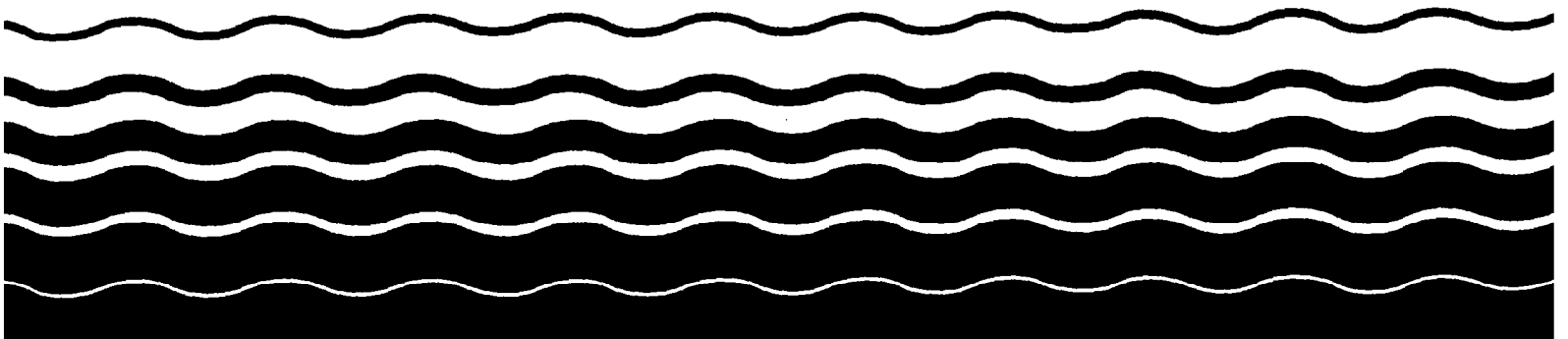




Overview Of The Storm Water Program





Overview of the Storm Water Program

OVERVIEW OF THE STORM WATER PROGRAM

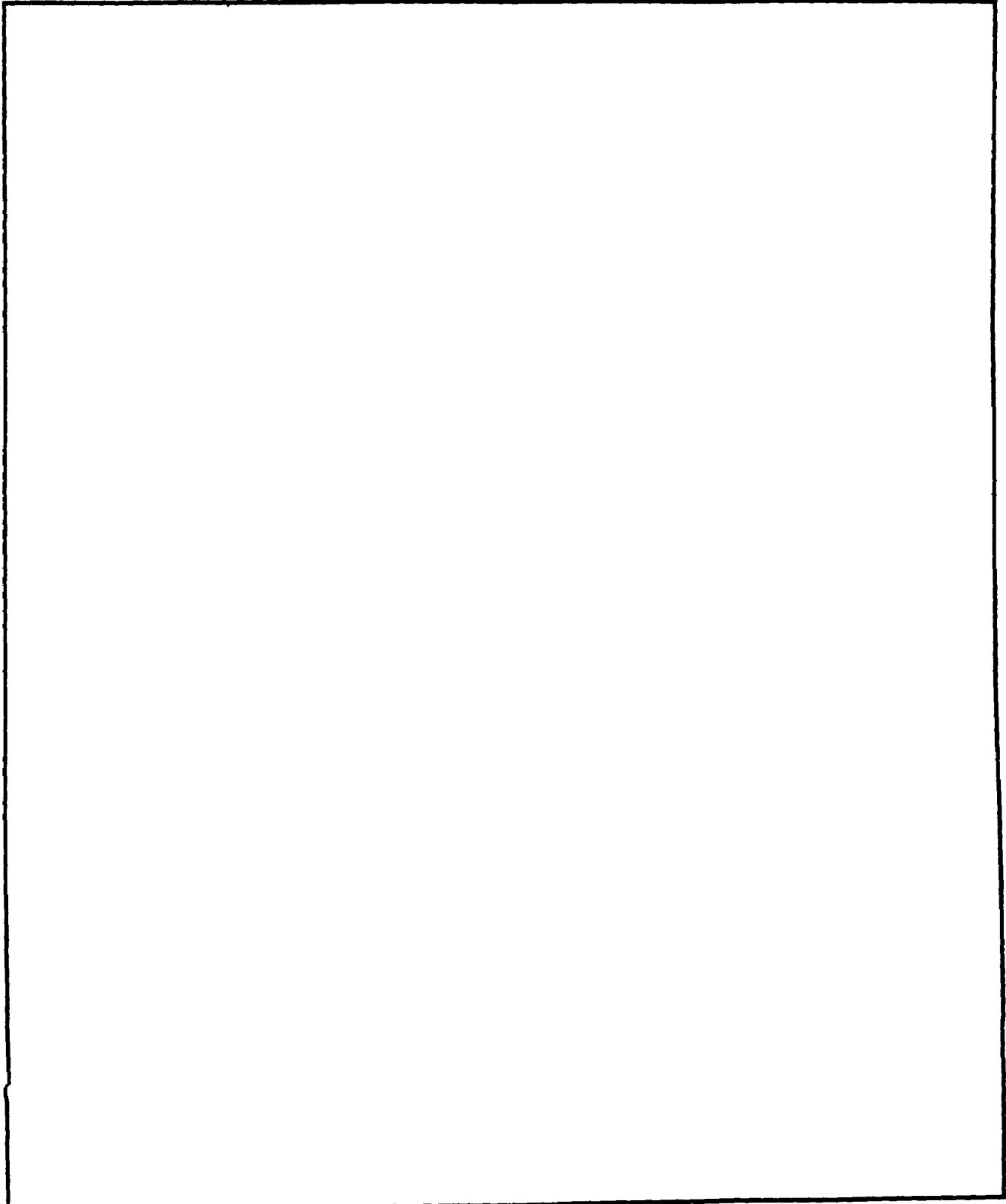
Table of Contents

1. STORM WATER PROGRAM	1
1.1 BACKGROUND	1
1.2 ENVIRONMENTAL IMPACTS	1
2. PHASE I PROGRAM	1
2.1 INDUSTRIAL FACILITIES COVERED	1
2.2 INDUSTRIAL PERMIT APPLICATION OPTIONS	2
2.2.1 INDIVIDUAL PERMIT APPLICATIONS.....	2
2.2.2 GROUP APPLICATIONS	3
2.2.3 GENERAL PERMIT APPLICATIONS	3
2.3 MUNICIPAL APPLICATIONS.....	4
3. PHASE II PROGRAM	4

ATTACHMENTS

ATTACHMENT I	Definition of Storm Water Associated with Industrial Activity	I-1
ATTACHMENT II	Industrial and Municipal Application Deadlines	II-1
ATTACHMENT III	Individual Application Requirements	III-1
ATTACHMENT IV	Baseline Industrial General Permit - General Information	IV-1
ATTACHMENT V	Baseline Construction General Permit - General Information	V-1
ATTACHMENT VI	Multi-Sector General Permit - General Information	VI-1
ATTACHMENT VII	Key Differences Between the Baseline and Multi-Sector Permits....	VII-1
ATTACHMENT VIII	Municipal Application Requirements	VIII-1

Overview of the Storm Water Program





Overview of the Storm Water Program

1.0 STORM WATER PROGRAM

1.1 BACKGROUND

The 1972 amendments to the Federal Water Pollution Control Act (FWPCA, also referred to as the Clean Water Act or CWA) prohibit the discharge of any pollutant to waters of the United States from a point source unless the discharge is authorized by a National Pollutant Discharge Elimination System (NPDES) permit. Efforts to improve water quality under the NPDES program traditionally have focused on reducing pollutants in discharges of industrial process wastewater and from municipal sewage treatment plants. Past efforts to address storm water discharges under the NPDES program have generally been limited to certain industrial categories with effluent limitations for storm water.

In response to the need for comprehensive NPDES requirements for discharges of storm water, Congress amended the CWA in 1987 to require the Environmental Protection Agency (EPA) to establish phased NPDES requirements for storm water discharges. To implement these requirements, EPA published the initial permit application requirements for certain categories of storm water discharges associated with industrial activity and for discharges from municipal separate storm sewer systems located in municipalities with a population of 100,000 or more (Phase I sources) on November 16, 1990 (55 FR 47990). Storm water discharge permits provide a mechanism for monitoring the discharge of pollutants from Phase I sources to waters of the United States and for establishing appropriate controls. In addition, EPA promulgated a final rule addressing Phase II sources on August 7, 1995 (60 FR 40230) and is looking at Phase III sources more comprehensively at this time.

1.2 ENVIRONMENTAL IMPACTS

Pollutants in storm water discharges continue to remain a significant source of environmental impacts to the quality of waters of the United States. The "National Water Quality Inventory, 1994 Report to Congress" provides a general assessment of water quality based on biennial reports submitted by the States under Section 305(b) of the Clean Water Act. The Report indicates that storm water discharges from a variety of sources including separate storm sewers, construction, waste disposal, and resource extraction activities are major causes of water quality impairment. Roughly 46 percent of the identified cases of water quality impairment of estuarine square miles surveyed, for example, are attributable to storm sewer runoff.

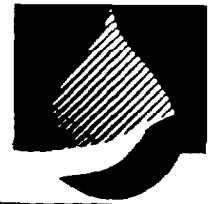
2.0 PHASE I PROGRAM

EPA published permit application requirements for Phase I storm water sources on November 16, 1990. Phase I sources include storm water discharges associated with industrial activities and storm water discharges from municipal separate storm sewer systems located in municipalities serving a population of 100,000 or more. The following describes, in more detail, the types of discharges covered by the Storm Water Phase I Program and the application options for these discharges.

2.1 INDUSTRIAL FACILITIES COVERED

EPA has defined the term "storm water discharge associated with industrial activity" in a comprehensive manner to address over 100,000 facilities (see Attachment I for a complete definition). All storm water discharges associated with industrial activity that discharge through municipal separate storm sewer systems or that discharge directly to waters of the United States are required to

Overview of the Storm Water Program



obtain NPDES permit coverage, including those which discharge through systems located in municipalities with a population of less than 100,000. Discharges of storm water to a sanitary sewer system or to a Publicly Owned Treatment Works (POTW) are excluded. Facilities with storm water discharges associated with industrial activity include: manufacturing facilities; construction operations disturbing five or more acres; hazardous waste treatment, storage, or disposal facilities; landfills; certain sewage treatment plants; recycling facilities; powerplants; mining operations; some oil and gas operations; airports; and certain other transportation facilities. Operators of industrial facilities that are Federally, State or municipally owned or operated that meet the description of the facilities listed in 40 CFR 122.26(b)(14)(i)-(xi) must also submit applications (note: the Transportation Act of 1991, described below, provides exceptions for certain municipally owned or operated facilities). EPA published final rules regarding the NPDES Storm Water Regulations on both April 2, 1992 (57 FR 11394) and December 18, 1992 (57 FR 60444). The rule promulgated on April 2, 1992 was, in part, to codify provisions of Transportation Act of 1991. The December 18, 1992 rule was in response to the mandate of the Ninth Circuit Court in *Natural Resources Defense Council (NRDC) v. EPA* (June 4, 1992). Each of these final rules are summarized below.

TRANSPORTATION ACT OF 1991

The Transportation Act of 1991 provides an exemption from Phase I storm water permitting requirements for certain industrial activities owned or operated by municipalities with a population of less than 100,000. Such municipalities must submit storm water discharge permit applications only for airports, powerplants, and uncontrolled sanitary landfills that they own or operate, unless a permit is otherwise required by the permitting authority.

NINTH CIRCUIT COURT DECISION

The Ninth Circuit United States Court of Appeals' opinion in *Natural Resources Defense Council (NRDC) v. EPA* (June 4, 1992) and the opinion in *American Mining Corporation (AMC) v. EPA* (May 27, 1992), affirmed and upheld the basic structure and direction of the national storm water program. In the NRDC case, the Court upheld the definition of "municipal separate storm sewer system," the standards for municipal storm water controls, the scope of storm water requirements for oil and gas operations, and EPA's decision not to provide public comment on Part 1 group industrial permit applications. On the question of deadlines, the Court noted that the storm water application deadlines clearly exceeded statutory requirements, but refused to "roll back" the current regulatory deadlines. The Court also emphasized, however, that any further regulatory extensions would be illegal. In two other areas the Court invalidated and remanded for further proceedings two regulatory exemptions from the definition of "storm water discharges associated with industrial activity": (1) the exemption for construction sites disturbing less than five acres of land (category x), and (2) the exemption of certain "light" manufacturing facilities without exposure of materials and activities to storm water (category xi). In response to these two remands, the Agency intends to conduct further rulemaking proceedings on construction activities under five acres and light industry without exposure as ordered by the Court. EPA will not require permit applications for construction sites disturbing less than five acres of land and category xi facilities without exposure until this further rulemaking is completed. In the AMC case, the Court upheld EPA's regulation of storm water discharges from inactive mines.

2.2 INDUSTRIAL PERMIT APPLICATION OPTIONS

The November 16, 1990, storm water regulation presented three permit application options for storm water discharges associated with industrial activity. The first option is to submit an individ-



Overview of the Storm Water Program

ual application consisting of Forms 1 and 2F. The second option, to participate in a group application, is no longer available as the deadlines have passed. The third option is to file a Notice of Intent (NOI) to be covered under a general permit in accordance with the requirements of an issued general permit. The following overview briefly outlines each of these three options and the subsequent attachments provide a more detailed explanation. Attachment II lists application deadlines for each of the industrial permitting options.

2.2.1 INDIVIDUAL PERMIT APPLICATIONS

Operators of facilities with storm water discharges associated with industrial activity who did not participate in a group application or did not obtain coverage under a general permit must submit an individual application consisting of Form 1 and Form 2F. The information required in Form 2F includes a site drainage map, a narrative description of the site identifying potential pollutant sources, and quantitative testing data. There are specific requirements for construction activities and oil and gas operations and mining operations. See Attachment III for additional information.

2.2.2 GROUP APPLICATIONS

The group application procedure was an option available for facilities that have similar industrial operations, waste streams, and other characteristics. Group applications reduced the burden on the regulated community by requiring the submission of quantitative data from only selected members of the group. The group application was submitted in two parts. Part 1 of the application identified all participants, provided facility-specific information, and proposed a representative sampling subgroup. Part 2 of the application consisted of sampling data from each member of the sampling subgroup identified in Part 1 of the application. EPA used the information provided in Parts 1 and 2 of the group applications to develop the multi-sector general permit.

2.2.3 GENERAL PERMIT APPLICATIONS

Industrial storm water dischargers that submit an NOI to be covered by a general permit are not required to submit an individual permit application, provided the discharger is eligible for the general permit and an individual permit application is not required by the Director on a case-by-case basis. Submitting an NOI is less burdensome than submitting an individual application. The NOI requirements for general permits usually address only general information and typically do not require the collection of monitoring data. Submittal of an NOI is only possible where applicable general permits have been issued by the permitting authority. EPA has finalized baseline general permits for construction and industrial activity in the 11 States without NPDES authorization (57 FR 41176, September 9, 1992 and 57 FR 44412, September 25, 1992). More recently, EPA finalized the multi-sector general permit which provides coverage for 29 specific industries in the 11 States without NPDES authorization (60 FR 51108, September 29, 1995). As of May 1995, 39* of the 41 authorized NPDES States have general permit authority. See Attachments IV, V, VI and VII for additional information.

** The State of Florida and the U.S. Virgin Islands do not have general permitting authority. Florida became the 40th State to receive NPDES permitting authority in May 1995, with phased NPDES Storm Water authority to be fully implemented by the year 2000. EPA Region 4 continues to administer the NPDES Storm Water General Permitting Program for the State.*



Overview of the Storm Water Program

2.3 MUNICIPAL APPLICATIONS

"Municipal separate storm sewer" is defined as any conveyance or system of conveyances that is owned or operated by a State or local government entity designed for collecting and conveying storm water which is not part of a Publicly Owned Treatment Works (POTW). The application requirements do not apply to discharges from combined sewers (systems designed as both a sanitary sewer and a storm sewer) which do have NPDES obligation. Municipal separate storm sewer systems that are addressed by the Phase I regulations (November 16, 1990) include storm sewer systems located in an incorporated place with a population of 100,000 or more; located in 47 counties identified by EPA as having populations over 100,000 in unincorporated, urbanized areas; and systems that are designated by the Director based on consideration of the location of the discharge with respect to waters of the United States, the size of the discharge, the quantity and nature of the pollutants discharged to waters of the United States, the interrelationship to other regulated storm sewer systems, and other factors. The operator of a designated system should have been or will be notified by the Director. Under the November 16, 1990, storm water rule, those municipal separate storm sewer systems identified were required to submit a two-part application. The first part required information regarding existing programs and the means available to the municipality to control pollutants. In addition, part one required a field screening analysis of major outfalls to detect illicit connections. Building on this information, the second part required a limited amount of representative quantitative data and a description of a proposed storm water management plan. See Attachment II for application deadlines and Attachment VIII for a detailed explanation of the two-part application process.

Approximately 850 entities are participating in the Phase I Municipal Storm Water Permit Program. This number represents large, medium, and small counties and cities and special districts throughout the country. Several of these small counties and cities and special districts are included in the program because they are associated with larger systems. NPDES authorized States and EPA Regions have already issued a number of permits covering the storm water discharges from the municipal separate storm sewer systems operated by these entities.

3.0 PHASE II PROGRAM

On August 7, 1995, EPA promulgated application regulations for Phase II of the NPDES Storm Water Program. The Phase II regulations establish a sequential application process for all Phase II storm water discharges, which include all discharges composed entirely of storm water, except those specifically classified as Phase I dischargers. Such discharges may include storm water from small municipal separate storm sewer systems, and commercial and institutional facilities. The application regulations include two tiers. The first tier is for Phase II dischargers that the NPDES permitting authority determines are contributing to a water quality impairment or are a significant contributor of pollutants to waters of the United States. Dischargers that have been designated by the permitting authority are required to obtain a permit and must submit a permit application within 180 days of notification that an application is required.

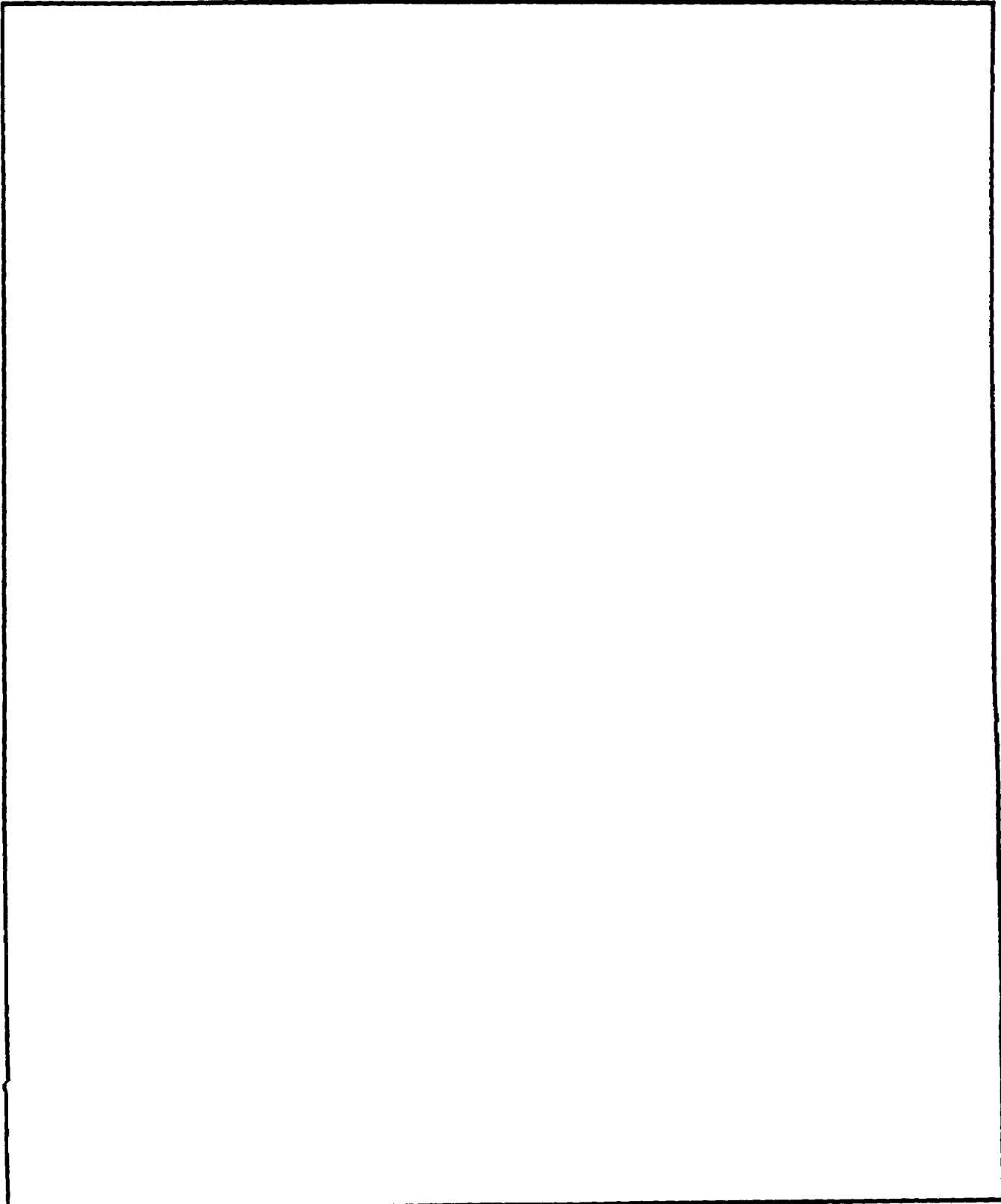
The second tier of the Phase II storm water application regulations require all remaining Phase II sources (i.e., all Phase II sources not designated by the permitting authority) to submit a permit application by August 7, 2001, but only if the Phase II regulatory program in place at that time requires permits. Currently, EPA is required by court order (*NRDC v. Browner*, April 6, 1995) to propose supplemental rules for Phase II sources by September 1, 1997 and finalize these rules by March 1, 1999.



Overview of the Storm Water Program

EPA has established an Urban Wet Weather Flows Advisory Committee, in accordance with the provisions of the Federal Advisory Committee Act (FACA) and the Negotiated Rulemaking Act, to help address issues associated with water quality impacts from urban wet weather flows and other storm water discharges under Section 402(p)(6) of the Clean Water Act. The Committee has created several subcommittees tasked with addressing specific issues, including a Sanitary Sewer Overflow FACA Subcommittee and a Storm Water Phase II FACA Subcommittee. The Storm Water Phase II Subcommittee involves stakeholders, including representatives from municipalities, industries, commercial and retail facilities, environmental groups, States, and Tribes, in the Agency's effort to propose supplemental rules for Phase II sources. The Subcommittee is currently in the process of developing a recommended approach for a proposed rule addressing Phase II storm water discharges and information on the benefits and costs associated with such a proposal.

Overview of the Storm Water Program





Overview of the Storm Water Program

ATTACHMENT I

STORM WATER DISCHARGE ASSOCIATED WITH INDUSTRIAL ACTIVITY

The November 16, 1990 regulation defines storm water discharge associated with industrial activity as the discharge from any conveyance which is used for collecting and conveying storm water and which is directly related to manufacturing, processing or raw materials storage areas at an industrial plant. The term does not include discharges from facilities or activities excluded from the NPDES program under 40 CFR Part 122. For the categories of industries identified in subparagraphs (i) through (x) of this subsection, the term includes, but is not limited to, storm water discharges from industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process waste waters (as defined at 40 CFR 401); sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials, and intermediate and finished products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to storm water. For the categories of industries identified in subparagraph (xi), the term includes only storm water discharges from all the areas (except access roads and rail lines) that are listed in the previous sentence where material handling equipment or activities, raw materials, intermediate products, final products, waste material, by-products, or industrial machinery are exposed to storm water. For the purposes of this paragraph, material handling activities include the: storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, finished product, by-product or waste product. The term excludes areas located on plant lands separate from the plant's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with storm water drained from the above described areas. Industrial facilities (including industrial facilities that are Federally, State, or municipally owned or operated that meet the description of the facilities listed in this paragraph (i)-(xi) include those facilities designated under the provision of 122.26(a)(1)(v). The following table lists categories of facilities to be engaging in "industrial activity" for purposes of this subsection:

40 CFR 122.26 (b)(14) Subpart	Description
(i)	Facilities subject to storm water effluent limitations guidelines, new source performance standards, or toxic pollutants effluent standards under 40 CFR, Subchapter N [except facilities with toxic pollutant effluent standards which are exempted under category. (xi)].
(ii)	Facilities classified as : SIC 24 (except 2434)Lumber and Wood products SIC 26 (except 265 and 267)Paper and Allied Products SIC 28 (except 283 and 285)Chemicals and Allied Products SIC 29Petroleum and Coal Products SIC 311Leather Tanning and Finishing SIC 32 (except 323)Stone, Clay and Glass Products SIC 33Primary Metal Industries SIC 3441Fabricated Structural Metal SIC 373Ship and Boat Building and Repairing

Overview of the Storm Water Program



40 CFR 122.26 (b)(14) Subpart	Description
(iii)	<p>Facilities classified as SIC 10 through 14, including active or inactive mining operations and oil and gas exploration, production, processing, or treatment operations, or transmission facilities that discharge storm water contaminated by contact with, or that has come into contact with, any overburden, raw material, intermediate products, finished products, byproducts, or waste products located on the site of such operations.</p> <p>SIC 10.....Metal Mining SIC 11.....Anthracite Mining SIC 12.....Coal Mining SIC 13.....Oil and Gas Extraction SIC 14.....Nonmetallic Minerals, except Fuels</p>
(iv)	<p>Hazardous waste treatment, storage, or disposal facilities, including those that are operating under interim status or a permit under Subtitle C of the Resource Conservation and Recovery Act (RCRA).</p>
(v)	<p>Landfills, land application sites, and open dumps that receive or have received any industrial wastes including those that are subject to regulation under subtitle D or RCRA.</p>
(vi)	<p>Facilities involved in the recycling of material, including metal scrap yards, battery reclaimers, salvage yards, and automobile junkyards, including but not limited to those classified as:</p> <p>SIC 5015.....Motor Vehicle Parts, Used SIC 5093.....Scrap and Waste Materials</p>
(vii)	<p>Steam electric power generating facilities, including coal handling sites.</p>
(viii)	<p>Transportation facilities which have vehicle maintenance shops, equipment cleaning operations, or airport de-icing operations. Only those portions of the facility that are either involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication), equipment cleaning operations, or airport de-icing operations, or which are otherwise listed in another category, are included.</p> <p>SIC 40.....Railroad Transportation SIC 41.....Local and Suburban Transit SIC 42 (except 4221-25).....Motor Freight and Warehousing SIC 43.....U.S. Postal Service SIC 44.....Water Transportation SIC 45.....Transportation by Air SIC 5171.....Petroleum Bulk Stations and Terminals</p>
(ix)	<p>Treatment works treating domestic sewage or any other sewage sludge or wastewater treatment device or system, used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage, including lands dedicated to the disposal of the sewage sludge that are located within the confines of the facility, with a design flow of 1.0 million gallons per day 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.</p>



Overview of the Storm Water Program

40 CFR 122.26 (b)(14) Subpart	Description
(x)	Construction activity including clearing, grading, and excavation activities except operations that result in the disturbance of less than 5 acres of total land area and those that are not part of a larger common plan of development or sale.
(xi)	Facilities under the following SICs [which are not otherwise included in categories (ii)-(x)], including only storm water discharges where material handling equipment or activities, raw materials, intermediate products, final products, waste materials, byproducts, or industrial machinery are exposed to storm water. SIC 20 Food and Kindred Products SIC 21 Tobacco Products SIC 22 Textile Mill Products SIC 23 Apparel and Other Textile Products SIC 2434 Wood Kitchen Cabinets SIC 25 Furniture and Fixtures SIC 265 Paperboard Containers and Boxes SIC 267 Converted Paper and Paper Board Products (except containers and boxes) SIC 27 Printing and Publishing SIC 283 Drugs SIC 285 Paints, Varnishes, Lacquer, Enamels SIC 30 Rubber and Misc. Plastics Products SIC 31 (except 311) .. Leather and Leather Products SIC 323 Products of Purchased Glass SIC 34 (except 3441) Fabricated Metal Products SIC 35 Industrial Machinery and Equipment, except Electrical SIC 36 Electronic and Other Electric Equipment SIC 37 (except 373) .. Transportation Equipment SIC 38 Instruments and Related Products SIC 39 Miscellaneous Manufacturing Industries SIC 4221 Farm Products Warehousing and Storage SIC 4222 Refrigerated Warehousing and Storage SIC 4225 General Warehousing and Storage

Notes: On June 4, 1992, the U.S. Court of Appeals for the Ninth Circuit remanded the exemption for construction sites of less than five acres and for manufacturing facilities in category (xi) which do not have materials or activities exposed to storm water to the EPA for further rulemaking. *NRDC v. EPA*, 966 F.2d 1292 (9th Cir. 1992). In response to the remands, the Agency intends to conduct further rulemakings on both the light manufacturing and the construction activities. In the December 18, 1992, *Federal Register*, EPA stated that it is not requiring permit applications from construction activity under five acres or light industry without exposure until this further rulemaking is completed.

The Transportation Act of 1991 provides an exemption from storm water permitting requirements for certain facilities owned or operated by municipalities with a population of less than 100,000. Such municipalities must submit storm water discharge permit applications for only airports, power plants, and uncontrolled sanitary landfills that they own or operate, unless a permit is otherwise required by the permitting authority.

Overview of the Storm Water Program



ATTACHMENT II

INDUSTRIAL AND MUNICIPAL APPLICATION DEADLINES

INDUSTRIAL PERMIT APPLICATION DEADLINES

Type of Application	Deadline	
▲ Individual	October 1, 1992 or 180 days prior to commencement of a new discharge (90 days prior to commencement of a new construction project)	
▲ Group	Part 1	Part 2
All industrial activities except those owned or operated by a municipality with a population of less than 250,000	September 30, 1991	October 1, 1992
Industrial activities owned or operated by a municipality with a population of less than 250,000.	May 18, 1992	May 17, 1993
▲ NOI for EPA's Baseline General Permits	October 1, 1992 (March 29, 1996 for members of an approved group application), or 2 days prior to commencement of a new discharge	
▲ NOI for EPA's Multi-Sector General Permit	March 29, 1996, or 2 days prior to commencement of a new discharge	

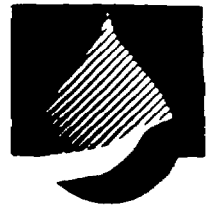
622E-04

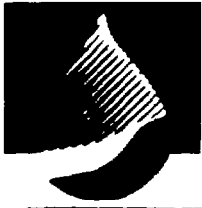
MUNICIPAL PERMIT APPLICATION DEADLINES

	Part 1	Part 2
Large Municipalities (over 250,000)	November 18, 1991	November 16, 1992
Medium Municipalities (100,000 - 250,000)	May 18, 1992	May 17, 1993

622E-05

Overview of the Storm Water Program





Overview of the Storm Water Program

ATTACHMENT III

INDIVIDUAL APPLICATION REQUIREMENTS

These requirements address storm water discharges associated with industrial activity that are not authorized by a general permit and that are not included in a group application.

Application Forms

- ▲ Applicants for discharges composed entirely of storm water must submit **Forms 1 and 2F** (except construction activities, see below)
- ▲ Applicants for discharges composed of storm water and process wastewater must submit **Forms 1, 2C, and 2F**
- ▲ Applicants for new sources or new discharges composed of storm water and non-storm water must submit **Forms 1, 2D, and 2F**
- ▲ Applicants for discharges composed of storm water and nonprocess wastewater must submit **Forms 1, 2E, and 2F**
- ▲ Authorized NPDES States may establish their own forms which are at least as stringent as EPA's forms.
- ▲ Forms are available from State permitting authorities for facilities located in NPDES authorized States, or from EPA Regional Offices for facilities located in States without NPDES authorization.

Form 2F Requirements

- ▲ Site map showing topography and/or drainage areas and site characteristics.
- ▲ Estimate of impervious surface area and the total area drained by each outfall.
- ▲ Description of significant materials exposed to storm water, including current materials management practices.
- ▲ Certification that outfalls have been tested or evaluated for the presence of non-storm water discharges that are not covered by a NPDES permit.
- ▲ Information on significant leaks and spills in last 3 years.
- ▲ Quantitative testing data for the following parameters:
 - Any pollutants limited in an effluent guideline to which the facility is subject
 - Any pollutant listed in the facility's NPDES permit for process wastewater
 - Oil and grease, pH, BOD₅, COD, TSS, total phosphorus, nitrate plus nitrite nitrogen, and total Kjeldahl nitrogen
 - Certain pollutants known to be in the discharge

Overview of the Storm Water Program



- Flow measurements or estimates
- Date and duration of storm event.

Individual Application Requirements for Construction Activities

- ▲ Provide a narrative description of:
 - Location and nature of construction activity (including a map)
 - Total area of the site and area to be excavated
 - Proposed measures to control pollutants in storm water discharges during and after construction operations
 - Estimate of runoff coefficient and increase in impervious areas after construction
 - Name of receiving water.
- ▲ No quantitative sampling.
- ▲ Application deadline
 - 90 days prior to date when construction begins.
- ▲ EPA has not developed a standard form for these discharges at this time (Form 2F is not required).

Application Requirements for Oil & Gas Operations and Mining Operations

- ▲ Operators of oil & gas facilities are not required to submit a permit application unless the facility:
 - Has had a discharge of a reportable quantity for which notice is required under CERCLA or CWA in the past 3 years, or
 - Contributes to a violation of a water quality standard.
- ▲ Operators of active and inactive mining sites are not required to submit permit applications unless the discharge has come into contact with any overburden, raw material, intermediate or finished products, byproducts, or waste products located onsite (inactive coal mining operations released from SMCRA performance bonds and non-coal mining operations released from applicable State or Federal reclamation requirements after December 17, 1990, are not required to submit permit applications).

Available Guidance

Guidance Manual For The Preparation of NPDES Permit Applications for Storm Water Discharges Associated with Industrial Activity (April, 1991) available from NTIS, (703) 487-4650 Order #PB-92199058; *NPDES Storm Water Sampling Guidance Document* (EPA 833-B-92-001, July 1992), available from the Office of Water Resources Center, (202) 260-7786.



Overview of the Storm Water Program

ATTACHMENT IV

BASELINE INDUSTRIAL GENERAL PERMIT – GENERAL INFORMATION

On September 9 and 25, 1992, EPA issued baseline general permits for construction and industrial activity (57 FR 41176 and 44412) which are intended to initially cover the majority of storm water discharges associated with industrial activity in 11 States and 6 territories without authorized NPDES programs. The industrial permit for Puerto Rico was modified on September 24, 1993 (58 FR 49996). As of May 1995, 39* of the 41 authorized NPDES States have authority to issue general permits. Facilities in authorized NPDES States should contact their State permitting agencies to determine whether a general permit is available for their facility. This attachment outlines the conditions in EPA's baseline general permit for industrial activities.

* *The State of Florida and the U.S. Virgin Islands do not have general permitting authority. Florida became the 40th State to receive NPDES permitting authority in May 1995, with phased NPDES Storm Water authority to be fully implemented by the year 2000. EPA Region 4 continues to administer the NPDES Storm Water General Permitting Program for the State.*

Areas of Coverage

▲ EPA's baseline general permits cover the following States and Territories:

Region I— MA, ME, and NH; Indian lands in MA, ME, and NH; **Region II**—PR; Indian lands in NY; **Region III**—The District of Columbia; Federal Facilities in DE; **Region IV**—FL; Indian lands in FL, MS, and NC; **Region VI**—LA, NM, OK, and TX; Indian lands in LA, NM (except Navajo lands and Ute Mountain Reservation lands), OK, and TX; **Region VIII**—Indian lands in CO, MT, ND, UT (except Goshute Reservation and Navajo reservation lands), and WY; Federal facilities in CO; Ute Mountain Reservation in CO and NM; **Region IX**—AZ, Guam, American Samoa, Johnston Atoll, Midway Island, and Wake Island; Indian lands in CA and NV; Goshute Reservation in UT and NV; the Navajo Reservation in UT, NM, and AZ; the Duck Valley Reservation in NV and ID; **Region X**—AK and ID; Indian lands in AK, ID (except Duck Valley Reservation lands), and WA; Federal Facilities in WA.

Types of Discharges Covered

▲ EPA's baseline general permits cover the majority of storm water discharges associated with industrial activity. Storm water discharges associated with industrial activity that cannot be authorized by EPA's baseline general permits include those:

- With an existing effluent limitations guideline for storm water
- That are mixed with a non-storm water discharge not authorized under the permit, unless the non-storm water discharge is in compliance with a different NPDES permit
- With an existing NPDES individual or general permit for storm water discharges
- That are or may reasonably be expected to be contributing to a violation of a water quality standard
- That are likely to adversely effect a listed or proposed to be listed endangered or threatened species or its critical habitat

Overview of the Storm Water Program



- From inactive mining, or inactive oil and gas operations or inactive landfills occurring on Federal lands where an operator cannot be identified.

Special Conditions

- ▲ Prohibition on most types of non-storm water discharges as a component of discharges authorized by this permit. (These discharges should already have an NPDES permit.) However, the baseline general permits do authorize certain types of non-storm water discharges.
- ▲ In the event there is a release(s) of a hazardous substance in excess of reportable quantities established under the CWA or CERCLA (see 40 CFR 117.3, 40 CFR 302.4) the discharger must notify the National Response Center and the Director, and modify the storm water pollution prevention plan.

NOI Requirements

- ▲ A facility must submit a Notice of Intent (NOI) to be authorized by a baseline general permit.
- ▲ NOIs do not require the collection of discharge sampling data.
- ▲ Facilities which discharge to a large or medium municipal separate storm sewer system must also submit signed copies of the NOI to the operator of the municipal system.

Contents of NOIs for Industrial Activities

- ▲ Complete street address. Facilities without a complete street address must submit either latitude/longitude (to the nearest 15 seconds) or section, township, and range (to the nearest quarter section).
- ▲ SIC Code or identification of industrial activity.
- ▲ Operator's name, address, telephone number, and status as Federal, State, private, public, or other entity.
- ▲ Permit number(s) for any discharges currently covered by an NPDES permit.
- ▲ Name of receiving water(s), or if the discharge is through a municipal separate storm sewer, the name of the municipal operator of the storm sewer and the ultimate receiving water(s).
- ▲ Indication of whether the owner or operator has existing quantitative data describing the concentration of pollutants in storm water discharges.
- ▲ A certification that a storm water pollution prevention plan has been prepared for the facility (for industrial activities that begin operations after October 1, 1992).

Deadlines for NOIs

- ▲ For industrial activities which begin after October 1, 1992, an NOI shall be submitted at least 2 days prior to the commencement of discharge.



Overview of the Storm Water Program

- ▲ NOIs must be sent to the following address:

Storm Water Notice of Intent (4203)
401 M Street, S.W.
Washington, D.C. 20460

Pollution Prevention Plan Requirements

The pollution prevention plan is considered to be the most important requirement of the general permit. Each industrial facility covered by the baseline general permit must develop a plan, tailored to the site specific conditions, and designed with the goal to control the amount of pollutants in storm water discharges from the site.

Pollution Prevention Team

Each facility must select a pollution prevention team of one or more individuals from its staff. This team will be responsible for the development and implementation of the plan.

Components of the Plan

The permit requires that the plan contain a description of potential pollutant sources and a description of the measures and controls to prevent or minimize pollution of storm water.

- ▲ The description of potential pollutant sources must include:

- A map of the facility indicating the areas which drain to each storm water discharge point
- An indication of the industrial activities which occur in each drainage area
- A prediction of the pollutants which are likely to be present in the storm water
- A description of the likely sources of pollutants from the site
- An inventory of materials that may be exposed to storm water
- The history of spills and leaks of toxic or hazardous materials for the last three years.

- ▲ The measures and controls to prevent or minimize pollution of storm water must include:

- Good housekeeping or upkeep of industrial areas exposed to storm water
- Preventative maintenance of storm water controls and other facility equipment
- Spill prevention and response procedures to minimize the potential for and the impact of spills
- Test all outfalls to ensure that there are no illicit discharges
- Training of employees on pollution prevention measures and controls, and record keeping.

Overview of the Storm Water Program



▲ The permit also requires that facilities:

- Identify areas with a high potential for erosion and the stabilization measures or structural controls to be used to limit erosion in these areas
- Implement traditional storm water management measures (oil/water separators, vegetative swales, detention ponds, etc.) where they are appropriate for the site.

Inspection/Site Compliance Evaluation

▲ Facility personnel must inspect the plant equipment and industrial areas on a regular basis. At least once a year or more a thorough site compliance evaluation must be performed by facility personnel. Personnel conducting the evaluation shall:

- Look for evidence of, or the potential for, pollutants entering the drainage system
- Evaluate the performance of pollution prevention measures
- Revise the pollution prevention plan based on the results of the evaluation in order to reduce the discharge of pollutants
- Document both the routine inspections and the annual site compliance evaluation in a report.

Consistency—The plan may incorporate other plans which a facility may have already prepared for other permits including Spill Prevention Control and Countermeasure (SPCC) Plans, or Best Management Practices (BMP) Programs.

Deadlines—Facilities in operation on or before October 1, 1992 must have prepared their plan on or before April 1, 1993 and implemented the plan by October 1, 1993. Facilities that commenced operation after October 1, 1992, but on or before December 31, 1992 must have prepared and implemented the plan within 60 days of the commencement of operation. Any facility that commences industrial activities on or after January 1, 1993 must prepare and implement their plan prior to submitting the NOI.

Signature—The plan must be signed by a responsible corporate official such as the president, vice president, or general partner.

Plan Review—The plan is to be kept at the permitted facility at all times. The plan should be submitted for review only when requested by EPA.

Semi-Annual Monitoring/Annual Reporting Requirements

- ▲ EPCRA Section 313 facilities.
- ▲ Primary metal industries (Standard Industrial Classification 33).
- ▲ Land disposal units/incinerators/BIFs.



Overview of the Storm Water Program

- ▲ Wood treatment facilities.
- ▲ Facilities with coal pile runoff.
- ▲ Battery reclaimers.

Annual Monitoring/No Reporting Requirements

- ▲ Airports with at least 50,000 flight operations per year.
- ▲ Coal-fired steam electric facilities.
- ▲ Animal handling/meat packing facilities.
- ▲ Additional facilities, including:
 - SIC 30 and 28 with storage piles for solid chemicals used as raw materials that are exposed to precipitation
 - Certain automobile junkyards
 - Lime manufacturing facilities where storm water comes into contact with lime storage piles
 - Oil handling sites at oil fired steam electric power generating facilities
 - Cement manufacturing and cement kilns
 - Ready mix concrete facilities
 - Ship building and repairing facilities.

Testing parameters are listed in the general permit.

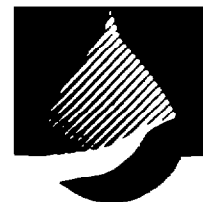
Alternative Certification

- ▲ A discharger is not subject to the monitoring requirements for a given outfall if there is no exposure of industrial areas or activities to storm water within the drainage area of that outfall within a given year.
- ▲ The discharger must certify, on an annual basis, that there is no exposure to storm water, and such certification must be retained in the storm water pollution prevention plan. Facilities subject to semi-annual monitoring requirements must submit this certification to EPA in lieu of monitoring data.

Numeric Effluent Limitations

- ▲ Coal pile runoff: 50 mg/l Total Suspended Solids and 6-9 pH

Overview of the Storm Water Program



Available Guidance

Storm Water Management for Industrial Activities, Developing Pollution Prevention Plans and Best Management Practices (September 1992), available from NTIS (703) 487-4650 (order number PB 92-235969). A summary of this document, entitled *Summary: Storm Water Management for Industrial Activities, Developing Pollution Prevention Plans and Best Management Practices* (EPA 833-R-92-002, October 1992) is available from the Office of Water Resources Center, (202) 260-7786.



Overview of the Storm Water Program

ATTACHMENT V

BASELINE CONSTRUCTION GENERAL PERMIT – GENERAL INFORMATION

On September 9 and 25, 1992, EPA issued baseline general permits for construction and industrial activity (57 FR 41176 and 44412) which are intended to initially cover the majority of storm water discharges associated with industrial activity in 11 States and 6 territories without authorized NPDES programs. As of May 1995, 39* of the 41 authorized NPDES States have authority to issue general permits. Facilities in authorized NPDES States should contact their State permitting agencies to determine the whether a general permit is available for their facility. This attachment outlines the conditions in EPA's baseline general permit for construction activities.

** The State of Florida and the U.S. Virgin Islands do not have general permitting authority. Florida became the 40th State to receive NPDES permitting authority in May 1995, with phased NPDES Storm Water authority to be fully implemented by the year 2000. EPA Region 4 continues to administer the NPDES Storm Water General Permitting Program for the State.*

Areas of Coverage

- ▲ EPA's baseline construction general permits cover the following States and Territories:
- ▲ **Region I**—MA, ME, and NH; Indian lands in MA, ME, and NH; **Region II**—PR; Indian lands in NY; **Region III**—DC; Federal Facilities in DE; **Region IV**—FL; Indian lands in FL (two tribes), MS, and NC; **Region VI**—LA, NM, OK, and TX; Indian lands in LA, NM, (except Navajo lands and Ute Mountain Reservation lands), OK, and TX; **Region VIII**—Indian lands in CO (including the Ute Mountain Reservation in CO), MT, ND, UT (except Goshute Reservation and Navajo Reservation lands), and WY; Federal facilities in CO; and the Ute Mountain Reservation in NM; **Region IX**—AZ, Guam, American Samoa, Johnston Atoll, Midway, and Wake Island; Indian lands in CA and NV; the Goshute Reservation in UT and NV, and the Navajo Reservation in UT, NM, and AZ, the Duck Valley Reservation in NV and ID; **Region X**—AK and ID; Indian lands in AK, ID (except Duck Valley Reservation lands), and WA; Federal facilities in WA.

Types of Discharges Covered

- ▲ Storm water discharges from construction sites that may be authorized by this permit include those that will result in the disturbance of five or more acres of land. However, storm water discharges associated with industrial activity that cannot be authorized by EPA's baseline general permits include those:
 - With an existing effluent limitations guideline for storm water
 - That are mixed with a non-storm water discharged not authorized under the permit, unless the non-storm water discharge is in compliance with a different NPDES permit
 - With an existing NPDES individual or general permit for storm water discharges
 - That are or may reasonably be expected to be contributing to a violation of a water quality standard
 - That are likely to adversely effect a listed or proposed to be listed endangered or threatened

Overview of the Storm Water Program



species or its critical habitat.

Special Conditions

- ▲ Prohibition on most types of non-storm water discharges as a component of discharges authorized by this permit. (These discharges should already have an NPDES permit.) However, the baseline general permits do authorize certain types of non-storm water discharges.
- ▲ In the event there is a release(s) of a hazardous substance in excess of reportable quantities established under the CWA of CERCLA (see 40 CFR 117.3, 40 CFR 302.4) the discharger must notify the National Response Center and the Director, and modify the storm water pollution prevention plan.

NOI Requirements

- ▲ An operator must submit a Notice of Intent (NOI) in order to be authorized to discharge storm water under a baseline general permit.
- ▲ NOIs do not require the collection of discharge sampling data.
- ▲ Construction activities operating under sediment and erosion or storm water management plans approved by State or local agencies must also submit signed copies of the NOI to that State or local agency.

Contents of NOIs for Construction Activities

- ▲ Complete street address. Facilities without a complete street address must submit either latitude/longitude (to the nearest 15 seconds) or section, township, and range (to the nearest quarter section).
- ▲ The name, address, and telephone number of the operator(s) with day-to-day operational control and operator status as Federal, State, private, public, or other entity.
- ▲ Permit number(s) for any discharges currently covered by an NPDES permit.
- ▲ Name of receiving water(s), or if the discharge is through a municipal separate storm sewer, the name of the municipal operator of the storm sewer and the ultimate receiving water(s).
- ▲ Indication of whether the owner or operator has existing quantitative data describing the concentration of pollutants in storm water discharges.
- ▲ A certification that a storm water pollution prevention plan has been prepared for the facility.

Deadlines for NOIs

- ▲ An NOI must be submitted at least two days prior to the commencement of construction (commencement of construction is defined as the initial disturbance of soils associated with clearing, grading, or excavating activities or other construction activities) at the site that will result in the disturbance of five or more acres total land area.



Overview of the Storm Water Program

- ▲ NOIs must be sent to the following address:

Storm Water Notice of Intent (4203)
401 M Street, S.W.
Washington, D.C. 20460

Pollution Prevention Plan Requirements

- ▲ Operators of all activities covered by EPA's baseline general permits must prepare and implement a storm water pollution prevention plan.

llution Prevention Plan Requirements for Construction Activities

e Pollution Prevention Plan is considered to be the most important requirement of the General permit. Each construction activity covered by the baseline general permit must develop a plan, tailored to the site specific conditions, and designed with the goal to control the amount of pollutants storm water discharges from the site.

- ▲ **Components of the Plan**—The permit requires that the plan contain a site description, and a description of the measures and controls to prevent or minimize the pollutants in storm water. The site description must include:
 - A description of the nature of the construction activity
 - A sequence of major construction activities
 - An estimate of the total area of the site and of the area to be disturbed
 - An estimate of the runoff coefficient of the site after construction is complete
 - Any existing data on the quality of storm water discharge from the site
 - The name of the receiving water
 - Any information on the type of soils at the site; and
 - A site map indicating the drainage patterns and slopes after grading activities are complete, areas of soil disturbance, the outline of the area to be disturbed, the locations of stabilization measures and controls, and surface waters at the discharge points.
- ▲ **Measures and Controls**—Measures and controls to prevent or minimize pollution of storm water must include three different types of controls: erosion and sediment controls, storm water management controls, and other controls.

Erosion and Sediment Controls

- Stabilization (seeding, mulching, etc.) – Disturbed area where construction has permanently or temporarily ceased must be stabilized within 14 days of the last disturbance or as soon as practicable in semi-arid and arid areas (areas which will be redisturbed within 21 days do not have to be stabilized).

Overview of the Storm Water Program



- Structural Controls – Sites with common drainage locations that serve ten or more disturbed acres must install a sediment basin where it is attainable (where a basin is not attainable, sediment traps, silt fences, or other equivalent measures must be installed). Sediment basins must provide 3,600 cubic feet of storage per acre drained. Drainage locations which serve less than ten disturbed acres must install either a sediment basin, sediment trap, or silt fence along the down slope and side slope perimeter.
- The plan shall be prepared on or before April 1, 1993 (and updated as appropriate) and implemented by October 1, 1993. Facilities that begin construction activities after October 1, 1992 must prepare and implement their plan at the time they submit the NOI.

Available Guidance

Storm Water Management for Construction Activities, Developing Pollution Prevention Plans and Best Management Practices (September 1992), available from NTIS (703) 487-4650 (order number PB 92-235951). A summary of this document, entitled *Summary: Storm Water Management for Construction Activities, Developing Pollution Prevention Plans and Best Management Practices* (EPA 833-R-92-001, October 1992) is available from the Office of Water Resources Center, (202) 260-7786.



Overview of the Storm Water Program

ATTACHMENT VI

MULTI-SECTOR GENERAL PERMIT – GENERAL INFORMATION

On September 29, 1995, EPA issued the multi-sector general permit (MSGP) (60 FR 50804), a final storm water general permit providing NPDES permit coverage for storm water discharges associated with 29 different industry sectors in 11 States and 4 territories without authorized NPDES programs. Technical corrections were made on February 9, 1996 (60 FR 5248).

The MSGP is based on site-specific information received from approximately 700 groups representing about 44,000 industrial facilities throughout the Country. The MSGP is available to facilities that meet eligibility requirements, regardless of whether or not they participated in a group application.

The permit was provided to authorized NPDES States for use as a model in their storm water permitting activities. The following provides a summary of the permit conditions in EPA's MSGP for industrial activities.

Areas of Coverage

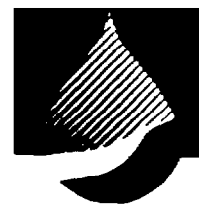
- ▲ **Region I**—MA, ME, and NH; Indian lands in CT, MA, NE, NH, RI, and VT; Federal facilities in VT. **Region II**—PR and Federal facilities in PR. **Region III**—DC; Federal facilities in DC and DE. **Region IV**—FL. **Region VI**—LA, NM, OK, and TX; Indian lands in LA, NM (except Navajo Reservation lands and Ute Mountain Reservation lands), OK, and TX. **Region IX**—AZ; the Territories of Johnston Atoll, and Midway and Wake Islands; Indian lands in AZ, CA, and NV; those portions of the Duck Valley, Fort McDermitt, and Goshute Reservations located outside NV; those portions of the Navajo Reservation located outside AZ; Federal facilities in AZ, Johnston Atoll, and Midway and Wake Islands. **Region X**—AK and ID; Indian lands in AK, ID (except Duck Valley Reservation lands), OR (except Fort McDermitt Reservation lands), and WA; Federal facilities in ID and WA.

Types of Discharges Covered

EPA's multi-sector general permit covers the majority of storm water discharges associated with the 29 industry sectors represented in the group application process (see the table at the end of this attachment). Coverage is not restricted to just participants in the group application process. The multi-sector general permit offers coverage to storm water discharges subject to effluent limitation guidelines.

- ▲ Storm water discharges associated with industrial activity that cannot be authorized by EPA's multi-sector general permit include those:
 - Subject to effluent guidelines under 40 CFR Part 436; 40 CFR Part 440 (mine drainage); and/or 40 CFR Part 434 (acid or alkaline mine drainage)
 - From industries that were not represented in the group application process (e.g., drug manufacturers, petroleum refineries, and lime manufacturers)
 - That were subject to an NPDES permit that was terminated by the permitting authority
 - That result from construction activities

Overview of the Storm Water Program



- That are subject to an existing NPDES permit (except the baseline general permit)
- That have an adverse impact on endangered species
- That are not in compliance with the National Historic Preservation Act

NOI Requirements

- ▲ A facility must submit a Notice of Intent (NOI) to be authorized by the multi-sector general permit.
- ▲ A Notice of Termination (NOT) must be submitted if a facility is currently covered by the baseline general permit and intends to switch to the multi-sector general permit.
- ▲ Multi-sector general permit applicants must certify that no endangered species are in the proximity of the storm water discharges.
- ▲ Facilities which discharge to a large or medium municipal separate storm sewer system must also submit signed copies of the NOI to the operator of the municipal system.

Deadlines for NOIs

- ▲ Existing Facilities—on or before March 29, 1996*
- ▲ New Facilities—2 days before operation, if operation begins after March 29, 1996*
- ▲ Oil and Gas Operations—within first 14 days after reportable quantity discharge after March 29, 1996*
- ▲ New Operator—2 days before change in facility operators
- ▲ Previously Covered by Baseline General Permit—on or before March 29, 1996*; and 90 days prior to expiration of baseline general permit for eligible facilities

* Existing facilities located in the State of Alaska must submit on or before May 11, 1996.

NOIs must be sent to the following address:

Storm Water Notice of Intent (4203)
401 M Street, S.W.
Washington, D.C. 20460

Special Conditions

- ▲ Prohibition on most types of non-storm water discharges as a component of discharges authorized by this permit. (These discharges should already have an NPDES permit.) However, the MSGP does authorize certain types of non-storm water discharges.
- ▲ In the event there is a release(s) of a hazardous substance in excess of reportable quantities established under the CWA or CERCLA (see 40 CFR 117.3, 40 CFR 302.4) the discharger



Overview of the Storm Water Program

must notify the National Response Center and the Director, and modify the storm water pollution prevention plan.

- ▲ **“Co-Located Industrial Activity”**: In the case where a facility has industrial activities occurring on-site that meet the eligibility requirements of more than one sector, those industrial activities are considered co-located. EPA’s permit requires the permittee comply with the additive pollution prevention plan and monitoring requirements applicable to the co-located industrial activity.

Contents of NOI

- ▲ Operator’s name, address, telephone number, and status as Federal, State, private, public, or other entity.
- ▲ Street address and latitude and longitude (to the nearest 15 seconds) or the quarter, section, township and range (to the nearest quarter section).
- ▲ Indication of whether the facility is located on Federal Indian Reservations.
- ▲ Name of receiving water(s), or if the discharge is through a municipal separate storm sewer, the name of the municipal operator of the storm sewer and the ultimate receiving water(s).
- ▲ Storm water general permit number, if such a number has been issued to a co-permittee.
- ▲ Monitoring status of the facility.
- ▲ SIC Code or identification of industrial activity.
- ▲ Permit number(s) for any discharges currently covered by an NPDES permit.
- ▲ A certification that no endangered species are in the proximity of the storm water discharges and whether the operator is subject to and in compliance with a written historic preservation agreement.
- ▲ A certification that a storm water pollution prevention plan has been prepared for the facility (for industrial activities that begin operations after September 25, 1996).

Pollution Prevention Plan Requirements

Operators of all facilities covered by EPA’s multi-sector general permit must prepare and implement a storm water pollution prevention plan. Pollution prevention plans for the multi-sector general permit must address both the general and industry-specific requirements.

Common Provisions:

- ▲ **Pollution Prevention Team**—Each facility must select a pollution prevention team of one or more individuals from its staff. This team will be responsible for the development and implementation of the plan.
- ▲ **Site Evaluation**—Plans are required to contain a description of potential pollutant sources which must include:

Overview of the Storm Water Program



- A map of the facility indicating the location of and the areas which drain to each storm water discharge point
 - An indication of the industrial activities which occur in each drainage area
 - An assessment of the pollutants that are likely to be present in storm water discharges
 - A description of the likely sources of these pollutants
 - An inventory of materials that may be exposed to storm water
 - The history of spills and leaks of toxic or hazardous materials for the last three years
 - A test of all outfalls to ensure that there are no illicit discharges
- ▲ **BMP Identification/Selection**—Plans are required to contain a description of the controls and measures to prevent or minimize pollution of storm water and a specific schedule with interim milestones as to when measures and controls will be implemented. The measures and controls to prevent and minimize pollution of storm water must include:
- Good housekeeping in industrial areas exposed to storm water
 - Preventative maintenance of storm water controls and other facility equipment
 - Spill prevention and response procedures to minimize the potential for and the impact of spills
 - Training of employees on pollution prevention measures and record keeping
 - Identification of areas with a high potential for erosion and the stabilization measures or structural controls to be used to limit erosion
 - Implementation of traditional storm water management measures (oil/water separators, vegetative swales, detention ponds, etc.) where they are appropriate for the site.
- ▲ **EPCRA 313 Requirements**—Facilities that are subject to EPCRA 313 reporting requirements are required to incorporate additional BMPs for inspections, leak detection, spill prevention, and spill clean-up and control. The pollution prevention plan is certified for these special requirements by a responsible corporate official, not by a licensed PE, as under the baseline general permit. No special EPCRA 313 monitoring requirements are included in the multi-sector general permit.
- ▲ **Comprehensive Site Compliance Evaluation**—At least once a year, facility personnel must conduct a site compliance evaluation. Personnel conducting the evaluation shall:
- Inspect for evidence of, or the potential for, pollutants entering the drainage system
 - Evaluate the performance of pollution prevention measures



Overview of the Storm Water Program

- Revise the plan based on the results of the evaluation in order to reduce the discharge of pollutants
- Document the comprehensive site compliance evaluation in a report.

▲ **Consistency**—The plan can incorporate other plans which a facility may have already prepared for other permits including Spill Prevention Control and Countermeasure (SPCC) Plans, or Best Management Practices (BMP) Programs.

▲ **Deadlines**—Existing facilities must prepare and implement their plan on or before September 25, 1996*. New facilities (facilities that begin discharging after September 25, 1996) must prepare and implement their plan prior to submitting the NOI.

* Existing facilities located in the State of Alaska prepare and implement their plan on or before November 7, 1996.

▲ **Signature**—The plan must be signed by a responsible corporate official such as the president, vice president, or general partner.

▲ **Plan Review**—The plan is to be kept at the permitted facility at all times. The plan should be submitted for review only when requested by EPA.

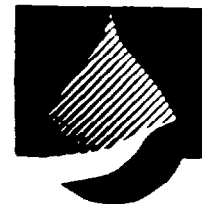
Visual Examinations

The MSGP requires facilities to perform and document a visual examination of a storm water discharge associated with industrial activity from each outfall on a quarterly basis. This requirement does not apply to certain inactive and unstaffed facilities.

Industry-Specific BMP Requirements and Analytical Monitoring Requirements

In addition to the general measures and controls discussed above, the MSGP includes certain industry specific pollution prevention plan requirements and analytical monitoring requirements (the table below indicates which sectors/subsectors are subject to analytical monitoring requirements). Please refer to the fact sheet and permit (60 FR 50804) for industry specific requirements.

Overview of the Storm Water Program



Industrial Facilities Covered Under the Multi-Sector Storm Water General Permit

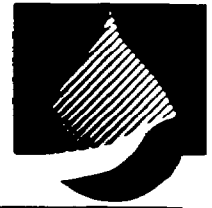
Subsector	SIC Code	Activity Represented
Sector A. Timber Products		
1*	2421	General Sawmills and Planning Mills
2*	2491	Wood Preserving
3*	2411	Log Storage and Handling
4*	2426	Hardwood Dimension and Flooring Mills
4*	2429	Special Product Sawmills, Not Elsewhere Classified
4*	243X (except 2434)	Millwork, Veneer, Plywood, and Structural Wood (except Wood Kitchen Cabinet Manufacturers)
4*	244X	Wood Containers
4*	245X	Wood Buildings and Mobile Homes
4*	2493	Reconstituted Wood Products
4*	2499	Wood Products, Not Elsewhere Classified
Sector B. Paper and Allied Products Manufacturing		
1	261X	Pulp Mills
2	262X	Paper Mills
3*	263X	Paperboard Mills
4	265X	Paperboard Containers and Boxes
5	267X	Converted Paper and Paperboard Products, Except Containers and Boxes
Sector C. Chemical and Allied Products Manufacturing		
1*	281X	Industrial Inorganic Chemicals
2*	282X	Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers, Except Glass
4*	284X	Soaps, Detergents, and Cleaning Preparations; Perfumes, Cosmetics, and Other Toilet Preparations
5	285X	Paints, Varnishes, Lacquers, Enamels, and Allied Products
6	286X	Industrial Organic Chemicals
7*	287X	Nitrogenous and Phosphatic Basic Fertilizers, Mixed Fertilizers, Pesticides, and Other Agricultural Chemicals
8	289X	Miscellaneous Chemical Products
NA	3952 (limited to list)	Inks and Paints, Including China Painting Enamels, India Inks, Drawing Ink, Platinum Paints for Burnt Wood or Leather Work, Paints for China Painting, Artist's Paints and Artist's Watercolors



Overview of the Storm Water Program

Subsector	SIC Code	Activity Represented
Sector D. Asphalt Paving and Roofing Materials Manufacturers and Lubricant Manufacturers		
1*	295X	Asphalt Paving and Roofing Materials
2	2992	Lubricating Oils and Greases
Sector E. Glass, Clay, Cement, Concrete, and Gypsum Product Manufacturing		
1	3211	Flat Glass
1	322X	Glass and Glassware, Pressed or Blown
1	323X	Glass Products Made of Purchased Glass
2	3241	Hydraulic Cement
3*	325X	Structural Clay Products
3*	326X	Pottery and Related Products
3*	3297	Non-Clay Refractories
4*	327X (except 3274)	Concrete, Gypsum and Plaster Products (except lime)
4*	3295	Minerals and Earths, Ground, or Otherwise Treated
Sector F. Primary Metals		
1*	331X	Steel Works, Blast Furnaces, and Rolling and Finishing Mills
2*	332X	Iron and Steel Foundries
3	333X	Primary Smelting and Refining of Nonferrous Metals
4	334X	Secondary Smelting and Refining of Nonferrous Metals
5*	335X	Rolling, Drawing, and Extruding of Nonferrous Metals
6*	336X	Nonferrous Foundries (Castings)
7	339X	Miscellaneous Primary Metal Products
Sector G. Metal Mining (Ore Mining and Dressing) Except Inactive Metal Mining Activities Occurring on Federal Lands Where an Operator Cannot be Identified		
1	101X	Iron Ores
2*	102X	Copper Ores
3	103X	Lead and Zinc Ores
4	104X	Gold and Silver Ores
5	106X	Ferroalloy Ores, Except Vanadium
6	108X	Metal Mining Services
7	109X	Miscellaneous Metal Ores

Overview of the Storm Water Program



Subsector	SIC Code	Activity Represented
Sector H. Coal Mines and Coal Mining-Related Facilities		
NA*	12XX	Coal Mines and Coal Mining-Related Facilities
Sector I. Oil and Gas Extraction		
1	131X	Crude Petroleum and Natural Gas
2	132X	Natural Gas Liquids
3	138X	Oil and Gas Field Services
Sector J. Mineral Mining and Dressing Except Inactive Mineral Mining Activities Occurring on Federal Lands Where an Operator Cannot be Identified		
1*	141X	Dimension Stone
1*	142X	Crushed and Broken Stone, Including Rip Rap
1*	148X	Nonmetallic Minerals, Except Fuels
2*	144X	Sand and Gravel
3	145X	Clay, Ceramic, and Refractory Materials
4	147X	Chemical and Fertilizer Mineral Mining
4	149X	Miscellaneous Nonmetallic Minerals, Except Fuels
Sector K. Hazardous Waste Treatment Storage or Disposal Facilities		
NA*	NA	Hazardous Waste Treatment Storage or Disposal
Sector L. Landfills and Land Application Sites		
NA*	NA	Landfills and Land Application Sites that Receive or Have Received Industrial Wastes, Except Inactive Landfills or Land Application Sites Occurring on Federal Lands Where an Operator Cannot be Identified
Sector M. Automobile Salvage Yards		
NA*	5015	Facilities Engaged in Dismantling or Wrecking Used Motor Vehicles for Parts Recycling or Resale and for Scrap
Sector N. Scrap Recycling Facilities		
NA*	5093	Processing, Reclaiming, and Wholesale Distribution of Scrap and Waste Materials
Sector O. Steam Electric Generating Facilities		
NA*	NA	Steam Electric Generating Facilities

622E-0



Overview of the Storm Water Program

Subsector	SIC Code	Activity Represented
Sector P. Land Transportation Facilities That Have Vehicle and Equipment Maintenance Shops and/or Equipment Cleaning Activities		
1	40XX	Railroad Transportation
2	41XX	Local and Highway Passenger Transportation
3	42XX	Motor Freight Transportation and Warehousing
4	43XX	United States Postal Service
5	5171	Petroleum Bulk Stations and Terminals
Sector Q. Water Transportation Facilities that have Vehicle (Vessel) and Equipment Maintenance Shops and/or Equipment Cleaning Operations		
NA *	44XX	Water Transportation
Sector R. Ship and Boat Building or Repairing Yards		
NA	373X	Ship and Boat Building or Repairing Yards
Sector S. Air Transportation Facilities		
NA *	45XX	Air Transportation Facilities that have Vehicle Maintenance Shops, Material Handling Facilities, Equipment Cleaning Operations, or Airport and/or Aircraft Deicing/Anti-icing Operations
Sector T. Treatment Works		
NA	NA	Treatment Works Treating Domestic Sewage or Any Other Sewage Sludge or Wastewater Treatment Device or System Used in the Storage, Treatment, Recycling, or Reclamation of Municipal or Domestic Sewage with a Design Flow of 1.0 MGD or More or Required to Have an Approved Pretreatment Program
Sector U. Food and Kindred Products		
1	201X	Meat Products
2	202X	Dairy Products
3	203X	Canned, Frozen and Preserved Fruits, Vegetables and Food Specialties
4 *	204X	Grain Mill Products
5	205X	Bakery Products
6	206X	Sugar and Confectionery Products
7 *	207X	Fats and Oils
8	208X	Beverages
9	209X	Miscellaneous Food Preparations and Kindred Products
NA	21XX	Tobacco Products

Overview of the Storm Water Program



Subsector	SIC Code	Activity Represented
Sector V. Textile Mills, Apparel, and Other Fabric Product Manufacturing		
1	22XX	Textile Mill Products
2	23XX	Apparel and Other Finished Products Made From Fabrics and Similar Materials
Sector W. Furniture and Fixtures		
NA	25XX	Furniture and Fixtures
NA	2434	Wood Kitchen Cabinets
Sector X. Printing and Publishing		
NA	2732	Book Printing
NA	2752	Commercial Printing, Lithographic
NA	2754	Commercial Printing, Gravure
NA	2759	Commercial Printing, Not Elsewhere Classified
NA	2796	Platemaking and Related Services
Sector Y. Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries		
1*	301X	Tires and Inner Tubes
1*	302X	Rubber and Plastics Footwear
1*	305X	Gaskets, Packing, and Sealing Devices and Rubber and Plastics Hose and Belting
1*	306X	Fabricated Rubber Products, Not Elsewhere Classified
2	308X	Miscellaneous Plastics Products
2	393X	Musical Instruments
2	394X	Dolls, Toys, Games and Sporting and Athletic Goods
2	395X	Pens, Pencils, and Other Artists' Materials
2	396X	Costume Jewelry, Costume Novelties, Buttons, and Miscellaneous Notions, Except Precious Metal
2	399X	Miscellaneous Manufacturing Industries
Sector Z. Leather Tanning and Finishing		
NA	311X	Leather Tanning and Finishing
NA	NA	Facilities that Make Fertilizer Solely From Leather Scraps and Leather Dust
Sector AA. Fabricated Metal Products		
1*	3429	Hardware, Not Elsewhere Classified
1*	3441	Fabricated Structural Metal
1*	3442	Metal Doors, Sash, Frames, Molding, and Trim
1*	3443	Fabricated Plate Work (Boiler Shops)

622E-12



Overview of the Storm Water Program

Subsector	SIC Code	Activity Represented
1*	3444	Sheet Metal Work
1*	3451	Screw Machine Products
1*	3452	Bolts, Nuts, Screws, Rivets, and Washers
1*	3462	Iron and Steel Forgings
1*	3471	Electroplating, Plating, Polishing, Anodizing, and Coloring
1*	3494	Valves and Pipe Fittings, Not Elsewhere Classified
1*	3496	Miscellaneous Fabricated Wire Products
1*	3499	Fabricated Metal Products, Not Elsewhere Classified
1*	391X	Jewelry, Silverware, and Plated Ware
2*	3479	Coating, Engraving, and Allied Services
Sector AB. Transportation Equipment, Industrial or Commercial Machinery		
NA	35XX (except 357)	Industrial and Commercial Machinery (except Computer and Office Equipment)
NA	37XX (except 373)	Transportation Equipment (except Ship and Boat Building and Repair)
Sector AC. Electronic, Electrical, Photographic and Optical Goods		
NA	36XX	Electronic and Other Electrical Equipment and Components, Except Computer Equipment
NA	38XX	Measuring, Analyzing and Controlling Instrument; Photographic, Medical and Optical Goods; Watches and Clocks
NA	357	Computer and Office Equipment

Notes:

NA = not applicable (could not be divided into subsectors).

SIC = Standard Industrial Classification code.

X = any number from 0-9, making a complete SIC code.

* = Sector/subsector with analytical monitoring requirements.

Overview of the Storm Water Program



ATTACHMENT VII

KEY DIFFERENCES BETWEEN THE BASELINE AND MULTI-SECTOR PERMITS

The following table lists the key differences between the Baseline General Permit for Industrial Activities and the Multi-Sector General Permit.

Baseline	Multi-Sector
<p><u>Eligibility:</u> -Excludes discharges subject to Storm Water Effluent Limmiation Guidelines</p> <p>- Prohibits coverage of facilities which have an adverse impact on endangered species.</p> <p>- Does not exlude facilities based upon industrial activity (except construction and non regulated industries).</p>	<p>- Covers many discharges subject to Effluent Limitation Guidelines (unless already subject to a permit) including runoff from: phosphate fertilizer manufacturing, asphalt emulsion manufacturing, storage piles at cement kilns, dewatering discharges at sand and gravel mines, and coal piles steam electric generators.</p> <p>- Prohibits coverage of facilities which have an adverse impact on endangered species and <u>requires permittee to certify there will not be impact.</u></p> <p>- Does not cover industrial activities which were not represented in the group application process (e.g., drug manufacturers, petroleum refineries, and lime manufacturers.)</p>

622E-07



Overview of the Storm Water Program

Baseline	Multi-Sector
<p><u>Storm Water Pollution Prevention Plan</u></p> <ul style="list-style-type: none"> - Requires consideration of generic pollution prevention measures. There are no industry-specific or pollutant-specific best management practices which must be considered. - Facilities subject to EPCRA 313 TRI reporting requirements are required to incorporate additional measures into their SWPPP, and to have the plan certified by a Professional Engineer every 3 years. - Does not provide guidance on specific types of BMPs which industries may utilize. 	<ul style="list-style-type: none"> - 29 different industry sections contain requirements to consider industry-specific, some pollutant-specific, and generic best management practices. - Facilities subject to EPCRA 313 TRI reporting requirements are required to incorporate additional measures into their SWPPP, <u>however the plan only needs to be certified by the facility operator.</u> - Fact sheet describes applicable BMPs for each industry sector.
<p><u>Numeric Effluent Limitations</u></p> <ul style="list-style-type: none"> - Contains numeric effluent limits only for coal pile runoff (not at steam electric generating facilities). Limits are based upon BAT/BCT effluent limitation guideline for steam electric generating industry. 	<ul style="list-style-type: none"> - Contains BAT/BCT numeric effluent limits taken from effluent limitation guidelines for coal pile runoff, phosphate fertilizer manufacturing runoff, asphalt emulsion manufacturing runoff, storage pile runoff at cement kilns, and dewatering discharges at sand and gravel mines.

Overview of the Storm Water Program



Baseline	Multi-Sector
<p><u>Monitoring</u></p> <ul style="list-style-type: none"> - Monitoring is done for discharge characterization. - Requires facilities subject to EPCRA 313 TRI reporting requirements for water priority chemicals to monitor and report semi-annually. - Requires 3 industries (primary metals, land disposal and wood treaters) to monitor and report semi-annually. Requires an additional 12 specific industry sub-sectors to monitor annually and retain the results on site. - List of parameters to be monitored for each industry is based upon general research into industrial activities and significant materials. - Facilities may exempt themselves from all monitoring requirements where they can certify that there are no significant materials or industrial activities exposed to storm water. - Semi-annual facilities are required to submit data, annual monitoring facilities retain data on site. - No visual monitoring. 	<ul style="list-style-type: none"> - Monitoring is designed to assess effectiveness of the SWPPP and to provide incentive to reduce pollution. - Monitoring is not required as a result of reporting status under the ECPRA 313 program. - Requires 28 specific industry sectors with highest risk to monitor discharges quarterly during years 2 and 4 of permit coverage. Facilities with pollutant concentrations lower than benchmarks in year 2 are exempt from monitoring in year 4. - List of parameters to be monitored for each industry is based upon review of information from group applications including; sampling data and descriptions of industrial activity, and significant materials. - Facilities may exempt themselves from monitoring on a pollutant by pollutant basis if they can certify that there are no sources of a pollutant present. - All facilities that monitor are required to submit data. Facilities are encouraged to review monitoring results and revise the SWPPP where pollutants are above benchmark concentrations. - Routine visual monitoring to assess problems.



Overview of the Storm Water Program

ATTACHMENT VIII

MUNICIPAL APPLICATION REQUIREMENTS

The CWA requires that NPDES permits for discharges from municipal separate storm sewer systems include a requirement to effectively prohibit non-storm water discharges into the storm sewers, and controls to reduce the discharge of pollutants to the maximum extent practicable (including management practices, control techniques and system design and engineering methods, and other provisions appropriate for the control of such pollutants). EPA or authorized NPDES States may issue system-wide or jurisdiction-wide permits covering all discharges from a municipal separate storm sewer system. The November 1990 storm water final rule established requirements for a two-part permit application designed to facilitate development of site specific permit conditions. The permit application requirements provided municipal applicants an opportunity to propose appropriate management programs to control pollutants in discharges from their municipal systems. This application process increased flexibility to develop appropriate permit conditions and ensured input from municipalities in developing appropriate controls.

Part 1

- ▲ General information (name, address, etc.)
- ▲ Existing legal authority and any additional authorities needed
- ▲ Source identification information
- ▲ Discharge characterization including:
 - Monthly mean rain and snow fall estimates
 - Existing quantitative data on volume and quality of storm water discharges
 - A list of receiving water bodies and existing information on the impacts of receiving waters
 - Field screening analysis for illicit connections and illegal dumping.
- ▲ Characterization plan identifying representative outfalls for further sampling in Part 2
- ▲ Description of existing management programs to control pollutants from the municipal separate storm sewer and to identify illicit connections
- ▲ Description of financial budget and resources currently available to complete Part 2.

Part 2

- ▲ Demonstration of adequate legal authority to control discharges, prohibit illicit discharges, require compliance, and carry out inspections, surveillance, and monitoring
- ▲ Source identification indicating the location of any major outfalls and identifying facilities that discharge storm water associated with industrial activity through the municipal separate storm sewer



Overview of the Storm Water Program

- ▲ Discharge characterization data including
 - Quantitative data from 5-10 representative locations in approved sampling plans
 - For selected conventional pollutants and heavy metals, estimates of the annual pollutant load and event mean concentration of system discharges
 - Proposed schedule to provide estimates of seasonal pollutant loads and the mean concentration for certain detected constituents in a representative storm event
 - Proposed monitoring program for representative data collection.
- ▲ Proposed management program including descriptions of:
 - Structural and source control measures that are to be implemented to reduce pollutants in runoff from commercial and residential areas
 - Program to detect and remove illicit discharges
 - Program to monitor and control pollutants from municipal landfills, hazardous waste treatment, disposal, and recovery facilities; EPCRA Section 313 facilities; and other priority industrial facilities
 - Program to control pollutants in construction site runoff.
- ▲ Estimated reduction in loadings of pollutants as a result of the management program
- ▲ Fiscal analysis of necessary capital and operation and maintenance expenditures.

Available Guidance

Guidance Manual for the Preparation of Part 1 of the NPDES Permit Application for Discharges from Municipal Separate Storm Sewer Systems (April 1991) available from NTIS (703) 487-4650, order number PB 92-114578; *NPDES Storm Water Sampling Guidance Document* (EPA 833-B-92-001, July 1992) and *Guidance Manual for the Preparation of Part 2 of the NPDES Permit Applications for Discharges from Municipal Separate Storm Sewers Systems* (EPA 833-B-92-002, November 1992), available from the Office of Water Resource Center. (202) 260-7786.