State of Delaware
Department of Natural Resources and Environmental Control
National Pollutant Discharge Elimination System Stormwater Multi-Sector General Permit for Discharges of Stormwater Associated with Industrial Activity

Pursuant to the provisions of the Federal Water Pollution Control Act, as amended by the Clean Water Act of 1977 (33 U.S.C. 1251 et seq.) (hereinafter referred to as "the Act"); 7 Del.C. §6000, Environmental Control; and the National Pollutant Discharge Elimination System (NPDES) Permit Program regulations for Industrial Stormwater Discharge, which were promulgated pursuant to those statutes: 7 Del. Admin. C. §7201-9.0, Regulations Governing Stormwater Discharges Associated with Industrial Activities, (the Regulations), the Department of Natural Resources and Environmental Control (hereinafter referred to as the Department), hereby authorizes discharges under this General Permit in accordance with all limitations, monitoring and record keeping requirements and other permit conditions as set forth herein

Effective Date: MM DD, YYYY

Expiration Date: MM DD, YYYY

DRAFT

_____ _____

John Rebar, Jr. Section Manager
Date Signed
Commercial and Government Services Section
Division of Water
Department of Natural Resources and Environmental Control

Table of Contents

Part I. Applicability 5
A. Permitted Discharges. 5
B. Incorporation by Reference. 7
C. Authorization and Deadlines. 7
D. Definitions. 8
E. Termination. 8
F. Conditional "No Exposure" Exclusion. 9
G. Permit Compliance 9

Part II. Stormwater Pollution Prevention Plan Requirements 10

Part III. Monitoring Requirements 19
A. Monitoring Procedures. 19
B. Quarterly Visual Assessment. 21
C. Benchmark Monitoring. 21

Part IV. Stormwater Control Measures and Effluent Limits 25
A. Stormwater Control Measures. 25
B. Numeric Effluent Limitations Based on Effluent Limitations Guidelines. 27
C. Water Quality-Based Effluent Limitations (WQBELs) 27

Part V. Corrective Actions 29
A. Conditions Requiring Review and Revision. 29
B. Corrective Action Deadlines. 29
C. Effect of Corrective Action. 29
D. Substantially Identical Discharge points. 30
E. Corrective Action Report. 30

Part VI. Inspections 31
A. Routine Facility Inspections. 31
B. Quarterly Visual Assessment. 32
C. Comprehensive Site Inspections. 32

Part VII. Reporting and Recordkeeping 33
A. Monitoring Data. 33
B. Electronic Reporting. 33
C. Annual Report. 34
D. Exceedance Report for Numeric Effluent Limits. 34
E. Additional Standard Recordkeeping and Reporting Requirements 34
F. Recordkeeping. 35

Part VIII. Sector Specific Requirements for Industrial Activity 36
Subpart A – Sector A – Timber Products. 36
Subpart B – Sector B – Paper and Allied Products. 39
Subpart C – Sector C - Chemical and Allied Products Manufacturing, and Refining. 40
Subpart D – Sector D - Asphalt Paving and Roofing Materials and Lubricant Manufacturing. 42
Subpart E – Sector E - Glass, Clay, Cement, Concrete, and Gypsum Products. 43
Subpart F – Sector F – Primary Metals. 45
Subpart G – Sector G – Metal Mining. 48
Subpart H – Sector H – Coal Mines and Coal Mining-Related Facilities. 58
Subpart J – Sector J – Non- Metallic Mineral Dressing and Mining. 65
Subpart K – Sector K – Hazardous Waste Treatment, Storage, or Disposal Facilities. 76

Subpart L – Sector L – Landfills, Land Application Sites, and Open Dumps. 79
Subpart M – Sector M - Automobile Salvage Yards. 82
Subpart N – Sector N – Scrap Recycling and Waste Recycling Facilities. 84
Subpart O – Sector O – Steam Electric Generating Facilities. 88
Subpart P – Sector P – Land Transportation and Warehousing. 91
Subpart Q – Sector Q – Water Transportation. 93
Subpart R – Sector R – Ship and Boat Building and Repair Yards. 96
Subpart S – Sector S – Air Transportation. 99
Subpart T – Sector T – Treatment Works. 104
Subpart U – Sector U – Food and Kindred Products. 106
Subpart V – Sector V – Textile Mills, Apparel and Other Fabric Products. 107
Subpart W – Sector W – Furniture and Fixtures. 109
Subpart X – Sector X – Printing and Publishing. 110
Subpart Y – Sector Y – Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries. 111
Subpart Z – Sector Z – Leather Tanning and Finishing. 113
Subpart AA – Sector AA – Fabricated Metal Products. 115
Subpart AB – Sector AB – Transportation Equipment, Industrial or Commercial Machinery Facilities. 117
Subpart AC – Sector AC – Electronic and Electrical Equipment and Components, Photographic and Optical Goods. 118
Subpart AD – Sector AD - Stormwater Discharges Designated by the Secretary as Requiring Permits. 119

Part IX. Notice of Intent Requirements 120
A. Contents of Notice of Intent. 120

Part X. General Requirements 123
A. Duty to Comply. 123
B. Continuation of the Expired General Permit. 123
C. Duty to Reapply. 123
D. Need to Halt or Reduce Activity Not a Defense. 123
E. Duty to Mitigate. 123
F. Duty to Provide Information. 123
G. Signatory Requirements. 123
H. Oil and Hazardous Substance Liability. 123
I. Release in Excess of Reportable Quantities. 124
J. Property Rights. 124
K. Severability. 124
L. Transfers. 124
M. State or Federal Laws. 124
N. Proper Operation and Maintenance. 124
O. Monitoring and Records. 124
P. Bypass of Stormwater Control Facilities. 125
Q. Upset Conditions. 125
R. Inspection and Entry. 126
S. Permit Actions. 126
T. Reopener Clause. 126
U. Availability of Reports. 127
V. Right to Appeal. 127

Appendix A 128
Definitions, Abbreviations and Acronyms. 128

Appendix B 134

Facilities and Activities Covered. 134

Appendix C 144

Calculating Hardness in Receiving Waters for Hardness Dependent Metals. 144

Appendix D 147

List of Waters of Exceptional Recreational or Ecological Significance (ERES) 147

Part I. Applicability

A. Permitted Discharges.

1. In accordance with the authority of the Delaware Department of Natural Resources & Environmental Control (the Department) as delegated by the US Environmental Protection Agency under 40 CFR Part 122 and in accordance with the Delaware Regulations Governing the Control of Water Pollution, this general permit allows the discharge of stormwater associated with industrial activity under the terms and conditions specified in this document. This permit applies to discharges that are composed entirely of stormwater from facilities belonging to the Standard Industrial Classification (SIC) codes listed in Table B-1 of Appendix B of this permit, in accordance with 40 CFR § 122.26(b)(14).

2. Authorized Non-Stormwater Discharges. Below is the list of non-stormwater discharges authorized under this permit. Unless specifically listed in this Part, this permit does not authorize any other non-stormwater discharges and the permittee must either eliminate those discharges or they must be covered under another permit:

    a. Discharges from emergency/unplanned fire-fighting activities;

    b. Fire hydrant flushings;

    c. Potable water, including uncontaminated water line flushings;

    d. Uncontaminated condensate from air conditioners, coolers/chillers, and other compressors and from the outside storage of refrigerated gases or liquids;

    e. Irrigation/landscape drainage, provided all pesticides, herbicides, and fertilizers have been applied in accordance with the approved labeling;

    f. Pavement wash waters, provided that detergents or hazardous cleaning products are not used (e.g., bleach, hydrofluoric acid, muriatic acid, sodium hydroxide, nonylphenols), and the wash waters do not come into contact with oil and grease deposits, sources of pollutants associated with industrial activities, or any other toxic or hazardous materials, unless residues are first cleaned up using dry clean-up methods (e.g., applying absorbent materials and sweeping, using hydrophobic mops/rags) and you have implemented appropriate control measures to minimize discharges of mobilized solids and other pollutants (e.g., filtration, detention, settlement);

    g. External building/structure washdown / power wash water that does not use detergents or hazardous cleaning products (e.g., those containing bleach, hydrofluoric acid, muriatic acid, sodium hydroxide, nonylphenols) and you have implemented appropriate control measures to minimize discharges of mobilized solids and other pollutants (e.g., filtration, detention, settlement);

    h. Uncontaminated ground water or spring water;

    i. Foundation or footing drains where flows are not contaminated with process materials;

    j. 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; drains); and

    k. Any authorized non-stormwater discharge listed above in this Part I.A.2 or any stormwater discharge described in Part I.A.1 mixed with a discharge authorized by a different NPDES permit and/or a discharge that does not require NPDES permit authorization.

3. Eligibility Conditions. All eligibility conditions must be met to be covered under this permit.

a. Facility location. The facility must be located in an area where the Department is the permitting authority and where coverage under this permit is available.

b. Discharges must be associated with industrial activity. The facility must have an authorized discharge or an authorized non-stormwater discharge per Part I.A.2. with industrial activity from the permittee's primary industrial activity, or the permittee has been notified that they are eligible for coverage under Sector AD.

c. Limitations on Coverage. Discharges from the facility are not:
   i. Discharges mixed with non-stormwater discharges. Discharges mixed with non-stormwater discharges other than those mixed with authorized non-stormwater discharges listed in Part I.A.2., and/or those mixed with a discharge authorized by a different NPDES permit and/or a discharge that does not require NPDES authorization.
   ii. Stormwater discharges associated with construction activity. Stormwater discharges associated with construction activity disturbing one acre or more, or that are part of a larger common plan of development or sale if the larger common plan will ultimately disturb one acre or more, unless in conjunction with mining activities or certain oil and gas extraction activities as specified in Sectors G, H, I, and J of this permit.
   iii. Discharges already covered by another NPDES permit. Unless the permittee has received written notification from the Department specifically allowing these discharges to be covered under this permit, the permittee is not eligible for coverage under this permit for any of the following:
      - Stormwater discharges associated with industrial activity that are currently covered under an individual NPDES permit;
      - Stormwater discharges covered within five years prior to the effective date of this permit by an individual NPDES permit where that permit established site-specific numeric water quality-based effluent limitations developed for the industrial stormwater component of the discharge; or
      - Discharges from facilities where any NPDES permit has been or is in the process of being denied, terminated, or revoked by the Department (this does not apply to the routine expiration and reissuance of NPDES permits every five years).
   iv. Stormwater discharges subject to effluent limitations guidelines. Stormwater discharges subject to stormwater effluent limitation guidelines under 40 CFR, Subchapter N, other than those listed in Table III-1 of this permit.

d. Eligibility related to Endangered Species Act (ESA) Listed Species and Critical Habitat Protection. The permittee must demonstrate that stormwater discharges, authorized non-stormwater discharges, and stormwater discharge-related activities are not likely to adversely affect any species that are federally listed as endangered or threatened ("ESA-listed") and are not likely to adversely affect habitat that is designated as "critical habitat" under the Endangered Species Act (ESA).

e. Eligibility related to National Historic Preservation Act (NHPA) – Protected Properties. The permittee must demonstrate that stormwater discharges, authorized non-stormwater discharges, and stormwater discharge-related activities are not likely to adversely affect NHPA Protected Properties.

f. Eligibility for "New Dischargers" and "New Sources". As defined in Appendix A only.

g. Eligibility for "New Dischargers" and "New Sources" based on Water Quality Standards. The stormwater discharge must be controlled as necessary such that the receiving water of the State will meet applicable water quality standards. The permittee is ineligible for this permit if the Department determines prior to authorization that stormwater discharges will not be controlled as necessary such that receiving water of the State will not meet an applicable water quality standards. In such case, the Department may notify the permittee that an individual permit application is necessary. Alternatively, the Department may authorize coverage under this permit after additional control measures are implemented so that stormwater discharges will be controlled as necessary such that the receiving water of the State will meet applicable water quality standards.

h. Eligibility for "New Dischargers" and "New Sources" for Water-Quality Impaired waters. If the permittee discharges to an impaired water, the following must be done:
   - Prevent all exposure to stormwater of the pollutant(s) for which the waterbody is impaired and retain documentation of procedures taken to prevent exposure onsite with the SWPPP.
   - When submitting a NOI, provide the technical information or other documentation to support any

claim that the pollutant(s) for which the waterbody is impaired is not present at the facility, and retain such documentation with the SWPPP; or

- When submitting a NOI, provide either data or other technical documentation, to support a conclusion that the stormwater discharge will be controlled as necessary such that the receiving water of the State will meet applicable water quality standards and retain such information with the SWPPP. The information submitted must demonstrate:
  - For discharges to waters without a Department-approved or established total maximum daily load (TMDL), that the discharge of the pollutant for which the water is impaired will be controlled as necessary such that the receiving water of the State will meet applicable water quality standards at the point of discharge to the waterbody; or
  - For discharges to waters with an applicable Department-approved or established TMDL, that there are, in accordance with 40 CFR 122.4(i), sufficient remaining waste load allocations in the TMDL to allow the discharge and that existing dischargers to the waterbody are subject to compliance schedules designed to bring the waterbody into attainment with water quality standards (e.g., a reserve allocation for future growth).

i. Eligibility for "New Dischargers" and "New Sources" for waters of Exceptional Recreational or Ecological Significance (ERES).
   - For new dischargers and new sources to ERES waters, the discharge must not lower the water quality of the applicable water and must be in compliance with Section 5.0 of Title 7 Natural Resources & Environmental Control Delaware Administrative Code 7401. See a list of ERES waters in Appendix D.

j. Eligibility for discharges to a Federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Site. If the permittee discharges to a CERCLA Site, the Department must be notified when submitting a NOI, and the Department must determine eligibility for permit coverage. In determining eligibility for coverage under this Part, the Department may evaluate whether the permittee is implementing or plans to implement adequate controls and/or procedures to ensure that any discharge will not lead to recontamination of aquatic media at the CERCLA Site (i.e., the stormwater discharge will be controlled as necessary such that the receiving water of the State will meet an applicable water quality standard). If it is determined that the facility discharges to a CERCLA Site after coverage has been under this permit, the permittee must contact the Department and ensure that they either have implemented or will implement adequate controls and/or procedures to ensure that discharges will not lead to recontamination of aquatic media at the CERCLA Site such that the stormwater discharge will be controlled as necessary such that the receiving water of the State will meet an applicable water quality standard. For the purposes of this permit, a facility discharges to a CERCLA Site if the discharge flows directly into the site through its own conveyance, or through a conveyance owned by others, such as a municipal separate storm sewer system (MS4).

B. Incorporation by Reference.

This permit incorporates the conditions applicable to all permits issued under 40 CFR Part 122, the National Pollutant Discharge Elimination System (NPDES), specifically including terms specified in 40 CFR §122.41.

C. Authorization and Deadlines.

1. Permittees of facilities that discharge stormwater associated with industrial activity that are currently operating or will be operating and do not have or will not seek an individual NPDES permit shall submit to the Department a completed Notice of Intent (NOI) and Stormwater Pollution Prevention Plan (SWPPP) in accordance with Table I-1 below:

Table I-1. NOI and SWPPP Submittal Deadlines and Discharge Authorization Dates

Category of Facility/Operator	NOI and SWPPP Submission Deadline	Discharge Authorization Date[1, 2]
Existing Authorized facility. Operators of industrial activities whose stormwater discharges were covered under a current NPDES Authorization to Discharge.	No later than 90 calendar days passed the effective date of this permit.	Immediately after the Department notifies you that it has authorized your coverage under this permit. Note: You must review and update your SWPPP to ensure that this permit's requirements

		are addressed prior to submitting your NOI. Provided you submit your NOI in accordance with the deadline, your previous Authorization to Discharge is automatically continued until you have been granted coverage under this permit or an alternative permit, or coverage is otherwise terminated.
New facility without MSGP coverage. Operators of industrial activities that will commence discharging after the effective date of this permit.	At least 30 calendar days prior to commencing discharge.	Immediately after the Department notifies you that it has authorized your coverage under this permit.
Existing facility covered under an alternative permit. Operators seeking coverage for stormwater discharges previously covered under an individual permit or an alternative general permit.	At least 30 calendar days prior to commencing discharge.	
Existing MSGP facility with a new operator. New operators of existing industrial activities with stormwater discharges previously authorized under this permit.	At least 30 calendar days prior to the date of transfer of control to the new operator.	
Existing facility without MSGP coverage. Operators of industrial activities that commenced discharging prior to the effective date of this permit, but whose stormwater discharges were not covered under a current Authorization to Discharge or another NPDES permit.	Immediately; your stormwater discharges are currently unpermitted.[1]	

[1]If you have missed the deadline to submit your NOI, any and all discharges from your industrial activities will continue to be unauthorized under the CWA until they are covered by this or a different NPDES permit. The Department may take enforcement action for any unpermitted discharges that occur between the commencement of discharging and discharge authorization.

[2] Discharges are not authorized if your NOI is incomplete or inaccurate or if you are ineligible for permit coverage.

2. No facility shall be authorized to discharge under this General Permit unless:
   a. it has submitted a complete NOI and SWPPP to the Department, and the Department has approved its authorization to discharge, or
   b. it possesses written authorization to discharge from the Department.

3. Continuation of this Permit. If this General Permit is not re-issued or replaced prior to the expiration date, it will be administratively continued and remain fully effective and enforceable.

D. Definitions.

See Appendix A.

E. Termination.

The permittee must submit a Notice of Termination (NOT) within 30 days after one or more of the following conditions have been met:

1. A new owner or permittee has received authorization to discharge under this permit for the facility; or
2. Operations have ceased at the facility and/or there are not or no longer will be discharges of stormwater associated with industrial activity from the facility, and the permittee has already implemented necessary

sediment and erosion controls; or
3. The facility is Sector G, H, or J and has met the applicable termination requirements; or
4. The permittee obtained coverage under an individual or alternative general permit for all discharges required to be covered by a NPDES permit unless the Department terminates coverage.

An authorization to discharge under this permit terminates at midnight of the day that the permittee is notified their complete NOT has been processed. If the permittee submits a NOT without meeting one or more of the conditions in Part I.E., then the NOT is not valid. Until the permittee terminates permit coverage, they must comply with all conditions and effluent limitations in the permit.

F. Conditional “No Exposure” Exclusion.

Permittees may request a conditional “no exposure” exclusion from the stormwater requirements of this permit if all of the facility’s industrial materials and activities are protected by a storm-resistant shelter to prevent exposure to precipitation and runoff, and the facility satisfies the conditions of 40 CFR § 122.26(g). In order to receive a waiver, the owner or permittee shall submit a "no exposure" certification form to the Department. The permittee shall comply with this permit unless and until it has received a no-discharge waiver from the Department.

G. Permit Compliance

Any noncompliance with any of the requirements of this permit constitutes a violation of this permit. As detailed in part V, failure to take any required corrective actions constitutes an independent, additional violation of this permit, in addition to any original violation that triggered the need for a corrective action. As such, any actions and time periods specified for remedying noncompliance do not absolve the permittee of the initial underlying noncompliance.

Part II. Stormwater Pollution Prevention Plan Requirements

A. The permittee shall develop and implement a written Stormwater Pollution Prevention Plan (SWPPP) that shall be submitted to the Department with the Notice of Intent (NOI). If the Department has approved a SWPPP for the permittee's facility prior to the issuance of this permit, the permittee shall examine the SWPPP and update it as necessary to comply with this permit prior to submittal.

B. The permittee shall sign the SWPPP in accordance with Part X.G. of this permit and be responsible for retaining it at the facility in a location that is readily accessible to the permittee's stormwater contact and any other personnel who have a role in the implementation of the SWPPP. The permittee of a facility with stormwater discharges covered by this permit shall make the SWPPP available upon request to the Department, and in the case of a discharge to a municipal separate storm sewer system (MS4), to the municipal authority operating the MS4.

C. The permittee shall retain records of all information required by the SWPPP (i.e., monitoring results, inspection reports, and any other documentation of compliance with this Subsection) for a minimum of five (5) years.

D. If the Department notifies the permittee that the SWPPP does not meet the requirements of this permit, the permittee shall, within 30 days of such notification, revise the SWPPP to address the Department's comments and re-submit the revised SWPPP to the Department for approval.

E. The permittee shall amend the SWPPP prior to initiating construction or changing any operating procedures that may affect the facility's stormwater. The amendment shall note any of these construction projects and changes to operating procedures and describe any changes in stormwater management that the facility shall undertake to maintain compliance with this permit.

F. The SWPPP shall contain:

1. Stormwater pollution prevention team. A list of staff members identified by name or title that comprise the facility's stormwater pollution prevention team as well as their individual responsibilities. Include contact information when identifying the team (phone number, email, office location, etc.) The stormwater pollution prevention team is responsible for overseeing development of the SWPPP, any modifications to it, and for implementing and maintaining control measures and taking corrective actions when required. Each member of the stormwater pollution prevention team must have ready access to either an electronic or paper copy of applicable portions of this permit, the most updated copy of the SWPPP, and other relevant documents or information that must be kept with the SWPPP.

2. A description of the facility property, including its size, the purpose and nature of the industrial activity(ies) that take place at the facility, and any other information that affects stormwater management at the site;

3. A topographic map, including north arrow, scale and legend, showing the location of the facility with enough detail to identify the waters that receive stormwater discharges from the facility;

4. A legible site map with clear labels showing:

   a. The facility's property boundary, scale, north arrow and legend;
   b. The size of the property in acres;
   c. Built structures and boundaries of impervious surfaces;
   d. Arrows indicating the direction of stormwater flow;
   e. Locations of stormwater structural control measures;
   f. Locations of all receiving waters (including wetlands) and indication of any impairment and/or Total Maximum Daily Loads (TMDLs) established for the receiving waters;
   g. Locations of stormwater conveyances including ditches, pipes, swales;
   h. Locations of potential pollutant sources identified under Part II.F.5;
   i. Locations where significant spills or leaks identified under Part II.F.9 have occurred;
   j. Locations of all stormwater monitoring points;
   k. Locations of stormwater inlets and discharge points, with a unique identification code for each discharge point (001, 002, etc.), indicating if one or more discharge points are being treated as "substantially

identical" under Part II.F.20, Part III.A;

l. Drainage areas associated with each stormwater discharge from the facility/site and the associated ground cover;
m. Locations of the following activities where such activities are exposed to precipitation:
    i. Fueling stations;
    ii. Vehicle and equipment maintenance and/or cleaning areas;
    iii. Loading/unloading areas;
    iv. Locations used for the treatment, storage, or disposal of wastes;
    v. Liquid storage tanks;
    vi. Industrial processing and storage areas;
    vii. Immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility;
    viii. Transfer areas for industrial substances in bulk;
    ix. Machinery;
n. If applicable, Areas of Endangered Species Act-designated critical habitat for endangered or threatened species;
o. If applicable, any municipal separate storm sewer system (MS4) structures present on the property and where stormwater discharges to them;
p. If applicable, location and description of non-stormwater discharges;
q. If applicable, 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 stormwater running onto the facility impacts the stormwater discharges may be included).

5. Summary of Potential Pollutant Sources. A description of each drainage area where industrial activities and/or potential sources of pollutants may reasonably be expected to add pollutants to stormwater discharges or may result in dry weather discharges from the stormwater conveyance system. Industrial materials or activities include but are not limited to: material handling equipment or activities; industrial machinery; raw materials; industrial production and processes; and intermediate products, by-products, final products, and waste products. Material handling activities include, but are not limited to: the storage, loading and unloading, transportation, disposal, or conveyance of any raw material, intermediate product, final product or waste product. For structures located in areas of industrial activity, the permittee must be aware that the structures themselves are potential sources of pollutants. This could occur, for example, when metals such as aluminum or copper are leached from the structures as a result of acid rain. Resources for identifying sector specific Potential Pollutant Sources can be found on EPA's website at Stormwater Discharges from Industrial Activities-Fact Sheets and Guidance | US EPA. For each area identified, the description must include:

    a. Activities in the area. A list of the industrial activities exposed to stormwater (e.g., material storage; equipment fueling, maintenance, and cleaning; cutting steel beams).

    b. Pollutants. A list of the pollutant(s) or pollutant constituents (e.g., crankcase oil, zinc, sulfuric acid, cleaning solvents) associated with each identified activity, which could be exposed to rainfall or snowmelt and could be discharged from your facility. The pollutant list must include all significant materials that have been handled, treated, stored or disposed, and that have been exposed to stormwater in the three years prior to the date you prepare or amend your SWPPP.

    c. Spills and Leaks. You must document where potential spills and leaks could occur that could contribute pollutants to stormwater discharges, and the corresponding discharge point(s) that would be affected by such spills and leaks. You must document all significant spills and leaks of oil or toxic or hazardous substances that occurred at exposed areas, or that drained to a stormwater conveyance, in the three years prior to the date you prepare or amend your SWPPP.

        Note: 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 section 311 (see 40 CFR 110.6 and 40 CFR 117.21) or section 102 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 USC § 9602. 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 substance.

    d. Salt Storage. List the locations of any storage piles containing salt used for deicing or other commercial or

industrial purposes. Salt piles must be enclosed or covered to prevent exposure to precipitation, except for exposure resulting from adding or removing materials from the salt pile. Appropriate measures must be implemented to minimize exposure during adding or removing of materials from the pile. Describe how each pile is enclosed and methods of adding and removing from each salt pile.

e. Sampling Data. Existing permitted facilities must summarize all stormwater discharge sampling data collected at the facility during the previous permit term. The summary shall include a narrative description (and may include data tables/figures) that adequately summarizes the collected sampling data to support identification of potential pollution sources at your facility. New dischargers and new sources must provide a summary of any available stormwater data they may have.

6. Minimize Exposure. Describe measures taken to minimize exposure of manufacturing, processing, and material storage areas (including loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations) to rain, snow, snowmelt, and stormwater in order to minimize pollutant discharges by either locating these industrial materials and activities inside or protecting them with storm resistant coverings. Unless infeasible, you must also:

   a. Use grading, berming or curbing to prevent discharges of contaminated flows and divert run-on away from these areas;
   b. Locate materials, equipment, and activities so that potential leaks and spills are contained or able to be contained or diverted before discharge;
   c. Store leaky vehicles and equipment indoors;
   d. Perform all vehicle and/or equipment cleaning operations indoors, under cover, or in bermed areas that prevent discharges and run-on and also that capture any overspray; and
   e. Drain fluids from equipment and vehicles that will be decommissioned, and, for any equipment and vehicles that will remain unused for extended periods of time, inspect at least monthly for leaks.

7. Good Housekeeping. Describe measures taken to keep clean all exposed areas that are potential sources of pollutants. You must perform good housekeeping measures in order to minimize pollutant discharges, including but not limited to, the following:

   a. Sweep or vacuum at regular intervals or, alternatively, wash down the area and collect and/or treat, and properly dispose of the washdown water.
   b. Store materials in appropriate containers.
   c. Keep all dumpster lids closed when not in use. For dumpsters and roll off boxes that do not have lids and could leak, ensure that discharges have a control (e.g., secondary containment, treatment). This permit does not authorize dry weather discharges from dumpsters or roll off boxes.
   d. Minimize the potential for waste, garbage, and floatable debris to be discharged by keeping exposed areas free of such materials, or by intercepting them before they are discharged.
   e. Plastic Materials Requirements: Facilities that handle pre-production plastic must implement control measures to eliminate discharges of plastic in stormwater. Examples of plastic material required to be addressed as stormwater pollutants include plastic resin pellets, powders, flakes, additives, regrind, scrap, waste, and recycling.

   Examples of appropriate control measures include but are not limited to: installing a containment system, or other control, at each on-site storm drain discharge point down gradient of areas containing plastic material, designed to trap all particles retained by a 1 mm mesh screen; using a durable sealed container designed not to rupture under typical loading and unloading activities at all points of plastic transfer and storage; using capture devices as a form of secondary containment during transfers, loading, or unloading plastic materials, such as catch pans, tarps, berms or any other device that collects errant material; having a vacuum or vacuum-type system for quick cleanup of fugitive plastic material available for employees; for facilities that maintain outdoor storage of plastic materials, do so in a durable, permanent structure that prevents exposure to precipitation that could cause the material to be discharged via stormwater.

8. Maintenance
   a. Maintenance Activities. Describe measures taken to meet the following requirements.
      i. You must maintain all control measures that are used to achieve the effluent limits in this permit in effective operating condition, as well as all industrial equipment and systems, in order to minimize pollutant discharges. This includes:

ii. Performing inspections and preventive maintenance of stormwater drainage, source controls, treatment systems, and plant equipment and systems that could fail and result in discharges of pollutants via stormwater.
iii. Maintaining non-structural control measures (e.g., keep spill response supplies available, personnel appropriately trained).
iv. Inspecting and maintaining baghouses at least quarterly to prevent the escape of dust from the system and immediately removing any accumulated dust at the base of the exterior baghouse.*
v. Cleaning catch basins when the depth of debris reaches two-thirds (2/3) of the sump depth, or in line with manufacturer specifications, whichever is lower, and keeping the debris surface at least six inches below the lowest outlet pipe.*

b. Maintenance Deadlines.
i. If you find that your control measures need routine maintenance, you must conduct the necessary maintenance immediately in order to minimize pollutant discharges.

ii. If you find that your control measures need to be repaired or replaced, you must immediately take all reasonable steps to prevent or minimize the discharge of pollutants until the final repair or replacement is implemented, including cleaning up any contaminated surfaces so that the material will not be discharged during subsequent storm events. Final repairs/replacement of stormwater controls should be completed as soon as feasible but must be no later than the timeframe established in Part V for corrective actions, i.e., within 14 days or, if that is infeasible, within 45 days. If the completion of stormwater control repairs/replacement will exceed the 45-day timeframe, you may take the minimum additional time necessary to complete the maintenance, provided that you notify the Department of your intention to exceed 45 days, and document in your SWPPP your rationale for your modified maintenance timeframe. If a control measure was never installed, was installed incorrectly or not in accordance with Parts II and/or VIII, or is not being properly operated or maintained, you must conduct corrective action as specified in Part V.

9. Spill Prevention and Response. Describe measures taken to minimize the potential for leaks, spills and other releases that may be exposed to stormwater and develop plans for effective response to such spills if or when they occur in order to minimize pollutant discharges. You must conduct spill prevention and response measures, including but not limited to, the following:

a. Clean up spills and leaks promptly using dry methods (e.g., absorbents) to prevent the discharge of pollutants;
b. Use drip pans and absorbents if leaky vehicles and/or equipment are stored outdoors;
c. Use spill/overflow protection equipment;
d. Plainly label containers (e.g., “Used Oil,” “Spent Solvents,” “Fertilizers and Pesticides”) that could be susceptible to spillage or leakage to encourage proper handling and facilitate rapid response if spills or leaks occur;*
e. Implement procedures for material storage and handling, including the use of secondary containment and barriers between material storage and traffic areas, or a similarly effective means designed to prevent the discharge of pollutants from these areas;
f. Develop training on the procedures for expeditiously stopping, containing, and cleaning up leaks, spills, and other releases. As appropriate, execute such procedures as soon as possible;
g. Keep spill kits onsite, located near areas where spills may occur or where a rapid response can be made; and
h. Notify appropriate facility personnel when a leak, spill, or other release occurs.

Where a leak, spill, or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under either 40 CFR Part 110, 40 CFR Part 117, or 40 CFR Part 302, occurs during a 24-hour period, you must notify the Spill Hotline at 800-662-8806, call 800-STOPPIT and you must notify the Department. Local requirements may necessitate reporting spills or discharges to local emergency response, public health, or drinking water supply agencies. Reporting must be done as soon as you have knowledge of the discharge. Contact information must be in locations that are readily accessible and available.

10. Erosion and Sediment Controls. Describe measures to minimize erosion by stabilizing exposed soils at your facility and placing flow velocity dissipation devices at discharge locations to minimize channel and

streambank erosion and scour in the immediate vicinity of discharge points. You must also use structural and non-structural control measures to minimize the discharge of sediment. If you use polymers and/or other chemical treatments as part of your controls, you must identify the polymers and/or chemicals used and the purpose in your SWPPP. There are many resources available to help you select appropriate SCMs for erosion and sediment control, including the Department's Erosion and Sediment Control Handbook at: https://dnrec.alpha.delaware.gov/watershed-stewardship/sediment-stormwater/handbook/. EPA's Stormwater Discharges from Construction Activities also provides useful information on their website at: https://www.epa.gov/npdes/stormwater-dischargesconstruction-activities.

11. Employee Training. Describe measures taken to meet the following requirements.
    a. Types of personnel who require training. You must train all employees who work in areas where industrial materials or activities are exposed to stormwater, or who are responsible for implementing activities necessary to comply with this permit (e.g., inspectors, maintenance personnel), including all members of your stormwater pollution prevention team. You must ensure the following personnel understand the requirements of this permit and their specific responsibilities with respect to those requirements:

        i. Personnel who are responsible for the design, installation, maintenance, and/or repair of controls (including pollution prevention measures);
        ii. Personnel responsible for the storage and handling of chemicals and materials that could become pollutants discharged via stormwater;
        iii. Personnel who are responsible for conducting and documenting inspections and monitoring as required in Parts III and IV; and
        iv. Personnel who are responsible for taking and documenting corrective actions as required in Part V.

    b. Areas of required training. Personnel must be trained in at least the following if related to the scope of their job duties (e.g., only personnel responsible for conducting inspections need to understand how to conduct inspections):

        i. An overview of what is in the SWPPP;
        ii. Spill response procedures, good housekeeping, maintenance requirements, and material management practices;
        iii. The location of all the controls required by this permit, and how they are to be maintained;
        iv. The proper procedures to follow with respect to the permit's pollution prevention requirements; and
        v. When and how to conduct inspections, record applicable findings, and take corrective actions; and
        vi. The facility's emergency procedures, if applicable per Part II.F.9.

12. Description of Non-Stormwater Discharges. The permittee shall identify and describe the nature, location, and source of any non-stormwater discharges. The permittee must evaluate for the presence of non-stormwater discharges. They must eliminate any non-stormwater discharges not explicitly authorized in Part I.A.2 or covered by another NPDES permit, including vehicle and equipment/tank wash water. If not covered under a separate NPDES permit, wastewater, wash water and any other unauthorized non-stormwater must be discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements, or otherwise disposed of appropriately.

13. Dust generation and vehicle tracking of industrial materials. Describe measures to minimize the generation of dust and off-site tracking of raw, final, or waste materials in order to minimize pollutants discharged via stormwater.

14. Receiving Waters and Wetlands. List the name of the nearest receiving water(s), including intermittent streams and the aerial extent and description of wetland that may receive discharges from the facility within the 5 years prior to the date of the SWPPP.

15. Stormwater Control Measures.

    a. The permittee shall describe the rationale for the selection and use of stormwater control measures at the facility to minimize the exposure of pollutants to stormwater to meet:

        i. The non-numeric effluent limits

ii. The effluent limitations guidelines-based limits and any additional applicable effluent limits
iii. The water quality-based effluent limits for impaired waters, ERES waters, and/or TMDL waters
iv. Any additional measures regarding Endangered Species Act: listed threatened and endangered species or their critical habitat, National Historic Preservation Act historic properties, and/or federal CERCLA Site requirements;

b. This section shall describe how the control measures at the facility address the following design considerations:
   i. Preventing stormwater from coming into contact with polluting materials is generally more effective, and less costly, than trying to remove pollutants from stormwater
   ii. Using stormwater control measures in combination may be more effective than using control measures in isolation for minimizing pollutants in your stormwater discharge
   iii. Assessing the type and quantity of pollutants, including their potential to impact receiving water quality, is critical to designing effective stormwater control measures that will achieve the limits in this permit
   iv. Minimizing impervious areas at your facility and infiltrating stormwater onsite (including bioretention cells, green roofs, and pervious pavement, among other approaches) can reduce the frequency and volume of discharges and improve ground water recharge and stream base flows in local streams, although care must be taken to avoid ground water contamination
   v. Attenuating flow using open vegetated swales and natural depressions can reduce instream impacts of erosive flows
   vi. Conserving and/or restoring riparian buffers will help protect streams from stormwater discharges and improve water quality
   vii. Using treatment interceptors (e.g., swirl separators and sand filters) may be appropriate in some instances to minimize the discharge of pollutants
   viii. Implementing structural improvements, enhanced/resilient pollution prevention measures, and other mitigation measures can help to minimize impacts from stormwater discharges from major storm events such as hurricanes, storm surge, extreme/heavy precipitation, and flood events. If such stormwater control measures are already in place due to existing requirements mandated by other state, local or federal agencies, you should document in your SWPPP a brief description of the controls and a reference to the existing requirement(s). If your facility may be exposed to or has previously experienced such major storm events, additional stormwater control measures that may be considered include, but are not limited to
      - Reinforce materials storage structures to withstand flooding and additional exertion of force
      - Prevent floating of semi-stationary structures by elevating to the Base Flood Elevation (BFE)[1] level or securing with non-corrosive device
      - When a delivery of exposed materials is expected, and a storm is anticipated within 48 hours, delay delivery until after the storm or store materials as appropriate (refer to emergency procedures)
      - Temporarily store materials and waste above the base flood elevation (BFE) level
      - Temporarily reduce or eliminate outdoor storage
      - Temporarily relocate any mobile vehicles and equipment to higher ground
      - Develop scenario-based emergency procedures for major storms that are complementary to regular stormwater pollution prevention planning and identify emergency contacts for staff and contractors
      - Conduct staff training for implementing your emergency procedures at regular intervals

c. This section shall describe how the control measures at the facility address the pollutant sources identified in Part II.F.5.

d. Describe how the control measures at the facility address any stormwater run-on that commingles with any discharges covered under this permit.

e. Document the location and type of stormwater control measures you have specifically chosen and/or designed to address the above requirements of Part II.F.15.a.

16. Schedules and Procedures.

Pertaining to Control Measures Used to Comply with the Effluent Limits, the following shall be documented in the SWPPP:

a. Good Housekeeping– A schedule for regular pickup and disposal of wastes, along with routine inspections for leaks and conditions of drums, tanks and containers;
b. Maintenance – Preventive maintenance procedures and schedules, including regular inspections, testing, maintenance, and repair of all industrial equipment and systems, and control measures, to avoid situations that may result in releases, and any back-up practices in place should a runoff event occur while a control measure is off-line;
c. Spill Prevention and Response Procedures – Procedures for preventing and responding to releases. Include the stormwater control measures for material handling and storage, and the procedures for preventing spills that can contaminate stormwater. Specify cleanup equipment, procedures, and spill logs. The permittee may reference the existence of other plans for Spill Prevention Control and Countermeasure (SPCC) developed for the facility under Section 311 of the Clean Water Act or BMP programs otherwise required by a permit for the facility, provided that the permittee keeps a copy of that other plan onsite and makes it available for review, and;
d. Employee Training – Employee training plan shall include all, but is not limited to, the requirements set forth in Part II.F.11 of this permit and the following:
    i. The content of the training
    ii. The frequency/schedule of training for employees who work in areas where industrial materials or activities are exposed to stormwater, or who are responsible for implementing activities necessary to meet the conditions of this permit
    iii. A log of the dates on which specific employees received training.

17. Inspections. The permittee shall document in the SWPPP the procedures for performing the types of inspections specified by this permit, including:
    a. Routine facility inspections (Part IV.A);
    b. Comprehensive site inspections (Part IV.B); and
    c. Quarterly visual assessment of stormwater discharges (Part III.B).

    For each type of inspection performed, your SWPPP must identify:
    a. Person(s) or positions of person(s) responsible for the inspection;
    b. Schedules for conducting inspections, including tentative schedule for facilities in climates with irregular stormwater discharges
    c. Specific items to be covered by the inspection, including schedules for specific discharge points.

18. Monitoring. The permittee shall document in the SWPPP the procedures for conducting the monitoring specified by this permit, if applicable to the facility, including:

    a. Benchmark monitoring (see Part III.C.1);
    b. Effluent limitations monitoring (see Part III.D);
    c. Impaired waters monitoring (see Part III. E.); and
    d. Other monitoring as required by the Department (see Part III.F).
    e. For each type of monitoring, the SWPPP shall document:

        i. Locations where samples are collected, including any determination that two or more discharge points are substantially identical;
        ii. Parameters for sampling and the frequency of sampling for each parameter;
        iii. Schedules for monitoring at the facility;
        iv. Any numeric control values (benchmarks, effluent limitations guidelines, TMDL-related requirements, other water quality determination requirements, or other requirements) applicable to discharges from each discharge point; and
        v. Procedures (e.g., responsible staff, logistics, laboratory to be used, etc.) for gathering storm event data.

19. If the permittee is invoking the exception for inactive and unstaffed sites for benchmark monitoring, the permittee shall include in the SWPPP the information to support this claim as required by Part III.A.9.a.

20. The permittee shall document the following in the SWPPP if the permittee plans to forego sampling a discharge point because it is substantially similar to another discharge point that it is monitoring:

    a. Location of each of the substantially identical discharge points;
    b. Description of the industrial activities conducted in the drainage area of each discharge point;
    c. Description of the control measures implemented in the drainage area of each discharge point;
    d. Description of the potential pollutants located in the drainage area of each discharge point;
    e. Why the discharge points are expected to discharge substantially identical effluents.

21. Eligibility pertaining to other federal laws.

    a. Documentation Related to Endangered Species The permittee must identify in the SWPPP if the facility is located within or has a discharge that could potentially affect, a listed or proposed to be listed endangered or threatened species or its critical habitat, historic properties, a national wild and scenic river, essential fish habitat, or land and water in the coastal zone. If the Department makes a determination that the discharge may adversely affect a listed or proposed to be listed endangered or threatened species or its critical habitat, the discharge cannot be authorized under this permit and the permittee must submit an application for an individual Department-issued permit that would require appropriate stormwater controls or the permittee must eliminate the discharge.
    b. Documentation related to National Historic Preservation Act Historic Properties. The permittee must identify in the SWPPP if the facility has certified that they are either not affecting historic properties or obtained written agreement from the relevant State Historic Preservation Office - Division of Historical and Cultural Affairs - State of Delaware regarding methods of mitigating potential impacts.

22. Signature Requirements. The SWPPP shall be signed and certified per the requirements of 40 CFR 122.22. The certification is included below for convenience.

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

23. Copy of Permit Requirements. The permittee shall include a copy of this permit in the SWPPP and retain the SWPPP on-site at the facility at all times.

G. Maintaining an Updated SWPPP. The permittee shall update the SWPPP on an ongoing basis, adding reports of inspections, monitoring, corrective actions and other activities as they are completed. Any changes to the SWPPP inspection and monitoring locations, schedules and procedures shall be noted with the SWPPP and mentioned in the Annual Report.

H. SWPPP Availability. The permittee shall keep a copy of the SWPPP at the facility and make it available immediately upon the request by the Department. Also, in the interest of the public's right to know, the permittee shall provide an opportunity for members of the public to copy the SWPPP, at a reasonable time and cost, if the permittee receives a request in writing to do so or shall provide a website where the public may access the SWPPP. Requests must be mailed to the following address:

Delaware Department of Natural Resources and Environmental Control
Division of Water
Commercial and Government Services Section
Stormwater Program
89 Kings Highway
Dover, DE 19901

SWPPP requests may also be made via the Department website: dnrec.alpha.delaware.gov/water/

I. Additional Documentation Requirements. The permittee shall maintain the following inspection, monitoring, and

certification records with the SWPPP:

1. A copy of the NOI submitted to the Department along with any correspondence exchanged between the permittee and the Department regarding this permit;
2. A copy of any acknowledgment letter the permittee may have received from the Department;
3. A copy of this permit;
4. Records of employee training, including date training received (see Part II.A.2.i);
5. Documentation of maintenance and repairs of control measures and BMPs, including the date(s) that the permittee conducted maintenance and repairs, date(s) of discovery of areas in need of repair/replacement, date(s) that the control measure(s) returned to full function, and the justification for any extended maintenance/repair schedules (see Part II.A.2.c);
6. All inspection reports, including all inspections performed under Part II.F.17.
7. Description of any deviations from the schedule for visual assessments and/or monitoring, and the reason for the deviations (e.g., adverse weather or it was impracticable to collect samples within the first 30 minutes of a measurable storm event)
8. Documentation of any benchmark exceedances and how they were responded to, including either (1) corrective action taken, (2) a finding that the exceedance was due to natural background pollutant levels, or (3) a finding that no further pollutant reductions were technologically available and economically practicable and achievable in light of best industry practice consistent with Part VI.B.1.d;
9. Documentation to support any determination that pollutants of concern are not expected to be present above natural background levels if the facility discharges directly to impaired waters, and that such pollutants were not detected in the facility's discharge or were solely attributable to natural background sources (see Part VI.B.3.); and
10. Documentation to support the claim that the facility has changed its status from active to inactive and unstaffed with respect to the requirements to conduct routine facility inspections (see Part VI.A.3), quarterly visual assessments (see Part IV.B.3), and/or benchmark monitoring (see Part VI.B.1).

Part III. Monitoring Requirements

The permittee shall collect and analyze stormwater samples and document these monitoring activities consistent with the procedures described in this Part and any additional sector-specific requirements in Part VIII.

A. Monitoring Procedures.

1. Monitored Discharge points. Applicable monitoring requirements apply to each discharge point authorized by this permit, except as otherwise exempt from monitoring as a substantially identical discharge point. If your facility has two or more discharge points that you believe discharge substantially identical stormwater effluents, based on the similarities of the general industrial activities and control measures, exposed materials that may significantly contribute pollutants to stormwater, and runoff coefficients of their drainage areas, you may monitor the effluent of just one of the discharge points and report that the results also apply to the substantially identical discharge points. The SWPPP shall identify each stormwater discharge point and describe the rationale for eliminating any discharge point from monitoring on the basis of it being substantially identical to another discharge point.

2. Comingled Discharges. If discharges authorized by this permit commingle with discharges not authorized under this permit, any required sampling of the authorized discharges shall be performed at a point before they mix with other stormwater streams.

3. Measurable Storm Events. The permittee must conduct all required monitoring of a storm event that is greater than 0.1 inches of magnitude and is an actual discharge (“measurable storm event”) that occurs at least 72 hours (three days) from the previously measurable storm event. The required 72 hour interval is waived where a preceding measurable storm event did not result in a measurable discharge from the facility. The permittee shall also allow for two (2) full days of standard operating activities at the facility since the last measurable storm event. In the case of snowmelt, the monitoring shall be performed at a time when a measurable discharge occurs at the site.

   For each monitoring event, the permittee shall identify the date and duration (in hours) of the rainfall event, rainfall total (in inches) for that rainfall event, and time (in days) since the previous measurable storm event. For snowmelt monitoring, the permittee shall identify the date of the sampling event.

4. Sample Type. The permittee shall take a minimum of one grab sample from a discharge resulting from a measurable storm event as described in Part III.A.3. Samples shall be collected within the first 30 minutes of a discharge resulting from a measurable storm event. If it is not possible to collect the sample within the first 30 minutes of a discharge resulting from a measurable storm event, the sample shall be collected as soon as possible after the first 30 minutes and documentation must be kept with the SWPPP explaining why it was not possible to take samples within the first 30 minutes. In the case of snowmelt, the permittee shall collect a sample during a period with a measurable discharge. For discharges from holding ponds or other impoundments with a 24-hour or greater retention capability, grab samples of the discharge may be obtained at any time.

   For benchmark monitoring, you may choose to use a composite sampling method instead of taking grab samples. This composite method must be flow-weighted and performed manually or with the use of automated sampling equipment. For the purposes of this permit, a flow-weighted composite sample means a composite sample consisting of a mixture of aliquots collected at a constant or variable time interval, where the volume of each aliquot included in the composite sample is proportional to the estimated or measured incremental discharge volume at the time of the aliquot collection compared to the total discharge volume estimated or measured over the monitoring event. Composite sampling must be initiated during the first 30 minutes of a discharge resulting from the same storm event. If it is not possible to initiate composite sampling within the first 30 minutes of a discharge resulting from a measurable storm event, you must initiate composite sampling as soon as possible after the first 30 minutes and keep documentation with the SWPPP explaining why it was not possible to initiate composite sampling within the first 30 minutes. Composite sampling may not be used in situations where hold times for processing or sample preservation requirements cannot be satisfied. For parameters measured in-situ with a probe or meter such as dissolved oxygen, conductivity, pH, or temperature, the composite sampling method shall be modified by calculating an average of all individual measurements, weighted by flow volume if applicable.

5. Adverse Weather Conditions. If adverse weather conditions prevent the collection of samples according to the relevant monitoring schedule, the permittee must take a substitute sample during the next qualifying storm event. Adverse weather does not exempt the permittee from having to file a benchmark monitoring report in accordance with the facility's sampling schedule. Adverse conditions are those that are dangerous or create inaccessibility for personnel, such as local flooding, high winds, electrical storms, or situations that otherwise make sampling impractical, such as extended frozen conditions. The permittee must report any failure to monitor and indicate the basis for not sampling during the usual reporting period.

6. Monitoring Periods. Your monitoring requirements in this permit begin in the first full quarter following your date of discharge authorization.

    a. 1st Quarter: January 1 – March 31
    b. 2nd Quarter: April 1 – June 30
    c. 3rd Quarter: July 1 – September 30
    d. 4th Quarter: October 1 – December 31

7. Natural Background Pollutant Levels. If the concentration of a pollutant is attributable solely to the presence of that pollutant in the natural background, the permittee is not required to perform corrective action or additional benchmark, effluent limitations or impaired waters monitoring for that pollutant provided that:

    a. The highest concentration of the benchmark, effluent limitations or other monitoring results is less than or equal to the concentration of that pollutant in the natural background;
    b. The permittee documents and maintains with the SWPPP the supporting rationale for concluding that benchmark exceedances are in fact attributable solely to natural background pollutant levels. The permittee must include in the supporting rationale any data previously collected (including literature studies) that describe the levels of natural background pollutants in the facility's stormwater discharge.

8. Run-on. If the permittee can demonstrate and obtain written Department agreement that an exceedance occurred due to run-on from a neighboring source (e.g. a source external to your facility) and the following conditions are met, the permittee is not required to perform corrective action or additional benchmark, effluent limitations or impaired waters monitoring for that pollutant.
    a. After reviewing and revising the SWPPP, as appropriate, the permittee should notify the other facility or entity contributing run-on to the facility's discharges and request that they abate their pollutant contribution.
    b. If the other facility or entity fails to take action to address their discharges or sources of pollutants, the permittee should contact the Department.

9. Exception for Inactive and Unstaffed Sites. If a facility is inactive and unstaffed and there are no industrial materials or activities exposed to stormwater in accordance with 40 CFR 122.26(g), the permittee may discontinue routine, quarterly visual, benchmark, and impaired waters monitoring. To invoke this exception, the permittee must do the following:

    a. Maintain written documentation onsite with the SWPPP stating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to stormwater in accordance with the substantive requirements in 40 CFR 122.26(g), certified in accordance with Part X.G.

    b. If circumstances change and industrial materials or activities become exposed to stormwater or the facility becomes active and/or staffed, this exception no longer applies, and the permittee must immediately begin complying with all applicable monitoring requirements as if they were in their first year of permit coverage. The permittee must indicate in the NOI that the facility has materials or activities exposed to stormwater or has become active and/or staffed.

    c. If the permittee is not qualified for this exception at the time the permittee is authorized under this permit but meets the criteria for inactive and unstaffed sites with no industrial materials or activities exposed to stormwater during the permit term, then the permittee must notify the Department of this change in writing prior to discontinuing monitoring.

B. Quarterly Visual Assessment.

1. Quarterly Visual Assessment Procedures. Once each quarter, the permittee shall collect a sample consistent with requirements of Part III.A. in a clean, clear, colorless glass container within the first 30 minutes of a discharge from a measurable storm event and assess the following:

    a. Color;
    b. Odor;
    c. Clarity;
    d. Floating solids;
    e. Settled solids;
    f. Suspended solids;
    g. Foam;
    h. Oil sheen; and
    i. Other obvious indicators of stormwater pollution.

2. The results of the visual assessments must be documented and maintained onsite with the SWPPP. The permittee is not required to submit the visual assessment findings to the Department unless the Department specifically requests that it do so. The documentation of the visual assessment shall include:

    a. Sample collection date and time, and visual assessment date, time, weather conditions and location for each sample;
    b. Name(s) of personnel collecting the sample and performing visual assessment, and their signature(s);
    c. Nature of the discharge (i.e., runoff or snowmelt);
    d. Observations of the stormwater discharge in accordance with Part III.B.1. above.
    e. Potential sources of any observed stormwater contamination.

C. Benchmark Monitoring.

This permit specifies pollutant benchmark concentrations that are applicable to certain sectors / subsectors. Benchmark monitoring data are primarily for determining the overall effectiveness of the control measures and to assist in determining when additional corrective action(s) may be necessary to comply with the effluent limitations in Part III, D. The benchmark concentrations are not effluent limitations; a benchmark exceedance, therefore, is not a permit violation. However, if a corrective action is required as a result of a benchmark exceedance, failure to conduct the required corrective action is a permit violation for the sectors as identified in Appendix B, Table B-3. At your discretion, you may take more than four samples during separate stormwater discharge events to determine the average benchmark parameter value for facility discharges for a quarter.

1. Applicability of Benchmark Monitoring. The permittee shall collect samples for any benchmark parameters specified for the industrial sector(s), both primary industrial activity and any co-located industrial activities, applicable to the discharge. The facility's industry-specific benchmark concentrations shall be used to judge the effectiveness of the control measures and are listed in the sector-specific sections of Part VIII. If the facility is in one of the industrial sectors subject to benchmark concentrations that are hardness-dependent, the permittee is required to submit to the Department with the first benchmark report a hardness value, established consistent with the procedures in Appendix C, which is representative of the facility's receiving water.

The permittee shall collect benchmark monitoring data for use in determining the overall effectiveness of control measures and whether additional corrective action(s) may be necessary to comply with the effluent limitations.

Samples shall be analyzed consistent with 40 CFR Part 136 analytical methods and using test procedures with quantitation limits at or below benchmark values for all benchmark parameters for which the permittee is required to sample.

2. Benchmark Monitoring Schedule. Benchmark monitoring must be conducted quarterly as described below

and consistent with the monitoring periods described in Part III.A.6.

a. Data not exceeding benchmarks: After the collection of four consecutive quarterly samples, if none of the four consecutive monitoring values for any parameter exceeds the benchmark, the permittee may apply for a Benchmark Monitoring Waiver as detailed below in Part III.C.4.

b. Data exceeding benchmarks: If the monitoring values for any parameter exceeds the benchmark, the permittee must, in accordance with Part V, review the selection, design, installation, and implementation of their control measures to determine if modifications are necessary to meet the benchmark monitoring requirements in this permit, and make the necessary modifications.

3. Data exceedance. If the analytical result for any parameter sampled is outside of the allowable results, the permittee must follow the below protocol to return to compliance:

a. Benchmark Concentration Exceedance. If the benchmark concentration value is exceeded, the permittee shall, in accordance with Part V, review the selection, design, installation, and implementation of the control measures to determine what modifications are necessary to meet the effluent limits and benchmark concentrations in this permit. Based upon those findings, the permittee must make the necessary modifications and continue quarterly monitoring.

4. Benchmark Monitoring Waiver. Waivers from Benchmark Monitoring requirements are available to facilities whose discharges are below benchmark monitoring concentration values. On both a parameter by parameter and discharge point by discharge point basis, the permittee may petition the Department, after the completion of four (4) consecutive sampling events after the permittee met the requirements of Part III.C.2., to be exempted from the subsequent four (4) sampling events as long as the permittee provides verification that the following conditions have been met. However, a facility that conducts a significant process change must continue monitoring and may not use previous monitoring to demonstrate consistent attainment. Waiver requirements:

a. Samples were collected in four (4) consecutive monitoring periods and the parameter concentrations were below the benchmark monitoring concentration values indicated.
b. A waiver request is submitted and approved by the Department. The waiver request must include supporting monitoring data for four (4) consecutive monitoring periods and a certification that based on current potential pollutant sources and Best Management Practices (BMPs) used, discharges from the facility are reasonably expected to be essentially the same (or cleaner) compared to when the monitoring for the four (4) consecutive periods was completed.
c. Following the sampling suspension, sampling shall resume as specified in Part III.C.

Note: This exception has different requirements for Sectors G, H, and J (see Part VIII).

5. Effluent Limitations Monitoring.

a. Monitoring Based on Effluent Limitations Guidelines. Table III-1 identifies the stormwater discharges subject to effluent limitation guidelines under this permit. An exceedance of the effluent limitation is a permit violation. Beginning in the first full quarter following the effective date of this permit, the permittee shall collect effluent samples at each discharge point containing the discharges identified in Table III-1 for the parameters specified in the sector-specific section of Part VIII. The permittee shall thereafter repeat the effluent limitations sampling on an annual basis.

Table III-1. Required Monitoring for Effluent Limits Based on Effluent Limitations Guidelines

Regulated Activity	40 CFR Part/Subpart	Effluent Limit	Monitoring Frequency	Sample Type

Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas	Part 429, Subpart I	See Part VIII.A.7	1/year	Grab
Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, final product, by-products or waste products (SIC 2874)	Part 418, Subpart A and Section 9.1.4.3.2.3.1	See Part VIII.C.4	1/year	Grab
Runoff from asphalt emulsion facilities	Part 443, Subpart A	See Part VIII.D.4	1/year	Grab
Runoff from material storage piles at cement manufacturing facilities	Part 411, Subpart C	See Part VIII.E.5	1/year	Grab
Mine dewatering discharges at crushed stone, construction sand and gravel, or industrial sand mining facilities	Part 436, Subparts B, C, or D	See Part VIII.J.9	1/year	Grab
Runoff from hazardous waste landfills	Part 445, Subpart A	See Part VIII.K.6	1/year	Grab
Runoff from non-hazardous waste landfills	Part 445, Subpart B	See Part VIII.L.10	1/year	Grab
Runoff from coal storage piles at steam electric generating facilities	Part 423	See Part VIII.O.8	1/year	Grab
Runoff containing urea from airfield pavement deicing at existing and new primary airports with 1,000 or more annual non-propeller aircraft departures	Part 449	See Part VIII.S.7	1/year	Grab

b. Substantially Identical Discharge points. The permittee shall monitor each discharge point discharging runoff from any regulated activity identified in Table III-1. Effluent limits monitoring shall be performed at all discharge points even if a discharge point is substantially similar to another.

c. Follow-up Actions if Discharge Exceeds Numeric Effluent Limit. The permittee shall conduct follow-up sampling within 30 calendar days (or during the next qualifying runoff event, should no precipitation occur within 30 days), to determine the type of corrective action(s) to be implemented pursuant to Part V of this permit in response to an exceedance of a numeric effluent limit. The permittee shall sample for any pollutant(s) that exceeds the effluent limit. If the pollutant concentration exceeds the applicable effluent limitation in the follow up sampling, the permittee must comply with both Part V and Part VII.D of this permit.

d. Effluent Limitation Exceedance. If any monitoring value exceeds a numeric effluent limitation contained in this permit, the permittee must follow the Notice of Noncompliance protocols below:

i. If, for any reason, the permittee does not comply with or will be unable to comply with any daily maximum effluent limitation or maximum instantaneous concentration specified in this permit, the permittee shall report such incident within 24 hours and provide the Department with the following information, in writing, within 5 days of becoming aware of such conditions:
   a) A description of the discharge and cause of noncompliance;
   b) The period of noncompliance, including exact dates and times and if the noncompliance has not been corrected, the anticipated time when the discharge will return to compliance; and
   c) Actions taken or to be taken to reduce, eliminate, and prevent recurrence of the noncomplying discharge.

ii. In the case of any upset or unanticipated bypass that exceeds any permitted effluent or discharge limitation, the permittee shall notify the Department within 24 hours. If this notification is provided orally, a written report shall be submitted within 5 days.

iii. In the case of any discharge subject to any toxic pollutant effluent standard under Section 307(a) of the Clean Water Act, the permittee shall notify the Department within 24 hours from the time the permittee becomes aware of a noncomplying discharge. Notification shall include the information outlined above. If this information is provided orally, a written submission covering these points shall be provided within five days of the time the permittee becomes aware of the circumstances covered

by this paragraph.

iv. In the case of any other discharges which could constitute a threat to human health, welfare, or the environment, the information required above shall be provided as quickly as possible upon discovery and after activating the appropriate emergency site plan, unless circumstances exist which make such a notification impossible. A delay in notification shall not be considered a violation of this permit when the act of reporting may delay the mitigation of the discharge and/or the protection of public health and the environment. A written submission covering these points must be provided within five days of the time the permittee becomes aware of the circumstances covered by this paragraph.

v. The Department may waive the written report as required herein on a case-by-case basis, if an oral report was provided with 24 hours.

6. Impaired Waters Monitoring. If the facility discharges to impaired water, as defined under 303(d) of the Clean Water Act, the benchmark monitoring detailed in Part III.C shall also include sampling for all pollutants for which the waterbody is impaired (see 40 CFR Part 136).

   If the pollutant of concern is not detected and not expected to be present in the discharge, or it is detected but it is determined that its presence is caused solely by natural background sources, the permittee may discontinue monitoring for that pollutant. To support a determination that the pollutant's presence is caused solely by natural background sources, the permittee must document and submit a request to the Department and maintain with your SWPPP as required in Part II.I.

   a. An explanation of why you believe that the presence of the pollutant of concern in your discharge is not related to the activities or materials at your facility; and

   b. Data and/or studies that tie the presence of the pollutant of concern in your discharge to natural background sources in the watershed.

   If the monitoring results indicate that the monitored pollutant is detected in your discharge, or is outside the acceptable range for a given parameter (e.g., pH or temperature) for the waterbody to meet its designated use, you must continue to monitor for the pollutant(s) as part of the benchmark monitoring detailed in Part III.C until no longer detected, after which you may discontinue monitoring for that pollutant for the remainder of your permit coverage.

   If the pollutant for which the waterbody is impaired is suspended solids, turbidity or sediment/sedimentation, the permittee must monitor for Total Suspended Solids (TSS). If the pollutant for which the waterbody is impaired is expressed in the form of an indicator or surrogate pollutant, the permittee must monitor for that indicator or surrogate pollutant. No monitoring is required when a waterbody's biological communities are impaired but no pollutant, including indicator or surrogate pollutants, is specified as causing the impairment, or when a waterbody's impairment is related to hydrologic modifications, impaired hydrology, or temperature.

   The Department may require the permittee to monitor for additional constituents related to the facility's discharge to an impaired waterbody or waterbody with a Department-approved or established TMDL. If so required, the permittee shall add an Impaired Waters Monitoring section to its SWPPP.

7. Other monitoring as required by the Department. The Department may require the permittee to monitor for additional constituents related to the facility's discharge that the Department determines are necessary to meet applicable water quality standards. Any such notice will briefly state the reasons for the monitoring, locations, and parameters to be monitored, frequency and period of monitoring, sample types, and reporting requirements. If so required, the permittee shall add this additional monitoring information to its SWPPP.

Part IV. Stormwater Control Measures and Effluent Limits

A. Stormwater Control Measures.

The permittee shall select, design, install, and implement control measures, including best management practices to meet limits contained in applicable effluent limitations guidelines in Part VIII. The selection, design, installation, and implementation of the control measures must be in accordance with good engineering practices and manufacturer's specifications. If monitoring or observations by the permittee or the Department indicate that the control measures are not controlling pollutant discharges to meet numeric effluent limitations, the permittee shall modify these control measures as expeditiously as practicable in an effort to meet effluent limitations in accordance with this permit.

1. Stormwater Control Measure Selection and Design Considerations. You must consider the following when selecting and designing control measures:

    a. Preventing stormwater from coming into contact with polluting materials is generally more effective, and less costly, than trying to remove pollutants from stormwater;
    b. Using stormwater control measures in combination may be more effective than using control measures in isolation for minimizing pollutants in your stormwater discharge;
    c. Assessing the type and quantity of pollutants, including their potential to impact receiving water quality, is critical to designing effective stormwater control measures that will achieve the limits in this permit;
    d. Minimizing impervious areas at your facility and infiltrating stormwater onsite (including bioretention cells, green roofs, and pervious pavement, among other approaches) can reduce the frequency and volume of discharges and improve ground water recharge and stream base flows in local streams, although care must be taken to avoid ground water contamination;
    e. Attenuating flow using open vegetated swales and natural depressions can reduce instream impacts of erosive flows
    f. Conserving and/or restoring riparian buffers will help protect streams from stormwater discharges and improve water quality;
    g. Using treatment interceptors (e.g., swirl separators and sand filters) maybe appropriate in some instances to minimize the discharge of pollutants; and
    h. Implementing structural improvements, enhanced/resilient pollution prevention measures, and other mitigation measures can help to minimize impacts from stormwater discharges from major storm events such as hurricanes, storm surge, extreme/heavy precipitation, and flood events. If such stormwater control measures are already in place due to existing requirements mandated by other state, local or federal agencies, you should document in your SWPPP a brief description of the controls and a reference to the existing requirement(s). If your facility may be exposed to or has previously experienced such major storm events, additional stormwater control measures that may be considered include, but are not limited to:
        i. Reinforce materials storage structures to withstand flooding and additional exertion of force;
        ii. Prevent floating of semi-stationary structures by elevating to the Base Flood Elevation (BFE) level or securing with non-corrosive device;
        iii. When a delivery of exposed materials is expected, and a storm is anticipated within 48 hours, delay delivery until after the storm or store materials as appropriate (refer to emergency procedures);
        iv. Temporarily store materials and waste above the BFE level;
        v. Temporarily reduce or eliminate outdoor storage;
        vi. Temporarily relocate any mobile vehicles and equipment to higher ground;
        vii. Develop scenario-based emergency procedures for major storms that are complementary to regular stormwater pollution prevention planning and identify emergency contacts for staff and contractors; and
        viii. Conduct staff training for implementing your emergency procedures at regular intervals.

2. Minimize Exposure*.* The permittee shall minimize the exposure to stormwater of manufacturing, processing, and material storage areas, and their contents, including loading and unloading, storage, disposal, cleaning, maintenance, and fueling areas, leaking or leak-prone vehicles, by either safely locating these industrial materials and activities indoors or protecting them with storm resistant coverings. Unless infeasible, you must also:

    a. Use grading, berming or curbing to prevent discharges of contaminated flows and divert run-on away from these areas;
    b. Locate materials, equipment, and activities so that potential leaks and spills are contained or able to be

contained or diverted before discharge;
c. Store leaky vehicles and equipment indoors;
d. Perform all vehicle and/or equipment cleaning operations indoors, under cover, or in bermed areas that prevent discharges and run-on and also that capture any overspray; and
e. Drain fluids from equipment and vehicles that will be decommissioned, and, for any equipment and vehicles that will remain unused for extended periods of time, inspect at least monthly for leaks.

3. Good Housekeeping. The permittee shall keep all areas that are exposed to stormwater clean and free of debris, using measures such as sweeping at regular intervals, keeping materials orderly and labeled, and storing materials in containers that are designed to prevent their release to the environment. Specific examples include the following:

   a. Perform maintenance and inspections to prevent releases, and locate materials, equipment, and activities so that any release that could occur is contained in containment and diversion systems;
   b. Minimize generation of dust and off-site tracking of pollutants and potential pollutants;
   c. Clean up any releases promptly, using absorbents to prevent the discharge of pollutants;
   d. Use drip pans and absorbents under or around leaky vehicles and equipment or store vehicles and equipment indoors where feasible;
   e. Use spill/overflow protection equipment and secondary containment around liquid containers;
   f. Drain fluids from equipment and vehicles prior to on-site storage or disposal;
   g. Perform all cleaning operations indoors, under cover, or in bermed areas that prevent runoff and run-on and also that capture any overspray;
   h. Ensure that all wash water drains to a proper collection and treatment system instead of the stormwater system; and
   i. Dispose of any pollutants collected from the activities in IV.A.2 above in accordance with waste management laws.

4. Maintenance. The permittee shall establish and implement a preventive maintenance program, including regular inspection, testing, maintenance and repair of all industrial equipment and systems to prevent releases of pollutants to stormwater. The permittee shall maintain all structural and nonstructural control measures, such as grading, berming and curbing to divert run-on and prevent runoff of contaminated fluids to achieve the effluent limits required by this permit.

   Maintenance Activities Include:
   a. Performing inspections and preventive maintenance of stormwater drainage, source controls, treatment systems, and plant equipment and systems that could fail and result in discharges of pollutants via stormwater.
   b. Maintaining non-structural control measures (e.g., keep spill response supplies available, personnel appropriately trained).
   c. Inspecting and maintaining baghouses at least quarterly to prevent the escape of dust from the system and immediately removing any accumulated dust at the base of the exterior baghouse.
   d. Cleaning catch basins when the depth of debris reaches two-thirds (2/3) of the sump depth, or in line with manufacturer specifications, whichever is lower, and keeping the debris surface at least six inches below the lowest outlet pipe.

   Maintenance Deadlines Include:
   a. If you find that your control measures need routine maintenance, you must conduct the necessary maintenance immediately in order to minimize pollutant discharges.
   b. If you find that your control measures need to be repaired or replaced, you must immediately take all reasonable steps to prevent or minimize the discharge of pollutants until the final repair or replacement is implemented, including cleaning up any contaminated surfaces so that the material will not be discharged during subsequent storm events. Final repairs/replacement of stormwater controls should be completed as soon as feasible but must be no later than 45 days. If the completion of stormwater control repairs/replacement will exceed the 45-day timeframe, you may take the minimum additional time necessary to complete the maintenance, provided that you notify the Department of your intention to exceed 45 days, and document in your SWPPP your rationale for your modified maintenance timeframe. If a control measure was never installed, was installed incorrectly or is not being properly operated or maintained, you must conduct corrective action as specified in Part V.

5. Spill Prevention and Response Procedures. The permittee shall minimize the potential for leaks, spills, and other releases that may be exposed to stormwater and develop plans for effective response to such spills if or when they occur in order to minimize pollutant discharges. The permittee shall conduct spill prevention and response measures, including but not limited to:

    a. Implement procedures for preventing, detecting, stopping, containing, and cleaning up releases of pollutants.
        i. Clean up spills and leaks promptly using dry methods (e.g., absorbents) to prevent the discharge of pollutants.
        ii. Use drip pans and absorbents if leaky vehicles and/or equipment are stored outdoors.
        iii. Use spill/overflow protection equipment.
        iv. Plainly label containers (e.g., “Used Oil,” “Spent Solvents,” “Fertilizers and Pesticides”) that could be susceptible to spillage or leakage to encourage proper handling and facilitate rapid response if spills or leaks occur.
    b. Implement procedures for material storage and handling, including the use of secondary containment and barriers between material storage and traffic areas, or a similarly effective means designed to prevent the discharge of pollutants from these areas.
    c. Ensure that all employees who may cause, detect, or be called upon to respond to a release are trained in the spill response procedures such that they act in accordance with the established plans and procedures without delay.
    d. Deploy and maintain response equipment in a condition and at locations that allow for immediate and effective utilization in the event of a release.
        i. Keep spill kits onsite, located near areas where spills may occur or where a rapid response can be made.
    e. Notify officials/appropriate facility personnel in accordance with this and any other permits issued for operations at the site when a leak, spill, or other release occurs.

6. Erosion and Sediment Controls. The permittee shall minimize sedimentation and erosion utilizing structural and nonstructural control measures. Among other actions the permittee shall take to meet this limit, the permittee shall stabilize exposed soils and place flow velocity dissipation measures at discharge locations and within discharge point channels where necessary to reduce erosion and/or settle out pollutants.

7. Management of Stormwater. You must divert, infiltrate, reuse, contain, or otherwise reduce stormwater to minimize pollutants in your discharges. In selecting, designing, installing, and implementing appropriate control measures, you are encouraged to consult with EPA’s resources relating to stormwater management, including the sector-specific Industrial Stormwater Fact Sheet Series, (Stormwater Discharges from Industrial Activities-Fact Sheets and Guidance | US EPA).

8. Salt Storage Piles or Piles Containing Salt. The permittee must enclose or cover storage piles of salt, or piles containing salt, used for deicing or other commercial or industrial purposes, including maintenance of paved surfaces, in order to minimize pollutant discharges. The permittee must implement appropriate measures (e.g., good housekeeping, diversions, containment) to minimize exposure resulting from adding to or removing materials from the pile.

9. Sector Specific Non-Numeric Effluent Limits. The permittee shall employ any relevant sector-specific stormwater control measures described in Part VIII.

10. Employee Training. The permittee shall ensure that all workers and contractors on the site who handle potential pollutants, perform maintenance, or have duties related to the SWPPP are trained on the content of this permit and the SWPPP at least once every calendar year. The permittee shall document this training, including list of attendees and topics discussed, in the SWPPP. The permittee shall prepare training and choose trainees based on the requirements of Part II.F.11.

B. Numeric Effluent Limitations Based on Effluent Limitations Guidelines.

If the facility is in an industrial category subject to one of the effluent limitations guidelines identified in Table III-1, the permittee must meet the effluent limits referenced in Table III-1.

C. Water Quality-Based Effluent Limitations (WQBELs)

1. Water Quality Standards. All discharges must be controlled as necessary to meet applicable water quality standards.

   The Department expects that compliance with the conditions in this permit will control discharges as necessary to meet applicable water quality standards. If at any time the permittee becomes aware, or the Department determines, that the permittee's stormwater discharge(s) will not be controlled as necessary such that the receiving waters of the State will not meet an applicable water quality standard, the permittee must take corrective action(s) as required in Part V and properly document the corrective actions.

   The Department may also require additional control measures on a site-specific basis or require the permittee to obtain coverage under an individual permit. All measures necessary to be consistent with an available waste load allocation in a Department-established or approved TMDL must be implemented.

2. Discharges to Water Quality-Impaired Waters. The permittee is considered to discharge to an impaired water if the first water of the State to which your discharge is identified as not meeting an applicable water quality standard, and:

   a. Requires development of a TMDL (pursuant to section 303(d) of the CWA);
   b. Is addressed by a Department-approved or established TMDL; or
   c. Is not in either of the above categories but the waterbody is covered by a pollution control program that meets the requirements of 40 CFR130.7(b)(1).

   Note: For discharges that enter a separate storm sewer system prior to discharge, the first waters of the State to which the permittee discharges is the waterbody that receives the water from the storm sewer system.

3. Discharge to an Impaired Water with a Department-Approved or Established TMDL. If the permittee discharges to an impaired water with a Department-approved or established TMDL, the Department may determine whether any additional measures are necessary for discharges to be consistent with the assumptions and requirements of the applicable TMDL and its waste load allocation, or if coverage under an individual permit is necessary.

4. Discharge to an Impaired Water without a Department-Approved or Established TMDL. If the permittee discharges to an impaired water without a Department-approved or established TMDL, the permittee is required to comply with Part VI.C.1 and the monitoring requirements of Part III. Note that the impaired waters monitoring requirements of Part III.6 also apply where the Department determines that your discharge is not controlled as necessary such that the receiving water of the State will not meet applicable water quality standards in an impaired downstream water segment, even if discharges are initially to a receiving water(s) that is not identified as impaired according to Part IV.C.2.

5. Waters of Exceptional Recreational or Ecological Significance (ERES) Antidegradation Requirements for New Dischargers, New Sources, or Increased Discharges. If the permittee is a "new discharger" or a "new source" (as defined in Appendix A), or an existing discharger required to notify the Department of an increased discharge consistent with Part VII.E (i.e., a "planned changes" report), and the permittee discharges directly to waters designated by the Department as ERES waters for antidegradation purposes under 40 CFR 131.12(a) and Section 5.0 of Title 7 Natural Resources & Environmental Control Delaware Administrative Code 7401, The Department may require additional control measures as necessary to ensure compliance with the applicable antidegradation requirements, or notify the permittee that an individual permit application is necessary. See list of ERES waters in Appendix D.

6. Requirements Relating to Endangered Species, Historic Properties, and CERCLA Sites. If the permittee has any additional requirements regarding Endangered Species Act-listed threatened and endangered species or their critical habitat, National Historic Preservation Act historic properties, and/or federal CERCLA Site requirements, the permittee must comply with all such measures to maintain eligibility under the MSGP. If at any time the permittee becomes aware, or the Department determines, that discharges and/or discharge-related activities have the potential to adversely affect listed species and/or critical habitat, have an effect on historic properties, or that the facility discharges to a CERCLA Site after coverage has been obtained under this permit, the Department may require the implementation of additional measures on a site-specific basis to meet the effluent limits in this permit, or require coverage be obtained under an individual permit.

Part V. Corrective Actions

A. Conditions Requiring Review and Revision.

If any of the following conditions occur or the Department or the permittee of the MS4 through which the permittee discharges informs the permittee that any of the following conditions have occurred, the permittee shall review and revise, as appropriate, the SWPPP (e.g., sources of pollution; spill and leak procedures; non-stormwater discharges; the selection, design, installation and implementation stormwater control measures listed in Part IV) to ensure that this permit's conditions are met and pollutant discharges are minimized.

1. An unauthorized release or discharge occurs at the facility (e.g., spill, leak, or discharge of non-stormwater not authorized by this or another NPDES permit to a water of the State);
2. A discharge violates a numeric effluent limit listed in Table III-1 and/or sector-specific requirements described in Part VIII.
3. The permittee or the Department determines that modifications to the control measures are necessary to meet any benchmark, effluent limit, or impaired water limit in this permit;
4. The permittee finds during the routine facility inspection, quarterly visual assessment, or comprehensive site inspection that the control measures are not being properly operated and maintained.
5. Construction or a change in design, operation, or maintenance at the facility significantly changes the nature of the discharge, or potential for discharge, of pollutants in stormwater from the facility, or significantly increases the quantity of pollutants discharged;
6. Whenever a visual assessment shows evidence of stormwater pollution (e.g., color, odor, floating solids, settled solids, suspended solids, foam).
7. The average of 4 quarterly benchmark sampling results exceeds an applicable benchmark.

B. Corrective Action Deadlines.

1. Immediate Actions. The permittee must immediately take all reasonable steps to minimize or prevent the discharge of pollutants until a permanent solution can be implemented, including cleaning up any contaminated surfaces so that the material will not discharge in subsequent storm events. In Part V, the term "immediately" means that the day a condition requiring corrective action is found, the permittee must take all reasonable steps to minimize or prevent the discharge of pollutants until a permanent solution can be implemented. However, if a problem is identified too late in the workday to initiate corrective action, the permittee must perform the corrective action the following workday morning. The term "all reasonable steps" means the permittee must respond to the conditions triggering the corrective action, such as cleaning up any exposed materials that may be discharged in a storm event (e.g., through sweeping, vacuuming) or making arrangements (i.e., scheduling) for a new Stormwater Control Measure to be installed.
2. Subsequent Actions. If additional actions are necessary beyond those implemented pursuant to Part V.B.1, the permittee must complete the corrective actions (e.g., install a new or modified control and make it operational, complete the repair) before the next storm event if possible, and within 14 calendar days from the time of discovery that the condition in Part V.B.1 is not met. If it is infeasible to complete the corrective action within 14 calendar days, the reason why must be documented. The permittee must also identify the schedule for completing the work, which must be done as soon as practicable after the 14-day timeframe but no longer than 45 days after discovery. If the completion of corrective action will exceed the 45-day timeframe, the permittee may take the minimum additional time necessary to complete the corrective action, provided that the Department is notified of the intention to exceed 45 days, the rationale for an extension, and a completion date, which must also be included in the corrective action documentation. Where the corrective actions result in changes to any of the controls or procedures documented in the SWPPP, the permittee must modify the SWPPP accordingly within 14 calendar days of completing corrective action work. These time intervals are not grace periods, but are schedules considered reasonable for documenting findings and for making repairs and improvements. They are included in this permit to ensure that the conditions prompting the need for these repairs and improvements do not persist indefinitely.
3. A Corrective Action Report as detailed in Part V.E. shall be documented in the SWPPP and reported to the Department as soon as possible after the discovery of any of the conditions in Part V.A., but no later than 14 days after such discovery.

C. Effect of Corrective Action.

If the event triggering the review is a permit violation (e.g., noncompliance with an effluent limit), correcting it does not remove the original violation. Additionally, failing to take corrective action in accordance with this section is an additional permit violation. The Department may consider the appropriateness and promptness of corrective action

in determining enforcement responses to permit violations.

D. Substantially Identical Discharge points.

If the event triggering corrective action is associated with a discharge point that had been identified as a substantially identical discharge point (see Part III.A.1), the review must assess the need for corrective action for all related substantially identical discharge points. Any necessary changes to control measures that affect these other discharge points must also be made before the next storm event if possible, or as soon as practicable following that storm event. Any corrective actions must be conducted within the timeframes set forth in Part V.B.

E. Corrective Action Report.

The permittee shall document and report to the Department the discovery of any of the conditions listed in Part V.A. Documentation of the existence of any of the conditions listed in Part V.A. must occur within 24 hours of becoming aware of such condition. As soon as possible after the discovery of any of these conditions, but no later than 14 days after such discovery, the permittee shall describe in a Corrective Action report any corrective action(s) taken or to be taken to eliminate or further investigate the deficiency, or if no corrective action is needed, the basis for that determination. The permittee shall document the following information in the Corrective Action report:

1. Identification of the condition triggering the need for corrective action review;
2. Date the condition was identified;
3. Description of the condition identified triggering the need for corrective action;
4. For any spills or leaks, include a description of the incident including material, date/time, amount, location, and reason for spill, and any leaks, spills or other releases that resulted in discharges of pollutants to waters of State, through stormwater or otherwise;
5. Summary of immediate actions taken to minimize or prevent the discharge of pollutants. For any spills or leaks, include response actions, the date/time clean-up completed, notifications made, and staff involved;
6. Summary of the corrective action that the permittee took;
7. Date the corrective action was initiated;
8. Date the corrective action was completed or is expected to be completed.
9. A written analysis of the potential for the same or similar circumstances to trigger an event at another location.
10. A statement signed and certified per the requirements of 40 CFR 122.22.

The permittee shall submit this documentation in the annual report and retain a copy onsite with the SWPPP.

Part VI. Inspections

A. Routine Facility Inspections.

1. Procedures. Qualified personnel shall inspect all areas of the facility where industrial materials or activities are exposed to stormwater, areas identified in the SWPPP and those that are potential pollutant sources, areas where spills and leaks have occurred in the past three years, all stormwater control measures, and discharge points. The permittee shall describe the rationale for the proposed frequency of the inspections in the SWPPP, but in no case shall the permittee inspect the facility less often than one time per calendar quarter. At least once each calendar year, the routine inspection must be conducted during a period when a stormwater discharge is occurring. These routine inspections shall be conducted at times when the facility is in active operation so that the inspector is able to observe the potential for operational activities, such as material handling, to affect stormwater.

   During the inspection, the qualified personnel must examine or look out for, including, but not limited to, the following:

   a. Industrial materials, residue or trash that may have or could come into contact with stormwater;
   b. Leaks or spills from industrial equipment, drums, tanks and other containers;
   c. Offsite tracking of industrial or waste 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;
   e. Erosion of soils at your facility, channel and streambank erosion and scour in the immediate vicinity of discharge points;
   f. Non-authorized non-stormwater discharges;
   g. Control measures needing replacement, maintenance, or repair; and
   h. During an inspection occurring during a stormwater event or stormwater discharge, the qualified personnel must observe control measures implemented to comply with effluent limits to ensure they are functioning correctly. They must also observe discharge points during this inspection. If such discharge point locations are inaccessible, they must inspect nearby downstream locations.

2. Routine Facility Inspection Documentation. The permittee shall document the findings of each routine facility inspection in a written facility inspection report with the SWPPP that includes:

   a. The inspection date and time;
   b. The name(s) and signature(s) of the inspector(s);
   c. Weather conditions, such as temperature, precipitation status and a description of any discharges occurring at the time of the inspection;
   d. Any previously unidentified stormwater discharges from and/or pollutants at the site;
   e. Description of any stormwater discharges occurring at the time of the inspection;
   f. Observations about the condition of control measures;
   g. Identification of any failed control measures that need replacement;
   h. Any incidents of noncompliance observed;
   i. Any additional control measures needed to comply with the permit requirements; and
   j. A statement signed and certified per the requirements of 40 CFR 122.22.

3. Exceptions to Routine Facility Inspections.

   Inactive and Unstaffed Sites: If a facility is inactive and unstaffed, the permittee may discontinue routine monitoring if:

   a. The permittee maintains written documentation onsite with the SWPPP stating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to stormwater in accordance with the substantive requirements in 40 CFR 122.26(g), certified in accordance with Part X.G.; and

   b. The permittee is not qualified for this exception at the time the permittee is authorized under this permit but meets the criteria for inactive and unstaffed sites with no industrial materials or activities exposed to stormwater during the permit term, and the permittee notifies the Department of this change in writing prior to discontinuing monitoring.

B. Quarterly Visual Assessment.

See Part III.B.

C. Comprehensive Site Inspections.

1. Procedures. Qualified personnel shall conduct comprehensive site inspections in accordance with the requirements of this section in addition to any sector-specific requirements detailed in Part VIII.

   In a comprehensive site inspection, qualified personnel shall observe all stormwater control measures and areas of the facility where industrial materials and/or activities are exposed to stormwater. The inspections shall include a review of monitoring data collected in accordance with Part III. Qualified personnel shall observe and make notation of the existence of any:

   a. Industrial materials, residue or trash that may have or could come into contact with stormwater;
   b. Leaks or spills from industrial equipment, drums, tanks and other containers;
   c. Offsite tracking of industrial or waste 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; erosion of soils at your facility, channel and streambank erosion and scour in the immediate vicinity of discharge points;
   e. Non-authorized non-stormwater discharges;
   f. Control measures needing replacement, maintenance, or repair;
   g. Non-structural controls, including good housekeeping measures and spill prevention;
   h. During an inspection occurring during a stormwater event or stormwater discharge, the qualified personnel must observe control measures implemented to comply with effluent limits to ensure they are functioning correctly. They must also observe discharge points during this inspection. If such discharge point locations are inaccessible, they must inspect nearby downstream locations.

   Qualified personnel must review the effectiveness of stormwater control measures chosen/implemented consistent with Part IV of the permit. As part of this review, qualified personnel must inspect areas where any leaks, spills, or other accidental discharges may have occurred in the last three (3) years and ensure that the stormwater control measures for those locations are adequate to handle the increase spill potential. Qualified personnel must also perform a record review, ensuring that all requirements under this permit are met and any changes in personnel or activities are documented in compliance with the permit. Qualified personnel may conduct the annual comprehensive site inspection simultaneously with a routine facility inspection, as long as all components of both types of inspections are performed.

2. Comprehensive Site Inspection Documentation. The findings of each comprehensive site inspection shall be documented and maintained onsite with the SWPPP. The documentation of the comprehensive site inspection shall include:

   a. The date of the inspection;
   b. The name(s) and title(s) of the inspector;
   c. Observations from the examination of areas of the facility identified in Part VI.C.1;
   d. All observations relating to the implementation of the control measures including:, evidence of, or the potential for, pollutants entering the drainage system, evidence of pollutants discharging to receiving waters at all facility discharge point(s), and the condition of and around the discharge point, including flow dissipation measures to prevent scouring.

3. Comprehensive Site Inspection Schedule. For Sectors A, B, G, H, I, J, O, T, V, W, X, Y, Z, and AD, comprehensive site inspections must occur at least annually. For Sectors C, D, E, F, K, L, P, Q, R, S, U, AA, AB, and AC, comprehensive site inspections must occur at least semi-annually. These inspections shall be conducted once in the fall (September-November) and once during the spring (April-June). For Sectors M and N, comprehensive site inspections must occur at least quarterly. These inspections shall be conducted at least once in each of the following three-month periods: January through March, April through June, July through September, and October through December.

Part VII. Reporting and Recordkeeping

A. Monitoring Data.

All monitoring data collected pursuant to Part III of this permit shall be submitted to the Department electronically no later than 30 days after the last day of the quarter in which the monitoring event occurred. When available, the permittee shall submit monitoring data electronically, unless the Department grants a waiver based on one of the following conditions:

1. If the permittee's headquarters is physically located in a geographic area (i.e., zip code or census tract) that is identified as under-served for broadband Internet access in the most recent report from the Federal Communications Commission
2. If the permittee has limitations regarding available computer access or computer capability.

Waivers are only granted for a one-time use for a single information submittal, e.g., an initial waiver for an NOI does not apply for the entire term of the permit for other forms. If the permittee needs to submit information on paper after the first waiver, they must apply for a new waiver. The Department may extend a wavier on a case-by-case basis. If the permittee wishes to obtain a waiver from submitting a report electronically, they must submit a request to the Department in writing through email or by mail to the address listed in Part VII. F. In that request it must be documented which exemption is met, evidence must be provided supporting any claims, and a copy of a completed paper form. A waiver may only be considered granted once the permittee receives written confirmation from the Department.

For benchmark monitoring, the permittee shall append sampling results to the report submitted the Department.

B. Electronic Reporting.

The permittee must submit all required information via the Department's electronic NPDES eReporting tool (NeT), unless the permit states otherwise or the permittee has been granted a waiver. Information can be prepared and submitted in NeT-MSGP through forms found in NeT-MSGP. To access NeT-MSGP, go to CDX Home | Central Data Exchange | US EPA

Information that must be submitted through NeT-MSGP:

- Notice of Intent (NOI) – Part IX
- No Exposure Certification (NEC) – Part I.F
- Notice of Termination (NOT) – Part I.E
- Annual Report – Part VII.E

Additional Information that must be submitted through email to DNREC_ISW@delaware.gov.

- Exceedance Report for Numeric Effluent Limitations – Part VII.D
- Additional Reporting – Part VII.E

Submitting Monitoring Data via Net-DMR
All stormwater discharge monitoring data must be collected pursuant to Part III of the permit and submitted to the Department using Net-DMR, the Department's electronic DMR system (for more information go to EPA NetDMR Streamlined Registration, unless the Department has granted you a waiver from electronic reporting, in which case you may submit a paper DMR form) no later than 30 days after the last day of the quarter in which the monitoring event occurred. Monitoring requirements (i.e., parameters required to be monitored and sample frequency) will be prepopulated on the electronic Discharge Monitoring Report (DMR) form based on the information reported on the permittee's NOI form through the NeT-MSGP.

Permittees who obtain written permission from the Department to submit physical documents under the waiver discussed in Part VII.A. the permittee may mail paper copies of any information required to be submitted to the Department as hard copies to:

State of Delaware Department of Natural Resources and Environmental Control
Division of Water

Commercial and Government Services Section
89 Kings Highway
Dover, Delaware 19901

C. Annual Report.

The permittee shall submit an annual report to the Department that includes the following for the past calendar year:

1. Cover page that includes
   a. Facility name
   b. Department-issued permit number
   c. Facility physical address
   d. The permittee's stormwater contact person name, title, and phone number
2. A summary of observations and any changes made to the SWPPP as required in Part II.
3. A summary of any changes made to the site construction or operating procedures after reviewing the selection, design, installation, and implementation of stormwater control measures as required in Part IV and Part V.
4. Any corrective action documentation (if corrective action is not yet completed at the time of the submission of the annual report, a status update shall be provided) as required in Part V.
5. A summary of the routine facility inspections, a summary and the documentation of the comprehensive site inspection, and a summary of quarterly visual assessment documentation as required in Part VI.
6. A summary of monitoring and analytical data as required in Part III.
7. Any sector specific requirements, such as employee training or additional inspections not listed above in VII.B
8. A statement, signed and certified per the requirements of 40 CFR 122.22.

The permittee shall submit an annual report for each calendar year after the permit is issued no later than February 15th of the year immediately following the calendar year covered by the annual report. The annual report must be submitted as identified in Part VII.F. below.

D. Exceedance Report for Numeric Effluent Limits.

If follow-up monitoring pursuant to Part III.C indicates an exceedance of a numeric effluent limit, the permittee shall submit an Exceedance Report to the Department no later than 30 days after the date of the laboratory analytical report. The report shall include the following:

1. Department-issued permit number;
2. Facility name, physical address and location;
3. Name of surface water body that the location with the exceedance discharges to;
4. Monitoring results from the current and the preceding monitoring event(s);
5. A table summarizing the prior 3 years of monitoring data for the location with the exceedance;
6. An explanation of the permittee's investigation of the cause of the exceedance and the corrective action the permittee has taken to prevent future occurrences (or what the permittee intends to do should corrective actions not yet be complete); and
7. The permittee's stormwater contact name and phone number.

E. Additional Standard Recordkeeping and Reporting Requirements

In addition to the reporting requirements stipulated in Part VII, the permittee must comply with the reporting requirements listed below. The following reports must be submitted to the Department, as applicable. If the permittee discharges through an MS4, these reports must also be submitted to the MS4 permittee.

1. 24-hour reporting. The permittee must report to the Department any noncompliance which may endanger human health or the environment. Any information must be provided orally within 24 hours from the time the permittee becomes aware of the circumstances;
2. 5-day follow-up reporting to the 24-hour reporting. A written submission must also be provided within five days of the time the permittee becomes aware of the circumstances to the Department;
3. Reportable quantity spills. The permittee must provide notification, as required under Part X.I, as soon as they have knowledge of a leak, spill, or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity;

4. Planned changes. The permittee must give notice to the Department promptly, no fewer than 30 days prior to making any planned physical alterations or additions to the permitted facility that qualify the facility as a new source or that could significantly change the nature or significantly increase the quantity of pollutants discharged;
5. Anticipated noncompliance. The permittee must give advance notice to the Department of any planned changes in the permitted facility or activity which is anticipated to result in noncompliance with permit requirements;
6. Compliance schedules. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit must be submitted no later than 14 days following each schedule date;
7. Other noncompliance. The permittee must report all instances of noncompliance not reported in the Annual Report, compliance schedule report, or 24-hour report at the time monitoring reports are submitted;
8. Transfer of ownership or operation. When the ownership of a facility changes, the new permittee must submit either an NOI Form or “No Exposure” Certification Form within ten (10) days of the change in ownership.
9. Other information. The permittee must promptly submit facts or information if they become aware that they failed to submit relevant facts in the NOI, or that incorrect information was submitted in the NOI or in any report.

F. Recordkeeping.

The permittee shall retain copies of the SWPPP (including any modifications made during the term of this permit), additional documentation requirements pursuant to Part II.I (including documentation related to corrective actions taken pursuant to Part V), all reports and certifications required by this permit, monitoring data, and records of all data used to complete the NOI to be covered by this permit, for a period of at least 5 years from the date that coverage under this permit expires or is terminated.

Part VIII. Sector Specific Requirements for Industrial Activity

Subpart A – Sector A – Timber Products.

The permittee must comply with Part VIII sector-specific requirements associated with the facility's primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector- specific requirements are in addition to any requirements specified elsewhere in this permit.

1. Covered Stormwater Discharges. The requirements in Subpart A apply to stormwater discharges associated with industrial activity from Timber Products facilities as identified by the SIC Codes specified under Sector A in Table B-1 of Appendix B of the permit.

2. Limitation on Coverage.

    a. Prohibition of Discharges. Not covered by this permit: stormwater 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 permit.

    b. Authorized Non-Stormwater Discharges. Authorized by this permit, provided the non-stormwater component of the discharge is in compliance with the non-numeric effluent limits: discharges from the spray down of lumber and wood product storage yards where no chemical additives are used in the spray-down waters and no chemicals are applied to the wood during storage.

3. Additional Technology-Based Effluent Limits.

    a. Good Housekeeping. In areas where storage, loading and 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 (See also Part IV.A.1.a)

4. Additional SWPPP Requirements.

    a. Drainage Area Site Map. Document in the SWPPP where any of the following may be exposed to precipitation or 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.

    b. Inventory of Exposed Materials. Where such information exists, if the facility has used chlorophenolic, creosote, or chromium-copper-arsenic formulations for wood surface protection or preserving, document in the SWPPP 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 stormwater runoff.

    c. Description of Stormwater Management Controls. Document measures implemented to address the following activities and sources: log, lumber, and wood product storage areas; residue storage areas; loading and unloading areas; material handling areas; chemical storage areas; and equipment and vehicle maintenance, storage, and repair areas. If the facility performs wood surface protection and preservation activities, address the specific control measures, including any BMPs, for these activities.

5. Additional Inspection Requirements. If the facility performs wood surface protection and 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 stormwater discharges

6. Sector Specific Benchmarks. Table VIII.A-1 identifies benchmarks that apply to the specific subsectors of Sector A. These benchmarks apply to both the primary industrial activity and any co-located industrial activities, which describe the site activities.

Table VIII.A-1		
Subsector (The permittee may be subject to requirements for more than one sector/subsector)	**Parameter**	**Benchmark Monitoring Concentration**
Subsector A1. General Sawmills and Planing Mills (SIC 2421)	Chemical Oxygen Demand (COD)	120.0 mg/L
	Total Suspended Solids (TSS)	100 mg/L
	Total Zinc[1] (freshwater discharges)	Hardness Dependent[1]
	Total Zinc (saltwater discharges)	0.09 mg/L
	pH	6.0 - 9.0 s.u
Subsector A2. Wood Preserving (SIC 2491)	Total Arsenic (freshwater discharges)	0.15 mg/L
	Total Arsenic (saltwater discharges)	0.069 mg/L
	Total Copper (freshwater discharges)	0.00519 mg/L
	Total Copper (saltwater discharges)	0.0048 mg/L
	pH	6.0 - 9.0 s.u
Subsector A3. Log Storage and Handling (SIC 2411)	Total Suspended Solids (TSS)	100 mg/L
	pH	6.0 - 9.0 s.u
Subsector A4. Hardwood Dimension and Flooring Mills; Special Products Sawmills, not elsewhere classified; Millwork, Veneer, Plywood, and Structural Wood; Wood Pallets and Skids; Wood Containers, not elsewhere classified; Wood Buildings and Mobile Homes; Reconstituted Wood Products; and Wood Products Facilities not elsewhere classified (SIC 2426, 2429, 2431-2439 (except 2434), 2441, 2448, 2449, 2451, 2452, 2493, and 2499)	Chemical Oxygen Demand (COD)	120.0 mg/L
	Total Suspended Solids (TSS)	100.0 mg/L
	pH	6.0 - 9.0 s.u

[1] The benchmark values of some metals are dependent on water hardness for freshwater discharges. For these parameters, permittees must determine the hardness of the receiving freshwater body (see Appendix C, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part VI.B.1.a, to identify the applicable 'hardness range' for determining their benchmark value applicable to their facility. The ranges occur in 25 mg/L increments. Hardness Dependent Benchmarks follow in the table below:

Water Hardness Range	**Zinc** (mg/L)
0-24.99 mg/L	0.037
25-49.99 mg/L	0.052
50-74.99 mg/L	0.080
75-99.99 mg/L	0.107
100-124.99 mg/L	0.132
125-149.99 mg/L	0.157
150-174.99 mg/L	0.181
175-199.99 mg/L	0.204
200-224.99 mg/L	0.227
225-249.99 mg/L	0.249
250+ mg/L	0.260

7. Effluent Limitations Based on Effluent Limitations Guidelines (See also Part III.C.5 of the permit.) Table VIII.A-2 identifies effluent limits that apply to the industrial activities described below. Compliance with these effluent limits is to be determined based on discharges from these industrial activities independent of commingling with any other waste streams that may be covered under this permit.

Table VIII.A-2[1]		
Industrial Activity		
Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas	pH	6.0 - 9.0 s.u
	Debris (woody material such as bark, twigs, branches, heartwood, or sapwood)	No discharge of debris that will not pass through a 2.54-cm (1-in.) diameter round opening

[1] Monitor Annually

Subpart B – Sector B – Paper and Allied Products.

The permittee must comply with Part VIII sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

1. Covered Stormwater Discharges. The requirements in Subpart B apply to stormwater discharges associated with industrial activity from Paper and Allied Products Manufacturing facilities, as identified by the SIC Codes specified under Sector B in Table B-1 of Appendix B of the permit.

2. Sector Specific Benchmarks (See also Part VI of the permit)

Table VIII.B-1.

Subsector (The permittee may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
Subsector B1. Paperboard Mills (SIC Code 2631)	Chemical Oxygen Demand (COD)	120 mg/L
	pH	6.0 - 9.0 s.u

Subpart C – Sector C - Chemical and Allied Products Manufacturing, and Refining.

The permittee must comply with Part VIII sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

1. Covered Stormwater Discharges. The requirements in Subpart C apply to stormwater discharges associated with industrial activity from Chemical and Allied Products Manufacturing, and Refining facilities, as identified by the SIC Codes specified under Sector C in Table B-1 of Appendix B of the permit.

2. Limitations on Coverage

   a. Prohibition of Non-Stormwater Discharges. The following are not covered by this permit: non-stormwater discharges containing inks, paints, or substances (hazardous, nonhazardous, etc.) resulting from an onsite spill, including materials collected in drip pans; wash water from material handling and processing areas; and wash water from drum, tank, or container rinsing and cleaning.

3. Sector Specific Benchmarks. Table VIII.C-1 identifies benchmarks that apply to the specific subsectors of Sector C. These benchmarks apply to both the primary industrial activity and any co-located industrial activities.

Table VIII.C-1.

Subsector (The facility may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
Subsector C1. Agricultural Chemicals (SIC 2873-2879)	Nitrate plus Nitrite Nitrogen	0.68 mg/L
	Total Lead[1] (freshwater discharges)	Hardness Dependent[1]
	Total Lead (saltwater discharges)	0.21 mg/L
	Total Zinc[1] (freshwater discharges)	Hardness Dependent[1]
	Total Zinc (saltwater discharges)	0.09 mg/L
	Total Phosphorus	2.0 mg/L
	Total Iron	1.0 mg/L
	pH	6.0 - 9.0 s.u
Subsector C2. Industrial Inorganic Chemicals (SIC 2812-2819)	Total Aluminum	0.75 mg/L
	Nitrate plus Nitrite Nitrogen	0.68 mg/L
	Total Iron	1.0 mg/L
	pH	6.0 - 9.0 s.u
Subsector C3. Soaps, Detergents, Cosmetics, and Perfumes (SIC 2841-2844)	Nitrate plus Nitrite Nitrogen	0.68 mg/L
	Total Zinc[1] (freshwater discharges)	Hardness Dependent[1]
	Total Zinc (saltwater discharges)	0.09 mg/L
	pH	6.0 - 9.0 s.u
Subsector C4. Plastics, Synthetics, and Resins (SIC 2821-2824)	Total Zinc[1] (freshwater discharges)	Hardness Dependent[1]
	Total Zinc (saltwater discharges)	0.09 mg/L
	pH	6.0 - 9.0 s.u

[1] The benchmark values of some metals are dependent on water hardness for freshwater discharges. For these parameters, permittees must

determine the hardness of the receiving freshwater body (see Appendix C, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part VI.B.1.a, to identify the applicable 'hardness range' for determining their benchmark value applicable to their facility. The ranges occur in 25 mg/L increments. Hardness Dependent Benchmarks follow in the table below:

Water Hardness Range	**Lead** (mg/L)	**Zinc** (mg/L)
0-24.99 mg/L	0.014	0.037
25-49.99 mg/L	0.024	0.052
50-74.99 mg/L	0.045	0.080
75-99.99 mg/L	0.069	0.107
100-124.99 mg/L	0.095	0.132
125-149.99 mg/L	0.123	0.157
150-174.99 mg/L	0.152	0.181
175-199.99 mg/L	0.182	0.204
200-224.99 mg/L	0.213	0.227
225-249.99 mg/L	0.246	0.249
250+ mg/L	0.262	0.260

4. Effluent Limitations Based on Effluent Limitations Guidelines. Table VIII.C-2 identifies effluent limits that apply to the industrial activities described below. Compliance with these effluent limits is to be determined based on discharges from these industrial activities independent of commingling with any other waste streams that may be covered under this permit.

Table VIII.C-2[1]

Industrial Activity	**Parameter**	**Effluent Limit**
Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, final product, by-products or waste products (SIC 2874)	Total Phosphorus (as P)	105.0 mg/L, daily maximum
		35.0 mg/L, 30-day avg.
	Fluoride	75.0 mg/L, daily maximum
		25.0 mg/L, 30-day avg.
	pH	6.0 - 9.0 s.u

[1] Monitor Annually

Subpart D – Sector D - Asphalt Paving and Roofing Materials and Lubricant Manufacturing.

The permittee must comply with Part VIII sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

1. Covered Stormwater Discharges. The requirements in Subpart D apply to stormwater discharges associated with industrial activity from Asphalt Paving and Roofing Materials and Lubricant Manufacturing facilities, as identified by the SIC Codes specified under Sector D in Table B-1 of Appendix B of the permit.

2. Limitations on Coverage. The following stormwater discharges associated with industrial activity are not authorized by Sector D of this permit:

   a. Discharges from petroleum refining facilities, including those that manufacture asphalt or asphalt products, that are subject to nationally established effluent limitation guidelines found in 40 CFR Part 419 (Petroleum Refining); or

   b. Discharges from oil recycling facilities (covered under Sector N); or

   c. Discharges associated with fats and oils rendering (covered under Sector U).

3. Sector Specific Benchmarks. Table VIII.D-1 identifies benchmarks that apply to the specific subsectors of Sector D. These benchmarks apply to both the primary industrial activity and any co-located industrial activities, which describe the site activities.

Table VIII.D-1.

Subsector	Parameter	Benchmark Monitoring Concentration
Subsector D1. Asphalt Paving and Roofing Materials (SIC 2951, 2952)	Total Suspended Solids (TSS)	100 mg/L
	pH	6.0 - 9.0 s.u.

4. Effluent Limitations Based on Effluent Limitations Guidelines (See also Part III.C.5 of the permit.)

Table VIII.D-2[1]

Industrial Activity	Parameter	Effluent Limit
Discharges from asphalt emulsion facilities. (SIC 2951, 2952)	Total Suspended Solids (TSS)	23.0 mg/L, daily maximum 15.0 mg/L, 30-day avg.
	pH	6.0 - 9.0 s.u.
	Oil and Grease	15.0 mg/L, daily maximum 10.0 mg/L, 30-day avg.

[1] Monitor Annually

Subpart E – Sector E - Glass, Clay, Cement, Concrete, and Gypsum Products.

The permittee must comply with Part VIII sector-specific requirements associated with the primary industrial activity and any co- located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

1. Covered Stormwater Discharges. The requirements in Subpart E apply to stormwater discharges associated with industrial activity from Glass, Clay, Cement, Concrete, and Gypsum Products facilities, as identified by the SIC Codes specified under Sector E in Table B-1 of Appendix B of the permit.

2. Additional Technology-Based Effluent Limits.

    a. Good Housekeeping Measures. With good housekeeping, prevent or minimize the discharge of spilled cement, aggregate (including sand or gravel), kiln dust, fly ash, settled dust, or other significant material in stormwater from paved portions of the site that are exposed to stormwater. Sweep or vacuum regularly or use other equivalent measures to minimize the presence of these materials. Indicate in the SWPPP the frequency of sweeping, vacuuming, or equivalent measures. Determine the frequency based on the amount of industrial activity occurring in the area and the frequency of precipitation, but it must be performed at least once a week if cement, aggregate, kiln dust, fly ash, or settled dust are being handled or processed. The permittee must also prevent the exposure of fine granular solids (cement, fly ash, kiln dust, etc.) to stormwater, where practicable, by storing these materials in enclosed silos, hoppers, or buildings, or under other covering.

3. Additional SWPPP Requirements.

    a. Drainage Area Site Map. Document in the SWPPP the locations of the following, as applicable: bag house or other dust control device; recycle/sedimentation pond, clarifier, or other device used for the treatment of process wastewater; and the areas that drain to the treatment device.

    b. Certification. For facilities producing ready-mix concrete, concrete block, brick, or similar products, include in the non-stormwater discharge certification a description of measures that ensure that process waste waters resulting from washing trucks, mixers, transport buckets, forms, or other equipment are discharged in accordance with Department requirements or are recycled.

4. Sector Specific Benchmarks. Table VIII.E-1 identifies benchmarks that apply to the specific subsectors of Sector E. These benchmarks apply to fboth the primary industrial activity and any co-located industrial activities, which describe the site activities.

Table VIII.E-1.

Subsector (The permittee may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Cutoff Concentration
Subsector E1. Clay Product Manufacturers (SIC 3251-3259, 3261-3269)	Total Aluminum	0.75 mg/L
	pH	6.0 - 9.0 s.u.
Subsector E2. Concrete and Gypsum Product Manufacturers (SIC 3271-3275)	Total Suspended Solids (TSS)	100 mg/L
	Oil and Grease	15.0 mg/L
	Total Iron	1.0 mg/L
	pH	6.0 - 9.0 s.u.

5. Effluent Limitations Based on Effluent Limitations Guidelines (See also Part III.C.5 of the permit.)

Table VIII.E-2[1]

Industrial Activity	Parameter	Effluent Limit
Discharges from material storage piles at cement manufacturing facilities (SIC 3241)	Total Suspended Solids (TSS)	50 mg/L, daily maximum
	pH	6.0 - 9.0 s.u.

[1] Monitor Annually

Subpart F – Sector F – Primary Metals.

The permittee must comply with Part VIII sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector- specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

1. Covered Stormwater Discharges. The requirements in Subpart F apply to stormwater discharges associated with industrial activity from Primary Metals facilities, as identified by the SIC Codes specified under Sector F in Table B-1 of Appendix B of the permit.

2. Additional Technology-Based Effluent Limits.

    a. Good Housekeeping Measures. As part of the good housekeeping program, include a cleaning and maintenance program for all impervious areas of the facility where particulate matter, dust, or debris may accumulate, especially areas where material loading and unloading, storage, handling, and processing occur; and, where practicable, the paving of areas where vehicle traffic or material storage occur but where vegetative or other stabilization methods are not practicable (institute a sweeping program in these areas too). For un-stabilized areas where sweeping is not practicable, use stormwater management devices such as sediment traps, vegetative buffer strips, filter fabric fence, sediment filtering boom, gravel outlet protection, or other equivalent measures that effectively trap or remove sediment.

3. Additional SWPPP Requirements.

    a. Drainage Area Site Map. Identify in the SWPPP where any of the following activities may be exposed to precipitation or surface runoff: storage or disposal of wastes such as spent solvents and baths, sand, slag and dross; liquid storage tanks and drums; processing areas including pollution control equipment (e.g., baghouses); and storage areas of raw material such as coal, coke, scrap, sand, fluxes, refractories, or metal in any form. In addition, indicate where an accumulation of significant amounts of particulate matter could occur from such sources as furnace or oven emissions, losses from coal and coke handling operations, etc., and could result in a discharge of pollutants to waters of the State.

    b. Inventory of Exposed Material. Include in the inventory of materials handled at the site that potentially may be exposed to precipitation or runoff, areas where deposition of particulate matter from process air emissions or losses during material-handling activities are possible.

4. Additional Inspection Requirements. As part of conducting the quarterly routine facility inspections address all potential sources of pollutants, including (if applicable) air pollution control equipment (e.g., baghouses, electrostatic precipitators, scrubbers, and cyclones), for any signs of degradation (e.g., leaks corrosion, or improper operation) that could limit their efficiency and lead to excessive emissions. Consider monitoring air flow at inlets and outlets (or use equivalent measures) to check for leaks (e.g., particulate deposition) or blockage in ducts. Also inspect all process and material handling equipment (e.g., conveyors, cranes, and vehicles) for leaks, drips, or the potential loss of material; and material storage areas (e.g., piles, bins, or hoppers for storing coke, coal, scrap, or slag, as well as chemicals stored in tanks and drums) for signs of material losses due to wind or stormwater runoff.

5. Sector-Specific Benchmarks. (See also Part VI.B.1 of the permit)

Table VIII.F-1.		
Subsector (The permittee may be subject to requirements for more than one sector/subsector)	**Parameter**	**Benchmark Monitoring Cutoff Concentration**
Subsector F1. Steel Works, Blast Furnaces, and Rolling and Finishing Mills (SIC 3312-3317)	Total Aluminum	0.75 mg/L
	Total Zinc[1] (freshwater discharges)	Hardness Dependent[1]
	Total Zinc (saltwater discharges)	0.09 mg/L
	pH	6.0 - 9.0 s.u.
Subsector F2. Iron and Steel Foundries (SIC 3321-3325)	Total Aluminum	0.75 mg/L
	Total Suspended Solids (TSS)	100 mg/L
	Total Copper (freshwater discharges)	0.00519 mg/L
	Total Copper (saltwater discharges)	0.0048 mg/L
	Total Iron	1.0 mg/L
	Total Zinc[1] (freshwater discharges)	Hardness Dependent[1]
	Total Zinc (saltwater discharges)	0.09 mg/L
	pH	6.0 - 9.0 s.u.
Subsector F3. Rolling, Drawing, and Extruding of Nonferrous Metals (SIC 3351-3357)	Total Copper[1] (freshwater discharges)	0.00519 mg/L
	Total Copper (saltwater discharges)	0.0048 mg/L
	Total Zinc[1] (freshwater discharges)	Hardness Dependent
	Total Zinc (saltwater discharges)	0.09 mg/L
	pH	6.0 - 9.0 s.u.
Subsector F4. Nonferrous Foundries (SIC 3363-3369)	Total Copper[1] (freshwater discharges)	0.00519 mg/L
	Total Copper (saltwater discharges)	0.0048 mg/L
	Total Zinc[1] (freshwater discharges)	Hardness Dependent
	Total Zinc (saltwater discharges)	0.09 mg/L
	pH	6.0 - 9.0 s.u.

[1] The benchmark values of some metals are dependent on water hardness for freshwater discharges. For these parameters, permittees must determine the hardness of the receiving freshwater body (see Appendix C, “Calculating Hardness in Receiving Waters for Hardness Dependent Metals,” for methodology), in accordance with Part VI.B.1.a, to identify the applicable ‘hardness range’ for determining their benchmark value applicable to their facility. The ranges occur in 25 mg/L increments. Hardness Dependent Benchmarks follow in the table below:

Water Hardness Range	**Zinc** (mg/L)
0-24.99 mg/L	0.037
25-49.99 mg/L	0.052
50-74.99 mg/L	0.080
75-99.99 mg/L	0.107
100-124.99 mg/L	0.132
125-149.99 mg/L	0.157
150-174.99 mg/L	0.181
175-199.99 mg/L	0.204
200-224.99 mg/L	0.227
225-249.99 mg/L	0.249
250+ mg/L	0.260

Subpart G – Sector G – Metal Mining.

The permittee must comply with Part VIII sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector- specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit. **Note:** The permit conditions in this subpart are abbreviated as there are currently no metal mining facilities in Delaware, nor is there any anticipated to be in existence within this permit cycle.

1. Covered Stormwater Discharges.

   a. Covered Discharges from Inactive Facilities. All stormwater discharges.

   b. Covered Discharges from Active and Temporarily Inactive Facilities. Only the stormwater discharges from the following areas are covered: waste rock and overburden piles if composed entirely of stormwater and not combining with mine drainage; topsoil piles; offsite haul and access roads; onsite haul and access roads constructed of waste rock, overburden, or spent ore if composed entirely of stormwater and not combining with mine drainage; onsite haul and access roads not constructed of waste rock, overburden, or spent ore except if mine drainage is used for dust control; runoff from tailings dams or dikes when not constructed of waste rock or tailings and no process fluids are present; runoff from tailings dams or dikes when constructed of waste rock or tailings and no process fluids are present, if composed entirely of stormwater and not combining with mine drainage; concentration building if no contact with material piles; mill site if no contact with material piles; office or administrative building and housing if mixed with stormwater from industrial area; chemical storage area; docking facility if no excessive contact with waste product that would otherwise constitute mine drainage; explosive storage; fuel storage; vehicle and equipment maintenance area and building; parking areas (if necessary); power plant; truck wash areas if no excessive contact with waste product that would otherwise constitute mine drainage; un-reclaimed, disturbed areas outside of active mining area; reclaimed areas released from reclamation requirements prior to December 17, 1990; and partially or inadequately reclaimed areas or areas not released from reclamation requirements.

   c. Covered Discharges from Earth-Disturbing Activities Conducted Prior to Active Mining Activities. All stormwater discharges.

   d. Covered Discharges from Facilities Undergoing Reclamation. All stormwater discharges.

2. Limitations on Coverage.

   a. Prohibition of Stormwater Discharges. Stormwater discharges not authorized by this permit: discharges from active metal mining facilities that are subject to effluent limitation guidelines for the Ore Mining and Dressing Point Source Category (40 CFR Part 440).

      NOTE: Stormwater runoff from these sources are subject to 40 CFR Part 440 if they are mixed with other discharges subject to Part 440. In this case, they are not eligible for coverage under this permit. Discharges from overburden/waste rock and overburden/waste rock-related areas are not subject to 40 CFR Part 440 unless they: (1) drain naturally (or are intentionally diverted) to a point source; and
      (2) combine with "mine drainage" that is otherwise regulated under the Part 440 regulations. For such sources, coverage under this permit would be available if the discharge composed entirely of stormwater does not combine with other sources of mine drainage that are not subject to 40 CFR Part 440 and meets the other eligibility criteria contained in Part I.B. of the permit. Permit applicants bear the initial responsibility for determining if they are eligible for coverage under this permit or must seek coverage under another Department permit. Permit applicants must contact the Department for assistance to determine the nature and scope of the "active mining area" on a mine-by-mine basis, as well as to determine the appropriate permitting mechanism for authorizing such discharges.

   b. Prohibition of Non-Stormwater Discharges. Not authorized by this permit: adit drainage, and contaminated springs or seeps discharging from waste rock dumps that do not directly result from precipitation events.

3. Definitions. The following definitions are not intended to supersede the definitions of active and inactive mining facilities established by 40 CFR 122.26(b)(14)(iii).

a. Mining operation. For this permit, mining operations are grouped into two distinct categories, with distinct effluent limits and requirements applicable to each: a) earth-disturbing activities conducted prior to active mining activities); and b) active mining activities, which includes reclamation. “Mining operations” can occur at both inactive mining facilities and temporarily inactive mining facilities.

b. Exploration phase - Entails exploration and land disturbance activities to determine the viability of a site. The exploration phase is not considered part of “mining operations”.

c. Construction phase - Includes the building of site access roads and removal of overburden and waste rock to expose mineable minerals. The construction phase is not considered part of “mining operations”.

d. Active phase - Activities including the extraction, removal or recovery of metal ore. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of “active mining area” found at 40 CFR 440.132(a). The active phase is considered part of “mining operations”.

e. Reclamation phase - Activities undertaken, in compliance with applicable mined land reclamation requirements, following the cessation of the “active phase”, intended to return the land to an appropriate post-mining land use in order to meet applicable Federal and State reclamation requirements. The reclamation phase is considered part of "mining operations”.

f. Active metal mining facility - A place where work or other activity related to the extraction, removal, or recovery of metal ore is being conducted. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of “active mining area” found at 40 CFR 440.132(a).

g. Inactive metal mining facility - A site or portion of a site where metal mining and/or milling occurred in the past but is not an active facility as defined above, and where the inactive portion is not covered by an active mining permit issued by the applicable State or Federal agency. An inactive metal mining facility has an identifiable owner / permittee. Sites where mining claims are being maintained prior to disturbances associated with the extraction, beneficiation, or processing of mined materials and sites where minimal activities are undertaken for the sole purpose of maintaining a mining claim are not considered either active or inactive mining facilities and do not require a Department Industrial Stormwater General Permit.

h. Temporarily inactive metal mining facility - A site or portion of a site where metal mining and/or milling occurred in the past but currently are not being actively undertaken, and the facility is covered by an active mining permit issued by the applicable State or Federal agency.

i. Final Stabilization - A site or portion of a site is “finally stabilized” when it has implemented all applicable Federal and State reclamation requirements.

4. Technology-Based Effluent Limits for Clearing, Grading, and Excavation Activities. Clearing, grading, and excavation activities being conducted as part of the exploration and construction phases of mining activities are covered under this permit.

   a. Management Practices for Clearing, Grading, and Excavation Activities.

      i. Selecting and installing control measures. For all areas affected by clearing, grading, and excavation activities, the permittee must select, design, install, and implement control measures that meet applicable Part II effluent limits.

      ii. Good Housekeeping. Litter, debris, and chemicals must be prevented from becoming a pollutant source in stormwater discharges.

      iii. Retention and Detention of Stormwater Runoff. For drainage locations serving more than one acre, sediment basins and/or temporary sediment traps must be used. At a minimum, silt fences, vegetative

buffer strips, or equivalent sediment controls are required for all down slope boundaries (and for side slope boundaries as necessary based on individual site conditions) of the development area unless a sediment basin providing storage for a calculated volume of runoff from a 2-year, 24-hour storm or 3,600 cubic feet of storage per acre drained is provided. The permittee is required to remove sediment from sediment traps or sedimentation ponds when design capacity has been reduced by 50 percent. Due to high sediment discharges from some Sector G facilities, permittees may need to implement a combination of structural BMP approaches to sufficiently decrease discharge of sediment from their facilities.

b. Inspection of Clearing, Grading, and Excavation Activities.

i. Inspection Frequency. Inspections must be conducted either at least once every 7 calendar days, or at least once every 14 calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater. Inspection frequency may be reduced to at least once every month if the entire site is temporarily stabilized, if runoff is unlikely due to winter (e.g., site is covered with snow or ice) or frozen conditions, or construction is occurring during seasonal dry periods in arid areas and semi-arid areas.

ii. Location of Inspections. Inspections must include all areas of the site disturbed by clearing, grading, and/or excavation activities and areas used for storage of materials that are exposed to precipitation. Sedimentation and erosion control measures must be observed to ensure proper operation. Discharge locations must be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to waters of the State, where accessible. Where discharge locations are inaccessible, nearby downstream locations must be inspected to the extent that such inspections are practicable. Locations where vehicles enter or exit the site must be inspected for evidence of significant off-site sediment tracking.

iii. Inspection Reports. For each inspection required above, the permittee must complete an inspection report.

c. Requirements for Cessation of Clearing, Grading, and Excavation Activities.

i. Inspections and Maintenance. Inspections and maintenance of control measures, including BMPs, associated with clearing, grading, and excavation activities being conducted as part of the exploration and construction phase of a mining operation must continue until final stabilization has been achieved on all portions of the disturbed area, or until the commencement of the active mining phase for those areas that have been temporarily stabilized as a precursor to mining.

ii. Temporary Stabilization of Disturbed Areas. Stabilization measures must be initiated immediately in portions of the site where clearing, grading and/or excavation activities have temporarily ceased, but in no case more than 14 days after the clearing, grading and/or excavation activities in that portion of the site have temporarily ceased. In arid, semiarid, and drought-stricken areas, or in areas subject to snow or freezing conditions, where initiating perennial vegetative stabilization measures is not possible within 14 days after mining, exploration, and/or construction activity has temporarily ceased, temporary vegetative stabilization measures must be initiated as soon as practicable, but no longer than XXX. Until temporary vegetative stabilization is achieved, interim measures such as erosion control blankets with an appropriate seed base and tackifiers must be employed. In areas of the site where exploration and/or construction has permanently ceased prior to active mining, temporary stabilization measures must be implemented to minimize mobilization of sediment or other pollutants until such time as the active mining phase commences.

iii. Final Stabilization of Disturbed Areas. Stabilization measures must be initiated immediately in portions of the site where exploration and/or construction activities have permanently ceased, but in no case more than 14 days after the exploration and/or construction activity in that portion of the site has permanently ceased. In areas subject to snow or freezing conditions, where initiating perennial vegetative stabilization measures is not possible within 14 days after mining, exploration, and/or construction activity has permanently ceased, final vegetative stabilization measures must be initiated as soon as possible but no longer than XXX. Until final stabilization is achieved temporary stabilization measures, such as erosion control blankets with an appropriate seed base and tackifiers, must be used.

5. Additional Technology-Based Effluent Limits.

   a. Employee Training. Conduct employee training at least annually at active and temporarily inactive sites.

   b. Stormwater Controls. Apart from the control measures the permittee implements to meet the Part II effluent limits, consider implementing the following control measures at the site. The potential pollutants identified in Part VIII.G.6.c shall determine the priority and appropriateness of the control measures selected.

      i. Stormwater Diversions: Consider diverting stormwater away from potential pollutant sources. Following are some options: interceptor or diversion controls (e.g., dikes, swales, curbs, or berms); pipe slope drains; subsurface drains; conveyance systems (e.g., channels or gutters, open-top box culverts, and water bars; rolling dips and road sloping; roadway surface water deflector and culverts); or their equivalents.

      ii. Capping: When capping is necessary to minimize pollutant discharges in stormwater, identify the source being capped and the material used to construct the cap.

      iii. Treatment: If treatment of stormwater (e.g., chemical or physical systems, oil and water separators, artificial wetlands) is necessary to protect water quality, describe the type and location of treatment used. Passive and/or active treatment of stormwater runoff is encouraged where practicable. Treated runoff may be discharged as a stormwater source regulated under this permit provided the discharge is not combined with discharges subject to effluent limitation guidelines for the Ore Mining and Dressing Point Source Category (40 CFR Part 440).

   c. Certification of Discharge Testing. Test or evaluate all discharge points covered under this permit for the presence of specific mining-related non-stormwater discharges such as seeps or adit discharges, or discharges subject to effluent limitations guidelines (e.g., 40 CFR Part 440), such as mine drainage or process water.

6. Additional SWPPP Requirements.

   a. Nature of Industrial Activities. Briefly document in the SWPPP the mining and associated activities that can potentially affect the stormwater discharges covered by this permit, including a general description of the location of the site relative to major transportation routes and communities.

   b. Site Map. Document in the SWPPP the locations of the following (as appropriate): mining or milling site boundaries; access and haul roads; outline of the drainage areas of each stormwater discharge point within the facility with indications of the types of discharges from the drainage areas; location(s) of all permitted discharges covered under an individual permit, outdoor equipment storage, fueling, and maintenance areas; materials handling areas; outdoor manufacturing, outdoor storage, and material disposal areas; outdoor chemicals and explosives storage areas; overburden, materials, soils, or waste storage areas; location of mine drainage (where water leaves mine) or other process water; tailings piles and ponds (including proposed ones); heap leach pads; off-site points of discharge for mine drainage and process water; surface waters; boundary of tributary areas that are subject to effluent limitations guidelines; and location(s) of reclaimed areas.

   c. Potential Pollutant Sources. For each area of the mine or mill site where stormwater discharges associated with industrial activities occur, identify the types of pollutants (e.g., heavy metals, sediment) likely to be present in significant amounts. Consider these factors: the mineralogy of the ore and waste rock (e.g., acid forming); toxicity and quantity of chemicals used, produced, or discharged; the likelihood of contact with stormwater; vegetation of site (if any); and history of significant leaks or spills of toxic or hazardous pollutants. Also include a summary of any existing ore or waste rock or overburden characterization data and test results for potential generation of acid rock. If any new data is acquired due to changes in ore type being mined, update the SWPPP with this information.

   d. Documentation of Control Measures. Document all control measures that the permittee implements. If control measures are implemented or planned but are not listed (e.g., substituting a less toxic chemical for a more toxic one), include descriptions of them in the SWPPP.

   e. Employee Training. All employee training(s) must be documented in the SWPPP.

f. Certification of Permit Coverage for Commingled Non-Stormwater Discharges: If the permittee is able to certify that a particular discharge composed of commingled stormwater and non-stormwater is covered under a separate permit, and that permit subjects the non-stormwater portion to effluent limitations prior to any commingling, retain such certification with the SWPPP. This certification must identify the non-stormwater discharges, the applicable permit(s), the effluent limitations placed on the non-stormwater discharge by the permit(s), and the points at which the limitations are applied.

7. Additional Inspection Requirements. Except for areas of the site subject to clearing, grading, and/or excavation activities conducted as part of the exploration and construction phase, which are subject to Part VIII.G.4.b.1, inspect sites at least quarterly unless adverse weather conditions make the site inaccessible. Sites which discharge to waters designated as outstanding waters or waters which are impaired for sediment or nitrogen must be inspected monthly.

8. Monitoring and Reporting Requirements. (See also Part VI of the permit.)

Note: There are no Part VIII.G.8 monitoring and reporting requirements for inactive and unstaffed sites.

a. Benchmark Monitoring for Active Copper Ore Mining and Dressing Facilities. Active copper ore mining and dressing facilities must sample and analyze stormwater discharges for the pollutants listed in Table VIII.G-1.

Table VIII.G-1

Subsector (The permittee may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
Subsector G1. Active Copper Ore Mining and Dressing Facilities (SIC 1021)	Total Suspended Solids (TSS)	100 mg/L
	Nitrate plus Nitrite Nitrogen	0.68 mg/L
	Chemical Oxygen Demand (COD)	120 mg/L

b. Benchmark Monitoring Requirements for Discharges From Waste Rock and Overburden Piles at Active Metal Mining Facilities. For discharges from waste rock and overburden piles, perform benchmark monitoring once in the first year for the parameters listed in Table VIII.G-2, and twice annually in all subsequent years of coverage under this permit for any parameters for which the benchmark has been exceeded. The permittee is also required to conduct analytic monitoring for the parameters listed in Table VIII.G-3. The Department may also notify the permittee that the permittee must perform additional monitoring to accurately characterize the quality and quantity of pollutants discharged from waste rock and overburden piles

Table VIII.G-2.

Subsector (Discharges may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Cutoff Concentration
Subsector G2. Iron Ores; Copper Ores; Lead and Zinc Ores; Gold and Silver Ores; Ferroalloy Ores, Except Vanadium; and Miscellaneous Metal Ores (SIC Codes 1011, 1021, 1031, 1041, 1044, 1061, 1081, 1094, 1099) (Note: when analyzing hardness for a suite of metals, it is more cost effective to add analysis of calcium and magnesium, and have hardness calculated than to require hardness analysis separately)	Total Suspended Solids (TSS)	100 mg/L
	Turbidity	50 NTU
	pH	6.0-9.0 s.u.
	Hardness (as CaCO3; calc. from Ca, Mg)[1]	no benchmark value
	Total Antimony	0.64 mg/L
	Total Arsenic (freshwater discharges)	0.15 mg/L
	Total Arsenic (saltwater discharges)	0.069 mg/L
	Total Beryllium	0.13 mg/L

Total Cadmium[1] (freshwater discharges)	Hardness Dependent[1]
Total Cadmium (saltwater discharges)	0.033 mg/L
Total Copper[1] (freshwater discharges)	0.00519 mg/L
Total Copper (saltwater discharges)	0.0048 mg/L
Total Iron	1.0 mg/L
Total Lead[1] (freshwater discharges)	Hardness Dependent[1]
Total Lead (saltwater discharges)	0.21 mg/L
Total Mercury (freshwater discharges)	0.0014 mg/L
Total Mercury (saltwater discharges)	0.0018 mg/L
Total Nickel[1] (freshwater discharges)	Hardness Dependent[1]
Total Nickel (saltwater discharges)	0.074 mg/L
Total Selenium (freshwater discharges)	0.0015 mg/L for still/standing (lentic) water 0.0031 mg/L for flowing (lotic) water
Total Selenium (saltwater discharges)	0.29 mg/L
Total Silver[1] (freshwater discharges)	Hardness Dependent[1]
Total Silver (saltwater discharges)	0.0019
Total Zinc[1] (freshwater discharges)	Hardness Dependent[1]
Total Zinc (saltwater discharges)	0.09 mg/L
pH	6.0 - 9.0 s.u.

[1] The benchmark values of some metals are dependent on water hardness for freshwater discharges. For these parameters, permittees must determine the hardness of the receiving freshwater body (see Appendix C, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part VI.B.1.a, to identify the applicable 'hardness range' for determining their benchmark value applicable to their facility. The ranges occur in 25 mg/L increments. Hardness Dependent Benchmarks follow in the table below:

Water Hardness Range	**Cadmium** (mg/L)	**Lead** (mg/L)	**Nickel** (mg/L)	**Silver** (mg/L)	**Zinc** (mg/L)
0-24.99 mg/L	0.00049	0.014	0.145	0.00037	0.037
25-49.99 mg/L	0.00073	0.024	0.203	0.0008	0.052
50-74.99 mg/L	0.0012	0.045	0.314	0.0019	0.080
75-99.99 mg/L	0.0017	0.069	0.418	0.0033	0.107
100-124.99 mg/L	0.0021	0.095	0.518	0.0050	0.132
125-149.99 mg/L	0.0026	0.123	0.614	0.0071	0.157
150-174.99 mg/L	0.0031	0.151	0.707	0.0094	0.181
175-199.99 mg/L	0.0035	0.182	0.798	0.012	0.204
200-224.99 mg/L	0.0040	0.213	0.888	0.015	0.227
225-249.99 mg/L	0.0044	0.246	0.975	0.018	0.249
250+ mg/L	0.0047	0.262	1.019	0.02	0.260

c. Additional Analytic Monitoring Requirements for Discharges from Waste Rock and Overburden Piles at

Active Metal Mining Facilities. In addition to the monitoring required for discharges from waste rock and overburden piles, the permittee must also conduct monitoring for additional parameters based on the type of ore the permittee mines at the site. Where a parameter in Table VIII.G-3 is the same as a pollutant the permittee is required to monitor for in Table VIII.G-2. For radium and uranium, which do not have corresponding benchmarks in Table VIII.G-2, there are no applicable benchmarks. However, the frequency and schedule for monitoring for these additional parameters is the same as that specified in Part III.C.

Table VIII.G-3. Additional Monitoring Requirements for Discharges from Waste Rock and Overburden Piles

Supplemental Requirements			
Type of Ore Mined	**Pollutants of Concern**		
	Total Suspended Solids (TSS)	**pH**	**Metals, Total**
Tungsten Ore	X	X	Arsenic, Cadmium (H), Copper (H), Lead (H), Zinc (H)
Nickel Ore	X	X	Arsenic, Cadmium (H), Copper (H), Lead (H), Zinc (H)
Aluminum Ore	X	X	Iron
Mercury Ore	X	X	Nickel (H)
Iron Ore	X	X	Iron (Dissolved)
Platinum Ore			Cadmium (H), Copper (H), Mercury, Lead (H), Zinc (H)
Titanium Ore	X	X	Iron, Nickel (H), Zinc (H)
Vanadium Ore	X	X	Arsenic, Cadmium (H), Copper (H), Lead (H), Zinc (H)
Molybdenum	X	X	Arsenic, Cadmium (H), Copper (H), Lead (H), Mercury, Zinc (H)
Uranium, Radium, and Vanadium Ore	X	X	Chemical Oxygen Demand, Arsenic, Radium (Dissolved and Total), Uranium, Zinc (H)

Note: An “X” indicated for TSS and/or pH means that the permittee is required to monitor for those parameters. (H) indicates that hardness must also be measured when this pollutant is measured.

d. Inactive and Unstaffed Sites – Conditional Exemption from No Exposure Requirements for Quarterly Visual Assessments and Routine Facility Inspections. As a Sector G facility, if the permittee is seeking to exercise a waiver from the quarterly visual assessment and routine facility inspection requirements for inactive and unstaffed sites (including temporarily inactive sites), the permittee is conditionally exempt from the requirement to certify that “there are no industrial materials or activities exposed to stormwater” in Part IV.B.3. This exemption is conditioned on the following:

i. If circumstances change and the facility becomes active and/or staffed, this exception no longer applies, and the permittee must immediately begin complying with the quarterly visual assessment requirements; and
ii. The Department retains the authority to revoke this exemption and/or the monitoring waiver where it is determined that the discharge causes, has a reasonable potential to cause or contributes to an instream excursion above an applicable water quality standard, including designated uses.

Subject to the two conditions above, if the facility is inactive and unstaffed, the permittee is waived from

the requirement to conduct quarterly visual assessments and routine facility inspections. The permittee is not waived from conducting the Part IV.C. comprehensive site inspection. The permittee is encouraged to inspect the site more frequently where the permittee has reason to believe that severe weather or natural disasters may have damaged control measures or increased discharges.

Table VIII.G-4. Applicability of the Multi-Sector General Permit to Stormwater Runoff From Active Mining and Dressing Sites, Temporarily Inactive Sites, and Sites Undergoing Reclamation	
Discharge/Source of Discharge	**Note/Comment**
Piles	
Waste rock/overburden	Covered under the permit if composed entirely of stormwater and not combining with mine drainage. See note below.
Topsoil	--
Roads constructed of waste rock or spent ore	
Onsite haul roads	Covered under the permit if composed entirely of stormwater and not combining with mine drainage. See note below.
Offsite haul and access roads	--
Roads not constructed of waste rock or spent ore	
Onsite haul roads	Covered under the permit except if mine drainage is used for dust control
Offsite haul and access roads	--
Milling/concentrating	
Runoff from tailings dams and dikes when constructed of waste rock/tailings	Covered under the permit except if process fluids are present and only if composed entirely of stormwater and not combining with mine drainage. See Note below.
Runoff from tailings dams/dikes when not constructed of waste rock and tailings	Covered under the permit except if process fluids are present
Concentration building	Covered under the permit if stormwater only and no contact with piles
Mill site	Covered under the permit if stormwater only and no contact with piles
Ancillary areas	
Office and administrative building and housing	Covered under the permit if mixed with stormwater from the industrial area
Chemical storage area	--
Docking facility	Covered under the permit except if excessive contact with waste product that would otherwise constitute mine drainage
Explosive storage	--
Fuel storage (oil tanks/coal piles)	--
Vehicle and equipment maintenance area/building	--
Parking areas	Covered under the permit but coverage unnecessary if only employee and visitor-type parking
Power plant	
Truck wash area	Covered under the permit except when excessive contact with waste product that would otherwise constitute mine drainage
Reclamation-related areas	
Any disturbed area (un-reclaimed)	Covered under the permit only if not in active mining area
Reclaimed areas released from reclamation requirements prior to Dec. 17, 1990	--

Partially/inadequately reclaimed areas or areas not released from reclamation requirements	--

Note: Stormwater runoff from these sources are subject to the Department program for stormwater unless mixed with discharges subject to 40 CFR Part 440 that are regulated by another permit prior to mixing. Non-stormwater discharges from these sources are subject to Department permitting and may be subject to the effluent limitation guidelines under 40 CFR Part 440. Discharges from overburden/waste rock and overburden/waste rock-related areas are not subject to 40 CFR Part 440 unless: (1) it drains naturally (or is intentionally diverted) to a point source; and (2) combines with "mine drainage" that is otherwise regulated under the Part 440 regulations. For such sources, coverage under this permit would be available if the discharge composed entirely of stormwater does not combine with other sources of mine drainage that are not subject to 40 CFR Part 440, as well as meeting other eligibility criteria contained in Part I.B of the permit. Permit applicants bear the initial responsibility for determining the applicable technology-based standard for such discharges. The Department recommends that permit applicants contact the Department for assistance to determine the nature and scope of the "active mining area" on a mine-by-mine basis, as well as to determine the appropriate permitting mechanism for authorizing such discharges.

9. Termination of Permit Coverage.

   a. Termination of Permit Coverage for Sites Reclaimed After December 17, 1990. A site or a portion of a site that has been released from applicable state or federal reclamation requirements after December 17, 1990, is no longer required to maintain coverage under this permit. If the site or portion of a site reclaimed after December 17, 1990, was not subject to reclamation requirements, the site or portion of the site is no longer required to maintain coverage under this permit if the site or portion of the site has been reclaimed.

   b. Termination of Permit Coverage for Sites Reclaimed Before December 17, 1990. A site or portion of a site that was released from applicable state or federal reclamation requirements before December 17, 1990, or that was otherwise reclaimed before December 17, 1990, is no longer required to maintain coverage under this permit if the site or portion of the site has been reclaimed. A site or portion of a site is considered to have been reclaimed if: (1) stormwater runoff that comes into contact with raw materials, intermediate byproducts, final products, and waste products does not have the potential to cause or contribute to violations of state water quality standards, (2) soil disturbing activities related to mining at the sites or portion of the site have been completed, (3) the site or portion of the site has been stabilized to minimize soil erosion, and (4) as appropriate depending on location, size, and the potential to contribute pollutants to stormwater discharges, the site or portion of the site has been revegetated, will be amenable to natural revegetation, or will be left in a condition consistent with the post-mining land use.

Subpart H – Sector H – Coal Mines and Coal Mining-Related Facilities.

The permittee must comply with Part VIII sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit. **Note:** The permit conditions in this subpart are abbreviated as there are currently no coal mining related facilities in Delaware, nor is there any anticipated to exist within this permit cycle.

1. Covered Stormwater Discharges. The requirements in Subpart H apply to stormwater discharges associated with industrial activity from Coal Mines and Coal Mining-Related facilities as identified by the SIC Codes specified under Sector H in Table B-1 of Appendix B.

2. Limitations on Coverage.

    a. Prohibition of Non-Stormwater Discharges. Not covered by this permit: discharges from pollutant seeps or underground drainage from inactive coal mines and refuse disposal areas that do not result from precipitation events, and discharges from floor drains in maintenance buildings and other similar drains in mining and preparation plant areas.

    b. Discharges Subject to Stormwater Effluent Guidelines. Not authorized by this permit: stormwater discharges subject to an existing effluent limitation guideline at 40 CFR Part 434.

3. Definitions. The following definitions are not intended to supersede the definitions of active and inactive mining facilities established by 40 CFR 122.26(b)(14)(iii).

    a. Mining operation - Consists of the active and temporarily inactive phases, and the reclamation phase, but excludes the exploration and construction phases.

    b. Exploration phase - Entails exploration and land disturbance activities to determine the financial viability of a site. The exploration phase is not considered part of “mining operations”.

    c. Construction phase - Includes the building of site access roads and removal of overburden and waste rock to expose mineable coal. The construction phase is not considered part of “mining operations”.

    d. Active phase - Activities including the extraction, removal or recovery of coal. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of “active mining area” found at 40 CFR 434.11(b). The active phase is considered part of “mining operations”.

    e. Reclamation phase - Activities undertaken, in compliance with applicable mined land reclamation requirements, following the cessation of the “active phase”, intended to return the land to an appropriate post-mining land use. The reclamation phase is considered part of "mining operations”.

f. Active coal mining facility - A place where work or other activity related to the extraction, removal, or recovery of coal is being conducted. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of “active mining area” found at 40 CFR 434.11(b).

g. Inactive coal mining facility - A site or portion of a site where coal mining and/or milling occurred in the past but is not an active facility as defined above, and where the inactive portion is not covered by an active mining permit issued by the applicable State or Federal agency. An inactive coal mining facility has an identifiable owner / permittee. Sites where mining claims are being maintained prior to disturbances associated with the extraction, beneficiation, or processing of mined materials and sites where minimal activities are undertaken for the sole purpose of maintaining a mining claim are not considered either active or inactive mining facilities and do not require a Department-issued industrial stormwater permit.

h. Temporarily inactive coal mining facility - A site or portion of a site where coal mining and/or milling occurred in the past but currently are not being actively undertaken, and the facility is covered by an active mining permit issued by the applicable State or Federal agency.

i. Final Stabilization - A site or portion of a site is “finally stabilized” when it has implemented all applicable Federal and State reclamation requirements.

4. Technology-Based Effluent Limits for Clearing, Grading, and Excavation Activities.

a. Management Practices for Clearing, Grading, and Excavation Activities.

i. Selecting and installing control measures. For all areas affected by clearing, grading, and excavation activities, the permittee must select, design, install, and implement control measures that meet applicable Part II effluent limits.

ii. Good Housekeeping. Litter, debris, and chemicals must be prevented from becoming a pollutant source in stormwater discharges.

iii. Retention and Detention of Stormwater Runoff. For drainage locations serving more than one acre, sediment basins and/or temporary sediment traps must be used. Silt fences, vegetative buffer strips, or equivalent sediment controls are required for all down slope boundaries (and side slope boundaries as necessary based on individual site conditions) of the development area unless a sediment basin providing storage for a calculated volume of runoff from a 2-year, 24-hour storm or 3,600 cubic feet of storage per acre drained is provided. The permittee is required to remove sediment from sediment traps or sedimentation ponds when design capacity has been reduced by 50 percent. Due to high sediment discharges from some Sector H facilities, permittees may need to implement a combination of structural BMP approaches to sufficiently decrease discharge of sediment from their facilities.

b. Inspection of Clearing, Grading, and Excavation Activities.

i. Inspection Frequency. Inspections must be conducted either at least once every 7 calendar days, or at least once every 14 calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater. Inspection frequency may be reduced to at least once every month if the entire site is temporarily stabilized if runoff is unlikely due to frozen conditions.

ii. Location of Inspections. Inspections must include all areas of the site disturbed by clearing, grading, and/or excavation activities and areas used for storage of materials that are exposed to precipitation. Sedimentation and erosion control measures must be observed to ensure proper operation. Discharge locations must be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to waters of the State, where accessible. Where discharge locations are inaccessible, nearby downstream locations must be inspected to the extent that such inspections are practicable. Locations where vehicles enter or exit the site must be inspected for evidence of significant off-site sediment tracking.

iii. Inspection Reports. For each inspection required above, the permittee must complete an inspection report.

c. Requirements for Cessation of Clearing, Grading, and Excavation Activities.

i. Inspections and Maintenance. Inspections and maintenance of control measures, including BMPs, associated with clearing, grading, and/or excavation activities being conducted as part of the exploration and construction phase of a mining operation must continue until final stabilization has been achieved on all portions of the disturbed area.

ii. Temporary Stabilization of Disturbed Areas. Stabilization measures must be initiated immediately in portions of the site where clearing, grading and/or excavation activities have temporarily ceased, but in no case more than 14 days after the clearing, grading and/or excavation activities in that portion of the site have temporarily ceased. In arid, semiarid, and drought-stricken areas, or in areas subject to snow or freezing conditions, where initiating perennial vegetative stabilization measures is not possible within 14 days after mining, exploration, and/or construction activity has temporarily ceased, temporary vegetative stabilization measures must be initiated as soon as practicable, but no later than XXX. Until temporary vegetative stabilization is achieved, interim measures such as erosion control blankets with an appropriate seed base and tackifiers must be employed. In areas of the site, where exploration and/or construction has permanently ceased prior to active mining, temporary stabilization measures must be implemented to minimize mobilization of sediment or other pollutants until such time as the active mining phase commences.

iii. Final Stabilization of Disturbed Areas. Stabilization measures must be initiated immediately in portions of the site where exploration and/or construction activities have permanently ceased, but in no case more than 14 days after the exploration and/or construction activity in that portion of the site has permanently ceased. In arid, semiarid, and drought-stricken areas, or in areas subject to snow or freezing conditions, or in areas subject to snow or freezing conditions, where initiating perennial vegetative stabilization measures is not possible within 14 days after mining, exploration, and/or construction activity has permanently ceased, temporary vegetative stabilization measures must be initiated as soon as possible. Until final stabilization is achieved temporary stabilization measures, such as erosion control blankets with an appropriate seed base and tackifiers, must be used.

5. Additional Technology-Based Effluent Limits.

a. Good Housekeeping Measures. As part of the good housekeeping program, use sweepers and covered storage, water haul roads to minimize dust generation, and conserve vegetation (where possible) to minimize erosion.

b. Preventive Maintenance. Perform inspections or other equivalent measures of storage tanks and pressure lines of fuels, lubricants, hydraulic fluid, and slurry to prevent leaks due to deterioration or faulty connections.

6. Additional SWPPP Requirements.

a. Other Applicable Regulations. Most active coal mining-related areas (SIC Codes 1221-1241) are subject to sediment and erosion control regulations of the U.S. Office of Surface Mining (OSM) that enforces the Surface Mining Control and Reclamation Act (SMCRA). OSM has granted authority to most coal-producing State to implement SMCRA through State SMCRA regulations. All SMCRA requirements regarding control of stormwater-related pollutant discharges must be addressed and then documented with the SWPPP (directly or by reference).

b. Site Map. Document in the SWPPP where any of the following may be exposed to precipitation or surface runoff: haul and access roads; railroad spurs, sliding, and internal hauling lines; conveyor belts, chutes, and aerial tramways; equipment storage and maintenance yards; coal handling buildings and structures; and inactive mines and related areas; acidic spoil, refuse, or unreclaimed disturbed areas; and liquid storage tanks containing pollutants such as caustics, hydraulic fluids, and lubricants.

c. Potential Pollutant Sources. Document in the SWPPP the following sources and activities that have potential pollutants associated with them: truck traffic on haul roads and resulting generation of sediment subject to runoff and dust generation; fuel or other liquid storage; pressure lines containing slurry, hydraulic

fluid, or other potential harmful liquids; and loading or temporary storage of acidic refuse or spoil.

7. Additional Inspection Requirements.

   a. Inspections of Active Mining-Related Areas. (See also Part IV) Except for areas of the site subject to clearing, grading, and/or excavation activities conducted as part of the exploration and construction phase, perform quarterly inspections of active mining areas covered by this permit, corresponding with the inspections as performed by SMCRA inspectors, of all mining-related areas required by SMCRA. Also maintain the records of the SMCRA authority representative.

   b. Sediment and Erosion Control. SMCRA requirements regarding sediment and erosion control measures must be complied with for those areas subject to SMCRA authority, including inspection requirements.

   c. Comprehensive Site Inspections. (See also Part IV.C.) The inspection program must include inspections for pollutants entering the drainage system from activities located on or near coal mining- related areas. Among the areas to be inspected are haul and access roads; railroad spurs, sliding, and internal hauling lines; conveyor belts, chutes, and aerial tramways; equipment storage and maintenance yards; coal handling buildings and structures; and inactive mines and related areas.

8. Sector-Specific Benchmarks. (See also Part VI of the permit.)

Table 8.H-1.

Subsector (The permittee may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
Subsector H1. Coal Mines and Related Areas (SIC 1221-1241)	Total Aluminum	0.75 mg/L
	Total Suspended Solids (TSS)	100 mg/L
	pH	6.0 - 9.0 s.u.

   a. Inactive and Unstaffed Sites – Conditional Exemption from No Exposure Requirement for Routine Inspections, Quarterly Visual Assessments, and Benchmark Monitoring. As a Sector H facility, if the permittee is seeking to exercise a waiver from either the quarterly visual assessment or the benchmark monitoring requirements for inactive and unstaffed sites (including temporarily inactive sites), the permittee is conditionally exempt from the requirement to certify that “there are no industrial materials or activities exposed to stormwater”. Additionally, if the permittee is seeking to reduce the required quarterly routine inspection frequency to a once annual comprehensive inspection, the permittee is also conditionally exempt from the requirement to certify that “there are no industrial materials or activities exposed to stormwater.” These conditional exemptions are based on the following requirements:

      i. If circumstances change and the facility becomes active and/or staffed, this exception no longer applies and the permittee must immediately begin complying with the applicable benchmark monitoring requirements as if the permittee was in the first year of permit coverage, and the quarterly visual assessment requirements; and

      ii. The Department retains the authority to revoke this exemption and/or the monitoring waiver where it is determined that the discharge causes, has a reasonable potential to cause or contribute to an instream excursion above an applicable water quality standard, including designated uses.

   Subject to the two conditions above, if the facility is inactive and unstaffed, the permittee is waived from the requirement to conduct quarterly visual assessments and routine facility inspections. The permittee is not waived from conducting the comprehensive site inspection. The permittee is encouraged to inspect the site more frequently where the permittee has reason to believe that severe weather or natural disasters may have damaged control measures or increased discharges.

9. Termination of Permit Coverage.

   a. Termination of Permit Coverage for Sites Reclaimed After December 17, 1990. A site or a portion of a site

that has been released from applicable state or federal reclamation requirements after December 17, 1990, is no longer required to maintain coverage under this permit. If the site or portion of a site reclaimed after December 17, 1990, was not subject to reclamation requirements, the site or portion of the site is no longer required to maintain coverage under this permit if the site or portion of the site has been reclaimed.

b. Termination of Permit Coverage for Sites Reclaimed Before December 17, 1990. A site or portion of a site that was released from applicable state or federal reclamation requirements before December 17, 1990, or that was otherwise reclaimed before December 17, 1990, is no longer required to maintain coverage under this permit if the site or portion of the site has been reclaimed. A site or portion of a site is considered to have been reclaimed if: (1) stormwater runoff that comes into contact with raw materials, intermediate byproducts, final products, and waste products does not have the potential to cause or contribute to violations of state water quality standards, (2) soil disturbing activities related to mining at the sites or portion of the site have been completed, (3) the site or portion of the site has been stabilized to minimize soil erosion, and (4) as appropriate depending on location, size, and the potential to contribute pollutants to stormwater discharges, the site or portion of the site has been revegetated, will be amenable to natural revegetation, or will be left in a condition consistent with the post-mining land use.

Subpart I – Sector I – Oil and Gas Extraction. The permittee must comply with Part VIII sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector- specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit

1. Covered Stormwater Discharges. The requirements in Subpart I apply to stormwater discharges associated with industrial activity from Oil and Gas Extraction facilities as identified by the SIC Codes specified under Sector I in Table B-1 of Appendix B of the permit.

   Discharges of stormwater runoff from field activities or operations associated with oil and gas exploration, production, processing, or treatment operations or transmission facilities are exempt from Department permit coverage unless, in accordance with 40 CFR 122.26(c)(1)(iii), the facility:

   a. Has had a discharge of stormwater resulting in the discharge of a reportable quantity for which notification is or was required pursuant to 40 CFR 117.21 or 40 CFR 302.6 at any time since November 16, 1987; or

   b. Has had a discharge of stormwater resulting in the discharge of a reportable quantity for which notification is or was required pursuant to 40 CFR 110.6 at any time since November 16, 1987; or

   c. Causes or contributes to a violation of a water quality standard.

   Any stormwater discharges that require permit coverage as a result of meeting one of the conditions of 40 CFR 122.26(c)(1)(iii) may be covered under this permit unless otherwise required to obtain coverage under an alternative Department general permit or an individual Department permit as specified in Part X.T.

2. Limitations on Coverage.

   a. Stormwater Discharges Subject to Effluent Limitation Guidelines. This permit does not authorize stormwater discharges from petroleum drilling operations that are subject to nationally established effluent limitation guidelines found at 40 CFR Part 435, respectively.

   b. Non-Stormwater Discharges. Discharges of vehicle and equipment wash water, including tank cleaning operations, are not authorized by this permit. Alternatively, wash water discharges must be authorized under a separate Department-issued permit or be discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements.

3. Additional Technology-Based Effluent Limits.

   a. Vegetative Controls. Implement vegetative practices designed to preserve existing vegetation, where attainable, and revegetate open areas as soon as practicable after grade drilling. Use the following (or equivalent measures): temporary or permanent seeding, mulching, sod stabilization, vegetative buffer strips, and tree protection practices. Begin implementing appropriate vegetative practices on all disturbed areas within 14 days following the last activity in that area.

4. Additional SWPPP Requirements.

   a. Drainage Area Site Map. Document in the SWPPP where any of the following may be exposed to precipitation or surface runoff: Reportable Quantity (RQ) releases; locations used for the treatment, storage, or disposal of wastes; processing areas and storage areas; chemical mixing areas; construction and drilling areas; all areas subject to the effluent guidelines requirements for “No Discharge” in accordance with 40 CFR 435.32; and the structural controls to achieve compliance with the “No Discharge” requirements.

   b. Potential Pollutant Sources. Also document in the SWPPP the following sources and activities that have potential pollutants associated with them: chemical, cement, mud, or gel mixing activities; drilling or mining activities; and equipment cleaning and rehabilitation activities. In addition, include information about the reportable quantity (RQ) release that triggered the permit application requirements: the nature of the release (e.g., spill of oil from a drum storage area), amount of oil or hazardous substance released, amount

of substance recovered, date of the release, cause of the release (e.g., poor handling techniques and lack of containment in the area), areas affected by the release (i.e., land and water), procedure to clean up release, actions or procedures implemented to prevent or improve response to a release, and remaining potential contamination of stormwater from release (taking into account human health risks, the control of drinking water intakes, and the designated uses of the receiving water).

c. Erosion and Sedimentation Control. Unless covered by the current Construction General Permit (CGP), the additional documentation requirements for sediment and erosion controls for well drillings and sand/shale mining areas include the following:

   i. Site Description. Also include a description in the SWPPP of the nature of the exploration activity, estimates of the total area of site and area disturbed due to exploration activity, an estimate of runoff coefficient of the site, a site drainage map, including approximate slopes, and the names of all receiving waters.

   ii. Vegetative Controls. Document vegetative practices used consistent with section I.3.a of this Subpart in the SWPPP.

5. Additional Inspection Requirements. All erosion and sedimentation control measures must be inspected every 7 days.

Subpart J – Sector J – Non- Metallic Mineral Dressing and Mining.

The permittee must comply with Part VIII sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

1. Covered Stormwater Discharges. The requirements in Subpart J apply to stormwater discharges associated with industrial activity from Active and Inactive Non-Metallic Mineral Mining and Dressing facilities as identified by the SIC Codes specified under Sector J in Table B-1 of Appendix B of the permit.

    a. Covered Discharges from Inactive Facilities. All stormwater discharges.
    .

    b. Covered Discharges from Active and Temporarily Inactive Facilities. All stormwater discharges, except for most stormwater discharges subject to the existing effluent limitation guideline at 40 CFR Part 436. Mine dewatering discharges composed entirely of stormwater or uncontaminated ground water seepage from: construction sand and gravel, industrial sand, and crushed stone mining facilities are covered by this permit.

    c. Covered Discharges from Exploration and Construction of Non-Metallic Mineral Mining Facilities. All stormwater discharges.

    d. Covered Discharges from Sites Undergoing Reclamation. All stormwater discharges.

2. Limitations on Coverage. Most stormwater discharges subject to an existing effluent limitation guideline at 40 CFR Part 436 are not authorized by this permit. The exceptions to this limitation, which are covered by this permit, are mine dewatering discharges composed entirely of stormwater or uncontaminated ground water seepage from construction sand and gravel, industrial sand, and crushed stone mining facilities.

3. Definitions. The following definitions are not intended to supersede the definitions of active and inactive mining facilities established by 40 CFR 122.26(b)(14)(iii).

    a. Mining operations - Consists of the active and temporarily inactive phases, and the reclamation phase, but excludes the exploration and construction phases.

    b. Exploration phase - Entails exploration and land disturbance activities to determine the financial viability of a site. The exploration phase is not considered part of “mining operations”.

    c. Construction phase - Includes the building of site access roads and removal of overburden and waste rock to expose mineable minerals. The construction phase is not considered part of “mining operations”.

    d. Active phase - Activities including the extraction, removal or recovery of minerals. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of “active mining area” found at 40 CFR 440.132(a). The active phase is considered part of “mining operations”.

    e. Reclamation phase - Activities undertaken, in compliance with applicable mined land reclamation requirements, following the cessation of the “active phase”, intended to return the land to an appropriate post-mining land use. The reclamation phase is considered part of "mining operations”.

        NOTE: The following definitions are not intended to supersede the definitions of active and inactive mining facilities established by 40 CFR 122.26(b)(14)(iii).

    f. Active Mineral Mining Facility - A place where work or other activity related to the extraction, removal, or recovery of minerals is being conducted. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of “active mining area” found at 40 CFR 440.132(a).

    g. Inactive Mineral Mining Facility - A site or portion of a site where mineral mining and/or milling occurred in the past but is not an active facility as defined above, and where the inactive portion is not covered by an

active mining permit issued by the applicable State or Federal agency. An inactive mineral mining facility has an identifiable owner / permittee. Sites where mining claims are being maintained prior to disturbances associated with the extraction, beneficiation, or processing of mined materials, and sites where minimal activities are undertaken for the sole purpose of maintaining a mining claim are not considered either active or inactive mining facilities and do not require a industrial stormwater permit.

h. Temporarily Inactive Mineral Mining Facility - A site or portion of a site where metal mining and/or milling occurred in the past but currently are not being actively undertaken, and the facility is covered by an active mining permit.

i. Final Stabilization - a site or portion of a site is “finally stabilized” when it has implemented all applicable Federal and State reclamation requirements.

j. Uncontaminated Discharge - a discharge that does not cause or contribute to an exceedance of applicable water quality standards.

4. Requirements Applicable to Earth-Disturbing Activities Conducted Prior to Active Mining Activities. Stormwater discharges from earth-disturbing activities conducted prior to active mining activities (defined in Part VIII,J.3.d) are covered under this permit. For such earth-disturbing activities, you must comply with all applicable requirements of this General Permit except for the technology-based effluent limits in Part VIII.J.5, the inspection requirements in Part VIII.J.8, and the monitoring requirements in Part VIII.J.9.

   Authorized discharges from areas where earth-disturbing activities have ceased and stabilization as specified in Part VIII.J.4.a.ix or VIII.J.4.b.xii, where appropriate, has been completed (stabilization is not required for areas where active mining activities will occur), are no longer subject to the Part VIII.J.4 requirements. At such time, authorized discharges become subject to all other applicable requirements in the General Permit, including the effluent limits in Part VIII.J.5, the inspection requirements in Part VIII.J.8, and the monitoring requirements in Part VIII.J.9.

   a. Technology-Based Effluent Limits Applicable to All Earth-Disturbing Activities Conducted Prior to Active Mining Activities. The following technology-based effluent limits apply to authorized discharges from all earth-disturbing activities conducted prior to active mining activities defined in Part VIII.J.3. These limits supersede the technology-based limits listed in Part VIII.8.J.5 of the General Permit.

      i. Erosion and sediment control installation requirements.
         - By the time construction activities commence, install and make operational downgradient sediment controls, unless this timeframe is infeasible. If infeasible you must install and make such controls operational as soon as practicable or as soon as site conditions permit.
         - All other stormwater controls described in the SWPPP must be installed and made operational as soon as conditions on each portion of the site allows.

      ii. Erosion and sediment control maintenance requirements. You must:
         - Ensure that all erosion and sediment controls remain in effective operating condition.
         - Wherever you determine that a stormwater control needs maintenance to continue operating effectively, initiate efforts to fix the problem immediately after its discovery, and complete such work by the end of the next workday.
         - When a stormwater control must be replaced or significantly repaired, complete the work within 7 days, unless infeasible. If 7 days is infeasible, you must complete the installation or repair as soon as is practicable.

      iii. Perimeter controls. You must:
         - Install sediment controls along those perimeter areas of your disturbed area that will receive stormwater, except where site conditions prevent the use of such control, in which case maximize their installation to the extent practicable.
         - Remove sediment before it accumulates to one-half of the above-ground height of any perimeter control.

      iv. Sediment track-out. For construction vehicles and equipment exiting the site directly onto paved roads, you must:

- Use appropriate stabilization techniques to minimize sediment track-out from vehicles and equipment prior to exit.
- Use additional controls to remove sediment from vehicles and equipment tires prior to exit, where necessary.
- Remove sediment that is tracked out onto paved roads by the end of the workday.

The Department recognize that some fine grains may remain visible on the surfaces of off-site streets, other paved areas, and sidewalks even after you have implemented sediment removal practices. Such "staining" is not a violation of Part VIII.J.4.a.iv.

v. Soil or sediment stockpiles. You must:
- Minimize erosion of stockpiles from stormwater and wind via temporary cover, if feasible.
- Prevent up-slope stormwater flow from causing erosion of stockpiles by diverting flows around the stockpile.
- Minimize sediment from stormwater that runs off of stockpiles, using sediment controls such as a sediment barrier or downslope sediment control.

vi. Sediment basins. If you intend to install a sediment basin to treat stormwater from your earth-disturbing activities, you must:
- Provide storage for either (1) the 2-year, 24-hour storm, or (2) 3,600 cubic feet per acre drained.
- Prevent erosion of (1) basin embankments using stabilization controls, such as erosion control blankets, and (2) the inlet and outlet points of the basin using erosion controls and velocity dissipation devices.

vii. Minimize dust. You must minimize the generation of dust through the appropriate application of water or other dust suppression techniques that minimize pollutants being discharged into surface waters.

viii. Restrictions on use of treatment chemicals. If you intend to use sediment treatment chemicals at your site, you are subject to the following minimum requirements:
- Use conventional erosion and sediment controls prior to and after application of chemicals.
- Select chemicals suited to soil type, and expected turbidity, pH, flow rate.
- Minimize the discharge risk from stored chemicals.
- Comply with local requirements.
- Use chemicals in accordance with good engineering practices and specifications of chemical supplier.
- Ensure proper training.
- Provide proper SWPPP documentation.

ix. Site stabilization requirements for earth-disturbing activities performed for purposes of mine site preparation. You must comply with the following stabilization requirements except where the intended function of the site accounts for such disturbed earth (e.g., the earth disturbances will become actively mined, or the controls implemented at the active mining area effectively control the disturbance):
- Temporary stabilization of disturbed areas. Stabilization measures must be initiated immediately in portions of the site where earth-disturbing activities performed for purposes of mine site preparation have temporarily ceased, but in no case more than 14 days after such activities have temporarily ceased. In areas subject to snow or freezing conditions, where initiating perennial vegetative stabilization measures is not possible within 14 days after earth-disturbing activities performed for purposes of mine site preparation has temporarily ceased, temporary vegetative stabilization measures must be initiated as soon as practicable. Until temporary vegetative stabilization is achieved, interim measures such as erosion control blankets with an appropriate seed base and tackifiers must be employed. In areas of the site where earth-disturbing activities performed for purposes of mine site preparation have permanently ceased prior to active mining, temporary stabilization measures must be implemented to minimize mobilization of sediment or other pollutants until active mining activities commence.
- Final stabilization of disturbed areas. Stabilization measures must be initiated immediately where earth-disturbing activities performed for purposes of mine site preparation have permanently ceased, but in no case more than 14 days after the earth-disturbing activities have permanently ceased. In areas subject to snow or freezing conditions, where initiating perennial vegetative

stabilization measures is not possible within 14 days after earth-disturbing activities have permanently ceased, final vegetative stabilization measures must be initiated as soon as possible. Until final stabilization is achieved, temporary stabilization measures, such as erosion control blankets with an appropriate seed base and tackifiers, must be used,

b. Additional Technology-Based Effluent Limits Applicable Only to the Construction of Staging Areas for Structures and Access Roads. The following technology-based effluent limits apply to authorized discharges from earth-disturbing activities associated with the construction of staging areas and the construction of access roads. These limits supersede the technology-based effluent limits listed in Part VIII.J.5 of the General Permit. These limits do not apply to earth-disturbing activities performed for purposes of mine site preparation.

i. Area of disturbance. You must minimize the amount of soil exposed during construction activities.

ii. Erosion and sediment control design requirements. You must:

- Design, install and maintain effective erosion and sediment controls to minimize the discharge of pollutants from construction activities. Account for the following factors in designing your erosion and sediment controls: (1) the expected amount, frequency, intensity and duration of precipitation; (2) the nature of stormwater runoff and run-on at the site, including factors such as impervious surfaces, slopes and site drainage features; (3) the range of soil particle sizes expected to be present on the site.
- Direct discharges from your stormwater controls to vegetated areas of your site to increase sediment removal and maximize stormwater infiltration, including any natural buffers, unless infeasible. Use velocity dissipation devices if necessary, to prevent erosion when directing stormwater to vegetated areas.
- If any stormwater flow becomes or will be channelized at your site, you must design erosion and sediment controls to control both peak flowrates and total stormwater volume to minimize channel and streambank erosion and scour in the immediate vicinity of discharge points.
- If you install stormwater conveyance channels, they must be designed to avoid unstabilized areas on the site and to reduce erosion, unless infeasible. In addition, you must minimize erosion of channels and their embankments, outlets, adjacent streambanks, slopes, and downstream waters during discharge conditions through the use of erosion controls and velocity dissipation devices within and along the length of any constructed stormwater conveyance channel, and at any outlet to provide a non-erosive flow velocity.

iii. Natural Buffers. For any stormwater discharges from construction activities within 50 feet of a water of the U.S., you must comply with one of the following compliance alternatives:

- Provide a 50-foot undisturbed natural buffer between construction activities and the water of the U.S.; or
- Provide an undisturbed natural buffer that is less than 50 feet supplemented by additional erosion and sediment controls, which in combination, achieve a sediment load reduction that is equivalent to a 50-foot undisturbed natural buffer; or
- If it is infeasible to provide an undisturbed natural buffer of any size, implement erosion and sediment controls that achieve a sediment load reduction that is equivalent to a 50-foot undisturbed natural buffer.
- There are exceptions when buffer requirements do not apply:
  - There is no stormwater discharge from construction disturbances to a water of the U.S.;
  - The natural buffer has already been eliminated by preexisting development disturbances;
  - The disturbance is for the construction of a water-dependent structure or construction approved under a CWA section 404 permit;
  - For linear construction projects, you are not required to comply with the requirements if there are site constraints provided that, to the extent feasible, you limit disturbances within 50 feet of a water of the U.S. and/or you provide supplemental erosion and sediment controls to treat stormwater discharges from any disturbances within 50 feet of a water of the U.S.

iv. Soil or sediment stockpiles. In addition to the requirements in Part VIII.J.4.a.v., you must locate any piles outside of any natural buffers established under Part VIII.J.4.b.iii.

v. Sediment basins. In addition to the requirements in Part VIII.J.4.1.a.vi, you must locate sediment basins outside of any surface waters and any natural buffers established under Part VIII.J.4.b.iii, and you must

utilize outlet structures that withdraw water from the surface, unless infeasible.

vi. Native topsoil preservation. You must preserve native topsoil removed during clearing, grading, or excavation, unless infeasible. Store topsoil in a manner that will maximize its use in reclamation or final vegetative stabilization. This requirement does not apply if the intended function of the disturbed area dictates that topsoil be disturbed or removed.

vii. Steep slopes. You must minimize the disturbance of steep slopes. The permit does not prevent or prohibit disturbances on steep slopes.

Depending on site conditions and needs, disturbance on steep slopes may be necessary, such as for grading steep slopes prior to erecting the mine office. Where steep slope disturbances are necessary, you can minimize the disturbances to steep slopes through the implementation of a number of standard erosion and sediment control practices, such as by phasing disturbances in these areas and using stabilization practices specifically for steep grades.

viii. Soil compaction. Where final vegetative stabilization will occur or where infiltration practices will be installed, you must either restrict vehicle and equipment use in these areas to avoid soil compaction or use soil conditioning techniques to support vegetative growth. Minimizing soil compaction is not required where compacted soil is integral to the functionality of the site.

ix. Dewatering practices. You are prohibited from discharging ground water or accumulated stormwater that is removed from excavations, trenches, foundations, vaults or similar points of accumulation, unless such waters are first effectively managed by appropriate controls such as sediment basins or traps, sediment socks, dewatering tanks, tube settlers, weir tanks, or filtration systems. Uncontaminated, non-turbid dewatering water can be discharged without being routed to a control. You must also meet the following requirements for dewatering activities:

- Discharge Requirements:
  - No discharging visible floating solids or foam;
  - Remove oil, grease and other pollutants from dewatering water via an oil-water separator or suitable filtration device such as a cartridge filter;
  - Utilize vegetated upland areas of the site, to the extent feasible, to infiltrate dewatering water before discharge. In no case shall Waters of the U.S. be considered part of the treatment area;
  - Implement velocity dissipation devices at all points where dewatering water is discharged;
  - Haul backwash water away for disposal or return it to the beginning of the treatment process; and
  - Clean or replace the filter media used in dewatering devices when the pressure differential equals or exceeds the manufacturer's specifications.
- Treatment chemical restrictions. If you use polymers, flocculants or other chemicals to treat dewatering water, you must comply with the requirements in Part VIII.J.4.a.viii

x. Pollution prevention requirements

- Prohibited discharges. This non-exhaustive list of prohibited non-stormwater discharges is included here as a reminder that the only allowable non-stormwater discharges are those enumerated In Part I.A.2.:
  - Wastewater from washout of concrete;
  - Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds, and other construction materials;
  - Fuels, oils, or other pollutants used for operation and maintenance of vehicles or equipment;
  - Soaps, solvents, or detergents used in vehicle or equipment washing;
  - Toxic or hazardous substances from a spill or other release.
- Design and location requirements. Minimize the discharge of pollutants from pollutant sources by:
  - Minimizing exposure;
  - Using secondary containment, spill kits, or other equivalent measures;
  - Locating pollution sources away from surface waters, storm sewer inlets, and drainageways;
  - Cleaning up spills immediately. Do not clean by hosing area down.
  - Pollution prevention requirements for wash waters. Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters, Wash waters must

be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge;

- Pollution prevention requirements for the storage, handling, and disposal of construction products, materials, and wastes. Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, and other materials present on the site to stormwater. Minimization of exposure is not required in cases where the exposure to stormwater will not result in a discharge of pollutants or where exposure of a specific material or product poses little risk of stormwater contamination, such as final products and materials intended for outdoor use.

xi. Site stabilization requirements for the construction of staging areas for structures and access roads as defined in Part VIII.J.3.c. You must comply with the following stabilization requirements, except where the intended function of the site accounts for such disturbed earth, such as the area of construction will become actively mined, or the controls implemented at the active mining area effectively control the disturbance:

- By no later than the end of the next workday after construction work in an area has stopped permanently or temporarily, immediately initiate stabilization measures. “Temporarily” means the land will be idle for a period of 14 days or more but earth-disturbing activities will resume in the future;
- If using vegetative measures, by no later than 14 days after initiating stabilization:
  - Seed or plant the area, and provide temporary cover to protect the planted area;
  - Once established, vegetation must be uniform, perennial if the final stabilization, and covered at least 70% of the stabilized area based on density of native vegetation.
- If using non-vegetative stabilization, by no later than 14 days after initiating stabilization:
  - Install or apply all non-vegetative measures;
  - Cover all areas of exposed soil.

For the purposes of this permit, The Department will consider any of the following types of activities to constitute the initiation of stabilization: 1. Prepping the soil for vegetative or non-vegetative stabilization; 2. Applying mulch or other non-vegetative product to the exposed area; 3. Seeding or planting the exposed area; 4. Starting any of the activities in #1-3 on a portion of the area to be stabilized, but not on the entire area; and 5. Finalizing arrangements to have stabilization product fully installed in compliance with the applicable deadline for completing stabilization.

Exceptions for sites affected by severe storm events or other unforeseen circumstances are as follows:

- Initiate vegetative stabilization as soon as conditions on the site allow;
- Document the schedule that will be followed for initiating and completing vegetative stabilization;
- Plant the area so that within 3 years the 70% cover requirement is met.

c. Water Quality-Based Requirements Applicable to Earth-Disturbing Activities Conducted Prior to Active Mining Activities.

The following water quality-based limits apply to earth-disturbing activities conducted prior to active mining activities, in addition to the water quality-based limits in Part II.E.9.

Stricter requirements apply if your site will discharge to an impaired water or a water that is identified by the Department as ERES Waters for antidegradation purposes:

i. More rapid stabilization of exposed areas: Complete initial stabilization activities within 7 days of stopping construction work.

ii. More frequent site inspections: Once every 7 days and within 24 hours of a storm event of 0.25 inches or greater.

d. Inspection Requirements Applicable to Earth-Disturbing Activities Conducted Prior to Active Mining Activities.

The following requirements supersede the inspection requirements in Part III and Part VIII.J.8 for disturbing activities conducted prior to active mining activities.

i. Inspection Frequency
- At least once every 7 calendar days, or
- Once every 14 calendar days and within 24 hours of a storm event of 0.25 inches or greater.
- Note:
  - Inspections are only required during working hours;
  - Inspections are not required during unsafe conditions; and
  - If you choose to inspect once every 14 days, you must have a method for measuring rainfall amount on site, such as a rain gauge or representative weather station.

- Note: You are required to specify in your SWPPP which schedule you will be following.

- Note: "Within 24 hours of the occurrence of a storm event" means that you are required to conduct an inspection within 24 hours once a storm event has produced 0.25 inches, even if the storm event is continuing. Thus, if you have elected to inspect bi-weekly and there is a storm event at your site that continues for multiple days, and each day of the storm produces 0.25 inches or more of rain, you are required to conduct an inspection within 24 hours of the first day of the storm and within 24 hours after the end of the storm.

ii. Reductions in Inspection Frequency
- Stabilized areas: You may reduce the frequency of inspections to once per month in any area of your site where stabilization has occurred pursuant to Part VIII.J.4.a.ix or Part VIII.J.4.b.xi.
- Frozen conditions: You may temporarily suspend or reduce inspections to once per month until thawing conditions occur if frozen conditions are continuous and disturbed areas have been stabilized. For extreme conditions in remote areas where transit to the site is perilous/restricted or temperatures are routinely below freezing, you may suspend inspections until the conditions are conducive to safe access, and more frequent inspections can resume.

iii. Areas to be Inspected: You must at a minimum inspect all of the following areas:
- Disturbed areas;
- Stormwater controls and pollution prevention measures;
- Locations where stabilization measures have been implemented;
- Material, waste, borrow, or equipment storage and maintenance areas;
- Areas where stormwater flows;
- Points of discharge.

iv. What to Check for During Inspections. At a minimum, you must check:
- Whether all stormwater controls are installed, operational and working as intended;
- Whether any new or modified stormwater controls are needed;
- For conditions that could lead to a spill or leak;
- For visual signs of erosion or sedimentation at points of discharge.
  - If a discharge is occurring, you must also check the quality and characteristics of the discharge and whether controls are operating effectively.

v. Inspection Report. Within 24 hours of an inspection, complete a report that includes:
- Inspection date;
- Name and title of inspector(s);
- Summary of inspection findings;
- Rainfall amount that triggered the inspection (if applicable);
- If it was unsafe to inspect a portion of the site, including documentation of the reason and the location(s);
- Each inspection report must be signed;
- Keep a current copy of all reports at the site or at an easily accessible location.

e. Cessation of Requirements Applicable to Earth-Disturbing Activities Conducted Prior to Active Mining Activities. The requirements in Part VIII.J.4 no longer apply for any earth-disturbing activities conducted prior to active mining activities were:

i. Earth-disturbing activities have ceased; and

ii. Stabilization has been met consistent with Part VIII.J.4.a.ix or Part VIII.J.4.b.xi. Stabilization is not required for areas where active mining activities will occur.

5. Technology-Based Effluent Limits for Clearing, Grading, and Excavation Activities. Clearing, grading, and excavation activities being conducted as part of the exploration and construction phase of mining activities are covered under this permit.

   a. Management Practices for Clearing, Grading, and Excavation Activities.

      i. Selecting and installing control measures. For all areas affected by clearing, grading, and excavation activities, the permittee must select, design, install, and implement control measures that meet applicable Part II effluent limits.
      ii. Good Housekeeping. Litter, debris, and chemicals must be prevented from becoming a pollutant source in stormwater discharges.
      iii. Retention and Detention of Stormwater Runoff. For drainage locations serving more than one acre, sediment basins and/or temporary sediment traps must be used. At a minimum, silt fences, vegetative buffer strips, or equivalent sediment controls are required for all down slope boundaries (and for those side slope boundaries deemed appropriate as dictated by individual site conditions) of the development area unless a sediment basin providing storage for a calculated volume of runoff from a 2-year, 24-hour storm or 3,600 cubic feet of storage per acre drained is provided.

   b. Inspection of Clearing, Grading, and Excavation Activities. (See also Part IV)

      i. Inspection Frequency. Inspections must be conducted either at least once every 7 calendar days or at least once every 14 calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater. Inspection frequency may be reduced to at least once every month if the entire site is temporarily stabilized (pursuant to Part VIII.J.4.c.ii), if runoff is unlikely due to frozen conditions (e.g., site is covered with snow, ice, or the ground is frozen), or construction is occurring during seasonal arid periods in arid areas and semi-arid areas.
      ii. Location of Inspections. Inspections must include all areas of the site disturbed by clearing, grading, and/or excavation activities and areas used for storage of materials that are exposed to precipitation. Sedimentation and erosion control measures implemented must be observed to ensure proper operation. Discharge locations must be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to waters of the State, where accessible. Where discharge locations are inaccessible, nearby downstream locations must be inspected to the extent that such inspections are practicable. Locations where vehicles enter or exit the site must be inspected for evidence of significant off-site sediment tracking.
      iii. Inspection Reports. For each inspection required above, the permittee must complete an inspection report.

   c. Requirements for Cessation of Clearing, Grading, and Excavation Activities.

      i. Inspections and Maintenance. Inspections and maintenance of control measures, including any BMPs, associated with clearing, grading, and/or excavation activities being conducted as part of the exploration and construction phase of a mining operation must continue until final stabilization has been achieved on all portions of the disturbed area or until the commencement of the active mining phase for those areas that have been temporarily stabilized as a precursor to mining.
      ii. Temporary Stabilization of Disturbed Areas. Stabilization measures must be initiated immediately in portions of the site where clearing, grading and/or excavation activities have temporarily ceased, but in no case more than 14 days after the clearing, grading and/or excavation activities in that portion of the site have temporarily ceased. In arid, semiarid, and drought-stricken areas, or in areas subject to snow or freezing conditions, where initiating perennial vegetative stabilization measures is not possible within 14 days after mining, exploration, and/or construction activity has temporarily ceased, temporary vegetative stabilization measures must be initiated as soon as practicable. Until temporary vegetative stabilization is achieved, interim measures such as erosion control blankets with an appropriate seed base and tackifiers must be employed. In areas of the site, where exploration and/or construction has permanently ceased prior to active mining, temporary stabilization measures must be implemented to minimize mobilization of sediment or other pollutants until such time as the active mining phase commences.

iii. Final Stabilization of Disturbed Areas. Stabilization measures must be initiated immediately in portions of the site where mining, exploration, and/or construction activities have permanently ceased, but in no case more than 14 days after the exploration and/or construction activity in that portion of the site has permanently ceased. In arid, semiarid, and drought-stricken areas, or in areas subject to snow or freezing conditions, where initiating perennial vegetative stabilization measures is not possible within 14 days after mining, exploration, and/or construction activity has permanently ceased, final vegetative stabilization measures must be initiated as soon as possible. Until final stabilization is achieved temporary stabilization measures, such as erosion control blankets with an appropriate seed base and tackifiers must be used.

6. Additional Technology-Based Effluent Limits.

   a. Employee Training. Conduct employee training at least annually at active and temporarily inactive sites.

   b. Stormwater Controls. Apart from the control measures the permittee implements to meet the Part II. effluent limits, where necessary to minimize pollutant discharges, implement the following control measures at the site. The potential pollutants shall determine the priority and appropriateness of the control measures selected.

      i. Stormwater Diversions: Divert stormwater away from potential pollutant sources. Following are some control measure options: interceptor or diversion controls (e.g., dikes, swales, curbs, or berms); pipe slope drains; subsurface drains; conveyance systems (e.g., channels or gutters, open-top box culverts, and waterbars; rolling dips and road sloping; roadway surface water deflector and culverts); or their equivalents.
      ii. Capping: When capping is necessary to minimize pollutant discharges in stormwater, identify the source being capped and the material used to construct the cap.
      iii. Treatment: If treatment of stormwater (e.g., chemical or physical systems, oil and water separators, artificial wetlands) is necessary to protect water quality, describe the type and location of treatment used. Passive and/or active treatment of stormwater runoff is encouraged. Treated runoff may be discharged as a stormwater source regulated under this permit provided the discharge is not combined with discharges subject to effluent limitation guidelines for the Mineral Mining and Processing Point Source Category (40 CFR Part 436).

   c. Certification of Discharge Testing: Test or evaluate all discharge points covered under this permit for the presence of specific mining-related non-stormwater discharges such as discharges subject to effluent limitations guidelines (e.g., 40 CFR Part 436). Alternatively (if applicable), the permittee may keep a certification with the SWPPP.

7. Additional SWPPP Requirements. The requirements applicable for sites undergoing exploration and construction, active mineral mining facilities, temporarily inactive mineral mining facilities, and sites undergoing reclamation are not applicable to inactive mineral mining facilities.

   a. Nature of Industrial Activities. Document in the SWPPP the mining and associated activities that can potentially affect the stormwater discharges covered by this permit, including a general description of the location of the site relative to major transportation routes and communities.

   b. Site Map. Document in the SWPPP the locations of the following (as appropriate): mining or milling site boundaries; access and haul roads; outline of the drainage areas of each stormwater discharge point within the facility with indications of the types of discharges from the drainage areas; location(s) of all permitted discharges covered under an individual permit, outdoor equipment storage, fueling, and maintenance areas; materials handling areas; outdoor manufacturing, outdoor storage, and material disposal areas; outdoor chemicals and explosives storage areas; overburden, materials, soils, or waste storage areas; location of mine drainage dewatering or other process water; heap leach pads; off-site points of discharge for mine dewatering and process water; surface waters; boundary of tributary areas that are subject to effluent limitations guidelines; and location(s) of reclaimed areas.

   c. Potential Pollutant Sources. For each area of the mine or mill site where stormwater discharges associated with industrial activities occur, document in the SWPPP the types of pollutants (e.g., heavy metals, sediment) likely to be present in significant amounts. For example, phosphate mining facilities will likely

need to document pollutants such as selenium, which can be present in significant amounts in their discharges. Consider these factors: the mineralogy of the waste rock (e.g., acid forming); toxicity and quantity of chemicals used, produced, or discharged; the likelihood of contact with stormwater; vegetation of site (if any); and history of significant leaks or spills of toxic or hazardous pollutants. Also include a summary of any existing waste rock or overburden characterization data and test results for potential generation of acid rock drainage.

d. Stormwater Controls. Document the control measures in the SWPPP. If control measures are implemented or planned but are not listed here (e.g., substituting a less toxic chemical for a more toxic one), include descriptions of them in the SWPPP.

e. Employee Training. All employee training(s) must be documented with the SWPPP.

f. Certification of Permit Coverage for Commingled Non-Stormwater Discharges. If the permittee determines that the permittee is able to certify that a particular discharge composed of commingled stormwater and non-stormwater is covered under a separate Department permit, and that permit subjects the non-stormwater portion to effluent limitations prior to any commingling, the permittee must retain such certification with the SWPPP. This certification must identify the non-stormwater discharges, the applicable permit(s), the effluent limitations placed on the non-stormwater discharge by the permit(s), and the points at which the limitations are applied.

8. Additional Inspection Requirements. Except for areas of the site subject to clearing, grading, and/or excavation activities conducted as part of the exploration and construction phase, the permittee must inspect sites at least quarterly unless adverse weather conditions make the site inaccessible. Sites which discharge to waters which are designated as outstanding waters or waters which are impaired for sediment or nitrogen must be inspected monthly.

9. Sector-Specific Benchmarks. Table VIII.J-1 identifies benchmarks that apply to the specific subsectors of Sector J. These benchmarks apply to both the primary industrial activity and any co-located industrial activities, which describe the site activities.

Table VIII.J-1.

Subsector (The permittee may be subject to requirements for more than one sector/subsector)	**Parameter**	**Benchmark Monitoring Concentration**
Subsector J1. Sand and Gravel Mining (SIC 1442, 1446)	Nitrate plus Nitrite Nitrogen	0.68 mg/L
	Total Suspended Solids (TSS)	100 mg/L
	pH	6.0 - 9.0 s.u.
Subsector J2. Dimension and Crushed Stone and Nonmetallic Minerals (except fuels) (SIC 1411, 1422-1429, 1481, 1499)	Total Suspended Solids (TSS)	100 mg/L
	pH	6.0 - 9.0 s.u.

a. Inactive and Unstaffed Sites – Conditional Exemption from No Exposure Requirement for Routine Inspections, Quarterly Visual Assessments, and Benchmark Monitoring. As a Sector J facility, if the permittee is seeking to exercise a waiver from either the routine inspection, quarterly visual assessment or the benchmark monitoring requirements for inactive and unstaffed sites (including temporarily inactive sites), the permittee is conditionally exempt from the requirement to certify that “there are no industrial materials or activities exposed to stormwater.” This exemption is conditioned on the following:

i. If circumstances change and the facility becomes active and/or staffed, this exception no longer applies and the permittee must immediately begin complying with the applicable benchmark monitoring requirements as if the permittee were in the first year of permit coverage, and the quarterly visual assessment requirements; and

ii. The Department retains the authority to revoke this exemption and/or the monitoring waiver where it is determined that the discharge causes, has a reasonable potential to cause, or contributes to an instream excursion above an applicable water quality standard, including designated uses.

Subject to the two conditions above, if the facility is inactive and unstaffed, the permittee is waived from the requirement to conduct quarterly visual assessments and routine facility inspections. The permittee is not waived from conducting the comprehensive site inspection. The permittee is encouraged to inspect the site more frequently where the permittee has reason to believe that severe weather or natural disasters may have damaged control measures or increased discharges.

10. Effluent Limitations Based on Effluent Limitations Guidelines**.** Table VIII.J-2 identifies effluent limits that apply to the industrial activities described below. Compliance with these effluent limits is to be determined based on discharges from these industrial activities independent of commingling with any other waste streams that may be covered under this permit.

Table VIII.J-2

Industrial Activity	Parameter	Effluent Limit[1]
Mine dewatering discharges at crushed stone mining facilities (SIC 1422 - 1429), construction sand and gravel mining facilities (SIC 1442), and industrial sand mining facilities (SIC 1446)	Total Suspended Solids (TSS)	25 mg/L, monthly avg.
		45 mg/L, daily maximum
	pH	6.0 - 9.0 s.u.

[1] Monitor Annually

11. Termination of Permit Coverage.

a. Termination of Permit Coverage for Sites Reclaimed After December 17, 1990. A site or a portion of a site that has been released from applicable state or federal reclamation requirements after December 17, 1990, is no longer required to maintain coverage under this permit. If the site or portion of a site reclaimed after December 17, 1990, was not subject to reclamation requirements, the site or portion of the site is no longer required to maintain coverage under this permit if the site or portion of the site has been reclaimed.

b. Termination of Permit Coverage for Sites Reclaimed Before December 17, 1990. A site or portion of a site that was released from applicable state or federal reclamation requirements before December 17, 1990, or that was otherwise reclaimed before December 17, 1990, is no longer required to maintain coverage under this permit if the site or portion of the site has been reclaimed. A site or portion of a site is considered to have been reclaimed if: (1) stormwater runoff that comes into contact with raw materials, intermediate byproducts, final products, and waste products does not have the potential to cause or contribute to violations of state water quality standards, (2) soil disturbing activities related to mining at the sites or portion of the site have been completed, (3) the site or portion of the site has been stabilized to minimize soil erosion, and (4) as appropriate depending on location, size, and the potential to contribute pollutants to stormwater discharges, the site or portion of the site has been revegetated, will be amenable to natural revegetation, or will be left in a condition consistent with the post-mining land use.

Subpart K – Sector K – Hazardous Waste Treatment, Storage, or Disposal Facilities.

The permittee must comply with sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

1. Covered Stormwater Discharges. The requirements in Subpart K apply to stormwater discharges associated with industrial activity from Hazardous Waste Treatment, Storage, or Disposal facilities (TSDFs) as identified by the Activity Code specified under Sector K in Table B-1 of Appendix B of the permit.

2. Industrial Activities Covered by Sector K. This permit authorizes stormwater 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.

   Disposal facilities that have been properly closed and capped, and have no significant materials exposed to stormwater, are considered inactive and do not require permits.

3. Limitations on Coverage.

   a. Prohibition of Non-Stormwater Discharges. The following are not authorized by this permit: leachate, gas collection condensate, drained free liquids, contaminated ground water, laboratory-derived wastewater, and contact wash water from washing truck and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility.

4. Definitions.

   a. Contaminated stormwater - stormwater that comes into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater. Some specific areas of a landfill that may produce contaminated stormwater 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.

   b. Drained free liquids - aqueous wastes drained from waste containers (e.g., drums) prior to landfilling.

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

   d. 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 stormwater, 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 stormwater, and contact wash water from washing truck, equipment, and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility.

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

   f. Non-contaminated Stormwater - stormwater that does not come into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater. Non-contaminated stormwater includes stormwater that flows off the cap, cover, intermediate cover, daily cover, and/or final cover of the landfill.

5. Sector-Specific Benchmarks. Table VIII.K-1 identifies benchmarks that apply to the specific subsectors of Sector K. These benchmarks apply to both the primary industrial activity and any co-located industrial activities, which describe the site activities.

Table VIII.K-1.		
Subsector (The permittee may be subject to requirements for more than one sector/subsector)	**Parameter**	**Benchmark Monitoring Concentration**
Subsector K1. ALL - Industrial Activity Code "HZ" (Note: permit coverage limited in some State). Benchmarks only applicable to discharges not subject to effluent limitations in 40 CFR Part 445 Subpart A (see below).	Ammonia	2.14 mg/L
	Chemical Oxygen Demand (COD)	120 mg/L
	Total Arsenic (freshwater discharges)	0.15 mg/ L
	Total Arsenic (saltwater discharges)	0.069 mg/L
	Total Cadmium[1] (freshwater discharges)	Hardness Dependent[1]
	Total Cadmium (saltwater discharges)	0.033 mg/L
	Total Cyanide (freshwater discharges)	0.022 mg/ L
	Total Cyanide (saltwater discharges)	0.001 mg/L
	Total Lead[1] (freshwater discharges)	Hardness Dependent[1]
	Total Lead (saltwater discharges)	0.21 mg/L
	Total Mercury (freshwater discharges)	0.0014 mg/ L
	Total Mercury (saltwater discharges)	0.0018 mg/L
	Total Selenium (freshwater discharges)	0.0015 mg/L for still/standing (lentic) water 0.0031 mg/L for flowing (lotic) water
	Total Selenium (saltwater discharges)	0.29 mg/L
	Total Silver[1] (freshwater discharges)	Hardness Dependent[1]
	Total Silver (saltwater discharges)	0.0019 mg/L
	pH	6.0 - 9.0 s.u.

[1] The benchmark values of some metals are dependent on water hardness for freshwater discharges. For these parameters, permittees must determine the hardness of the receiving freshwater body (see Appendix C, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part VI.B.1.a, to identify the applicable 'hardness range' for determining their benchmark value applicable to their facility. The ranges occur in 25 mg/L increments. Hardness Dependent Benchmarks follow in the table below:

Water Hardness Range	**Cadmium** (mg/L)	**Lead** (mg/L)	**Silver** (mg/L)
0-24.99 mg/L	0.00049	0.014	0.00037
25-49.99 mg/L	0.00073	0.024	0.0008
50-74.99 mg/L	0.0012	0.045	0.0019
75-99.99 mg/L	0.0017	0.069	0.0033
100-124.99 mg/L	0.0021	0.095	0.0050
125-149.99 mg/L	0.0026	0.123	0.0071
150-174.99 mg/L	0.0031	0.151	0.0094
175-199.99 mg/L	0.0035	0.182	0.012
200-224.99 mg/L	0.0040	0.213	0.015
225-249.99 mg/L	0.0044	0.246	0.018
250+ mg/L	0.0047	0.262	0.02

6. Effluent Limitations Based on Effluent Limitations Guidelines (See also Part III.C.5 of the permit). Table VIII.K-2 identifies effluent limits that apply to the industrial activities described below. Compliance with these effluent limits is to be determined based on discharges from these industrial activities independent of commingling with any other waste streams that may be covered under this permit.

Table VIII.K-2[1]

Industrial Activity	Parameter	Effluent Limit
Discharges from hazardous waste landfills subject to effluent limitations in 40 CFR Part 445 Subpart A (see footnote).	Biochemical Oxygen Demand (BOD5)	220 mg/L, daily maximum
		56 mg/L, monthly avg. maximum
	Total Suspended Solids (TSS)	88 mg/L, daily maximum
		27 mg/L, monthly avg. maximum
	Ammonia	10 mg/L, daily maximum
		4.9 mg/L, monthly avg. maximum
	Alpha Terpineol	0.042 mg/L, daily maximum
		0.019 mg/L, monthly avg. maximum
	Aniline	0.024 mg/L, daily maximum
		0.015 mg/L, monthly avg. maximum
	Benzoic Acid	0.119 mg/L, daily maximum
		0.073 mg/L, monthly avg. maximum
	Naphthalene	0.059 mg/L, daily maximum
		0.022 mg/L, monthly avg. maximum
	p-Cresol	0.024 mg/L, daily maximum
		0.015 mg/L, monthly avg. maximum
	Phenol	0.048 mg/L, daily maximum
		0.029 mg/L, monthly avg. maximum
	Pyridine	0.072 mg/L, daily maximum
		0.025 mg/L, monthly avg. maximum
	Total Arsenic	1.1 mg/L, daily maximum
		0.54 mg/L, monthly avg. maximum
	Total Chromium	1.1 mg/L, daily maximum
		0.46 mg/L, monthly avg. maximum
	Total Zinc	0.535 mg/L, daily maximum
		0.296 mg/L, monthly avg. maximum
	pH	6.0 - 9.0 s.u.

1 Monitor annually. As set forth at 40 CFR Part 445 Subpart A, these numeric limitations apply to contaminated stormwater 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 following facilities:

(a) landfills operated in conjunction with other industrial or commercial operations when the landfill receives only 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 that 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 that the other wastes received are of similar nature to the wastes generated by the industrial or commercial operation;

(c) landfills operated in conjunction with Centralized Waste Treatment (CWT) facilities subject to 40 CFR Part 437, so long as the CWT facility commingles the landfill wastewater with other non-landfill wastewater for discharge. A landfill directly associated with a CWT facility is subject to this part if the CWT facility discharges landfill wastewater separately from other CWT wastewater or commingles the wastewater from its landfill only with wastewater from other landfills; or

(d) landfills operated in conjunction with other industrial or commercial operations when the landfill receives wastes from public service activities, so long as the company owning the landfill does not receive a fee or other remuneration for the disposal service.

Subpart L – Sector L – Landfills, Land Application Sites, and Open Dumps.

The permittee must comply with Part VIII sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

1. Covered Stormwater Discharges. The requirements in Subpart L apply to stormwater discharges associated with industrial activity from Landfills and Land Application Sites and Open Dumps as identified by the Activity Code specified under Sector L in Table B-1 of Appendix B of the permit.

2. Industrial Activities Covered by Sector L. This permit may authorize stormwater discharges for Sector L facilities associated with waste disposal at landfills, land application sites, and open dumps that receive or have received industrial waste, including sites subject to regulation under Subtitle D of RCRA. This permit does not cover discharges from landfills that receive only municipal wastes.

3. Limitations on Coverage.

    a. Prohibition of Non-Stormwater Discharges. The following discharges are not authorized by this permit: leachate, gas collection condensate, drained free liquids, contaminated ground water, laboratory wastewater, and contact wash water from washing truck and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility.

    b. Prohibition of Stormwater Discharges from Open Dumps. Discharges from open dumps as defined under RCRA are also not authorized under this permit.

4. Definitions.

    a. Contaminated Stormwater - stormwater that comes into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater. Some areas of a landfill that may produce contaminated stormwater 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.

    b. Drained free liquids - aqueous wastes drained from waste containers (e.g., drums) prior to landfilling.

    c. 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 stormwater, contaminated groundwater, and wastewater from recovery pumping wells. Landfill process wastewater includes, but is not limited to, leachate; gas collection condensate; drained free liquids; laboratory-derived wastewater; contaminated stormwater; and contact wash water from washing truck, equipment, and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility.

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

    e. Non-contaminated stormwater - stormwater that does not come into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater. Non-contaminated stormwater includes stormwater that flows off the cap, cover, intermediate cover, daily cover, and/or final cover of the landfill.

5. Additional Technology-Based Effluent Limits.

    a. Preventive Maintenance Program. As part of the preventive maintenance program, maintain the following: all elements of leachate collection and treatment systems, to prevent commingling of leachate with stormwater; the integrity and effectiveness of any intermediate or final cover (including repairing the cover as necessary), to minimize the effects of settlement, sinking, and erosion.

    b. Erosion and Sedimentation Control. Provide temporary stabilization (e.g., temporary seeding, mulching, and placing geotextiles on the inactive portions of stockpiles) for the following: materials stockpiled for

daily, intermediate, and final cover; inactive areas of the landfill or open dump; landfills or open dump areas that have gotten final covers but where vegetation has yet to establish itself; and land application sites where waste application has been completed but final vegetation has not yet been established.

c. Unauthorized Discharge Test Certification. The discharge test and certification must also be conducted for the presence of leachate and vehicle wash water.

6. Additional SWPPP Requirements.

a. Drainage Area Site Map. (See also Part V.F.2.c.) Document in the SWPPP where any of the following may be exposed to precipitation or surface runoff: active and closed landfill cells or trenches, active and closed land application areas, locations where open dumping is occurring or has occurred, locations of any known leachate springs or other areas where uncontrolled leachate may commingle with runoff, and leachate collection and handling systems.

b. Summary of Potential Pollutant Sources. Document in the SWPPP the following sources and activities that have potential pollutants associated with them: fertilizer, herbicide, and pesticide application; earth and soil moving; waste hauling and loading or unloading; outdoor storage of significant materials, including daily, interim, and final cover material stockpiles as well as temporary waste storage areas; exposure of active and inactive landfill and land application areas; uncontrolled leachate flows; and failure or leaks from leachate collection and treatment systems.

7. Additional Inspection Requirements.

a. Inspections of Active Sites. Inspect operating landfills, open dumps, and land application sites at least once every 7 days. Focus on areas of landfills that have not yet been finally stabilized; active land application areas, areas used for storage of material and wastes that are exposed to precipitation, stabilization, and structural control measures; leachate collection and treatment systems; and locations where equipment and waste trucks enter and exit the site. Ensure that sediment and erosion control measures are operating properly. For stabilized sites and areas where land application has been completed, conduct inspections at least once every month.

b. Inspections of Inactive Sites. Inspect inactive landfills, open dumps, and land application sites at least quarterly. Qualified personnel must inspect landfill (or open dump) stabilization and structural erosion control measures, leachate collection and treatment systems, and all closed land application areas.

8. Additional Post-Authorization Documentation Requirements.

a. Recordkeeping and Internal Reporting. Keep records with the SWPPP of the types of wastes disposed of in each cell or trench of a landfill or open dump. For land application sites, track the types and quantities of wastes applied in specific areas.

9. Sector-Specific Benchmarks. Table VIII.L-1 identifies benchmarks that apply to the specific subsectors of Sector L. These benchmarks apply to both the primary industrial activity and any co-located industrial activities, which describe the site activities.

Table VIII.L-1.

Subsector (The permittee may be subject to requirements for more than one sector/subsector)	**Parameter**	**Benchmark Monitoring Concentration**
Subsector L1. All Landfill, Land Application Sites and Open Dumps (Industrial Activity Code "LF")	Total Suspended Solids (TSS)	100 mg/L
	pH	6.0 - 9.0 s.u.

Subsector L2. All Landfill, Land Application Sites and Open Dumps, except Municipal Solid Waste Landfill (MSWLF) Areas Closed in Accordance with 40 CFR 258.60 (Industrial Activity Code "LF")	Total Iron	1.0 mg/L

[1] Benchmark monitoring required only for discharges not subject to effluent limitations in 40 CFR Part 445 Subpart B (see Table VIII.L-2 above).

10. Effluent Limitations Based on Effluent Limitations Guidelines Table VIII.L-2 identifies effluent limits that apply to the industrial activities described below. Compliance with these effluent limits is to be determined based on discharges from these industrial activities independent of commingling with any other waste streams that may be covered under this permit.

Table VIII.L-21

Industrial Activity	Parameter	Effluent Limit
Discharges from non-hazardous waste landfills subject to effluent limitations in 40 CFR Part 445 Subpart B.	Biochemical Oxygen Demand (BOD5)	140 mg/L, daily maximum
		37 mg/L, monthly avg. maximum
	Total Suspended Solids (TSS)	88 mg/L, daily maximum
		27 mg/L, monthly avg. maximum
	Ammonia	10 mg/L, daily maximum
		4.9 mg/L, monthly avg. maximum
	Alpha Terpineol	0.033 mg/L, daily maximum
		0.016 mg/L, monthly avg. maximum
	Benzoic Acid	0.12 mg/L, daily maximum
		0.071 mg/L, monthly avg. maximum
	p-Cresol	0.025 mg/L, daily maximum
		0.014 mg/L, monthly avg. maximum
	Phenol	0.026 mg/L, daily maximum
		0.015 mg/L, monthly avg. maximum
	Total Zinc	0.20 mg/L, daily maximum
		0.11 mg/L, monthly avg. maximum
	pH	6.0 - 9.0 s.u.

[1] Monitor annually. As set forth at 40 CFR Part 445 Subpart B, these numeric limitations apply to contaminated stormwater discharges from MSWLFs that have not been closed in accordance with 40 CFR 258.60, and to contaminated stormwater discharges from those landfills that are subject to the provisions of 40 CFR Part 257 except for discharges from any of the following facilities:

(a) landfills operated in conjunction with other industrial or commercial operations, when the landfill receives only 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 that 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 that the other wastes received are of similar nature to the wastes generated by the industrial or commercial operation;

(c) landfills operated in conjunction with CWT facilities subject to 40 CFR Part 437, so long as the CWT facility commingles the landfill wastewater with other non-landfill wastewater for discharge. A landfill directly associated with a CWT facility is subject to this part if the CWT facility discharges landfill wastewater separately from other CWT wastewater or commingles the wastewater from its landfill only with wastewater from other landfills; or

(d) landfills operated in conjunction with other industrial or commercial operations when the landfill receives wastes from public service activities, so long as the company owning the landfill does not receive a fee or other remuneration for the disposal service

Subpart M – Sector M - Automobile Salvage Yards.

The permittee must comply with Part VIII sector- specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

1. Covered Stormwater Discharges. The requirements in Subpart M apply to stormwater discharges associated with industrial activity from Automobile Salvage Yards as identified by the SIC Code specified under Sector M in Table B-1 of Appendix B of this permit.

2. Additional Technology-Based Effluent Limits.

   a. Spill and Leak Prevention Procedures. Drain vehicles intended to be dismantled of all fluids upon arrival at the site (or as soon thereafter as feasible) or employ some other equivalent means to prevent spills and leaks.

   b. Employee Training If applicable to the facility, address the following areas (at a minimum) in the employee training program: proper handling (collection, storage, and disposal) of oil, used mineral spirits, anti-freeze, mercury switches, and solvents.

   c. Management of Runoff. Implement the following management practices: berms or drainage ditches on the property line (to help prevent run-on from neighboring properties); berms for uncovered outdoor storage of oily parts, engine blocks, and above-ground liquid storage; installation of detention ponds; and installation of filtering devices and oil and water separators.

3. Additional SWPPP Requirements.

   a. Drainage Area Site Map. Identify locations used for dismantling, storage, and maintenance of used motor vehicle parts. Also identify where any of the following may be exposed to precipitation or surface runoff: dismantling areas, parts (e.g., engine blocks, tires, hub caps, batteries, hoods, mufflers) storage areas, and liquid storage tanks and drums for fuel and other fluids.

   b. Potential Pollutant Sources. Assess the potential for the following to contribute pollutants to stormwater discharges: vehicle storage areas, dismantling areas, parts storage areas (e.g., engine blocks, tires, hub caps, batteries, hoods, mufflers), and fueling stations.

4. Additional Inspection Requirements. Immediately (or as soon thereafter as feasible) inspect vehicles arriving at the site for leaks. Inspect quarterly for signs of leakage all equipment containing oily parts, hydraulic fluids, any other types of fluids, or mercury switches. Also, inspect quarterly for signs of leakage all vessels and areas where hazardous materials and general automotive fluids are stored, including, but not limited to, mercury switches, brake fluid, transmission fluid, radiator water, and antifreeze.

5. Sector-Specific Benchmarks.

Table VIII.M-1.

Subsector (The permittee may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
Subsector M1. Automobile Salvage Yards (SIC 5015)	Total Suspended Solids (TSS)	100 mg/L
	Total Aluminum	0.75 mg/L
	Total Iron	1.0 mg/L
	Oil and Grease	15 mg/L
	Total Lead[1] (freshwater discharges)	Hardness Dependent
	Total Lead (saltwater discharges)	0.21 mg/L

	pH	6.0 - 9.0 s.u.

[1] The benchmark values of some metals are dependent on water hardness for freshwater discharges. For these parameters, permittees must determine the hardness of the receiving freshwater body (see Appendix C, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part VI.B.1.a, to identify the applicable 'hardness range' for determining their benchmark value applicable to their facility. The ranges occur in 25 mg/L increments. Hardness Dependent Benchmarks follow in the table below:

Water Hardness	**Lead** (mg/L)
0-24.99 mg/L	0.014
25-49.99 mg/L	0.024
50-74.99 mg/L	0.045
75-99.99 mg/L	0.069
100-124.99 mg/L	0.095
125-149.99 mg/L	0.123
150-174.99 mg/L	0.151
175-199.99 mg/L	0.182
200-224.99 mg/L	0.213
225-249.99 mg/L	0.246
250+ mg/L	0.262

Subpart N – Sector N – Scrap Recycling and Waste Recycling Facilities.

The permittee must comply with sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

1. Covered Stormwater Discharges. The requirements in Subpart N apply to stormwater discharges associated with industrial activity from Scrap Recycling and Waste Recycling facilities as identified by the SIC Code specified under Sector N in Table B-1 of Appendix B of the permit.

2. Limitations on Coverage. Separate permit requirements have been established for recycling facilities that only receive source-separated recyclable materials primarily from non-industrial and residential sources (i.e., common consumer products including paper, newspaper, glass, cardboard, plastic containers, and aluminum and tin cans). This includes recycling facilities commonly referred to as material recovery facilities (MRF).

    a. Prohibition of Non-Stormwater Discharges. Non-stormwater discharges from turnings containment areas are not covered by this permit. Discharges from containment areas in the absence of a storm event are prohibited unless covered by a separate permit.

3. Additional Technology-Based Effluent Limits.

    a. Scrap and Waste Recycling Facilities (Non-Source Separated, Nonliquid Recyclable Materials). Requirements for facilities that receive, process, and do wholesale distribution of nonliquid recyclable wastes (e.g., ferrous and nonferrous metals, plastics, glass, cardboard, and paper). These facilities may receive both nonrecyclable and recyclable materials. This section is not intended for those facilities that accept recyclables only from primarily non-industrial and residential sources.

        i. Inbound Recyclable and Waste Material Control Program. Minimize the chance of accepting materials that could be significant sources of pollutants by conducting inspections of inbound recyclables and waste materials. Following are some control measure options: (a) provide information and education to suppliers of scrap and recyclable waste materials on draining and properly disposing of residual fluids (e.g., from vehicles and equipment engines, radiators and transmissions, oil filled transformers, and individual containers or drums) and removal of mercury switches from vehicles before delivery to the facility; (b) establish procedures to minimize the potential of any residual fluids from coming into contact with precipitation or runoff; (c) establish procedures for accepting scrap lead-acid batteries (additional requirements for the handling, storage, and disposal or recycling of batteries are contained in the scrap lead-acid battery program provisions; (d) provide training targeted for those personnel engaged in the inspection and acceptance of inbound recyclable materials; and (e) establish procedures to ensure that liquid wastes, including used oil, are stored in materially compatible and non-leaking containers and are disposed of or recycled in accordance with the Resource Conservation and Recovery Act (RCRA).
        ii. Scrap and Waste Material Stockpiles and Storage (Outdoor). Minimize contact of stormwater runoff with stockpiled materials, processed materials, and nonrecyclable wastes. Following are some control measure options: (a) permanent or semi-permanent covers; (b) sediment traps, vegetated swales and strips, catch basin filters, and sand filters to facilitate settling or filtering of pollutants; (c) dikes, berms, containment trenches, culverts, and surface grading to divert runoff from storage areas; (d) silt fencing; and (e) oil and water separators, sumps, and dry absorbents for areas where potential sources of residual fluids are stockpiled (e.g., automobile engine storage areas).
        iii. Stockpiling of Turnings Exposed to Cutting Fluids (Outdoor Storage). Minimize contact of surface runoff with residual cutting fluids by: (a) storing all turnings exposed to cutting fluids under some form of permanent or semi-permanent cover, or (b) establishing dedicated containment areas for all turnings that have been exposed to cutting fluids. Any containment areas must be constructed of concrete, asphalt, or other equivalent types of impermeable material and include a barrier (e.g., berms, curbing, elevated pads) to prevent contact with stormwater run-on. Stormwater runoff from these areas can be discharged, provided that any runoff is first collected and treated by an oil and water separator or its equivalent. The permittee must regularly maintain the oil and water separator (or its equivalent) and properly dispose of or recycle collected residual fluids.
        iv. Scrap and Waste Material Stockpiles and Storage (Covered or Indoor Storage). Minimize contact of residual liquids and particulate matter from materials stored indoors or under cover with surface

runoff. Following are some control measure options: (a) good housekeeping measures, including the use of dry absorbents or wet vacuuming to contain, dispose of, or recycle residual liquids originating from recyclable containers, or mercury spill kits for spills from storage of mercury switches; (b) not allowing wash water from tipping floors or other processing areas to discharge to the storm sewer system; and (c) disconnecting or sealing off all floor drains connected to the storm sewer system.

v. Scrap and Recyclable Waste Processing Areas. Minimize surface runoff from coming in contact with scrap processing equipment. Pay attention to operations that generate visible amounts of particulate residue (e.g., shredding) to minimize the contact of accumulated particulate matter and residual fluids with runoff (i.e., through good housekeeping, preventive maintenance, etc.). Following are some control measure options: (a) regularly inspect equipment for spills or leaks and malfunctioning, worn, or corroded parts or equipment; (b) establish a preventive maintenance program for processing equipment; (c) use dry-absorbents or other cleanup practices to collect and dispose of or recycle spilled or leaking fluids or use mercury spill kits for spills from storage of mercury switches; (d) on unattended hydraulic reservoirs over 150 gallons in capacity, install protection devices such as low-level alarms or equivalent devices, or secondary containment that can hold the entire volume of the reservoir; (e) containment or diversion structures such as dikes, berms, culverts, trenches, elevated concrete pads, and grading to minimize contact of stormwater runoff with outdoor processing equipment or stored materials; (f) oil and water separators or sumps; (g) permanent or semi-permanent covers in processing areas where there are residual fluids and grease; (h) retention or detention ponds or basins; sediment traps, and vegetated swales or strips (for pollutant settling and filtration); (i) catch basin filters or sand filters.

vi. Scrap Lead-Acid Battery Program. Properly handle, store, and dispose of scrap lead-acid batteries. Following are some control measure options (a) segregate scrap lead-acid batteries from other scrap materials; (b) properly handle, store, and dispose of cracked or broken batteries; (c) collect and dispose of leaking lead-acid battery fluid; (d) minimize or eliminate (if possible) exposure of scrap lead-acid batteries to precipitation or runoff; and (e) provide employee training for the management of scrap batteries.

vii. Spill Prevention and Response Procedures. Install alarms and/or pump shutoff systems on outdoor equipment with hydraulic reservoirs exceeding 150 gallons in the event of a line break. Alternatively, a secondary containment system capable of holding the entire contents of the reservoir plus room for precipitation can be used. Use a mercury spill kit for any release of mercury from switches, anti-lock brake systems, and switch storage areas.

viii. Supplier Notification Program. As appropriate, notify major suppliers which scrap materials will not be accepted at the facility or will be accepted only under certain conditions.

b. Waste Recycling Facilities (Liquid Recyclable Materials).

i. Waste Material Storage (Indoor). Minimize or eliminate contact between residual liquids from waste materials stored indoors and from surface runoff. The plan may refer to applicable portions of other existing plans, such as Spill Prevention, Control, and Countermeasure (SPCC) plans required under 40 CFR Part 112. Following are some control measure options (a) procedures for material handling (including labeling and marking); (b) clean up spills and leaks with dry absorbent materials, a wet vacuum system; (c) appropriate containment structures (trenching, curbing, gutters, etc.); and (d) a drainage system, including appurtenances (e.g., pumps or ejectors, manually operated valves), to handle discharges from diked or bermed areas. Drainage must be discharged to an appropriate treatment facility or sanitary sewer system, or otherwise disposed of properly. These discharges may require coverage under a separate wastewater permit or industrial user permit under the pretreatment program.

ii. Waste Material Storage (Outdoor). Minimize contact between stored residual liquids and precipitation or runoff. The plan may refer to applicable portions of other existing plans, such as SPCC plans required under 40 CFR Part 112. Discharges of precipitation from containment areas containing used oil must also be in accordance with applicable sections of 40 CFR Part 112. Following are some control measure options (a) appropriate containment structures (e.g., dikes, berms, curbing, pits) to store the volume of the largest tank, with sufficient extra capacity for precipitation; (b) drainage control and other diversionary structures; (c) corrosion protection and/or leak detection systems for storage tanks; and (d) dry-absorbent materials or a wet vacuum system to collect spills.

iii. Trucks and Rail Car Waste Transfer Areas. Minimize pollutants in discharges from truck and rail car loading and unloading areas. Include measures to clean up minor spills and leaks resulting from the transfer of liquid wastes. Following are two control measure options: (a) containment and diversionary structures to minimize contact with precipitation or runoff, and (b) dry clean-up methods, wet

vacuuming, roof coverings, or runoff controls.

c. Recycling Facilities (Source-Separated Materials). The following identifies considerations for facilities that receive only source-separated recyclables, primarily from non-industrial and residential sources.

i. Inbound Recyclable Material Control. Minimize the chance of accepting nonrecyclables (e.g., hazardous materials) that could be a significant source of pollutants by conducting inspections of inbound materials. Following are some control measure options: (a) providing information and education measures to inform suppliers of recyclables about acceptable and non-acceptable materials, (b) training drivers responsible for pickup of recycled material, (c) clearly marking public drop-off containers regarding which materials can be accepted, (d) rejecting nonrecyclable wastes or household hazardous wastes at the source, and (e) establishing procedures for handling and disposal of nonrecyclable material.

ii. Outdoor Storage. Minimize exposure of recyclables to precipitation and runoff. Use good housekeeping measures to prevent accumulation of particulate matter and fluids, particularly in high traffic areas. Following are some control measure options (a) provide totally enclosed drop- off containers for the public; (b) install a sump and pump with each container pit and treat or discharge collected fluids to a sanitary sewer system; (c) provide dikes and curbs for secondary containment (e.g., around bales of recyclable waste paper); (d) divert surface water runoff away from outside material storage areas; (e) provide covers over containment bins, dumpsters, and roll-off boxes; and (f) store the equivalent of one day's volume of recyclable material indoors.

iii. Indoor Storage and Material Processing. Minimize the release of pollutants from indoor storage and processing areas. Following are some control measure options (a) schedule routine good housekeeping measures for all storage and processing areas, (b) prohibit tipping floor wash water from draining to the storm sewer system, and (c) provide employee training on pollution prevention practices.

iv. Vehicle and Equipment Maintenance. Following are some control measure options for areas where vehicle and equipment maintenance occur outdoors (a) prohibit vehicle and equipment wash water from discharging to the storm sewer system, (b) minimize or eliminate outdoor maintenance areas whenever possible, (c) establish spill prevention and clean-up procedures in fueling areas, (d) avoid topping off fuel tanks, (e) divert runoff from fueling areas, (f) store lubricants and hydraulic fluids indoors, and (g) provide employee training on proper handling and storage of hydraulic fluids and lubricants.

4. Additional SWPPP Requirements.

a. Drainage Area Site Map. Document in the SWPPP the locations of any of the following activities or sources that may be exposed to precipitation or surface runoff: scrap and waste material storage, outdoor scrap and waste processing equipment; and containment areas for turnings exposed to cutting fluids.

b. Maintenance Schedules/Procedures for Collection, Handling, and Disposal or Recycling of Residual Fluids at Scrap and Waste Recycling Facilities. The SWPPP must identify any applicable maintenance schedule and the procedures to collect, handle, and dispose of or recycle residual fluids.

5. Additional Inspection Requirements.

a. Inspections for Waste Recycling Facilities. The inspections must be performed quarterly, and include, at a minimum, all areas where waste is generated, received, stored, treated, or disposed of and that are exposed to either precipitation or stormwater runoff.

6. Sector-Specific Benchmarks.

Table VIII.N-1.

Subsector (The permittee may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
Subsector N1. Scrap Recycling and Waste Recycling Facilities (SIC 5093)	Chemical Oxygen Demand (COD)	120 mg/L
	Total Suspended Solids (TSS)	100 mg/L

	Total Aluminum	0.75 mg/L
	Total Copper (freshwater discharges)	0.00519 mg/L
	Total Copper (saltwater discharges)	0.0048 mg/L
	Total Iron	1.0 mg/L
	Total Lead[1] (freshwater discharges)	Hardness Dependent[1]
	Total Lead (saltwater discharges)	0.21 mg/L
	Total Zinc[1] (freshwater discharges)	Hardness Dependent[1]
	Total Zinc (saltwater discharges)	0.09 mg/L
	pH	6.0 - 9.0 s.u.
	Oil and Grease	15 mg/L
Additional monitoring required for facilities	PCB–1016[2]	0.000434 mg/L
	PCB–1221	0.10 mg/L
	PCB–1232[2]	0.000387 mg/L
	PCB–1242[2]	0.000289 mg/L
	PCB–1248	0.002544 mg/L
	PCB–1254	0.10 mg/L
	PCB–1260	0.000477 mg/L

[1] The benchmark values of some metals are dependent on water hardness for freshwater discharges. For these parameters, permittees must determine the hardness of the receiving freshwater body (see Appendix C, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part VI.B.1.a, to identify the applicable 'hardness range' for determining their benchmark value applicable to their facility. The ranges occur in 25 mg/L increments. Hardness Dependent Benchmarks follow in the table below:

[2] The minimum detection limit for this parameter is greater than the EPA benchmark value, therefore sampling results at which an exceedance determination will be based is the Minimum Detection Limit, listed in this Table. These values may be reduced by permit modification as more sensitive methods are approved by EPA and the State

Water Hardness Range	**Lead** (mg/L)	**Zinc** (mg/L)
0-24.99 mg/L	0.014	0.037
25-49.99 mg/L	0.024	0.052
50-74.99 mg/L	0.045	0.080
75-99.99 mg/L	0.069	0.107
100-124.99 mg/L	0.095	0.132
125-149.99 mg/L	0.123	0.157
150-174.99 mg/L	0.151	0.181
175-199.99 mg/L	0.182	0.204
200-224.99 mg/L	0.213	0.227
225-249.99 mg/L	0.246	0.249
250+ mg/L	0.262	0.260

Subpart O – Sector O – Steam Electric Generating Facilities.

The permittee must comply with Part VIII sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

1. Covered Stormwater Discharges. The requirements in Subpart O apply to stormwater discharges associated with industrial activity from Steam Electric Power Generating Facilities as identified by the Activity Code specified under Sector O in Table B-1 of Appendix B.

2. Industrial Activities Covered by Sector O. This permit authorizes stormwater discharges from the following industrial activities at Sector O facilities:

   a. steam electric power generation using coal, natural gas, oil, nuclear energy, etc., to produce a steam source, including coal handling areas (does not include geothermal);

   b. coal pile runoff, including effluent limitations established by 40 CFR Part 423; and

   c. dual fuel facilities that could employ a steam boiler.

3. Limitations on Coverage.

   a. Prohibition of Non-Stormwater Discharges. Non-stormwater discharges subject to effluent limitations guidelines are not covered by this permit.

   b. Prohibition of Stormwater Discharges. Stormwater discharges from the following are not covered by this permit:

      i. Ancillary facilities (e.g., fleet centers and substations) that are not contiguous to a stream electric power generating facility;
      ii. Gas turbine facilities (provided the facility is not a dual-fuel facility that includes a steam boiler), and combined-cycle facilities where no supplemental fuel oil is burned.
      iii. Cogeneration (combined heat and power) facilities utilizing a gas turbine.

4. Additional Technology-Based Effluent Limits. The following good housekeeping measures are required:

   a. Fugitive Dust Emissions. Minimize fugitive dust emissions from coal handling areas. To minimize the tracking of coal dust offsite, implement procedures such as installing specially designed tires or washing vehicles in a designated area before they leave the site and controlling the wash water.

   b. Delivery Vehicles. Minimize contamination of stormwater runoff from delivery vehicles arriving at the plant site Implement procedures to inspect delivery vehicles arriving at the plant site and ensure overall integrity of the body or container and procedures to deal with leakage or spillage from vehicles or containers.

   c. Fuel Oil Unloading Areas. Minimize contamination of precipitation or surface runoff from fuel oil unloading areas. Use containment curbs in unloading areas, ensure personnel familiar with spill prevention and response procedures are present during deliveries to ensure that any leaks or spills are immediately contained and cleaned up, and use spill and overflow protection devices (e.g., drip pans, drip diapers, or other containment devices placed beneath fuel oil connectors) to contain potential spillage during deliveries or from leaks at the connectors.

   d. Chemical Loading and Unloading. Minimize contamination of precipitation or surface runoff from chemical loading and unloading areas. use containment curbs at chemical loading and unloading areas to contain spills, ensure personnel familiar with spill prevention and response procedures are present during deliveries to ensure that any leaks or spills are immediately contained and cleaned up, locate loading and unloading in covered areas, and store chemicals indoors.

e. Miscellaneous Loading and Unloading Areas. Minimize contamination of precipitation or surface runoff from loading and unloading areas through implementation of practices such as: covering the loading area; grading, berming, or curbing around the loading area to divert run-on; locating the loading and unloading equipment and vehicles so that leaks are contained in existing containment and flow diversion systems; or equivalent procedures.

f. Liquid Storage Tanks. Minimize contamination of surface runoff from above-ground liquid storage tanks through implementation of practices such as: using protective guards around tanks, using containment curbs, installing spill and overflow protection, using dry cleanup methods, or equivalent measures.

g. Large Bulk Fuel Storage Tanks. Minimize contamination of surface runoff from large bulk fuel storage tanks. Use containment berms (or their equivalent). The permittee must also comply with applicable State and Federal laws, including Spill Prevention, Control and Countermeasure (SPCC) Plan requirements.

h. Spill Reduction Measures. Minimize the potential for an oil or chemical spill or reference the appropriate part of the SPCC plan. Visually inspect as part of the routine facility inspection the structural integrity of all above-ground tanks, pipelines, pumps, and related equipment that may be exposed to stormwater and make any necessary repairs immediately.

i. Oil-Bearing Equipment in Switchyards. Minimize contamination of surface runoff from oil-bearing equipment in switchyard areas. Use level grades and gravel surfaces to retard flows and limit the spread of spills, or collect runoff in perimeter ditches.

j. Residue-Hauling Vehicles. Inspect all residue-hauling vehicles for proper covering over the load, adequate gate sealing, and overall integrity of the container body. Repair vehicles without load covering or adequate gate sealing, or with leaking containers or beds.

k. Ash Loading Areas. Reduce or control the tracking of ash and residue from ash loading areas. Clear the ash building floor and immediately adjacent roadways of spillage, debris, and excess water before departure of each loaded vehicle.

l. Areas Adjacent to Disposal Ponds or Landfills. Minimize contamination of surface runoff from areas adjacent to disposal ponds or landfills. Reduce ash residue that may be tracked on to access roads traveled by residue handling vehicles and reduce ash residue on exit roads leading into and out of residue handling areas.

m. Landfills, Scrap yards, Surface Impoundments, Open Dumps, General Refuse Sites. Minimize the potential for contamination of runoff from these areas.

5. Additional SWPPP Requirements.

a. Drainage Area Site Map. Document in the SWPPP the locations of any of the following activities or sources that may be exposed to precipitation or surface runoff: storage tanks, scrap yards, and general refuse areas; short- and long-term storage of general materials (including but not limited to supplies, construction materials, paint equipment, oils, fuels, used and unused solvents, cleaning materials, paint, water treatment chemicals, fertilizer, and pesticides); landfills and construction sites; and stock pile areas (e.g., coal or limestone piles).

b. Documentation of Good Housekeeping Measures. The permittee must document in the SWPPP the good housekeeping measures implemented to meet the effluent limits consistent with the list is section 4 of this subpart.

6. Additional Inspection Requirements.

a. Comprehensive Site Compliance Inspection. As part of the inspection, inspect the following areas monthly: coal handling areas, loading or unloading areas, switchyards, fueling areas, bulk storage areas, ash handling areas, areas adjacent to disposal ponds and landfills, maintenance areas, liquid storage tanks, and long term and short-term material storage areas.

7. Sector-Specific Benchmarks. Table VIII.O-1 identifies benchmarks that apply to the specific subsectors of Sector O. These benchmarks apply to both the primary industrial activity and any co-located industrial activities, which

describe the site activities.

Table VIII.O-1.		
Subsector (The permittee may be subject to requirements for more than one sector/subsector)	**Parameter**	**Benchmark Monitoring Concentration**
Subsector O1. Steam Electric Generating Facilities (Industrial Activity Code "SE")	Total Iron	1.0 mg/L

8. Effluent Limitations Based on Effluent Limitations Guidelines (See also Part III.C.5 of the permit). Table VIII.O-1 identifies effluent limits that apply to the industrial activities described below. Compliance with these effluent limits is to be determined based on discharges from these industrial activities independent of commingling with any other waste streams that may be covered under this permit.

Table VIII.O-1[1]		
Industrial Activity	**Parameter**	**Effluent Limit**
Discharges from coal storage piles at Steam Electric Generating Facilities	Total Suspended Solids (TSS)	50 mg/L[2]
	pH	6.0 - 9.0 s.u.6.0 min - 9.0 max

[1] Monitor annually.
[2] If the 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.

Subpart P – Sector P – Land Transportation and Warehousing.

The permittee must comply with Part VIII sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

1. Covered Stormwater Discharges. The requirements in Subpart P apply to stormwater discharges associated with industrial activity from Land Transportation and Warehousing facilities as identified by the SIC Codes specified under Sector P in Table B-1 of Appendix B of the permit.

2. Limitation on Coverage.

    a. Prohibited Discharges. This permit does not authorize the discharge of vehicle/equipment/surface wash water, including tank cleaning operations. Such discharges must be authorized under a separate Department permit, discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements, or recycled on-site.

3. Additional Technology-Based Effluent Limits.

    b. Good Housekeeping Measures. In addition to the Good Housekeeping requirements in Part IV.A.1.a of the permit, the permittee must do the following.

        i. Vehicle and Equipment Storage Areas. Minimize the potential for stormwater exposure to leaky or leak-prone vehicles/equipment awaiting maintenance. through implementation of practices such as the following (or other equivalent measures): use of drip pans under vehicles/equipment, indoor storage of vehicles and equipment, installation of berms or dikes, use of absorbents, roofing or covering storage areas, and cleaning pavement surfaces to remove oil and grease.

        ii. Fueling Areas. Minimize contamination of stormwater runoff from fueling areas through implementation of practices such as the following (or other equivalent measures): Covering the fueling area; using spill/overflow protection and cleanup equipment; minimizing stormwater run-on/runoff to the fueling area; using dry cleanup methods; and treating and/or recycling collected stormwater runoff.

        iii. Material Storage Areas. Maintain all material storage vessels (e.g., for used oil/oil filters, spent solvents, paint wastes, hydraulic fluids) to prevent contamination of stormwater and plainly label them (e.g., “Used Oil,” “Spent Solvents,” etc.). To minimize discharges of pollutants in stormwater from material storage areas, implement practices such as the following (or other equivalent measures): storing the materials indoors; installing berms/dikes around the areas; minimizing runoff of stormwater to the areas; using dry cleanup methods; and treating and/or recycling collected stormwater runoff.

        iv. Vehicle and Equipment Cleaning Areas. Minimize contamination of stormwater runoff from all areas used for vehicle/equipment cleaning through implementation of practices such as the following (or other equivalent measures): performing all cleaning operations indoors; covering the cleaning operation, ensuring that all wash water drains to a proper collection system (i.e., not the stormwater drainage system); treating and/or recycling collected wash water, or other equivalent measures. Discharges of vehicle equipment wash water, including tank cleaning operations, are not authorized by this permit for this sector.

        v. Vehicle and Equipment Maintenance Areas. Minimize contamination of stormwater runoff from all areas used for vehicle/equipment maintenance through implementation of practices such as the following (or other equivalent measures): performing maintenance activities indoors; using drip pans; keeping an organized inventory of materials used in the shop; draining all parts of fluid prior to disposal; prohibiting wet clean up practices if these practices would result in the discharge of pollutants to stormwater drainage systems; using dry cleanup methods; treating and/or recycling collected stormwater runoff, minimizing run on/runoff of stormwater to maintenance areas.

        vi. Locomotive Sanding (Loading Sand for Traction) Areas. Minimize discharges of pollutants in stormwater from locomotive sanding areas through implementation of practices such as the following (or other equivalent measures): covering sanding areas; minimizing stormwater run on/runoff; or

appropriate sediment removal practices to minimize the offsite transport of sanding material by stormwater.

c. Employee Training. Train personnel at least once a year and address the following activities, as applicable: used oil and spent solvent management; fueling procedures; general good housekeeping practices; proper painting procedures; and used battery management.

4. Additional SWPPP Requirements.

a. Drainage Area Site Map. Identify in the SWPPP the following areas of the facility and indicate whether activities occurring there may be exposed to precipitation/surface runoff: Fueling stations; vehicle/equipment maintenance or cleaning areas; storage areas for vehicle/equipment with actual or potential fluid leaks; loading/unloading areas; areas where treatment, storage or disposal of wastes occur; liquid storage tanks; processing areas; and storage areas.

b. Potential Pollutant Sources. Assess the potential for the following activities and facility areas to contribute pollutants to stormwater discharges: Onsite waste storage or disposal; dirt/gravel parking areas for vehicles awaiting maintenance; illicit plumbing connections between shop floor drains and the stormwater conveyance system(s); and fueling areas. Describe these activities in the SWPPP.

c. Description of Good Housekeeping Measures. The permittee must document in the SWPPP the good housekeeping measures implemented in conjunction with section 3.a of this subpart.

d. Vehicle and Equipment Wash water Requirements. If applicable, attach to or reference in the SWPPP, a copy of the permit issued for vehicle/equipment wash water or, if a permit has not been issued, a copy of the pending application. If an industrial user permit is issued under a local pretreatment program, attach a copy to the SWPPP. In any case, implement all non-stormwater discharge permit conditions or pretreatment conditions in the SWPPP. If wash water is handled in another manner (e.g., hauled offsite), describe the disposal method and attach all pertinent documentation/information (e.g., frequency, volume, destination, etc.) in the plan.

5. Additional Inspection Requirements. Inspect all the following areas/activities: storage areas for vehicles/equipment awaiting maintenance, fueling areas, indoor and outdoor vehicle/equipment maintenance areas, material storage areas, vehicle/equipment cleaning areas and loading/unloading areas.

6. Sector-Specific Benchmarks.

Table VIII.P-1.

Subsector (The permittee may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
Subsector P1. Railroad Transportation (SIC Code 4011, 4013); Local and Highway Passenger Transportation (SIC Code 4111- 4173); Motor Freight Transportation and Warehousing (SIC Code 4212-4231); United State Postal Service (SIC Code 4311); Petroleum Bulk Stations and Terminals (SIC Code 5171)	Oil and Grease	15.0 mg/L
	Total Surfactants	1.0 mg/L
	Total Suspended Solids (TSS)	100.0 mg/L
	pH	6.0 - 9.0 s.u.

Subpart Q – Sector Q – Water Transportation.

The permittee must comply with sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector- specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

1. Covered Stormwater Discharges. The requirements in Subpart Q apply to stormwater discharges associated with industrial activity from Water Transportation facilities as identified by the SIC Codes specified under Sector Q in Table B-1 of Appendix B of the permit.

2. Limitations on Coverage.

    a. Prohibition of Non-Stormwater Discharges. Not authorized by this permit: bilge and ballast water, sanitary wastes, pressure wash water, and cooling water originating from vessels.

3. Additional Technology-Based Effluent Limits. The following good housekeeping measures are required:

    a. Pressure Washing Area. If pressure washing is used to remove marine growth from vessels, the discharge water must be permitted by a separate permit. Collect or contain the discharges from the pressures washing area so that they are not co-mingled with stormwater discharges authorized by this permit.

    b. Blasting and Painting Area. Minimize the potential for spent abrasives, paint chips, and overspray to discharge into receiving waters or the storm sewer systems. Contain all blasting and painting activities or use other measures to minimize the discharge of contaminants (e.g., hanging plastic barriers or tarpaulins during blasting or painting operations to contain debris). Clean stormwater conveyances of deposits of abrasive blasting debris and paint chips monthly.

    c. Material Storage Areas. Store and plainly label all containerized materials (e.g., fuels, paints, solvents, waste oil, antifreeze, batteries) in a protected, secure location away from drains. Minimize the contamination of precipitation or surface runoff from the storage areas. Specify which materials are stored indoors and consider containment or enclosure for those stored outdoors. If abrasive blasting is performed, discuss the storage and disposal of spent abrasive materials generated at the facility. Implement an inventory control plan to limit the presence of potentially hazardous materials onsite.

    d. Engine Maintenance and Repair Areas. Minimize the contamination of precipitation or surface runoff from all areas used for engine maintenance and repair through implementation of the following (or their equivalents): performing all maintenance activities indoors, maintaining an organized inventory of materials used in the shop, draining all parts of fluid prior to disposal, prohibiting the practice of hosing down the shop floor, using dry cleanup methods, and treating and/or recycling stormwater runoff collected from the maintenance area.

    e. Material Handling Area. Minimize the contamination of precipitation or surface runoff from material handling operations and areas (e.g., fueling, paint and solvent mixing, disposal of process wastewater streams from vessels) through implementation of the following (or their equivalents): covering fueling areas, using spill and overflow protection, mixing paints and solvents in a designated area (preferably indoors or under a shed), and minimizing runoff of stormwater to material handling areas.

    f. Drydock Activities. Routinely maintain and clean the drydock to minimize pollutants in stormwater runoff. Address the cleaning of accessible areas of the drydock prior to flooding, and final cleanup following removal of the vessel and raising the dock. Include procedures for cleaning up oil, grease, and fuel spills occurring on the drydock through implementation of the following (or their equivalents): sweeping rather than hosing off debris and spent blasting material from accessible areas of the drydock prior to flooding and making absorbent materials and oil containment booms readily available to clean up or contain any spills.

4. Employee Training. As part of the employee training program, address, at a minimum, the following activities (as applicable): used oil management, spent solvent management, disposal of spent abrasives, disposal of vessel wastewaters, spill prevention and control, fueling procedures, general good housekeeping practices

painting and blasting procedures, and used battery management.

5. Preventive Maintenance. As part of the preventive maintenance program, perform timely inspection and maintenance of stormwater management devices (e.g., cleaning oil and water separators and sediment traps to ensure that spent abrasives, paint chips, and solids will be intercepted and retained prior to entering the storm drainage system), as well as inspecting and testing facility equipment and systems to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters.

6. Additional SWPPP Requirements.

   a. Drainage Area Site Map. Document in the SWPPP where any of the following may be exposed to precipitation or surface runoff: fueling; engine maintenance and repair; vessel maintenance and repair; pressure washing; painting; sanding; blasting; welding; metal fabrication; loading and unloading areas; locations used for the treatment, storage, or disposal of wastes; liquid storage tanks; liquid storage areas (e.g., paint, solvents, resins); and material storage areas (e.g., blasting media, aluminum, steel, scrap iron).

   b. Summary of Potential Pollutant Sources. Document in the SWPPP the following additional sources and activities that have potential pollutants associated with them: outdoor manufacturing or processing activities (e.g., welding, metal fabricating) and significant dust or particulate generating processes (e.g., abrasive blasting, sanding, and painting.)

7. Additional Inspection Requirements. Include the following in all quarterly routine facility inspections: pressure washing areas; blasting, sanding, and painting areas; material storage areas; engine maintenance and repair areas; material handling areas; drydock area; and general yard area.

8. Sector-Specific Benchmarks. (See also Part VI of the permit.)

Table VIII.Q-1.

Subsector (The permittee may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
Subsector Q1. Water Transportation Facilities (SIC 4412-4499)	Total Aluminum	0.75 mg/L
	Total Iron	1.0 mg/L
	Total Lead[1] (freshwater discharges)	Hardness Dependent[1]
	Total Lead (saltwater discharges)	0.21 mg/L
	Total Zinc[1] (freshwater discharges)	Hardness Dependent[1]
	Total Zinc (saltwater discharges)	0.09 mg/L
	pH	6.0 - 9.0 s.u.

[1] The benchmark values of some metals are dependent on water hardness for freshwater discharges. For these parameters, permittees must determine the hardness of the receiving freshwater body (see Appendix C, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part VI.B.1.a, to identify the applicable 'hardness range' for determining their benchmark value applicable to their facility. The ranges occur in 25 mg/L increments. Hardness Dependent Benchmarks follow in the table below:

Water Hardness Range	**Lead** (mg/L)	**Zinc** (mg/L)
0-24.99 mg/L	0.014	0.037
25-49.99 mg/L	0.024	0.052
50-74.99 mg/L	0.045	0.080
75-99.99 mg/L	0.069	0.107

100-124.99 mg/L	0.095	0.132
125-149.99 mg/L	0.123	0.157
150-174.99 mg/L	0.151	0.181
175-199.99 mg/L	0.182	0.204
200-224.99 mg/L	0.213	0.227
225-249.99 mg/L	0.246	0.249
250+ mg/L	0.262	0.260

Subpart R – Sector R – Ship and Boat Building and Repair Yards.

The permittee must comply with sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

1. Covered Stormwater Discharges. The requirements in Subpart R apply to stormwater discharges associated with industrial activity from Ship and Boat Building and Repair Yards as identified by the SIC Codes specified under Sector R in Table B-1 of Appendix B of the permit.

2. Limitations on Coverage.

    a. Prohibition of Non-Stormwater Discharges. Discharges containing bilge and ballast water, sanitary wastes, pressure wash water, and cooling water originating from vessels are not covered by this permit.

3. Additional Technology-Based Effluent Limits. The following good housekeeping measures are required:

    a. Pressure Washing Area. If pressure washing is used to remove marine growth from vessels, the discharged water must be permitted as a process wastewater by a separate permit.

    b. Blasting and Painting Area. Minimize the potential for spent abrasives, paint chips, and overspray to discharge into receiving waters or the storm sewer systems. Contain all blasting and painting activities or use other measures to prevent the discharge of the contaminants (e.g., hanging plastic barriers or tarpaulins during blasting or painting operations to contain debris). When necessary, regularly clean stormwater conveyances of deposits of abrasive blasting debris and paint chips.

    c. Material Storage Areas. Store and plainly label all containerized materials (e.g., fuels, paints, solvents, waste oil, antifreeze, batteries) in a protected, secure location away from drains. Minimize the contamination of precipitation or surface runoff from the storage areas. If abrasive blasting is performed, establish protocol for the storage and disposal of spent abrasive materials generated at the facility. Implement an inventory control plan to limit the presence of potentially hazardous materials onsite.

    d. Engine Maintenance and Repair Areas. Minimize the contamination of precipitation or surface runoff from all areas used for engine maintenance and repair through implementation of practices such as the following (or their equivalents): performing all maintenance activities indoors, maintaining an organized inventory of materials used in the shop, draining all parts of fluid prior to disposal, prohibiting the practice of hosing down the shop floor, using dry cleanup methods, and treating and/or recycling stormwater runoff collected from the maintenance area.

    e. Material Handling Area. Minimize the contamination of precipitation or surface runoff from material handling operations and areas (e.g., fueling, paint and solvent mixing, disposal of process wastewater streams from vessels) through implementation of practices such as the following (or their equivalents): covering fueling areas, using spill and overflow protection, mixing paints and solvents in a designated area (preferably indoors or under a shed), and minimizing stormwater run-on to material handling areas.

    f. Drydock Activities. Routinely maintain and clean the drydock to minimize pollutants in stormwater runoff. Clean accessible areas of the drydock prior to flooding and final cleanup following removal of the vessel and raising the dock. Include procedures for cleaning up oil, grease, or fuel spills occurring on the drydock. Minimize the discharge of pollutants in stormwater from drydock activities through implementation of practices such as the following (or their equivalents): sweeping rather than hosing off debris and spent blasting material from accessible areas of the drydock prior to flooding and having absorbent materials and oil containment booms readily available to clean up and contain any spills.

4. Employee Training. As part of the employee training program, address, at a minimum, the following activities (as applicable): used oil management, spent solvent management, disposal of spent abrasives, disposal of vessel wastewaters, spill prevention and control, fueling procedures, general good housekeeping practices, painting and blasting procedures, and used battery management.

5. Preventive Maintenance. As part of the preventive maintenance program, perform timely inspection and maintenance of stormwater management devices (e.g., cleaning oil and water separators and sediment traps to ensure that spent abrasives, paint chips, and solids will be intercepted and retained prior to entering the storm drainage system), as well as inspecting and testing facility equipment and systems to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters.

6. Additional SWPPP Requirements.

7. Drainage Area Site Map. Document in the SWPPP where any of the following may be exposed to precipitation or surface runoff: fueling; engine maintenance or repair; vessel maintenance or repair; pressure washing; painting; sanding; blasting; welding; metal fabrication; loading and unloading areas; treatment, storage, and waste disposal areas; liquid storage tanks; liquid storage areas (e.g., paint, solvents, resins); and material storage areas (e.g., blasting media, aluminum, steel, scrap iron).

8. Potential Pollutant Sources. Document in the SWPPP the following additional sources and activities that have potential pollutants associated with them (if applicable): outdoor manufacturing or processing activities (e.g., welding, metal fabricating) and significant dust or particulate generating processes (e.g., abrasive blasting, sanding, and painting).

9. Documentation of Good Housekeeping Measures. Document in the SWPPP any good housekeeping measures implemented in conjunction with section 3.a of this subpart to meet the effluent limits.

    i. Blasting and Painting Areas. Document in the SWPPP any standard operating practices relating to blasting and painting (e.g., prohibiting uncontained blasting and painting over open water or prohibiting blasting and painting during windy conditions, which can render containment ineffective).

    ii. Storage Areas. Specify in the SWPPP which materials are stored indoors and contain or provide enclosure for those stored outdoors.

6. Additional Inspection Requirements. Include the following in all quarterly routine facility inspections: pressure washing areas; blasting, sanding, and painting areas; material storage areas; engine maintenance and repair areas; material handling areas; drydock area; and general yard area.

7. Sector-Specific Benchmarks.

Table VIII.R-1.

Subsector (The permittee may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
Subsector R1. Ship and Boat Building and Repair Facilities (SIC 3731, 3732)	Total Aluminum	0.75 mg/L
	Total Lead[1] (freshwater discharges)	Hardness Dependent[1]
	Total Lead (saltwater discharges)	0.21 mg/L
	Total Zinc[1] (freshwater discharges)	Hardness Dependent[1]
	Total Zinc (saltwater discharges)	0.09 mg/L
	Iron	1.0 mg/L
	pH	6.0 - 9.0 s.u.

[1] The benchmark values of some metals are dependent on water hardness for freshwater discharges. For these parameters, permittees must determine the hardness of the receiving freshwater body (see Appendix C, “Calculating Hardness in Receiving Waters for Hardness Dependent Metals,” for methodology), in accordance with Part VI.B.1.a, to identify the applicable ‘hardness range’ for determining their benchmark value applicable to their

facility. The ranges occur in 25 mg/L increments. Hardness Dependent Benchmarks follow in the table below:

Water Hardness Range	**Lead** (mg/L)	**Zinc** (mg/L)
0-24.99 mg/L	0.014	0.037
25-49.99 mg/L	0.024	0.052
50-74.99 mg/L	0.045	0.080
75-99.99 mg/L	0.069	0.107
100-124.99 mg/L	0.095	0.132
125-149.99 mg/L	0.123	0.157
150-174.99 mg/L	0.151	0.181
175-199.99 mg/L	0.182	0.204
200-224.99 mg/L	0.213	0.227
225-249.99 mg/L	0.246	0.249
250+ mg/L	0.262	0.260

Subpart S – Sector S – Air Transportation.

A. The permittee must comply with sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector- specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

1. Covered Stormwater Discharges. The requirements in Subpart S apply to stormwater discharges associated with industrial activity from Air Transportation facilities identified by the SIC Codes specified under Sector S in Table B-1 of Appendix B of the permit.

2. Limitations on Coverage.

   a. Limitations on Coverage. This permit authorizes stormwater discharges from only those portions of the air transportation facility that are involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling and lubrication), equipment cleaning operations or deicing operations.

      Note: "deicing" will generally be used to mean both deicing (removing frost, snow or ice) and anti- icing (preventing accumulation of frost, snow or ice) activities, unless specific mention is made regarding anti-icing and/or deicing activities.

   b. Prohibition of Non-Stormwater Discharges. (See also Part I.B.3. and Part VIII.S.3) This permit does not authorize the discharge of aircraft, ground vehicle, runway and equipment wash waters; nor the dry weather discharge of deicing chemicals. Such discharges must be covered by separate Department permit(s). Note that a discharge resulting from snowmelt is not a dry weather discharge.

3. Multiple Permittees at Air Transportation Facilities. Air transportation facilities often have more than one permittee who could discharge stormwater associated with industrial activity. Permittees include the airport authority and airport tenants, including air passenger or cargo companies, fixed base permittees, and other parties who routinely perform industrial activities on airport property.

   a. Permit Coverage and Submittal of Notices of Intent (NOIs). Where an airport transportation facility has multiple industrial permittees that discharge stormwater, each individual permittee must obtain coverage under a NPDES stormwater permit. To obtain coverage under the Industrial Stormwater General Permit, all such permittees must meet the eligibility requirements in Part I and must submit an NOI, per Part I.C.1, or, if appropriate, a no exposure certification per Part I.F.

   b. General Permit Implementation Responsibilities for Airport Authority and Tenants. The airport authority, in collaboration with its tenants, may choose to implement certain General Permit requirements on behalf of its tenants in order to increase efficiency and eliminate redundancy or duplication of effort. Options available to the airport authority and its tenants for implementation of General Permit requirements include:

      i. The airport authority performs certain activities on behalf of itself and its tenants and reports on its activities;
      ii. Tenants provide the airport authority with relevant inputs about tenants' activities, including deicing chemical usage*, and the airport authority compiles and reports on tenants' and its own activities;
      iii. Tenants independently perform, document and submit required information on their activities.

      *Tenants who report their deicing chemical usage to the air authority and rely on the airport authority to perform monitoring should not check the glycol and urea use box on their NOI forms.

   c. SWPPP Requirements. A single comprehensive SWPPP must be developed for all stormwater discharges associated with industrial activity at the airport before submittal of any NOIs. The comprehensive SWPPP should be developed collaboratively by the airport authority and tenants. If any permittee develops a SWPPP for discharges from its own areas of the airport, that SWPPP must be coordinated and integrated with the comprehensive SWPPP. All permittees and their separate SWPPP contributions and compliance responsibilities must be clearly identified in the comprehensive SWPPP, which all permittees must sign and certify per Part X.G. As applicable, the SWPPP must clearly specify the General Permit requirements to be complied by:

i. The airport authority for itself;
ii. The airport authority on behalf of its tenants; and
iii. Tenants for themselves.

For each activity that an permittee (e.g. the airport authority) conducts on behalf of another permittee (e.g. a tenant), the SWPPP must describe a process for reporting results to the latter permittee and for ensuring appropriate follow-up, if necessary, by all affected permittees. This is to ensure all actions are taken to correct any potential deficiencies or permit violations. For example, where the airport is conducting monitoring for itself and its tenants, the SWPPP must identify how the airport authority will share the monitoring results with its tenants and then follow-up with its tenants where there are any exceedances of benchmarks, effluent limits, or water quality standards. In turn, the SWPPP must describe how the tenants will also follow-up to ensure permit compliance.

d. Duty to Comply. All individual permittees are responsible for implementing their assigned portion of the comprehensive SWPPP, and permittees must ensure that their individual activities do not render another permittee's stormwater controls ineffective. In addition, the standard permit conditions apply to each individual permittee. For multiple permittees at an airport this means that each individual permittee remains responsible for ensuring all requirements of its own General Permit coverage are met regardless of whether the comprehensive SWPPP allocates the actual implementation of any of those responsibilities to another entity. That is, the failure of the entity allocated responsibility in the SWPPP to implement a General Permit requirement on behalf of other permittees does not negate the other permittees' ultimate liability.

4. Additional Technology-Based Effluent Limits.

a. Good Housekeeping Measures.

i. Aircraft, Ground Vehicle and Equipment Maintenance Areas. Minimize the contamination of stormwater runoff from all areas used for aircraft, ground vehicle and equipment maintenance (including the maintenance conducted on the terminal apron and in dedicated hangers) through implementation of practices such as the following practices (or their equivalents): performing maintenance activities indoors; maintaining an organized inventory of material used in the maintenance areas; draining all parts of fluids prior to disposal; prohibiting the practice of hosing down the apron or hanger floor; using dry cleanup methods; and collecting the stormwater runoff from the maintenance area and providing treatment or recycling.
ii. Aircraft, Ground Vehicle and Equipment Cleaning Areas. Clearly demarcate these areas on the ground using signage or other appropriate means. Minimize the contamination of stormwater runoff from cleaning areas.
iii. Aircraft, Ground Vehicle and Equipment Storage Areas. Store all aircraft, ground vehicles and equipment awaiting maintenance in designated areas only. To minimize the contamination of stormwater runoff from these storage areas implement practices such as the following (or their equivalents): storing aircraft and ground vehicles indoors; using drip pans for the collection of fluid leaks; and perimeter drains, dikes or berms surrounding the storage areas.
iv. Material Storage Areas. Maintain the vessels of stored materials (e.g., used oils, hydraulic fluids, spent solvents, and waste aircraft fuel) in good condition, to prevent or minimize contamination of stormwater. Also plainly label the vessels (e.g., "used oil," "Contaminated Jet A," etc.). Minimize contamination of precipitation/runoff from these areas through implementation of the following control measures (or their equivalents): storing materials indoors; storing waste materials in a centralized location; and installing berms/dikes around storage areas.
v. Airport Fuel System and Fueling Areas. Minimize the discharge of fuel to the storm sewer/surface waters resulting from fuel servicing activities or other operations conducted in support of the airport fuel system through implementation of the following control measures (or their equivalents): implementing spill and overflow practices (e.g., placing absorptive materials beneath aircraft during fueling operations); using only dry cleanup methods; and collecting stormwater runoff.

b. Source Reduction. Minimize, and where feasible eliminate, the use of urea and glycol-based deicing chemicals, in order to reduce the aggregate amount of deicing chemicals used and/or lessen the environmental impact.

i. Runway Deicing Operation: Minimize contamination of stormwater runoff from runways as a result of deicing operations. Evaluate whether over-application of deicing chemicals occurs by analyzing application rates, and adjust as necessary, consistent with considerations of flight safety. Also implement these control measure options (or their equivalents): metered application of chemicals; pre-wetting dry chemical constituents prior to application; installing a runway ice detection system; implementing anti-icing operations as a preventive measure against ice buildup; and product substitution.

ii. Aircraft Deicing Operations. Minimize contamination of stormwater runoff from aircraft deicing operations. Determine whether excessive application of deicing chemicals occurs and adjust as necessary, consistent with considerations of flight safety. This evaluation must be carried out by the personnel most familiar with the particular aircraft and flight operations in question (versus an outside entity such as the airport authority). Use alternative deicing/anti-icing agents as well as containment measures for all applied chemicals. Also implement these control measure options (or their equivalents) for reducing deicing fluid use: forced-air deicing systems, computer-controlled fixed-gantry systems, infrared technology, hot water, varying glycol content to air temperature, enclosed-basket deicing trucks, mechanical methods, solar radiation, hangar storage, aircraft covers, and thermal blankets for MD-80s and DC-9s. Consider using ice-detection systems and airport traffic flow strategies and departure slot allocation systems where feasible.

c. Management of Runoff. Where deicing operations occur, implement a program to control or manage contaminated runoff to minimize the amount of pollutants being discharged from the site through implementation of these control measure options (or their equivalents): a dedicated deicing facility with a runoff collection/ recovery system; using vacuum/collection trucks; storing contaminated stormwater/deicing fluids in tanks and releasing controlled amounts to a publicly owned treatment works; collecting contaminated runoff in a wet pond for biochemical decomposition (be aware of attracting wildlife that may prove hazardous to flight operations); and directing runoff into vegetative swales or other infiltration measures. Also consider recovering deicing materials when these materials are applied during non-precipitation events (e.g., covering storm sewer inlets, using booms, installing absorptive interceptors in the drains, etc.) to prevent these materials from later becoming a source of stormwater contamination. Used deicing fluid must be recycled whenever possible.

d. Deicing Season. The permittee shall determine the seasonal timeframe (e.g., December- February, October - March, etc.) during which deicing activities typically occur at the facility. Implementation of control measures, including any BMPs, facility inspections, and monitoring must be conducted with particular emphasis throughout the defined deicing season. If the facility meets the deicing chemical usage thresholds of 100,000 gallons glycol and/or 100 tons of urea, the deicing season the permittee identified is the timeframe during which the permittee must obtain the four required benchmark monitoring event results for deicing-related parameters, i.e., BOD, COD, ammonia and pH.

5. Additional SWPPP Requirements. An airport authority and tenants of the airport are encouraged to work in partnership in the development of a SWPPP. If an airport tenant obtains authorization under this permit and develops a SWPPP for discharges from his own areas of the airport, prior to authorization, that SWPPP must be coordinated and integrated with the SWPPP for the entire airport. Tenants of the airport facility include air passenger or cargo companies, fixed based permittees and other parties who have contracts with the airport authority to conduct business operations on airport property and whose operations result in stormwater discharges associated with industrial activity.

e. Drainage Area Site Map. Document in the SWPPP the following areas of the facility and indicate whether activities occurring there may be exposed to precipitation/surface runoff: aircraft and runway deicing operations; fueling stations; aircraft, ground vehicle and equipment maintenance/cleaning areas; storage areas for aircraft, ground vehicles and equipment awaiting maintenance.

f. Potential Pollutant Sources. In the inventory of exposed materials, describe in the SWPPP the potential for the following activities and facility areas to contribute pollutants to stormwater discharges: aircraft, runway, ground vehicle and equipment maintenance and cleaning; aircraft and runway deicing operations (including apron and centralized aircraft deicing stations, runways, taxiways, and ramps). If the permittee uses deicing chemicals, the permittee must maintain a record of the types (including the Material Safety Data Sheets [MSDS]) used and the monthly quantities, either as measured or, in the absence of metering, as estimated to the best of the permittee's knowledge. This includes all deicing chemicals, not just glycols

and urea (e.g., potassium acetate), because large quantities of these other chemicals can still have an adverse impact on receiving waters. Tenants or other fixed-based operations that conduct deicing operations must provide the above information to the airport authority for inclusion with any comprehensive airport SWPPPs.

g. Vehicle and Equipment Wash Water Requirements. Attach to or reference in the SWPPP, a copy of the Department permit issued for vehicle/equipment wash water or, if a Department permit has not been issued, a copy of the pending application. If an industrial user permit is issued under a local pretreatment program, include a copy in the SWPPP. In any case, if the permittee is subject to another permit, the control measures for implementing all non-stormwater discharge permit conditions or pretreatment requirements must be described in the SWPPP. If wash water is handled in another manner (e.g., hauled offsite, retained onsite), the disposal method must be described and attach all pertinent documentation/information (e.g., frequency, volume, destination, etc.) in the SWPPP.

h. Documentation of Control Measures Used for Management of Runoff: Document in the SWPPP the control measures used for collecting or containing contaminated melt water from collection areas used for disposal of contaminated snow.

6. Additional Inspection Requirements.

i. Inspections. At a minimum conduct routine facility inspections at least monthly during the deicing season (e.g., October through April for most mid-latitude airports). If the facility needs to deice before or after this period, expand the monthly inspections to include all months during which deicing chemicals may be used. The Department may specifically require the permittee to increase inspection frequencies.

j. Comprehensive Site Inspections. Using only qualified personnel, conduct the annual site inspection during periods of actual deicing operations, if possible. If not practicable during active deicing because of weather, conduct the inspection during the season when deicing operations occur and the materials and equipment for deicing are in place.

7. Sector-Specific Benchmarks. (See also Part VI) Monitor per the requirements in Table VIII.S-1.

Table VIII.S-1.

Subsector (The permittee may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
For airports where a single permittee, or a combination of permitted facilities use more than 100,000 gallons of glycol-based deicing chemicals and/or 100 tons or more of urea on an average annual basis, monitor the first four parameters in ONLY those discharge points that collect runoff from areas where deicing activities occur (SIC 4512-4581).	Biochemical Oxygen Demand (BOD5)1	30 mg/L
	Chemical Oxygen Demand (COD)[1]	120 mg/L
	Ammonia[1]	2.14 mg/L
	pH[1]	6.0 - 9.0 s.u.

[1] These are deicing-related parameters. Collect the four benchmark samples, and any required follow-up benchmark samples, during the timeframe defined in Part VIII.S.3.d when deicing activities are occurring.

8. Effluent Limitations Based on Effluent Limitations Guidelines and New Source Performance Standards

a. Airfield Pavement Deicing. For both existing and new primary airports with 1,000 or more annual non-propeller aircraft departures that discharge stormwater from airfield pavement deicing activities, there shall be no discharge of airfield pavement deicers containing urea. To comply with this limitation, such airports must do one of the following: (1) certify annually on the annual report that you do not use pavement deicers containing urea, or (2) meet the effluent limitation in Table B-2 in Appendix B.

b. Aircraft Deicing. Airports that are both primary airports and new sources with 1,000 or more annual non-propeller aircraft departures that are estimated, within five years of commencing operations, to exceed 10,000 annual departures, must comply with the following requirements upon the date the facility exceeds 10,000 annual departures:

i. Collection Requirement. The new source must collect at least 60 percent of available aircraft deicing fluid.

ii. Numerical Effluent Limitation. The new source must achieve the performance standards in Table VIII.S-2 for available ADF collected pursuant to VIII.S.8.b.i. The limitation must be met at the location where the effluent leaves the onsite treatment system utilized for meeting these requirements and before commingling with any non-deicing discharge.

iii. Airfield Pavement Deicing. There shall be no discharge of airfield pavement deicers containing urea. To comply with this limitation, any new source must certify annually that it does not use airfield deicing products that contain urea or alternatively, airfield pavement discharges at every discharge point must achieve the numeric limitations for ammonia in Table VIII.S-2, prior to any dilution or commingling with any non-deicing discharge.

c. Monitoring, Reporting and Recordkeeping. For new and existing airports subject to the effluent limitations in Part VIII.S.8.a. or VIII.S.8.b. of this permit, you must comply with the applicable monitoring, reporting and recordkeeping requirements outlined in 40 CFR 449.20.

Table VIII.S-2.

Wastestream	Pollutant	Daily Maximum	Weekly Average
Airfield Pavement Deicing	Ammonia as Nitrogen[1]	14.7 mg/L	-

[1] These are deicing-related parameters. Collect the four benchmark samples, and any required follow-up benchmark samples, during the timeframe defined in Part VIII.S.3.d when deicing activities are occurring.

Subpart T – Sector T – Treatment Works.

The permittee must comply with sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector- specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

1. Covered Stormwater Discharges. The requirements in Subpart T apply to stormwater discharges associated with industrial activity from Treatment Works as identified by the Activity Code specified under Sector T in Table B-1 of Appendix B of the permit.

2. Industrial Activities Covered by Sector T. The requirements listed under this part apply to all existing point source stormwater discharges associated with the following activities:

    a. Treatment works treating domestic sewage, or any other sewage sludge or wastewater treatment device or system used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated to the disposal of sewage sludge; that are located within the confines of a facility with a design flow of 1.0 million gallons per day (MGD) or more; or are required to have an approved pretreatment program under 40 CFR Part 403.

    b. The following are not required to have permit coverage: farm lands, domestic gardens or lands used for sludge management where sludge is beneficially reused and which are not physically located within the facility, or areas that are in compliance with Section 405 of the CWA.

3. Limitations on Coverage.

    a. Prohibition of Non-Stormwater Discharges. Sanitary and industrial wastewater and equipment and vehicle wash water are not authorized by this permit.

4. Additional Technology-Based Effluent Limits.

    a. Control Measures. In addition to the other control measures, implement the following where feasible: routing stormwater to the treatment works; or covering exposed materials (i.e., from the following areas: grit, screenings, and other solids handling, storage, or disposal areas; sludge drying beds; dried sludge piles; compost piles; and septage or hauled waste receiving station).

    b. Employee Training. At a minimum, training must address the following areas when applicable to a facility: petroleum product management; process chemical management; spill prevention and controls; fueling procedures; general good housekeeping practices; and proper procedures for using fertilizer, herbicides, and pesticides.

5. Additional SWPPP Requirements.

    a. Site Map. Document in the SWPPP where any of the following may be exposed to precipitation or surface runoff: grit, screenings, and other solids handling, storage, or disposal areas; sludge drying beds; dried sludge piles; compost piles; septage or hauled waste receiving station; and storage areas for process chemicals, petroleum products, solvents, fertilizers, herbicides, and pesticides.

    b. Potential Pollutant Sources. Document in the SWPPP the following additional sources and activities that have potential pollutants associated with them, as applicable: grit, screenings, and other solids handling, storage, or disposal areas; sludge drying beds; dried sludge piles; compost piles; septage or hauled waste receiving station; and access roads and rail lines.

    c. Wastewater and Wash Water Requirements. Keep a copy of all the current permits issued for wastewater and industrial, vehicle and equipment wash water discharges or, if a permit has not yet been issued, a copy of the pending application(s) with the SWPPP. If the wash water is handled in another manner, the disposal method must be described and all pertinent documentation must be retained onsite.

6. Additional Inspection Requirements. Include the following areas in all inspections: access roads and rail lines; grit, screenings, and other solids handling, storage, or disposal areas; sludge drying beds; dried sludge piles;

compost piles; and septage or hauled waste receiving station.

Subpart U – Sector U – Food and Kindred Products.

The permittee must comply with sector- specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

1. Covered Stormwater Discharges. The requirements in Subpart U apply to stormwater discharges associated with industrial activity from Food and Kindred Products facilities as identified by the SIC Codes specified in Table B-1 of Appendix B of the permit.

2. Limitations on Coverage.

   a. Prohibition of Non-Stormwater Discharges. The following discharges are not authorized by this permit: discharges containing boiler blowdown, cooling tower overflow and blowdown, ammonia refrigeration purging, and vehicle washing and clean-out operations.

3. Additional Technology-Based Limitations.

   a. Employee Training. Address pest control in the employee training program.

4. Additional SWPPP Requirements.

   a. Drainage Area Site Map. Document in the SWPPP the locations of the following activities if they are exposed to precipitation or runoff: vents and stacks from cooking, drying, and similar operations; dry product vacuum transfer lines; animal holding pens; spoiled product; and broken product container storage areas.

   b. Potential Pollutant Sources. Document in the SWPPP, in addition to food and kindred products processing-related industrial activities, application and storage of pest control chemicals (e.g., rodenticides, insecticides, fungicides) used on plant grounds.

5. Additional Inspection Requirements. Inspect on a quarterly basis, at a minimum, the following areas where the potential for exposure to stormwater exists: loading and unloading areas for all significant materials; storage areas, including associated containment areas; waste management units; vents and stacks emanating from industrial activities; spoiled product and broken product container holding areas; animal holding pens; staging areas; and air pollution control equipment.

6. Sector-Specific Benchmarks.

Table VIII.U-1.

Subsector (The permittee may be subject to requirements for more than one Sector / Subsector)	Parameter	Benchmark Monitoring Concentration
Subsector U1. Grain Mill Products (SIC 2041-2048)	Total Suspended Solids (TSS)	100 mg/L
	pH	6.0 - 9.0 s.u.
Subsector U2. Fats and Oils Products (SIC 2074-2079)	Biochemical Oxygen Demand (BOD5)	30 mg/L
	Chemical Oxygen Demand (COD)	120 mg/L
	Nitrate plus Nitrite Nitrogen	0.68 mg/L
	Total Suspended Solids (TSS)	100 mg/L
	pH	6.0 - 9.0 s.u.

Subpart V – Sector V – Textile Mills, Apparel and Other Fabric Products.

The permittee must comply with Part VIII sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

1. Covered Stormwater Discharges. The requirements in Subpart V apply to stormwater discharges associated with industrial activity from Textile Mills, Apparel, and Other Fabric Product manufacturing as identified by the SIC Codes specified under Sector V in Table B-1 of Appendix B of the permit.

2. Limitations on Coverage.

    a. Prohibition of Non-Stormwater Discharges. The following are not authorized by this permit: discharges of wastewater (e.g., wastewater resulting from wet processing or from any processes relating to the production process), reused or recycled water, and waters used in cooling towers. If the permittee has these types of discharges from the facility, the permittee must cover them under a separate permit.

3. Additional Technology-Based Limitations.

    a. Good Housekeeping Measures.

        i. Material Storage Areas. Plainly label and store all containerized materials (e.g., fuels, petroleum products, solvents, and dyes) in a protected area, away from drains. Minimize contamination of the stormwater runoff from such storage areas. Also implement an inventory control plan to prevent excessive purchasing of potentially hazardous substances. For storing empty chemical drums or containers, ensure that the drums and containers are clean (consider triple-rinsing) and that there is no contact of residuals with precipitation or runoff. Collect and dispose of wash water from these cleanings properly.

        ii. Material Handling Areas. Minimize contamination of stormwater runoff from material handling operations and areas through implementation of practices such as the following (or their equivalents): use of spill and overflow protection; covering fueling areas; and covering or enclosing areas where the transfer of material may occur. When applicable, address the replacement or repair of leaking connections, valves, transfer lines, and pipes that may carry chemicals, dyes, or wastewater.

        iii. Fueling Areas. Minimize contamination of stormwater runoff from fueling areas through implementation of practices such as the following (or their equivalents): covering the fueling area, using spill and overflow protection, minimizing run-on of stormwater to the fueling areas, using dry cleanup methods, and treating and/or recycling stormwater runoff collected from the fueling area.

        iv. Above-Ground Storage Tank Area. Minimize contamination of the stormwater runoff from above-ground storage tank areas, including the associated piping and valves through implementation of practices such as the following (or their equivalents): regular cleanup of these areas; including measures for tanks, piping and valves explicitly in the SPCC program; minimizing runoff of stormwater from adjacent areas; restricting access to the area; inserting filters in adjacent catch basins; providing absorbent booms in unbermed fueling areas; using dry cleanup methods; and permanently sealing drains within critical areas that may discharge to a storm drain.

        v. Employee Training. As part of the employee training program, address, at a minimum, the following activities (as applicable): use of reused and recycled waters, solvents management, proper disposal of dyes, proper disposal of petroleum products and spent lubricants, spill prevention and control, fueling procedures, and general good housekeeping practices.

4. Additional SWPPP Requirements.

    a. Potential Pollutant Sources. Document in the SWM the following additional sources and activities that have potential pollutants associated with them: industry-specific significant materials and industrial activities (e.g., backwinding, beaming, bleaching, backing bonding, carbonizing, carding, cut and sew operations, desizing, drawing, dyeing locking, fulling, knitting, mercerizing, opening, packing, plying,

scouring, slashing, spinning, synthetic-felt processing, textile waste processing, tufting, turning, weaving, web forming, winging, yarn spinning, and yarn texturing).

b. Description of Good Housekeeping Measures for Material Storage Areas. Document in the SWPPP the containment area or enclosure for materials stored outdoors consistent with section 3.a.i of this subpart.

5. Additional Inspection Requirements. Inspect, at least monthly, the following activities and areas (at a minimum): transfer and transmission lines, spill prevention, good housekeeping practices, management of process waste products, and all structural and nonstructural management practices.

Subpart W – Sector W – Furniture and Fixtures.

The permittee must comply with Part VIII sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

1. Covered Stormwater Discharges. The requirements in Subpart W apply to stormwater discharges associated with industrial activity from Furniture and Fixtures facilities as identified by the SIC Codes specified under Sector W in Table B-1 of Appendix B of the permit.

2. Additional SWPPP Requirements.

    a. Drainage Area Site Map. Document in the SWPPP where any of the following may be exposed to precipitation or surface runoff: material storage (including tanks or other vessels used for liquid or waste storage) areas; outdoor material processing areas; areas where wastes are treated, stored, or disposed of; access roads; and rail spurs.

Subpart X – Sector X – Printing and Publishing.

The permittee must comply with Part VIII sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector- specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

1. Covered Stormwater Discharges. The requirements in Subpart X apply to stormwater discharges associated with industrial activity from Printing and Publishing facilities as identified by the SICs specified under Sector X in Table B-1 of Appendix B of the permit.

2. Additional Technology-Based Effluent Limits.

    a. Good Housekeeping Measures.

        i. Material Storage Areas. Plainly label and store all containerized materials (e.g., skids, pallets, solvents, bulk inks, hazardous waste, empty drums, portable and mobile containers of plant debris, wood crates, steel racks, and fuel oil) in a protected area, away from drains. Minimize contamination of the stormwater runoff from such storage areas. Also consider an inventory control plan to prevent excessive purchasing of potentially hazardous substances.
        ii. Material Handling Area. Minimize contamination of stormwater runoff from material handling operations and areas (e.g., blanket wash, mixing solvents, loading and unloading materials) through implementation of practices such as the following (or their equivalents): using spill and overflow protection, covering fueling areas, and covering or enclosing areas where the transfer of materials may occur. When applicable, address the replacement or repair of leaking connections, valves, transfer lines, and pipes that may carry chemicals or wastewater.
        iii. Fueling Areas. Minimize contamination of stormwater runoff from fueling areas through implementation of practices such as the following (or their equivalents): covering the fueling area, using spill and overflow protection, minimizing runoff of stormwater to the fueling areas, using dry cleanup methods, and treating and/or recycling stormwater runoff collected from the fueling area.
        iv. Above Ground Storage Tank Area. Minimize contamination of the stormwater runoff from above-ground storage tank areas, including the associated piping and valves through implementation of practices such as the following (or their equivalents): regularly cleaning these areas, explicitly addressing tanks, piping and valves in the SPCC program, minimizing stormwater runoff from adjacent areas, restricting access to the area, inserting filters in adjacent catch basins, providing absorbent booms in unbermed fueling areas, using dry cleanup methods, and permanently sealing drains within critical areas that may discharge to a storm drain.

    b. Employee Training. As part of the employee training program, address, at a minimum, the following activities (as applicable): spent solvent management, spill prevention and control, used oil management, fueling procedures, and general good housekeeping practices.

3. Additional SWPPP Requirements.

    a. Description of Good Housekeeping Measures for Material Storage Areas. Describe in the SWPPP the containment area or enclosure for materials stored outdoors consistent with section 2.i of this subpart.

Subpart Y – Sector Y – Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries.

The permittee must comply with Part VIII sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector- specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

1. Covered Stormwater Discharges. The requirements in Subpart Y apply to stormwater discharges associated with industrial activity from Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries facilities as identified by the SIC Codes specified under Sector Y in Table B-1 of Appendix B of the permit.

2. Additional Technology-Based Effluent Limits.

    a. Controls for Rubber Manufacturers. Minimize the discharge of zinc in the stormwater discharges. Review possible sources of zinc and list specific control measures to be considered for implementation (or their equivalents). Following are some general control measure options to consider: using chemicals purchased in pre- weighed, sealed polyethylene bags; storing in-use materials in sealable containers, ensuring an airspace between the container and the cover to minimize “puffing” losses when the container is opened, and using automatic dispensing and weighing equipment.

        i. Zinc Bags. Ensure proper handling and storage of zinc bags at the facility through implementation of the following control measure options: employee training on the handling and storage of zinc bags, indoor storage of zinc bags, cleanup of zinc spills without washing the zinc into the storm drain, and the use of 2,500-pound sacks of zinc rather than 50- to 100-pound sacks.
        ii. Dumpsters. Minimize discharges of zinc from dumpsters through implementation of the following control measure options: covering the dumpster, moving the dumpster indoors, or providing a lining for the dumpster.
        iii. Dust Collectors and Baghouses. Minimize contributions of zinc to stormwater from dust collectors and baghouses. Replace or repair, as appropriate, improperly operating dust collectors and baghouses.
        iv. Grinding Operations. Minimize contamination of stormwater as a result of dust generation from rubber grinding operations. Where feasible, install a dust collection system.
        v. Zinc Stearate Coating Operations. Minimize the potential for stormwater contamination from drips and spills of zinc stearate slurry that may be released to the storm drain. Where feasible, use alternative compounds to zinc stearate.

    b. Controls for Plastic Products Manufacturers. Minimize the discharge of plastic resin pellets in the stormwater discharges through implementation of the following control measures (or their equivalents): i minimizing spills, cleaning up of spills promptly and thoroughly, sweeping thoroughly, pellet capturing, employee education, and disposal precautions.

3. Additional SWPPP Requirements.

    a. Potential Pollutant Sources for Rubber Manufacturers. Document in the SWPPP the use of zinc at the facility and the possible pathways through which zinc may be discharged in stormwater runoff.

4. Sector-Specific Benchmarks.

Table VIII.Y-1.

Subsector (The permittee may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
Subsector Y1. Rubber Products Manufacturing (SIC 3011, 3021, 3052, 3053, 3061, 3069)	Total Zinc[1] (freshwater discharges)	Hardness Dependent[1]
	Total Zinc (saltwater discharges)	0.09 mg/L

	pH	6.0 - 9.0 s.u.

[1] The benchmark values of some metals are dependent on water hardness for freshwater discharges. For these parameters, permittees must determine the hardness of the receiving freshwater body (see Appendix C, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part VI.B.1.a, to identify the applicable 'hardness range' for determining their benchmark value applicable to their facility. The ranges occur in 25 mg/L increments. Hardness Dependent Benchmarks follow in the table below:

Water Hardness Range	**Zinc** (mg/L)
0-24.99 mg/L	0.037
25-49.99 mg/L	0.052
50-74.99 mg/L	0.080
75-99.99 mg/L	0.107
100-124.99 mg/L	0.132
125-149.99 mg/L	0.157
150-174.99 mg/L	0.181
175-199.99 mg/L	0.204
200-224.99 mg/L	0.227
225-249.99 mg/L	0.249
250+ mg/L	0.260

Subpart Z – Sector Z – Leather Tanning and Finishing.

The permittee must comply with Part VIII sector- specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

1. Covered Stormwater Discharges. The requirements in Subpart Z apply to stormwater discharges associated with industrial activity from Leather Tanning and Finishing facilities as identified by the SIC Code specified under Sector Z in Table B-1 of Appendix B of the permit.

2. Additional Technology-Based Effluent Limits.

    a. Good Housekeeping Measures.

        i. Storage Areas for Raw, Semiprocessed, or Final Tannery By-products. Minimize contamination of stormwater runoff from pallets and bales of raw, semiprocessed, or final tannery by-products (e.g., splits, trimmings, shavings) through implementation of practices such as: indoor storage or protection with polyethylene wrapping, tarpaulins, roofed storage, etc. Place materials on an impermeable surface and enclose or put berms (or equivalent measures) around the area to prevent stormwater run-on and runoff.
        ii. Material Storage Areas. Label storage containers of all materials (e.g., specific chemicals, hazardous materials, spent solvents, waste materials) and minimize contact of such materials with stormwater.
        iii. Buffing and Shaving Areas. Minimize contamination of stormwater runoff with leather dust from buffing and shaving areas through implementation of practices such as: dust collection enclosures, preventive inspection and maintenance programs, or other appropriate preventive measures.
        iv. Receiving, Unloading, and Storage Areas. Minimize contamination of stormwater runoff from receiving, unloading, and storage areas. If these areas are exposed, implement practices such as the following (or their equivalents): covering all hides and chemical supplies, diverting drainage to the process sewer, or grade berming or curbing the area to prevent stormwater runoff.
        v. Outdoor Storage of Contaminated Equipment. Minimize contact of stormwater with contaminated equipment through implementation of the following (or their equivalents): covering equipment, diverting drainage to the process sewer, and cleaning thoroughly prior to storage.
        vi. Waste Management. Minimize contamination of stormwater runoff from waste storage areas through implementation of the following (or their equivalents): covering dumpsters, moving waste management activities indoors, covering waste piles with temporary covering material such as tarpaulins or polyethylene, and minimizing stormwater runoff by enclosing the area or building berms around the area.

3. Additional SWPPP Requirements.

    a. Drainage Area Site Map. Identify in the SWPPP where any of the following may be exposed to precipitation or surface runoff: processing and storage areas of the beamhouse, tanyard, and re-tan wet finishing and dry finishing operations.

    b. Potential Pollutant Sources. Document in the SWPPP the following sources and activities that have potential pollutants associated with them (as appropriate): temporary or permanent storage of fresh and brine-cured hides; extraneous hide substances and hair; leather dust, scraps, trimmings, and shavings.

4. Sector-Specific Benchmarks.

Table VIII.Z-1.		
Subsector (The permittee may be subject to requirements for more than one sector/subsector)	**Parameter**	**Benchmark Monitoring Concentration**
Subsector Z1. Leather Tanning and Finishing (SIC Code 3111)	Total Kjeldahl Nitrogen	0.117 mg/L

	pH	6.0 - 9.0 s.u.

Subpart AA – Sector AA – Fabricated Metal Products.

The permittee must comply with sector- specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

1. Covered Stormwater Discharges. The requirements in Subpart AA apply to stormwater discharges associated with industrial activity from Fabricated Metal Products facilities as identified by the SIC Codes specified under Sector AA in Table B-1 of Appendix B of the permit.

2. Additional Technology-Based Effluent Limits.

    a. Good Housekeeping Measures.

        i. Raw Steel Handling Storage. Minimize the generation of and/or recover and properly manage scrap metals, fines, and iron dust. Include measures for containing materials within storage handling areas.
        ii. Paints and Painting Equipment. Minimize exposure of paint and painting equipment to stormwater.

    b. Spill Prevention and Response Procedures. Ensure that the necessary equipment to implement a cleanup is available to personnel. The following areas must be addressed.

        i. Metal Fabricating Areas. Maintain clean, dry, orderly conditions in these areas. Use dry clean-up techniques.
        ii. Storage Areas for Raw Metal. Keep these areas free of conditions that could cause, or impede appropriate and timely response to, spills or leakage of materials. Implement the following (or their equivalents): maintaining storage areas so that there is easy access in the event of a spill, and labeling stored materials to aid in identifying spill contents.
        iii. Metal Working Fluid Storage Areas. Minimize the potential for stormwater contamination from storage areas for metal working fluids.
        iv. Cleaners and Rinse Water. Control and clean up spills of solvents and other liquid cleaners, control sand buildup and disbursement from sand-blasting operations, and prevent exposure of recyclable wastes. Substitute environmentally benign cleaners when possible.
        v. Lubricating Oil and Hydraulic Fluid Operations. Minimize the potential for stormwater contamination from lubricating oil and hydraulic fluid operations. Use monitoring equipment or other devices to detect and control leaks and overflows. Install perimeter controls such as dikes, curbs, grass filter strips, or equivalent measures.
        vi. Chemical Storage Areas. Minimize stormwater contamination and accidental spillage in chemical storage areas. Include a program to inspect containers and identify proper disposal methods.

    c. Spills and Leaks. In the spill prevention and response procedures required in Part IV.1.C of the permit, the permittee must pay attention to the following materials (at a minimum): chromium, toluene, pickle liquor, sulfuric acid, zinc and other water priority chemicals, and hazardous chemicals and wastes.

3. Additional SWPPP Requirements.

    a. Drainage Area Site Map. Document in the SWPPP where any of the following may be exposed to precipitation or surface runoff: raw metal storage areas; final metal storage areas; scrap disposal collection sites; equipment storage areas; retention and detention basins; temporary and permanent diversion dikes or berms; right-of-way or perimeter diversion devices; sediment traps and barriers; processing areas, including outside painting areas; wood preparation; recycling; and raw material storage.

    b. Potential Pollutant Sources. Document in the SWPPP the following additional sources and activities that have potential pollutants associated with them: loading and unloading operations for paints, chemicals, and raw materials; outdoor storage activities for raw materials, paints, empty containers, corn cobs, chemicals, and scrap metals; outdoor manufacturing or processing activities such as grinding, cutting, degreasing, buffing, and brazing; onsite waste disposal practices for spent solvents, sludge, pickling baths, shavings, ingot pieces, and refuse and waste piles.

4. Additional Inspection Requirements.

a. Inspections. At a minimum, include the following areas in all inspections: raw metal storage areas, final product storage areas, material and chemical storage areas, recycling areas, loading and unloading areas, equipment storage areas, paint areas, and vehicle fueling and maintenance areas.

b. Comprehensive Site Inspections. Inspect areas associated with the storage of raw metals, spent solvents and chemicals storage areas, outdoor paint areas, and drainage from roof. Potential pollutants include chromium, zinc, lubricating oil, solvents, aluminum, oil and grease, methyl ethyl ketone, steel, and related materials.

5. Sector-Specific Benchmarks.

Table VIII.AA-1		
Subsector (The permittee may be subject to requirements for more than one sector/subsector)	**Parameter**	**Benchmark Monitoring Concentration**
Subsector AA1. Fabricated Metal Products, except Coating (SIC 3411-3499; 3911-3915)	Total Aluminum	0.75 mg/L
	Total Iron	1.0 mg/L
	Total Zinc[1] (freshwater discharges)	Hardness Dependent[1]
	Total Zinc (saltwater discharges)	0.09 mg/L
	Nitrate plus Nitrite Nitrogen	0.68 mg/L
	pH	6.0 - 9.0 s.u.
Subsector AA2. Fabricated Metal Coating and Engraving (SIC 3479)	Total Zinc[1] (freshwater discharges)	Hardness Dependent[1]
	Total Zinc (saltwater discharges)	0.09 mg/L
	Nitrate plus Nitrite Nitrogen	0.68 mg/L
	pH	6.0 - 9.0 s.u.

[1] The benchmark values of some metals are dependent on water hardness for freshwater discharges. For these parameters, permittees must determine the hardness of the receiving freshwater body (see Appendix C, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part VI.B.1.a, to identify the applicable 'hardness range' for determining their benchmark value applicable to their facility. The ranges occur in 25 mg/L increments. Hardness Dependent Benchmarks follow in the table below:

Water Hardness	**Zinc** (mg/L)
0-24.99 mg/L	0.037
25-49.99 mg/L	0.052
50-74.99 mg/L	0.080
75-99.99 mg/L	0.107
100-124.99 mg/L	0.132
125-149.99 mg/L	0.157
150-174.99 mg/L	0.181
175-199.99 mg/L	0.204
200-224.99 mg/L	0.227
225-249.99 mg/L	0.249
250+ mg/L	0.260

Subpart AB – Sector AB – Transportation Equipment, Industrial or Commercial Machinery Facilities.

The permittee must comply with Part VIII sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

1. Covered Stormwater Discharges. The requirements in Subpart AB apply to stormwater discharges associated with industrial activity from Transportation Equipment, Industrial or Commercial Machinery facilities as identified by the SIC Codes specified under Sector AB in Table B-1 of Appendix B of the permit.
2. Additional SWPPP Requirements.

    a. Drainage Area Site Map. Identify in the SWPPP where any of the following may be exposed to precipitation or surface runoff: vents and stacks from metal processing and similar operations.

Subpart AC – Sector AC – Electronic and Electrical Equipment and Components, Photographic and Optical Goods.

The permittee must comply with Part VIII sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector- specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

1. Covered Stormwater Discharges. The requirements in Subpart AC apply to stormwater discharges associated with industrial activity from facilities that manufacture Electronic and Electrical Equipment and Components, Photographic and Optical goods as identified by the SIC Codes specified in Table B-1 of Appendix B of the permit.

2. Additional Requirements. No additional sector-specific requirements apply.

Subpart AD – Sector AD - Stormwater Discharges Designated by the Secretary as Requiring Permits.

The permittee must comply with Part VIII sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

1. Covered Stormwater Discharges. Sector AD is used to provide permit coverage for facilities designated by the Secretary as needing a stormwater permit, and any discharges of stormwater associated with industrial activity that do not meet the description of an industrial activity covered by Sectors A-AC.

    a. Eligibility for Permit Coverage. Because this sector is primarily intended for use by discharges designated by the Secretary as needing a stormwater permit (which is an atypical circumstance), and the facility may or may not normally be discharging stormwater associated with industrial activity, the applicant must obtain the Secretary's written permission to use this permit prior to submitting an NOI. If the applicant is authorized to use this permit, the applicant will still be required to ensure that the discharges meet the basic eligibility provisions of Part I. of this permit.

2. Additional SWPPP and Inspections Requirements. The Secretary will establish any additional SWPPP and/or Inspections requirements for the facility at the time of accepting the Notice of Intent to be covered by this permit. Additional requirements would be based on the nature of activities at the facility and the stormwater discharges.

3. Sector Specific Benchmarks and Effluent Limits. The Secretary will establish any additional monitoring and reporting requirements for the facility prior to authorizing the applicant to be covered by this permit. Additional monitoring requirements would be based on the nature of activities at the facility and the stormwater discharges.

Part IX. Notice of Intent Requirements

A. Contents of Notice of Intent.

1. A standardized Notice of Intent (NOI) form that can be found at Industrial Stormwater Runoff - DNREC (delaware.gov). NOI forms are also included in the NeT-MSGP. Details on how to access NeT-MSGP are provided in Part VII.B. To access NeT-MSGP, go to CDX Home | Central Data Exchange | US EPA
   a. The NOI must contain the following information:
      a. Owner's Information
         i. Name
         ii. Mailing address
         iii. E-mail address
         iv. Telephone number
         v. Ownership status
         vi. Status as a Federal, State, private, public, or other entity

      b. Operator Information
         i. Name
         ii. Mailing address
         iii. E-mail address
         iv. Telephone number
         v. Ownership status
         vi. Status as a Federal, State, private, public, or other entity

      c. Preparer's Information
         i. Name
         ii. Organization name
         iii. Organization address
         iv. E-mail address
         v. Telephone number

      d. Facility Information
         i. Name
         ii. Physical Address
         iii. Mailing Address
         iv. The latitude and longitude of the approximate center of the facility to the nearest 15 seconds
         v. Estimated area of industrial activity exposed to stormwater to the nearest quarter acre
         vi. Identify the 4-digit Standard Industrial Classification (SIC) code that best represents the products produced or services rendered for which your facility is primarily engaged, as defined in the Table B-1, and the applicable sector of your primary industrial activity
         vii. Additional relevant SIC Codes and their related Sectors
         viii. Inactive and Unstaffed determination

      e. Discharge Information
         i. Certification, signed and certified per the requirements of 40 CFR 122.22, confirming that permittee understands the permit only authorizes the authorized stormwater discharges in Part I.A.1 and the allowable non-stormwater discharges listed in Part I.A.2. Any discharges not expressly authorized in this permit cannot become authorized or shielded from liability under CWA section 402(k) by disclosure to the Department after issuance of this permit via any means, including the Notice of Intent (NOI) to be covered by the permit, the Stormwater Pollution Prevention Plan (SWPPP), during an inspection, etc. If any discharges requiring NPDES permit coverage other than the authorized stormwater and non-stormwater discharges listed in Parts 1.A.1 and 1.A.2 will be discharged, they must be covered under another NPDES permit.
         ii. Confirmation if the facility has a discharge subject to effluent limitation guidelines
         iii. List of all stormwater discharge points from the facility and the following information:
            1. Discharge point ID
            2. Latitude and Longitude of the discharge point
            3. Name of the first waters of the State that receives the stormwater directly from the MS4 the outfall discharges to.

4. If the receiving water is impaired (on the CWA 303(d) list), list the pollutants that are causing the impairment.
5. If the receiving water has a TMDL (Total Maximum Daily Loads - DNREC (delaware.gov)), provide the pollutants for which there is a TMDL and if those pollutants are expected to be in the discharge.
6. Indicate if the receiving water as freshwater or saltwater.
7. Indicated if the receiving water is designated as a Water of Exceptional Recreational or Ecological Significance (ERES) as listed in Appendix D.
8. Indicate any substantially identical discharge point IDs

iv. Provide Latitude and Longitude data source. If using USGS topographic map, provide Horizontal Reference Datum.
v. Indicate if the facilities discharges into an MS4. If so, provide the name of the MS4 operator.
vi. If the facility is subject to benchmark monitoring requirements for a hardness-dependent metal, provide the hardness of the receiving water.
vii. Indicate if the facility discharges to a Federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Site.

f. Stormwater Pollution Prevention Plan Information
i. Indicate if the SWPPP has been prepared in advance of filing the NOI.
ii. SWPPP Contact Information
1. Name
2. Professional Title
3. Phone Number
4. E-mail Address

iii. Description of onsite industrial activities exposed to stormwater (e.g., material storage; equipment fueling, maintenance, and cleaning; cutting steel beams), and potential spill and leak areas.
iv. List the pollutant(s) or pollutant constituent(s) associated with each industrial activity exposed to stormwater that could be discharged in stormwater and any authorized non-stormwater discharges listed in Part I.A.2.
v. Description of the control measures employed to comply with the non-numeric technology-based effluent limits required in Part VIII, and any other measures taken to comply with the requirements in Part IV.C Water Quality-Based Effluent Limitations.
vi. A schedule for good housekeeping and maintenance and a schedule for all inspections required in Part III.

g. Endangered Species Protection
i. Indicate if the facility discharges to Areas of Endangered Species Act-designated critical habitat for endangered or threatened species and if stormwater discharges, authorized non-stormwater discharges, and stormwater discharge-related activities are not likely to adversely affect any species that are federally listed as endangered or threatened (“ESA-listed”) and are not likely to adversely affect habitat that is designated as “critical habitat” under the Endangered Species Act (ESA).

h. Historic Preservation
i. Indicate if the facility discharges to a National Historic Preservation Act (NHPA) – Protected Property and that stormwater discharges, authorized non-stormwater discharges, and stormwater discharge-related activities are not likely to adversely affect NHPA Protected Properties.

i. Certification Information
i. Name
ii. Title
iii. E-mail address
iv. The NOI must contain the following certification, signed and certified per the requirements of 40 CFR 122.22.

“I certify under penalty of law this document and all attachments were prepared under my direction, or supervision, in accordance with a system designed to assure that qualified personnel gathered and evaluated the information submitted. Based upon my inquiry of the person(s) directly responsible for gathering the information, the information is, to the best of my knowledge, true, accurate and complete. I am aware that there are significant penalties for submitting false

information, including the possibility of fine and imprisonment for willful violations."

b. The Stormwater Pollution Prevention Plan must be submitted as part of the NOI.

1. Additional information may be required by this Department to be included as part of the NOI, if the Department determines that such information is reasonably necessary to determine whether or not to authorize the discharge under this permit.

2. Where to submit. A completed and signed NOI must be submitted pursuant to Part VII.B of this permit.

3. Deficient NOI. If any portion of the NOI does not meet one or more of the minimum requirements of this part, then the applicant will be notified by a deficiency letter at any point within the review period. It is the responsibility of the applicant to make all required changes and resubmit the NOI within 30 calendar days after notification of deficiency by the Department. The review period will recommence upon the received submittal date of the revised NOI.

Part X. General Requirements

A. Duty to Comply.

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of 7 Del. C. Chapter 60 and the CWA and is grounds for enforcement action which may include permit termination, revocation and reissuance, modification, or for the denial of a permit renewal application and the imposition of penalties.

The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the CWA for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate this requirement. Section 309 of the CWA provides significant penalties for any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318 or 405 of the CWA or any permit condition or limitation implementing any such sections in a permit issued under Section 402 of the CWA. Any person who violates any condition of this permit is subject to a civil penalty of up to $25,000 per day of such violation, as adjusted for inflation, as well as any other appropriate sanctions provided by Section 309 of the CWA. Section 309(c)(4) of the CWA provides that any person who knowingly makes any false material statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including reports of compliance or noncompliance shall, upon conviction, be punished by a fine of up to $10,000 or by imprisonment of not more than two (2) years, or by both.

7 Del. C. Ch. 60 provides that any person who violates a permit condition is subject to a civil penalty of not more than $25,000 per day of such violation. Any person who willfully or negligently violates a permit condition is subject to a criminal penalty of not more than $25,000 per day of such violation. Any person who intentionally, knowingly or recklessly makes any false statement in connection with the permit is subject to a criminal penalty of not more than $10,000 for each instance of violation or by imprisonment for not more than 6 months, or both.

B. Continuation of the Expired General Permit.

An expired general permit continues in force and effect until a new general permit is issued.

C. Duty to Reapply.

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain authorization as required by the new permit once the Department issues it.

D. Need to Halt or Reduce Activity Not a Defense.

It shall not be a defense for the 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.

E. Duty to Mitigate.

The permittee shall 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.

F. Duty to Provide Information.

The permittee shall furnish to the Department, within a reasonable time, any information which the Department may request to determine whether cause exists for modifying, revoking, and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall furnish to the Department any copies that are required to be kept as part of this permit.

G. Signatory Requirements.

All Notices of Intent, Stormwater Pollution Prevention Plans, reports, certifications or information either submitted to the Department, or that this permit requires to be maintained by the permittee, shall be signed and certified per the requirements of 40 CFR 122.22.

H. Oil and Hazardous Substance Liability.

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the CWA.

I. Release in Excess of Reportable Quantities.

If a release in excess of reportable quantities occurs, the permittee must notify the Office of Water Resources immediately. This permit does not relieve the permittee of the reporting requirements of 40 CFR Part 117 and 40 CFR Part 302. The discharge of hazardous substances in the stormwater discharge(s) from a facility shall be minimized in accordance with the applicable stormwater pollution prevention plan for the facility, and in no case, during any 24-hour period, shall the discharge(s) contain a hazardous substance equal to or in excess of reportable quantities.

J. 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.

K. Severability.

Any portion of this permit that is found to be void or that is challenged shall not affect the validity of the various permit requirements that are not void or challenged.

L. Transfers.

This permit is not transferable to any person except after notice to the Department. Where a facility wants to change the name of the permittee, the original permittee (the first owner or permittees) must submit a Notice of Termination pursuant to Part I.E. The new owner or permittee must submit a Notice of Intent in accordance with Part I.C and Part IX.A.

M. State or Federal Laws.

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State or Federal law or regulation.

N. Proper Operation and Maintenance.

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

O. Monitoring and Records.

1. Samples and measurements taken for the purpose of monitoring shall be representative of the volume and nature of the discharge over the sampling and reporting period.

2. The permittee shall retain records of all monitoring including all calibration and maintenance records and all original strip chart recordings from continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least five (5) years from the date of the sample, measurement, report or application. This period may be extended by request of the Department at any time.

3. Records of monitoring information shall include:

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

    b. The individual(s) who performed the sampling or measurements;

    c. The date(s) analyses were performed;

    d. The individual(s) who performed the analyses;

e. The analytical techniques or methods used; and

f. The results of such analyses.

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

5. The CWA provides that any person who intentionally, knowingly or recklessly makes any false statement, falsifies, tampers with, or renders inaccurate, any monitoring device or method required to be maintained under this permit shall upon conviction, be punished by a fine of up to $10,000 per violation or by imprisonment for not more than six months per violation, or by both.

6. Monitoring results must be reported on a Discharge Monitoring Report (DMR).

7. If the permittee monitors any pollutants more frequently than required by this permit, using test procedures approved under 40 CFR Part 136, applicable State regulations, or as specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.

P. Bypass of Stormwater Control Facilities.

8. Anticipated Bypass. If the permittee knows in advance of the need for a bypass, he or she shall notify the Department in writing at least ten days prior to the date of the bypass. Such notice shall include the anticipated quantity and the anticipated effect of the bypass.

9. Unanticipated Bypass. The permittee shall submit notice of an unanticipated bypass. Any information regarding the unanticipated bypass shall be provided orally within twenty-four hours from the time the permittee became aware of the circumstances. A written submission shall also be provided within five (5) days of the time the permittee became aware of the bypass. The written submission shall contain a description of the bypass and its cause; the period of the bypass, including exact dates and times, and if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate and prevent reoccurrence of the bypass.

10. Prohibition of Bypass.

    a. Bypass is prohibited and enforcement action against the permittee may be taken for the bypass unless:

        i. The bypass was unavoidable to prevent loss of life, personal injury or severe property damage;

        ii. There was no feasible alternative to the bypass, such as the use of auxiliary treatment facilities, retention of untreated waste, or maintenance during normal periods of equipment downtime. This condition is not satisfied if the permittee should, in the exercise of reasonable engineering judgement, have installed adequate backup equipment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and

        iii. The permittee submitted required notices.

    b. The Department may approve an anticipated bypass after considering its adverse effects, if the Department determines that it will meet the applicable conditions.

Q. Upset Conditions.

1. An upset constitutes an affirmative defense to an action brought for noncompliance with technology-based permit limitations. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

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

a. An upset occurred and the permittee can identify the specific causes(s) of the upset;

b. The permittee facility was at the time being properly operated;

c. The permittee submitted notice of the upset as required; and

d. The permittee complied with any remedial measures required by the Department.

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

R. Inspection and Entry.

The permittee shall allow the Department upon presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;

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

3. Inspect at reasonable times any facilities, equipment, or operations regulated or required under this permit, including taking pictures; and

4. Sample or monitor any substances or parameters at any location, at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the CWA or Delaware Law.

S. Permit Actions.

This permit may be modified, revoked and reissued, or terminated for cause, including but not limited to: violation of any terms or conditions of this permit; obtaining the permit by misrepresentation or failure to disclose all relevant facts; or a change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

1. Requiring an Individual Permit or an Alternative General Permit.

a. The Secretary of the Department of Natural Resources and Environmental Control (the Department) may require any owner or permittee authorized to discharge stormwater under this permit to apply for and obtain either an individual or an alternative Department general permit. Any interested person may petition the Secretary to take action under this paragraph. The Secretary may determine at his or her own discretion that an individual or an alternative general permit is required.

b. Any owner or permittee authorized to discharge stormwater by this permit may request to be excluded from coverage of this permit by applying for an individual permit or participating in an applicable group permit. The owner or permittee shall submit an individual application (Form 1 and Form 2F) with reasons supporting the request, or participate in a group application in accordance with the requirements of 40 CFR 122.26, to the Secretary. The request may be granted by issuance of an individual permit or an alternative general permit, if the reasons cited by the owner or permittee are adequate to support the request. The Secretary shall notify the permittee within a timely fashion as to whether or not the request has been granted.

c. If a facility requests or is required to obtain coverage under an individual or an alternative general permit, then authorization to discharge stormwater under this permit shall automatically be terminated on the date of issuance of the individual or the alternative general permit. Until such time as an alternative permit is issued, the existing general permit remains fully in force.

T. Reopener Clause.

The Department reserves the right to make appropriate revisions to this permit in order to incorporate any appropriate effluent limitations, schedules of compliance, or other provisions which may be authorized under the CWA or State Law. If any effluent standard or prohibition, or water quality standard is promulgated under the CWA or under State law which is more stringent than any limitation on the pollutants limited in this permit, or controls pollutants not limited in the permit; then the Department may promptly reopen the permit and modify or revoke and reissue the permit to conform to the applicable standard.

U. Availability of Reports.

Except for data determined by the Department to be confidential, all reports prepared in accordance with the terms of this permit shall be available for public inspection at 89 Kings Highway, Dover, Delaware. As required by the CWA, effluent data shall not be considered confidential.

1. Confidentiality of Information

   a. Any information submitted to the Department pursuant to these regulations may be claimed as confidential by the submitter. The Secretary will determine if the information is entitled to protection in accordance with 7 Del. C. §6014. Any such claim must be asserted at the time of the submission in the manner prescribed on the application form or instructions or, in the case of other submissions, by stamping the words "confidential business information" on each page containing such information. If no claim is made at the time of submission, the Department may make the information available to the public without further notice.

   b. Claims of confidentiality for the following information will be denied:

      i. The name and address of any permit application or permittee;
      ii. Permit applications, permits and any attachments thereto; and
      iii. Effluent sampling data.

V. Right to Appeal.

Within thirty (30) days of receipt of notice of final authorization, the permittee or any interested person may submit a request to the Secretary for an adjudicatory hearing to appeal the decision to be covered under the general permit.

Appendix A
Definitions, Abbreviations and Acronyms.

Action Area – all areas to be affected directly or indirectly by the stormwater discharges, allowable non-stormwater discharges, and stormwater discharge-related activities, and not merely the immediate area involved in these discharges and activities.

All Reasonable Steps – The permittee responds to the conditions triggering the corrective action, such as cleaning up any exposed materials that may be discharged via stormwater (e.g., through sweeping, vacuuming) or making arrangements (i.e., scheduling) for a new SCM to be installed. “All reasonable steps” does not mean taking action when it is unsafe to do so (e.g., due to inclement weather).

Arid Areas – areas where annual rainfall averages from 0-10 inches.

Best Management Practices (BMPs) – schedules of activities, practices (and prohibitions of practices), structures, vegetation, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to waters of the State. 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.

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Bypass – the intentional diversion of waste streams from any portion of a treatment facility. See 40 CFR 122.41(m)(1)(i).

CERCLA Site (i.e., Superfund Site) – for the purposes of this permit, a site as defined in Section 101(9) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. § 9601(9), that is undergoing a remedial investigation and feasibility study, or for which a Record of Decision for remedial action has been issued in accordance with the National Contingency Plan, 40 CFR Part 300.

Co-located Industrial Activities – Any industrial activities, excluding your primary industrial activity(ies), located on-site. 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 stormwater regulations or identified by the SIC code list in Appendix B.

Control Measure – refers to any stormwater control or other method (including narrative effluent limitations) used to prevent or reduce the discharge of pollutants to waters of the State.

Department – The Delaware Department of Natural Resources & Environmental Control.

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

Discharge of a pollutant – any addition of any “pollutant” or combination of pollutants to “waters of the State” from any “point source,” or any addition of any pollutant or combination of pollutants to the waters of the “contiguous zone” or the ocean from any point source other than a vessel or other floating craft which is being used as a means of transportation. This includes additions of pollutants into waters of the State from: surface runoff which is collected or channeled by man; discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works.

Discharge Point – for the purposes of this permit, the location where collected and concentrated stormwater flows are discharged from the facility such that the first receiving waterbody into which the discharge flows, either directly or through a separate storm sewer system, is a water of the State.

Discharge-related activities – activities that cause, contribute to, or result in stormwater and allowable non-stormwater point source discharges, and measures such as the siting, construction and operation of BMPs to control, reduce, or prevent pollution in the discharges.

EPA Approved or Established Total Maximum Daily Loads (TMDLs) – “EPA Approved TMDLs” are those that are developed by a State and approved by EPA. “EPA Established TMDLs” are those that are issued by EPA.

Existing Discharger – any permittee applying for coverage under this permit for discharges authorized previously under a Department general or individual permit.

Facility– any building, any structure, any complex of buildings or structures, any process, production equipment or machinery, which makes it possible for an activity to be conducted.

Feasible – technologically possible and economically practicable and achievable in light of best industry practices. The Department notes that it does not intend for any permit requirement to conflict with State or Federal water rights laws.

Federal Facility – any buildings, installations, structures, land, public works, equipment, aircraft, vessels, and other vehicles and property, owned by, or constructed or manufactured for the purpose of leasing to, the federal government.

Federal Operator – an entity that meets the definition of "Operator" in this permit and is either any department, agency or instrumentality of the executive, legislative, and judicial branches of the Federal government of the United States, or another entity, such as a private contractor, operating for any such department, agency, or instrumentality.

Impaired Water (or "Water Quality Impaired Water") – a water is impaired for purposes of this permit if it has been identified by a State, Tribe or EPA pursuant to Section 303(d) of the Clean Water Act as not meeting applicable State or Tribal water quality standards. Impaired waters include both waters with approved or established TMDLs, and those for which a TMDL has not yet been approved or established.

Immediately - the day the permittee finds a condition requiring corrective action, you must take all reasonable steps to minimize or prevent the discharge of pollutants until you can implement a permanent solution. However, if the permittee identifies a problem too late in the work-day to initiate corrective action, the permittee must perform the corrective action the following work-day morning.

Industrial Activity – the 10 categories of industrial activities included in the definition of "stormwater discharges associated with industrial activity."

Industrial Discharger – the owner and permittee of a facility that is listed in Table B-1 of Appendix B of this permit.

Industrial Stormwater – stormwater discharge associated with industrial activity.

Minimize - Reduce and/or eliminate to the extent achievable using control measures (including best management practices) that are technologically available and economically practicable and achievable in light of best industry practice.

Municipal Separate Storm Sewer – means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

Owned or operated by a city or town or the State district association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the State;

Designed or used for collecting or conveying stormwater;

Which is not a combined sewer; and

Which is not part of a Publicly Owned Treatment Works (POTW) as defined in Rule 3.

New Discharger – a facility from which there is a discharge, that did not commence the discharge at a particular site prior to August 13, 1979, which is not a new source, and which has never received a finally effective Department permit for discharges at that site.

New Source – any building, structure, facility, or installation from which there is or may be a "discharge of pollutants," the construction of which commenced:

after promulgation of standards of performance under section 306 of the CWA which are applicable to such source, or

after proposal of standards of performance in accordance with section 306 of the CWA which are applicable to such source, but only if the standards are promulgated in accordance with section 306 within 120 days of their proposal.

New Source Performance Standards (NSPS) – technology-based standards for facilities that qualify as new sources under 40 CFR 122.2 and 40 CFR 122.29.

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

Permittee – any entity with a stormwater discharge associated with industrial activity that meets either of the following two criteria:

The entity has operational control over industrial activities, including the ability to modify those activities; or

The entity has day-to-day operational control of activities at a facility necessary to ensure compliance with the permit (e.g., the entity is authorized to direct workers at a facility to carry out activities required by the permit).

Operator – See "Permittee".

Owner - The person who owns a facility or part of a facility or the real property on which a permitted facility is located.

Person – an individual, association, partnership, corporation, municipality, State or Federal agency, or an agent or employee thereof.

Point source – 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 stormwater runoff.

Pollutant – dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal and agricultural waste discharged into water.

Pollutant of concern – A pollutant which causes or contributes to a violation of a water quality standard, including a pollutant which is identified as causing an impairment in a state's 303(d) list.

Primary industrial activity – includes any activities performed on-site which are (1) identified by the facility's primary SIC code; or (2) included in the narrative descriptions of Rule 31(b)(15)(i), (iv), (v), or (vii), and (ix). [For co-located activities covered by multiple SIC codes, it is recommended that the primary industrial determination be based on the value of receipts or revenues or, if such information is not available for a particular facility, the number of employees or production rate for each process may be compared. The operation that generates the most revenue or employs the most personnel is the operation in which the facility is primarily engaged. In situations where the vast majority of on-site activity falls within one SIC code, that activity may be the primary industrial activity.]

Qualified Personnel – Qualified personnel are those who possess the knowledge and skills to assess conditions and activities that could impact stormwater quality at your facility, and who can also evaluate the effectiveness of control measures.

Release – leak, spill or other unauthorized discharge of a pollutant.

Reportable Quantity Release – a release of a hazardous substance at or above the established legal threshold that requires emergency notification. Refer to 40 CFR Parts 110, 117, and 302 for complete definitions and reportable quantities for which notification is required.

Runoff coefficient – the fraction of total rainfall that will appear at the conveyance as runoff. See 40 CFR 122.26(b)(11).

Secretary – the Secretary of the Department of Natural Resources and Environmental Control or any subordinate or subordinates to whom they delegated the powers and duties vested in them by these regulations.

Sector – a business type that is classified in Table 1 and subject to specific requirements under this permit.

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

Site - means the land or water area where any "facility or activity" is physically located or conducted, including adjacent land used in connection with the facility or activity.

Stormwater – stormwater runoff, snow melt runoff, and surface runoff and drainage.

Stormwater Discharges Associated with Construction Activity – a discharge of pollutants in stormwater runoff from areas where soil disturbing activities (e.g., clearing, grading, or excavating), construction materials, or equipment storage or maintenance (e.g., fill piles, borrow areas, concrete truck washout, fueling), or other industrial stormwater directly related to the construction process (e.g., concrete or asphalt batch plants) are located.

Stormwater Discharges Associated with Industrial Activity – means the discharge from any conveyance which is used for collecting and conveying stormwater and which is directly related to manufacturing, processing or raw materials storage areas at an industrial plant. For the categories of industries identified in this section, the term includes, but is not limited to, stormwater discharges from industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process waste waters (as defined at 40 CFR part 401); sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials, and intermediate and final products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to stormwater. For the purposes of this paragraph, material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product, by-product or waste product. The term excludes areas located on plant lands separate from the plant's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with stormwater drained from the above-described areas.

Stormwater Pollution Prevention Plan (SWPPP) - A document containing a list of potential pollutant sources and practices and programs, or control measures, inspection and maintenance procedures to reduce or eliminate the discharge of pollutants at a regulated site in accordance with this permit and 40 CFR 122.44. Also referred to under federal regulations as Stormwater Pollution Prevention Plan. Also referred to under Delaware Regulations as Stormwater Plan.

Total Maximum Daily Loads (TMDLs) – a TMDL is a calculation of the maximum amount of a pollutant that a water body can receive and still meet water quality standards, and an allocation of that amount to the pollutant's sources. A TMDL includes wasteload allocations (WLAs) for point source discharges; load allocations (LAs) for nonpoint sources and/or natural background, and must include a margin of safety (MOS) and account for seasonal variations.

Waters of Exceptional Recreational or Ecological Significance (ERES) - Waters which are important, unique, or sensitive from a recreational and/or ecological perspective, but which may or may not have excellent water quality. Such waters shall normally have regional significance with respect to recreational use (fishing, swimming and boating), or have significant or widespread riverine, riparian, or wetland natural areas.

Waters of the State - All water, on the surface and under the ground, wholly or partially within, or bordering the State, or within its jurisdiction including but not limited to: (1) waters which are subject to the ebb and flow of the tide including, but not limited to, estuaries, bays and the Atlantic Ocean; (2) all interstate waters, including interstate wetlands; (3) all other Waters of the State, such as lakes, rivers, streams (including intermittent and ephemeral streams), drainage ditches, tax ditches, creeks, mudflats, sand flats, wetlands, sloughs, or natural or impounded ponds; (4) all impoundments of waters otherwise defined as Waters of the State under this definition; (5) wetlands adjacent to waters (other than waters that are themselves wetlands) identified in the above four statements. (6) Waste and stormwater treatment systems or waste storage structures including, but not limited to, treatment ponds or lagoons designed to meet the requirements of the Clean Water Act (other than cooling ponds which otherwise meet the requirements of this definition) are not "Waters of the State".

Water Quality Impaired – See 'Impaired Water'.

Water Quality Standards – provisions of State or Federal law which consist of a designated use or uses for the waters of the State and water quality criteria for such waters based upon such uses. Water quality standards are to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act.

A.2. ABBREVIATIONS AND ACRONYMS

BAT – Best Available Technology Economically Achievable
BOD5 – Biochemical Oxygen Demand (5-day test)
BMP – Best Management Practice
BPJ – Best Professional Judgment
BPT – Best Practicable Control Technology Currently Available
CERCLA – Comprehensive Environmental Response, Compensation and Liability Act
CGP – Construction General Permit
COD – Chemical Oxygen Demand
CWA – Clean Water Act (or the Federal Water Pollution Control Act, 33 U.S.C. §1251 et seq)
CWT – Centralized Waste Treatment
DNREC- Department of Natural Resources and Environmental Control
DMR – Discharge Monitoring Report
EPA – U. S. Environmental Protection Agency
ESA – Endangered Species Act
ERES – Exceptional Recreational or Ecological Significance
FWS – U. S. Fish and Wildlife Service
LA – Load Allocations
MDMR – MSGP Discharge Monitoring Report
MGD – Million Gallons per Day
MOS – Margin of Safety
MS4 – Municipal Separate Storm Sewer System
MSDS – Material Safety Data Sheet
MSGP – Multi-Sector General Permit
NAICS – North American Industry Classification System
NEPA – National Environmental Policy Act
NHPA – National Historic Preservation Act
NMFS – U. S. National Marine Fisheries Service
NOI – Notice of Intent
NOT – Notice of Termination
NRC – National Response Center
NRHP – National Register of Historic Places
NSPS – New Source Performance Standard
NTU – Nephelometric Turbidity Unit
OMB – U. S. Office of Management and Budget
ORW – Outstanding Resource Water
OSM – U. S. Office of Surface Mining
POTW – Publicly Owned Treatment Works
RCRA – Resource Conservation and Recovery Act
RQ – Reportable Quantity
SARA – Superfund Amendments and Reauthorization Act
SIC – Standard Industrial Classification
SMCRA – Surface Mining Control and Reclamation Act
SPCC – Spill Prevention, Control, and Countermeasures
SWPPP – Stormwater Pollution Prevention Plan
TMDL – Total Maximum Daily Load
TSDF – Treatment, Storage, or Disposal Facility
TSS – Total Suspended Solids
USGS – United State Geological Survey
WLA – Wasteload Allocation
WQS – Water Quality Standard

Appendix B
Facilities and Activities Covered.

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

Table B-1. Sectors of Industrial Activity Covered by This Permit

Subsector (May be subject to more than one	SIC Code or Activity Code1	Activity Represented
SECTOR A: TIMBER PRODUCTS		
A1	2421	General Sawmills and Planing Mills
A2	2491	Wood Preserving
A3	2411	Log Storage and Handling
A4	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
	2448	Wood Pallets and Skids
	2449	Wood Containers, Not Elsewhere Classified
	2451, 2452	Wood Buildings and Mobile Homes
	2493	Reconstituted Wood Products
	2499	Wood Products, Not Elsewhere Classified
A5	2441	Nailed and Lock Corner Wood Boxes and Shook
SECTOR B: PAPER AND ALLIED PRODUCTS		
B1	2631	Paperboard Mills
B2	2611	Pulp Mills
	2621	Paper Mills
	2652-2657	Paperboard Containers and Boxes
	2671-2679	Converted Paper and Paperboard Products, Except Containers and Boxes
SECTOR C: CHEMICALS AND ALLIED PRODUCTS		
C1	2873-2879	Agricultural Chemicals
C2	2812-2819	Industrial Inorganic Chemicals
C3	2841-2844	Soaps, Detergents, and Cleaning Preparations; Perfumes, Cosmetics, and Other Toilet Preparations
C4	2821-2824	Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers Except
C5	2833-2836	Medicinal Chemicals and Botanical Products; Pharmaceutical Preparations; in vitro and in vivo Diagnostic Substances; and Biological Products, Except
	2851	Paints, Varnishes, Lacquers, Enamels, and Allied Products
	2861-2869	Industrial Organic Chemicals
	2891-2899	Miscellaneous Chemical Products
	3952 (limited to list of inks and paints)	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
	2911	Petroleum Refining

Table B-1. Sectors of Industrial Activity Covered by This Permit		
Subsector (May be subject to more than one sector/subsector)	**Permit SIC Code or Activity Code**	**Activity Represented**
SECTOR D: ASPHALT PAVING AND ROOFING MATERIALS AND LUBRICANTS		
D1	2951, 2952	Asphalt Paving and Roofing Materials
D2	2992, 2999	Miscellaneous Products of Petroleum and Coal
SECTOR E: GLASS, CLAY, CEMENT, CONCRETE, AND GYPSUM PRODUCTS		
E1	3251-3259	Structural Clay Products
	3261-3269	Pottery and Related Products
E2	3271-3275	Concrete, Gypsum, and Plaster Products
E3	3211	Flat Glass
	3221, 3229	Glass and Glassware, Pressed or Blown
	3231	Glass Products Made of Purchased Glass
	3241	Hydraulic Cement
	3281	Cut Stone and Stone Products
	3291-3299	Abrasive, Asbestos, and Miscellaneous Nonmetallic Mineral Products
SECTOR F: PRIMARY METALS		
F1	3312-3317	Steel Works, Blast Furnaces, and Rolling and Finishing Mills
F2	3321-3325	Iron and Steel Foundries
F3	3351-3357	Rolling, Drawing, and Extruding of Nonferrous Metals
F4	3363-3369	Nonferrous Foundries (Castings)
F5	3331-3339	Primary Smelting and Refining of Nonferrous Metals
	3341	Secondary Smelting and Refining of Nonferrous Metals
	3398, 3399	Miscellaneous Primary Metal Products
SECTOR G: METAL MINING (ORE MINING AND DRESSING)		
G1	1021	Copper Ore and Mining Dressing Facilities
G2	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
SECTOR H: COAL MINES AND COAL MINING-RELATED FACILITIES		
H1	1221-1241	Coal Mines and Coal Mining-Related Facilities
SECTOR I: OIL AND GAS EXTRACTION AND REFINING		
I1	1311	Crude Petroleum and Natural Gas
	1321	Natural Gas Liquids
	1381-1389	Oil and Gas Field Services
SECTOR J: MINERAL MINING AND DRESSING		
J1	1442	Construction Sand and Gravel
	1446	Industrial Sand
J2	1411	Dimension Stone
	1422-1429	Crushed and Broken Stone, Including Rip Rap
	1481	Nonmetallic Minerals Services, Except Fuels
	1499	Miscellaneous Nonmetallic Minerals, Except Fuels

J3	1455, 1459	Clay, Ceramic, and Refractory Materials
	1474-1479	Chemical and Fertilizer Mineral Mining

Table B-1. Sectors of Industrial Activity Covered by This Permit

Subsector (May be subject to more than one sector/subsector)	Permit SIC Code or Activity Code	Activity Represented
SECTOR K: HAZARDOUS WASTE TREATMENT, STORAGE, OR DISPOSAL FACILITIES		
K1	HZ	Hazardous Waste Treatment, Storage, or Disposal Facilities, including those that are operating under interim status or a permit under subtitle C of RCRA
SECTOR L: LANDFILLS, LAND APPLICATION SITES, AND OPEN DUMPS		
L1	LF	All Landfill, Land Application Sites and Open Dumps
L2	LF	All Landfill, Land Application Sites and Open Dumps, except Municipal Solid Waste Landfill (MSWLF) Areas Closed in Accordance with 40 CFR 258.60
SECTOR M: AUTOMOBILE SALVAGE YARDS		
M1	5015	Automobile Salvage Yards
SECTOR N: SCRAP RECYCLING FACILITIES		
N1	5093	Scrap Recycling and Waste Recycling Facilities
SECTOR O: STEAM ELECTRIC GENERATING FACILITIES		
O1	SE	Steam Electric Generating Facilities, including coal handling sites
SECTOR P: LAND TRANSPORTATION AND WAREHOUSING		
P1	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
SECTOR Q: WATER TRANSPORTATION		
Q1	4412-4498	Water Transportation Facilities
	4499 *	Water Transportation Facilities Not Elsewhere Classified *except facilities engaged in marine wrecking ships for scrap,
SECTOR R: SHIP AND BOAT BUILDING AND REPAIRING YARDS		
R1	3731, 3732	Ship and Boat Building or Repairing Yards
SECTOR S: AIR TRANSPORTATION FACILITIES		
S1	4512-4581	Air Transportation Facilities
SECTOR T: TREATMENT WORKS		

T1	TW	Treatment Works treating domestic sewage or any other sewage sludge or wastewater treatment device or system, used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated to the disposal of sewage sludge that are located within the confines of the facility, with a design flow of 1.0 mgd or more, or required to have an approved pretreatment program under 40 CFR Part 403. Not included are farm lands, domestic gardens or lands used for sludge management where sludge is beneficially reused and which are not physically located in the confines of the facility, or areas that are in compliance with section 405 of the CWA

Table B-1. Sectors of Industrial Activity Covered by This Permit		
Subsector (May be subject to more than one sector/subsector)	**Permit SIC Code or Activity Code**	**Activity Represented**
SECTOR U: FOOD AND KINDRED PRODUCTS		
U1	2041-2048	Grain Mill Products
U2	2074-2079	Fats and Oils Products
U3	2011-2015	Meat Products
	2021-2026	Dairy Products
	2032-2038	Canned, Frozen, and Preserved Fruits, Vegetables, and Food Specialties
	2051-2053	Bakery Products
	2061-2068	Sugar and Confectionery Products
	2082-2087	Beverages
	2091-2099	Miscellaneous Food Preparations and Kindred Products
	2111-2141	Tobacco Product
SECTOR V: TEXTILE MILLS, APPAREL, AND OTHER FABRIC PRODUCT MANUFACTURING; LEATHER AND LEATHER PRODUCTS		
V1	2211-2299	Textile Mill Products
	2311-2399	Apparel and Other Final Products Made from Fabrics and Similar Materials
	3131-3199	Leather and Leather Products (note: see Sector Z1 for Leather Tanning and Finishing)
SECTOR W: FURNITURE AND FIXTURES		
W1	2434	Wood Kitchen Cabinets
	2511-2599	Furniture and Fixtures
SECTOR X: PRINTING AND PUBLISHING		
X1	2711-2796	Printing, Publishing, and Allied Industries
SECTOR Y: RUBBER, MISCELLANEOUS PLASTIC PRODUCTS, AND MISCELLANEOUS MANUFACTURING INDUSTRIES		
Y1	3011	Tires and Inner Tubes
	3021	Rubber and Plastics Footwear
	3052, 3053	Gaskets, Packing and Sealing Devices, and Rubber and Plastic Hoses and Belting
	3061, 3069	Fabricated Rubber Products, Not Elsewhere Classified
Y2	3081-3089	Miscellaneous Plastics Products
	3931	Musical Instruments
	3942-3949	Dolls, Toys, Games, and Sporting and Athletic Goods
	3951-3955 (except 3952 – see Sector C)	Pens, Pencils, and Other Artists' Materials
	3961, 3965	Costume Jewelry, Costume Novelties, Buttons, and Miscellaneous Notions, Except
	3991-3999	Miscellaneous Manufacturing Industries
SECTOR Z: LEATHER TANNING AND FINISHING		
Z1	3111	Leather Tanning and Finishing
SECTOR AA: FABRICATED METAL PRODUCTS		
AA1	3411-3499 (except 3479)	Fabricated Metal Products, Except Machinery and Transportation Equipment, and Coating, Engraving, and Allied Services.
	3911-3915	Jewelry, Silverware, and Plated Ware

AA2	3479	Fabricated Metal Coating and Engraving

Table B-1. Sectors of Industrial Activity Covered by This Permit		
Subsector (May be subject to more than one sector/subsector)	**Permit SIC Code or Activity Code**	**Activity Represented**
SECTOR AB: TRANSPORTATION EQUIPMENT, INDUSTRIAL OR COMMERCIAL MACHINERY		
AB1	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)
SECTOR AC: ELECTRONIC, ELECTRICAL, PHOTOGRAPHIC, AND OPTICAL GOODS		
AC1	3571-3579	Computer and Office Equipment
	3812-3873	Measuring, Analyzing, and Controlling Instruments; Photographic and Optical Goods,
	3612-3699	Electronic and Electrical Equipment and Components, Except Computer Equipment
SECTOR AD: NON-CLASSIFIED FACILITIES		
AD1		Other stormwater discharges designated by the Secretary as needing a permit (see 40 CFR 122.26(a)(9)(i)(C) & (D)) or any facility discharging stormwater associated with industrial activity not described by any of Sectors A-AC. NOTE: Facilities may not elect to be covered under Sector AD. Only the Secretary may assign a facility to Sector AD.

TABLE B-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 landfillls, [40 CFR Part 445, Subparts A and B (established February 2, 2000)].	Yes	K & L
Runoff from pavement deicing at primary airports [40 CFR Part 449, Subpart A]	Yes	S

TABLE B-3 – INDUSTRY SECTORS/SUB-SECTORS SUBJECT TO BENCHMARK MONITORING

MSGP Sector[1]	Industry Sub-Sector	Required Parameters for Benchmark
A	General Sawmills and Planning Mills	COD, TSS, Zinc, pH
	Wood Preserving Facilities	Arsenic, Copper, pH
	Log Storage and Handling	TSS, pH
	Hardwood Dimension and Flooring Mills	COD, TSS, pH
B	Paperboard Mills	COD, pH
C	Industrial Inorganic Chemicals	Aluminum, Iron, Nitrate + Nitrite N, pH
	Plastics, Synthetic Resins, etc.	Zinc, pH
	Soaps, Detergents, Cosmetics, Perfumes	Nitrate + Nitrite N, Zinc, pH
	Agricultural Chemicals	Nitrate + Nitrite N, Lead, Iron, Zinc, Phosphorus, pH
D	Asphalt Paving and Roofing Materials	TSS, pH
E	Clay Products	Aluminum, pH
	Concrete Products	TSS, Iron, Oil and Grease, pH
F	Steel Works, Blast Furnaces, and Rolling and Finishing Mills.	Aluminum, Zinc, pH
	Iron and Steel Foundries	Aluminum, TSS, Copper, Iron, Zinc, pH
	Non-Ferrous Rolling and Drawing	Copper, Zinc, pH
	Non-Ferrous Foundries (Castings)	Copper, Zinc, pH

G[2]	Copper Ore Mining and Dressing	TSS, Nitrate + Nitrite N, COD, Turbidity, pH, Hardness, Antimony, Arsenic, Beryllium, Cadmium, Copper, Iron, Lead, Mercury, Nickel, Selenium, Silver, Zinc
H	Coal Mines and coal-Mining Related Facilities .	TSS, Aluminum, Iron, pH
J	Dimension Stone, Crushed Stone, and Nonmetallic Minerals (except fuels)	TSS, pH
	Sand and Gravel Mining	Nitrate + Nitrite N, TSS, pH
K	Hazardous Waste Treatment Storage or Disposal	Ammonia, COD, Arsenic, Cadmium, Cyanide, Lead, Mercury, Selenium, Silver, pH
L	Landfills, Land Application Sites, and Open	Iron, TSS, pH
M	Automobile Salvage Yards	TSS, Aluminum, Iron, Oil and Grease, Lead, pH
N	Scrap Recycling and Waste Recycling Facilities	Copper, Aluminum, Iron, Lead, Zinc, TSS, COD, Oil and Grease, pH
	Facilities where shredding activities and/or shredding materials are exposed to stormwater	PCBs (Arochlors 1016, 1221, 1232, 1242, 1248, 1254, 1260)
O	Steam Electric Generating Facilities	Iron, pH
P	Land Transportation Facilities	Oil and Grease, Total Surfactants, TSS, pH
Q	Water Transportation Facilities	Aluminum, Iron, Lead, Zinc, pH
R	Boat building and Repair Facilities	Aluminum, Iron, Lead, Zinc, pH
S	Airports with Deicing Activities[3]	BOD, COD, Ammonia, pH
U	Grain Mill Products	TSS, pH
	Fats and Oils	BOD, COD, Nitrate + Nitrite N, TSS,
Y	Rubber Products	Zinc, pH
Z	Leather Tanning and Finishing	Total Kjeldahl Nitrogen, pH
AA	Fabricated Metal Products Except Coating	Iron, Aluminum, Zinc, Nitrate + Nitrite N, pH
	Fabricated Metal Coating and Engraving	Zinc, Nitrate + Nitrite N, pH

TABLE B-4 – 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

[1] Table does not include parameters for compliance monitoring under effluent limitations guidelines.

[2] See Sector G (Part VI.G) for additional monitoring discharges from waste rock and overburden piles from active ore mining or dressing facilities.

[3] Monitoring requirement is for airports with deicing activities that utilize more than 100 tons of urea or more than 10,000 gallons of ethylene glycol per year.

Appendix C

Calculating Hardness in Receiving Waters for Hardness Dependent Metals.

Calculating Hardness in Receiving Waters for Hardness Dependent Metals Overview

The benchmarks were adjusted for five hardness-dependent metals (i.e., cadmium, lead, nickel, silver, and zinc) to further ensure compliance with water quality standards and provide additional protection for endangered species and their critical habitat. For any sectors required to conduct benchmark samples for a hardness-dependent metal, 'hardness ranges' are included from which benchmark values are determined. To determine which hardness range to use, the permittee must collect data on the hardness of the facility's receiving water(s). Once the site- specific hardness data have been collected, the corresponding benchmark value for each metal is determined by comparing where the hardness data fall within 25 mg/L ranges, as shown in Table D-1.

Table D-1. Hardness Ranges to Be Used to Determine Benchmark Values for Cadmium, Lead, Nickel, Silver, and Zinc.

All Units mg/L	Benchmark Values (mg/L, total)				
Water Hardness Range	**Cadmium**	**Lead**	**Nickel**	**Silver**	**Zinc**
0-24.99	0.00049	0.014	0.145	0.00037	0.037
25-49.99	0.00073	0.024	0.203	0.0008	0.052
50-74.99	0.0012	0.045	0.314	0.0019	0.080
75-99.99	0.0017	0.069	0.418	0.0033	0.107
100-124.99	0.0021	0.095	0.518	0.0050	0.132
125-149.99	0.0026	0.123	0.614	0.0071	0.157
150-174.99	0.0031	0.151	0.707	0.0094	0.181
175-199.99	0.0035	0.182	0.798	0.012	0.204
200-224.99	0.0040	0.213	0.888	0.015	0.227
225-249.99	0.0044	0.246	0.975	0.018	0.249
250+	0.0047	0.262	1.019	0.020	0.260

How to Determine Hardness for Hardness-Dependent Parameters. The permittee may select one of three methods to determine hardness, including; individual grab sampling, grab sampling by a group of permittees which discharge to the same receiving water, or using third-party data. Regardless of the method used, the permittee is responsible for documenting the procedures used for determining hardness values. Once the hardness value is established, the permittee is required to include this information in the first benchmark report submitted to the Department so that the Department can make appropriate comparisons between the benchmark monitoring results and the corresponding benchmark. The permittee must retain all report and monitoring data in accordance with Part VII.E of the permit. The three method options for determining hardness are detailed in the following sections.

1. Permittee Samples for Receiving Stream Hardness

   This method involves collecting samples in the receiving water and submitting these to a laboratory for analysis. If the permittee elects to sample the receiving water(s) and submit samples for analysis, hardness must be determined from the closest intermittent or perennial stream downstream of the facility's point of discharge. The sample can be collected during either dry or wet weather. Collection of the sample during wet weather is more representative of conditions during stormwater discharges; however, collection of in-stream samples during wet weather events may be impracticable or present safety issues.

Hardness must be sampled and analyzed using approved methods as described in 40 CFR Part 136 (Guidelines Establishing Test Procedures for the Analysis of Pollutants)

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2. Group Monitoring for Receiving Stream Hardness
   The permittee can be part of a group of permittees discharging to the same receiving waters and collect samples that are representative of the hardness values for all members of the group. In this scenario, hardness of the receiving water must be determined using 40 CFR Part 136 procedures and the results shared by group members. To use the same results, hardness measurements must be taken on a stream reach within a reasonable distance of the discharge points of each of the group members.

3. Collection of Third-Party Hardness Data
   The permittee can submit receiving stream hardness data collected by a third party provided the results are collected consistent with the approved 40 CFR Part 136 methods. These data may come from a local water utility, previously conducted stream reports, TMDLs, peer reviewed literature, other government publications, or data previously collected by the permittee. Data must be less than 10 years old.

   Water quality data for many of the nation's surface waters are available on-line or by contacting EPA. EPA's data system STORET, short for STOrage and RETrieval, is a repository for receiving water quality, biological, and physical data and is used by state environmental agencies, EPA and other federal agencies, universities, private citizens, and many others. Similarly, state environmental agencies and the U.S. Geological Service (USGS) also have water quality data available which, in some instances, can be accessed online. "Legacy STORET" codes for hardness include: 259 hardness, carbonate; 260 hardness, noncarbonated; and 261 calcium + magnesium, while more recent, "Modern STORET" data codes include: 00900 hardness, 00901 carbonate hardness, and 00902 noncarbonate hardness; or the discrete measurements of calcium (00915) and magnesium (00925) can be used to calculate hardness. (See https://www.epa.gov/waterdata/water-quality-data-wqx.)

   Hardness data historically has been reported as "carbonate," "noncarbonate," or "Ca + Mg." If these are unavailable, then individual results for calcium (Ca) and magnesium (Mg) may be used to calculate hardness using the following equation:

   mg/L $CaCO_3$ = 2.497 (Ca mg/L) + 4.118 (Mg mg/L)

   When interpreting the data for carbonate and non-carbonate hardness, note that total hardness is equivalent to the sum of carbonate and noncarbonate hardness if both forms are reported. If only carbonate hardness is reported, it is more than likely that noncarbonate hardness is absent and the total hardness is equivalent to the available carbonate hardness.

Appendix D

List of Waters of Exceptional Recreational or Ecological Significance (ERES)

This permit has special requirements for discharges to waters designated as Waters of Exceptional recreational or ecological significance (ERES) for antidegradation purposes under 40 CFR 131.12(a) and as part of 7301 Surface Water Quality Standards Section 3.0. The list below is provided as a resource for operators who must determine whether they discharge to an ERES water. The Department evaluates the existing and protected quality of the receiving water on a pollutant-by-pollutant basis and determines whether water quality is better than the applicable criteria that would be affected by a new discharger or a new source or an increase in an existing discharge of the pollutant.

Table D-1. Waters designated as Waters of exceptional recreational or ecological significance (ERES):

Water Body	Watershed	Notes
Brandywine Creek	Piedmont	Designated use from PA/DE line to Wilmington city line.
Red Clay Creek	Piedmont	ERES designation is for Burrows Run from the Pennsylvania Line to the confluence with Red Clay Creek.
White Clay Creek	Piedmont	Designated use from PA/DE line to the dam at Curtis Paper.
Cedar Creek	Delaware Bay	Designated use for marine water segments only.
Marshyhope Creek	Chesapeake Bay	Has designated use to be protected throughout entire stream basin.
Nanticoke River	Chesapeake Bay	Has designated use to be protected throughout entire stream basin.
Gum Branch	Chesapeake Bay	Has designated use to be protected throughout entire stream basin.
Gravelly Branch	Chesapeake Bay	Has designated use to be protected throughout entire stream basin.
Deep Creek	Chesapeake Bay	Has designated use to be protected throughout entire stream basin.
Broad Creek	Chesapeake Bay	Has designated use to be protected throughout entire stream basin.
Wicomico	Chesapeake Bay	Has designated use to be protected throughout entire stream basin.
Rehoboth Bay	Inland Bays/Atlantic Ocean	Has designated use to be protected throughout entire stream basin.
Indian River	Inland Bays/Atlantic Ocean	Designated use for marine water segments only.
Iron Branch	Inland Bays/Atlantic Ocean	Designated use for marine water segments only.
Indian River Bay	Inland Bays/Atlantic Ocean	Has designated use to be protected throughout entire stream basin.
Assawoman	Inland Bays/Atlantic Ocean	Has designated use to be protected throughout entire stream basin.
Little Assawoman Bay	Inland Bays/Atlantic Ocean	Has designated use to be protected throughout entire stream basin.

Table D-1. Waters designated as Waters of exceptional recreational or ecological significance (ERES):		
Water Body	**Watershed**	**Notes**
Delaware Bay (waterbody)	Delaware Bay	The specific portions of the Atlantic Ocean and the Delaware Bay for which the ERES designation shall apply shall be delineated in the Pollution Control Strategy developed for each of those waterbodies. The ERES designation for the Atlantic Ocean and the Delaware Bay does not include water explicitly associated with any other designated stream basis (e.g., Delaware Bay does not include St. Jones River).
Atlantic Ocean (waterbody)	Inland Bays/Atlantic Ocean	The specific portions of the Atlantic Ocean and the Delaware Bay for which the ERES designation shall apply shall be delineated in the Pollution Control Strategy developed for each of those waterbodies. The ERES designation for the Atlantic Ocean and the Delaware Bay does not include water explicitly associated with any other designated stream basis (e.g., Delaware Bay does not include St. Jones River).