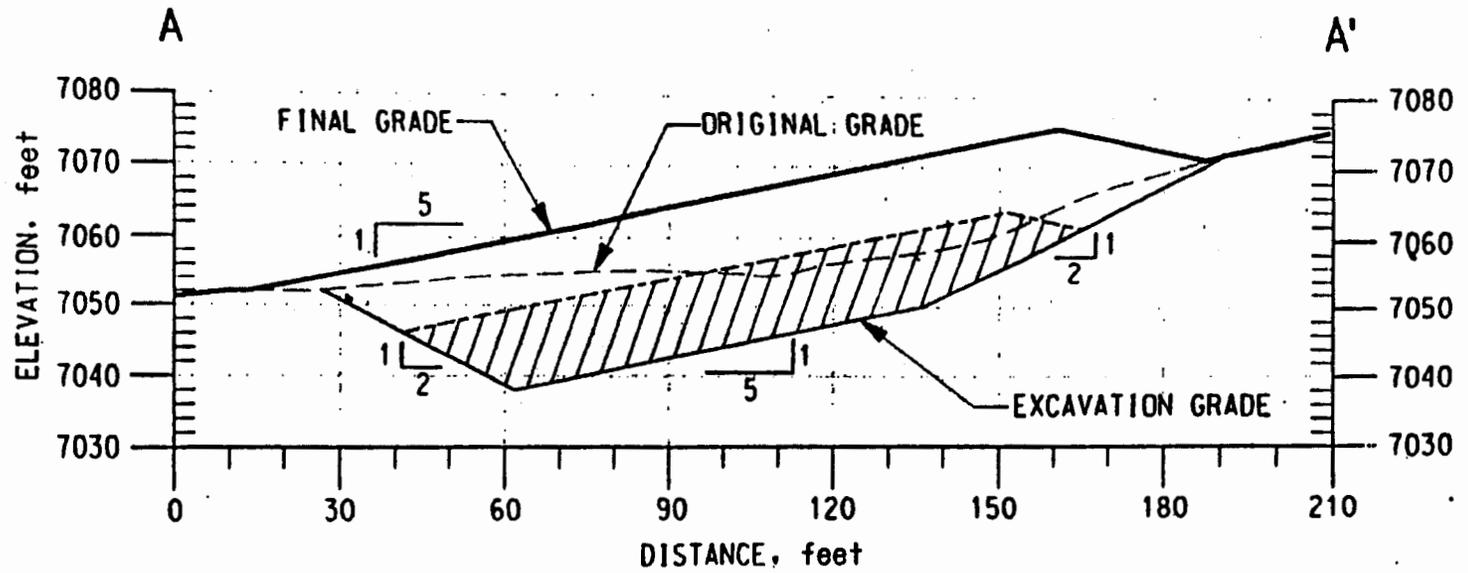
21-011/k



Silt Fence  
 Run on Control  
 Drainage Pathway



PLAN VIEW



CROSS SECTION A-A'

 TREATED CONTAMINATED SOIL

**APPENDIX E:**

**Land Disturbance Log**

LAND DISTURBANCE LOG

| Location                 | Activity   | Date  |
|--------------------------|--|---|
| Area # 1<br>Soil Removal | Soil Disturbance <input checked="" type="checkbox"/><br>Activities Cease:<br>Temporarily <input checked="" type="checkbox"/><br>Permanently <input type="checkbox"/><br>Stabilization Initiated <input type="checkbox"/> | 12-17-02 Start<br>12-19-02 Finish   |
| Area # 2<br>Soil Removal | Soil Disturbance <input checked="" type="checkbox"/><br>Activities Cease:<br>Temporarily <input checked="" type="checkbox"/><br>Permanently <input type="checkbox"/><br>Stabilization Initiated <input type="checkbox"/> | 12-19-02 Start<br>12-19-02 stopped<br>due to frozen ground<br>over gas main, will<br>wait for unfrozen<br>conditions. |
| Area # 3<br>Soil Removal | Soil Disturbance <input checked="" type="checkbox"/><br>Activities Cease:<br>Temporarily <input checked="" type="checkbox"/><br>Permanently <input type="checkbox"/><br>Stabilization Initiated <input type="checkbox"/> | 1-6-03 Start<br>1-13-03 Finish  |
| Western Drainage         | Soil Disturbance <input checked="" type="checkbox"/><br>Activities Cease:<br>Temporarily <input checked="" type="checkbox"/><br>Permanently <input type="checkbox"/><br>Stabilization Initiated <input type="checkbox"/> | 12-12-02 Start<br>1-15-03 Finish  |

**APPENDIX F:**

**Material Inventory Form**

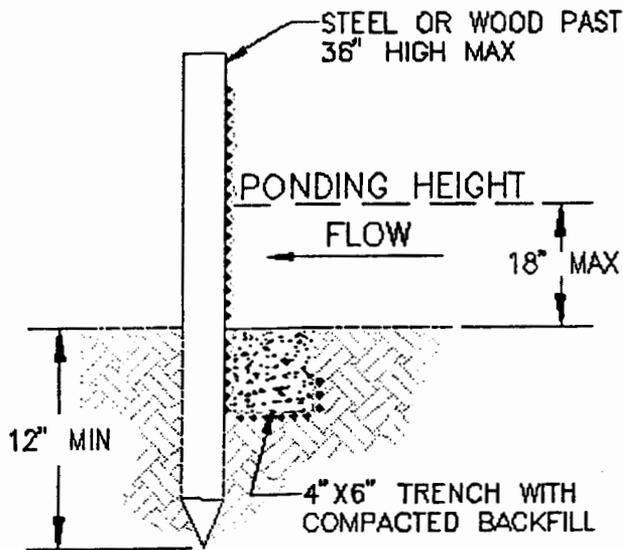
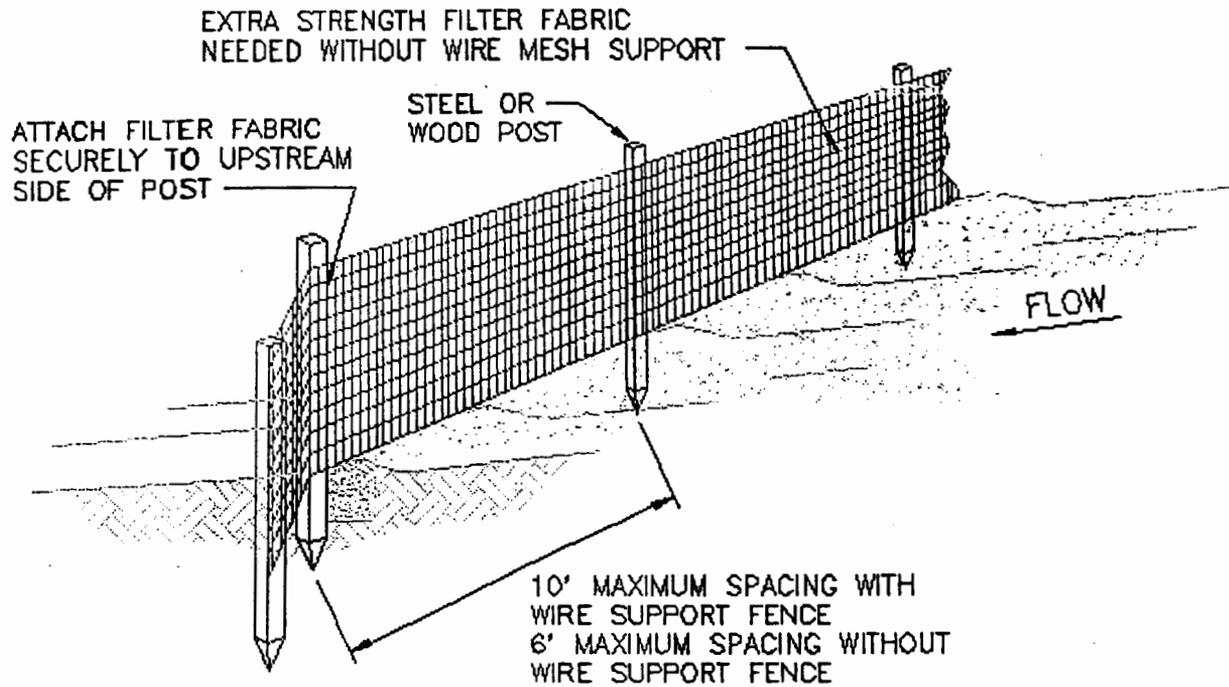


## **APPENDIX G:**

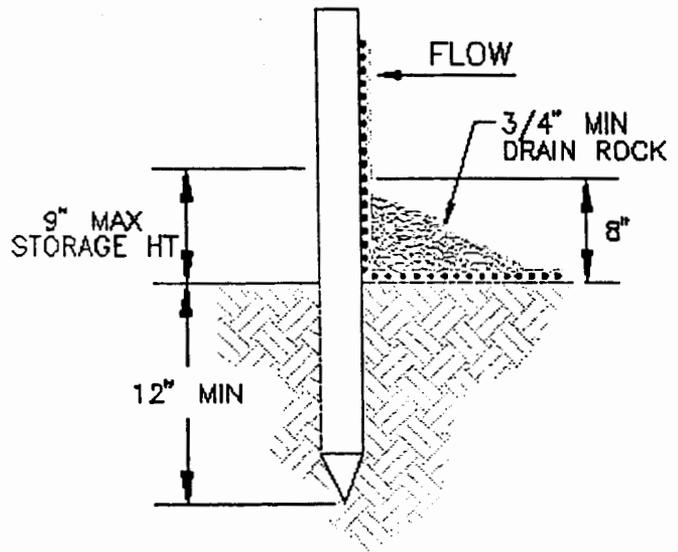
### **Erosion Control Details**

1. Silt Fence
2. Straw Bale Barrier
3. Construction Entrance/ Exit
4. Surface Roughening
5. Triangular Silt Dike

# SILT FENCE



TRENCH DETAIL

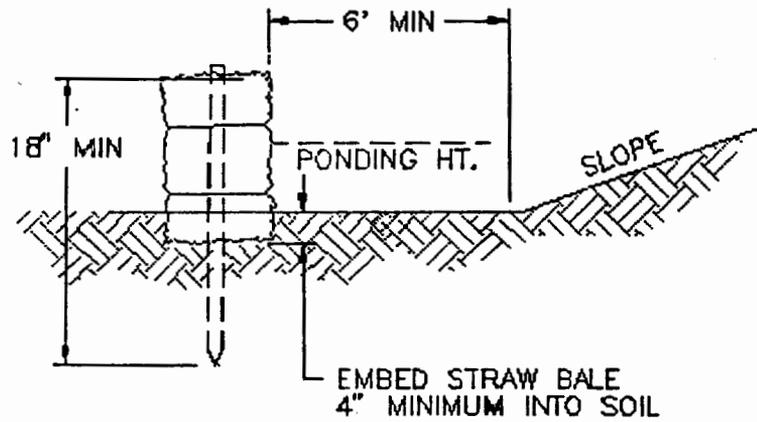


INSTALLATION WITHOUT TRENCHING

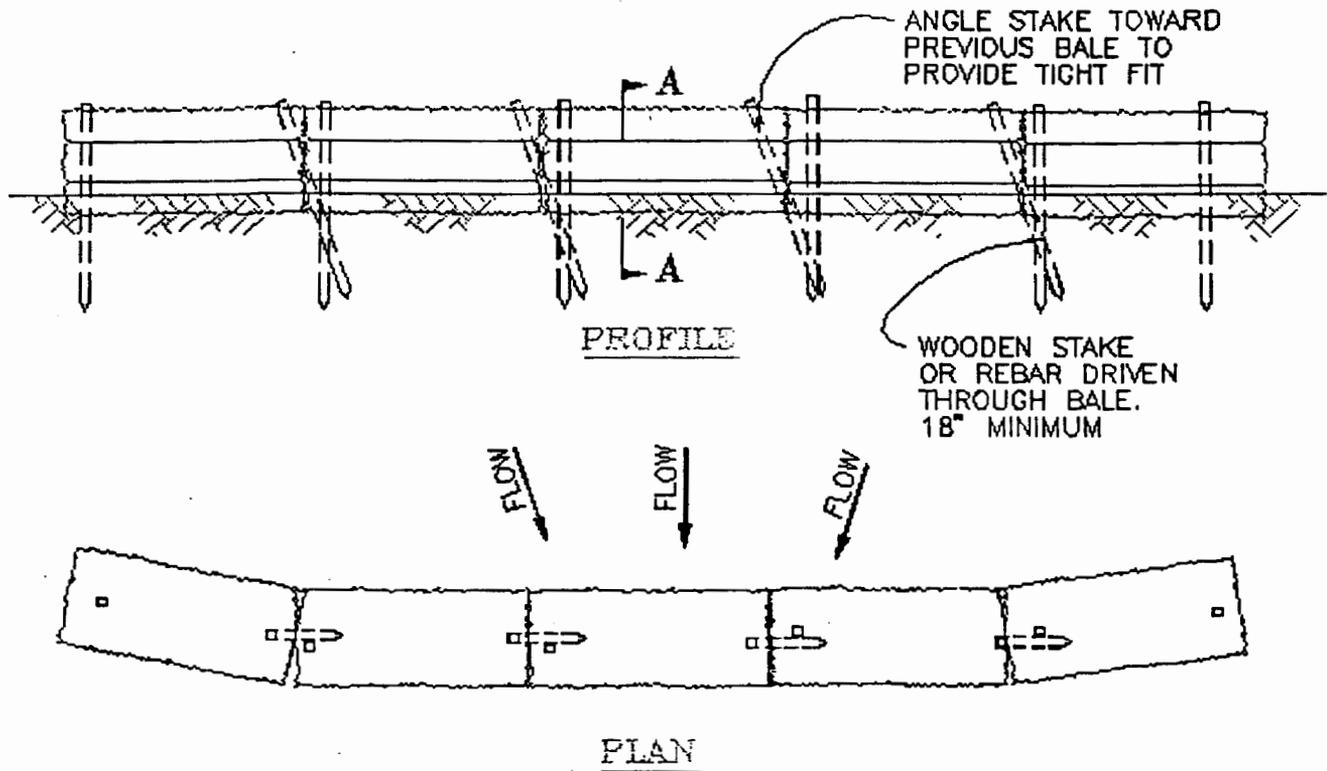
## NOTES:

1. SILT FENCE SHALL BE PLACED ON SLOPE CONTOURS TO MAXIMIZE PONDING EFFICIENCY.
2. WHEN USING WIRE MESH SUPPORT, EXTEND WIRE INTO TRENCH A MINIMUM OF 2 INCHES AND NO MORE THAN 36 INCHES ABOVE THE ORIGINAL GROUND SURFACE.
3. THE ENDS OF THE SILT FENCE SHALL BE TURNED UPHILL.
4. PLACE SILT FENCE AT LEAST 6 FEET FROM THE TOE OF A SLOPE.
5. PONDING HEIGHT SHALL BE A MAXIMUM OF 18 INCHES WITH TRENCH INSTALLATION

# STRAW BALE BARRIER



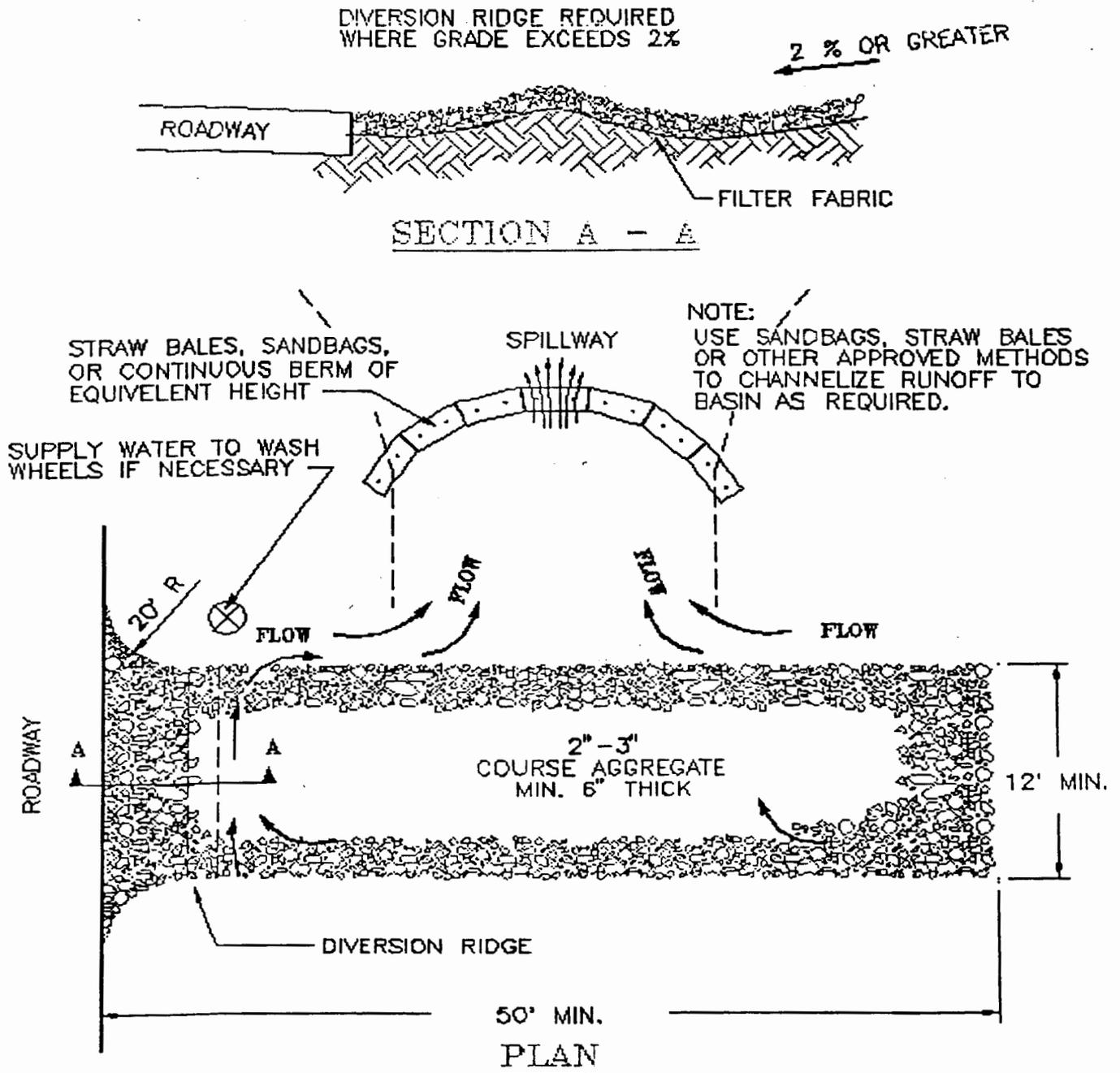
SECTION A - A



NOTES:

1. THE STRAW BALES SHALL BE PLACED ON SLOPE CONTOUR.
2. BALES TO BE PLACED IN A ROW WITH THE ENDS TIGHTLY ABUTTING.
3. FILL GAPS BETWEEN BALES AND TAMP BACKFILL MATERIAL TO PREVENT EROSION OR FLOW UNDER BALES.

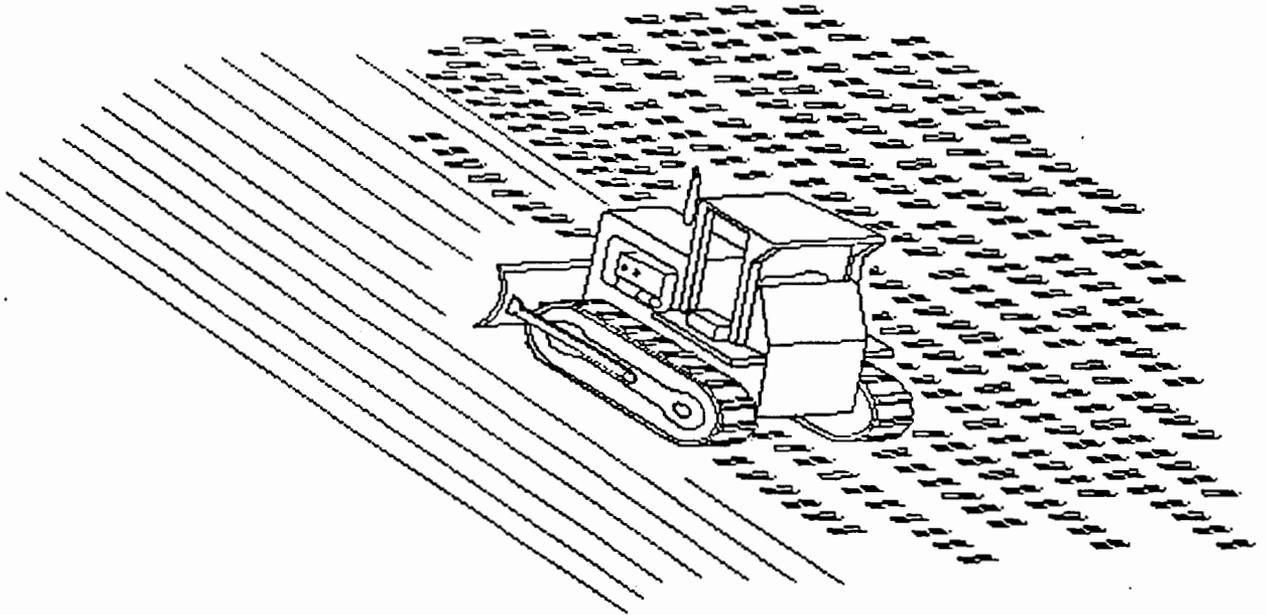
# TEMPORARY GRAVEL CONSTRUCTION ENTRANCE/EXIT



NOTES:

1. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION THAT WILL MINIMIZE SEDIMENT TRACKING OR TRANSPORT ONTO PUBLIC ROADWAYS. THIS MAY REQUIRE ADDING ADDITIONAL LAYERS OF GRAVEL, REPAIR AND/OR CLEANOUT OF MEASURES USED TO TRAP SEDIMENT.
2. WHEN NECESSARY, WHEELS SHALL BE CLEANED PRIOR TO ENTRANCE ONTO PUBLIC ROADWAYS.
3. VEHICLE WASHING SHALL BE CONDUCTED IN A STABILIZED AREA WITH APPROPRIATE STORM WATER CONTROLS IN PLACE.

## SURFACE ROUGHENING

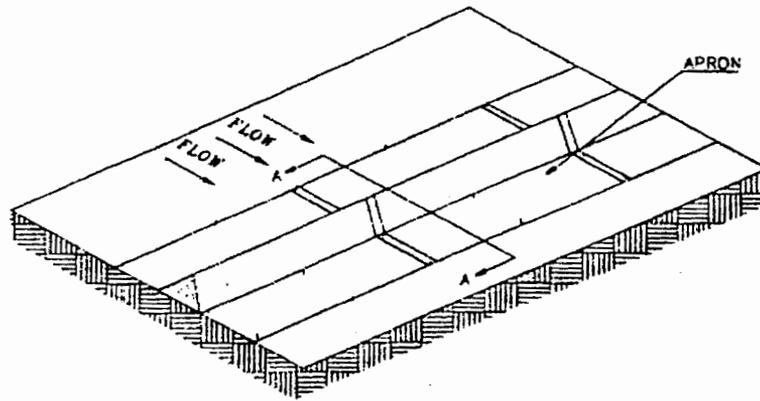


### TRACKING

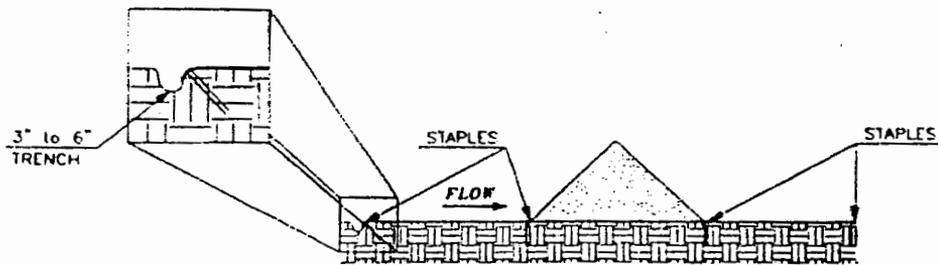
#### NOTES:

1. USE OF TRACKED MACHINERY SHOULD BE LIMITED TO SANDY SOILS THAT DO NOT EASILY COMPACT.
2. AVOID TRACKING ON CLAY SOILS.
3. OPERATE TRACKED MACHINERY PERPENDICULAR TO THE CONTOURS.
4. SEED AREA FOLLOWING ROUGHENING.

# TRIANGULAR SILT DIKE INSTALLATION FOR CONTINUOUS BARRIER



SILT DIKE UNIT  
CUT SECTION



DETAIL A-A

STAPLES SHALL BE PLACED WHERE  
THE UNITS OVERLAP AND IN THE  
CENTER OF THE 7' UNIT AS  
SHOWN ON THE DIAGRAMS

**APPENDIX H:**

**Spill Tracking Form**



**APPENDIX I:**

**NEPA Categorical Exclusion**

|  |  |  |                      |
|--|--|--|----------------------|
| Project/Activity Title: <i>Environmental Restoration project VCAs, ECs, and IAs; FY 96 - FY 97</i> |  | Accession No: 6208<br>LAN-96-060A                            | Date: 5/6/2002       |
| Location: LANL; Los Alamos and Santa Fe Counties   |  | Schedule: FY 96 - 97   | Cost: see text below |
| DOE Program Office: EM; Environmental Restoration  |  | Non-DOE Sponsor: N/A   |                      |
| Project Contact: Dave McInroy, EM/ER, MS M992, 505-667-0819  |  |  |                      |
| Preparer/Contact: Todd Haagenstad, LANL ESH-20<br>Signature:                                       |  | NEPA Reviewer: Margaret A. Powers, LANL ESH-20<br>Signature: |                      |

**DESCRIPTION OF PROPOSED ACTION:**

The proposed actions would involve the continued remediation and near-term interim stabilization of potential release sites as identified by the DOE Environmental Restoration (ER) program at LANL over the next two years. These cleanups would be conducted under the administrative control of LANL's ER project and would allow for the quick removal of contamination, thereby reducing health and environmental risks at LANL. The types of sites that would be remediated and closed include equipment storage areas, surface disposal areas, septic tank systems and outfalls, barrow pits, waste container storage areas and other similar areas. Voluntary Corrective Action (VCA) plans and Expedited Cleanup (EC) criteria would be provided to DOE for review and approval prior to initiating field activities. Where final remediations are not currently practical or possible, near-term Interim Actions (IAs) would be implemented to manage, abate, or control further spread of contamination. The proposed action cost and schedule would not exceed limits implemented under 10 CFR 1021; Appendix B 6.1.

All activities would be conducted according to existing and current site safety plans and standard operating procedures. Reviews and appropriate mitigation of potential disturbances of archaeological/cultural resources and special status species and consultations with affected Native American Tribes or appropriate regulatory authorities would be conducted as necessary prior to initiating the proposed actions. If required, new or revised Biological Assessments (BAs) for proposed actions would be submitted to the US Fish and Wildlife Service (USFWS) identifying sites with potential Threatened and Endangered Species (TES) and critical habitat issues. New and revised BAs would include proposed mitigations which would be implemented to avoid an adverse impact to TES or critical habitat. Proposed ER activities would not occur until the USFWS concurs with the proposed actions and mitigations as identified in the new or revised BAs.

These proposed ER activities would be consistent with ECs, VCAs, and near-term IAs previously reviewed and categorically excluded by DOE under LAN-95-098. The attached list shows all proposed remedial actions for which biological and cultural resource reviews have been completed.

**NEPA DETERMINATION BASED ON ABOVE DESCRIPTION:**

- Covered by prior NEPA review: \_\_\_\_\_, LAN-95-\_\_\_\_\_
- Requires EIS: 10 CFR 1021, Subpart D, Appendix D
- Covered by CX: 10 CFR 1021, Subpart D, Appendix B 6.1
- CX exception (check all that apply): Prepare EA
- |   |  |
|---|--|
| <input type="checkbox"/> extraordinary circumstances: _____ | <input type="checkbox"/> uncontrolled release of hazardous substance |
| <input type="checkbox"/> connected action: _____            | <input type="checkbox"/> siting or expansion of waste TSD facility   |
| <input type="checkbox"/> threaten violation of regulation   | <input type="checkbox"/> adverse effect sensitive resource           |
- None of the above: Prepare EA. [If applicable :10 CFR 1021, Subpart D, Appendix C ]
- Other: \_\_\_\_\_

The action of *Environmental Restoration Project VCAs, ECx and IAs FY-96 and FY-97 (LAN-96-060A)* was categorically excluded under 10 CFR 1021, Appendix B6.1, small-scale, short term cleanup actions on June 21, 1996. The amendments as listed below have been approved for this NERF:

| Amended Action   | Date Approved |
|--|---------------|
| PRS-49-008   | 2/19/97       |
| PRS-22-012   | 2/26/97       |
| PRS-22-015 (a, b, d, & e)                                  |               |
| PRS-15-004g  |               |
| PRS-15-007a  | 3/6/97        |
| PRS-15-008c & d  |               |
| PRS-15-009e & j  |               |
| PRS-15-012b  |               |
| PRS-15-007 (oil stain)                                     |               |
| PRS-15-010 (remove fuel tank)                              |               |
| PRS-49-008d  | 4/21/97       |
| VCA C-2-001  | 4/25/97       |
| FMU #70, PRS 16-030(h) (TA-16, VCA 1-8)                    | 5/22/97       |
| - FMU #74, PRS 18-006 (VCA Uranium Solution Pipe (OU-1093) |               |
| FMU #81, UST removal (TA-60 & TA-3)                        | 7/1/97        |
| Remediation of PRS-21-024(i) at TA-21                      |               |
| C-2-001 VCA (TA-2)   |               |
| VCA/SWMU 60-006(A)   | 7/28/97       |
| VCA/SWMU 73-004(a,b,c), 73-007                             |               |
| VCA/SWMU 2-009(a,b,c,d)                                    |               |
| Extend activity to FY-98 thru FY-00                        | 7/28/97       |
| VCAs at TA-33-002(a) and TA-33-004(a)                      | 8/26/97       |
| VCA 53-001 (a) PCB contaminated soil in a storage area     | 9/2/97        |
| VCA 53-008   | 9/9/97        |
| VCA at PRS 3-014(m) (sludge drying beds)                   | 12/1/97       |
| 61-002 (storage yard)                                      |               |

**APPENDIX J:**

**Surface Water Site Assessment**

# Los Alamos National Laboratory

Environment, Safety & Health Division  
 ESH-18 Water Quality & Hydrology Group

## Surface Water Assessment Erosion Matrix for PRS 21-011(k)

| CRITERIA EVALUATED                                     | Value      | Erosion/Sediment Transport Potential   |               |                  | Calculated Score |
|--|------------|--|---------------|------------------|------------------|
|  |            | Low<br>0.1   | Medium<br>0.5 | High<br>1.0      |                  |
| <b>Site Setting (43)</b>                               |            |  |               |                  |                  |
| On mesa top  | 1          | Defined based on topographic setting   |               |                  |                  |
| Within bench of canyon                                 | 4          |  |               |                  |                  |
| Within the canyon floodplain but not watercourse       | 13         |  |               |                  | 13.0             |
| Within bottom of canyon channel in watercourse         | 17         |  |               |                  |                  |
| Estimated % ground and canopy cover                    | 13         | >75%   | 25-75%        | <25%             | 6.5              |
| Slope  | 13         | 0-10%  | 10-30%        | >30%             | 6.5              |
| <b>Surface Water Factors-Run-off (46)</b>              |            |  |               |                  |                  |
| Visible evidence of runoff discharging? (Yes/No)       | 5          | If no, score of 0 for runoff section.<br>If yes, score 5 and proceed with section. |               |                  | 5.0              |
| Where does runoff terminate?                           | 19         | Other  | Bench Setting | Drainage/Wetland | 19.0             |
| Has runoff caused visible erosion? (Yes/No)            | 22         | Sheet  | Rill          | Gully            | 22.0             |
|  |            | If no, score as 0. If yes, calculate as appropriate.                               |               |                  |                  |
| <b>Surface Water Factors-Run-on (11)</b>               |            |  |               |                  |                  |
| Structures adversely affecting run-on (Yes/No)         | 7*         | If yes, score as 7. If no, score as 0.   |               |                  | 0.0              |
| Current operations adversely impacting (Yes/No)        | 4          | If yes, score as 4. If no, score as 0.   |               |                  | 0.0              |
| Natural drainages onto site (Yes/No)                   | 7*         | If yes, score as 7. If no, score as 0.   |               |                  | 0.0              |
| <i>*Select either structures or natural drainages.</i> |            |  |               |                  |                  |
| <b>MAX. POSSIBLE EROSION MATRIX SCORE:</b>             | <b>100</b> | <b>Total Score</b>   |               |                  | <b>72**</b>      |

\*\* Indicates BMPs in place. Erosion potential without BMPs may be greater.

Los Alamos National Laboratory  
**SURFACE WATER  
 SITE ASSESSMENT**

**SITE INFORMATION**

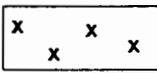
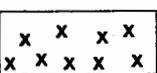
1a) PRS Number  1b) Structure Number  1c) FMU Number   
 2. Date/Time (M/D/Y H:M am/pm)

**SITE SETTING (check all that apply)**

3.  On mesa top (a).  In the canyon floor, but not in an established channel (c)  
 Within a bench of a canyon (b).  Within established channel in the canyon floor (d).

Explanation: Upper slope is where outfall is located. Discharges reach lower canyon floor.

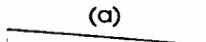
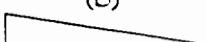
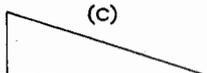
4. Estimated ground and/or canopy cover at site: (deciduous leaves, pine needles, rocks, vegetation, trees.

(Illustration) (a)   (b)   (c)  

Estimated % of ground/canopy cov  0% to 25%  25% to 75%  75% to 100%

Explanation: Grass, shrubs, rock outcrop, straw mulch.

5. Steepest slope at the area impacted:

(a)  (b)  (c)   
 Less than 10%  10% to 30%  30% and greater

Explanation:

**RUNOFF FACTORS**

Y / N

6. Is there visible evidence of runoff discharging from site? If yes, answer a) - c) below:  
  6a) Is runoff channelized? If yes, describe  Man-made channel.  Natural channel.

Explanation: Channel on east boundary of site. West drainage was cut off.

**RUNOFF FACTORS, CONT'D**

6b) Where does evidence of runoff terminate?

 Drainage or wetland (name)  Within bench of canyon setting (name)  Other (i.e., retention pond, meadow, mesa top) Explanation:  

Y / N

  6c) Has runoff caused visible erosion at the site? If yes, explain below:  Sheet  Rill  GullyExplanation: Rill erosion is visible at various locations. Large gully exists on east boundary.  
**RUN-ON FACTORS**

Please rate the potential for storm water to run on to this site: (Check EITHER #7 or #9)

  7. Are structures (i.e., buildings, roof drains, parking lots, storm drains) creating run-on to the site?Explanation:  
  8. Are current operations (i.e., fire hydrants, NPDES outfalls) adversely impacting run-on to the site?Explanation: Former outfall inactive.  
  9. Are natural drainage patterns directing stormwater onto site?Explanation:  
**ASSESSMENT FINDING:**  10. Based on the above criteria and the assessment of this site, does soil erosion potential exist? (REFER TO EROSION POTENTIAL MATRIX.)S. Veenis  

---

11. Signature of Water Quality/Hydrology Representative

---

Initials of independent reviewer.Check here when information is entered in database:

**This page is for ESH-18 notes, recommendations, and photos.**

**Y / N**

12. a)   Is there visible trash/debris on the site?

b)   Is there visible trash/debris in a watercourse?

**Description of existing BMPs:**

Sand bags used on top for diversion of run-on. Silt fence and straw bale check dams and straw mulch are used extensively. BMPs installed 10/31/96

Are BMPs being properly maintained? If no, describe in "Other Internal Notes."

Are BMPs effectively keeping sediment in place and reducing erosion potential?

**OTHER INTERNAL NOTES:**

# BMP INSPECTION and MAINTENANCE FORM

PRS ID# 21-011(K) VCM    INSPECTOR T. Benson    DATE 1/20/03  
 METEOROLOGICAL TOWER NA    DATE OF LAST RAINFALL Unknown    AMOUNT OF LAST RAINFALL (IN.) Unknown  
 INSPECTION TYPE: Quarterly Or Rain Event    with    PHOTOS TAKEN (YES/NO)

| BMP LOCATION          | BMP TYPE (Temp. or Perm) | BMP INSTALLED CORRECTLY |
|-----------------------|--------------------------|-------------------------|
| 1 Below access road   | straw wattles            | YES                     |
| 2 North side boundary | logs / straw wattles     | YES                     |
| 3 Stockpiles          | soil berm / tarp         | YES                     |
| 4 Excavated Areas     | straw wattles            | YES                     |
| 5 <u>TAB 1/20/03</u>  | <u>TAB 1/20/03</u>       | <u>TAB 1/20/03</u>      |

**ENTER YES, NO, or N/A IF THERE IS ANY EVIDENCE OF:**

| BMP LOCATION | STORM WATER RUNOFF | EVIDENCE OF EROSION | HAS DAMAGE OCCURRED TO BMP SINCE LAST INSPECTION? | IS MAINTENANCE REQUIRED? | IS THERE ACCUMULATED SEDIMENT BEHIND BMP? | DOES ACCUMULATED SEDIMENT REQUIRE REMOVAL? | IS THERE EVIDENCE OF OTHER POTENTIAL POLLUTANT SOURCES? | EVIDENCE OF OFF SITE VEHICLE TRACKING OF SEDIMENT | FINAL INSPECTION CLOSE OUT SITE | COMMENTS                        |
|--------------|--------------------|---------------------|---|--------------------------|---|--|---|---|---------------------------------|---------------------------------|
| 1            | N.                 | No                  | No  | No                       | No  | No   | No  | No  | No                              |                                 |
| 2            | N.                 | No                  | No  | No                       | No  | No   | No  | No  | No                              | Added soil berm + straw wattles |
| 3            | No                 | No                  | No  | No                       | No  | No   | No  | No  | No                              | Added to berm s                 |
| 3            | No                 | No                  | No  | No                       | No  | No   | No  | No  | No                              | Added straw wattles             |
| 5            |                    |                     |   |                          |   |  |   |   |                                 |                                 |

**ALL OBSERVATIONS FROM THE TABLE NEED TO BE EXPLAINED BELOW:**

Observations: Added straw wattles to North side boundary, added soil berm to area over gas line, added soil berm to stockpile #12 near Western Drainage, added straw wattles to excavated area on east side and in Western Drainage.

Maintenance Required/Close-out Comments: TAB 1/20/03

Materials needed: TAB 1/20/03

Inspector's Signature Thomas Benson

# BMP INSPECTION and MAINTENANCE FORM

PRS ID# 21-001(E) VCM      INSPECTOR T. Belson      DATE 1/13/03  
 METEOROLOGICAL TOWER NA      DATE OF LAST RAINFALL 1/13/03      AMOUNT OF LAST RAINFALL (IN.) 1/4  
 INSPECTION TYPE: Quarterly Or Rain Event Weekly      PHOTOS TAKEN? YES (NO)

| BMP LOCATION             | BMP TYPE (Temp. or Perm) | BMP INSTALLED CORRECTLY |
|--------------------------|--------------------------|-------------------------|
| 1 Below access road      | Straw wattles            | YES                     |
| 2 North site boundary    | logs / straw wattles     | YES                     |
| 3 Stockpiles             | soil berm / tarp         | YES                     |
| 4 Excavated Areas        | straw wattles            | YES                     |
| 5 <del>TBS 1/13/03</del> | <del>TBS 1/13/03</del>   | <del>TBS 1/13/03</del>  |

ENTER YES, NO, or NA IF THERE IS ANY EVIDENCE OF

| BMP LOCATION | STORM WATER RUNOFF | EVIDENCE OF EROSION | HAS DAMAGE OCCURRED TO BMP SINCE LAST INSPECTION? | IS MAINTENANCE REQUIRED? | IS THERE ACCUMULATED SEDIMENT BEHIND BMP? | DOES ACCUMULATED SEDIMENT REQUIRE REMOVAL? | IS THERE EVIDENCE OF OTHER POTENTIAL POLLUTANT SOURCES? | EVIDENCE OF OFF SITE VEHICLE TRACKING OF SEDIMENT | FINAL INSPECTION CLOSE OUT SITE | COMMENTS  |
|--------------|--------------------|---------------------|---|--------------------------|---|--|---|---|---------------------------------|---|
| 1            | No                 | No                  | No  | No                       | No  | No   | No  | No  | No                              | <del>           TBS<br/>           1/13/03         </del> |
| 2            | No                 | No                  | No  | No                       | No  | No   | No  | No  |                                 |   |
| 3            | No                 | No                  | No  | No                       | No  | No   | No  | No  |                                 |   |
| 3            | No                 | No                  | No  | No                       | No  | No   | No  | No  |                                 |   |
| 5            |                    |                     |   |                          |   |  |   |   |                                 |   |

ALL OBSERVATIONS FROM THE TABLE NEED TO BE EXPLAINED BELOW

Observations: No evidence of stormwater damage.  
No maintenance required.

Maintenance Required/Close-out Comments: TBS 1/13/03

Materials needed: TBS 1/13/03

Inspector's Signature Thomas A. Belson

**BMP INSPECTION and MAINTENANCE FORM**

PRS ID# 21-04(E) VCM INSPECTOR T. Benson DATE 1/6/03  
 METEOROLOGICAL TOWER NA DATE OF LAST RAINFALL Unknown AMOUNT OF LAST RAINFALL (IN.) Unknown  
 INSPECTION TYPE: Quarterly Or Rain Event Weekly PHOTOS TAKEN? YES/NO

| BMP LOCATION                 | BMP TYPE (Temp. or Perm)      | BMP INSTALLED CORRECTLY |
|------------------------------|-------------------------------|-------------------------|
| 1 <u>Below access road</u>   | <u>Straw wattles</u>          | <u>YES</u>              |
| 2 <u>North site boundary</u> | <u>logs and straw wattles</u> | <u>YES</u>              |
| 3 <u>Stack piles</u>         | <u>soil berm / tarp</u>       | <u>YES</u>              |
| 4 <u>Excavated Areas</u>     | <u>Straw wattles</u>          | <u>YES</u>              |
| 5 <u>TAB 1/6/03</u>          | <u>TAB 1/6/03</u>             | <u>TAB 1/6/03</u>       |

**ENTER YES, NO, or NA IF THERE IS ANY EVIDENCE OF**

| BMP LOCATION | STORM WATER RUNOFF | EVIDENCE OF EROSION | HAS DAMAGE OCCURRED TO BMP SINCE LAST INSPECTION? | IS MAINTENANCE REQUIRED? | IS THERE ACCUMULATED SEDIMENT BEHIND BMP? | DOES A ACCUMULATED SEDIMENT REQUIRE REMOVAL? | IS THERE EVIDENCE OF OTHER POTENTIAL POLLUTANT SOURCES? | EVIDENCE OF OFF SITE VEHICLE TRACKING OF SEDIMENT | FINAL INSPECTION CLOSE OUT SITE | COMMENTS                    |
|--------------|--------------------|---------------------|---|--------------------------|---|--|---|---|---------------------------------|-----------------------------|
| 1            | <u>No</u>          | <u>No</u>           | <u>No</u>   | <u>No</u>                | <u>No</u>                                 | <u>No</u>                                    | <u>No</u>   | <u>No</u>   | <u>No</u>                       | <u>TAB</u><br><u>1/6/03</u> |
| 2            | <u>No</u>          | <u>No</u>           | <u>No</u>   | <u>No</u>                | <u>No</u>                                 | <u>No</u>                                    | <u>No</u>   | <u>No</u>   |                                 |                             |
| 3            | <u>No</u>          | <u>No</u>           | <u>No</u>   | <u>No</u>                | <u>No</u>                                 | <u>No</u>                                    | <u>No</u>   | <u>No</u>   |                                 |                             |
| 3            | <u>No</u>          | <u>No</u>           | <u>No</u>   | <u>No</u>                | <u>No</u>                                 | <u>No</u>                                    | <u>No</u>   | <u>No</u>   |                                 |                             |
| 5            |                    |                     |   |                          |   |  |   | <u>TAB 1/6/03</u>                                 |                                 |                             |

**ALL OBSERVATIONS FROM THE TABLE NEED TO BE EXPLAINED BELOW**

Observations: No evidence of storm water damage.  
No maintenance required.

Maintenance Required/Close-out Comments: TAB 1/6/03

Materials needed: TAB 1/6/03

Inspector's Signature T. Benson

# BMP INSPECTION and MAINTENANCE FORM

PRS ID# 21-011(E) VCM      INSPECTOR T. Benson      DATE 12/30/02  
 METEOROLOGICAL TOWER NA      DATE OF LAST RAINFALL Unknown      AMOUNT OF LAST RAINFALL (IN.) Unknown  
 INSPECTION TYPE: Quarterly Or Rain Event      Photos      PHOTOS TAKEN? YES/NO

| BMP LOCATION                  | BMP TYPE (Temp. or Perm) | BMP INSTALLED CORRECTLY |
|-------------------------------|--------------------------|-------------------------|
| 1 Below access road           | straw wattles            | YES                     |
| 2 Lower (north) site boundary | logs and straw wattles   | YES                     |
| 3 Stack piles                 | soil berm / tarp         | YES                     |
| 4 Excavated Areas             | straw wattles            | YES                     |
| 5                             |                          |                         |

**ENTER YES, NO, or NA IF THERE IS ANY EVIDENCE OF:**

| BMP LOCATION | STORM WATER RUNOFF | EVIDENCE OF EROSION | HAS DAMAGE OCCURRED TO BMP SINCE LAST INSPECTION? | IS MAINTENANCE REQUIRED? | IS THERE ACCUMULATED SEDIMENT BEHIND BMP? | DOES ACCUMULATED SEDIMENT REQUIRE REMOVAL? | IS THERE EVIDENCE OF OTHER POTENTIAL POLLUTANT SOURCES? | EVIDENCE OF OFF SITE VEHICLE TRACKING OF SEDIMENT? | FINAL INSPECTION CLOSE OUT SITE | COMMENTS   |
|--------------|--------------------|---------------------|---|--------------------------|---|--|---|--|---------------------------------|--|
|              |                    |                     |   |                          |   |  |   |  |                                 |  |
| 1            | No                 | No                  | No  | No                       | No  | No   | No  | No   | No                              | <del>                     TTB<br/>                     12/30/02                 </del> |
| 2            | No                 | No                  | No  | No                       | No  | No   | No  | No   | No                              |  |
| 3            | No                 | No                  | No  | No                       | No  | No   | No  | No   | No                              |  |
| 3            | No                 | No                  | No  | No                       | No  | No   | No  | No   | No                              |  |
| 5            |                    |                     |   |                          |   |  |   |  |                                 |  |

**ALL OBSERVATIONS FROM THE TABLE NEED TO BE EXPLAINED BELOW:**

Observations: No evidence of stormwater damage.  
No maintenance required.

Maintenance Required/Close-out Comments: TTB  
12/30/02

Materials needed: TTB  
12/30/02

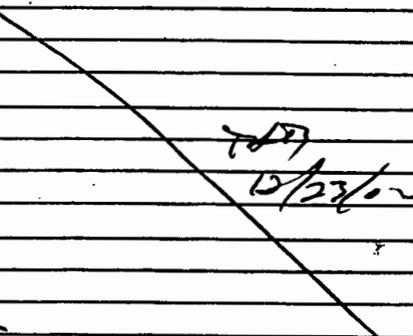
Inspector's Signature T. Benson

**BMP INSPECTION and MAINTENANCE FORM**

SITE DESCRIPTION 21-011(K) VCM      PRS ID# 21-04(K)      INSPECTOR T. Paulson  
 DATE 12/23/02      PHOTOS TAKEN? YES  NO       METEOROLOGICAL TOWER NA  
 DATE OF LAST RAINFALL Unknown      AMOUNT OF LAST RAINFALL (IN.) Unknown

| BMP LOCATION          | BMP TYPE               | BMP INSTALLED CORRECTLY |
|-----------------------|------------------------|-------------------------|
| 1 Below access road   | straw wattled          | YES                     |
| 2 Upper access road   | water bar              | YES                     |
| 3 Lower site boundary | logs and straw wattles | YES                     |
| 4 Stockpiles          | soil berm / tarp       | YES                     |
| 5                     |                        | YES 12/23/02            |

**ENTER YES, NO, OR NA IN THESE COLUMNS IF APPLICABLE**

|    | STORM WATER RUNOFF | EVIDENCE OF EROSION | HAS DAMAGE OCCURRED TO BMP SINCE LAST INSPECTION? | IS MAINTENANCE REQUIRED? | IS THERE ACCUMULATED SEDIMENT BEHIND BMP? | DOES ACCUMULATED SEDIMENT REQUIRE REMOVAL? | IS THERE EVIDENCE OF OTHER POTENTIAL POLLUTANT SOURCES? | FINAL INSPECTION CLOSE OUT SITE | COMMENTS   |
|----|--------------------|---------------------|---|--------------------------|---|--|---|---------------------------------|--|
| 1. | N                  | N                   | N   | N                        | N   | N  | N   | N                               |  |
| 2. | N                  | N                   | N   | N                        | N   | N  | N   |                                 |  |
| 3. | N                  | N                   | N   | N                        | N   | N  | N   |                                 |  |
| 4. | N                  | N                   | N   | N                        | N   | N  | N   |                                 |  |
| 5. |                    |                     |   |                          |   |  |   |                                 |  |

**ALL OBSERVATIONS SHOULD BE RECORDED AND REPORTED TO THE OFFICE OF ENVIRONMENTAL QUALITY**

Observations: No stormwater damage.  
No maintenance required

Maintenance Required: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Close Out Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Inspector's Signature T. Paulson

TAD  
12/23/02

# BMP INSPECTION and MAINTENANCE FORM

PRS ID# 21-011(E) VCM      INSPECTOR T. Benson      DATE 12/16/02  
 METEOROLOGICAL TOWER NA      DATE OF LAST RAINFALL Unknown      AMOUNT OF LAST RAINFALL (IN.) Unknown  
 INSPECTION TYPE: Quarterly Or Rain Event      PHOTOS TAKEN? YES/NO

| BMP LOCATION                 | BMP TYPE (Temp. or Perm)   | BMP INSTALLED CORRECTLY    |
|------------------------------|----------------------------|----------------------------|
| 1 <u>Below access road</u>   | <u>Shaw waffle</u>         | <u>Yes</u>                 |
| 2 <u>Upper access road</u>   | <u>Water bar</u>           | <u>Yes</u>                 |
| <del>3 <u>T&amp;B</u></del>  | <del><u>NA</u></del>       | <del><u>NA</u></del>       |
| <del>4 <u>12/16/02</u></del> | <del><u>12/16/02</u></del> | <del><u>12/16/02</u></del> |
| <del>5</del>                 | <del></del>                | <del></del>                |

**ENTER YES, NO, or NA IF THERE IS ANY EVIDENCE OF:**

| BMP LOCATION | STORM WATER RUNOFF | EVIDENCE OF EROSION | HAS DAMAGE OCCURRED TO BMP SINCE LAST INSPECTION? | IS MAINTENANCE REQUIRED? | IS THERE ACCUMULATED SEDIMENT BEHIND BMP? | DOES ACCUMULATED SEDIMENT REQUIRE REMOVAL? | IS THERE EVIDENCE OF OTHER POTENTIAL POLLUTANT SOURCES? | EVIDENCE OF OFF SITE VEHICLE TRACKING OF SEDIMENT | FINAL INSPECTION CLOSE OUT SITE | COMMENTS                                      |
|--------------|--------------------|---------------------|---|--------------------------|---|--|---|---|---------------------------------|---|
|              |                    |                     |   |                          |   |  |   |   |                                 |   |
| 1            | <u>No</u>          | <u>No</u>           | <u>No</u>   | <u>No</u>                | <u>No</u>                                 | <u>No</u>                                  | <u>No</u>   | <u>No</u>   | <u>No</u>                       | <del><u>T&amp;B</u><br/><u>12/16/02</u></del> |
| 2            | <u>No</u>          | <u>No</u>           | <u>No</u>   | <u>No</u>                | <u>No</u>                                 | <u>No</u>                                  | <u>No</u>   | <u>No</u>   |                                 |   |
| 3            |                    |                     |   |                          |   |  |   |   |                                 |   |
| 3            |                    |                     |   |                          |   |  |   |   |                                 |   |
| 5            |                    |                     |   |                          |   |  |   |   |                                 |   |

**ALL OBSERVATIONS FROM THE TABLE NEED TO BE EXPLAINED BELOW:**

Observations: No evidence of stormwater damage.  
No maintenance required.

Maintenance Required/Close-out Comments: T&B 12/16/02

Materials needed: T&B 12/16/02

Inspector's Signature: T. Benson

# BMP INSPECTION and MAINTENANCE FORM

SITE DISCRPTION 21-011 (A) UCM      PRS ID# 21-011 (A)      INSPECTOR T-Perkins  
 DATE 12/9/02      PHOTOS TAKEN? YES/NO (NO)      METROLOGICAL TOWER NA  
 DATE OF LAST RAINFALL Unknown      AMOUNT OF LAST RAINFALL (IN.) Unknown

| BMP LOCATION               | BMP TYPE            | BMP INSTALLED CORRECTLY |
|----------------------------|---------------------|-------------------------|
| 1 <u>Below access road</u> | <u>Straw waffle</u> | <u>Yes</u>              |
| 2 <u>Upper access road</u> | <u>water bar</u>    | <u>Yes</u>              |
| 3                          |                     |                         |
| 4                          |                     | <u>NO 12/9/02</u>       |
| 5                          |                     |                         |

**GENERAL NOTES ON DAMAGE TO BMP'S AND POLLUTANT SOURCES:**

| #  | STORM WATER RUNOFF | EVIDENCE OF EROSION | HAS DAMAGE OCCURRED TO BMP SINCE LAST INSPECTION? | IS MAINTENANCE REQUIRED? | IS THERE ACCUMULATED SEDIMENT BEHIND BMP? | DOES ACCUMULATED SEDIMENT REQUIRE REMOVAL? | IS THERE EVIDENCE OF OTHER POLLUTANT SOURCES? | FINAL INSPECTION CLOSE OUT SITE | COMMENTS                    |
|----|--------------------|---------------------|---|--------------------------|---|--|---|---------------------------------|-----------------------------|
| 1. | N                  | N                   | N   | N                        | N   | N  | N   | N                               | <u>NO</u><br><u>12/9/02</u> |
| 2. | N                  | N                   | N   | N                        | N   | N  | N   |                                 |                             |
| 3. |                    |                     |   |                          |   |  |   |                                 |                             |
| 4. |                    |                     |   |                          |   |  |   |                                 |                             |
| 5. |                    |                     |   |                          |   |  |   |                                 |                             |

**ALL OBSERVATIONS FROM THIS TABLE NEED TO BE RECORDED IN THE**

Observations: No stormwater damage.  
No maintenance required

Maintenance Required: NO 12/9/02

Close Out Comments:

Inspector's Signature Thomas A. Perkins

# BMP INSPECTION and MAINTENANCE FORM

PRS ID# 21-011(E) VLM      INSPECTOR T. Benson      DATE 12/2/02  
 METEOROLOGICAL TOWER N/A      DATE OF LAST RAINFALL Unknown      AMOUNT OF LAST RAINFALL (IN.) Unknown  
 INSPECTION TYPE: Quarterly Or Rain Event      PHOTOS TAKEN? YES/NO

| BMP LOCATION               | BMP TYPE (Temp. or Perm) | BMP INSTALLED CORRECTLY |
|----------------------------|--------------------------|-------------------------|
| 1 <u>Below access road</u> | <u>Storm water</u>       | <u>Yes</u>              |
| 2 <u>Upper access road</u> | <u>water pit</u>         | <u>Yes</u>              |
| 3                          |                          |                         |
| 4                          |                          |                         |
| 5                          |                          |                         |

**ENTER YES, NO, or N/A IF THERE IS ANY EVIDENCE OF**

| BMP LOCATION | STORM WATER RUNOFF | EVIDENCE OF EROSION | HAS DAMAGE OCCURRED TO BMP SINCE LAST INSPECTION? | IS MAINTENANCE REQUIRED? | IS THERE ACCUMULATED SEDIMENT BEHIND BMP? | DOES ACCUMULATED SEDIMENT REQUIRE REMOVAL? | IS THERE EVIDENCE OF OTHER POTENTIAL POLLUTANT SOURCES? | EVIDENCE OF OFF SITE VEHICLE TRACKING OF SEDIMENT? | FINAL INSPECTION CLOSE OUT SITE | COMMENTS                |
|--------------|--------------------|---------------------|---|--------------------------|---|--|---|--|---------------------------------|-------------------------|
| 1            | <u>No</u>          | <u>No</u>           | <u>No</u>   | <u>No</u>                | <u>No</u>                                 | <u>No</u>                                  | <u>No</u>   | <u>No</u>  | <u>No</u>                       | <del>DATE 12/2/02</del> |
| 2            | <u>No</u>          | <u>No</u>           | <u>No</u>   | <u>No</u>                | <u>No</u>                                 | <u>No</u>                                  | <u>No</u>   | <u>No</u>  |                                 |                         |
| 3            |                    |                     |   |                          |   |  |   |  |                                 |                         |
| 3            |                    |                     |   |                          |   |  |   |  |                                 |                         |
| 5            |                    |                     |   |                          |   |  |   |  |                                 |                         |

**ALL OBSERVATIONS FROM THE TABLE NEED TO BE EXPLAINED BELOW**

Observations: No evidence of stormwater runoff.  
No maintenance required.

Maintenance Required/Close-out Comments: DATE 12/2/02

Materials needed: DATE 12/2/02

Inspector's Signature T. Benson

# BMP INSPECTION and MAINTENANCE FORM

SITE DISCRPTION 2604(K) UCM      PRS ID# 21-04(K)      INSPECTOR T. Baun  
 DATE 11/25/02      PHOTOS TAKEN? YES  NO       METROLOGICAL TOWER N/A  
 DATE OF LAST RAINFALL Unknown      AMOUNT OF LAST RAINFALL (IN.) Unknown

| BMP LOCATION               | BMP TYPE            | BMP INSTALLED CORRECTLY |
|----------------------------|---------------------|-------------------------|
| 1 <u>Below access road</u> | <u>Straw waffle</u> | <u>YES</u>              |
| 2 <u>Upper access road</u> | <u>Water bar</u>    | <u>YES</u>              |
| 3                          |                     |                         |
| 4                          | <u>TAB</u>          | <u>11/25/02</u>         |
| 5                          |                     |                         |

**GENERAL NOTES: NO RECORDS AVAILABLE FOR THIS MAINTENANCE**

|    | STORM WATER RUNOFF | EVIDENCE OF EROSION | HAS DAMAGE OCCURRED TO BMP SINCE LAST INSPECTION? | IS MAINTENANCE REQUIRED? | IS THERE ACCUMULATED SEDIMENT BEHIND BMP? | DOES ACCUMULATED SEDIMENT REQUIRE REMOVAL? | IS THERE EVIDENCE OF OTHER POTENTIAL POLLUTANT SOURCES? | FINAL INSPECTION CLOSE OUT SITE | COMMENTS                      |
|----|--------------------|---------------------|---|--------------------------|---|--|---|---------------------------------|-------------------------------|
| 1. | N                  | N                   | N   | N                        | N   | N  | N   | N                               |                               |
| 2. | N                  | N                   | N   | N                        | N   | N  | N   | N                               |                               |
| 3. |                    |                     |   |                          |   |  |   |                                 |                               |
| 4. |                    |                     |   |                          |   |  |   |                                 | <u>TAB</u><br><u>11/25/02</u> |
| 5. |                    |                     |   |                          |   |  |   |                                 |                               |

**GENERAL OBSERVATIONS FROM FIELD: NO RECORDS AVAILABLE FOR THIS MAINTENANCE**

Observations: No stormwater runoff damage.  
No maintenance required.

Maintenance Required: \_\_\_\_\_

Close Out Comments: \_\_\_\_\_

Inspector's Signature Ther A. Baun

# BMP INSPECTION and MAINTENANCE FORM

PRS ID# 21-011(E) Access road INSPECTOR T. Benson DATE 11/18/02  
 METROLOGICAL TOWER NA DATE OF LAST RAINFALL Unknown AMOUNT OF LAST RAINFALL (IN.) Unknown  
 INSPECTION TYPE: Quarterly Or Rain Event Weekly PHOTOS TAKEN? YES/NO

| BMP LOCATION               | BMP TYPE (Temp. or Perm) | BMP INSTALLED CORRECTLY |
|----------------------------|--------------------------|-------------------------|
| 1 <u>Below access road</u> | <u>Strip waffle</u>      | <u>YES</u>              |
| 2 <u>Upper access road</u> | <u>Water bar</u>         | <u>YES</u>              |
| 3                          |                          |                         |
| 4                          |                          |                         |
| 5                          |                          |                         |

**ENTER YES, NO, or NA IF THERE IS ANY EVIDENCE OF:**

| BMP LOCATION | STORM WATER RUNOFF | EVIDENCE OF EROSION | HAS DAMAGE OCCURRED TO BMP SINCE LAST INSPECTION? | IS MAINTENANCE REQUIRED? | IS THERE ACCUMULATED SEDIMENT BEHIND BMP? | DOES ACCUMULATED SEDIMENT REQUIRE REMOVAL? | IS THERE EVIDENCE OF OTHER POTENTIAL POLLUTANT SOURCES? | EVIDENCE OF OFF SITE VEHICLE TRACKING OF SEDIMENT? | FINAL INSPECTION CLOSE OUT SITE | COMMENTS   |
|--------------|--------------------|---------------------|---|--------------------------|---|--|---|--|---------------------------------|--|
| 1            | <u>No</u>          | <u>No</u>           | <u>No</u>   | <u>No</u>                | <u>No</u>                                 | <u>No</u>                                  | <u>No</u>   | <u>No</u>  | <u>No</u>                       | <del>                     TBS<br/>                     11/18/02                 </del> |
| 2            | <u>No</u>          | <u>No</u>           | <u>No</u>   | <u>No</u>                | <u>No</u>                                 | <u>No</u>                                  | <u>No</u>   | <u>No</u>  |                                 |  |
| 3            |                    |                     |   |                          |   |  |   |  |                                 |  |
| 3            |                    |                     |   |                          |   |  |   |  |                                 |  |
| 5            |                    |                     |   |                          |   |  |   |  |                                 |  |

**ALL OBSERVATIONS FROM THE TABLE NEED TO BE EXPLAINED BELOW:**

Observations: No evidence of stormwater damage.  
No maintenance required.

Maintenance Required/Close-out Comments: \_\_\_\_\_

Materials needed: \_\_\_\_\_

Inspector's Signature T. Benson

**BMP INSPECTION and MAINTENANCE FORM**

SITE DISCRPTION 21-011(K) VCM PRS ID# 21-011(K) INSPECTOR T. Beck  
 DATE 4/11/02 PHOTOS TAKEN? YES/NO  NO METROLOGICAL TOWER NA  
 DATE OF LAST RAINFALL Unknown AMOUNT OF LAST RAINFALL (IN.) Unknown

| BMP LOCATION        | BMP TYPE   | BMP INSTALLED CORRECTLY |
|---------------------|------------|-------------------------|
| 1 Below access road | Stow water | YES                     |
| 2 Upper access road | Water bar  | YES                     |
| 3                   |            |                         |
| 4                   |            |                         |
| 5                   |            |                         |

*TAB 4/11/02*

|    | STORM WATER RUNOFF | EVIDENCE OF EROSION | HAS DAMAGE OCCURRED TO BMP SINCE LAST INSPECTION? | IS MAINTENANCE REQUIRED? | IS THERE ACCUMULATED SEDIMENT BEHIND BMP? | DOES ACCUMULATED SEDIMENT REQUIRE REMOVAL? | IS THERE EVIDENCE OF OTHER POTENTIAL POLLUTANT SOURCES? | FINAL INSPECTION CLOSE OUT SITE | COMMENTS |
|----|--------------------|---------------------|---|--------------------------|---|--|---|---------------------------------|----------|
| 1. | N                  | N                   | N   | N                        | N   | N  | N   |                                 |          |
| 2. | N                  | N                   | N   | N                        | N   | N  | N   |                                 |          |
| 3. |                    |                     |   |                          |   |  |   |                                 |          |
| 4. |                    |                     |   |                          |   |  |   | <i>TAB 4/11/02</i>              |          |
| 5. |                    |                     |   |                          |   |  |   |                                 |          |

Observations: No storm water runoff damage.  
No maintenance required.

Maintenance Required: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

*TAB 4/11/02*

Close Out Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Inspector's Signature *Thomas Beck*

# BMP INSPECTION and MAINTENANCE FORM

PRS ID# 21-011 <sup>TAB</sup> 11/4/02 Access road INSPECTOR T. Benson DATE 11/4/02  
 METROLOGICAL TOWER NA DATE OF LAST RAINFALL Unknown AMOUNT OF LAST RAINFALL (IN.) Unknown  
 INSPECTION TYPE: Quarterly Or Rain Event Weekly PHOTOS TAKEN? YES/NO

| BMP LOCATION               | BMP TYPE (Temp. or Perm) | BMP INSTALLED CORRECTLY |
|----------------------------|--------------------------|-------------------------|
| 1 <u>Below access road</u> | <u>Stow waffle</u>       | <u>YES</u>              |
| 2 <u>Upper access road</u> | <u>water bar</u>         | <u>YES</u>              |
| 3                          |                          |                         |
| 4                          |                          | <u>TAB 11/4/02</u>      |
| 5                          |                          |                         |

ENTER YES, NO, or NA IF THERE IS ANY EVIDENCE OF

| BMP LOCATION | STORM WATER RUNOFF | EVIDENCE OF EROSION | HAS DAMAGE OCCURRED TO BMP SINCE LAST INSPECTION? | IS MAINTENANCE REQUIRED? | IS THERE ACCUMULATED SEDIMENT BEHIND BMP? | DOES ACCUMULATED SEDIMENT REQUIRE REMOVAL? | IS THERE EVIDENCE OF OTHER POTENTIAL POLLUTANT SOURCES? | EVIDENCE OF OFF SITE VEHICLE TRACKING OF SEDIMENT? | FINAL INSPECTION CLOSE OUT SITE | COMMENTS           |
|--------------|--------------------|---------------------|---|--------------------------|---|--|---|--|---------------------------------|--------------------|
| 1            | <u>No</u>          | <u>No</u>           | <u>No</u>   | <u>No</u>                | <u>No</u>                                 | <u>No</u>                                  | <u>No</u>   | <u>No</u>  | <u>No</u>                       |                    |
| 2            | <u>No</u>          | <u>No</u>           | <u>No</u>   | <u>No</u>                | <u>No</u>                                 | <u>No</u>                                  | <u>No</u>   | <u>No</u>  | <u>No</u>                       |                    |
| 3            |                    |                     |   |                          |   |  |   |  |                                 |                    |
| 3            |                    |                     |   |                          |   |  |   |  |                                 | <u>TAB 11/4/02</u> |
| 5            |                    |                     |   |                          |   |  |   |  |                                 |                    |

ALL OBSERVATIONS FROM THE TABLE NEED TO BE EXPLAINED BELOW

Observations: No evidence of stormwater runoff damage  
No maintenance required.

Maintenance Required/Close-out Comments: TAB 11/4/02

Materials needed: TAB 11/4/02

Inspector's Signature T. Benson

# BMP INSPECTION and MAINTENANCE FORM

SITE DISCRPTION 21-011(K) UCM      PRS ID# 21-011(K)      INSPECTOR T. Benson  
 DATE 10/28/02      PHOTOS TAKEN? YES/NO (NO)      METROLOGICAL TOWER NA  
 DATE OF LAST RAINFALL Unknown      AMOUNT OF LAST RAINFALL (IN.) Unknown

| BMP LOCATION               | BMP TYPE         | BMP INSTALLED CORRECTLY |
|----------------------------|------------------|-------------------------|
| 1 <u>Below access road</u> | <u>Stow Wall</u> | <u>Yes</u>              |
| 2 <u>Upper access road</u> | <u>Water bar</u> | <u>Yes</u>              |
| 3                          |                  |                         |
| 4                          |                  | <u>TRB 10/28/02</u>     |
| 5                          |                  |                         |

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

| #  | STORM WATER RUNOFF | EVIDENCE OF EROSION | HAS DAMAGE OCCURRED TO BMP SINCE LAST INSPECTION? | IS MAINTENANCE REQUIRED? | IS THERE ACCUMULATED SEDIMENT BEHIND BMP? | DOES ACCUMULATED SEDIMENT REQUIRE REMOVAL? | IS THERE EVIDENCE OF OTHER POTENTIAL POLLUTANT SOURCES? | FINAL INSPECTION CLOSE OUT SITE | COMMENTS            |
|----|--------------------|---------------------|---|--------------------------|---|--|---|---------------------------------|---------------------|
| 1. | No                 | No                  | No  | No                       | No  | No   | No  | No                              |                     |
| 2. | N                  | N                   | N   | N                        | N   | N  | N   | N                               |                     |
| 3. |                    |                     |   |                          |   |  |   |                                 |                     |
| 4. |                    |                     |   |                          |   |  |   |                                 | <u>TRB 10/28/02</u> |
| 5. |                    |                     |   |                          |   |  |   |                                 |                     |

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

**Observations:** No evidence of stormwater runoff damage.  
No maintenance required.

**Maintenance Required:** \_\_\_\_\_

TRB 10/28/02

**Close Out Comments:** \_\_\_\_\_

**Inspector's Signature** [Signature]

# BMP INSPECTION and MAINTENANCE FORM

PRS ID# 21-011(E) Access Road INSPECTOR T. Benson DATE 10/21/02  
 METROLOGICAL TOWER NA DATE OF LAST RAINFALL Unknown AMOUNT OF LAST RAINFALL (IN.) Unknown  
 INSPECTION TYPE: Quarterly Or Rain Event Weekly PHOTOS TAKEN? YES  NO

| BMP LOCATION               | BMP TYPE (Temp. or Perm) | BMP INSTALLED CORRECTLY |
|----------------------------|--------------------------|-------------------------|
| 1 <u>Below access road</u> | <u>Stops water</u>       | <u>YES</u>              |
| 2 <u>Upper road</u>        | <u>water bar</u>         | <u>YES</u>              |
| 3                          |                          |                         |
| 4                          |                          |                         |
| 5                          |                          | <u>TAB 10/21/02</u>     |

**ENTER YES, NO, or NA IF THERE IS ANY EVIDENCE OF**

| BMP LOCATION | STORM WATER RUNOFF | EVIDENCE OF EROSION | HAS DAMAGE OCCURRED TO BMP SINCE LAST INSPECTION? | IS MAINTENANCE REQUIRED? | IS THERE ACCUMULATED SEDIMENT BEHIND BMP? | DOES A ACCUMULATED SEDIMENT REQUIRE REMOVAL? | IS THERE EVIDENCE OF OTHER POTENTIAL POLLUTANT SOURCES? | EVIDENCE OF OFF SITE VEHICLE TRACKING OF SEDIMENT | FINAL INSPECTION CLOSE OUT SITE | COMMENTS                      |
|--------------|--------------------|---------------------|---|--------------------------|---|--|---|---|---------------------------------|-------------------------------|
|              |                    |                     |   |                          |   |  |   |   |                                 |                               |
| 1            | <u>No</u>          | <u>No</u>           | <u>No</u>   | <u>No</u>                | <u>No</u>                                 | <u>No</u>                                    | <u>No</u>   | <u>No</u>   | <u>No</u>                       | <u>TAB</u><br><u>10/21/02</u> |
| 2            | <u>No</u>          | <u>No</u>           | <u>No</u>   | <u>No</u>                | <u>No</u>                                 | <u>No</u>                                    | <u>No</u>   | <u>No</u>   |                                 |                               |
| 3            |                    |                     |   |                          |   |  |   |   |                                 |                               |
| 3            |                    |                     |   |                          |   |  |   |   |                                 |                               |
| 5            |                    |                     |   |                          |   |  |   |   |                                 |                               |

**ALL OBSERVATIONS FROM THE TABLE NEED TO BE EXPLAINED BELOW:**

Observations: No evidence of stormwater runoff damage.  
No maintenance required.

Maintenance Required/Close-out Comments: TAB 10/21/02

Materials needed: TAB 10/21/02

Inspector's Signature T. Benson

# BMP INSPECTION and MAINTENANCE FORM

SITE DISCRPTION 21-011(E) <sup>UCM</sup> Cleanup PRS ID# 21-011(E) INSPECTOR T. DeLeon  
 DATE 10/14/02 PHOTOS TAKEN? YES  NO  METROLOGICAL TOWER NA  
 DATE OF LAST RAINFALL Unknown AMOUNT OF LAST RAINFALL (IN.) Unknown

| BMP LOCATION        | BMP TYPE     | BMP INSTALLED CORRECTLY |
|---------------------|--------------|-------------------------|
| 1 Below access road | Straw waffle | Yes                     |
| 2 Upper road        | Water bar    | Yes                     |
| 3                   |              |                         |
| 4                   |              | TAD 10/14/02            |
| 5                   |              |                         |

~~ENTER BMP'S NUMBER IN THIS COLUMN TO IDENTIFY THEM~~

|    | STORM WATER RUNOFF | EVIDENCE OF EROSION | HAS DAMAGE OCCURRED TO BMP SINCE LAST INSPECTION? | IS MAINTENANCE REQUIRED? | IS THERE ACCUMULATED SEDIMENT BEHIND BMP? | DOES ACCUMULATED SEDIMENT REQUIRE REMOVAL? | IS THERE EVIDENCE OF OTHER POTENTIAL POLLUTANT SOURCES? | FINAL INSPECTION CLOSE OUT SITE | COMMENTS |
|----|--------------------|---------------------|---|--------------------------|---|--|---|---------------------------------|----------|
| 1. | No                 | No                  | No  | No                       | No  | No   | No  |                                 |          |
| 2. | N                  | N                   | N   | N                        | N   | N  | N   |                                 |          |
| 3. |                    |                     |   |                          |   |  |   | TAD                             |          |
| 4. |                    |                     |   |                          | 10/14/02                                  |  |   | 10/14/02                        |          |
| 5. |                    |                     |   |                          |   |  |   |                                 |          |

~~ALL OBSERVATIONS FROM THIS PART MUST BE CONCISELY EXPLAINED BELOW~~

Observations: No evidence of stormwater runoff damage.  
No maintenance required.

Maintenance Required: \_\_\_\_\_

Close Out Comments: TAD 10/14/02

Inspector's Signature Shawn A. Kase

# BMP INSPECTION and MAINTENANCE FORM

PRS ID# 21-0116 Access Rd INSPECTOR T. Benson DATE 10/7/02

METROLOGICAL TOWER NA DATE OF LAST RAINFALL Unknown AMOUNT OF LAST RAINFALL (IN.) Unknown

INSPECTION TYPE: Quarterly Or Rain Event Wetly PHOTOS TAKEN? YES/NO

| BMP LOCATION        | BMP TYPE (Temp. or Perm) | BMP INSTALLED CORRECTLY |
|---------------------|--------------------------|-------------------------|
| 1 <u>Below road</u> | <u>Strip</u> <u>walk</u> | <u>YES</u>              |
| 2 <u>Upper road</u> | <u>water bar</u>         | <u>YES</u>              |
| 3                   |                          |                         |
| 4                   |                          | <u>TAB 10/7/02</u>      |
| 5                   |                          |                         |

ENTER YES, NO, or NA IF THERE IS ANY EVIDENCE OF

| BMP LOCATION | STORM WATER RUNOFF | EVIDENCE OF EROSION | HAS DAMAGE OCCURRED TO BMP SINCE LAST INSPECTION? | IS MAINTENANCE REQUIRED? | IS THERE ACCUMULATED SEDIMENT BEHIND BMP? | DOES ACCUMULATED SEDIMENT REQUIRE REMOVAL? | IS THERE EVIDENCE OF OTHER POTENTIAL POLLUTANT SOURCES? | EVIDENCE OF OFF SITE VEHICLE TRACKING OF SEDIMENT? | FINAL INSPECTION CLOSE OUT SITE | COMMENTS       |
|--------------|--------------------|---------------------|---|--------------------------|---|--|---|--|---------------------------------|----------------|
| 1            | <u>No</u>          | <u>No</u>           | <u>No</u>   | <u>No</u>                | <u>No</u>                                 | <u>No</u>                                  | <u>No</u>   | <u>No</u>  | <u>No</u>                       |                |
| 2            | <u>No</u>          | <u>No</u>           | <u>No</u>   | <u>No</u>                | <u>No</u>                                 | <u>No</u>                                  | <u>No</u>   | <u>No</u>  | <u>No</u>                       |                |
| 3            |                    |                     |   |                          |   |  |   |  |                                 | <u>TAB</u>     |
| 3            |                    |                     |   |                          |   |  |   |  |                                 | <u>10/7/02</u> |
| 5            |                    |                     |   |                          |   |  |   |  |                                 |                |

ALL OBSERVATIONS FROM THE TABLE NEED TO BE EXPLAINED BELOW

Observations: No evidence of stormwater runoff damage.  
No maintenance required.  
TAB 10/7/02

Maintenance Required/Close-out Comments: TAB 10/7/02

Materials needed: TAB 10/7/02

Inspector's Signature T. Benson

**BMP INSPECTION and MAINTENANCE FORM**

SITE DISCRPTION 21-011(k) Access Rd. PRS ID# 21-011 INSPECTOR T. Benson  
 DATE 9/30/02 PHOTOS TAKEN? YES  NO  METROLOGICAL TOWER NA  
 DATE OF LAST RAINFALL Unknown AMOUNT OF LAST RAINFALL (IN.) Unknown

| BMP LOCATION        | BMP TYPE            | BMP INSTALLED CORRECTLY |
|---------------------|---------------------|-------------------------|
| 1 <u>Below road</u> | <u>straw wattle</u> | <u>YES</u>              |
| 2 <u>Upper road</u> | <u>water bar</u>    | <u>YES</u>              |
| 3                   |                     |                         |
| 4                   |                     | <u>TAB 9/30/02</u>      |
| 5                   |                     |                         |

~~GENERAL NOTES ON INSPECTION RESULTS AND MAINTENANCE~~

|    | STORM WATER RUNOFF | EVIDENCE OF EROSION | HAS DAMAGE OCCURRED TO BMP SINCE LAST INSPECTION? | IS MAINTENANCE REQUIRED? | IS THERE ACCUMULATED SEDIMENT BEHIND BMP? | DOES ACCUMULATED SEDIMENT REQUIRE REMOVAL? | IS THERE EVIDENCE OF OTHER POLLUTANT SOURCES? | FINAL INSPECTION CLOSE OUT SITE | COMMENTS                  |
|----|--------------------|---------------------|---|--------------------------|---|--|---|---------------------------------|---------------------------|
| 1. | No                 | No                  | No  | No                       | No  | No   | No  | No                              | <u>Initial inspection</u> |
| 2. | N                  | N                   | N   | N                        | N   | N  | N   | N                               |                           |
| 3. |                    |                     |   |                          |   |  |   |                                 |                           |
| 4. |                    |                     |   |                          |   |  |   |                                 | <u>TAB 9/30/02</u>        |
| 5. |                    |                     |   |                          |   |  |   |                                 | <u>TAB 9/30/02</u>        |

~~ALL OBSERVATIONS FROM FIELD PUBLISHED TO CHIEF OF POLICE~~

Observations: No evidence of stormwater runoff damage.  
No maintenance required.  
TAB 9/30/02

Maintenance Required: No

Close Out Comments: TAB 9/30/02

Inspector's Signature T. Benson

# **PRS 21-011(k)**

## **Best Management Practices (BMPs)**

## **Photo Tour of BMPs and General Site Condition**

**Start of day, January 20, 2003**

**PRS 21-011(k)**

**Best Management Practices  
(BMPs)**

**Photo Tour of BMPs and  
General Site Condition**

**Start of day, January 20, 2003**



Straw waddles along northern edge of PRS 21-011(k)



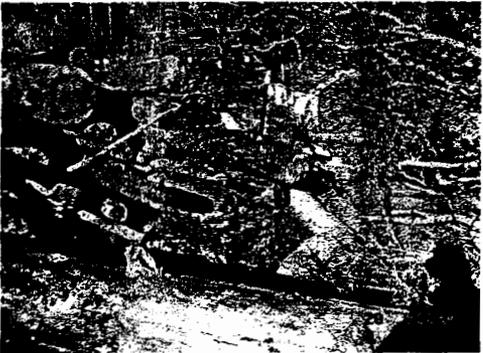
Straw waddles along northern edge of PRS 21-011(k)



Straw waddles along northern edge of PRS 21-011(k)



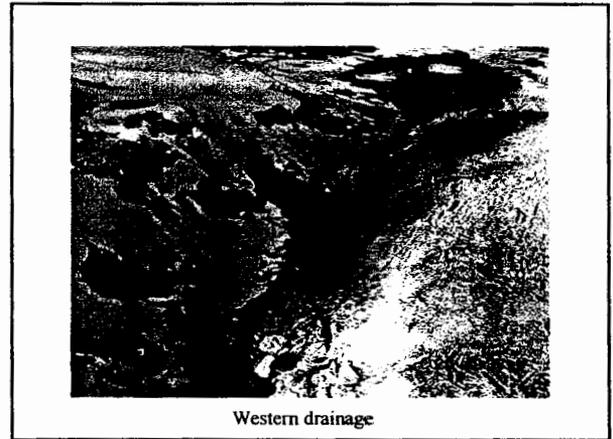
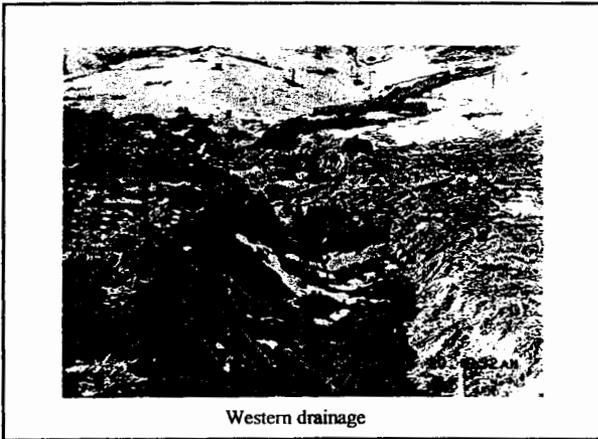
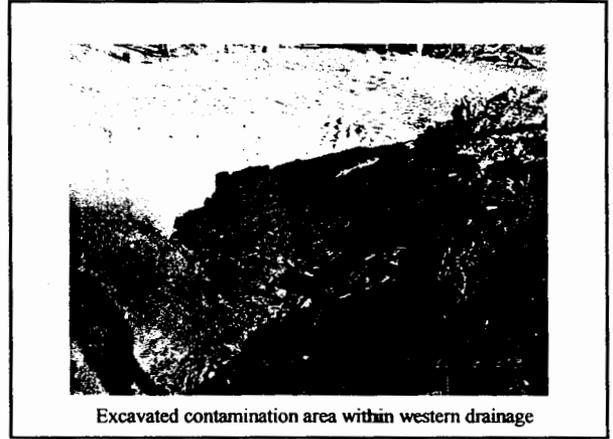
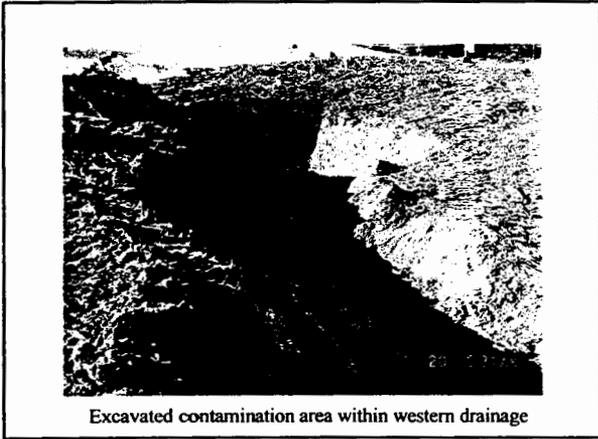
Straw waddles along northern edge of PRS 21-011(k)

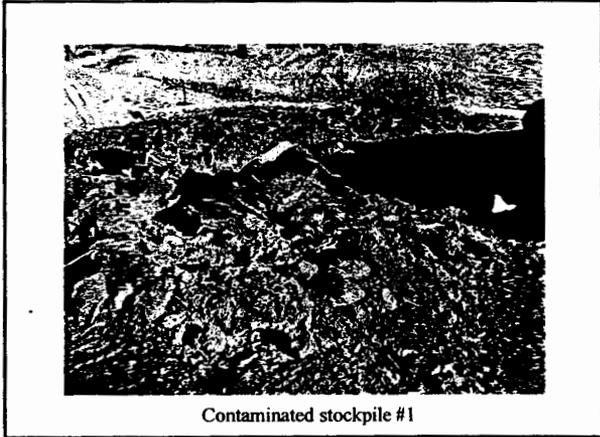


Straw waddles along northern edge of PRS 21-011(k)

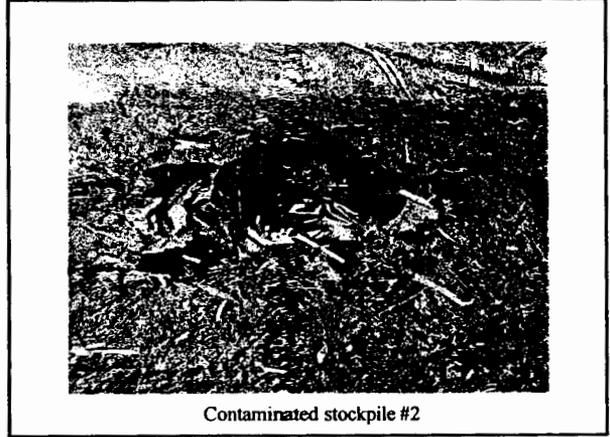


Mouth of western drainage at DP Canyon





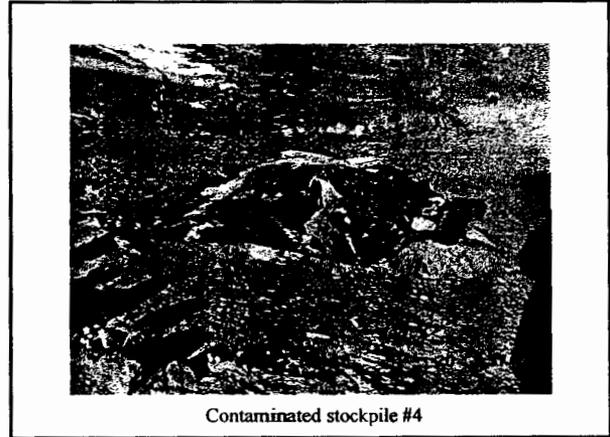
Contaminated stockpile #1



Contaminated stockpile #2



Contaminated stockpile #3



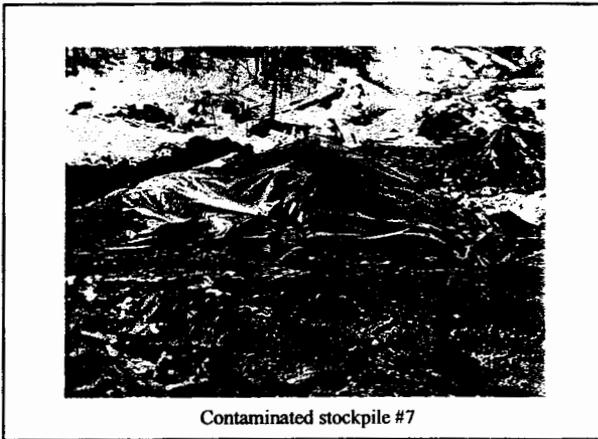
Contaminated stockpile #4



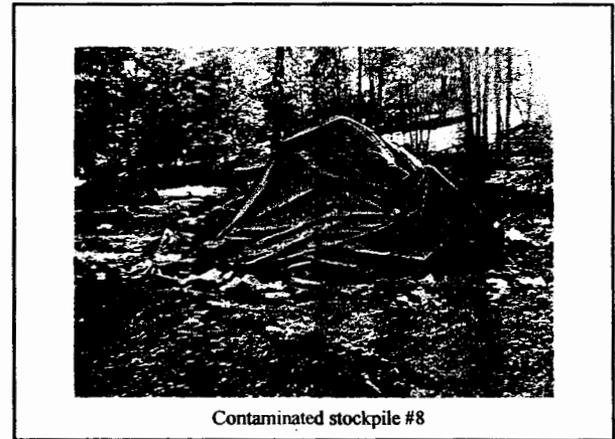
Contaminated stockpile #5



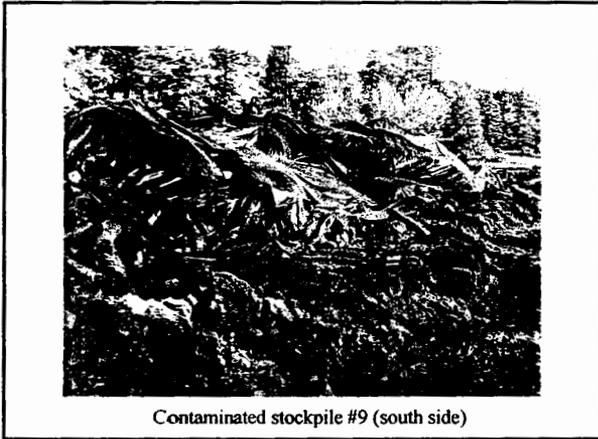
Contaminated stockpile #6



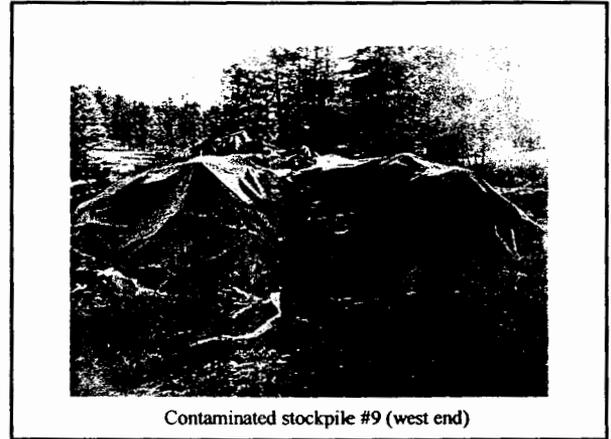
Contaminated stockpile #7



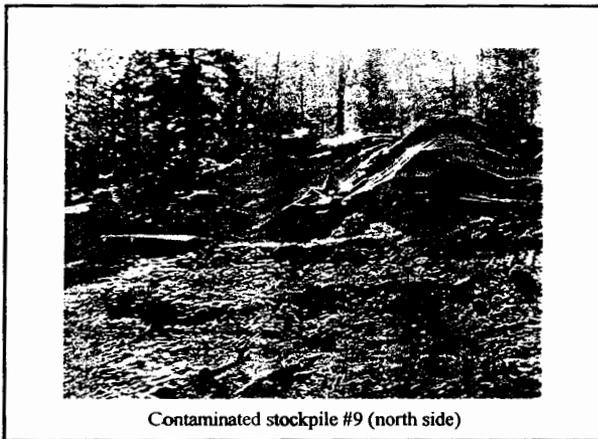
Contaminated stockpile #8



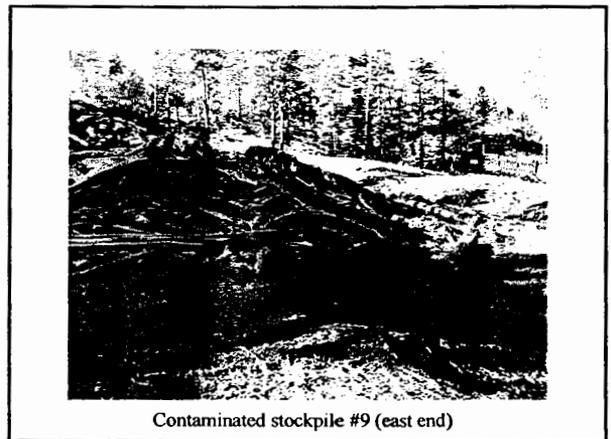
Contaminated stockpile #9 (south side)



Contaminated stockpile #9 (west end)

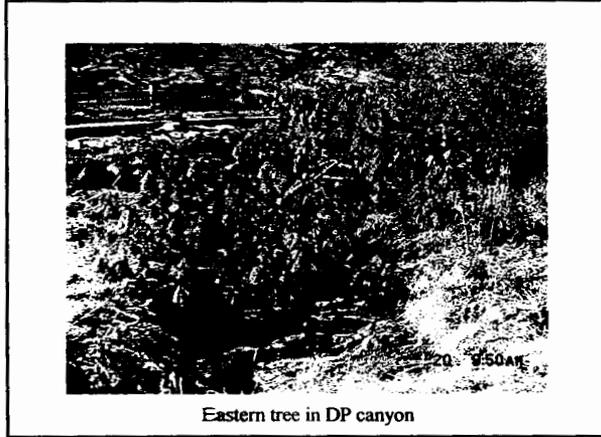
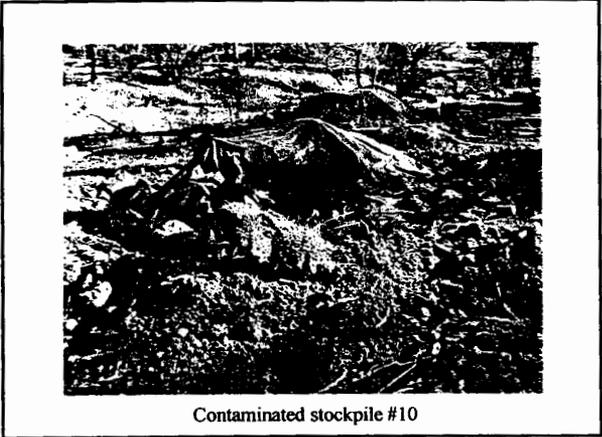


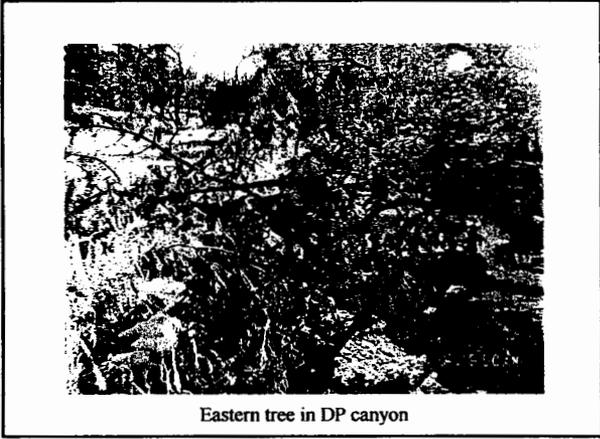
Contaminated stockpile #9 (north side)



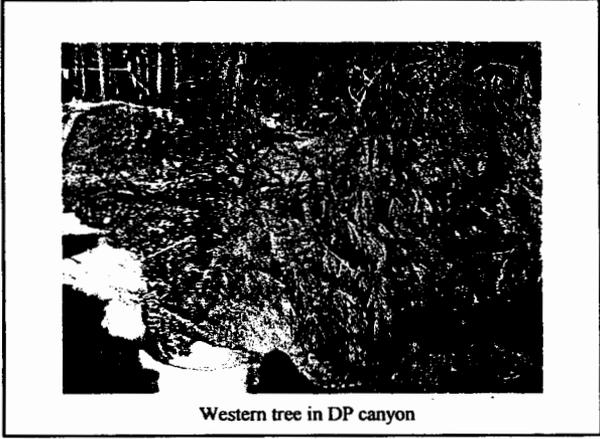
Contaminated stockpile #9 (east end)

o

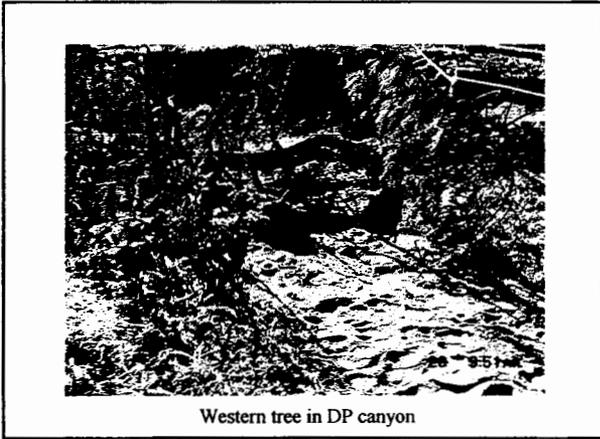




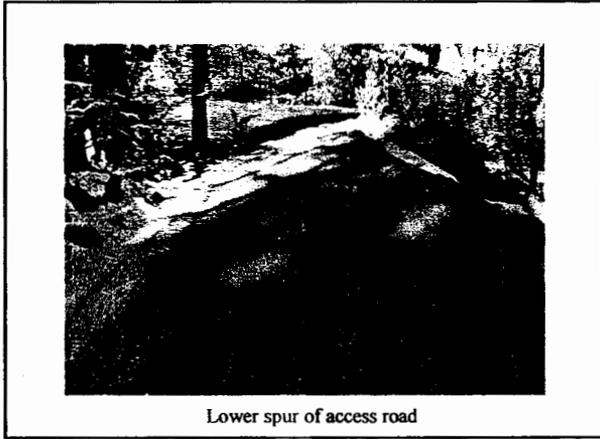
Eastern tree in DP canyon



Western tree in DP canyon



Western tree in DP canyon



Lower spur of access road



Straw waddles downslope of lower access road spur



Straw waddles downslope of lower access road spur



Upper access road



Straw waddles downslope of upper access road spur



Upper spur of access road

**Limited improvements made to  
BMPs at PRS 21-011(k)**

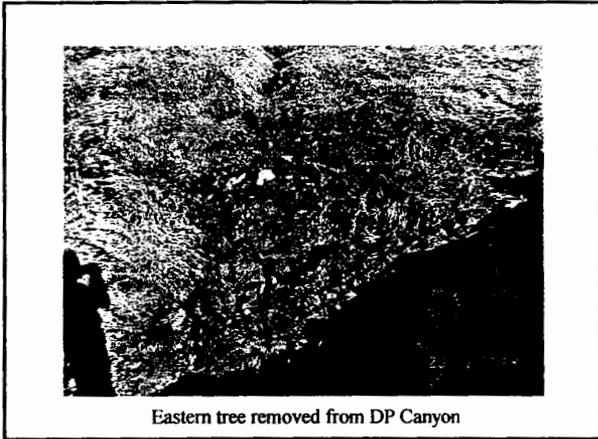
**January 20, 2003**



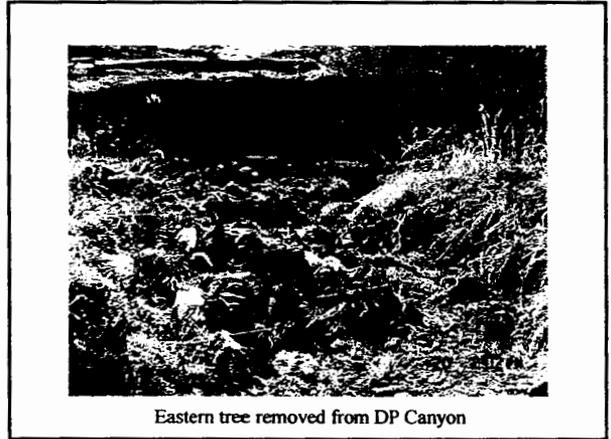
Additional straw waddles placed along northern edge of site



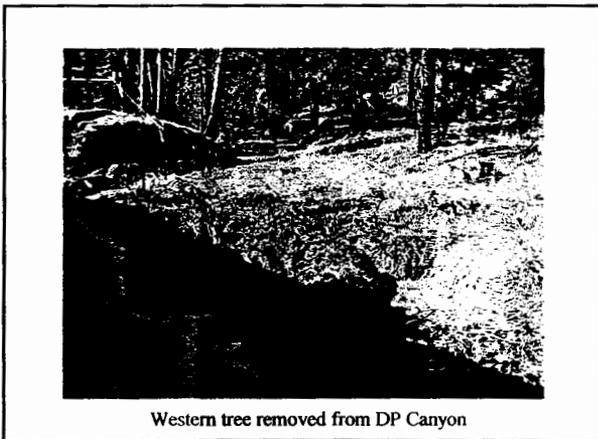
Straw waddles surrounding damp area, outside of northern boundary



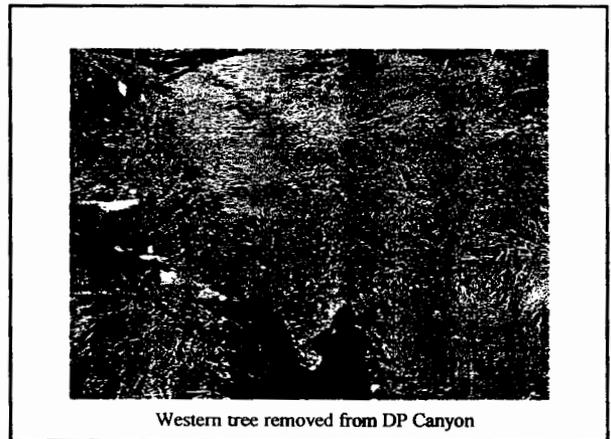
Eastern tree removed from DP Canyon



Eastern tree removed from DP Canyon



Western tree removed from DP Canyon



Western tree removed from DP Canyon



Straw waddles placed downstream of excavation in western drainage



Stockpile along western drainage bermed with straw waddles and logs



Stockpile along western drainage bermed with straw waddles and logs



Stockpile along western drainage bermed with straw waddles and logs



Berm placed around stockpiles #4 and #5



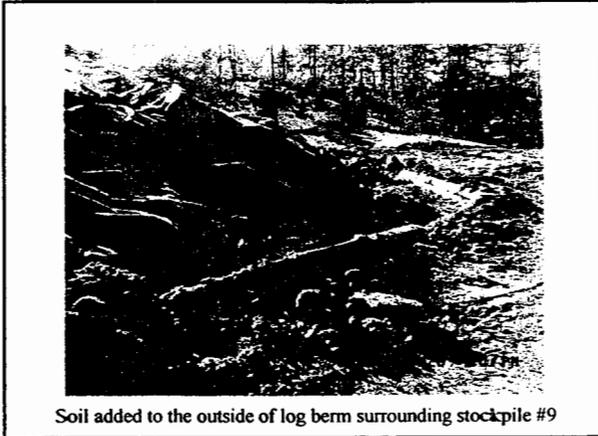
Berm placed around stockpiles #4 and #5



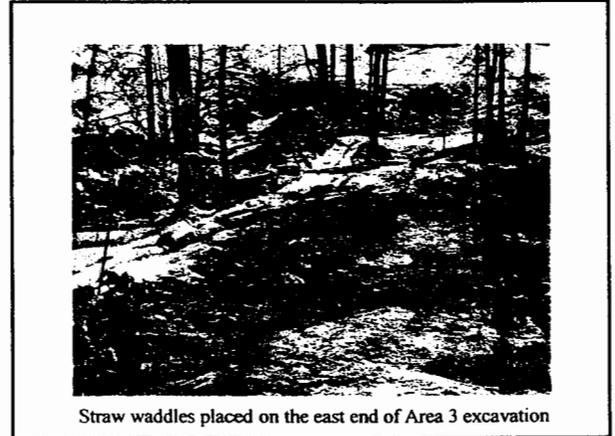
Straw waddles placed inside of log berm around stockpile #9



Straw waddles placed inside of log berm around stockpile #9



Soil added to the outside of log berm surrounding stockpile #9



Straw wattles placed on the east end of Area 3 excavation



General site maintenance and housekeeping