

Final Environmental Impact Report
EEA No. 16640

CAPE COD GATEWAY AIRPORT MASTER PLAN IMPROVEMENT PROJECTS APPENDICES A-J



Epsilon
ASSOCIATES INC.

September 16, 2024

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Horsley Witten Group

Sustainable Environmental Solutions

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Spill Prevention, Control, and Countermeasure Plan

**Barnstable Municipal Airport
Hyannis, Massachusetts**

Revision 4, April 2020



Prepared for:

**Barnstable Municipal Airport
480 Barnstable Road
Hyannis, Massachusetts 02601**

Job # 14105

**SPILL PREVENTION, CONTROL, AND COUNTERMEASURE PLAN
BARNSTABLE MUNICIPAL AIRPORT
HYANNIS, MASSACHUSETTS
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PREFACE - I

SPILL PREVENTION, CONTROL, AND COUNTERMEASURE PLAN EMERGENCY ACTION PLAN

BARNSTABLE MUNICIPAL AIRPORT HYANNIS, MASSACHUSETTS

This Emergency Response Action Plan has been developed for the Barnstable Municipal Airport, 480 Barnstable Road, Hyannis, Massachusetts 02601 as a guide to assist in the response to releases of oil and/or hazardous materials to the environment.

1.0 EMERGENCY NOTIFICATION PHONE LIST

National Response Center (to report a release to navigable waters)

24-Hour Call Center: 800-424-8802

Massachusetts Department of Environmental Protection Emergency Response Center

24-Hour Call Center: 888-304-1133

Massachusetts State Police / Hyannis Fire Department

24-Hour Call Center: 911

Airport Rescue and Fire Fighting

24-Hour Call Center: 508-778-7770

Barnstable Fire District Water Department

(To report a spill on Water Dept. property located north of 15/33)

Office: 508-362-6498

Supt. Thomas Rooney (24-Hour): 508-364-9359

The Barnstable Municipal Airport Emergency Response Personnel include the following:

Spill Response Program Manager:

Katie Servis

Airport Manager

Barnstable Municipal Airport

508-775-2020

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Spill Response Coordinator:

Robert Holzman
Operations Supervisor
Barnstable Municipal Airport
508-778-7770 (24-hour contact number)

Local consultants and contractors to contact for spill response:

Licensed Site Professional:

Horsley Witten Group, Inc.
90 Route 6A
Sandwich, Massachusetts
508-833-6600

Bryan Massa, LSP
24-Hour Contact Number: 781-243-1527

Mark Nelson, LSP
24-Hour Contact Number: 508-566-0912

Spill Response Contractors:

Clean Harbors 800-645-8256

Moran Environmental Recovery 888-233-5338

Global Remediation 508-828-1005

Spill Response Materials/Equipment

A rapid spill response trailer is maintained at the Airport ARFF/SRE Building; a complete inventory of the trailer's contents is included as Appendix F in the SPCCP. Inventories are conducted regularly, and out-of-date equipment is replaced. A smaller spill kit is also maintained on each of the Airport's Mobile Refuelers, at the Gate F Fuel Farm, and at the Airport ARFF/SRE Building waste oil and anti-freeze storage AST. Each tenant involved in the storage or transfer of fuel is responsible for maintaining their own spill response resources on each of their vehicles and at fuel storage locations.

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2.0 IMMEDIATE ACTIONS

Spill response actions may include the following (as personnel safety allows)

- 1) Initiate evacuation, if necessary.
- 2) Notify Federal and State Emergency Response Personnel (see Section 1.0).
- 3) Stop spill flow when possible without risk of personal injury.
- 4) Contain the spill using whatever means readily available.
- 5) Make the spill location off limits to unauthorized personnel.
- 6) Restrict all sources of ignition when flammable substances are involved.
- 7) Report the release to the appropriate regulatory agencies (MassDEP, Fire Department, Airport Operations).

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3.0 RELEASE NOTIFICATION FORM

A. Incident Description

Date: _____ Reporter: _____
Time of Incident: _____ Time of Report: _____
Facility Name: _____
Facility Telephone #: _____
Location of Release: _____
Facility Location: _____
Street Address: _____
City/Town: _____

B. Release Description

Type of material(s) released: _____
Estimated quantity released: _____
Were there injuries to anyone on site?: _____
Did the release impact a catch basin or storm drain?: _____
Describe the ground surface that the release occurred over: _____

Did the release enter or travel along underground utilities (pipes, conduit, etc.)?:

How did the release occur? _____

Other details: _____

Are any surface waters impacted, or in danger of being impacted?

C. Spill Response Program Notification Requirements

IN THE EVENT OF ANY RELEASE, NOTIFY:

PROGRAM MANAGER KATIE SERVIS 508-775-2020

SPILL RESPONSE COORDINATOR ROBERT HOLZMAN 508-778-7770

BARNSTABLE MUNICIPAL AIRPORT RESCUE AND FIREFIGHTING 508-778-7770

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IF RELEASE IS LOCATED ON WATER DEPT. PROPERTY NORTH OF 15/33, NOTIFY:

SUPT. THOMAS ROONEY 508-364-9359

D. State and Federal Notification Requirements

Does Massachusetts Department of Environmental Protection (MassDEP) Require Notification?

- A release of ≥ 10 Gallons Gas/Diesel/Oil requires MassDEP Notification
- A release of an unknown quantity requires MassDEP notification

If required, notify Massachusetts DEP at 888-304-1133*

Does the USCG/Federal National Response Center (NRC) Require Notification?

- A discharge to navigable waters requires USCG/NRC notification
- A sheen on water surface is considered a harmful quantity

If required, notify USCG/NRC at 800-424-8802*

*** record any instructions/information from MassDEP or NRC in the space provided below.**

E. Generator Information

Generator/Responsible Party: _____

Street Address: _____

City/Town: _____ State: _____

Contact Person: _____ Title: _____

Contact Telephone Number: _____

F. Documentation of Notification

(Record time of agency/contact notification, instructions, reporting number, etc. here)

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(continued)

4.0 REPORTABLE CONDITIONS

In accordance with Commonwealth of Massachusetts regulations, 310 CMR 30 and 310 CMR 40.0000, a release or threat of a release of a reportable quantity of oil and or hazardous materials must be reported to the MassDEP within two hours of obtaining knowledge of the release. Under MassDEP regulations 310 CMR 40.0000 a release of oil of **10-gallons or greater** is considered reportable. Contaminants detected in the environment at or above a certain concentration require reporting to the MassDEP, are listed in 310 CMR 40.1600. Refer to Appendix E of the Airport’s SPCCP for forms to be completed during a spill event.

Federal reportable quantities for releases into soil, water and air are listed in Table 302.4 of 40 CFR 302.4. Each regulatory agency has these reportable quantities posted on its website (www.state.gov/dep; and www.epa.gov).

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SPILL PREVENTION, CONTROL, AND COUNTERMEASURE PLAN APPROVAL AND CERTIFICATION

BARNSTABLE MUNICIPAL AIRPORT HYANNIS, MASSACHUSETTS

MANAGEMENT APPROVAL

This oil and hazardous substances Spill Prevention, Control, and Countermeasure Plan and attached Emergency Response Action Plan has been carefully reviewed by Barnstable Municipal Airport Management. Management concurs with and supports the programs and procedures which are to be implemented, periodically reviewed, and updated in accordance with Federal Regulation 40 CFR 112.

Signature: _____

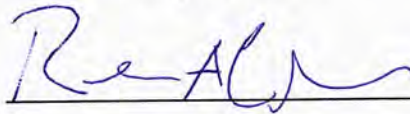
Katie Servis
Spill Response Program Manager
Airport Manager
Barnstable Municipal Airport

PROFESSIONAL ENGINEER CERTIFICATION

I hereby certify that I am familiar with the provisions of Federal Regulation 40 CFR 112 and attest that the Spill Prevention, Control, and Countermeasure Plan has been prepared in accordance with reasonable and prudent engineering practices, and satisfies the current requirements of the aforementioned regulation.

Name: Richard A. Claytor, Jr., P.E.

Signature: _____



Date: _____

4-29-2020



Registration Number: 45116

x

Barnstable Municipal Airport
Spill Prevention, Control, and Countermeasure Plan
Revision 4, April 2020

April 2020
Horsley Witten Group, Inc.

PREFACE - IV

SPILL PREVENTION, CONTROL, AND COUNTERMEASURE PLAN REGULATORY CROSS-REFERENCE WITH 40 CFR 112

BARNSTABLE MUNICIPAL AIRPORT HYANNIS, MASSACHUSETTS

Regulatory Provision	Regulatory Requirement	Location in SPCCP
112.3 (d)	Professional Engineer Certification	Preface II
112.3 (e)	Location of SPCC Plan	Section 2.0
112.5	SPCC Plan review and amendment	Section 3.0
112.7	Facility Management approval	Preface II
112.7	Cross reference with 40 CFR 112	Preface IV
112.7 (a)(1)	Discussion of Facility conformance	Section 1.0
112.7 (a)(2)	Deviation from plan requirements	Not Applicable
112.7 (a)(3)	Facility physical layout and facility	Section 7.0,
112.7 (a)(3)(i)	Oil storage containers	Sections 8.0, 9.0 Figures 2 and 3
112.7 (a)(3)(ii)	Discharge prevention measures	Section 10.0
112.7 (a)(3)(iii)	Discharge or drainage controls	Section 10.0
112.7 (a)(3)(iv)	Countermeasures for discharge discovery, response, and cleanup	Section 12.0, 14.0
112.7 (a)(3)(v)	Methods of disposal of recovered	Section 12.1.1
112.7 (a)(3)(vi)	Emergency contact list	Section 13.1,
112.7 (a)(4)	Discharge reporting	Section 13.0,
112.7 (a)(5)	Discharge response procedures	Section 12.0
112.7 (b)	Potential discharge volumes and direction	Section 8.0, 9.0,
112.7 (c)	Containment and diversionary structures	Section 8.0, 9.0,
112.7 (d)	Demonstration of impracticability of secondary	Not Applicable
112.7 (e)	Inspections, Tests, and Records	Section 15.0

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(continued)

Regulatory Provision	Regulatory Requirement	Location in SPCCP
112.7 (f)(1)	Oil handling personnel trained in operation and maintenance of facility equipment to avoid a discharge, discharge procedures, applicable laws and regulations, and contents of SPCC Plan	Section 4.0
112.7 (f)(2)	Designate personnel at each applicable facility responsible for SPCC Plan compliance	Section 2.0
112.7 (f)(3)	Discharge prevention briefings for all oil-handling personnel	Section 4.0
112.7 (g)(1)	Applicable areas fully fenced when unattended	Section 7.3
112.7 (g)(2)	Flow and drain valves secured in closed position when not in operation	Appendix B
112.7 (g)(3)	Transfer controls secured in closed position when not in operation, accessible only by authorized personnel	Appendix B
112.7 (g)(4)	Transfer systems capped when not in operation	Appendix B
112.7 (g)(5)	Adequate facility lighting to observe a discharge and prevent vandalism	Section 7.3
112.7 (h)(1)	Quick drainage systems in lieu of catchment basin	Not Applicable
112.7 (h)(2)	Warning system to prevent vehicle departure prior to complete disconnection of flexible or fixed transfer lines	Appendix B
112.7 (h)(3)	Inspection of all transfer connections on vehicle prior to transfer	Appendix B
112.7 (i)	Brittle fracture evaluation	Section 15.5
112.7 (j)	Compliance with Applicable State and Local Requirements	Section 1.0
112.8 (b)	Facility drainage	Section 7.5
112.8 (c)(1)	Bulk storage container construction	Section 8.0, 9.0

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(continued)

Regulatory Provision	Regulatory Requirement	Location in SPCCP
112.8 (c)(2)	Secondary containment	Section 8.0, 9.0, 10.0
112.8 (c)(3)	Drainage of diked areas	Section 7.5
112.8 (c)(4)	Corrosion protection	Section 8.0
112.8 (c)(5)	Partially buried and bunkered storage tanks	Not Applicable
112.8 (c)(6)	Inspection and testing of aboveground storage tanks	Section 15.0
112.8 (c)(7)	Heating coils	Not Applicable
112.8 (c)(8)	Overfill prevention devices	Section 8.0
112.8 (c)(9)	Effluent treatment facilities	Not Applicable
112.8 (c)(10)	Visible discharges	Appendix B
112.8 (c)(11)	Mobile and portable containers	Section 8.0, 9.0
112.8 (d)	Transfer operations, pumping and in-plant	Section 8.0
112.20 (e)	Certification of Substantial Harm Determination	Appendix A

SPILL PREVENTION, CONTROL, AND COUNTERMEASURE PLAN

BARNSTABLE MUNICIPAL AIRPORT HYANNIS, MASSACHUSETTS

1.0 INTRODUCTION

Code of Federal Regulations 40, Subpart 112 (40 CFR 112) provides guidance for the development of Spill Prevention, Control, and Countermeasure Plans (SPCCP) and establishes procedures and methods to prevent the discharge of oil from non-transportation-related facilities into surface waters and adjoining shorelines. Additionally, Massachusetts State regulations (310 CMR 30.521(4)) require SPCCPs, with added requirements to comply with State 310 CMR 30 Hazardous Waste regulations. The Comprehensive Environmental Response Compensation and Liability Act (CERCLA) Regulation 40 CFR 300.3, and the Resource Conservation and Recovery Act (RCRA) Regulation 40 CFR 264.52 expand the scope of the SPCCP to incorporate hazardous materials as defined in 40 CFR 302.3.

An SPCCP must be written and certified for an installation or commercial entity when both of the following criteria are met:

1. There is a reasonable potential for discharging oil into or upon navigable waters of the United States; and
2. The oil storage capacity on-site exceeds either:
 - a. 42,000-gallons of total underground storage, or
 - b. 1,320-gallons of total above-ground storage, or any single container having a capacity in excess of 660-gallons.

This SPCCP has been prepared for the Barnstable Municipal Airport, 480 Barnstable Road, Hyannis, Massachusetts 02601 (the "Airport"), due to the following:

1. There is a reasonable potential for discharging oil into or upon the waters of the United States, and
2. Above-ground fuel storage capacity exceeds 1,320-gallons, with a single container having a capacity in excess of 660-gallons.

2.0 SPCCP IMPLEMENTATION

This SPCCP is to be implemented by Airport employees and tenants. The Spill Response Program Manager (Program Manager) and Spill Response Coordinator (Coordinator) are

responsible, to the greatest extent possible, for ensuring employee and tenant awareness, program participation, and operational compliance with the guidelines provided in this SPCCP. Copies of the SPCCP are to be maintained in the Barnstable Municipal Airport (Airport) Management Office within the Main Terminal, the Aircraft Rescue and Fire Fighting/Snow Removal Equipment (ARFF/SRE) Building, and with the tenants identified in Section 7.2.

Spill Response Program Manager:

Katie Servis
Airport Manager
Barnstable Municipal Airport
508-775-2020

Spill Response Coordinator:

Robert Holzman
Operations Supervisor
508-778-7770 (24-hour contact number)

Effective spill prevention and response management is best facilitated through the designation of a Response Team representative (typically an owner, manager, or supervisor) for each Airport tenant operation involving the storage, transfer, or use of oil and/or hazardous materials (OHM). Response Team representatives are responsible for personnel training and maintaining operational compliance with the guidelines established in this SPCCP and described in further detail in Section 4.0 of this plan.

3.0 SPCCP REVIEW

If there is a change in the facility design, construction, operation, or maintenance which materially affects the potential for discharge of OHM into surface waters and adjoining shorelines, this SPCCP shall be amended in accordance with 40 CFR, parts 112.5 and 112.7. Amendments shall be implemented no later than 6 months after such changes occur. The Program Manager shall review and evaluate the SPCCP every five years. The Program Manager shall amend the SPCCP within 6 months of the five-year review to include more effective prevention and control technology, if available. No amendment to this SPCCP shall be effective to satisfy these requirements unless it has been certified by a Professional Engineer in accordance with 40 CFR 112.3(d). Statements of Airport Management Approval and Professional Engineer Certification, and a SPCCP Revision Log are included as prefaces to this plan. Amendments which do not significantly alter the potential for a discharge to occur, such as name and address revisions, do not require an Engineer's certification, however, all revisions shall be recorded in the SPCCP Revision Log.

4.0 RESPONSE TEAM DESIGNATION AND PERSONNEL TRAINING

The Coordinator shall designate a Response Team representative for each Airport tenant operation that involves the transport, use, or storage of OHM. Response Team members, along with the Coordinator, will be responsible for ensuring spill awareness among Airport and tenant employees, and operational compliance with the provisions of this SPCCP.

At a minimum, OHM-handling personnel shall be trained in the operation and maintenance of related facility equipment, facility discharge procedures, applicable laws and regulations, and the contents of the SPCCP. On an annual basis, the Coordinator shall conduct Discharge Prevention briefings for all oil-handling personnel, and include discussions of the SPCCP, any discharges within the past year, or changes to the Airport that might affect the potential for a discharge.

No provisions within this SPCCP, expressed or understood, relieve any tenant from providing response training to their employees, as required by Local, State and Federal regulations. Each Response Team Member shall provide the Coordinator with 24-hour contact information for inclusion in Section 7.2, and in the Airport's Emergency Response Action Plan (ERAP), described in Section 11.0.

5.0 SPCCP LIMITATIONS

This SPCCP provides information critical to the prevention of, and response to, releases of OHM at the Airport, and includes discussions of tenant operations, storage facilities, and transfer procedures. The Airport assumes no liability or responsibility for tenant operational compliance with applicable Local, State, and Federal Regulations, including the requirements established in 40 CFR 112, and described in this SPCCP. Tenants required to prepare and implement a SPCCP shall do so independently of this SPCCP.

6.0 APPLICATION OF SUBSTANTIAL HARM CRITERIA

Appendix C of 40 CFR 112 requires a facility to determine whether or not their facility is considered a "substantial harm facility." Certification of the applicability of the substantial harm criteria for the Airport is included as Appendix A. Substantial harm facilities are required to submit a Facility Response Plan to the Environmental Protection Agency's (EPA) Regional Administrator. The Airport is not considered a "substantial harm" facility and as such is not required to submit a Facility Response Plan to the EPA Regional Administrator.

7.0 FACILITY INFORMATION

7.1 Facility Description and Operations

The Airport provides commercial airline service and general aviation services to Boston, Cape Cod and the Islands of Martha's Vineyard, and Nantucket. The Airport began operations in 1928 and is the third largest and busiest airport in the Commonwealth of Massachusetts.

The Airport property consists of approximately 645 acres, approximately 142 are paved for use as taxiways, runways, and parking aprons. The Airport is bordered to the south by Barnstable Road (Route 132), to the west by Yarmouth Road, to the north by Route 6, and to the east by an industrial park (Independence Park). A locus map is included as Figure 1 and an aerial photograph identifying OHM storage locations at the Airport is included as Figure 2. Structures on Airport property include the Main Terminal and Air Traffic Control Tower (ATCT), several service and storage hangars, tenant facilities, and the Airport Rescue and Fire Fighting/Snow Removal Equipment Building (Airport ARFF/SRE). Airport property and structures located along runways 6 and 15 are commonly referred to as the East and North Ramps, respectively. A site plan detailing the structural layout of the Airport including stormwater drainage patterns and locations is included as Figure 3.

More than 40 tenant businesses operate on Airport property, providing industry-related services. Normal tenant operations include the maintenance and servicing of aircraft and associated aviation equipment, aviation fuel transfer, and general facility maintenance. Operations related to aircraft maintenance include engine maintenance, electronics repair, hydraulic system repair, aircraft washing, body repair, aircraft de-icing, and wheel and tire maintenance and repair. Ground vehicle operations and maintenance includes fluid changes, filter changes, refueling, brake repair, interior and exterior reupholstering, body repair, minor painting, and washing.

Airport Operations and Maintenance responsibilities include fuel transfer, traffic control, airport security, equipment operation and maintenance, facility maintenance and grounds-keeping. OHM use and storage at the Airport includes aviation fuel, gasoline, diesel, lubrication oil, motor oil, waste oil, deicing solutions, anti-freeze, paints, industrial chemicals and adhesives, compressed gases, solvents, and cleaning solutions.

Facilities maintenance operations include structural maintenance and repairs, airfield lighting and marking maintenance, painting, mowing, snow removal, and utility maintenance.

7.2 Tenant and Airport Operations Information

Current Airport Operations and tenant contact information are presented below.

Robert Holzman
Airport Operations Supervisor
480 Barnstable Road - 2nd Floor
Hyannis, MA 02601
508-778-7770

Helyne Medeiros
Rectrix Aerodrome Center, Inc.
Box 13 - 730 Barnstable Road
Hyannis, MA 02601
508-771-7520

Hildie Rios
Aviation Fuel Coordinator
480 Barnstable Road
Hyannis, MA 02601
508-778-7770

John Cahill
Hertz Car Wash
480 Barnstable Road
Hyannis, MA 02601
508-775-5825

Brad Everson
Airport Rescue Fire Fighting Coordinator
480 Barnstable Road - 2nd Floor
Hyannis, MA 02601
508-778-7770

Jody Lewis
Allies Air
550 Barnstable Road
Hyannis, MA 02601
508-364-5786

Robert Griffin
Griffin Avionics
630 Barnstable Road
Hyannis, MA 02601
508-771-2638

Peter Farrell
Cape Air / Nantucket Airlines
660 Barnstable Road
Hyannis, MA 02601
508-790-3122

Peter Greaves
AMA Nantucket Inc.
130 Mary Dunn Way
Hyannis, MA 02601
508-771-8273

Cape Flight Instruction
Edmund Cottle
150 Mary Dunn Way
Hyannis, MA 02601
508-274-2424

7.3 Facility Security

The Airport is manned on a 24-hour basis. Airport security is maintained through several means. Access to Airport property is restricted by a perimeter fence which is inspected daily. Unsupervised entry within the perimeter fence is limited to approved personnel who carry Airport-assigned identification. Facility security staffing includes personnel from Airport Security, the Hyannis Police Department, and the Transportation Security Administration (TSA). All fuel transfer and storage areas are located within the

main perimeter fence and access to these areas is therefore restricted to approved personnel. The Airport's Gate F Fuel Farm facility is also surrounded by an additional security fence and can only be accessed by approved personnel. The fuel transfer facility, Gate F Fuel Farm, and overnight staging areas for mobile refuelers are equipped with adequate lighting to aid in the observation of a release and deter any acts of vandalism.

7.4 Wastewater Management

With the exception of the ARFF/SRE building (Figure 3), all tenant facilities located on the East Ramp currently discharge sanitary wastewater to on-site septic systems. The ARFF/SRE building, South Ramp Deicing Pad and all structures located on the North Ramp of the Airport, including the Main Terminal, ATCT, and all other tenant facilities (Figure 3) discharge wastewater including sanitary waste to the Barnstable Wastewater Treatment Facility. Oil/water separators (O/WS) are located at the ARFF/SRE building, South Ramp Deicing Pad, Griffin Avionics, and Cape Air/Nantucket Air hangar and provide pre-treatment of floor drain discharge from each facility prior to discharge to the Barnstable Wastewater Treatment Facility. The Avis and Hertz Car Wash, located south of Barnstable Road on Airport property, also utilize O/WS to pre-treat vehicle wash-water that is subsequently discharged to the Barnstable Wastewater Treatment Facility. The locations of these tenants are included on Figure 3.

7.5 Stormwater Management

Stormwater management at the Airport is provided through several systems. The majority of paved surfaces within the perimeter fence, including all runways, discharge stormwater to a system that transports stormwater to one of two surface water bodies located on Airport property, Upper Gate and Lewis ponds (Figure 3). A number of catch basins are not connected to the main drainage system, and infiltrate stormwater at their respective locations or discharge stormwater to infiltration basins. A site plan, identifying Airport drainage areas, stormwater conveyances, surface water outfalls, and retention basins is included as Figure 3. O/WS used to pre-treat stormwater are located at the Gate F Fuel Farm and prior to Outfall A. Vortech® water quality units located prior to each of the outfalls discharging to Upper Gate and Lewis ponds provide pretreatment to all stormwater discharged to the ponds. Calculated total suspended solid (TSS) removal rates for the water quality units range from 81% to 87%. Since the installation of the Vortech® units in 2011, 100% of stormwater discharged to the ponds receives pretreatment.

7.6 Spill History

Facilities having experienced one or more spills within a year of the effective date of the SPCCP are required to describe each spill, any corrective actions taken, and plans for preventing recurrence. Two spills have occurred at the Airport in 2019, as described below. No other spills have occurred at the Airport within the past five years of the effective date of this plan (April 2020).

- In November 2019, a release of 51 gallons of Jet A fuel occurred at the Gate F Fuel Farm from a hand operated pump located within the concrete secondary containment structure (Figure 2). The hand pump was not fully closed after the previous use and was the source of the release. Due to a storm drainage valve being opened, the release drained from the secondary containment structure into an O/WS. Airport personnel responded to the spill and applied absorbents. Airport personnel notified the fire department and the MassDEP within two hours of identifying the release. Clean Harbors and a Licensed Site Professional responded to the release and pumped out and cleaned the O/WS, recovered absorbents, and cleaned the interior of the concrete secondary structure with a citrus based degreaser. The release was contained by the concrete secondary containment and the OW/S and there was no discharge of pollutants to stormwater and/or surface waters. Due to this incident, a new procedure was implemented by the Airport on November 26, 2019 for the operation of the hand pump and storm water drain valve at the fuel farm. The new procedure is as follows:

Hand Pump Operation

- Prior to hand pump usage by Airport staff, verify that the stormwater drain valve located adjacent to the secondary containment structure is in the closed position.
- Operate hand pump as necessary to obtain fuel sample.
- After sample collection, verify hand pump is in the closed position.

Stormwater Drain Valve Operation

- Inspect the concrete secondary containment pad and both interior drainage sumps for visual and olfactory evidence of OHM. Collect a representative sample of accumulated rainwater in a clear container and record the observations on the inspection form. If no visual or olfactory indication of OHM is observed, the accumulated rainwater within the secondary containment is assumed to be free of OHM.
- Next, open the first manhole cover (marked "DRAIN") in front of the Gate F Fuel Farm located between the storm water valve and the fuel farm. Cones

or other means to mark the open hole must be utilized. Collect a representative sample of accumulated rainwater from within the manhole in a clear container and record the observations on the inspection form. If no visual or olfactory indication of OHM is observed, the accumulated rainwater within the drain manhole is assumed to be free of OHM. The adjacent drain valve should then be opened, and the Airport staff member will monitor the draining of the open manhole and secondary containment as the water moves into the adjacent O/WS prior to discharging into the stormwater system.

- Once the draining of the open manhole and secondary containment is completed, the drain valve is to be closed. Additionally, the manhole is to be closed.
- On December 21, 2019 a release of one to two gallons of jet fuel occurred at the Rectrix Aerodrome Center Hanger while refueling a Hawker 827TX aircraft (Figure 2). The release occurred to the asphalt paved ground surface from venting of the right wing. Rectrix personnel responded to the spill immediately by placing granular absorbents and using pads to mop up the spilled jet fuel and notified the Airport. The absorbent and pads were placed into a 55-gallon drum for future off-site disposal. The release was contained to the asphalt pavement and there was no discharge of pollutants to stormwater and/or surface waters. Considering the nature of the release, no change to the fueling procedures or release response is necessary.

8.0 STORAGE AND TRANSFER OF FUEL

Significant volumes of virgin petroleum are stored at several locations at the Airport within storage tanks. Details concerning virgin petroleum storage are provided in Table 1 and Table 2, and locations are set forth on Figures 2. The Airport is also subject to the requirements in Federal Aviation Administration (FAA) Advisory Circular 150/5230-4, Aircraft Fuel Storage, Handling, and Dispensing on Airports.

Table 1. Barnstable Municipal Airport Virgin Petroleum Storage

Operator	Location	Product	Tank Type	Spill Protection	Volume (Gallons)
Rectrix / Air Cape Cod	Gate P Fuel Farm	Avgas ³	AST ¹	Overfill protection, double walled tanks, interstitial monitoring	10,000
		Jet A			10,000
Griffin Avionics	Griffin Fuel Island	Avgas ³	UST ²	Overflow protection, leak detection, double walled piping with sumps/sensors, and line leak detection	(2) 10,000
Cape Air	Inside Cape Air Hangar	Avgas ³	Portable AST ¹	Spill Containment Pallet	100

Operator	Location	Product	Tank Type	Spill Protection	Volume (Gallons)
Hertz Car Rental	Barnstable Road – Service Lot	Unleaded Gasoline	UST	Double walled, In tank monitor	10,000
Barnstable Municipal Airport	Gate F Fuel Farm	Unleaded Gasoline	AST	Overfill protection, concrete secondary containment, interstitial monitoring	4,000
		Diesel	AST		4,000
		Jet A	AST	Overfill protection, concrete secondary containment pad, double walled tanks, interstitial monitoring	(3) 20,000

Notes:

¹ Aboveground Storage Tank

² Underground Storage Tank

³ Aviation Gas

Virgin petroleum products are transported by Airport and tenant mobile refuelers for the purpose of refueling aircraft. Fuel delivery and transfer procedures are described in greater detail in Sections 8.1 and 8.2. Specific characteristics of each mobile refueler are provided in Table 2, below.

Table 2. Barnstable Municipal Airport Mobile Refuelers

Operator	Product	Spill Prevention Equipment	Truck Designation	Storage Capacity (Gallons)
Barnstable Municipal Airport	Jet A	All mobile refuelers are equipped with absorbents, drip pans, magnetic catch basin covers, and oil booms to respond to the most likely quantity of oil that could be discharged (<10 gallons) during refueling activities	5249	5,000
			5250	5,000
			5251	3,000
Rectrix / Air Cape Cod	Avgas		44219	1,500
Rectrix Aerodrome	Jet A		5693	3,000
Cape Air	Avgas		4298	1,500
Griffin Avionics	Avgas		612	620
		4134	1,200	

8.1 Fuel Delivery

Detailed fuel delivery procedures for the Airport are included as Appendix C and are described in general below.

8.1.1 Jet A Fuel

Jet A fuel is currently stored at the Airport's Gate F Fuel Farm in three 20,000-gallon ASTs, and at Rectrix / Air Cape Cod's Gate P Fuel Farm in a 10,000-gallon AST. Details concerning spill protection are included above in Table 1. Vendor delivery of Jet A fuel at the Gate F Fuel Farm is coordinated and supervised by Airport personnel; fuel delivery at the Gate P Fuel Farm is coordinated and supervised by Rectrix / Air Cape Cod personnel. Flexible transfer lines, used for connecting fuel delivery trucks to the above-ground transfer manifolds at both locations, are inspected prior to each fuel transfer, and are replaced as necessary. Fuel deliveries are generally made during daylight hours; however, after-hours deliveries are conducted when necessary. Direct communication between the refueling agent and Airport personnel is maintained throughout the transfer. Prior to delivery, magnetic storm drain covers are temporarily placed on all catch basins within proximity of the vehicle prior to fuel transfer. Drip pans are also placed under the fuel rack on the vendor fuel delivery truck and personnel shall ensure that spill response resources to clean up or contain a small spill are readily available.

Airport and Rectrix / Air Cape Cod personnel are responsible for the assessment of Jet A fuel quality at the time of delivery and for the inspection of all fuel transfer and containment equipment.

8.1.2 Aviation Gas

Aviation Gas (Avgas) is currently stored in two 10,000-gallon USTs located at Griffin Avionics and at Rectrix / Air Cape Cod's Gate P Fuel Farm in a 10,000-gallon AST. Details concerning spill protection are included above in Table 1. Avgas deliveries are made by several vendors for each receiving facility and are completed during normal business hours. Flexible transfer lines, used for connecting fuel delivery trucks to the transfer manifolds, are inspected prior to each fuel transfer, and are replaced as necessary. Direct communication between the delivery truck operator and tenant personnel is maintained throughout the transfer. Prior to delivery, magnetic storm drain covers are temporarily placed on all catch basins within proximity of the vehicle prior to fuel transfer. Drip pans are also placed under the fuel rack on the vendor fuel delivery truck and personnel ensure that spill response resources to clean up or contain a small spill are readily available.

In accordance with Federal Regulations 14 CFR 139, tenant operations involving the storage or transfer of Avgas must maintain personnel training programs. One supervisor from each refueling tenant must complete an aviation fuel training course at an approved FAA-sponsored fueling course. Following this training, supervisors shall train all other employees involved in storing, dispensing and handling fuel in fire safety. Records of employee training are maintained by the Airport Operations. Records of system checks and transfer equipment inspections are maintained by each tenant.

8.1.3 Unleaded Gasoline

Unleaded gasoline is currently stored in a 10,000-gallon UST located at Hertz Car Rental located at the Barnstable Road Service Lot and at the Gate F Fuel Farm in a 4,000-gallon AST. Details concerning spill protection are included above in Table 1. Direct connections between the delivery truck and the storage tank are accomplished through flexible transfer lines, which are inspected prior to each fuel transfer. Fuel flow during transfer is controlled by the delivery truck operator and incorporates a dead man switch. Delivery of unleaded gasoline to the Gate F Fuel Farm is supervised by Airport personnel. Prior to delivery, magnetic storm drain covers are temporarily placed on all catch basins within proximity of the vehicle prior to fuel transfer. Drip pans are also placed under the fuel rack on the vendor fuel delivery truck and personnel ensure that spill response resources to clean up or contain a small spill are readily available.

8.1.4 Diesel Fuel

Diesel fuel is currently stored at the Gate F Fuel Farm in a 4,000-gallon AST. Details concerning spill protection are included above in Table 1. Diesel fuel at the Gate F Fuel farm is used for the refueling of Airport service vehicles. Direct connections between the delivery truck and storage tank are accomplished through a flexible transfer line, which is inspected prior to each fuel transfer. Fuel flow during transfer is controlled by the tank truck operator and incorporates a dead man switch. Delivery of diesel is supervised by Airport personnel. Prior to delivery, magnetic storm drain covers are temporarily placed on all catch basins within proximity of the vehicle prior to fuel transfer. Drip pans are also placed under the fuel rack on the vendor fuel delivery truck and personnel ensure that spill response resources to clean up or contain a small spill are readily available.

8.2 Mobile Refueler Operations

Transfer of fuel between mobile refueling trucks and aircraft occurs regularly at the Airport and is described in further detail below. Standard procedures for the transfer of fuel to mobile refuelers operated by the Airport are included as Appendix C. Details concerning spill protection are included above in Table 2.

During normal hours of operation, tenant-operated refuelers are staged at each respective tenant's apron terminal, where aircraft refueling typically occurs. The Airport's Jet A mobile refuelers are staged along the paved access way behind the Airport Operations building on the East Ramp. Prior to fuel transfer or during extended vehicle parking, magnetic storm drain covers are temporarily placed on all catch basins within proximity of the Mobile Refueler. Drip pans are also placed under the fuel rack and personnel ensure that spill response resources to clean up or contain a small spill are readily available.

40 CFR 112.7(c) and 112.8(c) require all mobile or portable fuel containers to be designed, positioned, and operated within a means of containment allowing for any discharge to be contained. Rule change EPA-HQ-OPA-2005-0001; FRL-8007-2 relieves airport refuelers from the "sized" secondary containment requirements established in 40 CFR 112.8(c)(2) and (11). All refueling of aircraft occurs over impervious surfaces, allowing for any discharge to be properly contained using the spill response resources maintained on each refueler, at each fuel storage location, and in the spill response trailer at the Airport Operations building. An O/WS, described in further detail in Section 10.2, provides secondary containment for the paved apron area at the Gate F Fuel Farm. All transfers of fuel at the Gate F Fuel Farm occur over this paved apron area, including delivery and transfer to mobile refuelers.

8.2.1 Transfer of Jet A to Mobile Refuelers

The Airport and Rectrix currently operate Jet A mobile refuelers. Jet A is transferred to the Airport's mobile refuelers at the Gate F Fuel Farm, and to the Rectrix mobile refueler at the Gate P Fuel Farm. Details concerning spill protection are included above in Table 2. Airport personnel conduct daily inspections of all associated transfer equipment, including transfer hoses, flow control devices, and spill prevention devices, as required by 139 CFR 327. Annual tank testing and maintenance are completed by outside contractors. Records of daily and annual inspections are maintained by the Airport and tenant Fueling Agents. A mobile refueler daily inspection sheet utilized by Airport Operations personnel is included as Appendix D.

Loading of Jet A refuelers is accomplished through the use of flexible transfer lines. Fuel flow is controlled by a dead man switch, held by the operator. Airport and Rectrix personnel are responsible for the proper function and alignment of all fuel transfer equipment during transfer of Jet A to mobile refuelers. Prior to transfer, magnetic storm drain covers are temporarily placed on all catch basins within proximity of the vehicle prior to fuel transfer. Drip pans are also placed under the fuel rack on the transfer vehicle and personnel ensure that spill response resources to clean up or contain a small spill are readily available.

8.2.2 Transfer of Avgas to Tenant Mobile Refuelers

Fuel transfer of Avgas to tenant mobile refuelers occurs at both Rectrix / Air Cape Cod's AST and Griffin Avionic's USTs. Details concerning spill protection are included above in Table 2. Griffin and Cape Air refuel their refuelers at the Griffin fuel transfer station. Rectrix is the only tenant that utilizes the Avgas AST located at the Gate P Fuel Farm. All fuel transfers occur over well-lit, impervious surfaces, allowing for the observation and containment of any discharges. Transfer of fuel is performed using flexible transfer lines. Fuel flow to the refueler is controlled by a dead man switch, held by the refueler operator. Prior to transfer, magnetic storm drain covers are temporarily placed on all catch basins within proximity of the vehicle prior to fuel transfer. Drip pans are also placed under the fuel rack on the transfer vehicle and personnel ensure that spill response resources to clean up or contain a small spill are readily available.

8.2.3 Transfer of Jet A to Aircraft

Jet A Fuel is transferred to aircraft on non-movement taxiway apron areas and aircraft parking areas by Airport Operations and Rectrix mobile refuelers. Details concerning spill protection are included above in Table 2. Airport Operations personnel conduct all transfer of Jet A fuel to aircraft other than Rectrix. Prior to transfer, magnetic storm drain covers are temporarily placed on all catch basins within proximity of the vehicle prior to fuel transfer. Drip pans are also placed under the fuel rack on the transfer vehicle and personnel ensure that spill response resources to clean up or contain a small spill are readily available.

8.2.4 Transfer of Avgas to Aircraft

Griffin, Cape Air, and Rectrix personnel transfer Avgas to aircraft on non-movement apron areas and aircraft parking areas. Details concerning spill protection are included above in Table 2. Only trained tenant personnel, as described in Sections 4.0 and 8.1.2, are authorized to dispense Avgas fuel to aircraft. Prior to transfer, magnetic storm drain covers are temporarily placed on all catch basins within proximity of the vehicle prior to fuel transfer. Drip pans are also placed under the fuel rack on the transfer vehicle and personnel ensure that spill response resources to clean up or contain a small spill are readily available.

9.0 STORAGE OF OTHER OHM

Other OHM is stored at several locations at the Airport within containers ranging in size from less than 5-gallons to 500-gallons. Details concerning 55-gallon and larger containers of other OHM (non-fueling related products) are provided in Table 3, and OHM storage locations are included on Figure 2.

Table 3. Other Airport OHM Storage Locations

Operator	Location	Product	Storage Vessel Type	Spill Protection	Volume (Gallons)
Barnstable Municipal Airport	Outside Airport ARFF/SRE Building	Waste Oil / Anti-freeze	AST	Leak detection, double walled with reinforced concrete	350/150
	Inside Airport ARFF/SRE Building	Anti-freeze	Drums	Spill Containment Pallet	55
		Diesel Exhaust Fluid			
		15W40			
		Grease			
		Hydraulic Oil			
		ATF			
5W30 SYN					
Waste Oil					
Rectrix / Air Cape Cod	Gate P Fuel Farm	Waste Absorbent	Drums	Spill Containment Pallet with overhead cover	55
		Waste Jet A Fuel			
		Avgas			
Rectrix Aerodrome	Inside Rectrix Hangar	Jet A	AST	Double walled	55
		Reclaimable Jet A Fuel	Drums	Spill Containment Workstation with lid	55
		Waste Oil			
		Waste Absorbent			
Griffin Avionics	Inside Griffin Hangar	Used Oil filters	Drums	Spill Containment Pallet	55
		Waste Oil			
		Avgas			
Cape Air	Inside Cape Air Hangar	Waste Oil	AST	Overflow detection, double walled	500
		Waste Oil	Drums	Spill Containment Pallet	55
		Hydraulic Oil			
		Used Oil Filters			
Anti-freeze					
Allies Air	Inside Allies Air Hangar	Waste Oil	Drums	Spill Containment Pallet	55
AMA Nantucket Inc.	Inside AMA Nantucket Inc. Hangar	Waste Oil	Drums	Spill Containment Pallet	55
		Mineral Spirits			
Cape Flight Instruction	Inside Cape Flight Instruction Hangar	Waste Oil	Drums	Spill Containment Pallet	55
		Anti-freeze			
		Used Oil Filters			
Avis Car Wash	Barnstable Road – Service Lot	Car Washer Fluid	AST	O/WS	250
Hertz Car Wash	Barnstable Road – Service Lot	Car Washer Fluid	AST	O/WS	250

Note: The total number of drums of OHM located in tenant facilities may vary. Proper secondary containment must always be provided for all drums of OHM and petroleum storage ASTs.

9.1 OHM Usage in Portable Containers

OHM including lubricants, cleaners, car washer fluid and anti-freeze is dispensed into small containers from hand dispensers connected to larger containers. The larger containers are located within the interior of the ARFF/SRE building, tenant hangars, Hertz Car Wash, and Avis Car Wash. Any floor drains located within the buildings are connected to O/WS and discharge to the municipal sewer system. Details on spill protection is included above in Table 3.

9.2 OHM Stored in Portable Containers for Disposal

OHM including waste lubricants, cleaners, and anti-freeze is placed into 55-gallon drums for future off-site disposal. The 55-gallon drums are located within the interior of the ARFF/SRE building and tenant hangars and are located within secondary containment. Floor drains located within the buildings are connected to O/WS and discharge to the municipal sewer system. It is estimated that at any given time the Airport and tenants could have approximately 50 to 75 55-gallon drums of various OHM stored within buildings. Details on spill protection is included above in Table 3.

10.0 SPILL PREVENTION AND POTENTIAL SPILL PATHWAYS

Where experience indicates a reasonable potential for the release of oil to the environment, 40 CFR 112.7(b) requires that a SPCCP predict a flow pathway for any released material. Sanitary waste is the only material discharged to septic systems. Floor drains located within buildings are connected to O/WS and/or the municipal sewer system. Potential discharge pathways for each fuel storage and transfer area and OHM container storage area are predicted below.

10.1 Rectrix / Air Cape Cod Fuel Farm

The Rectrix/Air Cape Cod Fuel Farm is located in Drainage Area K as indicated on Figure 3. Standard operating procedures for the delivery and dispensing of Avgas from Rectrix/Air Cape Cod Gate P Fuel Farm should limit the likelihood of a release during fuel transfer. Vehicle traffic at the AST locations and associated transfer areas is restricted. The fuel farm is equipped with an emergency shut-off. Rectrix/Air Cape Cod maintain fire-fighting spill response resources at the fuel farm as well as on-board their mobile refueler. The fuel farm is also equipped with appropriate fire extinguishers.

In the event of primary containment failure in the ASTs at the Rectrix / Air Cape Cod Gate P Fuel Farm, Avgas would be contained within the secondary containment wall, and personnel would be alerted. In the event of secondary containment failure, or a discharge during transfer to or from the AST, Avgas would be released to the

environment. Release migration would most likely occur in a northwesterly direction over the paved apron surface, toward a stormwater catch basin which ultimately discharges into Lewis Pond. Rectrix personnel have been directed to quickly install a magnetic catch basin cover and take preliminary response actions to minimize release migration.

10.2 Gate F Fuel Farm

The Gate F Fuel Farm is located in Drainage Area C as indicated on Figure 3. The Gate F Fuel Farm was improved in 2016 by removal of the USTs and installation of three new 20,000-gallon ASTs containing Jet A aviation fuel. A 4,000-gallon diesel and a 4,000-gallon unleaded gasoline AST are also located in this area. The new fuel farm improvements include secondary containment and leak detection monitoring as well as a 110% secondary containment concrete pad, a shut off valve, and a new O/WS that connects to the existing storm drain system in the vicinity of the three 20,000-gallon ASTs.

The 4,000-gallon diesel AST and 4,000-gallon unleaded gasoline AST are located adjacent to the secondary containment pad associated with the 20,000-gallon ASTs. Both tanks are located within secondary containment and have overfill prevention devices. Fixed fuel transfer lines are wrapped in secondary containment fiberglass housings. The paved vehicle staging area adjacent to the ASTs features an O/WS and oil level alarm. The transfer area is well-lit to aid in the observation of a release. Additional details concerning spill protection are included above in Table 1.

In the event of a release of Jet A fuel during fuel transfer, release migration would occur over the concrete containment pad and into a concrete sump. The sump features petroleum detection technology which includes audible and visual alarms to signal the presence of oil in the structure. A discharge of fuel to the paved surface at the Gate F Fuel Farm will collect in an O/WS and can be removed by a cleanup contractor for proper disposal.

In the event of failure of the unleaded gasoline/diesel AST or pump station, released fuel would migrate over paved surfaces into an O/WS. The O/WS features a high oil level audible and visual alarms to signal the presence of petroleum within the structure. A discharge of fuel to the paved surface at the Gate F Fuel Farm will collect in the O/WS and can be removed by a cleanup contractor for proper disposal.

ARFF/OPS personnel conduct FAA required testing of the fuel from the Gate F Jet A ASTs and the Airport's mobile refuelers on a daily basis, generating approximately 5 gallons of sample fuel per day. Sample fuel is returned to the tank via a recycling system located within the fuel farm.

10.3 Barnstable Municipal Airport – Airport ARFF/SRE Building

The ARFF/SRE Building is located in Drainage Area M. A double walled split AST is located outside, adjacent to the Airport ARFF/SRE Building. The AST contains 350-gallons of waste oil and 150-gallons of anti-freeze. The AST includes a primary steel tank and secondary containment with reinforced concrete and leak detection.

In the event of primary containment failure in the AST, waste oil and/or anti-freeze would be contained within the secondary containment wall, and personnel would be alerted. In the event of secondary containment failure, or a discharge during transfer to or from the AST, waste oil and/or anti-freeze would be released to the environment. Release migration would most likely occur in an eastern direction over the paved apron surface, toward a grass area with a leaching catch basin with an underground discharge chamber. ARFF/OPS personnel have been directed to quickly install a magnetic catch basin cover and take preliminary response actions to minimize release migration.

10.4 Barnstable Municipal Airport - Emergency Generators

All emergency generators at the Airport have been converted to natural gas.

10.5 Griffin Avionics

Griffin Avionics is located within Drainage Area F. Standard operating procedures for the delivery and dispensing of Avgas from the Griffin Avionics USTs should prevent a release during fuel transfer. Additionally, overfill prevention in each tank's transfer manifold prevents the transfer of Avgas above the tank's capacity. Griffin maintains fire extinguishers and spill response resources at the fuel transfer station as well as on-board their mobile fuel trucks.

In the event of a release during fuel delivery, or fuel transfer to mobile refuelers, fuel released to the paved surface would migrate toward and could potentially enter leaching catch basins and/or the Airport's stormwater system which ultimately discharges to Upper Gate Pond. In the event of primary containment failure in the Griffin USTs, Avgas would be released to the soils and fill material around and below the UST.

10.6 Refueling of Aircraft

Standard operating procedures for aircraft refueling reduce the potential for a discharge. Refueling of aircraft occurs on taxiway apron areas on both the North and East Ramps. There are no spill prevention systems associated with the refueling of aircraft. A release during refueling would result in a release to the paved apron surface, where the discharge could be contained using available spill response resources. Airport and tenant mobile refuelers are required to be equipped with spill response kits as described in Table 2, above. Additionally, impacts to the Airport's stormwater drainage system are minimized by the placement of magnetic mats over storm drain inlets prior to refueling operations.

10.7 Hertz Car Wash

Unleaded gasoline is stored and transferred at the Hertz Car Wash, located directly across Barnstable Road from the Airport. In the event of primary containment failure in the Hertz UST, released fuel would be contained within the secondary containment wall. In the event of secondary containment failure, fuel would be released to the soils and fill material around and under the UST.

In the event of a release during fuel transfer at the Hertz service station, spilled fuel could potentially migrate over paved surfaces and enter infiltrating catch basins located in the service station lots.

11.0 EMERGENCY RESPONSE ACTION PLAN

An Emergency Response Action Plan (ERAP) is intended to provide easy access to instructions for Airport Response Team personnel in the event of a release. An ERAP will remain attached as a preface to this SPCCP and be distributed to Response Team members at the discretion of the Program Manager. The ERAP will be kept on file and updated as described in Section 3.0 of this SPCCP.

The ERAP shall contain the following information, and shall be constructed to facilitate and expedite response to a release or threat of release of OHM:

1. Facility name, address, and general location;
2. 24-hour contact information for each Response Team Member;
3. 24-hour contact information for the Spill Response Program Manager and Coordinator;
4. Local, State, and Federal Emergency Response contact information;
5. Recommended guidelines for spill abatement, response, etc.;
6. Location of spill response materials/equipment;

7. A site map that includes the following (Figure 2 and 3):
 - a. floor-drain, manhole, sewer grate locations, etc.
 - b. location of oil and hazardous materials bulk storage areas
8. Additional Response Resources Contact Information (e.g., LSP, outside spill cleanup contractor); and
9. Forms to aid in proper documentation and reporting of a release.

A copy of the ERP is included as Preface I.

12.0 SPILL RESPONSE PROCEDURES

In the event of a release, or threat of release of OHM to the environment, personnel shall implement response actions to contain the release. The Spill Response Coordinator or Program Manager shall be notified as soon as possible. The following response actions should be followed for most releases.

Note: Any personnel undertaking any response activity is responsible for ensuring that appropriate, properly fitted, personnel protective equipment (PPE) is worn at all times.

12.1 General Response Procedures for Airport and Tenant Employees

Note: Only properly trained Airport and Tenant employees shall respond to a release of oil or hazardous materials.

1. Initiate evacuation, if necessary;
2. Notify Spill Response Coordinator or Program Manager, listed in Section 2.0;
3. Stop spill flow when possible without risk of personal injury to self or others;
4. Immediately deploy any readily available response resources (e.g., absorbent pads, drain covers, granulated absorbent, etc.);
5. Make the release area off limits to unauthorized personnel;
6. Restrict all sources of ignition when flammable substances are involved;
7. Continue response actions at the direction of the Spill Response Coordinator or Program Manager; and
8. Ensure that all contaminated response resources and PPE are properly containerized and labeled for disposal by a licensed hazardous waste handler.

The sequence of the initial response action may be altered depending upon the spill characteristics (i.e., type of material, quantity). The following section describes Spill Response Coordinator and Program Manager responsibilities during response actions.

12.1.1 Spill Response Coordinator

Note: If the Program Manager is unavailable, the Coordinator is authorized to activate emergency response contractors, and initiate any regulatory reporting procedures.

1. Evacuate any non-essential personnel, if necessary;
2. Eliminate the source of the release, if not already accomplished, without jeopardizing the health and safety of self or others;
3. Report the release to the appropriate local contacts (Airport Fire Department, Hyannis Fire Department, Emergency Response Contractors, LSP). When notifying any outside agency of a release of oil or hazardous material the following information, at minimum, should be provided:
 - a. Name of individual reporting spill;
 - b. Release location and Contact information;
 - c. Substance released, estimated amount;
 - d. Date and Time of release;
 - e. Description of response actions, undertaken and planned;
 - f. Other agencies notified or to be notified; and,
 - g. Any other relevant information.
4. Direct the deployment of response resources and ensure their proper use;
5. Minimize the potential for environmental impact;
6. Notify LSP and emergency response contractors (Section 13.1) if necessary;
7. Notify the Program Manager and inform them of the release. Determine if release requires MassDEP or Federal notification, as described in Section 13.0;
8. Ensure that all contaminated response resources and PPE are properly containerized and labeled for disposal in accordance with applicable local, state and federal regulations by a licensed hazardous waste handler; and
9. Properly document all response activities; including generator information, response personnel, emergency contractor information, and any related correspondence.

12.1.2 Spill Response Program Manager

1. Determine if the release requires notification, as described in Section 13.0;

2. Ensure proper notification of authorities and/or outside response contractors (Sections 13.0 and 13.1);
3. Ensure proper documentation of release and response activities; a Spill Reporting Form is included as Appendix E;
4. Retain Hazardous Waste Manifests or Bills of Lading from licensed hazardous waste handlers; and,
5. Take additional measures, as necessary, to minimize potential for subsequent environmental impact (e.g., install absorbent boom at stormwater outfalls to capture stormwater-transported contaminants).

13.0 NOTIFICATION REQUIREMENTS

In response to a release of oil or hazardous materials, responsible parties are required to conduct response activities in accordance with Massachusetts General Laws, Chapter 21E, 40 CFR 112, and the Massachusetts Contingency Plan (310 CMR 40.0000). Notification of Local, State, or Federal agencies may be necessary. All releases, regardless of size or material, shall be reported to the Spill Response Coordinator or Program Manager. Similarly, any release that occurs due to tenant operations on Airport property must be reported to the Spill Response Coordinator or Program Manager.

The Spill Response Coordinator or Program Manager shall establish whether a harmful quantity has been released, and if the release requires notification of outside agencies. Federal regulations generally define an oil spill of harmful quantity as “....such quantities of oil determined to be harmful to the public health or welfare.....to include discharges which exceed applicable water quality standards.....or cause a film or sheen on the surface of the water, or cause a sludge or emulsion to be deposited beneath the water surface”. These regulations are applicable to all navigable waters of the United States, Upper Gate and Lewis ponds are both considered navigable waters.

Massachusetts regulations 310 CMR 40.0000 define a release of 10 gallons or greater of oil or gasoline as a reportable quantity and notification to the MassDEP is required within two hours of obtaining knowledge of the release. Contaminants detected in the environment at or above threshold concentrations also require reporting to the MassDEP and are listed in 310 CMR 40.1600. Additionally, a release of oil or hazardous materials to a stormwater conveyance (e.g., leaching catch basins, culverts) requires MassDEP notification, regardless of the volume of OHM.

In the event of a single discharge of more than 1,000 gallons into or upon the navigable waters of the U.S. or adjoining shorelines, or two discharges greater than 42 gallons

within any 12 month period, the SPCCP shall be submitted to the EPA Region 1 Regional Administrator and the MassDEP for review.

13.1 Reporting to State and Federal Agencies

In accordance with Massachusetts Regulations 310 CMR 30.0000 and 310 CMR 40.0000, certain releases or threats of releases of a reportable quantity of oil and or hazardous materials must be reported to the MassDEP within two hours (www.state.ma.gov/dep). Federal reportable quantities for releases into soil, water and air are listed in Table 302.4 of 40 CFR 302.4. Each regulatory agency has these reportable quantities posted on its website.

If a harmful or reportable quantity, as defined by state and/or federal regulations, has been discharged, the spill should be reported to the following agencies:

National Response Center

24 Hour: 800-424-8802

Massachusetts Department of Environmental Protection Emergency Response Center

24-Hour Call Center: 888-304-1133

Massachusetts State Police / Hyannis Fire Department

911

Airport Rescue and Firefighting

508-778-7770

Barnstable Fire District Water Department

(To report a spill on Water Dept. property located north of 15/33)

Office: 508-362-6498

Supt. Thomas Rooney (24-Hour): 508-364-9359

The following information must be provided to State and Federal agencies when a spill is reported. All correspondence with Local, State, or Federal agencies should be recorded on a Spill Reporting Form, included as Appendix E.

1. Name, location and type of facility;
2. Person in charge of facility and phone number;
3. Name and phone number of person reporting;
4. Type and estimated amount of material;

5. Location of spill;
6. Time and date of incident;
7. Impacted waterways;
8. Whether or not storm drains have been impacted;
9. Cause of incident and equipment involved;
10. Injuries and/or property damage;
11. Duration of discharge;
12. Response Actions taken; and,
13. Agencies notified.

In the event of a large or complex release of oil or hazardous materials, the Airport will rely upon outside cleanup contractors to conduct cleanup activities. Spill containment and cleanup contractors and regulatory consultants are listed below.

Spill Containment and Cleanup:

Clean Harbors	800-645-8256
Moran Environmental Recovery	888-233-5338
Global Remediation	508-828-1005

Licensed Site Professional:

Horsley Witten Group, Inc.	508-833-6600
Bryan Massa, LSP 24-Hour Contact Number:	781-243-1527
Mark Nelson, LSP 24-Hour Contact Number:	508-566-0912

14.0 SPILL RESPONSE RESOURCES

A rapid spill response trailer is maintained at the ARFF/SRE Building. A complete inventory of the trailer’s contents is included as Appendix F. Inventories are conducted regularly, and out-of-date equipment is replaced. A smaller spill kit is also maintained on each of the Airport’s Mobile Refuelers, at the Gate F Fuel Farm, and at the Airport ARFF/SRE Building waste oil and anti-freeze storage AST. Each tenant involved in the

storage or transfer of fuel is responsible for maintaining their own spill response resources on each of their vehicles and at fuel storage locations.

15.0 INSPECTIONS

The Airport conducts regular inspections of all OHM storage areas including fuel storage tanks, mobile refuelers, waste storage area, and drum storage areas. Inspections are conducted by properly trained Airport personnel and are recorded on inspection sheets. Inspection sheets are kept on file at the Airport Operations office for a minimum of three years, as required by 40 CFR 112.7. Mobile refueler and Gate F Fuel Farm inspection sheets are included as Appendix D and G.

15.1 Daily Inspections

On a daily basis, Airport personnel conduct inspections of Airport mobile refuelers and the Gate F Fuel Farm for the following:

Mobile refuelers are inspected for:

1. General Condition;
2. Filter Sumps;
3. Filter differential pressure;
4. Deadman control operation;
5. Brake Interlocks;
6. Nozzle fueling pressure
7. Hoses, Swivels and Nozzles;
8. Ground reels, cables, and clamps;
9. Fire extinguishers
10. Tanker troughs;
11. Tanker sumps;
12. Condensation in air tanks;
13. Ladders
14. Mechanics tools; and
15. Diesel fuel level.

The Gate F Fuel Farm is inspected for:

1. Tank sumps;

2. Fuel sumps;
3. Filter sumps;
4. Hoses, swivels, and nozzles;
5. Ground reels, cables, and clamps;
6. Fire extinguishers;
7. Waste fuel tanks;
8. Differential pressure; and
9. Primary pressure.

Hand Pump Operation

- Prior to hand pump usage by Airport staff, verify that the stormwater drain valve located adjacent to the secondary containment structure is in the closed position.
- Operate hand pump as necessary to obtain fuel sample.
- After sample collection, verify hand pump is in the closed position.

Stormwater Drain Valve

- Following a rain event, inspect the concrete secondary containment pad and both interior drainage sumps for visual and olfactory evidence of OHM. Collect a representative sample of accumulated rainwater in a clear container and record the observations on the inspection form. If no visual or olfactory indication of OHM is observed, the accumulated rainwater within the secondary containment is assumed to be free of OHM.
- Next, open the first manhole cover (marked "DRAIN") in front of the Gate F Fuel Farm located between the storm water valve and the fuel farm. Cones or other means to mark the open hole must be utilized. Collect a representative sample of accumulated rainwater from within the manhole in a clear container and record the observations on the inspection form. If no visual or olfactory indication of OHM is observed, the accumulated rainwater within the drain manhole is assumed to be free of OHM. The adjacent drain valve should then be opened, and the Airport staff member will monitor the draining of the open manhole and secondary containment as the water moves into the adjacent O/WS prior to discharging into the stormwater system.
- Once the draining of the open manhole and secondary containment is completed, the drain valve is to be closed. Additionally, the manhole is to be closed.

15.2 Monthly Inspections

On a monthly basis, Airport personnel conduct inspections of Airport mobile refuelers and the Gate F Fuel Farm for the following:

Mobile refuelers are inspected for:

1. Filtration test;
2. Grounding cable continuity test;
3. Nozzle screens;
4. Signs and placards;
5. Meter seals;
6. Emergency shutdown system;
7. Tanker interiors;
8. Tanker vents and dome covers;
9. Tanker trough drains; and
10. Fire extinguishers.

The Gate F Fuel Farm is inspected for:

1. Grounding cable continuity;
2. Nozzle screens;
3. Signs and placards;
4. Floating suction; and
5. Fire extinguishers.

15.3 Quarterly Inspections

On a quarterly basis, Airport personnel conduct inspections of Airport mobile refuelers and the Gate F Fuel Farm for the following:

Mobile refuelers are inspected for:

1. General condition;
2. Pressure controls;
3. Secondary pressure; and,
4. Water defense system.
5. The Gate F Fuel Farm is inspected for:

6. Tank high level controls;
7. Emergency shutdown system; and
8. Water defense system.

15.4 Annual Inspections

On a quarterly basis, Airport personnel conduct inspections of Airport mobile refuelers and the Gate F Fuel Farm for the following:

Mobile refuelers are inspected for:

1. Filter elements;
2. Pressure gauges; and
3. Fuel meters.

The Gate F Fuel Farm is inspected for:

1. Interior tank condition;
2. Pressure gauges;
3. Filter elements;
4. Line strainers;
5. Filter/separator heaters;
6. Tank vents;
7. Tank high level controls; and
8. Facility condition.

15.5 Additional Inspection and Maintenance

Annual cleaning and testing of fuel storage tanks are conducted by outside contractors. Tanks are inspected for wall thickness, corrosion, and tank integrity.

40 CFR 112.7(i) mandates; "If a field-constructed above ground container undergoes a repair, alteration, reconstruction, or a change in service that might affect the risk of a discharge or failure due to brittle fracture or other catastrophe, or has discharged oil or failed due to brittle fracture failure or other catastrophe, (the Airport) must evaluate the container for risk of discharge due to brittle fracture or other catastrophe, and as necessary, take appropriate action."

15.6 PROACTIVE MEASURES AND RECOMMENDATIONS FOR SPILL PREVENTION AND SAFETY

To comply with the Local, State and Federal regulations cited in this Plan, the Airport and its Tenants will continue to incorporate spill prevention and safety measures into daily operations. Refer to Appendix H for examples of the spill response and safety equipment referenced below, and for a list of equipment vendors. The following are general recommendations:

- Storage locations for oil and/or hazardous materials will be indoors or otherwise protected from the environment, and, when feasible, within secondary containment capable of holding 110% of the volume of the largest container or tank.
- All flammables should be kept in a suitable storage locker or facility.
- Each facility should be equipped with enough spill response resources to respond to likely releases from aircraft maintenance, refueling, and fuel transfer.
- Each of the Airport operated mobile refuelers, as well as each fuel transfer depot, should be outfitted with magnetic catch basin covers, Speedi-dry™, a “pop-up pool” to contain a release of up to 65 gallons, and other approved response equipment.
- Quantities of hazardous materials should be kept to a minimum. Only frequently used hazardous materials should be kept in storage. Expired, obsolete, or otherwise unused hazardous materials should be disposed of properly.
- Empty drums and containers should be properly disposed of and not allowed to accumulate in bulk.
- Refueling and fuel transfer should only occur in areas that are covered by an impervious layer of asphalt or concrete.
- Waste oil storage by the Airport and its Tenants shall comply with Federal, State, and local regulations related to waste accumulation volume and time limits. Waste oil drums shall be clearly labeled, and all manifests kept on file for three years.

Indoor liquid hazardous materials should be stored in a location such that a spill from the largest container or tank will be contained or absorbed. All hazardous materials should be stored in flame retardant storage lockers and transferred to proper dispensing containers prior to use.

- Compressed gases should be stored in locations protected from vehicles traffic, including forklifts, by protective bollards or concrete walls or dikes.

- General waste should be separated from hazardous waste prior to disposal. Hazardous waste, including hazardous waste containers, should not be disposed of in general waste dumpsters.
- Safety Data Sheets (SDS) shall be posted in an area that is obvious to all employees in the case of an emergency (i.e. in area of use). SDSs shall be updated regularly. Emergency eyewash and shower stations shall be located in areas where oil and/or hazardous materials are used.
- Aircraft de-icing should only be performed in the designated area.
- Delivery of fuel from transport vehicles to storage tanks shall be supervised by a properly trained employee or supervisor.
- Transfer of fuel to mobile refuelers or aircraft shall only be conducted by properly trained employees.
- Whenever possible, biodegradable materials should be substituted for hazardous materials.

16.0 REFERENCES

Epsilon Associates, Inc. November 2004. Spill Pollution Control and Countermeasures Plan for Nantucket Memorial Airport, Nantucket, Massachusetts.

Federal Aviation Administration FAR 139 Airport Certification Manual, Barnstable Municipal Airport.

Horsley Witten Group, Inc. July 2003 (Revised). Spill Prevention Control and Countermeasures Plan, Barnstable Municipal Airport.

Massachusetts Department of Environmental Protection. April 3, 2006. Massachusetts Contingency Plan: Massachusetts Department of Environmental Protection, Bureau of Waste Site Cleanup, 310 CMR 40.0000.

Massachusetts Department of Environmental Protection. Massachusetts General Laws: Massachusetts Oil and Hazardous Material Release Prevention and Response Act, Chapter 21E.

Massachusetts Board of Fire Prevention Regulations. June 16, 2003. Massachusetts Comprehensive Fire Safety Code, Tanks and Containers, 527 CMR 9.00.

Massachusetts Department of Environmental Protection. See their homepage at www.state.ma.gov/dep

Massachusetts Department of Environmental Protection. 2000. Massachusetts Hazardous Waste Regulations: Massachusetts Department of Environmental Protection, 310 CMR 30.

U.S. Environmental Protection Agency. July 17, 2002. Environmental Protection Agency Federal Regulations 40 CFR 112.

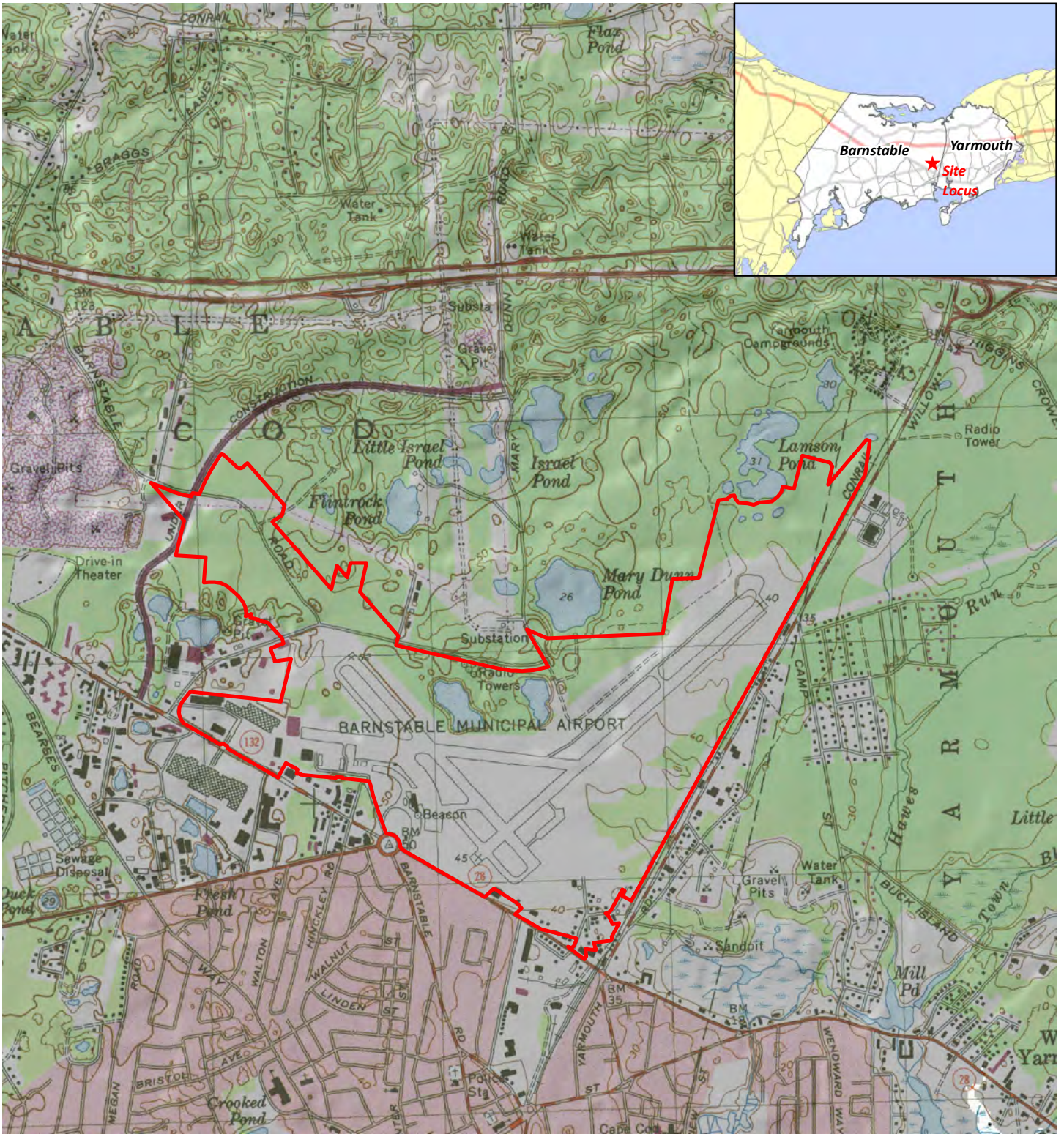
U.S. Environmental Protection Agency, Oil Program. See their homepage at www.epa.gov/oilspill/

FIGURES

Figure 1 – USGS Locus

Figure 2 – Oil and Hazardous Materials Storage Map


Figure 3 – Site Plan



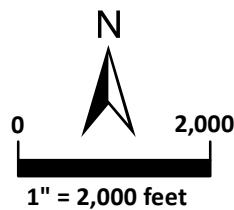
Document Path: H:\Projects\HYA\19122 HYA Master Plan Update\GIS\Maps\19118_USGS Locus.mxd

*2016 NAIP imagery service

Legend

 Barnstable Municipal Airport Property Boundary

Horsley Witten Group
Sustainable Environmental Solutions
90 Route 8A • Unit 1 • Sandwich, MA 02563
508-833-8600 • horsleywitten.com



USGS Locus
Barnstable Municipal Airport
Hyannis, MA

Date: 11/18/2019

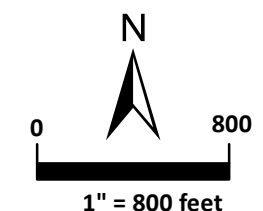
Figure 1



Legend

-  Barnstable Municipal Airport Property Boundary
-  Mobile Refueler Parking Areas

Note:
 AST = Above ground storage tank
 UST = Underground Storage Tank
 Avgas = Aviation Gas
 LL = Low Lead
 ARFF/SRE = Aircraft Rescue and Fire Fighting/Snow Removal Equipment

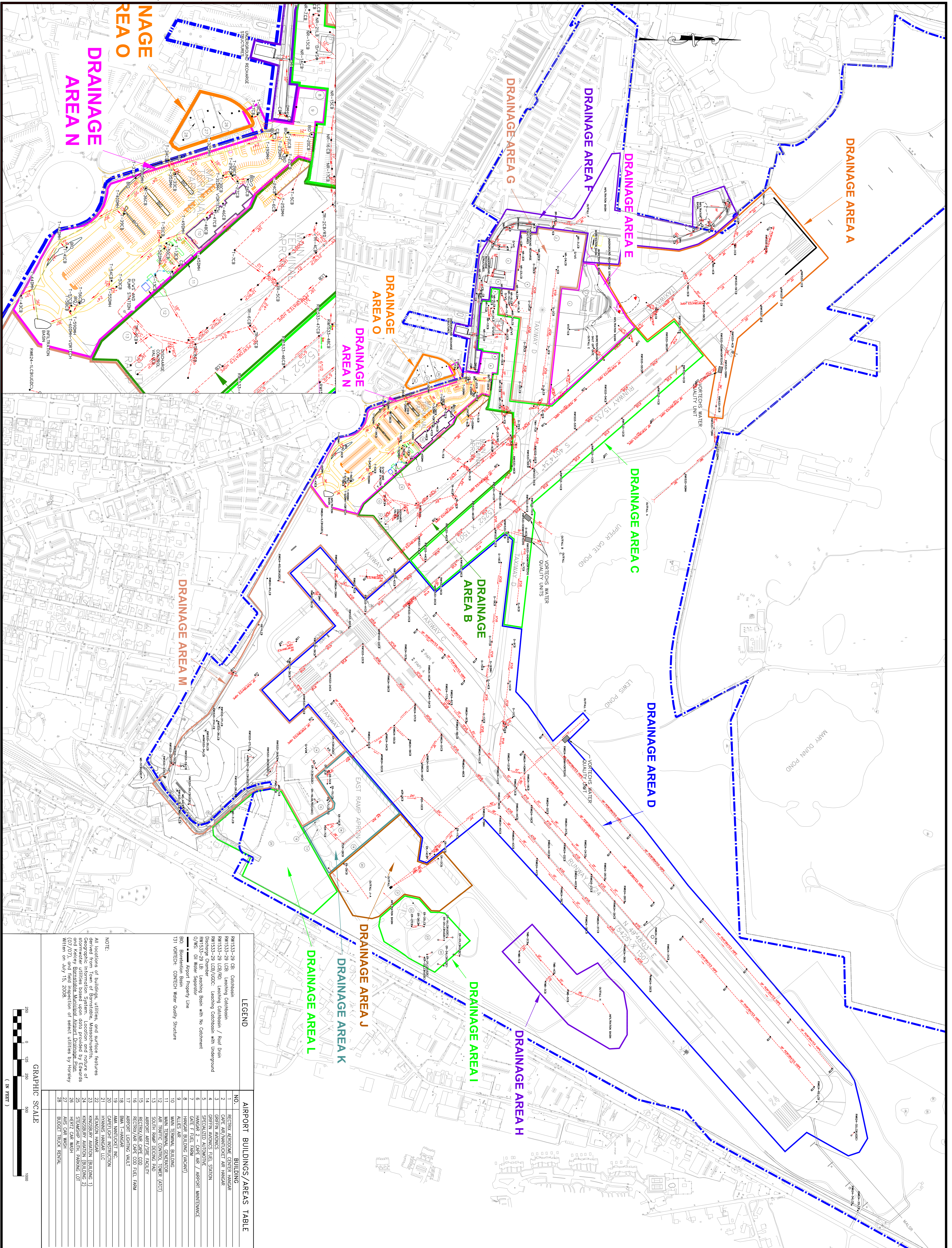


Property = 645 acres

Horsley Witten Group
 Sustainable Environmental Solutions
 99 Route 6A • Unit 1 • Sandwich, MA 02563
 508-832-6600 • horsleywitten.com

Oil and Hazardous Materials (OHM) Storage Map and Spill Locations Barnstable Municipal Airport Hyannis, MA

Date: 1/10/2020 Figure 2



LEGEND

RW1533-29 CB: Catchbasin
 RW1533-29 LCB: Leaching Catchbasin / Road Drain
 RW1533-29 LCB/UDCB: Leaching Catchbasin with Underdrain
 Discharge Catchbasin / Leaching Catchbasin with No Catchment
 O/WMS: Oil Water Separator
 BPO: Airport Property Line
 131 VORTECH: COMTECH Water Quality Structure

NOTE

All locations of buildings, utilities, and surface features derived from Town of Barnstable, Massachusetts, Geographic Information System. Location and nature of buildings, utilities, and surface features shown on this plan and key plan are based on the most current information available to the Town of Barnstable Municipal Airport, Drainage Plan (07/07), and field inspection of select utilities by Horsley Witten on July 15, 2008.

AIRPORT BUILDINGS/ AREAS TABLE

NO.	BUILDING
1	RECTOR AIRCRAFT CENTER HANGAR
2	CAPE AIR/AMERICAN AIR HANGAR
3	GREENLEAF AIRCRAFT HANGAR
4	GREENLEAF AIRCRAFT HANGAR
5	SPECIALIZED AUTOMOTIVE
6	HANGAR 2 - CAPE AIR / AIRPORT MAINTENANCE
7	GATE F FUEL FARM
8	HANSEN BUILDING (WASANT)
9	MAIN TERMINAL BUILDING
10	MAIN TERMINAL BUILDING
11	MAIN TERMINAL BUILDING
12	AIR TRAFFIC CONTROL TOWER (ATCT)
13	SOUTH RAMP DECKING PAV
14	APPROX 800' X 200' FACILITY
15	RECEIVING/AIR CARE 000 FUEL FARM
16	RECEIVING/AIR CARE 000 FUEL FARM
17	RECEIVING/AIR CARE 000 FUEL FARM
18	BMA T-HANGAR
19	AAA WAREHOUSE INC.
20	CONCRETE INSULATION
21	HANSEN HANGAR
22	HANSEN HANGAR
23	KINGSBURY MARION (BUILDING 1)
24	KINGSBURY MARION (BUILDING 2)
25	STEWARTS AUTO PARKING LOT
26	HEART CAR WASH
27	BIROET TRUCK RENTAL
28	BIROET TRUCK RENTAL

GRAPHIC SCALE

0 150 300 450
 (IN FEET)

Revisions

Figure:	Revision Number	Date	By	Description
14105	12-27-11	ERK	JEL	Update to Drainage Plan
3	4-12-12	GH	JEL	Update to Drainage Plan
	4-27-12	GH	JEL	Update to Drainage Plan
	1-25-13	GH	JEL	Update to Drainage Plan
	7-29-13	GH	JEL	SWPPP Figure 3
	9-30-15	GH	JEL	SWPPP Figure 3
	12-29-15	GH	JEL	SWPPP Figure 3
	12-31-19	LEN	RAC	Update to Drainage Plan

Prepared For:
Barnstable Municipal Airport
 480 Barnstable Road
 Hyannis, MA 02601
 (508) 775-2020

Plan Title:
SITE PLAN
BARNSTABLE MUNICIPAL AIRPORT
HYANNIS, MASSACHUSETTS

Horsley Witten Group
 Sustainable Environmental Solutions
 www.horsleywitten.com
 90 Route 6A
 Sandwich, MA 02563
 508-833-6600 voice
 508-833-3150 fax

Date: 12/31/2019
 Designed By: GWTH
 Drawn By: GWTH
 Checked By: JEL

APPENDIX A

CERTIFICATION OF THE APPLICABILITY OF THE SUBSTANTIAL HARM CRITERIA

**SPILL PREVENTION CONTROL AND COUNTERMEASURES PLAN
BARNSTABLE MUNICIPAL AIRPORT
HYANNIS, MASSACHUSETTS**

CERTIFICATION OF THE APPLICABILITY OF THE SUBSTANTIAL HARM CRITERIA

Federal Regulation 40 CFR 112.20, Appendix C, requires a facility to certify whether or not it is considered to pose a substantial harm. A determination of substantial harm status is based on the criteria below.

Does the facility transfer oil over water to or from vessels and does the facility have a total oil storage capacity greater than or equal to 42,000 gallons?

The facility does not transfer oil over water. The facility does have a total oil storage capacity greater than or equal to 42,000 gallons.

Does the facility have a total oil storage capacity greater than or equal to 1,000,000 gallons and does the facility lack secondary containment that is sufficiently large to contain the capacity of the largest aboveground storage tank plus sufficient freeboard to allow for precipitation within any aboveground storage tank area?

No, the facility does not have a total oil storage capacity greater than or equal to 1,000,000 gallons.

Does the facility have a total oil storage capacity greater than or equal to 1,000,000 gallons and is the facility located at a distance (as calculated using the appropriate formula in Attachment C-III to 40 CFR 112, or a comparable formula) such that a discharge from the facility could cause injury to fish and wildlife and sensitive environments? For further description of fish and wildlife and sensitive environments, see Appendices I, II, and III to DOC/NOAA's "Guidance for Facility and Vessel Response Plans: Fish and Wildlife and Sensitive Environments" (see Appendix E to 40 CFR 112, section 13, for availability) and the applicable Area Contingency Plan.

No, the facility does not have a total storage capacity greater than or equal to 1,000,000 gallons.

Does the facility have a total oil storage capacity greater than or equal to 1,000,000 gallons and is the facility located at a distance (as calculated using the appropriate formula in Attachment C-III to 40 CFR 112, or a comparable formula) such that a discharge from the facility would shut down a public drinking water intake.

No, the facility does not have a total storage capacity greater than or equal to 1,000,000 gallons.

Does the facility have a total oil storage capacity greater than or equal to 1,000,000 gallons and has the facility experienced a reportable spill in an amount greater than or equal to 10,000 gallons within the last 5 years?

No, the facility does not have a total storage capacity greater than or equal to 1,000,000 gallons.

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and that based on my inquiry of those individuals responsible for obtaining this information, I believe that the submitted information is true, accurate, and complete.

Signature: _____

Name: _____

Title: _____

Date: _____

APPENDIX B

RAINWATER INSPECTION FORM

**SPILL PREVENTION CONTROL AND COUNTERMEASURES PLAN
BARNSTABLE MUNICIPAL AIRPORT
HYANNIS, MASSACHUSETTS**

RAINWATER INSPECTION FORM

After rain events, the Barnstable Municipal Airport is required to inspect the secondary containment structure at the Gate F Fuel Farm to ensure that retained rainwater will not cause a discharge as described in 40 CFR§ 112.1(b) upon release. As required by 40 CFR§ 112.8(c)(3)(iii), the Airport must keep adequate records of these inspections and events where drainage of uncontaminated rainwater from secondary containment occurs.

Following a rain event, an Airport staff member will perform an inspection of any standing water within the concrete secondary containment structure and both interior sumps. The inspection will include the collection of a representative rainwater sample in a clear container for visual and olfactory analysis for indications of oil and/or hazardous materials (OHM).

If no visual or olfactory evidence of OHM is observed within the sample, the Airport staff member will record the observations on the inspection form and will proceed with discharging accumulated rainwater from the concrete secondary containment structure and interior sumps. The Airport staff member must observe the entire drainage of accumulated rainwater. While draining is occurring, the Gate F Fuel Farm must not be utilized for fuel sample collection and/or fuel transfers. Upon completion, the Airport staff member **must** close the drain valve. Under no circumstance is the drain valve allowed to remain open after the rainwater discharge. Details for completing the accumulated rainwater discharge is set forth below.

- Complete a full walk around the Gate F Fuel Farm to inspect for any visual signs of a potential leak from the ASTs and confirm that the alarm monitoring system is operating properly. Inspect the concrete secondary containment pad and both interior drainage sumps for visual and olfactory evidence of OHM. Collect a representative sample of accumulated rainwater in a clear container and record the observations on the inspection form. If no visual or olfactory indication of OHM is observed, the accumulated rainwater within the secondary containment is assumed to be free of OHM.
- The drain valve should then be opened, and the Airport staff member will monitor the draining of the secondary containment as the water moves into the adjacent O/WS prior to discharging into the stormwater system.
- Once the draining of the secondary containment is completed, the drain valve is to be closed.

RAINWATER INSPECTION FORM

PERSONNEL COMPLETING INSPECTION:

INSPECTION PERSONNEL:	ORGANIZATION / TITLE:

INSPECTION DATE: _____

INSPECTION TIME: _____

CONFIRM INSPECTION COMPLETED FOR ACTIVE LEAKS / SIGNS OF POTENTIAL LEAKS.

FULL WALK AROUND OF FUEL FARM: _____

ALL SENSORS IN NORMAL ("GREEN") MODE: _____

VISUAL AND OLFACTORY ASSESSMENT OF RAINWATER IN SECONDARY CONTAINMENT STRUCTURES SHOULD BE RECORDED ON THIS RAINWATER INSPECTION REPORTING FORM. ALL RECORDS ARE TO BE MAINTAINED AT THE AIRPORT MANAGER'S OFFICE.

ASSESSMENT SUMMARY:

LOCATION	TIME:	COLOR:	ODOR:	CLARITY:	FLOATING SOLIDS:	SETTLED SOLIDS:	SUSPENDED SOLIDS:	FOAM:	OIL SHEEN:	OTHER INDICATORS
Secondary Containment Concrete Pad										
Interior Sumps										

TIME VALVE OPENED: _____

TIME VALVE CLOSED: _____

RAINWATER INSPECTION FORM IS TO BE STORED IN THE AIRPORT MANAGER'S OFFICE

APPENDIX C

FUEL DELIVERY AND TRANSFER PROCEDURES

**SPILL PREVENTION CONTROL AND COUNTERMEASURES PLAN
BARNSTABLE MUNICIPAL AIRPORT
HYANNIS, MASSACHUSETTS**

FUEL DELIVERY AND TRANSFER PROCEDURES

The following general procedures should be followed during fuel delivery, transfer of fuel, and refueling of aircraft. Refer to the Airport's Fuel Fire Safety Training manual for additional descriptions of fuel transfer procedures.

Vendor Delivery of Fuel

1. The vendor driver shall coordinate delivery time with the appropriate Tenant supervisor and/or HYA personnel.
2. All paperwork associated with the order should be inspected prior to transfer to ensure delivery of proper fuel quantity and type.
3. Appropriately trained tenant and/or HYA personnel shall be present throughout entire fuel transfer.
4. Tenant and/or HYA personnel shall identify the appropriate storage tank for delivery, and identify/inspect all mechanisms or piping associated with the fuel transfer.
5. Tenant and Airport storage tanks should be inspected for capacity prior to fuel transfer.
6. All vehicles in the fuel transfer area shall be turned off, and sources of ignition eliminated.
7. A sample of the vendor fuel, for delivery, should be obtained in a suitable container. The sampled fuel should be inspected for color and odor. Results should be recorded and compared against original order.
8. The delivery vehicle should be parked within the designated fuel delivery area as directed by Airport personnel. Wheels should be chocked to prevent vehicle movement during transfer. Magnetic storm drain covers shall be placed on all catch basins within proximity of the delivery vehicle prior to fuel transfer.
9. A drip pan shall be placed under the fuel rack on the vendor fuel delivery truck.
10. During fuel transfer, at least one attendant shall be present at all times. There shall be no use of automated pumping systems.
11. The delivery vehicle shall be properly grounded and bonded, in accordance with the Airport's Fuel Fire Safety Training Manual.
12. The truck operator shall be responsible for making all connections between the truck and any piping involved in the fuel transfer. Both the operator and tenant or HYA personnel shall inspect transfer piping, prior to fuel transfer.

13. Spill response resources should be readily available, for cleanup or containment of small spills. The tenant or HYA personnel shall be responsible for the proper management of small spills.
14. The truck operator and tenant or HYA personnel shall be aware of all safety and fuel flow control devices, such as pump shut-off and "dead-man" switches.
15. Once fuel transfer has begun, the tenant or HYA personnel shall inspect all fittings, couplings, hoses, and associated transfer materials, for evidence of leaking.
16. In the event of a release, or threat of release, due to a failure in any of the fuel transfer equipment, fuel flow shall cease immediately, and appropriate response actions shall be taken to clean up the release.
17. Fuel transfer shall not occur unless all transfer equipment is being used as intended and approved.
18. Upon completion of fuel transfer, the truck operator shall ensure that all transfer lines are cleared of their contents before disconnect, so as to avoid any releases during disconnect.
19. Tenant or HYA personnel shall be responsible for the proper stowing of all facility transfer lines.
20. Any sample material, or absorbent materials used to clean up a small release shall be properly disposed of by a licensed disposal company. Proper paperwork shall be kept on file, and the Spill Response Coordinator or Program Manager notified.

Transfer of Fuel to Mobile Refuelers

1. Transfer of fuel to mobile refuelers shall be done by appropriately trained tenant and HYA personnel (the operator), only.
2. All fuel flow control devices, such as "dead-man" switches, shall be inspected for proper operation prior to fuel transfer.
3. All vehicles in the fuel transfer area shall be turned off, and sources of ignition eliminated.
4. The Mobile Refueler should be parked within the designated fuel delivery area as directed by Airport personnel. Wheels should be chocked to prevent vehicle movement during transfer. Magnetic storm drain covers shall be placed on all catch basins within proximity of the vehicle prior to fuel transfer.
5. A drip pan shall be placed under the fuel rack on the vehicle.
6. The operator shall ensure that spill response resources to clean up or contain a small spill are readily available.

7. The mobile refueler shall be properly grounded and bonded, in accordance with the Airport's Fuel Fire Safety Training Manual.
8. Fuel transfer equipment, including hose material and couplings, should be of an appropriate material, and shall be inspected by the operator prior to use.
9. Transfer lines should implement dry-disconnect fittings and couplings that prevent the flow of fuel until properly connected to a mated coupling.
10. The operator shall be aware of all safety and fuel flow control devices, such as pump shut-off and "dead-man" switches.
11. The operator shall gauge mobile refueler tank capacity prior to fuel transfer, and monitor tank level during transfer.
12. Once fuel transfer has begun, the operator shall inspect all fittings, couplings, hoses, and associated transfer materials, for evidence of leaking.
13. During fuel transfer, at least one attendant shall be present at all times. There shall be no use of automated pumping systems.
14. In the event of a release, or threat of release, due to a failure in any of the fuel transfer equipment, fuel flow shall cease immediately, and appropriate response actions shall be taken to cleanup the release.
15. Fuel transfer shall not occur unless all transfer equipment is being used as intended and approved.
16. Upon completion of fuel transfer, the operator shall ensure that all transfer lines are cleared of their contents before disconnect, so as to avoid any releases during disconnect.
17. The Operator shall be responsible for the proper stowing of all facility transfer lines.
18. Any absorbent materials used to clean up a small release shall be properly disposed of by a licensed disposal company. Proper paperwork shall be kept on file, and the Spill Response Coordinator or Program Manager notified.

Transfer of Fuel to Aircraft

1. Transfer of fuel from mobile refuelers to aircraft shall be done by appropriately trained tenant and HYA personnel (the operator), only.
2. All fuel flow control devices, such as "dead-man" switches, shall be inspected for proper operation prior to fuel transfer.
3. All vehicles in the fuel transfer area shall be turned off, and sources of ignition eliminated.

4. Wheels should be chocked to prevent vehicle movement during transfer. Magnetic storm drain covers shall be placed on all catch basins within proximity of the vehicle prior to fuel transfer.
5. A drip pan shall be placed under the fuel rack on the vendor fuel delivery truck.
6. All fueling of aircraft shall be completed outside of hangars or maintenance buildings.
7. Personnel shall observe the locations of any stormwater catch basins and avoid refueling at or near such structures.
8. The operator shall ensure that spill response resources to clean up or contain a small spill are readily available.
9. The mobile refueler and aircraft shall be properly grounded and bonded, in accordance with the Airport's Fuel Fire Safety Training Manual.
10. Fuel transfer equipment, including hose material and couplings, should be of an appropriate material, and shall be inspected by the operator prior to use.
11. Fuel transfer lines should be located, or "run-out" so as to avoid being run-over, or otherwise damaged, by vehicle traffic in the area.
12. Transfer lines should implement dry-disconnect fittings and couplings that prevent the flow of fuel until properly connected to a mated coupling.
13. The operator shall be aware of all safety and fuel flow control devices, such as pump shut-off and "dead-man" switches.
14. Before fueling, the operator shall ensure that all related aircraft equipment is prepared to accept transferred fuel.
15. While fuel is being transferred, the operator shall position themselves to visually observe transfer lines for leaks or other failures.
16. During fuel transfer, at least one attendant shall be present at all times. There shall be no use of automated pumping systems.
17. Once fuel transfer has begun, the operator shall inspect all fittings, couplings, hoses, and associated transfer materials, for evidence of leaking.
18. In the event of a release, or threat of release, due to a failure in any of the fuel transfer equipment, fuel flow shall cease immediately, and appropriate response actions shall be taken to clean up the release.
19. Fuel transfer shall not occur unless all transfer equipment is being used as intended and approved.
20. Upon completion of fuel transfer, the operator shall ensure that all transfer lines are cleared of their contents before disconnect, so as to avoid any releases during disconnect.

21. The Operator shall be responsible for the proper stowing of all facility transfer lines.
22. Any absorbent materials used to clean up a small release shall be properly disposed of by a licensed disposal company. Proper paperwork shall be kept on file, and the Spill Response Coordinator or Program Manager notified.

APPENDIX D

MOBILE REFUELERS INSPECTION SHEET

DAILY CHECK

PAGE 02/09

HVA OPERATIONS

5087787771

05/18/2010 15:57

AIRCRAFT FUELING EQUIPMENT CHECKS	STATION										EQUIPMENT ID#										MONTH		YEAR								
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
DAILY																															
1. GENERAL CONDITION																															
2. FILTER SUMPS - RECORD RATINGS																															
3. FILTER DIFFERENTIAL PRESSURE - Record PSI																															
4. DEADMAN CONTROLS																															
5. SAFETY INTERLOCKS																															
6. NOZZLE FUELING PRESSURE - Record PSI																															
7. HOSES, NOZZLES & SWIVELS																															
8. STATIC REELS, CABLES & CLAMPS																															
9. LIFT PLATFORMS																															
10. FIRE EXTINGUISHERS																															
11. SURGE/WASTE TANKS																															
12. AIR TANKS																															
13. REFUELING TRUCK TROUGHS																															
14. REFUELING TRUCK SUMPS - RECORD RATINGS																															
15. REFUELING TRUCK BOTTOM LOADING PRE-CHECK																															
IDENTIFICATION OF PERSON PERFORMING TASKS OR PERSON ACCEPTING RESPONSIBILITY THAT TASKS WERE PERFORMED																															
CONDITION CODES: S = SATISFACTORY; C = COMMENT (COMMENT REQUIRED IN REMARKS SECTION); NU = NOT USED; N/A = NOT APPLICABLE RATING OF SUMP SAMPLES: SOLIDS - 1 = CLEAN, 2 = SLIGHT, 3 = PARTICULATE, 4 = DIRTY; MOISTURE CONTENT - A = BRIGHT, B = HAZY, C = CLOUDY, D = WET (FREE WATER), E = SURFACTANTS																															
REMARKS:																															

RETAIN ON FILE FOR 12 MONTHS

Quarterly & Annual Fuel Checks

QUARTERLY, SEMI-ANNUAL & ANNUAL AIRCRAFT FUELING EQUIPMENT CHECKS STATION: _____ EQUIPMENT ID#: _____ YEAR: _____

QUARTERLY CHECKS		1ST QTR	2ND QTR	3RD QTR	4TH QTR
1. VEHICLE INSPECTION	CONDITION CODE				
	CHECKED BY & DATE				
2. PRESSURE CONTROLS	CONDITION CODE				
RECORD PRIMARY & SECONDARY FUEL PRESSURE SETTINGS (PSI)					
	CHECKED BY & DATE				
3. WATER DEFENSE SYSTEM - EXTERNAL CHECK	CONDITION CODE				
	CHECKED BY & DATE				
4. INTERNAL VALVE CHECK	CONDITION CODE				
	CHECKED BY & DATE				

SEMI-ANNUAL FUEL FACILITY CHECKS (ONLY REQUIRED IF USING REUSEABLE COUPLINGS ON FUEL HOSES)

	ID #	ID #	ID #	ID #	ID #
1. PERIODIC HOSE PRESSURE TEST					
	TEST PRESSURE (PSI)				
	CONDITION CODE	NA			
	CHECKED BY & DATE				

ANNUAL CHECKS

1. FILTER ELEMENT CHANGE	CONDITION CODE	
	CHECKED BY & DATE	
2. FUELING & DIFFERENTIAL PRESSURE GAUGES	CONDITION CODE	
	CHECKED BY & DATE	
3. MEYER CALIBRATION	CONDITION CODE	
	CHECKED BY & DATE	
4. WATER DEFENSE SYSTEM INSPECTION & TEST	CONDITION CODE	
	CHECKED BY & DATE	

REMARKS:

CONDITION CODES: S = SATISFACTORY; C = COMMENT (COMMENT REQUIRED IN REMARKS SECTION); NU = NOT USED; N/A = NOT APPLICABLE
 RETAIN ON FILE FOR 12 MONTHS

05/18/2010 15:57 5087787771 HYA OPERATIONS PAGE 04/09

Daily Sump LOG TRUCKS.

MONTH _____

YEAR: _____

INSPECTION LOG OF AIRCRAFT FUEL SERVICING EQUIPMENT

		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
TANK	SUMP	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/
FILTER	SUMP	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/

		21	22	23	24	25	26	27	28	29	30	31
TANK	SUMP	/	/	/	/	/	/	/	/	/	/	/
FILTER	SUMP	/	/	/	/	/	/	/	/	/	/	/

TRUCK NO: _____

		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
TANK	SUMP	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/
FILTER	SUMP	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/

		21	22	23	24	25	26	27	28	29	30	31
TANK	SUMP	/	/	/	/	/	/	/	/	/	/	/
FILTER	SUMP	/	/	/	/	/	/	/	/	/	/	/

TRUCK NO: _____

Example:



indicating sumped fuel was
clear and bright done by J.Doe

NOTE

- Solids 1) clear 2) slight
- 3) particulate 4) dirty
- Water a) bright b) hazy
- c) cloudy d) wet

APPENDIX E

RELEASE NOTIFICATION FORM

**SPILL PREVENTION CONTROL AND COUNTERMEASURES PLAN
BARNSTABLE MUNICIPAL AIRPORT
HYANNIS, MASSACHUSETTS**

RELEASE NOTIFICATION FORM

A. Incident Description

Date: _____ Reporter: _____
Time of Incident: _____ Time of Report: _____
Facility Name: _____
Facility Telephone #: _____
Location of Release: _____
Facility Location: _____
Street Address: _____

B. Release Description

Type of material(s) released: _____
Estimated quantity released: _____
Were there injuries to anyone on site?: _____
Did the release impact a catch basin or storm drain?: _____
Describe the ground surface that the release occurred over: _____

Did the release enter or travel along underground utilities (pipes, conduit, etc.)?: _____

How did the release occur? _____

Other details: _____

Are any surface waters impacted, or in danger of being impacted?

C. Spill Response Program Notification Requirements

IN THE EVENT OF ANY RELEASE, NOTIFY:
PROGRAM MANAGER KATIE SERVIS 508-775-2020
SPILL RESPONSE COORDINATOR ROBERT HOLZMAN 508-778-7770
BARNSTABLE MUNICIPAL AIRPORT RESCUE AND FIREFIGHTING 508-778-7770
IF RELEASE IS LOCATED ON WATER DEPT. PROPERTY NORTH OF 15/33, NOTIFY:
SUPT. THOMAS ROONEY 508-364-9359

D. State and Federal Notification Requirements

Does Massachusetts Department of Environmental Protection (DEP) Require Notification?

- **A release of ≥ 10 Gallons Gas/Diesel/Oil requires DEP Notification**
- **A release of an unknown quantity requires DEP notification**

If required, notify Massachusetts DEP at 888-304-1133*

Does the USCG/Federal National Response Center (NRC) Require Notification?

- **A discharge to navigable waters requires USCG/NRC notification**
- **A sheen on water surface is considered a harmful quantity**

If required, notify USCG/NRC at 800-424-8802*

*** record any instructions/information from DEP or NRC in the space provided below.**

E. Generator Information

Generator/Responsible Party: _____

Street Address: _____

City/Town: _____ State: _____

Contact Person: _____ Title: _____

Contact Telephone Number: _____

F. Documentation of Notification

(record time of agency/contact notification, instructions, reporting number, etc. here)

APPENDIX F

Spill Response Inventory

**SPILL PREVENTION CONTROL AND COUNTERMEASURES PLAN
BARNSTABLE MUNICIPAL AIRPORT
HYANNIS, MASSACHUSETTS**

SPILL RESPONSE RESOURCE INVENTORY

The following items are maintained in a rapid response trailer, located outside the Airport Operations Building. The following quantities were accurate as of January 2020, the date of last inventory. Additional response resources are found on each mobile refueler, and at each fuel transfer depot.

Item	Quantity
Absorbent Spill Pads	200
Speedi-Dry™	3.5 bags
Spaghetti Booms	(2) 10' Booms
Pig Mats™ (for acids)	1 roll
Peat Absorbent	5 bags
Lite-Dri™ Absorbent	7 bags
Sea Booms	2
Oil-only Booms	6 rolls
Booms	2 rolls
Miscellaneous Booms	2 rolls
Kollect-a-Kem Pads™	100
Tear off Roll	(1) 25' Boom
ARG-DRI™ Dikes	2 boxes
Face shields	12
ARG™ Pillows	24
Acid-Resistant PVC gloves	12 pair
Hard Hats	7
Boot covers	60
Tyvek™, x-large coverall	50
Tyvek™, large coverall	50
Tyvek™, medium coverall	50
Vinyl gloves	25
Grate covers	1
Drum patch kit	1
Coal shovel	1
Spade shovel	1
Squeegee	2
Push broom	1
Chocks	1 set
35-Gallon Drum	1

APPENDIX G

FUEL FARM INSPECTION SHEETS

Quarterly Fuel Form Check.

QUARTERLY FUEL FACILITY CHECKS					STATION		FACILITY		QUARTER	YEAR
	ID #	ID #	ID #	ID #	ID #	ID #	ID #	ID #	ID #	ID #
1. EMERGENCY SHUTOFF SYS.										
DATE & CONDITION CODE										
CHECKED BY:										
2. WATER DEFENSE SYSTEMS										
DATE & CONDITION CODE										
CHECKED BY:										
3. TANK HIGH LEVEL CONTROLS										
DATE & CONDITION CODE										
CHECKED BY:										
4. RECLAIM TANK INSPECTION										
DATE & CONDITION CODE										
RECORD INSP. RESULTS ON 103.07										
CHECKED BY:										

SEMI-ANNUAL FUEL FACILITY CHECKS (ONLY REQUIRED IF USING REUSEABLE COUPLINGS ON FUEL HOSES)

	ID #	ID #	ID #	ID #	ID #	ID #	ID #	ID #	ID #	ID #
1. PERIODIC HOSE PRESS. TEST										
TEST PRESSURE (PSI)										
DATE & CONDITION CODE										
CHECKED BY:										

N/A

REMARKS:

CONDITION CODES: S = SATISFACTORY; C = COMMENT (COMMENT REQUIRED IN REMARKS SECTION); NU = NOT USED; N/A = NOT APPLICABLE
 RETAIN ON FILE FOR 12 MONTHS

F&M

ANNUAL FUEL FACILITY CHECKS					STATION		FACILITY		YEAR	
	ID #	ID #	ID #	ID #	ID #	ID #	ID #	ID #	ID #	ID #
1. STORAGE TANK INTERIORS										
DATE & CONDITION CODE										
CHECKED BY:										
2. DIFFERENTIAL PRESS GAUGES										
DATE & CONDITION CODE										
CHECKED BY:										
3. FILTER ELEMENTS										
DATE & CONDITION CODE										
CHECKED BY:										
4. FILTER/SEPARATOR HEATERS										
DATE & CONDITION CODE										
CHECKED BY:										
5. TANK VENTS										
DATE & CONDITION CODE										
CHECKED BY:										
6. CATHODIC PROTECTION										
DATE & CONDITION CODE										
CHECKED BY:										
7. LINE STRAINERS										
DATE & CONDITION CODE										
CHECKED BY:										
8. WATER DEFENSE SYSTEM										
DATE & CONDITION CODE										
CHECKED BY:										
REMARKS:										

CONDITION CODES: S = SATISFACTORY; C = COMMENT (COMMENT REQUIRED IN REMARKS SECTION); N/U = NOT USED; N/A = NOT APPLICABLE
 RETAIN ON FILE FOR 12 MONTHS

QUARTERLY INSPECTION - FUEL STORAGE AREAS

Airport: HYA

Fueling Agent: _____

Date: ___/___/___

Inspector: _____

S - Satisfactory U - Unsatisfactory R - Remark Below	Jet A Section			100LL Section			Other		
	S	U	R	S	U	R	S	U	R
Fencing / Locks / Signs									
Piping protected from vehicles									
No Smoking signs posted									
Deadman Controls for loading station									
2 Fire Extinguishers-Inspected/Accessible									
Boldly Marked Emergency Cutoffs-Location									
No Fuel Leaks									
Bonding wire/clips at loading stations/operable									
Piping / Pumps bonded & grounded									
No vegetation or materials to spread fire									
No evidence of Smoking									
Hoses in good condition									
Explosion Proof Electrical Equipment									
Remarks:									

APPENDIX H

SPILL RESPONSE PRODUCTS AND VENDORS

**SPILL PREVENTION CONTROL AND COUNTERMEASURES PLAN
BARNSTABLE MUNICIPAL AIRPORT
HYANNIS, MASSACHUSETTS**

SPILL RESPONSE PRODUCTS AND VENDORS



Storm Drain Hood



Magnetic Storm Drain Cover



Containment Berm



Collapsible Containment Pool



Loose Absorbent



Leak/Spill Containment



Secondary Containment



Portable Spill Kit



Absorbent Boom

Secondary Containment

Vendor Information:

New Pig Corporation
1-800-HOT-HOGS® (468-4647)
www.newpig.com

Arcus Absorbents, Inc.
1-877-227-6727
www.arcusabsorbents.com/

Interstate Products
1-800-474-7294
www.interstateproducts.com

West Coast Spill Supplies
1-888-548-3800
www.spillsupply.com/

SpillKits911
1-800-474-5911
www.spillkits911.com/

Guardian Environmental
1-860-350-2200
www.guardianenvironmental.com

Complete Environmental Products, Inc.
1-800-444-4237
www.cepsorbents.com/

Ben Meadows
1-800-241-6401
www.benmeadows.com

Appendix E

Stormwater Pollution Prevention Plan

Horsley Witten Group

Sustainable Environmental Solutions

90 Route 6A, Unit #1 • Sandwich, MA • 02563

Phone - 508-833-6600 • Fax - 508-833-3150 • www.horsleywitten.com



Stormwater Pollution Prevention Plan

Cape Cod Gateway Airport
Hyannis, Massachusetts

Revision 9, May 2021



Prepared for:
Cape Cod Gateway Airport
480 Barnstable Road Hyannis,
Massachusetts 02601

Prepared by:
Horsley Witten Group, Inc.

**STORMWATER POLLUTION PREVENTION PLAN
CAPE COD GATEWAY AIRPORT
HYANNIS, MASSACHUSETTS**

PREFACE I - FACILITY CERTIFICATION

The following certification statement must be signed and dated by a person meeting the requirements of Appendix B, subsection 11 of the 2021 MSGP. In the event of a revision or modification to this SWPPP, the certification must be re-signed, a record of changes is included as Appendix C.

The undersigned certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based upon my inquiry of the 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.

Operator:	Certifier / Position:	Signature:	Date:
Cape Cod Gateway Airport	Katie Servis Airport Manager		
Cape Air / Nantucket Airlines	Peter Farrell Director - Supply Chain		
Griffin Avionics	Robert Griffin Facility Manager		
Rectrix Aerodrome Centers, Inc.	Helyne Mederios General Manager		
Hertz Car Rental	John Cahill Manager		
Allies Air	Jody Lewis Office/Freight Manager		
Avis Car Rental	Stephanie Arias Facility Manager		
AMA Marine Lumber	Ed Usowicz		
Cape Flight Instruction	Edmund Cottle		

**STORMWATER POLLUTION PREVENTION PLAN
CAP COD GATEWAY AIRPORT
HYANNIS, MASSACHUSETTS
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**STORMWATER POLLUTION PREVENTION PLAN
CAPE COD GATEWAY AIRPORT
HYANNIS, MASSACHUSETTS
MAR053164**

1.0 INTRODUCTION

This Stormwater Pollution Prevention Plan (SWPPP) has been prepared on behalf of the Cape Cod Gateway Airport (the Airport), formerly known as the Barnstable Municipal Airport, in accordance with the requirements for the Environmental Protection Agency's (EPA) National Pollutant Discharge Elimination System (NPDES) Stormwater Multi-Sector General Permit (MSGP). On January 15, 2021, EPA announced publication of the 2021 MSGP (Appendix A). This permit replaced the 2015 MSGP, which expired on June 30, 2020 and was administratively continued until the 2021 MSGP was issued. The 2021 MSGP provides coverage for industrial facilities located in five States, and in certain Indian Country lands, as well as at various Federal Facilities in other States where EPA remains the NPDES permit authority.

The 2021 MSGP specifies steps that facility operators must take prior to becoming eligible for permit coverage, including submitting a Notice of Intent (NOI), implementing measures to minimize pollutants in stormwater runoff, and developing a SWPPP. Under the 2008 MSGP, the Airport's stormwater discharges were authorized under permit MAR05CY29. This SWPPP has been prepared to reflect current Airport and tenant operations, and replaces the Airport's existing SWPPP, dated November 18, 1999, revised March 8, 2002, November 18, 2003, December 22, 2009, December 16, 2013, December 2015, and April 2020. The Airport filed a NOI for stormwater discharges under the 2021 MSGP on May 30, 2021, designated as permit MAR053164, and included as Appendix B, along with supporting documentation for the Endangered and Threatened Species and Critical Habitat evaluation required under section 1.1.4 of the 2021 MSGP. A USGS Locus and Site Map are included as Figures 1 and 2, respectively.

In accordance with NPDES permit classifications, Cape Cod Gateway Airport is designated as Standard Classification Code (SIC) 4581, "Airports, flying fields, and Terminal Services", Sector S "Air Transportation Facilities." This SWPPP is designed to assist the Airport in identifying potential sources of stormwater pollutants on Airport property and minimizing or eliminating the potential for those pollutants to enter stormwater discharges from the airport. The SWPPP describes the existing stormwater drainage system, identifies potential pollutant sources and locations, and best management procedures (BMPs) and controls for the prevention of stormwater pollution, and establishes reporting and annual monitoring requirements.

This SWPPP provides information critical to the prevention of stormwater pollution at the Airport, and includes discussions of both tenant and Airport operations, potential pollutants associated with those activities, and potential pollutant storage facilities.

2.0 FACILITY CERTIFICATION

Facility Certification of this Plan is provided in Preface I to this Plan. The facility certification statement must be signed and dated by a person meeting the requirements of Appendix B, subsection 11 of the 2021 MSGP - for a municipality, state, federal, or other public agency, by either a *“principal executive officer or ranking elected official.”*

Each tenant representative identified in Section 5.1 is also required to certify this Plan, acknowledging they will maintain operational compliance with the requirements and procedures established in this Plan. Tenant certification of this Plan is included in Preface I. For a corporation, a responsible corporate officer means *“a president, secretary, treasurer, or vice-president of the corporation, or the manager of one of more manufacturing, production, or operating facilities, provided that the manager is authorized to make management decisions which govern the operation of the regulated facility,..... and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.”*

In the event of a revision or modification to this SWPPP, the certification must be re-certified by an Airport representative and tenant representatives. A record of changes is included as Appendix C.

3.0 STORMWATER POLLUTION PREVENTION TEAM

Airport personnel listed in Table 1, below, are the designated members of the Airport Stormwater Pollution Prevention Team (SWPPT). The SWPPT roster lists the names, titles, and contact telephone numbers for each member. The SWPPT is responsible for the implementation, maintenance, and revision of the Plan.

Table 1: Stormwater Pollution Prevention Team Roster

Team Member	Title	Phone Number
Katie Servis	Airport Manager	508-775-2020
Matthew Elia	Assistant Airport Manager	508-775-2020
Bob Holzman	Operations Supervisor	508-778-7770
Hildie Rios	Aviation Fuel Coordinator	508-778-7770
Brad Everson	Airport Rescue Coordinator	508-778-7770
James Barrie	Maintenance Supervisor	508-778-7772
Chris Daniels	Maintenance	508-778-7772

4.0 REVISIONS TO THE STORMWATER POLLUTION PREVENTION PLAN

Revision of the SWPPP is required if any of the following circumstances occur:

- A change in the site which alters the potential for pollutants to be present in stormwater discharges from the Airport;
- A release of a reportable quantity (as defined by CERCLA and Clean Water Act regulations) of oil or a hazardous substance;
- The SWPPP proves to be ineffective in achieving the goal of controlling pollutants in stormwater discharges; or
- Routine facility inspections identify potential pollutant sources which must be addressed.

Revisions to the SWPPP must be documented on the Stormwater Pollution Prevention Plan Revision Log included as Appendix C.

This revision of the SWPPP was completed to update the SWPPP according to site changes at the Airport including construction of a new fuel farm and added drainage facilities. The Site Plan (Figure 3) was updated to reflect current conditions at the Gate F Fuel Farm and new drainage structures.

5.0 GENERAL AIRPORT INFORMATION

The Airport provides commercial airline service and general aviation services to Boston, Cape Cod, and the Islands of Martha's Vineyard and Nantucket. The Airport began operations in 1928 and is the third largest and busiest airport in Massachusetts.

The Airport is located on approximately 645 acres, of which 631 acres lie within the Town of Barnstable, with the remaining 14 acres lying within the Town of Yarmouth. Of the 645 acres, approximately 142 are paved for use as taxiways, runways, and parking aprons, or are covered by buildings and structures. The Airport is bordered to the south by Barnstable Road (Route 132), to the west by Yarmouth Road, to the north by Massachusetts Fish & Wildlife designated conservation area and Route 6, and to the east by an industrial park (Independence Park), and is located at approximately 41.6666° North, 70.2859° West. A locus map and site map are included as Figures 1 and 2.

Structures on Airport property include the Main Terminal and air traffic control tower (ATCT), several service and storage hangars, tenant facilities, employee and passenger parking lots, and the Airport Operations building. Airport property and structures located along runways 6/24 and 15/33 are commonly referred to as the East and North

Ramps, respectively. Structural features of both Ramps are identified on the stormwater drainage plan included as Figure 3.

More than 40 tenant businesses operate on Airport property, providing industry-related services. Tenant operations include passenger airline services, general aviation services, maintenance and servicing of aircraft and associated aviation equipment, aviation fuel transfer, temporary aircraft parking and long term aircraft storage, light transportation warehousing, long and short term vehicle parking lots, overflow vehicle parking lots, rental car agencies, and general facility maintenance. Aircraft maintenance activities include engine maintenance, fluid and filter changes, electronics repair, hydraulic system repair, aircraft body repair, and wheel and tire maintenance and repair. Potential pollutants associated with tenant activities include virgin and waste aviation fuels, oils, antifreeze, deicing solutions, coatings, lubricants, solvents, sealants, and cleaning solutions. Tenants with operations requiring compliance with the provisions of this plan are identified in Section 5.1. Tenant responsibilities and compliance with the Airport's SWPPP are described in further detail in Sections 5.2 and 11.0. The location of potential pollutants is indicated on Figure 2.

Airport Rescue Fire Fighting and Airport Operations (ARFF/OPS) responsibilities include Jet A fuel transfer, supervision of Airport contractors inside the perimeter fence, fire and rescue response activities and emergency spill response. Airport Maintenance activities include building maintenance and grounds-keeping operations, equipment maintenance, maintenance of runways and paved areas, snow removal and deicing fluid recovery operations, emergency spill response, airfield mowing, and utility maintenance. Potential pollutants associated with ARFF/OPS and Maintenance activities include virgin and waste aviation fuels, oils, and antifreeze, deicing solutions, coatings, lubricants, solvents, sealants, and cleaning solutions.

5.1 Airport and Tenant Information

Current ARFF/OPS, Maintenance, and tenant contact information are presented below. Only Airport or tenant operations that are subject to NPDES regulatory requirements are included in Table 2 below.

Table 2: Airport and Tenant Contact Information

<p>Katie Servis Airport Manager 480 Barnstable Road - 2nd Floor Hyannis, MA 02601</p>	<p>Helyne Medeiros Rectrix Aerodrome Center, Inc. Box 13 - 730 Barnstable Road Hyannis, MA 02601</p>
<p>Hildie Rios Aviation Fuel Coordinator 480 Barnstable Road Hyannis, MA 02601</p>	<p>Peter Farrell Cape Air / Nantucket Airlines 660 Barnstable Road Hyannis, MA 02601</p>
<p>Brad Everson Airport Rescue Fire Fighting Coordinator 480 Barnstable Road - 2nd Floor Hyannis, MA 02601</p>	<p>Robert Griffin Griffin Avionics 630 Barnstable Road Hyannis, MA 02601</p>
<p>James Barrie Airport Maintenance Supervisor 480 Barnstable Road Hyannis, MA 02601</p>	<p>John Cahill Hertz Car Rental 480 Barnstable Road Hyannis, MA 02601</p>
<p>Robert Holzman Airport Operations Supervisor 480 Barnstable Road - 2nd Floor Hyannis, MA 02601</p>	<p>Jody Lewis Allies Air 550 Barnstable Road Hyannis, MA 02601</p>
<p>AMA Nantucket Inc. Peter Greaves 130 Mary Dunn Way Hyannis, MA 02601</p>	<p>Cape Flight Instruction Edmund Cottle 150 Mary Dunn Way Hyannis, MA 02601</p>

5.2 Tenant Operations Under the SWPPP

This SWPPP is to be implemented by the Airport and all tenants identified in Section 5.1. Tenant responsibilities under the SWPPP include operational compliance with the practices and control measures described in Section 11, the Airport Deicing Program, and the Airport Spill Prevention Control and Countermeasures Plan (SPCCP). As described in Section 11.6, tenants responsible for deicing aircraft are required to record the volume of deicing fluid used daily and report the cumulative volume of deicing fluid used during each calendar month to the Airport Manager’s office. As described in

Section 13.0, the Airport will continue to conduct all facility inspections, stormwater visual assessments, and reporting required under the 2021 MSGP.

6.0 STORMWATER DRAINAGE PLAN

The Stormwater Drainage Plan (Figure 3) identifies stormwater drainage utilities and major facilities at the Airport, and includes the following elements:

- Airport facilities, including a footprint of all buildings, structures, roads, aprons, taxiway and runways, other paved areas, and parking lots;
- Schematic layout of the stormwater drainage system, including ditches, pipes, swales, and an indication of flow direction, to the best of the Airport's knowledge and belief*;
- Drainage areas associated with each stormwater outfall;
- Drainage areas associated with Class V injection wells;
- Areas of pervious surfaces, where stormwater infiltrates directly, including areas receiving sheet flow runoff from impervious surfaces not discharging to a stormwater outfall or Class V injection well;
- Location of potential pollutant sources (Table 3 and Figure 2), as defined in 2021 MSGP, Part 6.2.3.2;
- Location of significant spills or leaks that have occurred in the past three years, as defined in 2021 MSGP, Part 6.2.3.3 (Figure 2);
- Location of all unauthorized, non-stormwater discharges, as defined in 2021 MSGP, Part 6.23.4;
- Fuel storage and transfer areas;
- Vehicle equipment maintenance and/or cleaning areas;
- Liquid storage tanks;
- Transfer areas for bulk substances;
- Machinery; and
- Locations and sources of off-site pollutants that could potentially impact Airport property (Figure 2).

* This SWPPP provides information on the stormwater drainage system based on information provided by the Airport and observed during field reconnaissance.

7.0 DRAINAGE AREAS AND POTENTIAL POLLUTANT SOURCES

The majority of stormwater collected on impervious surfaces at the Airport is managed through a network of catch basins discharging to surface water outfalls, infiltration basins, vegetated swales, and Class V injection wells (more commonly known as leaching catch basins). This SWPPP designates drainage areas discharging to surface waters and infiltration basins as Drainage Areas A, B, C, D, E, F, H, I, J, K, L, M, and N. The SWPPP also identifies areas where stormwater is discharged to Class V injection wells infiltrating directly into the subsurface, designated as Drainage Areas F, G, I, L, and M (Figure 3).

A portion of stormwater in each drainage area is also infiltrated at the edge of impervious surfaces in the form of sheet-flow runoff. The boundaries of these areas are controlled primarily by the topography of the land, and in some cases, the surrounding roads, taxiways, and runways. The majority of Airport property is pervious vegetated airfield surfaces in areas characterized by little to no potential for potential pollutants to be exposed to stormwater.

The Airport conducts regular inspections of facilities on Airport property to ensure compliance with the requirements established in this SWPPP and the Airport's SPCCP. Inventories of potential pollutants stored and used by the Airport and Airport tenants have been completed and updated regularly in support of the SPCCP and SWPPP. For the purposes of this SWPPP, products have been placed into several representative groups, including aviation fuels, antifreezes, sealants, coatings, lubricants, solvents, deicing fluids, and waste products derived from the use of any of these products (Figure 2).

For each drainage area identified in the Stormwater Drainage Plan (Figure 3), potential pollutants and their storage location (Figure 2) are identified and described in further detail below. Locations of buildings and airfield features are referenced to Figure 3. Potential pollutants at the Airport are stored within Airport or tenant buildings or within sealed containment structures (i.e., fuel storage tanks) and are not exposed to stormwater. This SWPPP identifies these as potential pollutants due to the potential for spills or minor releases during delivery, transfer, or disposal procedures, or the potential for exposure following application (i.e., deicing fluid).

Table 3: Drainage Areas and Potential Pollutants

Drainage Area	Size (acres)	Uses	Operator(s)	Existing BMPs	Potential Pollutants
A	25.9	Runway 15/33 and Taxiway A	Airport	Catch basins with sediment traps and a Vortechs water quality unit	Aviation fuel
B	14.9	Main Terminal apron, the South Ramp, and Taxiway A	Airport and tenant mobile refuelers	Catch basins with sediment traps, an oil/water separator and a Vortechs water quality unit	Deicing fluids, fuels, oils, antifreezes, hydraulic fluids, solvents, lubricants, sealants, and cleaning compounds
C	31.1	Runway 15/33, Taxiways A and D, the North Ramp, and the Gate F Fuel Farm	Airport/Cape Air	Catch basins with sediment traps, two Oil/Water Separators, Stormtech system, and Vortechs water quality units	Aviation fuel, unleaded gasoline, diesel fuel, oils, antifreezes, hydraulic fluids, solvents, lubricants, sealants, and cleaning compounds
D	130.2	Runway 6/24, the Runway 33 approach of Runway 15/33, Taxiway C, and Taxiways B and D	Airport/Cape Air	Catch basins with sediment traps and a Vortechs water quality unit	Aviation fuel and residual deicing fluid
E	7.7	Rectrix Aerodrome Center, Inc. and its associated paved apron, the access road from Barnstable Road to the hangar, and several paved parking lots	Rectrix Aerodrome Center, Inc. and Barnstable Municipal Airport	bioretention basin and catch basins with sediment traps	Aviation fuel and residual deicing fluid
F	14.5	Airport access road connecting Attucks Lane to Barnstable Road, Barnstable Road, tenant parking lots, overflow parking lots, the Griffin Avionics apron area, and the Cape Town Shopping Center parking lot	Airport, Rectrix, Cape Air, Griffin Avionics, and Specialized Automotive	Catch basins, O/WS, Stormtech underground recharge structures, and an infiltration basin	Aviation fuel, oils, gasoline, antifreezes, hydraulic fluids, solvents, lubricants, sealants, and cleaning compounds
G	10.7	North Ramp, Taxiway D, and paved apron areas adjacent to tenant hangars	Airport, Rectrix, Cape Air, and Griffin Avionics	Catch basins with sediment sumps and oil/water separator	Aviation fuel, antifreeze, oil, solvents, lubricants, sealants, coatings, and adhesives
H	8.9	Taxiway B, Perimeter road, transient area for	Airport	Catch basins with sediment sumps	Aviation fuel and residual deicing fluid

Drainage Area	Size (acres)	Uses	Operator(s)	Existing BMPs	Potential Pollutants
		aircraft, aircraft support vehicles, and ARFF/OPS and Maintenance vehicles			
I	5.2	Hexagon hangar and Kingsbury Aviation hangars	Tenants and Kingsbury Aviation	Catch basins with sediment sumps	None
J	10.0	East Ramp apron, Taxiway B, and tenant hangars	Airport, Cape Flight Instruction, and Hyannis Hangar LLC	Catch basins with sediment sumps and vegetated swale	Avgas and aviation fuels
K	7.3	East Ramp apron, Taxiway B, Gate P Fuel Farm, and tenant hangars	Airport, Rectrix / Air Cape Cod, and AMA Nantucket Inc.	Catch basins, vegetated swale and Vortechs water quality unit	Aviation fuels, oils, antifreezes, hydraulic fluids, solvents, lubricants, sealants, cleaning compounds, wood and timber products, and deicing fluids
L	10.3	Steamship Authority parking lot	Steamship Authority	None, stormwater infiltrates directly into the ground surface.	automotive fluids including diesel and gasoline fuels, hydraulic fluids, and antifreeze
M	38.5	Taxiway B, ARFF building, East Ramp apron area, the Rectrix / Air Cape Cod hangar, the Airport perimeter road, Mary Dunn Road, and the unpaved runway safety areas of the airfield at the southern ends of Runways 6/24 and 15/33	Barnstable Municipal Airport and Rectrix / Air Cape Cod	None, stormwater infiltrates directly into the ground surface.	Aviation and automotive fuels, oils, and antifreezes, sealants, adhesives, coatings, solvents, and cleaning products
N	13.5	Parking areas and access roads	Barnstable Municipal Airport	Catch basins with sediment sumps and bioretention areas	Fuels, antifreeze, and salt (calcium chloride)
O	1.2	Car service and rental facilities	Avis Rent-A-Car, Hertz Car Rental, and Budget Truck Rental	Catch basins with sediment sumps	gasoline, oil, antifreeze, detergents, surface cleaning products, and automotive interior detailing products

7.1 Drainage Area A

Drainage Area A encompasses the northwest end of Runway 15/33 on the north side of the Airport airfield, impervious surfaces in this area include a portion of Runway 15/33 and Taxiway A. Stormwater from these impervious surfaces is collected through a network of catch basins discharging to Outfall A, located on Upper Gate Pond (Figure 3). Prior to discharge, stormwater is treated by a Vortechs® hydrodynamic separator. Calculated total suspended solid (TSS) removal rates for these water quality units range from 81% to 87% with total petroleum hydrocarbon (TPH) removal at 67%. Since the installation of the Vortechs® units in 2011, 100% of stormwater discharged to the ponds receives pretreatment. Potential stormwater pollutants in Drainage Area A include de minimis amounts of aviation fuel released due to aircraft tank expansion venting.

7.2 Drainage Area B

Drainage Area B encompasses the Main Terminal apron area, the South Ramp, and portions of Taxiways A, B, and C. ARFF/OPS and tenant activities within Drainage Area B include aircraft refueling, deicing, maintenance, parking, passenger loading and unloading, and general aviation support services. Potential pollutants associated with activities within Drainage Area B include deicing fluids, fuels, oils, antifreezes, hydraulic fluids, solvents, lubricants, sealants, and cleaning compounds, and are described in further detail below.

7.2.1 Main Terminal Apron Area

The Main Terminal apron area is utilized as a staging and parking area for aircraft, unloading and loading area for passengers and baggage, and refueling of aircraft with Jet A and/or 100 Low Lead aviation gas (Avgas) from tenant operated mobile refuelers. Stormwater from the Main Terminal Apron Area impervious surfaces is collected by a network of three catch basins discharging via a 30-inch diameter pipe to Outfall B. Prior to discharge, stormwater is treated by a Vortechs® hydrodynamic separator. Calculated TSS removal rates for these water quality units range from 81% to 87% with TPH removal at 67%. Passenger and baggage loading and unloading operations in the Main Terminal apron area are not expected to result in the exposure of potential pollutants to stormwater.

ARFF/OPS, Cape Air, Griffin Avionics, and Rectrix / Air Cape Cod operate mobile refuelers in the Main Terminal Apron Area. During the winter, Cape Air mobile refuelers are typically staged and parked overnight at the western end of the Main Terminal apron area, (Building 10). Rectrix / Air Cape Cod typically stages their mobile refueler at the East Ramp Gate P Fuel Farm (Area 16), and Griffin Avionics mobile refuelers are typically staged and parked overnight at the Griffin Avionics fuel transfer station

(Building 3). Rectrix / Air Cape Cod typically stages their Jet A mobile refueler near the Rectrix Hangar (Building 1) during the winter, but the Jet A mobile refueler is staged at the designated parking area for mobile refuelers near the Gate F Fuel Farm (Area 7).

7.2.2 South Ramp

The South Ramp is designated as the southern portion of the Main Terminal apron area and is utilized as the central deicing pad and washing pad for aircraft (Area 13, Figure 3). Pavement in the South Ramp slopes in a northerly direction, concentrating all runoff toward catch basin TR-9. Catch basin TR-9 is outfitted with a series of manually operated gate valves that control discharge from the South Ramp. During deicing or aircraft washing operations, the valves are closed and discharge residual deicing fluid or wash water to the Barnstable Water Pollution Control Facility (WPCF). When aircraft deicing or washing is not taking place, the valves are opened, and stormwater is discharged to Upper Gate Pond. Prior to discharge, stormwater is treated by an O/WS and a Vortechs® hydrodynamic separator. Calculated TSS removal rates for these water quality units range from 81% to 87% with TPH removal at 67%. Since the installation of the Vortechs® units in 2011, 100% of stormwater discharged to the ponds receives pretreatment. Deicing operations and deicing fluid recovery are discussed in greater detail in Section 12.5. When not in use as a deicing pad, the South Ramp is utilized as a transient area for aircraft and ground support vehicles and is characterized similar to other paved apron and taxiway areas in regard to potential pollutants.

7.2.3 Taxiways A, B, and C

A portion of Taxiway A contained in Drainage Area B, are collectively utilized as a transient area for aircraft, aircraft support vehicles, and Airport vehicles. Potential pollutants include aviation fuel released during refueling and aircraft tank expansion venting, and residual deicing fluid runoff from aircraft surfaces following application. Stormwater from these impervious surfaces is collected through a network of catch basins discharging via a 30-inch diameter pipe to Outfall B, located on Upper Gate Pond. Prior to discharge, stormwater is treated by a Vortechs® hydrodynamic separator. Calculated TSS removal rates for these water quality units range from 81% to 87% with TPH removal at 67%. Since the installation of the Vortechs® units in 2011, 100% of stormwater discharged to the ponds receives pretreatment.

7.3 Drainage Area C

Drainage Area C encompasses the portion of Runway 15/33 running from the eastern edge of Drainage Area A to the intersection with Taxiway C, portions of Taxiways A, and D, and a portion of the North Ramp including the Gate F Fuel Farm. Potential pollutants in Drainage Area C are associated with aircraft maintenance, fuel transfer and bulk fuel

storage of Jet A aviation fuel, unleaded gasoline, and diesel fuel. Tenant operations within Drainage Area C could potentially introduce pollutants including virgin and waste aviation fuels, oils, antifreezes, and hydraulic fluids, solvents, lubricants, sealants, and cleaning compounds. Stormwater from Drainage Area C is collected through a network of catch basins discharging to Outfalls B and C, located on Upper Gate Pond. Prior to discharge at either location, stormwater is treated by Vortechs® hydrodynamic separators. Calculated TSS removal rates for these water quality units range from 81% to 87% with TPH removal at 67%. Since the installation of the Vortechs® units in 2011, 100% of stormwater discharged to the ponds receives pretreatment. Two O/WS are located within the Gate F Fuel Farm to intercept petroleum prior to entering the stormwater system in the event of a release.

7.3.1 Runway 15/33 and Taxiways A and D

Runway 15/33 and the taxiway areas are utilized as transient areas for aircraft, aircraft support vehicles, and ARFF/OPS and Maintenance vehicles. Potential pollutants are limited to de minimis amounts of aviation fuel released due to aircraft tank expansion venting and residual deicing fluid runoff from aircraft surfaces following application on the South Ramp deicing pad. Refueling of aircraft does not occur on the Runway or Taxiways within Drainage Area C.

7.3.2 Gate F Fuel Farm

The Gate F Fuel Farm was improved in 2016 by removal of the underground storage tanks and installation of three new 20,000-gallon aboveground storage tanks (AST) containing Jet A aviation fuel. There are also a 4,000-gallon diesel and a 4,000-gallon unleaded gasoline AST.

The new fuel farm features secondary containment, leak detection monitoring, as well as an emergency shut off valve, and two O/WS that connect to the existing storm drain system. The fuel transfer area, where fuel delivery trucks and mobile refuelers are parked during transfers, drains into a concrete secondary containment pad. Stormwater collected within the containment pad is inspected for signs of pollutants by Airport personnel prior to being discharged to an O/WS and the Airport stormwater system. The SWPPP drainage map has been revised following construction to reflect changes to the drainage system and structural controls to prevent or mitigate a release of pollutants.

ARFF/OPS personnel conduct FAA required testing of the fuel from the Gate F Jet A ASTs and the Airport's mobile refuelers daily, generating approximately five gallons of sample fuel per day. Sample fuel is returned to the tank via a recycling system located within the fuel farm.

7.3.3 Griffin Avionics Fuel Transfer Station

Griffin Avionics operates a fuel transfer station located adjacent to the northeast corner of the Griffin Avionics hangar (Building 4, Figure 3) containing two underground 10,000-gallon Avgas USTs. Griffin Avionics and Cape Air refuel mobile refuelers at the Griffin Avionics fuel transfer station. Avgas is transferred into mobile refuelers on the paved apron area adjacent to the fuel pump island, stormwater from impervious surfaces adjacent to the fuel pump island is discharged to two adjacent catch basins located near the fence. These catch basins are connected to the water quality isolator row of the Stormtech subsurface underground recharge chambers.

7.3.4 Building 6 – Hangar 2

Hangar 2, located on the North Ramp of the Airport, is currently occupied by Cape Air. Airport Maintenance also utilizes a portion of the interior hangar space and exterior paved apron for storage of Airport snow removal vehicles. A portion of the stormwater from impervious surfaces surrounding Hangar 2 is infiltrated into the subsurface by a network of Class V injection wells, and is primarily located within Drainage Area G. However, a trench drain with a surface grate was installed in 2016 along the north side of Hangar 2. The drain connects to the new fuel farm and drains to NR-12 then subsequently discharges to Outfalls B and C. Prior to discharge to the Outfalls, stormwater is treated by a Vortechs® hydrodynamic separators. Calculated TSS removal rates for these water quality units range from 81% to 87% with TPH removal at 67%. Since the installation of the Vortechs® units in 2011, 100% of stormwater discharged to the ponds receives pretreatment.

Vehicle and product storage in this area occurs primarily inside of Hangar 2 and is not expected to result in an exposure to stormwater. Snow removal equipment is stored on the paved apron area located to the east of the Hangar. Potential pollutants are limited to de minimis amounts of hydraulic fluids, oils, and fuels released during equipment operation or storage.

7.4 Drainage Area D

Drainage Area D is the largest drainage area at the Airport, and encompasses all of Runway 6/24, the Runway 33 approach of Runway 15/33, Taxiway C, and portions of Taxiways B and D. Stormwater from these impervious surfaces is collected through a network of catch basins discharging to Outfall D, located on Lewis Pond, and Class V injection wells discharging directly to the subsurface. Prior to discharge from Outfall D, stormwater is treated by a Vortechs® hydrodynamic separator (Figure 3). Calculated TSS removal rates for these water quality units range from 81% to 87% with TPH removal at 67%. Since the installation of the Vortechs® units in 2011, 100% of

stormwater discharged to the ponds receives pretreatment. Potential stormwater pollutants in Drainage Area D include de minimis aviation fuel released during aircraft tank expansion venting and residual deicing fluid runoff from aircraft surfaces following application.

7.5 Drainage Area E

Drainage Area E encompasses a portion of the North Ramp currently occupied by Rectrix Aerodrome Center, Inc. (Rectrix) and its associated paved apron, the access road from Barnstable Road to the hangar, and several paved parking lots. Stormwater from these impervious surfaces is discharged to a system of two bioretention basins that subsequently discharge into a common infiltration basin (Figure 3). A manually operated shut-off valve located between catch basin RTX-1CB and the landscaped stormwater basin can be shut off in the event of a release to contain spilled material and minimize associated impacts.

Rectrix does not conduct maintenance of aircraft currently; hangar space is used primarily for the storage of aircraft and client vehicles. Rectrix regularly conducts refueling of aircraft on the paved apron area adjacent to the Rectrix hangar. Rectrix has ceased aircraft deicing operations effective December 2016. Any deicing of aircraft that is needed is conducted on the South Ramp deicing pad. Potential stormwater pollutants in Drainage Area E could include small amounts of aviation fuel released during refueling operations and aircraft tank expansion venting, and residual deicing fluid from deicing activities in the event that Rectrix resumes deicing operations. Deicing operations are discussed in greater detail in Section 12.5.

7.6 Drainage Area F

Drainage Area F is comprised of the Airport access road connecting Attucks Lane to Barnstable Road, a portion of Barnstable Road, tenant parking lots, overflow parking lots, a portion of the Griffin Avionics apron area, and a small portion of the Cape Town Shopping Center parking lot. Stormwater from the Airport access road adjacent to the Cape Air hangar (Building 2) is collected through two catch basins and is discharged to Outfall F, located on a retention pond located north of the Shopping Center. Stormwater from the northernmost portion of the access road is collected through a network of catch basins discharging to a system of two landscaped stormwater basins that subsequently discharge into a common infiltration basin. Stormwater from an unpaved parking area located north of the Cape Air hangar is managed by a similar system. The remaining areas of the drainage area include Barnstable Road between the Griffin Avionics and buildings 8 and 9, and a portion of the Griffin Avionics apron area. Stormwater from these areas is collected by a network of catch basins discharging to Stormtech subsurface infiltration structures located in the Griffin parking lot. Potential

pollutants associated with activities within Drainage Area F include aviation fuels, oils, gasoline, antifreezes, hydraulic fluids, solvents, lubricants, sealants, and cleaning compounds.

7.7 Drainage Area G

Drainage Area G encompasses the North Ramp of the Airport, including the western portion of Taxiway D and paved apron areas adjacent to tenant hangars. Stormwater from impervious surfaces in Drainage Area G is infiltrated directly into the subsurface through a network of catch basins and Class V injection wells. ARFF/OPS and tenant activities within Drainage Area G include aircraft refueling, maintenance, and storage, and are described in greater detail below. Hangar 2, previously discussed in Section 7.3.4, is also located within Drainage Area G.

7.7.1 Taxiway D

Taxiway D is utilized in a transient nature by aircraft and tenant, ARFF/OPS, and Maintenance vehicles. Potential stormwater pollutants associated with Taxiway D include aviation fuel released during refueling or due to aircraft tank expansion venting. Stormwater collected from Taxiway D is discharged to catch basins and Class V injection wells located along the edge of the taxiway infiltrating stormwater directly into the subsurface.

7.7.2 Building 3 – Griffin Avionics

Griffin Avionics conducts aircraft maintenance and storage and provides general aviation services. Potential pollutants associated with Griffin Avionics activities include virgin and waste aviation fuel, antifreeze, oil, solvents, lubricants, sealants, coatings, and adhesives. Storage and use of all potential pollutants, with the exception of Avgas, occurs inside of the Griffin hangar and is not expected to result in an exposure to stormwater. Waste fuel, oil, antifreeze, and solvent storage areas are located in the northwest and southeast corners of the hangar.

Aircraft undergoing maintenance are typically stored inside the hangar. Occasionally, aircraft undergoing extensive repairs will be weatherproofed and parked on the paved apron area while components are serviced inside the hangar (i.e., during a complete engine rebuild, the fuselage of the aircraft is weatherproofed and stored outside while the engine is rebuilt inside the hangar). The Griffin hangar features a floor drain system discharging to an O/WS and subsequently to municipal sewer through a permitted connection. Griffin staff are responsible for the maintenance of the O/WS.

Stormwater from the impervious surfaces located to the north of the Griffin Avionics hangar is collected in non-leaching catch basins NR-1 and NR-2, which subsequently discharge to NR-23, a Class V injection well infiltrating directly into the subsurface. The impervious surfaces located to the east and south of the hangar building discharge to the Access road stormwater system, described in Section 7.6.

7.7.3 Building 2 – Cape Air

Cape Air conducts aircraft maintenance and storage associated with passenger airline services. Potential pollutants at Cape Air include virgin and waste aviation fuel, antifreeze, oil, and solvents, and lubricants, sealants, deicing fluids, coatings, and adhesives. Storage and use of all potential pollutants, with the exception of Avgas, occurs inside of the Cape Air hangar and is not expected to result in an exposure to stormwater. Cape Air currently stores waste oil, waste antifreeze, and hydraulic oil in a separate storage room located at the southeastern corner of the hangar. Stormwater from the impervious surfaces surrounding the Cape Air hangar is discharged to Class V injection wells NR-24, NR-22, D-1, and D-25, infiltrating directly into the subsurface.

The northern bay of the Cape Air maintenance hangar features a floor drain and O/WS with a direct connection to municipal sewer, to allow for collection and discharge of aircraft washwater. The connection is permitted through the Town of Barnstable. Cape Air staff are responsible for the maintenance of the O/WS.

7.8 Drainage Area H

Drainage Area H is located to the east of Runway 6/24, encompasses the northeast portion of Taxiway B, and is utilized as a transient area for aircraft, aircraft support vehicles, and ARFF/OPS and Maintenance vehicles. Stormwater from Drainage Area H is collected through a network of five catch basins discharging to an infiltration basin. Potential stormwater pollutants in Drainage Area H include small amounts of aviation fuel released due to aircraft tank expansion venting, and residual deicing fluid.

7.9 Drainage Area I

Drainage Area I contains the Hexagon hangar and Kingsbury Aviation hangars, which are utilized for the indoor storage of privately owned aircraft. Aircraft maintenance and aircraft refueling are not permitted in the hangars or in Drainage Area I. There are no potential pollutants associated with current activities in Drainage Area I. Stormwater collected from impervious areas adjacent to these hangars is infiltrated directly into the subsurface through a network of nine Class V injection wells.

7.10 Drainage Area J

Drainage Area J encompasses the northeast portion of the paved East Ramp apron area and a portion of Taxiway B. Activities in this portion of the apron area include temporary and long-term aircraft parking and indoor storage of privately owned aircraft. Paved areas adjacent to the AMA Nantucket Inc. hangar contribute stormwater to both Drainage Areas J and K. AMA Nantucket Inc. activities are described in Section 7.11.3.

7.10.1 East Ramp Apron Area

A portion of the paved East Ramp apron area is located within Drainage Area J and is primarily utilized for the parking of privately owned aircraft. Refueling of aircraft occurs within this drainage area primarily during peak travel periods in the summer months. Stormwater collected from impervious areas primarily discharges to several pervious airfield surfaces located between Taxiway B and Runway 6/24. A portion of stormwater collected on the paved apron area discharges to catch basin ER-13, subsequently discharging to a vegetated swale via Outfall J. Potential pollutants associated with this portion of the East Ramp Apron area include Avgas and Jet A aviation fuels.

Refueling of aircraft fueled by Avgas is completed by Griffin and Rectrix / Air Cape Cod and occurs throughout the East Ramp apron area. Refueling of aircraft fueled by Jet A is conducted by ARFF/OPS and Rectrix /Air Cape Cod and occurs throughout the East Ramp apron area.

7.10.2 Building 21 - Hyannis Hangar LLC

Hyannis Hangar LLC operations in Drainage Area J are limited to the indoor storage of privately owned aircraft. Maintenance activities and aircraft refueling are not permitted in the hangar. Stormwater collected from impervious areas adjacent to the hangar is primarily infiltrated directly into the subsurface at the edge of paved surfaces.

7.10.3 Building 20 – Cape Flight Instruction

Cape Flight Instruction activities include aircraft storage. Stormwater from impervious surfaces located between Buildings 19 and 20 is collected by catch basin ER-29 and discharges to Outfall J-A, discharging to a vegetated swale also associated with Outfall J.

Storage and use of all potential pollutants occur inside of Cape Flight's hangar, and is not expected to result in an exposure of stormwater to potential pollutants.

7.11 Drainage Area K

Drainage Area K encompasses the southern portion of the East Ramp and Taxiway B. Stormwater collected from impervious surfaces in Drainage Area K is collected through a network of catch basins discharging to Outfall D. Prior to discharge from Outfall D, stormwater is treated by a Vortechs® hydrodynamic separator (Figure 3). Calculated TSS removal rates for these water quality units range from 81% to 87% with TPH removal at 67%. Paved areas adjacent to the AMA Nantucket Inc. hangar also contribute stormwater to Drainage Area J, previously discussed in Section 7.10.3.

The emergency generator for runway lighting formerly located in the southern portion of Drainage Area K has been converted to natural gas.

Tenant activities within Drainage Area K also introduce potential pollutants including both virgin and waste aviation fuels, oils, antifreezes, hydraulic fluids, solvents, lubricants, sealants, cleaning compounds, wood and timber products, and deicing fluids, and are described in further detail below.

7.11.1 East Ramp Apron Area

The East Ramp apron area is primarily utilized for the parking of privately owned aircraft and is most heavily utilized during the summer months. Stormwater collected from impervious areas primarily discharges to several pervious airfield surfaces located between Taxiway B and Runway 6/24. Stormwater collected from impervious surfaces adjacent to Buildings 18 and 19 discharges to Outfall D. Prior to discharge from Outfall D, stormwater is treated by a Vortechs® hydrodynamic separator (Figure 3). Calculated TSS removal rates for these water quality units range from 81% to 87% with TPH removal at 67%. Potential pollutants associated with this portion of the East Ramp Apron include de minimis amounts of aviation fuel released during aircraft refueling or as a result of aircraft tank expansion venting.

7.11.2 Area 16 – Rectrix / Air Cape Cod East Ramp Gate P Fuel Farm

Air Cape Cod is located on the East Ramp at the Airport and is managed by Rectrix (Figure 3). Rectrix / Air Cape Cod currently operates a 10,000-gallon Avgas AST and a 10,000-gallon Jet-A AST at this location. Rectrix conducts refueling of aircraft on the East Ramp and at the North Ramp hangar facility. Stormwater from areas adjacent to the Rectrix/Air Cape Cod Fuel Farm is discharged to catch basin ER-7 and subsequently Outfall D. Prior to discharge from Outfall D, stormwater is treated by a Vortechs® hydrodynamic separator (Figure 3). Calculated TSS removal rates for these water quality units range from 81% to 87% with TPH removal at 67%.

7.11.3 Building 19 – AMA Nantucket Inc.

Building 19, operated by AMA Nantucket Inc., functions as an aircraft maintenance facility and building construction materials shipping facility. Stormwater collected from impervious surfaces on the southwestern side of Building 19 is discharged to catch basin ER-28 and ultimately to Outfall D. Prior to discharge from Outfall D, stormwater is treated by a Vortechs® hydrodynamic separator (Figure 3). Calculated TSS removal rates for these water quality units range from 81% to 87% with TPH removal at 67%.

Stormwater from the parking lot behind the building discharges to a grassy area with a gravel swale, which leads to a pipe that drains into the same infiltration basin as Outfall J-A. Materials associated with aircraft maintenance include virgin and waste aviation fuel, antifreeze, oil, solvents, lubricants, sealants, deicing fluids, coatings, and adhesives. Exposure of potential pollutants to stormwater is unlikely, as all maintenance activities occur within the hangar, virgin and waste materials are stored within the hangar, and waste material storage locations feature secondary containment structures.

AMA Nantucket Inc. also functions as a building construction material shipping facility, supplying local hardware stores, businesses, and contractors on the island of Nantucket. Materials exposed to stormwater include raw lumber and prepackaged building materials. Stormwater collected in the building materials portion of the yard, located on the eastern side of Building 19, is discharged to catch basin ER-29 and subsequently discharges to a vegetated swale via Outfall J-A.

7.12 Drainage Area L – Steamship Authority Parking Lot

Drainage Area L is located in the southeast corner of the Airport's property, along Mary Dunn Road, and is currently leased to the Woods Hole, Martha's Vineyard, and Nantucket Steamship Authority (Steamship Authority). Drainage Area L is currently utilized by the Steamship Authority as an overflow parking lot and freight staging area in support of their Hyannis ferry terminal. Stormwater in this area infiltrates directly into the ground surface. The overflow passenger vehicle portion of the lot is accessed through an entrance located on Brooks Road and is typically in operation between May and August. The freight portion of the lot is accessed through an entrance located on Mary Dunn Road, and is used throughout the year as necessary to prevent traffic congestion at the Hyannis ferry terminal. Potential pollutants associated with the operation of the Steamship Authority parking lots include automotive fluids including diesel and gasoline fuels, hydraulic fluids, and antifreeze. Vehicles transporting hazardous materials are prohibited from parking in either parking lot. Drainage in this area occurs through infiltration in unpaved surfaces.

7.13 Drainage Area M

Drainage Area M contains a portion of Taxiway B, paved surfaces surrounding the ARFF building, a portion of the East Ramp apron area adjacent to the Rectrix / Air Cape Cod hangar, a portion of the Airport perimeter road and Mary Dunn Road, and the unpaved runway safety areas of the airfield at the southern ends of Runways 6/24 and 15/33. Stormwater collected from impervious surfaces in the drainage area are infiltrated directly into the subsurface through Class V Injection wells or through direct infiltration at the edge of pavement. Potential pollutants associated with activities in these areas are described in further detail, below.

7.13.1 Building 14 – Airport Rescue Fire Fighting and Snow Removal Equipment Facility

Drainage Area M includes the Airport Rescues and Fire Fighting (ARFF)/ Snow Removal Equipment (SRE) facility (Building 14). The Airport Operations facility occupies the offices and garage bays in the northwest portion of the building, while Maintenance occupies the remaining garage bays and office space in the southeast portion of the building. Stormwater from the paved surface along the northeast side of Building 14 and all runoff from the building roof is collected by catch basins ER-1 and ER-3 and are directed to a subsurface infiltration system located near Gate B. Stormwater from the employee parking area adjacent to Building 14 either infiltrates at the edge of pavement in pervious airfield surfaces or is discharged to catch basin RW1533-26 and infiltrated directly into the subsurface. Potential pollutants associated with ARFF/OPS and maintenance activities include virgin and waste aviation and automotive fuels, oils, and antifreezes, sealants, adhesives, coatings, solvents, and cleaning products.

General maintenance for the Airport's fleet of vehicles, SRE, and grounds-keeping equipment occurs within Building 14. The ARFF/SRE garage bays are used primarily for the storage of vehicles, and feature a floor drain discharging to an O/WS for pretreatment prior to discharge to municipal sewer under a permitted connection. ARFF/OPS also operate two 5,000-gallon and a 3,000-gallon Jet A mobile refuelers. The mobile refuelers are parked on the paved area adjacent to the northeast side of Building 14 when not in use.

Several areas within the interior of Building 14 are utilized for the storage of oil, hydraulic oil, cleaning solvents, greases, transmission fluids, antifreezes, waste oil filters, and waste absorbent materials. These potential pollutants are unlikely to be exposed to stormwater as they are stored, transferred, and applied within the building. Airport Maintenance utilizes a 350-gallon split tank double walled AST, located outside at the southeast corner of Building 14, for the storage of waste oil and antifreeze. The potential for these pollutants to be exposed to stormwater during the transfer of products in and out of the AST is minimal.

7.13.2 Runway Safety Areas

Drainage Area M includes unpaved runway safety areas extending from the ends of Runways 6/24 and 15/33. Stormwater in these areas is managed through a network of Class V injection wells located in low lying areas throughout the grassed airfield. These areas also receive sheet-flow stormwater run-off from portions of both runways that are not connected to the Airport's drainage system. Stormwater from the Airport perimeter road is primarily discharged at the edge of pavement, and through several Class V injection wells. Activities in the grassed airfield include turf maintenance and maintenance of Airport lighting and instrumentation. Potential pollutants in these areas are limited to releases resulting from aircraft accidents and maintenance vehicles.

7.13.3 Building 15 – Rectrix / Air Cape Cod

Rectrix conducts minor aircraft maintenance and general aviation support out of Air Cape Cod, an East Ramp hangar facility (Building 15). Stormwater collected from impervious surfaces adjacent to the hangar is discharged to Class V injection wells infiltrating directly into the subsurface. Materials associated with aircraft maintenance activities include virgin and waste aviation fuel, antifreeze, hydraulic oil, oil, and solvents, lubricants, sealants, coatings, and adhesives. Exposure of potential pollutants to stormwater is unlikely, as all maintenance activities occur within the hangar, virgin and waste materials are stored within the hangar, and waste material storage areas feature secondary containment structures.

7.14 Drainage Area N

Drainage Area N encompasses short term and long-term parking areas and access roads utilized by Airport employees, passengers, rental car agencies, and patrons of Airport businesses. Short and long-term parking areas consist of paved surfaces located to the east, west and south of the Main Terminal building (Building 10). The majority of stormwater from these surfaces is discharged to a network of surface bioretention and infiltration structures. Potential pollutants associated with the utilization of these parking areas include fuels and antifreeze from vehicles, and limited application of salt (calcium chloride) when necessary for safe pedestrian travel.

Two natural gas fueled emergency generators for the Main Terminal are located near the southeast corner of Building 10. No pollutants are expected to be release from these units.

7.15 Drainage Area O - Car Rental Service Facilities

Avis Rent-A-Car, Hertz Car Rental, and Budget Truck Rental maintain car service facilities on Airport property south of Barnstable Road. Activities associated with the car service facilities include vehicle refueling, topping off of vehicle fluids, vehicle washing, and detailing of vehicle interiors. Potential pollutants associated with these activities include gasoline, oil, antifreeze, detergents, surface cleaning products, and automotive interior detailing products. Stormwater from this area discharges to catch basins with sediment sumps.

Exposure of potential pollutants to stormwater associated with rental car servicing includes potential releases of automotive fluids, including unleaded gasoline, oil, and antifreeze, and minor releases of residual detergents following vehicle washing. Minor releases of residual detergents likely occur as vehicles leave the garage service bays. The most likely exposure of potential pollutants occurs during vehicle servicing or storage in the facility parking lots, when fluids may be released to the pavement following topping off or as a result of engine malfunction. Rental car vehicles are also staged for customer pickup in the northwest portion of the Main Terminal parking lot, previously described in Section 7.14.

7.15.1 Building 27 – Hertz Car Rental

Hertz Car Rental service activities include vehicle refueling, topping off of vehicle fluids, vehicle washing and detailing, and vehicle storage. Vehicle washing and topping off of fluids occurs within a drive-through, single-bay garage structure. Vehicle wash-water is discharged to a garage floor drain discharging to an O/WS and subsequently to municipal sewer, a similar floor drain is located at the exit of the garage bay to capture residual wash water from exiting vehicles. With the exception of unleaded gasoline, all automotive fluids are stored and transferred within the garage-bay. Vacuuming and surface detailing of vehicles occurs within the garage bay and on the paved surfaces of the parking lot. Hertz currently operates a single-pump unleaded gasoline fuel station supplied by a 10,000-gallon UST, located in the facility parking lot.

7.15.2 Building 28 – Avis Rent-A-Car

Avis Car Rental service activities include the topping off of vehicle fluids, vehicle washing and detailing, and vehicle storage. Vehicle washing and topping off of fluids occurs within a drive-through, single-bay garage structure. Vehicle wash-water is discharged to a garage floor drain discharging to an O/WS and subsequently to municipal sewer, a similar floor drain is located at the exit of the garage bay to capture residual washwater. All automotive fluids are stored and transferred within the garage-bay. Vacuuming and

surface detailing of vehicles occurs within the garage bay and on the paved surfaces of the parking lot.

7.15.3 Building 28 – Budget Truck Rental

Budget Truck Rental service activities include the topping off of vehicle fluids, vehicle washing and detailing, and vehicle storage. Vehicle washing and topping off of fluids occurs within a drive-through, single-bay garage structure. Vehicle wash-water is discharged to a garage floor drain discharging to an O/WS and subsequently to municipal sewer, a similar floor drain is located at the exit of the garage bay to capture residual washwater. All automotive fluids are stored and transferred within the garage-bay. Vacuuming and surface detailing of vehicles occurs within the garage bay.

7.16 Off-site Potential Pollutant Sources

Airport property shares common borders with several retail businesses and fuel stations located along Iyannough Road and Barnstable Road as indicated on Figure 3. A field inspection of properties sharing a border with the Airport indicated three areas of potential run-on of potential pollutants.

7.16.1 Enterprise Rent-A-Car

Enterprise Rent-A-Car operates a vehicle service bay at 332 Iyannough Road. Activities conducted at the service bay include vehicle washing and interior cleaning, and topping-off of fluids. Washwater from the vehicle service bay could potentially be discharged beneath the Airport's perimeter fence to Class V injection well PR-1. Airport Management requested in writing that this practice be discontinued and vehicle servicing at the 332 Iyannough Road facility is limited to vacuuming and interior detailing.

7.16.2 Cape Cod Linen Service

Cape Cod Linen Service operates a linen supply facility located at 880 Attucks Lane, adjacent to the northern extent of Runway 15/33. Activities conducted at the 1.85-acre property include delivery vehicle loading and unloading. Stormwater discharged from this property could potentially run-on to Airport property, discharging to a drainage depression located approximately 50 feet west of the Taxiway A at the nearest point as indicated on Figure 3. According to the owners, servicing of linens and storage of laundering solutions occurs inside of the building, and potential impacts associated with stormwater discharges from this property are not expected to be significant.

7.16.3 Ricciardi Granite and Marble and Cape Cod Winwater Works

Ricciardi Granite and Marble operates a granite and marble stone distributorship located at 174 Airport Road, adjacent to the northern extent of Runway 15/33. Cape Cod Winwater Works operates a plumbing and water supply distributorship out of a portion of the 174 Airport Road facility and 2.12-acre property. Activities associated with both companies include the outdoor storage of building materials, including pallets of stone, PVC piping and fittings, copper pipe, ductile steel, and water supply fixtures. Stormwater discharged from this property could potentially run-on to Airport property, discharging to a drainage depression located approximately 50 feet west of the Taxiway A at the nearest point as indicated on Figure 3. Potential impacts associated with stormwater discharges from this property are not expected to be significant.

8.0 AREAS OF POTENTIAL RELEASES OF POLLUTANTS

As described in Section 7.0, above, spills or leaks of pollutants associated with Airport and tenant activities have the potential to occur across Airport property. The most likely releases of potential pollutants at the Airport are de minimis releases of aviation fuels during refueling operations or due to aircraft tank expansion venting. Refueling locations are determined based upon the location of aircraft, and occur on the North Ramp, East Ramp, and Main Terminal Apron areas in Drainage Areas B, C, E, F, G, I, J, K and M. Delivery, transfer, and storage of bulk quantities of fuel occur at the Gate F fuel farm and Griffin Avionics pump island in Drainage Areas C and F, and Rectrix / Air Cape Cod fuel farm in Drainage Area K. Structural and non-structural preventative measures have been implemented to minimize the potential for pollutant exposure to stormwater and are described in greater detail in Sections 11.0 and 12.0.

Aircraft transportation accidents also have the potential to result in a release of aviation fuels to paved runways, taxiways, apron areas, and unpaved airfield surfaces. Airport records indicate that major aircraft transportation accidents occur, on average, once every five years. The exact location of a release due to an aircraft transportation accident would determine what, if any, drainage utilities could potentially be impacted.

Deicing activities and washing of aircraft is centralized at the South Ramp deicing pad and is prohibited from all other locations. Preventative measures have been implemented to minimize the potential for pollutant exposure to stormwater and are described in greater detail in Sections 11.0 and 12.0. Salt (calcium chloride) is used sparingly at the Airport, due to corrosion concerns salt is only utilized outside of the airport fence line. Small amounts of salt are stored in packages in a shed adjacent to the Main Terminal building (Building 10) and is only used on walkways and some parking areas within Drainage Area N. The Airport does not have any salt storage piles on site. FAA-approved sand is stored within the ARFF/SRE building for application to airfield

surfaces; used sand is then collected by sweepers. Due to the limited exposure of salt to stormwater, salt is not considered to be a pollutant of concern for the Airport.

In addition to aviation fuels, pollutants associated with aircraft maintenance have the potential to be released during delivery, application, or transfer. Delivery of aircraft maintenance products is typically by common bulk carrier. Delivery and removal of potential pollutants associated with aircraft maintenance activities is not expected to result in a significant exposure to stormwater, given the infrequent nature of product delivery and removal, and the relatively small quantities of products being transferred. Small releases of pollutants during aircraft maintenance typically occur inside the maintenance hangar, and are not expected to result in exposure to stormwater. Potential pollutants may be exposed to stormwater following the completion of maintenance activities, when the aircraft is returned to service or staged on an apron area.

In accordance with Section 10.1 of the SWPPP, allowable non-stormwater discharges from building roofs include condensation from heating, ventilation, and air conditioning (HVAC) systems. Discharge of stormwater from roof areas is not considered to be a potential source of stormwater pollutants.

8.1 Potential Pollutants Associated with Airport Activities

Table 4 lists the potential pollutants associated with each identified activity. The list of potential pollutants includes all materials that have been handled, stored, or disposed at the Airport property.

Table 4: Potential Pollutants Associated with Airport Activities

Industrial Activity	Associated Pollutants
Fuel delivery and transfer	Jet A fuel, low lead fuel, gasoline, and diesel fuel
Vehicle, aircraft, and equipment maintenance	Fuels, oils, hydraulic fluids, solvents, lubricants, sealants, and cleaning compounds
Deicing activities	Deicing fluids (glycol)
Vehicle washing	Fuels, oils, and cleaning solvents
Snow removal activities	Sediment and salts

9.0 REPORTABLE SPILLS AND LEAKS WITHIN THE PREVIOUS THREE YEARS

- In April 2021, a release of approximately three gallons of motor oil and 16 gallons of aviation gas occurred in the grass area near Taxiway D (Figure 2) from

an aircraft. The aircraft experienced difficulty landing, and resulted in a crash by Taxiway D. While the condition of the aircraft was being assessed, a leak occurred from the wing. The release drained from the damaged area onto the pervious ground surface. Airport personnel responded to the crash and spill. Airport personnel notified the Massachusetts Department of Environmental Protection (MassDEP) within two hours of determining the release was reportable. Consistent with the Massachusetts Contingency Plan, a Licensed Site Professional responded to the release to initiate response actions. Approximately 16-cubic yards of impacted soils were excavated and disposed of properly.

- In November 2019, a release of 51 gallons of Jet A fuel occurred at the Gate F Fuel Farm (Figure 2 and 3) from a hand operated pump located within the concrete secondary containment structure. The hand pump was not fully closed after the previous use and was the source of the release. Due to a storm drainage valve being opened, the release drained from the secondary containment structure into an O/WS. Airport personnel responded to the spill and applied absorbents. Airport personnel notified the fire department and the Massachusetts Department of Environmental Protection (MassDEP) within two hours of identifying the release. Clean Harbors and a Licensed Site Professional responded to the release and pumped out and cleaned the O/WS, recovered absorbents, and cleaned the interior of the concrete secondary structure with a citrus based degreaser. The release was contained by the concrete secondary containment and the OW/S and there was no discharge of pollutants to stormwater and/or surface waters. Due to this incident, a new procedure was implemented by the Airport on November 26, 2019 for the operation of the hand pump and storm water drain value at the fuel farm. The new procedure is as follows:

Hand Pump Operation

- Prior to hand pump usage by Airport staff, verify that the stormwater drain valve located adjacent to the secondary containment structure is in the closed position.
- Operate hand pump as necessary to obtain fuel sample.
- After sample collection, verify hand pump is in the closed position.

Stormwater Drain Valve

- Following a rain event, an Airport staff member will perform an inspection of any standing water within the concrete secondary

containment and the drain structures within the concrete containment pad, looking for a sheen or any indications of petroleum. All observations must be recorded in the Rainwater Inspection Form (Appendix B of the SPCCP) which will be kept with the SWPPP in the Main Terminal.

- Once the Airport staff member confirms there are no signs of petroleum, the storm water valve should be opened, and the Airport staff member will monitor the draining of the open manhole as the water moves into the O/WS.
- Once the draining of the secondary containment is completed the stormwater valve is to be closed.

No other releases of pollutants to stormwater drainage utilities have occurred in the last three years. During this time, minor releases of aviation fluids (less than the MassDEP Reportable Quantity of 10-gallons) have occurred to paved surfaces that are exposed to stormwater; however, immediate containment and removal procedures implemented by tenant ARFF/OPS, Maintenance, and tenant personnel prevented subsequent impacts to drainage utilities.

10.0 NON-STORMWATER DISCHARGES EVALUATION

Section 6.2.3.4 of the 2021 MSGP requires an evaluation for the presence of non-stormwater discharges to stormwater drainage utilities. Several inspections of the Airport's drainage utilities have been conducted in recent years in conjunction with the Airport's existing SWPPP, in response to the discovery and subsequent elimination of non-stormwater discharges to drainage utilities, and in preparation for revision of the Airport's SWPPP.

Inspections of Outfalls A, B, and C, located on Upper Gate Pond, and Outfall D, located on Lewis Pond, are conducted on a quarterly basis by Airport Maintenance personnel.

10.1 Allowable Non-Stormwater Discharges

In accordance with the 2021 MSGP, the following non-stormwater discharges are allowed:

- Discharges from firefighting activities;
- Discharges from fire hydrant flushing;
- Discharges from potable water sources, including water line flushing;

- Discharges from irrigation drainage and lawn watering;
- Discharges from routine external building washing that does not use detergents or other compounds;
- Discharges from pavement wash-waters where spills or leaks of potential pollutants have not occurred (unless all spilled material has been removed) and where detergents are not used;
- Discharges from air conditioning condensate;
- Discharges from springs or uncontained groundwater; and
- Discharges from foundation or footing drains where the discharge is not contaminated with pollutants.

10.2 Elimination of Non-Allowable Non-Stormwater Discharges

Non-stormwater discharges that are not authorized under the 2021 MSGP and UIC Program have been eliminated through the closure of hangar floor drains connected to leaching catch basins, and the implementation of a zero discharge policy.

Prior to 1997, site investigation activities at the Airport identified hangar floor drain discharge to Class V injection wells as a source of soil and groundwater contamination, associated with oil and/or solvents from aircraft maintenance activities. Closure of hangar floor drains occurred in conjunction with assessment and remediation of contaminated soil and groundwater source areas associated with these discharges.

Routine inspection of the Airport's stormwater drainage utilities and tenant facilities in 2006 led to the identification of non-stormwater discharges to Class V injection wells adjacent to Hangars 1 and 2. In response, Airport Management instituted a zero discharge policy for all airfield operations, as described in Section 11.1. Regular facility inspections conducted by Airport Management include a visual inspection of hangar floor drains to confirm that all closed drains remain closed.

10.3 Existing Non-Stormwater Discharges

Aircraft washing activities are conducted indoors on Airport property at the Griffin Avionics hangar and the Cape Air Hangar. Vehicle washing activities are conducted indoors at the ARFF/SRE Building, Budget Truck Rental, Avis, and Hertz. These activities are considered non-allowable non-stormwater discharges. All vehicle and aircraft wash water in these locations is collected through floor drains and treated by O/WS prior to discharging to the municipal sewer in accordance with Section 2.1.2.9 of the 2021

MSGP. Further details regarding these activities and spill path analysis are described in Section 7.

10.4 Snow Removal

All snow removal activities at the Airport follow the FAA-approved Snow & Ice Control Plan. This plan is a chapter of the HYA-specific Airport Certification Manual maintained by the Airport to meet the requirements of the FAA airport certification program. As indicated above, small amounts of salt and sand are stored within the Main Terminal building, and is only used on walkways and some parking areas within Drainage Area N.

The deicing pad falls into the Priority 1 areas along with the balance of the main terminal apron. Snow that falls in this area is moved with a large front-end loader equipped with a 40-foot box plow. The snow is piled at the south end of the apron initially, and then moved and piled into an adjacent drainage basin by a front-end loader with a bucket attachment. Snow removed from this area **does not** come into contact with deicing fluids as is not considered to be contaminated.

The deicing pad is closed during snow removal operations; this is noted on the Snow Report. Once the deicing pad apron is clear of snow it is reopened for use. De-icing operations will only occur once the snow has been removed, de-icing operations and snow removal operations on the de-ice pad are not conducted simultaneously.

11.0 NON-STRUCTURAL STORMWATER POLLUTION CONTROL MEASURES

Best Management Procedures (BMPs) incorporated into Airport and tenant activities reduce the likelihood or frequency with which potential pollutants are released to impervious surfaces during normal operations. BMPs implemented by the Airport are described in further detail below.

11.1 Minimization of Stormwater Exposure to Potential Pollutants

Tenant and Airport facilities are prohibited from storing potential pollutants in areas exposed to stormwater. Products associated with maintenance activities and storage areas for waste products are within hangar facilities, minimizing the potential for exposure to stormwater. In a November 20, 2007 memorandum to all Airport tenants, the Airport implemented a zero discharge policy. The policy requires all tenants to utilize the designated deicing pad and prohibits all discharges of aircraft or vehicle wash water, unless the vehicle washing occurs within a hangar, where wash water is collected, treated by O/WS, and discharged to municipal sewer. A copy of the deicing program is included as Appendix D. Airport Management provides frequent reminders of the requirements of the zero discharge policy to Airport tenants. The South Ramp

deicing pad may also be utilized by tenants for the washing of aircraft. Aircraft deicing and washing is monitored by Airport Operations and must be conducted in accordance with the Airports Deicing and Washing Program, described in Section 11.6.

11.2 Facility Maintenance

Facility maintenance practices implemented at Airport and tenant facilities are effective in reducing the cumulative, non-point source impacts associated with site activities by reducing the spread of potential pollutants due to vehicle and foot traffic, reducing the potential for accidental releases of potential pollutants, and aiding in the observation and containment of accidental releases.

Good housekeeping practices currently implemented at Airport and tenant facilities on a regular basis include:

- Keeping impervious surfaces adjacent to buildings free of surface debris with brooms;
- Utilizing absorbent materials and drip pans to contain minor discharges of potential pollutants to facility floors in maintenance areas, and promptly removing and containerizing for proper disposal;
- Keeping facility floors free of surface debris to prevent the spread of potential pollutants due to foot traffic;
- Removing surface debris from runways and taxiways seasonally with a streetsweeper;
- Maintenance of hangar doors and roofs to prevent stormwater from entering the facility during precipitation events;
- Regular garbage and waste container consolidation into common collection containers to encourage proper handling of solid waste;
- Using appropriately sized and constructed containers for the storage of maintenance products or waste products to reduce the potential for a release during storage, application, transfer, or transfer for disposal;
- Maintenance and storage of maintenance products and waste products indoors, properly sealed and labeled to prevent misuse or premature disposal;
- Providing secondary containment for storage of maintenance products or waste products;

- Prohibition of washing of paved surfaces or facility floors resulting in a discharge of wash water to drainage utilities. Washing of facility floors is permitted where wash water is discharged to municipal sewer through a permitted municipal sewer connection or to a tight tank for proper disposal. All other aircraft washing activities are only permitted at the South Ramp deicing pad;
- Performing maintenance activities in authorized indoor areas;
- Maintaining an organized inventory of material used in maintenance areas;
- Inspecting and maintaining existing BMPs, including but not limited to swales, Vortechs units, bioretention areas, infiltration basins, leaching catch basins, O/WS, and chambers;
- Implementing spill and overflow practices at the primary maintenance locations and fueling delivery and transfer locations; and
- Implementation of the SPCCP.

11.3 Equipment Inspection and Maintenance

The Airport and tenants conduct regular inspections of all fuel storage tanks, fuel transfer equipment, and mobile refuelers. Inspections are conducted by properly trained personnel. Fuel farm and mobile refueler inspection schedules and items are summarized below. Snow removal, airfield maintenance, and ground equipment is inspected prior to use and during routine maintenance to identify any maintenance deficiencies and ensure proper operation. Routine inspections are likely to reveal a condition that would result in a release of potential pollutants (i.e., hydraulic or engine oil leak). In the event that maintenance is required, the equipment in need of service is removed from service until repairs have been made.

On a daily basis, mobile refuelers are inspected for:

- General condition, filter sumps, filter differential pressure, deadman control operation, brake interlocks, nozzle fueling pressure, hoses, swivels and nozzles, ground reels, cables and clamps, fire extinguishers, tanker troughs, tanker sumps, condensation in air tanks, ladders, mechanics tools, and diesel fuel level.

On a daily basis, the following areas at the Airport Fuel Farm are inspected:

- Tank sumps, fuel sumps, filter sumps, hoses, swivels, and nozzles, ground reels, cables and clamps, fire extinguishers, waste fuel tanks, differential pressure, and primary pressure.

On a monthly basis, mobile refuelers are inspected for:

- Filtration test, grounding cable continuity test, nozzle screens, signs and placards, meter seals, emergency shutdown system, tanker interiors, tanker vents and dome covers, tanker trough drains, and fire extinguishers.

On a monthly basis, the Airport fuel farm is inspected for:

- Grounding cable continuity, nozzle screens, signs and placards, floating suction, and fire extinguishers.

On a quarterly basis, mobile refuelers are inspected for:

- General condition, pressure controls, secondary pressure, and water defense system.

On a quarterly basis, the Airport Fuel Farm is inspected for:

- Tank high level controls, emergency shutdown system, and water defense system.

On an annual basis, mobile refuelers are inspected for:

- Filter elements, pressure gauges, and fuel meters.

On an annual basis, the Airport fuel farm is inspected for:

- Interior tank condition, pressure gauges, filter elements, line strainers filter/separator heaters, tank vents, tank high level controls, and facility condition.

Tenants are required to maintain all equipment in good operational condition, and conduct regular inspections of any fuel storage or transfer areas in accordance with State, Federal, or FAA requirements. Any deficiencies in tenant owned or operated equipment that are observed by Airport personnel are reported to the tenant immediately.

11.4 Drainage Utilities Maintenance

The Airport is responsible for maintaining approximately 300 catch basins and 85 Class V injection wells located across Airport property. All entry points into drainage utilities

are equipped with steel grates to prevent large debris from entering the drainage structure. The majority of catch basins comprising the drainage system discharging to surface water also feature a sump to trap coarse solids and debris able to pass through the steel grate.

Annual maintenance of the drainage utilities includes the removal of sediment and debris collected in catch basin sumps to maintain efficient removal of stormwater during peak runoff events. Annual maintenance activities are concentrated on areas determined to require frequent maintenance, portions of the Airport's drainage system require less frequent inspection and maintenance. O/WS are inspected and cleaned as needed. Class V injection wells discharging directly to the subsurface are also inspected and maintained on an annual basis to ensure efficient leaching at the base of the drainage structure.

11.5 Spill Prevention Control and Countermeasure Plan

Under Code of Federal Regulations 40, Subpart 112 (40 CFR 112) the Airport is required to develop and implement a SPCCP. The Airport's SPCCP establishes procedures and methods to prevent facility discharges of oil into surface waters and adjoining shorelines. Additionally, Massachusetts State regulations (310 CMR 30.521(4)) require SPCCPs, with added requirements to comply with State 310 CMR 30 Hazardous Waste regulations. The Comprehensive Environmental Response Compensation and Liability Act (CERCLA) Regulation 40 CFR 300.3, and the Resource Conservation and Recovery Act (RCRA) Regulation 40 CFR 264.52 expand the scope of the SPCCP to incorporate hazardous materials as defined in 40 CFR 302.3. A copy of the SPCCP is included in Appendix E.

The Airport's SPCCP provides information critical to the prevention of, and response to, releases of oil and/or hazardous materials at the Airport, and includes discussions of tenant operations, storage facilities, and transfer procedures. The Airport assumes no liability or responsibility for tenant operational compliance with applicable Local, State, and Federal Regulations, including the requirements established in 40 CFR 112, and described in the SPCCP. Tenant operations meeting the materials storage thresholds established in 40 CFR 112 are required to maintain a SPCCP independently of the Airport's SPCCP. Copies of the Airport's SPCCP and associated Emergency Response Action Plan are maintained at the Airport Manager's office and ARFF/OPS and Maintenance offices.

The Airport's SPCCP establishes measures to prevent releases, and procedures for responding to, releases of oil or hazardous materials, including:

- Procedures for material storage and labeling;

- Procedures for delivery of fuel from vendors;
- Procedures for the refueling of aircraft;
- Spill response procedures;
- Secondary containment requirements in material storage areas; and
- Emergency notification procedures for facility personnel, emergency response personnel, and applicable regulatory agencies.

11.6 Aircraft Deicing and Washing Program

The Airport has implemented an Aircraft Deicing and Washing Program establishing procedures for Airport and tenant personnel during use of the South Ramp pad for aircraft deicing or washing. A copy of the Airport's Aircraft Deicing and Washing Program is included as Appendix D.

The South Ramp Deicing and Washing Pad was constructed by the Airport to provide tenants and aircraft operators with a central location to complete these activities, and reduce the potential for environmental impacts. The MassDEP, Cape Cod Commission (CCC), Barnstable Department of Public Works (DPW), and Barnstable WPCF have reviewed the construction plans and may conduct further review and/or inspection of the operations and record keeping procedures. Compliance with the procedures and requirements established in the Program is necessary to avoid increased oversight or potential penalties from these agencies.

Aircraft deicing is typically necessary at the Airport between the months of October and March. As required under the 2021 MSGP, tenants are required to maintain a record of deicing chemical usage, and report that amount to the Airport Manager's office on a monthly basis. The Airport will report the cumulative deicing chemical used during the prior year in the Annual Report.

11.7 Employee Training

Employee training programs shall inform personnel responsible for implementing activities identified in the stormwater pollution prevention plan or otherwise responsible for stormwater management of the components and goals of this SWPPP. Training includes spill prevention and emergency response, good housekeeping practices, fueling procedures, and waste oil and hazardous waste management practices. These trainings are to be held annually and within 30 days of any revision to the SWPPP or change in facility design or construction that would affect stormwater

discharges. Pollution prevention team members shall meet at least twice a year to discuss facility operations and determine if revisions to the SWPPP are necessary.

The Airport conducts several different formal and informal training events to promote operational compliance with the elements of the SWPPP, SPCCP, and state and federal hazardous materials handling and disposal regulations. Federal regulations 14 CFR Section 139.321 (e) (1) further requires that all Airport employees who fuel aircraft, accept fuel shipments, or otherwise handle fuel receive at least initial on-the-job training and recurrent instruction every 12 consecutive calendar months in fire safety from a trained supervisor. An employee training log will be kept with the SWPPP in the Main Terminal.

12.0 STRUCTURAL STORMWATER POLLUTION CONTROL MEASURES

A variety of structural controls and management practices have been implemented at the Airport to reduce the amount of stormwater discharged to surface waters. As discussed in Section 7.0, stormwater from several drainage areas is discharged to Class V injection wells that infiltrate directly into the subsurface. Construction and redevelopment of the Main Terminal, access road, and parking facilities in recent years has relied upon the installation of Class V injection wells, bioretention basins, and infiltration basins to accommodate stormwater drainage and reduce stormwater discharges to the ponds. Additional structural controls implemented at the Airport to reduce stormwater pollution are described in further detail below.

12.1 Area 7 – Gate F Fuel Farm

The Gate F fuel farm is utilized for the storage and transfer of Jet A, diesel, and unleaded gasoline fuels. Fuel storage containers feature secondary containment, overflow protection, interstitial monitoring, and cathodic protection. Fuel transfer procedures at the Gate F fuel farm occur on paved surface draining to two catch basins, which subsequently discharge to an O/WS. Spill response resources including catch basin covers, absorbent materials, and a pop up pool are maintained in weatherproof containers at the Gate F fuel farm for rapid deployment. A new fuel farm facility was constructed Gate F Fuel Farm in 2016. The new fuel farm features three 20,000-gallon ASTs containing Jet A and Avgas. The ASTs feature leak detection monitoring and secondary containment. The ASTs and all associated transfer piping are located within a concrete containment pad that has sufficient capacity to contain a release of the entire contents of one of the ASTs. The fuel transfer area, where fuel delivery trucks and mobile refuelers are parked during transfers, drains into the concrete containment pad. A shut off valve was installed in the case of a release. Stormwater collected within the containment pad is inspected for signs of pollutants by Airport personnel prior to

being discharged to an O/WS and the Airport stormwater system. The Gate F Fuel Farm is designated as Area 7 in the buildings/areas table on Figure 3.

12.2 Area 16 – Rectrix / Air Cape Cod Fuel Farm

The Rectrix / Air Cape Cod fuel farm is currently utilized for the storage and transfer of Avgas and Jet A fuels and features secondary containment and overfill protection. Spill response resources maintained in a weatherproof container at the facility include magnetic catch basin covers and absorbent materials. The Rectrix Aviation fuel farm is located approximately 500 feet east of the ARFF/SRE building, and additional response resources that are stationed there could be rapidly deployed in the event of a release.

12.3 Area 4 – Griffin Avionics Fuel Farm

The Griffin Avionics fuel farm is utilized for the storage and transfer of Avgas, and features overfill protection, cathodic protection, and leak detection. Spill response resources maintained at the facility include absorbent materials. A release from the Griffin Avionics fuel farm would not have the potential to discharge to Upper Gate or Lewis Ponds, as the drainage structures for this area infiltrate directly into the subsurface at the Griffin Lot.

12.4 Oil/Water Separators (O/WS)

There are several O/WS located across the airport. The Cape Air Hangar and the Griffin Hangar (Buildings 2 and 3, respectively) each have an O/WS to accommodate any discharges from inside the hangars, where maintenance activities occur. There is a network of catch basins north of 600 Barnstable Road which discharge to another O/WS before discharge to a leaching basin. There are two O/WS to address stormwater discharges surrounding the Gate F Fuel Farm, detailed above in Section 12.1. Stormwater discharges from the South Ramp are directed to an additional O/WS located near the South Ramp deicing pad. The ARFF/SRE Facility (Building 14) also has an O/WS to accommodate any discharges from inside the building, where maintenance activities occur.

12.5 Deicing Location Pollution Control Measures

Deicing operations are conducted at the South Ramp. Due to the decreased environmental impacts over alternative formulations, the Airport currently requires all tenants to utilize Type I propylene glycol based deicing fluids. The paved apron in the South Ramp Deicing Pad drains to a single, centrally located catch basin that discharges to the Barnstable WPCF during aircraft deicing or washing. During all other times, this

same catch basin discharges to the Airport's stormwater conveyance system that ultimately discharges to Upper Gate Pond. The discharge system is controlled through a series of manual gate valves that are operated by Airport Operations personnel. Notification of Airport Operations prior to deicing or washing is required, to confirm that the system is discharging to the WPCF. Additional information is provided in the Airport's Deicing Program (Appendix D).

12.6 Erosion and Sediment Controls

12.6.1 Temporary Erosion and Sediment Controls

Temporary erosion and sediment controls (E/SC) are implemented to prevent sediment from entering the stormwater drainage system during construction activities. Temporary BMPs used at the Airport include but are not limited to silt socks, silt fences, inlet protection, and stabilized construction entrances. BMPs are selected by an engineer completing the work and are implemented prior to construction.

12.6.2 Post-Construction Erosion and Sediment Controls

There are approximately 300 catch basins located across Airport property. All entry points into drainage utilities are equipped with steel grates to prevent large debris from entering the drainage structure. The majority of catch basins comprising the drainage system discharging to surface water also feature a sump to trap coarse solids and debris able to pass through the steel grate.

Post-construction BMPs include but are not limited to swales, bioretention areas, infiltration basins, catch basins with sediment traps, O/WS, and Vortechs® hydrodynamic separators. Stormwater from the following areas is collected through a network of catch basins and is treated by Vortechs® hydrodynamic separators prior to discharge to an outfall:

- Stormwater from Drainage Area A is collected through a network of catch basins and is treated by a Vortechs® hydrodynamic separator prior to discharge to Outfall A, located on Upper Gate Pond. Calculated TSS removal rates for these water quality units range from 81% to 87% with TPH removal at 67%. Since the installation of the Vortechs® units in 2011, 100% of stormwater discharged to the ponds receives pretreatment.
- Stormwater from Drainage Area B is collected through a series of catch basins and is treated by a Vortechs® hydrodynamic separator prior to discharge to Outfall D, located on Lewis Pond. Calculated TSS removal rates for these water quality units range from 81% to 87% with TPH removal at 67%. Since the

installation of the Vortechs® units in 2011, 100% of stormwater discharged to the ponds receives pretreatment.

- Stormwater from Drainage Area C is collected through a network of catch basins discharging to Outfalls B and C, located on Upper Gate Pond. Prior to discharge at either outfall, stormwater is treated by a Vortechs® hydrodynamic separator. Calculated TSS removal rates for these water quality units range from 81% to 87% with TPH removal at 67%. Since the installation of the Vortechs® units in 2011, 100% of stormwater discharged to the ponds receives pretreatment.
- Stormwater from these impervious surfaces in Drainage Area D is collected through a network of catch basins discharging to Outfall D, located on Lewis Pond, and Class V injection wells discharging directly to the subsurface. Prior to discharge from Outfall D, stormwater is treated by a Vortechs® hydrodynamic separator (Figure 3). Calculated TSS removal rates for these water quality units range from 81% to 87% with TPH removal at 67%. Since the installation of the Vortechs® units in 2011, 100% of stormwater discharged to the ponds receives pretreatment.

12.7 Spill Response Resources

In addition to the facility specific spill response resources described above, ARFF/OPS maintains a rapid deployment trailer outfitted with magnetic catch basin covers, pop up pools, absorbent materials, non-sparking hand tools, and personnel protective equipment. Smaller quantities of spill response resources are maintained on ARFF/OPS vehicles.

ARFF/OPS and Maintenance personnel designated to respond to spills maintain Occupational Safety and Health Administration (OSHA) required hazardous waste operations training (HAZWOPER) and are familiar with emergency spill response procedures and emergency notification procedures.

13.0 MONITORING PROGRAM

Airport Management conducts regular formal and informal inspections of tenant operations to ensure operational compliance with the zero discharge policy and the Airport's SWPPP and SPCCP. In accordance with Part 3 of the 2021 MSGP, the Airport must conduct routine facility inspections and quarterly visual assessments of stormwater discharges, and document those inspections. Monitoring requirements are described in greater detail in Sections 13.1, 13.2, 13.3, and 13.4.

Under Part 8, Subpart S of the 2021 MSGP, airports exceeding the deicing chemical usage thresholds of 100,000 gallons of glycol and/or 100 tons of urea deicing fluids must conduct benchmark sampling of stormwater discharges. On average, annual tenant deicing operations at the Airport utilize approximately 40 gallons of propylene glycol deicing fluids, excluding the Airport from having to conduct benchmark sampling.

13.1 Routine Facility Inspections

13.1.1 Routine Facility Inspection Procedures

The Airport is required to conduct routine facility inspections of all areas of the facility where industrial materials or activities are exposed to stormwater, areas identified in the SWPPP, areas identified as potential sources of pollution, discharge points, and all stormwater control measures, on a quarterly basis, and on **a monthly basis** during the deicing season (any month during which deicing chemicals are applied). The routine facility inspections must be performed during normal operational periods, and must be conducted by qualified personnel, as defined in Appendix A Section A.1. of the 2021 MSGP (Appendix A), with at least one member of the Airport's stormwater pollution prevention team participating. At least once each calendar year, the routine facility inspection must be conducted during a period when a stormwater discharge is occurring. At least one Routine Facility Inspection must be conducted when deicing of aircraft is occurring.

13.1.2 Routine Facility Inspection Documentation

The Airport is required to document the findings of each routine facility inspection performed and maintain the documentation onsite with the SWPPP as required in Part 3.1.6 of the 2021 MSGP. The Airport is not required to submit routine facility inspection findings to EPA, unless specifically requested to do so. A Routine Facility Inspection report form (NPDES – 1) is included as Appendix F. At a minimum, documentation of each routine facility inspection shall include:

Routine facility inspections shall be conducted by the Program Manager or Coordinator or designated staff at least four times a year, and monthly during the deicing season. Routine facility inspections shall include a visual inspection of the following:

- Areas associated with industrial activity shall be visually inspected for evidence of, or the potential for, pollutants entering the drainage system. Determine if control measures to reduce pollutants are implemented in accordance with the terms of the permit, or whether additional control measures are needed. Structural stormwater management measures, sediment and erosion control measures, post-construction BMPs, and other

structural pollution prevention measures identified in the plan shall be observed to ensure that they are operating correctly. A visual inspection of equipment needed to implement the plan, such as spill response equipment, shall be made.

- Based on the results of the inspection, the description of potential pollutant sources identified in the plan and pollution prevention measures and controls identified in the plan shall be revised as appropriate within 14 days of such inspection and shall provide for implementation of any changes to the plan in a timely manner, but in no case more than 90 days after the inspection.
- A report summarizing the scope of the inspection, personnel making the inspection, the date(s) of the inspection, major observations relating to the implementation of the stormwater pollution prevention plan, and actions taken in accordance with the permit shall be made a part of the stormwater pollution prevention plan and retained as required. Control measures needing replacement, maintenance or repair shall be documented. The report shall identify any incidents of noncompliance and be certified by a responsible corporate officer.

13.2 Visual Assessment of Stormwater Discharges

On a quarterly basis, the Airport is required to collect a stormwater sample from each outfall and conduct a visual assessment of each sample. The visual assessment must be conducted by qualified personnel as defined in Appendix A Section A.1. of the 2021 MSGP (Appendix A), with at least one member of the Airport's stormwater pollution prevention team participating.

13.2.1 Visual Assessment Procedures

Stormwater discharge samples must be collected within the first 30 minutes of an actual discharge from a storm event. If it is not possible to collect the sample within the first 30 minutes of discharge, the sample must be collected as soon as practicable after the first 30 minutes and the Airport must document why it was not possible to take samples within the first 30 minutes. Stormwater discharge sampling shall not occur within 72 hours (three days) of a previous storm event.

The visual inspection must be made of a sample in a clean, colorless glass or plastic container, and examined in a well-lit area. The sample must be visually inspected for the following water quality characteristics:

- Color;

- Odor;
- Clarity (diminished);
- Floating solids;
- Settled solids;
- Suspended solids;
- Foam;
- Oil sheen; and
- Other obvious indicators of stormwater pollution.

Visual assessments must be conducted quarterly. Monitoring requirements begin in the first full quarter following either May 30, 2021 or the date of discharge authorization, whichever date comes later. According to Section 3.2.4.3 of the MSGP, at least one quarterly visual assessment must capture snowmelt discharge. Quarterly monitoring must be performed at least once in each of the following 3-month intervals during each year of permit coverage:

- January 1 – March 31;
- April 1 - June 30;
- July1 – September 30; and
- October 1 – December 31

13.2.2 Visual Assessment Documentation

The Airport is required to document the results of visual assessments and maintain the documentation on-site with the SWPPP. The Airport is not required to submit documentation of visual assessment findings to EPA, unless specifically requested to do so. Any deviations from the schedule for visual assessments and/or monitoring must be documented, along with the reason for the deviations. A Quarterly Visual Inspection report form (NPDES – 2) is included as Appendix G. At a minimum, documentation of the visual assessment must include:

- Sample location(s);
- Sample collection date and time;

- Visual assessment date and time for each sample;
- Personnel collecting the sample and performing visual assessment, and their signatures;
- Nature of the discharge (i.e., runoff or snowmelt);
- Results of observations of the stormwater discharge;
- Probable sources of any observed stormwater contamination; and
- If applicable, why it was not possible to take samples within the first 30 minutes of stormwater discharge.

13.3 Indicator Monitoring

Beginning the first full quarter of permit coverage, on a bi-annual basis, during the first and fourth years of permit coverage, the Airport is required to collect a stormwater sample from each outfall and conduct indicator monitoring of stormwater discharges for the 16 individual polycyclic aromatic hydrocarbons (PAHs) identified at Appendix A to 40 CFR Part 423. These analytes include the following: naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, indeno[1,2,3-c,d]pyrene, and dibenz[a,h]anthracene.

13.3.1 Indicator Monitoring Procedures

Stormwater discharge samples must be collected within the first 30 minutes of an actual discharge from a storm event. If it is not possible to collect the sample within the first 30 minutes of discharge, the sample must be collected as soon as practicable after the first 30 minutes and the Airport personnel must document why it was not possible to take samples within the first 30 minutes. Stormwater discharge sampling shall not occur within 72 hours (three days) of a previous storm event. Indicator monitoring must be conducted quarterly. Samples must be analyzed using EPA Method 625.1, or EPA Method 610/Standard Method 6440B if preferred by the operator, consistent with 40 CFR Part 136 analytical methods.

Monitoring requirements begin in the first full quarter following either May 30, 2021 or the date of discharge authorization, whichever date comes later. Biannual monitoring must be performed at least once in each of the following intervals during the first and fourth years of permit coverage:

- May 30, 2021 – October 30, 2021;

- November 1, 2021 – April 30 2022;
- July 1, 2024 – November 30, 2024; and
- December 1, 2024 – May 30, 2025.

As stated by Section 4.1.6, when freezing conditions exist that prevent discharges from occurring for extended periods, required monitoring events may be distributed during seasons when precipitation occurs, or when snowmelt results in a measurable discharge. The required number of samples must still be collected.

13.3.2 Indicator Monitoring Reporting

The Airport is required to report the results of indicator monitoring. Any deviations from the schedule for monitoring must be documented, along with the reason for the deviations. As specified in Part 7.4 of the 2021 MSGP, deviations from the monitoring schedule due to freezing conditions must be indicated in Net-DMR.

The Airport is required to report monitoring data using Net-DMR, EPA’s electronic DMR tool, as described in Part 7.3 of the 2021 MSGP. An Indicator Monitoring report form (NPDES – 3) is included as Appendix H. At a minimum, the report must include:

- Sample location(s);
- Sample collection date and time;
- Duration (in hours) of rainfall event;
- Rainfall total (in inches) for that rainfall event;
- Time (in days) since the previous measurable storm event;
- Nature of the discharge (i.e., runoff or snowmelt);
- If applicable, why it was not possible to take samples within the first 30 minutes of stormwater discharge.
- If applicable, any deviations to the monitoring schedule due to freezing conditions.

The indicator monitoring parameters are “report-only” and do not have thresholds or baseline values for comparison, therefore no follow-up action is triggered or required under Section 4.2.1 of the 2021 MSGP. In the event that monitoring results are unable

to be electronically reported in Net-DMR, operators must maintain monitoring results and records within the SWPPP.

13.4 Annual Reporting

To maintain compliance with the MSGP, the Airport must submit an Annual Report to EPA electronically by January 30th for each year of permit coverage. The Annual Report must contain the following information generated from the prior calendar year:

- A summary of the prior year's routine facility inspection documentation. The Airport is not subject to the airport effluent limitations guidelines and must certify annually that pavement deicers containing urea are not used at the Airport.
- A summary of the prior year's quarterly visual assessment documentation.
- A summary of the Airport's past year's corrective action documentation (Part 5 of the MSGP). If corrective action is not yet completed at the time of submission of the Annual Report, Airport Management must describe the status of any outstanding corrective action(s). Airport Management must also describe any incidents of noncompliance in the past year or currently ongoing, or if none, provide a statement that the Airport is in compliance with the permit.
- The Annual Report must also include a statement, signed and certified in accordance with Appendix B, Subsection 11 of the 2021 MSGP (Appendix A).

14.0 Documentation to Support Eligibility Considerations Under Other Federal Laws

Along with the SWPPP, the following additional documents will be kept with the SWPPP to demonstrate full compliance with the permit:

- Copy of the NOI submitted to EPA along with any correspondence between the Airport and EPA specific to coverage under the permit;
- Copy of the acknowledgement the Airport receives from the EPA assigning the NPDES ID;
- Copy of the permit;
- Copy of the SPCCP;
- Documentation of maintenance and repairs of control measures, including the date(s) of regular maintenance, date(s) of discovery of areas in need of

- repair/replacement, and for repairs, date(s) that the control measure(s) returned to full function, and the justification for any extended maintenance/repair schedules;
- All inspection reports, including the Routine Facility Inspection Reports and Quarterly Visual Assessment Reports;
 - 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 impractical to collect samples within the first 30 minutes of a measurable storm event); and
 - Corrective action documentation.

15.0 REFERENCES

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Horsley Witten Group, Inc. December, 2013. Spill Prevention Control and Countermeasures Plan, Barnstable Municipal Airport.

Federal Aviation Administration. FAR 139 Airport Certification Manual, Barnstable Municipal Airport.

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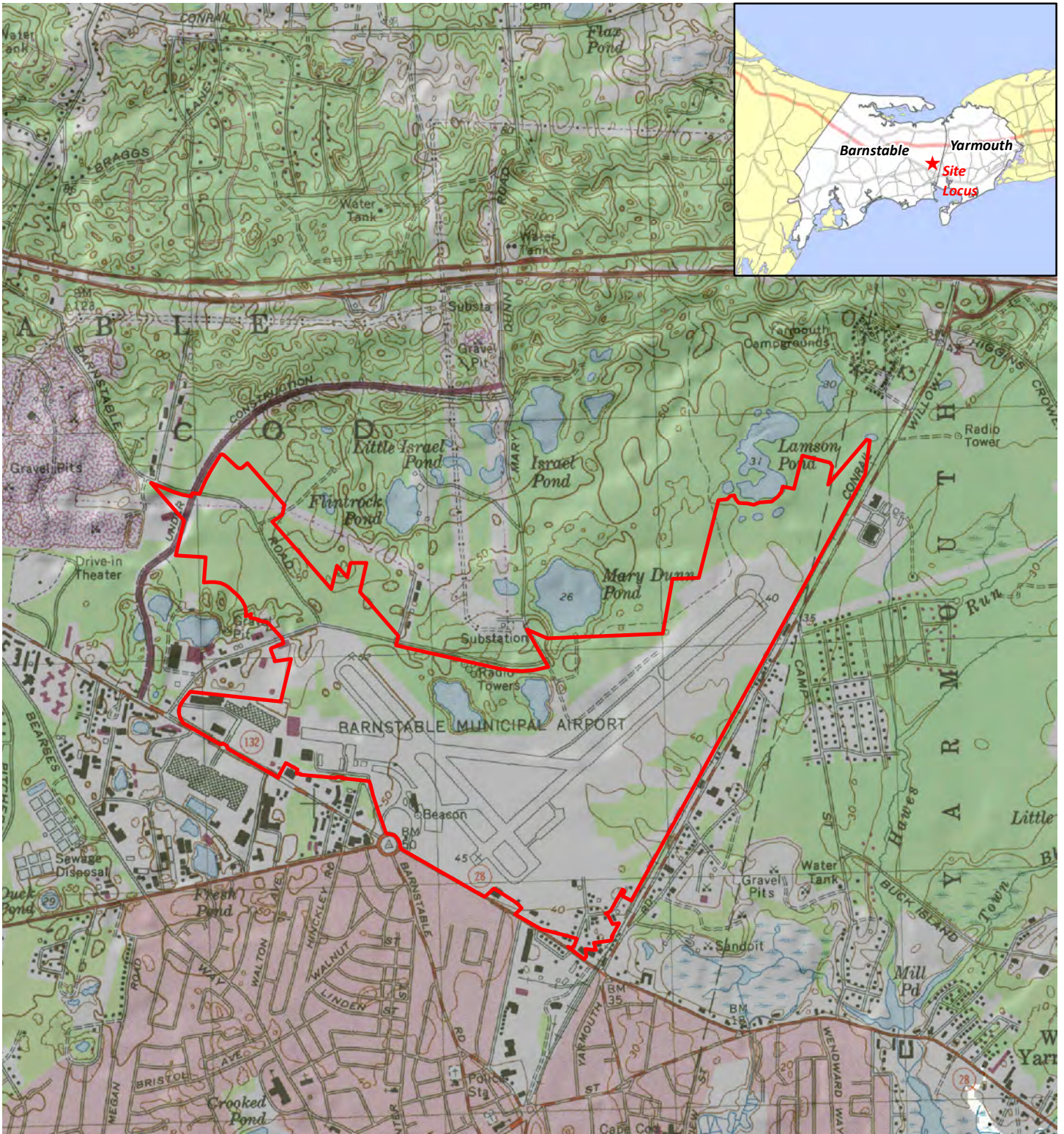
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FIGURES



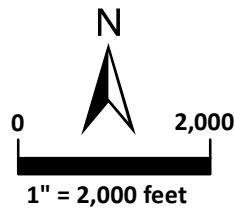
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*2016 NAIP imagery service

Legend

 Cape Cod Gateway Airport Property Boundary

Horsley Witten Group
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USGS Locus
Cape Cod Gateway Airport
Hyannis, MA

Date: 11/18/2019









Figure 1

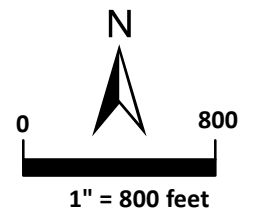


Legend

-  Cape Cod Gateway Airport Property Boundary

DEP

-  Wooded
-  Open
-  Shoreline
-  Hydrologic Connection
-  Wetland
-  Closure Line
-  NHESP Priority Habitats of Rare Species
-  NHESP Estimated Habitats of Rare Wildlife



Property = 645 acres

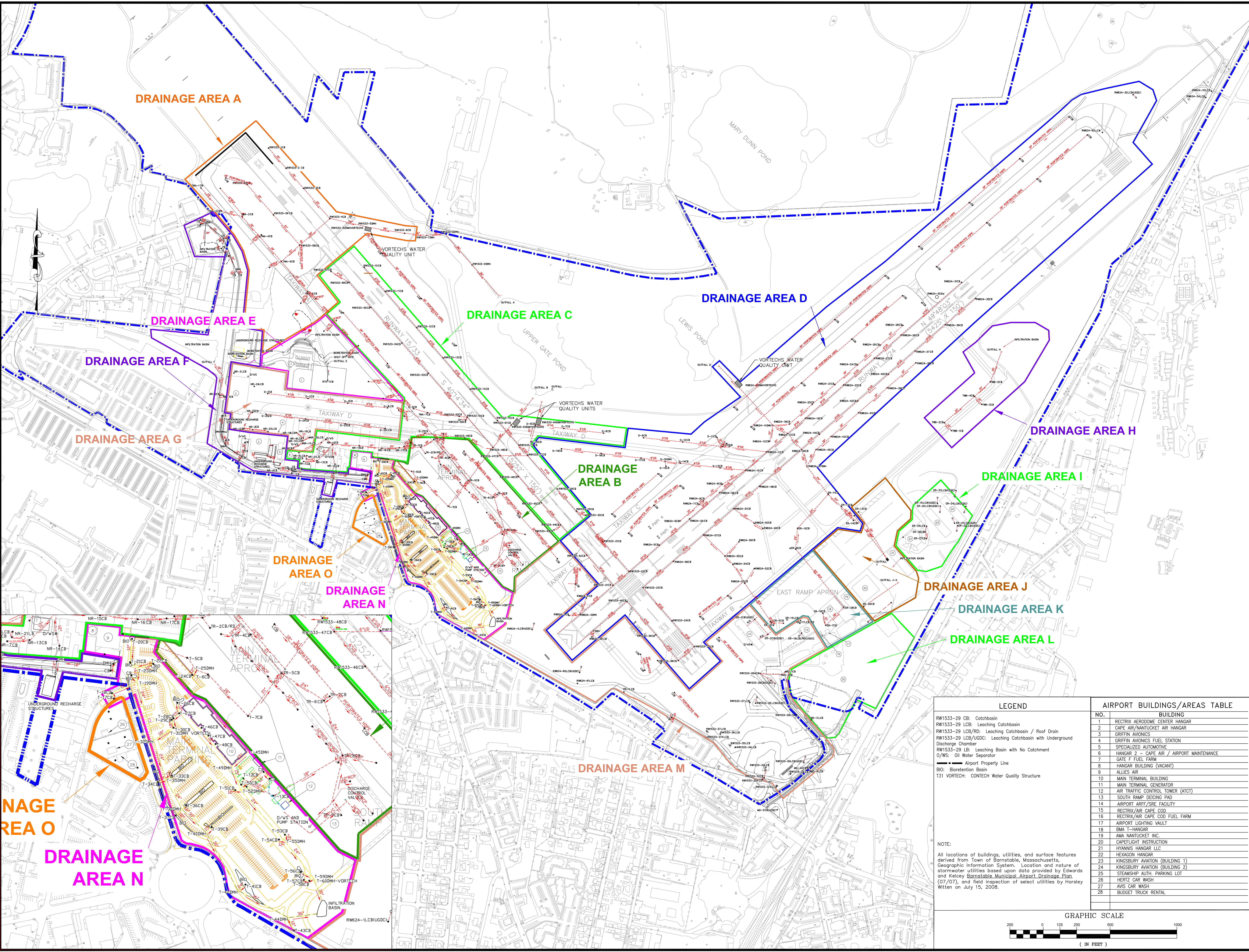
Horsley Witten Group
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Site Map
 Cape Cod Gateway Airport
 Hyannis, MA

Date: 5/26/2021

Figure 2

last modified: 01/16/2020 printed: 01/16/2020 by in H:\Projects\HYA14105 BMA On-Call Eng Services\SWPPP\Drawings\Current Drainage Plan\151229 - Drainage Plan.dwg



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Drawn By: SWTH
Designed By: SWTH
Date: 5/26/2021

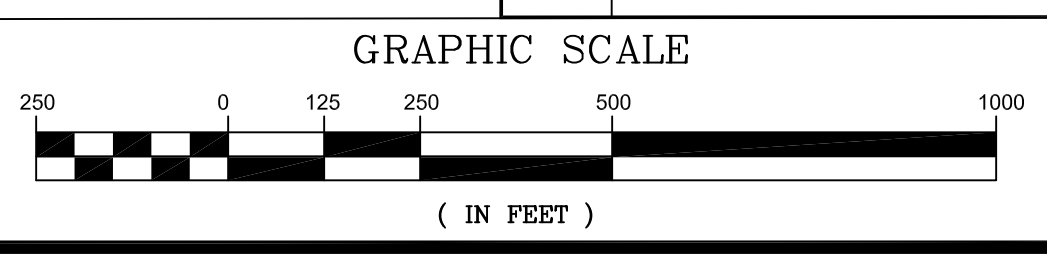
SITE PLAN
CAPE COD GATEWAY AIRPORT
HYANNIS, MA

Prepared For:
Cape Cod Gateway Airport
480 Barnstable Road
Hyannis, MA 02601
(508) 775-2020

Project Number:
14105

Figure:
3

LEGEND	AIRPORT BUILDINGS/AREAS TABLE
RW1533-29 CB: Catchbasin	NO. BUILDING
RW1533-29 LCB: Leaching Catchbasin / Roof Drain	1 RECTRIX AERODROME CENTER HANGAR
RW1533-29 LCB/RD: Leaching Catchbasin / Roof Drain	2 CAPE AIR/NANTUCKET AIR HANGAR
RW1533-29 LCB/UGCD: Leaching Catchbasin with Underground Discharge Chamber	3 GRIFFIN AVIONICS
RW1533-29 LB: Leaching Basin with No Catchment	4 GRIFFIN AVIONICS FUEL STATION
O/W/S: Oil Water Separator	5 SPECIALIZED AUTOMOTIVE
— Airport Property Line	6 HANGAR 2 - CAPE AIR / AIRPORT MAINTENANCE
BO: Bioretention Basin	7 GATE F FUEL FARM
T31 VORTECH: CONTECH Water Quality Structure	8 HANGAR BUILDING (VACANT)
	9 ALLES AIR
	10 MAIN TERMINAL BUILDING
	11 MAIN TERMINAL GENERATOR
	12 AIR TRAFFIC CONTROL TOWER (ATCT)
	13 SOUTH RAMP DEICING PAD
	14 AIRPORT ART/SRE FACILITY
	15 RECTRIX AIR CAPE COO
	16 RECTRIX AIR CAPE COO FUEL FARM
	17 AIRPORT LIGHTING VAULT
	18 BMA T-HANGAR
	19 AMA NANTUCKET INC.
	20 CAPEFLIGHT INSTRUCTION
	21 HYANNIS HANGAR LLC
	22 HEXAGON HANGAR
	23 KINGSBURY AVIATION (BUILDING 1)
	24 KINGSBURY AVIATION (BUILDING 2)
	25 STEAMSHIP AUTH. PARKING LOT
	26 HERTZ CAR WASH
	27 AVIS CAR WASH
	28 BUDGET TRUCK RENTAL



NOTE:
All locations of buildings, utilities, and surface features derived from Town of Barnstable, Massachusetts, Geographic Information System. Location and nature of stormwater utilities based upon data provided by Edwards and Kelcey Barnstable Municipal Airport Drainage Plan (07/07), and field inspection of select utilities by Horsley Witten on July 15, 2008.

APPENDIX A

2021 MULTI-SECTOR GENERAL PERMIT (MSGP)

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1 **How to Obtain Coverage Under the 2021 MSGP**

To be covered under this permit, you must meet all of the eligibility conditions and follow the requirements for obtaining permit coverage in Part 1.

1.1 **Eligibility Conditions**

1.1.1 **Location of Your Facility.** Your facility must be located in an area where EPA is the permitting authority and where coverage under this permit is available (see Appendix C);¹

1.1.2 **Your Discharges Are Associated with Industrial Activity.** Your facility must have an authorized stormwater discharge or an authorized non-stormwater discharge per Part 1.2 associated with industrial activity from your primary industrial activity (as defined in Appendix A and as listed in Appendix D), or you have been notified by EPA that you are eligible for coverage under Sector AD.

1.1.3 **Limitations on Coverage.** Discharges from your facility are **not**:

1.1.3.1 **Discharges mixed with non-stormwater discharges.** Discharges mixed with non-stormwater discharges other than those mixed with authorized non-stormwater discharges listed in Part 1.2.2, and/or those mixed with a discharge authorized by a different NPDES permit and/or a discharge that does not require NPDES authorization.

1.1.3.2 **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.

1.1.3.3 **Discharges already covered by another NPDES permit.** Unless you have received written notification from EPA specifically allowing these discharges to be covered under this permit, you are not eligible for coverage under this permit for any of the following:

- a. Stormwater discharges associated with industrial activity that are currently covered under an individual NPDES permit or an alternative NPDES general permit;
- b. Stormwater discharges covered within five years prior to the effective date of this permit by an individual NPDES permit or alternative NPDES general permit where that permit established site-specific numeric water quality-based effluent limitations developed for the industrial stormwater component of the discharge; or
- c. Discharges from facilities where any NPDES permit has been or is in the process of being denied, terminated, or revoked by EPA (this does not apply to the routine expiration and reissuance of NPDES permits every five years).

1.1.3.4 **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 1-1 of this permit.

¹ This condition also applies in the limited circumstances where your facility is located in a jurisdiction where EPA is not the permitting authority, but your discharge point location is to a water of the United States where EPA is the permitting authority.

- 1.1.4 Eligibility Related to Endangered Species Act (ESA) Listed Species and Critical Habitat Protection.** You are able to demonstrate that your 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), or said discharges and activities were the subject of an ESA Section 7 consultation or an ESA Section 10 permit. You must follow the procedures outlined in the Endangered Species Protection section of the NOI in EPA’s NPDES eReporting Tool (NeT-MSGP) and meet one of the criteria listed in Appendix E. You must comply with any measures that formed the basis of your criteria eligibility determination to be in compliance with the MSGP. These measures become permit requirements per Part 2.3. Documentation of these measures must be kept as part of your Stormwater Pollution Prevention Plan (SWPPP) (see Part 6.2.6.1).
- 1.1.5 Eligibility related to National Historic Preservation Act (NHPA)-Protected Properties.** You must follow the procedures outlined in the Historic Properties section of the NOI in NeT-MSGP to demonstrate that your stormwater discharges, authorized non-stormwater discharges, and stormwater discharge-related activities meet one of the eligibility criteria in Appendix F.
- 1.1.6 Eligibility for “New Dischargers” and “New Sources” (as defined in Appendix A)² ONLY**
- 1.1.6.1 Eligibility for “New Dischargers” and “New Sources” Based on Water Quality Standards.** Your stormwater discharge must be controlled as necessary such that the receiving water of the United States will meet applicable water quality standards. You are ineligible for coverage under this permit if EPA determines prior to your authorization to discharge that your stormwater discharges will not be controlled as necessary such that the receiving water of the United States will not meet an applicable water quality standard. In such case, EPA may notify you that an individual permit application is necessary per Part 1.3.8, or, alternatively, EPA may authorize your coverage under this permit after you implement additional control measures so that your stormwater discharges will be controlled as necessary such that the receiving water of the United States will meet applicable water quality standards.
- 1.1.6.2 Eligibility for “New Dischargers” and “New Sources” for Water-Quality Impaired Waters.** If you discharge to an “impaired water” (as defined in Appendix A), you must do one of the following:
- a. 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 your SWPPP;
 - b. When submitting your NOI in NeT-MSGP, provide the technical information or other documentation to support your claim that the pollutant(s) for which the waterbody

²“New Discharger” means a facility from which there is or may be a discharge, that did not commence the discharge of pollutants at a particular site prior to August 13, 1979, which is not a new source, and which has never received a finally effective NPDES permit for discharges at that site. See 40 CFR 122.2.

“New Source” means any building, structure, facility, or installation from which there is or may be a “discharge of pollutants,” the construction of which commenced: i) after promulgation of standards of performance under section 306 of the CWA which are applicable to such source, or ii) 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. See 40 CFR 122.2.

is impaired is not present at your facility, and retain such documentation with your SWPPP; or

- c. When submitting your NOI in NeT-MSGP, 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 United States will meet applicable water quality standards and retain such information with your SWPPP. The information you submit must demonstrate:
- i. For discharges to waters without an EPA-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 United States will meet applicable water quality standards at the point of discharge to the waterbody; or
 - ii. For discharges to waters with an applicable EPA-approved or established TMDL, that there are, in accordance with 40 CFR 122.4(i), sufficient remaining wasteload allocations in the TMDL to allow your 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).

You are eligible under Part 1.1.6.2.c if you receive a determination from the applicable EPA Regional Office that your stormwater discharge will be controlled as necessary such that the receiving water of the United States will meet applicable water quality standards and you document the Region's determination in your SWPPP. If the applicable EPA Regional Office fails to respond to you within 30 days after submission of data, you are considered eligible for coverage.

1.1.6.3 Eligibility for "New Dischargers" and "New Sources" for Waters with High Water Quality (Tier 2, 2.5, and 3).

- a. For new dischargers and new sources to Tier 2 or Tier 2.5 waters, your discharge must not lower the water quality of the applicable water. See a list of Tier 2 and Tier 2.5 waters in Appendix L.
- b. For new dischargers and new sources to waters designed by a state or tribe as Tier 3 waters³ (i.e., outstanding national resource waters) for antidegradation purposes under 40 CFR 131.13(a)(3), you are not eligible under this permit and you must apply for an individual permit. See a list of Tier 3 waters in Appendix L.

1.1.7 Eligibility for Discharges to a Federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Site. If you discharge to a federal CERCLA Site listed in Appendix P, you must notify the EPA Region 10 Office when submitting your NOI, and the EPA Region 10 Office must determine that you are eligible for permit coverage. In determining eligibility for coverage under this Part, the EPA Region 10 Office may evaluate whether you are implementing or plan to implement adequate controls and/or procedures to ensure that your discharge will not lead to

³ For the purposes of this permit, your project is considered to discharge to a Tier 2, Tier 2.5, or Tier 3 water if the first water of the United States to which you discharge is identified by a state, tribe, or EPA as a Tier 2, Tier 2.5, or Tier 3 water. For discharges that enter a separate storm sewer system prior to discharge, the first water of the United States to which you discharge is the waterbody that receives the stormwater discharge from the storm sewer system (separate storm sewer systems (MS4s and non-municipal storm sewers systems) do not include combined sewer systems or separate sanitary sewer systems).

recontamination of aquatic media at the CERCLA Site (i.e., your stormwater discharge will be controlled as necessary such that the receiving water of the United States will meet an applicable water quality standard). If it is determined that your facility discharges to a CERCLA Site listed in Appendix P after you have obtained coverage under this permit, you must contact the EPA Region 10 Office and ensure that you either have implemented or will implement adequate controls and/or procedures to ensure that your discharges will not lead to recontamination of aquatic media at the CERCLA Site such that your stormwater discharge will be controlled as necessary such that the receiving water of the United States will meet an applicable water quality standard.

For the purposes of this permit, a facility discharges to a federal 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).

1.2 Types of Discharges Authorized Under the MSGP⁴

1.2.1 Authorized Stormwater Discharges. If you meet all the eligibility criteria in Part 1.1, then the following discharges from your facility are authorized under this permit:

- 1.2.1.1** Stormwater discharges associated with industrial activity for any primary industrial activities and co-located industrial activities (as defined in Appendix A) except for any stormwater discharges prohibited in Part 8;
- 1.2.1.2** Discharges EPA has designated as needing a stormwater permit as provided in Sector AD;
- 1.2.1.3** Discharges that are not otherwise required to obtain NPDES permit authorization but are mixed with discharges that are authorized under this permit; and
- 1.2.1.4** Stormwater discharges from facilities subject to any of the national stormwater-specific effluent limitations guidelines listed in Table 1-1.

Table 1-1. Stormwater-Specific Effluent Limitations Guidelines

Regulated Discharge	40 CFR Section	MSGP Sector	New Source Performance Standard (NSPS)	New Source Date
Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas	Part 429, Subpart I	A	Yes	1/26/81
Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished product, by-products or waste products (SIC 2874)	Part 418, Subpart A	C	Yes	4/8/74
Runoff from asphalt emulsion facilities	Part 443, Subpart A	D	Yes	7/28/75
Runoff from material storage piles at cement manufacturing facilities	Part 411, Subpart C	E	Yes	2/20/74

⁴ Any discharges not expressly authorized in this permit cannot become authorized or shielded from liability under Clean Water Act (CWA) section 402(k) by disclosure to EPA, state, or local authorities 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), or during an inspection.

Regulated Discharge	40 CFR Section	MSGP Sector	New Source Performance Standard (NSPS)	New Source Date
Mine dewatering discharges at crushed stone, construction sand and gravel, or industrial sand mining facilities	Part 436, Subparts B, C, and D	J	No	N/A
Runoff from hazardous waste and non-hazardous waste landfills	Part 445, Subparts A and B	K, L	Yes	2/2/00
Runoff from coal storage piles at steam electric generating facilities	Part 423	O	Yes	11/19/82 (10/8/74) ¹
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	S	Yes	6/15/1

¹ NSPS promulgated in 1974 were not removed via the 1982 regulation; therefore, wastewaters generated by 40 CFR Part 423-applicable sources that were New Sources under the 1974 regulations are subject to the 1974 NSPS.

1.2.2 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 requiring NPDES permit coverage and you must either eliminate those discharges or they must be covered under another NPDES permit; this includes the sector-specific non-stormwater discharges that are listed in Part 8 as prohibited (a non-exclusive list is provided only to raise awareness of contaminants or sources of contaminants generally characteristic of certain sectors).

1.2.2.1 Authorized Non-Stormwater Discharges for All Sectors. The following are the only non-stormwater discharges authorized under this permit for all sectors provided that all discharges comply with the effluent limits set forth in Parts 2 and 8.

- 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 (see Part 6.2.3), 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 1.2.2 or any stormwater discharge listed in Part 1.2.1 mixed with a discharge authorized by a different NPDES permit and/or a discharge that does not require NPDES permit authorization.

1.2.2.2 Additional Authorized Non-Stormwater Discharge for Sector A Facilities. 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, provided the non-stormwater component of the discharge is in compliance with the non-numeric effluent limits requirements in Part 2.1.2.

1.2.2.3 Additional Authorized Non-Stormwater Discharges for Earth-Disturbing Activities Conducted Prior to Active Mining Activities for Sectors G, H and J Facilities. The following non-stormwater discharges are only authorized for earth-disturbing activities conducted prior to active mining activities, as defined in Part 8.G.3.2, 8.H.3.2, and 8.J.3.2, provided that, with the exception of water used to control dust, these discharges are not routed to areas of exposed soil and all discharges comply with the permit's effluent limits. Once the earth-disturbing activities conducted prior to active mining activities have ceased, the only authorized non-stormwater discharges for Sectors G, H, and J are those listed here in Part 1.2.2.3:

- a. Water used to wash vehicles and equipment, provided that there is no discharge of soaps, solvents, or detergents used for such purposes;
- b. Water used to control dust; and
- c. Dewatering water that has been treated by an appropriate control under Parts 8.G.4.2.9, 8.H.4.2.9, or 8.J.4.2.9.

1.3 Obtaining Authorization to Discharge

1.3.1 Prepare Your Stormwater Pollution Prevention Plan (SWPPP) Prior to Submitting Your Notice of Intent (NOI). You must develop a SWPPP or update your existing SWPPP per Part 6 prior to submitting your NOI for coverage under this permit, per Part 1.3.2 below. You must make your SWPPP publicly available by either attaching it to your NOI, including a URL in your NOI, or providing additional information from your SWPPP on your NOI, per Part 6.4.

1.3.2 How to Submit Your NOI to Get Permit Coverage. To be covered under this permit, you must use EPA's NPDES eReporting Tool for the MSGP (NeT-MSGP) to electronically prepare and submit to EPA a complete and accurate NOI by the deadline applicable to your facility presented in Table 1-2. The NOI certifies to EPA that you are eligible for coverage according to Part 1.1 and provides information on your industrial activities

and related discharges. Per Part 7.1, you must submit your NOI electronically via NeT-MSGP, unless the applicable EPA Regional Office grants you a waiver from electronic reporting, in which case you may use the paper NOI form in Appendix G. To access NeT-MSGP, go to <https://www.epa.gov/npdes/stormwater-discharges-industrial-activities#accessingmsgp>

- 1.3.3 **Deadlines for Submitting Your NOI and Your Official Date of Permit Coverage.** Table 1-2 provides the deadlines for submitting your NOI and your official start date of permit coverage.

Table 1-2. NOI Submittal Deadlines and Discharge Authorization Dates

Category of Facility/Operator	NOI Submission Deadline	Discharge Authorization Date^{1,2}
Existing MSGP facility. Operators of industrial activities whose stormwater discharges were covered under the 2015 MSGP.	No later than May 30, 2021.	30 calendar days after EPA notifies you that it has received a complete NOI, unless EPA notifies you that your authorization has been denied or delayed. 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 authorization under the 2015 MSGP is automatically continued until you have been granted coverage under this permit or an alternative permit, or coverage is otherwise terminated.
Operator operating consistent with EPA's No Action Assurance and submitted an Intent to Operate (ITO) form. Operators of industrial activities who commenced discharging between June 4, 2020 and March 1, 2021 and have been operating consistent with EPA's June 3, 2020 'No Action Assurance for the NPDES Stormwater Multi-Sector General Permit for Industrial Activities.'	As soon as possible, but see the June 3, 2020 'No Action Assurance for the NPDES Stormwater Multi-Sector General Permit for Industrial Activities' (and any updates to that document) for additional guidance on deadlines.	30 calendar days after EPA notifies you that it has received a complete NOI, unless EPA notifies you that your authorization has been denied or delayed.
New facility without MSGP coverage. Operators of industrial activities that will commence discharging after March 1, 2021.	At least 30 calendar days prior to commencing discharge.	30 calendar days after EPA notifies you that it has received a complete NOI, unless EPA notifies you that your authorization has been denied or delayed.
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.	

Category of Facility/Operator	NOI Submission Deadline	Discharge Authorization Date ^{1, 2}
Existing MSGP facility with a new operator. New operators of existing industrial activities with stormwater discharges previously authorized under the 2021 MSGP.	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 March 1, 2021, but whose stormwater discharges were not covered under the 2015 MSGP or another NPDES permit and have not been operating consistent with EPA's No Action Assurance for EPA's NPDES MSGP.	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. EPA 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.

1.3.4 Modifying your NOI. If after submitting your NOI, you need to correct or update any fields, you may do so by submitting a "Change NOI" form using NeT-MSGP. Per Part 7.1, you must submit your Change NOI electronically via NeT-MSGP, unless the EPA Regional Office grants you a waiver from electronic reporting, in which case you may use the suggested format for the paper Change NOI form.

1.3.4.1 For an existing operator, if any of the information supplied on the NOI changes, you must submit a Change NOI form within thirty (30) calendar days after the change occurs.

1.3.4.2 At a facility where there is a transfer in operator or a new operator takes over operational control at an existing facility, the new operator must submit a new NOI no later than thirty (30) calendar days after a change in operators. The previous operator must submit a Notice of Termination (NOT) no later than thirty (30) calendar days after MSGP coverage becomes active for the new operator, as specified in Part 1.4.

1.3.5 Requirement to Post a Sign of your Permit Coverage. You must post a sign or other notice of your permit coverage at a safe, publicly accessible location in close proximity to your facility. Public signage is not required where other laws or local ordinances prohibit such signage, in which case you must document in your SWPPP a brief explanation for why you cannot post a sign and a reference to the law or ordinance. You must use a font large enough to be readily viewed from a public right-of-way and perform periodic maintenance of the sign to ensure that it remains legible, visible, and factually correct. At minimum, the sign must include:

1.3.5.1 The following statement: "[Name of facility] is permitted for industrial stormwater discharges under the U.S. EPA's Multi-Sector General Permit (MSGP)";

1.3.5.2 Your NPDES ID number;

1.3.5.3 A contact phone number for obtaining additional facility information;

1.3.5.4 One of the following:

- a. The Uniform Resource Locator (URL) for the SWPPP (if available), and the following statement: "To report observed indicators of stormwater pollution, contact [optional: include facility point of contact and] EPA at: [include the applicable MSGP Regional Office contact information found at <https://www.epa.gov/npdes/contact-us-stormwater#regional/>]; or
- b. The following statement: "To obtain the Stormwater Pollution Prevention Plan (SWPPP) for this facility or to report observed indicators of stormwater pollution, contact [optional: include facility point of contact and] EPA at [include the applicable MSGP Regional Office contact information found at <https://www.epa.gov/npdes/contact-us-stormwater#regional/>]."

1.3.6 Your Official End Date of Permit Coverage. Once covered under this permit, your coverage will last until the date that:

- 1.3.6.1 You terminate permit coverage by submitting a Notice of Termination (NOT) per Part 1.4; or
- 1.3.6.2 You receive coverage under a different NPDES permit or a reissued or replacement version of this permit after it expires on February 28, 2026; or
- 1.3.6.3 You fail to submit an NOI for coverage under a reissued or replacement version of this permit before the required deadline.

1.3.7 Continuation of Coverage for Existing Operators After the Permit Expires

- 1.3.7.1 Note that if the 2021 MSGP is not reissued or replaced prior to the expiration date, it will be administratively continued in accordance with section 558(c) of the Administrative Procedure Act (see 40 CFR 122.6) and remain in force and effect for operators that were covered prior to its expiration. All operators authorized to discharge prior to the expiration date of the 2021 MSGP will automatically remain covered under the 2021 MSGP until the earliest of:
 - a. The date the operator is authorized for coverage under a new version of the MSGP following the timely submittal of a complete and accurate NOI. Note that if a timely NOI for coverage under the reissued or replacement permit is not submitted, coverage will terminate on the date that the NOI was due; or
 - b. The date of the submittal of a Notice of Termination; or
 - c. Issuance of an individual permit for the facility's discharge(s); or
 - d. A final permit decision by EPA not to reissue the MSGP, at which time EPA will identify a reasonable time period for covered operators to seek coverage under an alternative general permit or an individual permit. Coverage under the 2021 MSGP will terminate at the end of this time period.
- 1.3.7.2 EPA reserves the right to modify or revoke and reissue the 2021 MSGP under 40 CFR 122.62 and 63, in which case operators will be notified of any relevant changes or procedures to which they may be subject. If EPA fails to issue another general permit prior to the expiration of a previous one, EPA does not have the authority to provide coverage to industrial operators not already covered under that prior general permit. If the five-year expiration date for the 2021 MSGP has passed and a new MSGP has not

been reissued, new operators seeking discharge authorization should contact EPA regarding the options available, such as applying for individual permit coverage.

- 1.3.8 Coverage Under Alternative Permits.** EPA may require you to apply for and/or obtain authorization to discharge under an alternative permit, i.e., either an individual NPDES permit or an alternative NPDES general permit, in accordance with 40 CFR 122.64 and 124.5. If EPA requires you to apply for an alternative permit, the Agency will notify you in writing that a permit application or NOI is required. This notification will include a brief statement of the reasons for this decision and will contain alternative permit application or NOI requirements, including deadlines for completing your application or NOI.
- 1.3.8.1 Denial of Coverage for New or Previously Unpermitted Facilities.** For new or previously unpermitted facilities, following the submittal of your NOI, you may be denied coverage under this permit and must apply for and/or obtain authorization to discharge under an alternative permit.
- 1.3.8.2 Loss of Authorization Under the 2021 MSGP for Existing Permitted Facilities.** If your stormwater discharges are covered under this permit, you may receive a written notification that you must either apply for coverage under an individual NPDES permit or submit an NOI for coverage under an alternative general NPDES permit. In addition to the reasons for the decision and alternative permit application or NOI deadlines, the notice will include a statement that on the effective date of your alternative permit coverage, your coverage under the 2021 MSGP will terminate. EPA will terminate your MSGP permit coverage in NeT-MSGP at that time. EPA may grant additional time to submit the application or NOI if you request it. If you fail to submit an alternative permit application or NOI as required by EPA, then your authorization to discharge under the 2021 MSGP is terminated at the end of the day EPA required you to submit your alternative permit application or NOI. EPA may take appropriate enforcement action for any unpermitted discharge.
- 1.3.8.3 Operators Requesting Coverage Under an Alternative Permit.** You may request to be covered under an individual permit. In such a case, you must submit an individual permit application in accordance with the requirements of 40 CFR 122.28(b)(3)(iii), with reasons supporting the request, to the applicable EPA Regional Office listed in Part 7.8 of this permit. The request may be granted by issuance of an individual permit if your reasons are adequate to support the request. When you are authorized to discharge under an alternative permit, your authorization to discharge under the 2021 MSGP is terminated on the effective date of the alternative permit.
- 1.4 Terminating Permit Coverage**
- 1.4.1 How to Submit your Notice of Termination (NOT) to Terminate Permit Coverage.** To terminate permit coverage, you must use EPA's NPDES eReporting Tool for the MSGP (NeT-MSGP) to electronically prepare and submit to EPA a complete and accurate NOT. Per Part 7.1, you must submit your NOT electronically via NeT-MSGP, unless the EPA Regional Office grants you a waiver from electronic reporting, in which case you may use the paper NOT form in Appendix H. To access NeT-MSGP, go to <https://www.epa.gov/npdes/stormwater-discharges-industrial-activities#accessingmsgp>

Your authorization to discharge under this permit terminates at midnight of the day that you are notified that your complete NOT has been processed. If you submit a NOT without meeting one or more of the conditions in Part 1.4.2 then your NOT is not valid.

Until you terminate permit coverage, you must comply with all conditions and effluent limitations in the permit.

1.4.2 **When to Submit Your Notice of Termination.** You must submit a NOT within 30 days after one or more of the following conditions have been met:

1.4.2.1 A new owner or operator has received authorization to discharge under this permit; or

1.4.2.2 You have ceased operations at the facility and/or there are not or no longer will be discharges of stormwater associated with industrial activity from the facility, and you have already implemented necessary sediment and erosion controls per Part 2.1.2.5; or

1.4.2.3 You are a Sector G, H, or J facility and you have met the applicable termination requirements; or

1.4.2.4 You obtained coverage under an individual or alternative general permit for all discharges required to be covered by an NPDES permit, unless EPA terminates your coverage for you per Part 1.3.8.

1.5 **Conditional Exclusion for No Exposure**

If you are covered by this permit and become eligible for a “no exposure” exclusion from permitting under 40 CFR 122.26(g), you may file a No Exposure Certification (NEC). You are no longer required to have a permit upon submission of a complete and accurate NEC to EPA. If you are no longer required to have permit coverage because of a no exposure exclusion and have submitted a NEC form to EPA, you are not required to submit a NOT. You must submit a NEC form to EPA once every five years.

You must use EPA’s NPDES eReporting Tool for the MSGP (NeT-MSGP) to electronically prepare and submit to EPA a complete and accurate NEC. Per Part 7.1, you must submit your NEC electronically via NeT-MSGP, unless the applicable EPA Regional Office grants you a waiver from electronic reporting, in which case you may use the paper NEC form in Appendix K. To access NeT-MSGP, go to <https://cdxnodengn.epa.gov/net-msgp/action/login>

1.6 **Permit Compliance**

Any noncompliance with any of the requirements of this permit constitutes a violation of this permit, and thus is a violation of the CWA. As detailed in Part 5, 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 you of the initial underlying noncompliance.

Where an Additional Implementation Measure (AIM) is triggered by an event that does not itself constitute permit noncompliance (i.e., an exceedance of an applicable benchmark), there is no permit violation provided you comply with the required responses within the relevant deadlines established in Part 5.

1.7 **Severability**

Invalidation of a portion of this permit does not necessarily render the whole permit invalid. EPA’s intent is that the permit is to remain in effect to the extent possible; in the

event that any part of this permit is invalidated, EPA will advise the regulated community as to the effect of such invalidation.

2. **Control Measures and Effluent Limits**

In the technology-based limits included in Parts 2.1 and 8, the term “minimize” means to reduce and/or eliminate to the extent achievable using stormwater control measures (SCMs) (including best management practices) that are technologically available and economically practicable and achievable in light of best industry practice. The term “infeasible” means not technologically possible or not economically practicable and achievable in light of best industry practices. EPA notes that it does not intend for any permit requirement to conflict with state water rights law.

2.1 **Stormwater Control Measures**

You must select, design, install, and implement stormwater control measures (including best management practices) to minimize pollutant discharges that address the selection and design considerations in Part 2.1.1, meet the non-numeric effluent limits in Part 2.1.2, meet limits contained in applicable effluent limitations guidelines in Part 2.1.3, and meet the water quality-based effluent limitations in Part 2.2.

The selection, design, installation, and implementation of control measures to comply with Part 2 must be in accordance with good engineering practices and manufacturer’s specifications. Note that you may deviate from such manufacturer’s specifications where you provide justification for such deviation and include documentation of your rationale in the part of your SWPPP that describes your control measures, consistent with Part 6.2.4. You must modify your stormwater control measures per Part 5.1 if you find that your control measures are not achieving their intended effect of minimizing pollutant discharges (i.e., your discharges will be controlled as necessary such that the receiving water of the United States will meet applicable water quality standards or meet any of the other non-numeric effluent limits in this permit). Regulated stormwater discharges from your facility include stormwater run-on that commingles with stormwater discharges associated with industrial activity at your facility.

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

2.1.1.1 Preventing stormwater from coming into contact with polluting materials is generally more effective, and less costly, than trying to remove pollutants from stormwater;

2.1.1.2 Using stormwater control measures in combination may be more effective than using control measures in isolation for minimizing pollutants in your stormwater discharge;

2.1.1.3 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;

2.1.1.4 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;

- 2.1.1.5** Attenuating flow using open vegetated swales and natural depressions can reduce in-stream impacts of erosive flows;
- 2.1.1.6** Conserving and/or restoring riparian buffers will help protect streams from stormwater discharges and improve water quality;
- 2.1.1.7** Using treatment interceptors (e.g., swirl separators and sand filters) maybe appropriate in some instances to minimize the discharge of pollutants; and
- 2.1.1.8** 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,⁵ 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,⁶ additional stormwater control measures that may be considered include, but are not limited to:
- a.** Reinforce materials storage structures to withstand flooding and additional exertion of force;
 - b.** Prevent floating of semi-stationary structures by elevating to the Base Flood Elevation (BFE)⁷ level or securing with non-corrosive device;
 - c.** 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);
 - d.** Temporarily store materials and waste above the BFE level;
 - e.** Temporarily reduce or eliminate outdoor storage;
 - f.** Temporarily relocate any mobile vehicles and equipment to higher ground;
 - g.** 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

⁵ Heavy precipitation refers to instances during which the amount of rain or snow experienced in a location substantially exceeds what is normal. What constitutes a period of heavy precipitation varies according to location and season. Heavy precipitation does not necessarily mean the total amount of precipitation at a location has increased—just that precipitation is occurring in more intense or more frequent events.

⁶ To determine if your facility is susceptible to an increased frequency of major storm events that could impact the discharge of pollutants in stormwater, you may reference FEMA, NOAA, or USGS flood map products at https://www.usgs.gov/faqs/where-can-i-find-flood-maps?qt-news_science_products=0#qt-news_science_products.

⁷ Base Flood Elevation (BFE) is the elevation of surface water resulting from a flood that has a 1% chance of equaling or exceeding that level in any given year. The BFE is shown on the Flood Insurance Rate Map (FIRM) for zones AE, AH, A1–A30, AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO, V1–V30 and VE. (Source: <https://www.fema.gov/node/404233>). The FEMA Flood Map Service Center can be accessed through <https://msc.fema.gov/portal/search>.

- h. Conduct staff training for implementing your emergency procedures at regular intervals.

Note: Part 2.1.1 requires that you must consider Parts 2.1.1.1 through 2.1.1.8 when selecting and designing control measures to minimize pollutant discharges via stormwater. Part 2.1.1 does not require nor prescribe specific control measure to be implemented; however, you must document in your SWPPP per Part 6.2.4 the considerations made to select and design control measures at your facility to minimize pollutants discharged via stormwater.

- 2.1.2 **Non-Numeric Technology-Based Effluent Limits (BPT/BAT/BCT).**⁸ You must comply with the following non-numeric effluent limits as well as any sector-specific non-numeric effluent limits in Part 8, except where otherwise specified.

Effluent limit requirements in Part 2.1.2 that do not involve the site-specific selection of a control measure or are specific activity requirements (e.g., "Cleaning catch basins when the depth of debris reaches two-thirds (2/3) of the sump depth, in line with manufacturer specifications, whichever is lower, and keeping the debris surface at least six inches below the lowest outlet pipe") are marked with an asterisk (*). When documenting in your SWPPP, per Part 6, how you will comply with the requirements marked with an asterisk, you have the option of including additional information or you may just "copy-and-paste" those effluent limits word-for-word from the permit into your SWPPP without providing additional documentation (see Part 6.2.4).

- 2.1.2.1 **Minimize Exposure.** You must minimize the 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.

⁸ BPT is Best Practicable Control Technology Currently Available, as set forth in CWA section 304(b)(1) and Appendix A; BAT is Best Available Technology Economically Achievable, as set forth in CWA section 304(b)(2) and Appendix A; and BCT is Best Conventional Pollutant Control Technology, as set forth in CWA section 304(b)(4) and Appendix A.

Note: Industrial materials do not need to be enclosed or covered if stormwater from affected areas does not discharge pollutants to waters of the United States or if discharges are authorized under another NPDES permit.

2.1.2.2 Good Housekeeping. You must 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). Consistent with Part 1.2.2 above, 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.⁹ Examples of plastic material required to be addressed as stormwater pollutants include plastic resin pellets, powders, flakes, additives, regrind, scrap, waste and recycling.

2.1.2.3 Maintenance.

- a. **Maintenance Activities.** 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.*

⁹ 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.

- 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.**

- ii. If you find that your control measures need routine maintenance, you must conduct the necessary maintenance immediately in order to minimize pollutant discharges.
- iii. 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 5.1.3 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 EPA Regional Office 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 2 and/or 8, or is not being properly operated or maintained, you must conduct corrective action as specified in Part 5.1.

Note: In this context, the term "immediately" means the day you identify that a control measure needs to be maintained, repaired, or replaced, you must take all reasonable steps to minimize or prevent the discharge of pollutants until you can implement a permanent solution. However, if you identify a problem too late in the work day to initiate action, you must perform the action the following work day morning. "All reasonable steps" means you must respond to the conditions triggering the 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 SCM to be installed.

2.1.2.4 Spill Prevention and Response. You must 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 National Response Center (NRC) at (800) 424-8802 or, in the Washington, DC, metropolitan area, call (202) 267-2675 in accordance with the requirements of 40 CFR Part 110, 40 CFR Part 117, and 40 CFR Part 302 as soon as you have knowledge of the discharge. State or local requirements may necessitate reporting spills or discharges to local emergency response, public health, or drinking water supply agencies. Contact information must be in locations that are readily accessible and available.

- 2.1.2.5 Erosion and Sediment Controls.** To minimize pollutant discharges in stormwater, you must 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 EPA's Stormwater Discharges from Construction Activities website at: <https://www.epa.gov/npdes/stormwater-discharges-construction-activities>.
- 2.1.2.6 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*, (<https://www.epa.gov/npdes/stormwater-discharges-industrial-activities#factsheets>) and any similar state or tribal resources.
- 2.1.2.7 Salt Storage Piles or Piles Containing Salt.** You 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. You must implement appropriate measures (e.g., good housekeeping, diversions, containment) to minimize exposure resulting from adding to or removing materials from the pile. Piles do not need to be enclosed or covered pursuant to this permit if stormwater from the piles is not discharged or if discharges from the piles are authorized under another NPDES permit.

2.1.2.8 Employee Training.

- 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 monitoring and inspections as required in Parts 3 and 4; and
 - iv. Personnel who are responsible for taking and documenting corrective actions as required in Part 5.
- 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 2.1.1.8.

2.1.2.9 Non-Stormwater Discharges. You must evaluate for the presence of non-stormwater discharges. You must eliminate any non-stormwater discharges not explicitly authorized in Part 1.2.2 or covered by another NPDES permit, including vehicle and equipment/tank wash water (except for those authorized in Part 1.2.2.3 for Sectors G, H, and J). 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.

2.1.2.10 Dust Generation and Vehicle Tracking of Industrial Materials. You must minimize generation of dust and off-site tracking of raw, final, or waste materials in order to minimize pollutants discharged via stormwater.

- 2.1.3 Numeric Effluent Limitations Based on Effluent Limitations Guidelines.** If you are in an industrial category subject to one of the effluent limitations guidelines identified in Table 4-3 (see Part 4.2.3.1), you must meet the effluent limits referenced in Table 2-1 below:

Table 2-1. Applicable Effluent Limitations Guidelines

Regulated Activity	40 CFR Part/Subpart	Effluent Limit
Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas	Part 429, Subpart I	See Part 8.A.7
Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished product, by-products or waste products (SIC 2874)	Part 418, Subpart A	See Part 8.C.4
Runoff from asphalt emulsion facilities	Part 443, Subpart A	See Part 8.D.4
Runoff from material storage piles at cement manufacturing facilities	Part 411, Subpart C	See Part 8.E.5
Mine dewatering discharges at crushed stone, construction sand and gravel, or industrial sand mining facilities	Part 436, Subparts B, C, or D	See Part 8.J.9
Runoff from hazardous waste landfills	Part 445, Subpart A	See Part 8.K.6
Runoff from non-hazardous waste landfills	Part 445, Subpart B	See Part 8.L.10
Runoff from coal storage piles at steam electric generating facilities	Part 423	See Part 8.O.8
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 8.S.8

2.2 Water Quality-Based Effluent Limitations

- 2.2.1 Water Quality Standards.** Your discharge must be controlled as necessary to meet applicable water quality standards of all affected states.

EPA expects that compliance with the conditions in this permit will control discharges as necessary to meet applicable water quality standards. If at any time you become aware, or EPA determines, that your stormwater discharge will not be controlled as necessary such that the receiving water of the United States will not meet an applicable water quality standard, you must take corrective action(s) as required in Part 5.1 and document the corrective actions as required in Part 5.3. You must also comply with any additional requirements that your state or tribe requires in Part 9.

EPA may also require that you undertake additional control measures (to meet the narrative water quality-based effluent limit above) on a site-specific basis, or require you to obtain coverage under an individual permit, if information in your NOI, required reports, or from other sources indicates that your discharges are not controlled as necessary such that the receiving water of the United States will not meet applicable water quality standards. You must implement all measures necessary to be consistent with an available wasteload allocation in an EPA-established or approved TMDL.

- 2.2.2 Discharges to Water Quality-Impaired Waters.** You are considered to discharge to an impaired water if the first water of the United States to which your discharge is

identified by a state, tribe or EPA as not meeting an applicable water quality standard, and:

- Requires development of a TMDL (pursuant to section 303(d) of the CWA);
- Is addressed by an EPA-approved or established TMDL; or
- Is not in either of the above categories but the waterbody is covered by a pollution control program that meets the requirements of 40 CFR 130.7(b)(1).

Note: For discharges that enter a separate storm sewer system¹⁰ prior to discharge, the first water of the United States to which you discharge is the waterbody that receives the water from the storm sewer system.

2.2.2.1 Existing Discharge to an Impaired Water with an EPA-Approved or Established TMDL. If you discharge to an impaired water with an EPA-approved or established TMDL, EPA will inform you whether any additional measures are necessary for your discharge to be consistent with the assumptions and requirements of the applicable TMDL and its wasteload allocation, or if coverage under an individual permit is necessary per Part 1.3.8.

2.2.2.2 Existing Discharger to an Impaired Water without an EPA-Approved or Established TMDL. If you discharge to an impaired water without an EPA-approved or established TMDL, you are still required to comply with Part 2.2.1 and the monitoring requirements of Part 4.2.5.1. Note that the impaired waters monitoring requirements of Part 4.2.5.1 also apply where EPA determines that your discharge is not controlled as necessary such that the receiving water of the United States will not meet applicable water quality standards in an impaired downstream water segment, even if your discharge is initially to a receiving water(s) that is not identified as impaired according to Part 2.2.2.

2.2.2.3 New Discharger or New Source to an Impaired Water. If your authorization to discharge under this permit relied on Part 1.1.6.2 for a new discharger or a new source to an impaired water, you must implement and maintain any measures that enabled you to become eligible under Part 1.1.6.2, and modify such measures as necessary pursuant to any Part 5 corrective actions. You also must comply with Part 2.2.1 and the monitoring requirements of Parts 4.2.5.1.

2.2.3 Tier 2 Antidegradation Requirements for New Dischargers, New Sources, or Increased Discharges. If you are a new discharger or a new source (as defined in Appendix A), or an existing discharger required to notify EPA of an increased discharge consistent with Part 7.6 (i.e., a “planned changes” report), and you discharge directly to waters designated by a state or tribe as Tier 2 or Tier 2.5 for antidegradation purposes under 40 CFR 131.12(a), EPA may require that you undertake additional control measures as necessary to ensure compliance with the applicable antidegradation requirements, or notify you that an individual permit application is necessary in accordance with Part 1.3.8. See list of Tier 2 and 2.5 waters in Appendix L.

2.3 Requirements Relating to Endangered Species, Historic Properties, and CERCLA Sites

If your eligibility under either Part 1.1.4, Part 1.1.5, and/or Part 1.1.7 was made possible through your, or another operator's, agreement to undertake additional measures, you must comply with all such measures to maintain eligibility under the MSGP. Note that if

¹⁰ Separate storm systems include both municipal storm sewer systems (MS4s) and non-municipal separate storm sewers. Separate storm systems do not include combined sewer systems or sanitary sewer systems.

at any time you become aware, or EPA determines, that your 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 your facility discharges to a CERCLA Site listed in Appendix P after you have obtained coverage under this permit, EPA may inform you of the need to implement additional measures on a site-specific basis to meet the effluent limits in this permit, or require you to obtain coverage under an individual permit.

3. **Inspections**

3.1 **Routine Facility Inspections**

3.1.1 **Inspection Personnel.** Qualified personnel (as defined in Appendix A) must perform the inspections. The qualified personnel may be a member of your stormwater pollution prevention team, or if the qualified personnel is a third-party you hire (i.e., a contractor), at least one member of your stormwater pollution prevention team must participate in the inspection. Inspectors must consider the results of visual and analytical monitoring (if any) for the past year when planning and conducting inspections.

3.1.2 **Areas that You Must Inspect.** During normal facility operating hours, the qualified personnel must conduct inspections of areas of the facility covered by the requirements in this permit, including, but not limited to, the following:

3.1.2.1 Areas where industrial materials or activities are exposed to stormwater;

3.1.2.2 Areas identified in the SWPPP and those that are potential pollutant sources (see Part 6.2.3);

3.1.2.3 Areas where spills and leaks have occurred in the past three years;

3.1.2.4 Discharge points; and

3.1.2.5 Control measures used to comply with the effluent limits contained in this permit.

3.1.3 **What You Must Look for During an Inspection.** During the inspection, the qualified personnel must examine or look out for, including, but not limited to, the following:

3.1.3.1 Industrial materials, residue or trash that may have or could come into contact with stormwater;

3.1.3.2 Leaks or spills from industrial equipment, drums, tanks and other containers;

3.1.3.3 Offsite tracking of industrial or waste materials, or sediment where vehicles enter or exit the site;

3.1.3.4 Tracking or blowing of raw, final or waste materials from areas of no exposure to exposed areas;

3.1.3.5 Erosion of soils at your facility, channel and streambank erosion and scour in the immediate vicinity of discharge points, per Part 2.1.2.5;

3.1.3.6 Non-authorized non-stormwater discharges, per Part 2.1.2.9;

3.1.3.7 Control measures needing replacement, maintenance or repair; and

- 3.1.3.8** During an inspection occurring during a stormwater event or stormwater discharge, you must observe control measures implemented to comply with effluent limits to ensure they are functioning correctly. You must also observe discharge points, as defined in Appendix A, during this inspection. If such discharge locations are inaccessible, you must inspect nearby downstream locations.
- 3.1.4** **Inspection Frequency.** The qualified personnel must conduct inspections at least quarterly (i.e., once each calendar quarter), or in some instances more frequently (e.g., monthly). Increased frequency may be appropriate for some types of equipment, processes and stormwater control measures, or areas of the facility with significant activities and materials exposed to stormwater. At least once each calendar year, the routine inspection must be conducted during a period when a stormwater discharge is occurring.
- 3.1.5** **Exceptions to Routine Facility Inspections for Inactive and Unstaffed Facilities.** The requirement to conduct facility inspections on a routine basis does not apply at a facility that is inactive and unstaffed, as long as there are no industrial materials or activities exposed to stormwater. Such a facility is only required to conduct an annual site inspection in accordance with Part 3.1. To invoke this exception, you must indicate that your facility is inactive and unstaffed on your NOI. If you are already covered under the permit and your facility has changed from active to inactive and unstaffed, you must modify and re-certify your NOI. You must also include a statement in your SWPPP per Part 6.2.5.2 indicating 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)(4)(iii). The statement must be signed and certified in accordance with Appendix B, Subsection 11. If circumstances change and industrial materials or activities become exposed to stormwater or your facility becomes active and/or staffed, this exception no longer applies, and you must immediately resume routine facility inspections. If you are not qualified for this exception at the time you become authorized under this permit, but during the permit term you become qualified because your facility becomes inactive and unstaffed, and there are no industrial materials or activities exposed to stormwater, you must include the same signed and certified statement as above and retain it with your records pursuant to Part 6.5.

Inactive and unstaffed facilities covered under Sectors G (Metal Mining), H (Coal Mines and Coal Mining-Related Facilities), and J (Non-Metallic Mineral Mining and Dressing) are not required to meet the “no industrial materials or activities exposed to stormwater” standard to be eligible for this exception from routine inspections, per Parts 8.G.8.4, 8.H.9.1, and 8.J.9.1.

- 3.1.6** **Routine Facility Inspection Documentation.** You must document the findings of your facility inspections and maintain this report with your SWPPP as required in Part 6.5. You must conduct any corrective action required as a result of a routine facility inspection consistent with Part 5. If you conducted a discharge visual assessment required in Part 3.2 during your facility inspection, you may include the results of the assessment with the report required in this Part, as long as you include all components of both types of inspections in the report.

Do not submit your routine facility inspection report to EPA, unless specifically requested to do so. However, you must summarize your findings in the Annual Report per Part 7.4. Document all findings, including but not limited to, the following information.

- 3.1.6.1 The inspection date and time;
- 3.1.6.2 The name(s) and signature(s) of the inspector(s);
- 3.1.6.3 Weather information;
- 3.1.6.4 All observations relating to the implementation of stormwater control measures at the facility, including:
 - a. A description of any stormwater discharges occurring at the time of the inspection;
 - b. Any previously unidentified stormwater discharges from and/or pollutants at the facility;
 - c. Any evidence of, or the potential for, pollutants entering the stormwater drainage system;
 - d. Observations regarding the physical condition of and around all stormwater discharge points, including any flow dissipation devices, and evidence of pollutants in discharges and/or the receiving water;
 - e. Any stormwater control measures needing maintenance, repairs, or replacement;
- 3.1.6.5 Any additional stormwater control measures needed to comply with the permit requirements;
- 3.1.6.6 Any incidents of noncompliance; and
- 3.1.6.7 A statement, signed and certified in accordance with Appendix B, Subsection 11.

3.2 **Quarterly Visual Assessment of Stormwater Discharges**

- 3.2.1 **Visual Assessment Frequency.** Once each quarter for your entire permit coverage, you must collect a stormwater sample from each discharge point (except as noted in Part 3.2.4) and conduct a visual assessment of each of these samples. These samples are not required to be collected consistent with 40 CFR Part 136 procedures but must be collected in such a manner that the samples are representative of the stormwater discharge. Guidance on monitoring is available at https://www.epa.gov/sites/production/files/2015-11/documents/msgp_monitoring_guide.pdf.
- 3.2.2 **Visual Assessment Procedures.** You must do the following for the quarterly visual assessment:
 - 3.2.2.1 Make the assessment of a stormwater discharge sample in a clean, colorless glass or plastic container, and examined in a well-lit area;
 - 3.2.2.2 Make the assessment of the sample you collected within the first 30 minutes of an actual discharge from a storm event. If it is not possible to collect the sample within the first 30 minutes of discharge, the sample must be collected as soon as practicable after the first 30 minutes and you must document why it was not possible to take the sample within the first 30 minutes. In the case of snowmelt, samples must be taken during a period with a measurable discharge; and

- 3.2.2.3** For storm events, make the assessment on discharges that occur at least 72 hours (three days) from the previous discharge. The 72-hour (three-day) storm interval does not apply if you document that less than a 72-hour (three-day) interval is representative for local storm events during the sampling period.
- 3.2.2.4** Visually inspect or observe for the following water quality characteristics, which may be evidence of stormwater pollution:
- a. Color;
 - b. Odor;
 - c. Clarity (diminished);
 - d. Floating solids;
 - e. Settled solids;
 - f. Suspended solids;
 - g. Foam;
 - h. Oil sheen; and
 - i. Other obvious indicators of stormwater pollution.
- 3.2.2.5** Whenever the visual assessment shows evidence of stormwater pollution in the discharge, you must initiate the corrective action procedures in Part 5.1.1.
- 3.2.3** **Visual Assessment Documentation.** You must document the results of your visual assessments and maintain this documentation onsite with your SWPPP as required in Part 6.5. Any corrective action required as a result of a quarterly visual assessment must be conducted consistent with Part 5 of this permit. You are not required to submit your visual assessment findings to EPA, unless specifically requested to do so. However, you must summarize your findings in the annual report per Part 7.4. Your documentation of the visual assessment must include, but not be limited to:
- 3.2.3.1** Sample location(s);
 - 3.2.3.2** Sample collection date and time, and visual assessment date and time for each sample;
 - 3.2.3.3** Personnel collecting the sample and conducting visual assessment, and their signatures;
 - 3.2.3.4** Nature of the discharge (i.e., stormwater from rain or snow);
 - 3.2.3.5** Results of observations of the stormwater discharge;
 - 3.2.3.6** Probable sources of any observed stormwater contamination;
 - 3.2.3.7** If applicable, why it was not possible to take samples within the first 30 minutes; and
 - 3.2.3.8** A statement, signed and certified in accordance with Appendix B, Subsection 11.
- 3.2.4** **Exceptions to Quarterly Visual Assessments**
- 3.2.4.1** **Adverse Weather Conditions.** When adverse weather conditions prevent the collection of stormwater discharge sample(s) during the quarter, you must take a substitute

sample during the next qualifying storm event. Documentation of the rationale for no visual assessment for the quarter must be included with your SWPPP records as described in Part 6.5. 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.

- 3.2.4.2 Climates with Irregular Stormwater Discharges.** If your facility is located in an area where limited rainfall occurs during many parts of the year (e.g., arid or semi-arid climate) or in an area where freezing conditions exist that prevent discharges from occurring for extended periods, then your samples for the quarterly visual assessments may be distributed during seasons when precipitation more regularly occurs.
- 3.2.4.3 Areas that Receive Snow.** If the facility is in an area that typically receives snow and the facility receives snow at least once over a period of four quarters, at least one quarterly visual assessment must capture snowmelt discharge, as described in Part 4.1.3, taking into account the exception described above for climates with irregular stormwater discharges.
- 3.2.4.4 Inactive and Unstaffed Facilities.** The requirement for a quarterly visual assessment does not apply at a facility that is inactive and unstaffed, as long as there are no industrial materials or activities exposed to stormwater. To invoke this exception, you must maintain a statement in your SWPPP per Part 6.2.5.2 indicating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to precipitation, in accordance with the substantive requirements in 40 CFR 122.26(g)(4)(iii). The statement must be signed and certified in accordance with Appendix B, Subsection 11. If circumstances change and industrial materials or activities become exposed to stormwater or your facility becomes active and/or staffed, this exception no longer applies, and you must immediately resume quarterly visual assessments. If you are not qualified for this exception at the time you are authorized under this permit, but during the permit term you become qualified because your facility becomes inactive and unstaffed, and there are no industrial materials or activities that are exposed to stormwater, then you must include the same signed and certified statement as above and retain it with your records pursuant to Part 6.5. Inactive and unstaffed facilities covered under Sectors G (Metal Mining), H (Coal Mines and Coal Mining-Related Facilities), and J (Non-Metallic Mineral Mining and Dressing), are not required to meet the “no industrial materials or activities exposed to stormwater” standard to be eligible for this exception from quarterly visual assessments, consistent with the requirements established in Parts 8.G.8.4, 8.H.9.1, and 8.J.9.1.
- 3.2.4.5 Substantially Identical Discharge Points (SIDP).** If your facility has two or more discharge points that discharge substantially identical stormwater effluents, as documented in Part 6.2.5.3, you may conduct quarterly visual assessments of the discharge at just one of the discharge points and report that the results also apply to the SIDPs provided that you conduct visual assessments on a rotating basis of each SIDP throughout the period of your coverage under this permit. If stormwater contamination is identified through visual assessment conducted at a SIDP, you must assess and modify your stormwater control measures as appropriate for each discharge point represented by the monitored discharge point.

4. **Monitoring**

You must collect and analyze stormwater samples and document monitoring activities consistent with the procedures described in Part 4 and Appendix B, Subsections B.10 – 12, and any additional sector-specific or state/tribal-specific requirements in Parts 8 and 9, respectively. Refer to Part 7 for reporting and recordkeeping requirements.

4.1 **Monitoring Procedures**

4.1.1 **Monitored Stormwater 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” (SIDP). 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 SIDP(s). As required in Part 6.2.5.3, your SWPPP must identify each discharge point authorized by this permit and describe the rationale for any SIDP determinations. The allowance for monitoring only one of the SIDP is not applicable to any discharge points with numeric effluent limitations. You are required to monitor each discharge point covered by a numeric effluent limit as identified in Part 4.2.2.

4.1.2 **Commingled Discharges.** If any authorized stormwater discharges commingle with discharges not authorized under this permit, you must conduct any required sampling of the authorized discharges at a point before they mix with other waste streams, to the extent practicable.

4.1.3 **Measurable Storm Events.** You must conduct all required monitoring on a storm event that results in an actual discharge (“measurable storm event”) that follows the preceding measurable storm event by at least 72 hours (three days). The 72-hour (3-day) storm interval does not apply if you are able to document that less than a 72-hour (3-day) interval is representative for local storm events during the sampling period. In the case of snowmelt, you must conduct monitoring at a time when a measurable discharge occurs.

For each monitoring event, except snowmelt monitoring, you must 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, you must identify the date of the sampling event.

4.1.4 **Sample Type.** You must take a minimum of one grab sample from a discharge resulting from a measurable storm event as described in Part 4.1.3. You must collect samples within the first 30 minutes of a discharge associated with a measurable storm event. If it is not possible to collect the sample within the first 30 minutes of a measurable storm event, you must collect the sample as soon as possible after the first 30 minutes and keep documentation with the SWPPP explaining why it was not possible to take samples within the first 30 minutes. In the case of snowmelt, you must take samples during a period with a measurable discharge.

For indicator monitoring and benchmark monitoring, you may choose to use a composite sampling method instead of taking grab samples. This composite method may be either flow-weighted or time-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. For the purposes of this permit, a time-weighted composite sample means a composite sample consisting of a mixture of equal volume aliquots collected at a regular defined time interval over a specific period of time. Composite sampling must be initiated during the first 30 minutes of the same storm event. If it is not possible to initiate composite sampling within the first 30 minutes of 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. You must submit all monitoring results to EPA per Part 4.1.9. 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 all individual measurements, weighted by flow volume if applicable.

- 4.1.5 **Adverse Weather Conditions.** When adverse weather conditions as described in Part 3.2.4.1 prevent the collection of stormwater discharge samples according to the relevant monitoring schedule, you must take a substitute sample during the next qualifying storm event. Adverse weather does not exempt you from having to file a benchmark monitoring report in accordance with your sampling schedule. As specified in Part 7.4, you must indicate in Net-DMR any failure to monitor during the regular reporting period.
- 4.1.6 **Facilities in Climates with Irregular Stormwater Discharges.** If your facility is located in areas where limited rainfall occurs during parts of the year (e.g., arid or semi-arid climates) or in areas where freezing conditions exist that prevent discharges from occurring for extended periods, you may distribute your required monitoring events during seasons when precipitation occurs, or when snowmelt results in a measurable discharge from your facility. You must still collect the required number of samples. As specified in Part 7.4, you must also indicate in Net-DMR that there was no monitoring for the respective monitoring period.
- 4.1.7 **Monitoring Periods.** Your monitoring requirements in this permit begin in the first full quarter following either May 30, 2021 or your date of discharge authorization, whichever date comes later.

- January 1 – March 31
- April 1 – June 30
- July 1 – September 30
- October 1 – December 31

For example, if you obtain permit coverage on April 10, 2021, then your first monitoring quarter for benchmark monitoring is– July 1, 2021 – September 30, 2021 and your first monitoring year for discharges to impaired waters or discharges subject to an effluent limitation guideline is July 1, 2021 – June 30, 2022. This monitoring schedule may be modified in accordance with Part 4.1.6 if you document the revised schedule in your SWPPP. However, you must indicate in Net-DMR any 3-month interval that you did not take a sample.

4.1.8 Monitoring for Authorized Non-Stormwater Discharges. You are only required to monitor authorized non-stormwater discharges (as delineated in Part 1.2.2) when they are commingled with stormwater discharges associated with industrial activity.

4.1.9 Monitoring Reports. You must report monitoring data using Net-DMR, EPA's electronic DMR tool, as described in Part 7.3 (unless the applicable EPA Regional Office grants you a waiver from electronic reporting, in which case you may submit a paper DMR form).

4.2 Required Monitoring

This permit includes six types of required analytical monitoring, one or more of which may apply to your stormwater discharge:

- Indicator monitoring (Part 4.2.1);
- Benchmark monitoring (Part 4.2.2);
- Annual effluent limitations guidelines monitoring (Part 4.2.3);
- State- or tribal-specific monitoring (Part 4.2.4);
- Impaired waters monitoring (Part 4.2.5); and
- Other monitoring as required by EPA (Part 4.2.6).

Unless otherwise specified, samples must be analyzed consistent with 40 CFR Part 136 analytical methods that are sufficiently sensitive for the monitored parameter. When more than one type of monitoring for the same pollutant at the same discharge point applies (e.g., total suspended solids once per year for an effluent limitation and once per quarter for benchmark monitoring at a given discharge point), you may use a single sample to satisfy both monitoring requirements (i.e., one sample satisfying both the annual effluent limitation sample and one of the four quarterly benchmark monitoring samples). Similarly, when the same type of monitoring is required for the same pollutant but for different activities, you may use a single sample to satisfy both monitoring requirements (i.e., when you are required to monitor for PAHs in stormwater discharges from paved surfaces that will be sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit and you are also required to monitor for PAHs in stormwater discharges since you manufacture, use, or store creosote or creosote-treated wood in areas that are exposed to precipitation).

When the effluent limitation is lower than the benchmark threshold for the same pollutant, your Additional Implementation Measure (AIM) trigger is based on an exceedance of the effluent limitation threshold, which would subject you to the AIM requirements of Part 5.2. Exceedance of an effluent limitation associated with the results of any analytical monitoring type required by this Part subjects you to the corrective action requirements of Part 5.1. You must conduct all required monitoring in accordance with the procedures described in Appendix B, Subsection B.10.

Per Part 1.3.7, in the event that the permit is administratively continued, monitoring requirements remain in force and effect at their original frequency during any continuance for operators that were covered prior to permit expiration. In the event that monitoring results are unable to be electronically reported in Net-DMR, operators must maintain monitoring results and records within their SWPPP.

Table 4-1. Summary of Each Type of Monitoring

Monitoring Type	Monitoring Type Applies To	Frequency	Duration	Follow-up Action	Permit Part Reference
Indicator – pH, TSS, COD	Subsectors B2, C5, D2, E3, F5, I1, J3, L2, N2, O1, P1, R1, T1, U3, V1, W1, X1, Y2, Z1, AB1, AC1, and AD1	Quarterly	Entirety of permit coverage	None	Part 4.2.1.1.a
Indicator – PAHs*	Operators with stormwater discharges from paved surfaces that will be sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit; sectors; Sector A facilities that manufacture, use, or store creosote or creosote-treated wood in areas that are exposed to precipitation; and Sectors C (SIC 2911), D, F, H, I, M, O, P (SIC 4011, 4013, and 5171), Q (SIC 4491), R, and S	Bi-annually (2 times per year)	First year and fourth year	None	Part 4.2.1.1.b
Benchmark	Subsectors A1, A2, A3, A4, B1, C1, C2, C3, C4, D1, E1, E2, F1, F2, F3, F4, G1, G2, H1, J1, J2, K1, L1, M1, N1, Q1, S1, U1, U2, Y1, AA1, AA2	Quarterly	First year and fourth year	AIM. See Part 5.2.	Part 4.2.2
Effluent limitation guidelines (ELG)	See Part 4.2.3	Annually	Entirety of permit coverage	See Part 5.1	Part 4.2.3
State- or tribal-specific	Depends on the discharge location of your facility. See Part 9				
Impaired Waters	Depends on the receiving waterbody. See Part 4.2.5				
Other as required by EPA	See Part 4.2.6				

* Monitoring is required for the 16 individual PAHs identified at Appendix A to 40 CFR Part 423: naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, indeno[1,2,3-c,d]pyrene, and dibenz[a,h]anthracene.

4.2.1 Indicator Monitoring. This permit requires indicator monitoring of stormwater discharges for three parameters – pH, Total Suspended Solids (TSS), and Chemical Oxygen Demand (COD) – for certain sectors/subsectors (see Part 4.2.1.1.a below) and for polycyclic aromatic hydrocarbons (PAHs) for certain sectors/activities, with additional limitations (see Part 4.2.1.1.b below). Indicator monitoring data will provide you and EPA with a baseline and comparable understanding of industrial stormwater discharge quality and potential water quality problems. The indicator monitoring parameters are “report-only” and do not have thresholds or baseline values for comparison, therefore no follow-up action is triggered or required under this part. The requirement in Part 2.2.1

that your stormwater discharge be controlled as necessary such that the receiving water of the United States will meet applicable water quality standards still applies. You may find it useful to evaluate and compare your indicator monitoring data over time to identify any fluctuating values and why they may be occurring, and to further inform any revisions to your SWPPP/SCMs if necessary.¹¹ Indicator monitoring is report-only and is neither benchmark monitoring nor an effluent limitation. Instead, it is a permit condition. Thus, failure to conduct indicator monitoring is a permit violation.

4.2.1.1 Applicability and Schedule of Indicator Monitoring

a. pH, Total Suspended Solids (TSS), and Chemical Oxygen Demand (COD).

- i. **Applicability.** Operators in the following subsectors must monitor stormwater discharges for pH, TSS, and COD (also specified in the sector-specific requirements in Part 8): B2, C5, D2, E3, F5, I1, J3, L2, N2, O1, P1, R1, T1, U3, V1, W1, X1, Y2, Z1, AB1, AC1, and AD1). Samples must be analyzed consistent with 40 CFR Part 136 analytical methods.
- ii. **Schedule.** You must conduct indicator monitoring of stormwater discharges for pH, TSS, and COD each quarter, beginning in your first full quarter of permit coverage as identified in Part 4.1.7.

b. Polycyclic Aromatic Hydrocarbons (PAH).

- i. **Applicability.** The following operators must monitor stormwater discharges for the 16 individual priority pollutant PAHs (also specified in the sector-specific requirements in Part 8): operators in all sectors with stormwater discharges from paved surfaces that will be sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit; operators in sectors A (facilities that manufacture, use, or store creosote or creosote-treated wood in areas that are exposed to precipitation), C (SIC Code 2911), D, F, H, I, M, O, P (SIC Codes 4011, 4013, and 5171), Q (SIC Code 4491), R, and S. Monitoring is required for the 16 individual PAHs identified at Appendix A to 40 CFR Part 423: naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, indeno[1,2,3-c,d]pyrene, and dibenz[a,h]anthracene. Samples must be analyzed using EPA Method 625.1, or EPA Method 610/Standard Method 6440B if preferred by the operator, consistent with 40 CFR Part 136 analytical methods.
- ii. **Schedule.** You must conduct indicator monitoring of stormwater discharges for PAHs bi-annually (i.e., sample twice per year) in the first and fourth years of permit coverage. Your first year of permit coverage begins in your first full quarter of permit coverage, identified in Part 4.1.7, commencing no earlier than May 30, 2021, followed by two years of no monitoring. Bi-annual monitoring resumes in your fourth year of permit coverage for another year,

¹¹ Examples of possible reviews and revisions to the SWPPP/SCMs that could be informed by indicator monitoring values include: reviewing sources of pollution or any changes to performed industrial activities and processes; reviewing spill and leak procedures, and/or non-stormwater discharges; conducting a single comprehensive clean-up, implementing a new control measure, and/or increasing inspections. EPA notes, however, that these actions are not required under the 2021 MSGP in response to indicator monitoring.

after which you may discontinue bi-annual PAH monitoring for the remainder of your permit coverage.

4.2.1.2 Exception for Facilities in Climates with Irregular Stormwater Discharges. As described in Part 4.1.6, facilities in climates with irregular stormwater discharges may modify this schedule provided you report this revised schedule directly to EPA by the due date of the first indicator monitoring sample (see EPA Regional contacts in Part 7.8), and you keep this revised schedule with the facility's SWPPP as specified in Part 6.5. As noted in Part 4.1.7, you must indicate in Net-DMR any 3-month interval that you did not take a sample.

4.2.1.3 Exception for Inactive and Unstaffed Facilities. The requirement for indicator monitoring does not apply at a facility that is inactive and unstaffed, provided that there are no industrial materials or activities exposed to stormwater. To invoke this exception, you must do the following:

- a. Maintain a statement with your 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) and sign and certify the statement in accordance with Appendix B, Subsection 11.
- b. If circumstances change and industrial materials or activities become exposed to stormwater or your facility becomes active and/or staffed, this exception no longer applies and you must immediately begin complying with the applicable indicator monitoring requirements under Part 4.2.1 as if you were in your first year of permit coverage. You must indicate in your NOI that your facility has materials or activities exposed to stormwater or has become active and/or staffed.
- c. If you are not qualified for this exception at the time you are authorized under this permit, but during the permit term you become qualified because your facility is inactive and unstaffed, and there are no industrial materials or activities that are exposed to stormwater, then you must notify EPA of this change on your NOI form. You may discontinue indicator monitoring once you have notified EPA, and prepared and signed the certification statement described above concerning your facility's qualification for this special exception.

Note: This exception has different requirements for Sectors G, H, and J (see Part 8).

4.2.2 Benchmark Monitoring. This permit requires benchmark monitoring parameters of stormwater discharges for certain sectors/subsectors. Benchmark monitoring data are primarily for your use to determine the overall effectiveness of your stormwater control measures and to assist you in determining when additional action(s) may be necessary to comply with the effluent limitations in Part 2.

The benchmark thresholds are not effluent limitations; a benchmark exceedance, therefore, is not a permit violation. However, if a benchmark exceedance triggers Additional Implementation Measures (AIM) in Part 5.2, failure to conduct any required measures is a permit violation. 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.

4.2.2.1 Applicability of Benchmark Monitoring.

You must monitor stormwater discharges for any benchmark parameters specified for the industrial sector(s), both primary industrial activity and any co-located industrial activities, applicable to your discharge listed in Part 8. If your facility is in one of the industrial sectors subject to benchmark thresholds that are hardness-dependent, you must include in your NOI a hardness value, established consistent with the procedures in Appendix J, that is representative of your receiving water. Hardness is not a specific benchmark and therefore the permit does not include a benchmark threshold with which to compare.

Samples must be analyzed consistent with 40 CFR Part 136 analytical methods and using test procedures with quantitation limits at or below benchmark thresholds for all benchmark parameters for which you are required to sample, i.e. sufficiently sensitive methods. For averaging purposes, you may use a value of zero for any individual sample parameter which is determined to be less than the method detection limit. For sample values that fall between the method detection limit and the quantitation limit (i.e., a confirmed detection but below the level that can be reliably quantified), use a value halfway between zero and the quantitation limit.

4.2.2.2 Summary of the 2021 MSGP Benchmark Thresholds

The Table 4-2 presents the 2021 MSGP's freshwater and saltwater benchmark thresholds. Sector-specific benchmark requirements are detailed in [Part 8](#). Values match the original units found in the source documents, detailed in the corresponding section of the fact sheet.

Table 4-2 2021 MSGP Benchmark Thresholds

Pollutant		2021 MSGP Benchmark Threshold
Total Recoverable Aluminum (T)		1,100 µg/L
Total Recoverable Beryllium		130 µg/L
Biochemical Oxygen Demand (5-day)		30 mg/L
pH		6.0 – 9.0 s.u.
Chemical Oxygen Demand		120 mg/L
Total Phosphorus		2.0 mg/L
Total Suspended Solids (TSS)		100 mg/L
Nitrate and Nitrite Nitrogen		0.68 mg/L
Turbidity		50 NTU
Total Recoverable Antimony		640 µg/L
Ammonia		2.14 mg/L
Total Recoverable Cadmium	Freshwater ^a	1.8 µg/L
	Saltwater	33 µg/L
Total Recoverable Copper	Freshwater	5.19 µg/L
	Saltwater	4.8 µg/L

Pollutant		2021 MSGP Benchmark Threshold
Total Recoverable Cyanide	Freshwater	22 µg/L
	Saltwater	1 µg/L
Total Recoverable Mercury	Freshwater	1.4 µg/L
	Saltwater	1.8 µg/L
Total Recoverable Nickel	Freshwater ^a	470 µg/L
	Saltwater	74 µg/L
Total Recoverable Selenium	Freshwater	1.5 µg/L for still/standing (lentic) waters 3.1 µg/L for flowing (lotic) waters
	Saltwater	290 µg/L
Total Recoverable Silver	Freshwater ^a	3.2 µg/L
	Saltwater	1.9 µg/L
Total Recoverable Zinc	Freshwater ^a	120 µg/L
	Saltwater	90 µg/L
Total Recoverable Arsenic	Freshwater ^a	150 µg/L
	Saltwater	69 µg/L
Total Recoverable Lead	Freshwater ^a	82 µg/L
	Saltwater	210 µg/L

^a These pollutants are dependent on water hardness where discharged into freshwaters. The freshwater benchmark value listed is based on a hardness of 100 mg/L. When a facility analyzes receiving water samples for hardness, the operator must use the hardness ranges provided in Table 1 in Appendix J of the 2021 MSGP and in the appropriate tables in Part 8 of the 2021 MSGP to determine applicable benchmark values for that facility. Benchmark thresholds for discharges of these pollutants into saline waters are not dependent on receiving water hardness and do not need to be adjusted.

4.2.2.3 Benchmark Monitoring Schedule. Benchmark monitoring of stormwater discharges is required quarterly, as identified in Part 4.1.7, in the first and fourth year of permit coverage, as follows:

- a. **Year one of permit coverage:** You must conduct benchmark monitoring for all parameters applicable to your subsector(s) for four quarters in your first year of permit coverage, beginning in your first *full* quarter of permit coverage, no earlier than May 30, 2021.
 - i. If the annual average¹² for a parameter does not exceed the benchmark threshold, you can discontinue benchmark monitoring for that parameter for the next two years (i.e., eight quarters).

¹² For this permit, an annual average exceedance for a parameter can occur if: (a) The four-quarter annual average for a parameter exceeds the benchmark threshold; or (b) Fewer than four quarterly samples are collected, but a single sample or the sum of any sample results within the sampling year exceeds the benchmark threshold by more than four times for a parameter. The result in (b) indicates an exceedance is mathematically certain (i.e., the sum of quarterly sample results to date is already more than four times the benchmark threshold). For pH, an annual average exceedance can only occur if the four-quarter annual average exceeds the benchmark threshold.

materials or activities exposed to stormwater or has become active and/or staffed.

- c. If you are not qualified for this exception at the time you are authorized under this permit, but during the permit term you become qualified because your facility is inactive and unstaffed, and there are no industrial materials or activities that are exposed to stormwater, then you must notify EPA of this change on your NOI form. You may discontinue benchmark monitoring once you have notified EPA, and prepared and signed the certification statement described above concerning your facility's qualification for this special exception.

Note: This exception has different requirements for Sectors G, H, and J (see Part 8).

4.2.3 **Effluent Limitations Monitoring**

- 4.2.3.1 **Monitoring Based on Effluent Limitations Guidelines.** Table 4-3 identifies the stormwater discharges subject to effluent limitation guidelines that are authorized for coverage under this permit. An exceedance of the effluent limitation is a permit violation. Beginning in the first full quarter following May 30, 2021 or your date of discharge authorization, whichever date comes later, you must monitor once per year at each stormwater discharge point containing the discharges identified in Table 4-3 for the parameters specified in the sector-specific section of Part 8.

Table 4-3. Required Monitoring for Effluent Limits Based on Effluent Limitations Guidelines

Regulated Activity	Effluent Limit	Monitoring Frequency	Sample Type
Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas	See Part 8.A.8	1/year	Grab
Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished product, by-products or waste products (SIC 2874)	See Part 8.C.5	1/year	Grab
Runoff from asphalt emulsion facilities	See Part 8.D.5	1/year	Grab
Runoff from material storage piles at cement manufacturing facilities	See Part 8.E.6	1/year	Grab
Mine dewatering discharges at crushed stone, construction sand and gravel, or industrial sand mining facilities	See Part 8.J.10	1/year	Grab
Runoff from hazardous waste landfills	See Part 8.K.7	1/year	Grab
Runoff from non-hazardous waste landfills	See Part 8.L.11	1/year	Grab
Runoff from coal storage piles at steam electric generating facilities	See Part 8.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.	See Part 8.S.9	1/year	Grab

- 4.2.3.2 **Substantially Identical Discharge Points Not Applicable.** You must monitor each discharge point discharging stormwater from any regulated activity identified in Table

4-3. The substantially identical discharge points (SIDP) monitoring provisions are not available for numeric effluent limit monitoring.

4.2.3.3 Follow-up Actions if Discharge Exceeds Numeric Effluent Limitation. If any monitoring value exceeds a numeric effluent limitation contained in this permit, you must indicate the exceedance on a "Change NOI" form in the NPDES eReporting Tool (NeT), and you must conduct follow-up monitoring within 30 calendar days (or during the next measurable storm event, should none occur within 30 days) of implementing corrective action(s) taken per Part 5.1. If your follow-up monitoring exceeds the applicable effluent limitation, you must:

- a. **Submit an Exceedance Report:** You must submit an Exceedance Report no later than 30 days after you have received your laboratory result consistent with Part 7.5; and
- b. **Continue to Monitor:** You must monitor, at least quarterly, until your stormwater discharge is in compliance with the effluent limit or until EPA waives the requirement for additional monitoring. Once your discharge is back in compliance with the effluent limitation you must indicate this on a "Change NOI" form per Part 7.3.

4.2.4 State or Tribal Required Monitoring

4.2.4.1 Sectors Required to Conduct State or Tribal Monitoring. You must comply with any state or tribal monitoring requirements in Part 9 of the permit applicable to your facility's discharge location.

4.2.4.2 State or Tribal Monitoring Schedule. If a monitoring frequency is not specified for an applicable requirement in Part 9, you must monitor once per year for the duration of your permit coverage.

4.2.5 Impaired Waters Monitoring. For the purposes of this permit, your facility is considered to discharge to an impaired water if the first water of the United States to which you discharge is identified by a state, tribe, or EPA pursuant to section 303(d) of the CWA as not meeting an applicable water quality standard (i.e., without an EPA-approved or -established TMDL, see Part 4.2.5.1.a below), or has been removed from the 303(d) list either because the impairments are addressed by an EPA-approved or established TMDL or is covered by pollution control requirements that meet the requirements of 40 CFR 130.7(b)(1) (see Part 4.2.5.1.b below). For discharges that enter a separate storm sewer system¹⁴ prior to discharge, the first water of the United States to which you discharge is the waterbody that receives the stormwater discharge from the separate storm sewer system.

4.2.5.1 Facilities Required to Monitor Stormwater Discharges to Impaired Waters.

- a. **Discharges to impaired waters without an EPA-approved or established TMDL:**

Monitoring is required annually in the first year of permit coverage and again in the fourth year of permit coverage as follows, unless you detect a pollutant causing an impairment, in which case annual monitoring must continue.

¹⁴ Separate storm sewer systems do not include combined sewer systems or sanitary sewer systems. Separate storm sewer systems include both municipal storm sewer systems (MS4s) and non-municipal separate storm sewers.

- i. **Year one of permit coverage:** You must take your first annual sample in your first year of permit coverage, which begins in the first full quarter following May 30, 2021 or your date of discharge authorization, whichever date comes later. You must monitor for all pollutants causing impairments using a standard analytical method, provided one exists (see 40 CFR Part 136), once at each discharge point (except substantially identical discharge points) discharging stormwater to impaired waters without an EPA-approved or established TMDL. *Note:* Except where otherwise directed by EPA, if the pollutant of concern for the impaired waterbody is suspended solids, turbidity, or sediment/sedimentation, you must monitor for Total Suspended Solids (TSS). If a pollutant of concern is expressed in the form of an indicator or surrogate pollutant, you 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 other non-pollutant. Operators must consult the applicable EPA Regional Office for any available guidance regarding required monitoring parameters under this part.
- 1) If monitoring results indicate the monitored pollutant is not detected in your discharge, or is within the acceptable range for a given parameter for the waterbody to meet its designated use (e.g., pH or temperature),¹⁵ you may discontinue monitoring for that pollutant for the next two years. You must resume monitoring for that pollutant in year four of permit coverage, if applicable, per Part 4.2.5.1.a.ii.
 - 2) If monitoring results indicate that the monitored pollutant is detected in your stormwater discharge, or is outside the acceptable range for a given parameter (e.g., pH or temperature) for the waterbody to meet its designated use,¹⁶ you must continue to monitor for the pollutant(s) annually until no longer detected, after which you may discontinue monitoring for that pollutant until monitoring resumes in year four of permit coverage, if applicable, per Part 4.2.5.1.a.ii.
- ii. **Year four of permit coverage.** Annual monitoring resumes in your fourth year of permit coverage for another year for a sub-set of parameters monitored for in the first monitoring year. In the fourth year of permit coverage, you must monitor for all pollutants causing impairment(s) that are associated with your industrial activity and/or are listed as a benchmark parameter for your subsector(s) (regardless of whether you have satisfied benchmark monitoring for the parameter per Part 4.2.2). To determine these pollutants, start with the list of pollutants for which the receiving waterbody is impaired and for which a standard analytical method exists (see 40 CFR Part 136), then compare that list to the industrial pollutants you identified in Part 6.2.3.2 and any sector-specific benchmark monitoring pollutants in Part 8 and, if applicable, Part 9. You must monitor for pollutants that appear on both the impairments list and either your industrial pollutants and/or your benchmark parameter list, including "indicator" or "surrogate" pollutants (as described in the "note" in 1 above). You must monitor once at each discharge point (except

¹⁵ Refer to your state's Water Quality Standards or contact the EPA Regional Office for assistance.

¹⁶ *Ibid.*

substantially identical discharge points (SIDPs)) for these pollutants. Consistent with Part 4.2, annual samples may be used to also satisfy any single remaining quarterly benchmark monitoring requirement applicable to your discharge.

- 1) If monitoring results indicate the monitored pollutant is not detected in your discharge, or is within the acceptable range for a given parameter for the waterbody to meet its designated use (e.g., pH or temperature),¹⁷ you may discontinue monitoring for that pollutant for the remainder of your permit coverage.
- 2) 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) annually until no longer detected, after which you may discontinue monitoring for that pollutant for the remainder of your permit coverage.

- iii. **Exception:** If sampling results in either Part 4.2.5.1.a.i or Part 4.2.5.1.a.ii above indicate the monitored pollutant is detected in your discharge, but you have determined that its presence is caused solely by natural background sources, you may discontinue monitoring for that pollutant for the duration of your permit coverage.

To support a determination that the pollutant's presence is caused solely by natural background sources, you must document and maintain with your SWPPP, as required by Part 6.5:

- 1) 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
- 2) Data and/or studies that tie the presence of the pollutant of concern in your discharge to natural background sources in the watershed.

Natural background pollutants include those that occur naturally as a result of native soils, and vegetation, wildlife, or ground water. Natural background pollutants do not include legacy pollutants from earlier activity on your site, or pollutants in run-on from neighboring sources that are not naturally occurring. However, you may be eligible to discontinue annual monitoring for pollutants that occur solely from these sources and should consult the applicable EPA Regional Office for related guidance.

- b. **Discharges to impaired waters with an EPA-approved or established TMDL:** For stormwater discharges to waters for which there is an EPA-approved or established TMDL, you are not required to monitor for the pollutant(s) for which the TMDL was written unless EPA informs you, upon examination of the applicable TMDL and its wasteload allocation, that you are subject to such a requirement consistent with the assumptions and findings of the applicable TMDL and its wasteload allocation. EPA's notice will include specifications on stormwater discharge monitoring parameters and frequency. If there are questions, you may consult the applicable EPA Regional Office for guidance regarding required monitoring under this Part.

¹⁷ *Ibid.*

- 4.2.5.2 Exception for Inactive and Unstaffed Facilities.** The requirement for impaired waters monitoring does not apply at a facility that is inactive and unstaffed, as long as there are no industrial materials or activities exposed to stormwater. To invoke this exception, you must do the following:
- a. Maintain a statement with your 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) and sign and certify the statement in accordance with Appendix B, Subsection 11.
 - b. If circumstances change and industrial materials or activities become exposed to stormwater or your facility becomes active and/or staffed, this exception no longer applies and you must immediately begin complying with the applicable impaired waters monitoring requirements under Part 4.2.5 as if you were in your first year of permit coverage. You must indicate in a "Change NOI" form per Part 7.2 that your facility has materials or activities exposed to stormwater or has become active and/or staffed.
 - c. If you are not qualified for this exception at the time you are authorized under this permit, but during the permit term you become qualified because your facility is inactive and unstaffed, and there are no industrial materials or activities that are exposed to stormwater, then you must notify EPA of this change on your NOI form. You may discontinue impaired waters monitoring once you have notified EPA, and prepared and signed the certification statement described above concerning your facility's qualification for this special exception.

Note: This exception has different requirements for Sectors G, H, and J (see Part 8).

- 4.2.6 Additional Monitoring Required by EPA.** EPA may notify you of additional stormwater discharge monitoring requirements that EPA determines are necessary to meet the permit's effluent limitations. 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.

5. Corrective Actions and Additional Implementation Measures (AIM)

5.1 Corrective Action

- 5.1.1 Conditions Requiring SWPPP Review and Revision to Ensure Effluent Limits are Met.** When any of the following conditions occur or are detected during an inspection, monitoring or other means, or EPA or the operator of the MS4 through which you discharge informs you that any of the following conditions have occurred, you must review and revise, as appropriate, your SWPPP (e.g., sources of pollution; spill and leak procedures; non-stormwater discharges; the selection, design, installation and implementation of your stormwater control measures) so that this permit's effluent limits are met and pollutant discharges are minimized:

- 5.1.1.1** An unauthorized release or discharge (e.g., spill, leak, or discharge of non-stormwater not authorized by this or another NPDES permit to a water of the United States) occurs at your facility.
- 5.1.1.2** A discharge violates a numeric effluent limit listed in Table 2-1 and/or in your Part 8 sector-specific requirements.

- 5.1.1.3 Your stormwater control measures are not stringent enough for your stormwater discharge to be controlled as necessary such that the receiving water of the United States will meet applicable water quality standards or to meet the non-numeric effluent limits in this permit.
- 5.1.1.4 A required control measure was never installed, was installed incorrectly, or not in accordance with Parts 2 and/or 8, or is not being properly operated or maintained.
- 5.1.1.5 Whenever a visual assessment shows evidence of stormwater pollution (e.g., color, odor, floating solids, settled solids, suspended solids, foam).
- 5.1.2 **Conditions Requiring SWPPP Review to Determine if Modifications Are Necessary.** If construction or a change in design, operation, or maintenance at your facility occurs that significantly changes the nature of pollutants discharged via stormwater from your facility, or significantly increases the quantity of pollutants discharged, you must review your SWPPP (e.g., sources of pollution, spill and leak procedures, non-stormwater discharges, selection, design, installation and implementation of your stormwater control measures) to determine if modifications are necessary to meet the effluent limits in this permit.
- 5.1.3 **Deadlines for Corrective Actions**
- 5.1.3.1 **Immediate Actions.** You must immediately take all reasonable steps to minimize or prevent the discharge of pollutants until you can implement a permanent solution, including cleaning up any contaminated surfaces so that the material will not discharge in subsequent storm events. In Part 5, the term “immediately” means that the day you find 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 you identify a problem too late in the work day to initiate corrective action, you must perform the corrective action the following work day morning. The term “all reasonable steps” means you 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 SCM to be installed.
- 5.1.3.2 **Subsequent Actions.** If additional actions are necessary beyond those implemented pursuant to Part 5.1.3.1, you 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 5.1.1 is not met. If it is infeasible to complete the corrective action within 14 calendar days, you must document why it is infeasible to complete the corrective action within the 14-day timeframe. You must also identify your 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, you may take the minimum additional time necessary to complete the corrective action, provided that you notify the appropriate EPA Regional Office of your intention to exceed 45 days, your rationale for an extension, and a completion date, which you must also include in your corrective action documentation (see Part 5.3). Where your corrective actions result in changes to any of the controls or procedures documented in your SWPPP, you must modify your 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 your 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.

5.1.4 Effect of Corrective Action. If the event triggering the review is a permit violation (e.g., non-compliance 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. EPA may consider the appropriateness and promptness of corrective action in determining enforcement responses to permit violations.

5.1.5 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” (SIDP) (see Parts 3.2.4.5 and 4.1.1), your review must assess the need for corrective action for all related SIDPs. 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 5.1.3.

5.2 Additional Implementation Measures (AIM)

If any of the following AIM triggering events in Parts 5.2.3, 5.2.4, or 5.2.5 occur, you must follow the response procedures described in those parts, called “additional implementation measures” or “AIM.” There are three AIM levels: AIM Level 1, Level 2, and Level 3. You must respond as required to different AIM levels which prescribe sequential and increasingly robust responses when a benchmark exceedance occurs. You must follow the corresponding AIM level responses and deadlines described in Parts 5.2.1, 5.2.2, and 5.2.3 unless you qualify for an exception under Part 5.2.6.

5.2.1 Baseline Status

Once you receive discharge authorization under this permit per Part 1.3, you are in a baseline status for all applicable benchmark parameters. If an AIM triggering event occurs and you have proceeded sequentially to AIM Level 1, 2 or 3, you may return directly to baseline status once the corresponding AIM-level response and conditions are met.

5.2.2 AIM Triggering Events. If an annual average exceeds an applicable benchmark threshold based on the following events, the AIM requirements have been triggered for that benchmark parameter. You must follow the corresponding AIM-level responses and deadlines described in Parts 5.2.3, 5.2.4, and 5.2.5 unless you qualify for an exception under Part 5.2.6. An annual average exceedance for a parameter can occur if:

5.2.2.1 The four-quarterly annual average for a parameter exceeds the benchmark threshold, or

5.2.2.2 Fewer than four quarterly samples are collected, but a single sample or the sum of any sample results within the sampling year exceeds the benchmark threshold by more than four times for a parameter. This result indicates an exceedance is mathematically

certain (i.e., the sum of quarterly sample results to date is already more than four times the benchmark threshold).¹⁸

5.2.3 **AIM Level 1**

Your status changes from baseline to AIM Level 1 if quarterly benchmark monitoring results indicate that an AIM triggering event per Part 5.2.2 has occurred, unless you qualify for an exception under Part 5.2.6.

5.2.3.1 **AIM Level 1 Responses.** If any of the triggering events in Part 5.2.2 occur, you must:

- a. **Review SWPPP/Stormwater Control Measures.** Immediately review your SWPPP and the selection, design, installation, and implementation of your stormwater control measures to ensure the effectiveness of your existing measures and determine if modifications are necessary to meet the benchmark threshold for the applicable parameter,¹⁹ and
- b. **Implement Additional Measures.** After reviewing your SWPPP/stormwater control measures, you must implement additional measures, considering good engineering practices, that would reasonably be expected to bring your exceedances below the parameter's benchmark threshold; or if you determine nothing further needs to be done with your stormwater control measures, you must document per Part 5.3 and include in your annual report why you expect your existing control measures to bring your exceedances below the parameter's benchmark threshold for the next 12-month period.

5.2.3.2 **AIM Level 1 Deadlines.** If any modifications to or additional control measures are necessary in response to AIM Level 1, you must implement those modifications or control measures within 14 days of receipt of laboratory results, unless doing so within 14 days is infeasible. If doing so within 14 days is infeasible, you must document per Part 5.3 why it is infeasible and implement such modifications within 45 days.

5.2.3.3 **Continue Quarterly Benchmark Monitoring.** After compliance with AIM Level 1 responses and deadlines, you must continue quarterly benchmark monitoring for the next four quarters for the parameter(s) that caused the AIM triggering event at all affected stormwater discharge points, beginning no later than the next full quarter after compliance.

5.2.3.4 **AIM Level 1 Status Update.** While in AIM Level 1 status, you may either:

- a. **Return to Baseline Status.** Your AIM Level 1 status will return to baseline status if the AIM Level 1 responses have been met and continued quarterly benchmark monitoring results indicate that an AIM triggering event per Part 5.2.2 has not occurred after four quarters of monitoring (i.e., the benchmark threshold is no longer exceeded for the parameter(s)). You may discontinue benchmark monitoring for that parameter until monitoring resumes in year 4 of permit coverage per Part 4.2.2.3 or if you have fulfilled all benchmark monitoring

¹⁸ For pH, an annual average exceedance can only occur if the four-quarter annual average exceeds the benchmark threshold.

¹⁹ Examples may include: review sources of pollution, spill and leak procedures, and/or non-stormwater discharges; conducting a single comprehensive clean-up, making a change in subcontractor, implementing a new control measure, and/or increasing inspections.

requirements per Part 4.2.2.3, then you may discontinue monitoring for that parameter for the remainder of the permit.

- b. **Advance to AIM Level 2.** Your AIM Level 1 status advances to AIM Level 2 status if you have completed AIM Level 1 responses and the continued quarterly benchmark monitoring results indicate that an AIM triggering event per Part 5.2.2 has occurred (i.e., the benchmark threshold continues to be exceeded for the same parameter(s)).

5.2.4 **AIM Level 2**

Your status changes from AIM Level 1 to AIM Level 2 if your continued quarterly benchmark monitoring results indicate that an AIM triggering event per Part 5.2.2 has occurred (i.e., the benchmark threshold continues to be exceeded for the parameter(s)), unless you qualify for an exception under Part 5.2.6.

- 5.2.4.1 **AIM Level 2 Responses.** If any of the events in Part 5.2.2 occur, you must review your SWPPP and implement additional pollution prevention/good housekeeping SCMs, considering good engineering practices, beyond what you did in your AIM Level 1 responses that would reasonably be expected to bring your exceedances below the parameter's benchmark threshold. Refer to the MSGP sector-specific fact sheets for recommended controls found at [<https://www.epa.gov/npdes/stormwater-discharges-industrial-activities-fact-sheets-and-guidance>].

- 5.2.4.2 **AIM Level 2 Deadlines.** You must implement additional pollution prevention/good housekeeping SCMs within 14 days of receipt of laboratory results that indicate an AIM triggering event has occurred and document per Part 5.3 how the measures will achieve benchmark thresholds. If it is feasible for you to implement a measure, but not within 14 days, you may take up to 45 days to implement such measure. You must document per Part 5.3 why it was infeasible to implement such measure in 14 days. EPA may also grant you an extension beyond 45 days, based on an appropriate demonstration by you, the operator.

- 5.2.4.3 **Continue Quarterly Benchmark Monitoring.** After compliance with AIM Level 2 responses and deadlines, you must continue quarterly benchmark monitoring for the next four quarters for the parameter(s) that caused the AIM triggering event at all affected discharge points, beginning no later than the next full quarter after compliance.

- 5.2.4.4 **AIM Level 2 Status Update.** While in AIM Level 2 status, you may either:

- a. **Return to Baseline Status.** Your AIM Level 2 status will return to baseline status if the AIM Level 2 responses have been met and the continued quarterly benchmark monitoring results indicate that an AIM triggering event per Part 5.2.2 has not occurred after four quarters of monitoring (i.e., the benchmark threshold is no longer exceeded for the parameter(s)). You may discontinue benchmark monitoring for that parameter until monitoring resumes in year 4 of permit coverage per Part 4.2.2.3, or if you have fulfilled all benchmark monitoring requirements per Part 4.2.2.3, then you may discontinue monitoring for that parameter for the remainder of the permit.
- b. **Advance to AIM Level 3.** Your AIM Level 2 status advances to AIM Level 3 status if you have completed the AIM Level 2 responses and the continued quarterly benchmark monitoring results indicate that an AIM triggering event per Part 5.2.2

has occurred (i.e., the benchmark threshold continues to be exceeded for the same parameter(s)).

5.2.5 **AIM Level 3**

Your status changes from AIM Level 2 to AIM Level 3 if your continued quarterly benchmark monitoring results indicate that an AIM triggering event per Part 5.2.2 has occurred (i.e., the benchmark threshold continues to be exceeded for the parameter(s)), unless you qualify for an exception per Part 5.2.6.

5.2.5.1 **AIM Level 3 Responses.** if any of the triggering events in Part 5.2.2 occur, you must install structural source controls (e.g., permanent controls such as permanent cover, berms, and secondary containment), and/or treatment controls (e.g., sand filters, hydrodynamic separators, oil-water separators, retention ponds, and infiltration structures), except as provided in Part 5.2.6 (AIM Exceptions). The controls or treatment technologies or treatment train you install should be appropriate for the pollutants that triggered AIM Level 3 and should be more rigorous than the pollution prevention/good housekeeping-type stormwater control measures implemented under AIM Tier 2 in Part 5.2.4. You must select controls with pollutant removal efficiencies that are sufficient to bring your exceedances below the benchmark threshold. You must install such stormwater control measures for the discharge point(s) in question and for substantially identical discharge points (SIDPs), unless you individually monitor those SIDPs and demonstrate that AIM Level 3 requirements are not triggered at those discharge points.

5.2.5.2 **AIM Level 3 Deadlines.** You must identify the schedule for installing the appropriate structural source and/or treatment stormwater control measures within 14 days and install such measures within 60 days. If is not feasible within 60 days, you may take up to 90 days to install such measures, documenting in your SWPPP per Part 5.3 why it is infeasible to install the measure within 60 days. EPA may also grant you an extension beyond 90 days, based on an appropriate demonstration by you, the operator.

5.2.5.3 **Continue Quarterly Benchmark Monitoring.** After compliance with AIM Level 3 responses and deadlines, you must continue quarterly benchmark monitoring for the next four quarters for the parameter(s) that caused the AIM triggering event at all affected discharge points, beginning no later than the next full quarter after compliance.

5.2.5.4 **AIM Level 3 Status Update.** While in AIM Level 3 status, you may either:

- a. **Return to Baseline Status.** Your AIM Level 3 status will return to baseline status if the AIM Level 3 response(s) have been met and the continued quarterly benchmark monitoring results indicate that an AIM triggering event per Part 5.2.2 has not occurred after four quarters of monitoring (i.e., the benchmark threshold is no longer exceeded for the parameter(s)). You may discontinue benchmark monitoring for that parameter until monitoring resumes in what would be year 4 of permit coverage per Part 4.2.2.3, or if you have fulfilled all benchmark monitoring requirements per Part 4.2.2.3, then you may discontinue monitoring for that parameter for the remainder of the permit.
- b. **Continue in AIM Level 3.** Your AIM Level 3 status will remain at Level 3 if you have completed the AIM Level 3 responses and the continued quarterly benchmark monitoring results indicate that an AIM triggering event per Part 5.2.2 has occurred (i.e., the benchmark threshold continues to be exceeded for the same parameter(s)). You must continue quarterly benchmark monitoring for the next

four quarters for the parameter(s) that caused the AIM triggering event at all affected discharge points, beginning no later than the next full quarter after compliance. If you continue to exceed the benchmark threshold for the same parameter even after compliance with AIM Level 3, EPA may require you to apply for an individual permit.

5.2.6 **AIM Exceptions**

Following the occurrence of an AIM triggering event per Part 5.2.2, at any point or tier level of AIM and following four quarters of benchmark monitoring (or sooner if the exceedance is triggered by less than four quarters of data), you may qualify for an exception below from AIM requirements and continued benchmark monitoring. Regardless if you qualify for and claim an exception, you must still review your SCMs, SWPPP, and other on-site activities to determine if actions or modifications are necessary or appropriate in light of your benchmark exceedance(s). If claiming an AIM exception, you must follow the requirements to demonstrate that you qualify for the exception as provided below. If you qualify for an exception, you are not required to comply with the AIM responses or the continuation of quarterly benchmark monitoring for any parameters for which you can demonstrate that the benchmark exceedance is:

- 5.2.6.1 **Solely Attributable to Natural Background Pollutant Levels:** You must demonstrate that the benchmark exceedance is solely attributable to the presence of that pollutant in natural background sources, provided that all the following conditions are met and you submit your analysis and documentation to the applicable EPA Regional Office upon request:
- a. The four-quarter average concentration of your benchmark monitoring results (or fewer than four-quarters of data that trigger an exceedance) is less than or equal to the concentration of that pollutant in the natural background; and
 - b. You document and maintain with your SWPPP, as required in Part 6.5.9, your supporting rationale for concluding that benchmark exceedances are in fact attributable solely to natural background pollutant levels. You must include in your supporting rationale any data previously collected by you or others (including literature studies) that describe the levels of natural background pollutants in your stormwater discharge. Natural background pollutants are those substances that are naturally occurring in soils or ground water. Natural background pollutants do not include legacy pollutants from earlier activity on your site, or pollutants in run-on from neighboring sources which are not naturally occurring, such as other industrial facilities or roadways.
- 5.2.6.2 **Due to Run-On:** You must demonstrate and obtain EPA agreement that run-on from a neighboring source (e.g., a source external to your facility) is the cause of the exceedance, provided that all the following conditions are met and you submit your analysis and documentation to the applicable EPA Regional Office for concurrence:
- a. After reviewing and revising your SWPPP, as appropriate, you should notify the other facility or entity contributing run-on to your 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, you should contact your applicable EPA Regional Office.

5.2.6.3 Due to an abnormal event: You must immediately document per Part 5.3 that the AIM triggering event was abnormal, a description explaining what caused the abnormal event, and how any measures taken within 14 days of such event will prevent a reoccurrence of the exceedance. You must also collect a sample during the next measurable storm event to demonstrate that the result is less than the benchmark threshold, in which case you do not trigger any AIM requirements based on the abnormal event. You must report the result of this sample in NeT-DMR in lieu of the result from the sample that caused the AIM triggering event. You may avail yourself of the "abnormal" demonstration opportunity at any AIM Level, one time per parameter, and one time per discharge point, which shall include substantially identical discharge points (SIDP), provided you qualify for the exception.

5.2.6.4 For Aluminum and Copper benchmark parameters only: Demonstrated to not result in an exceedance of your facility-specific value using the national recommended water quality criteria in-lieu of the applicable MSGP benchmark threshold:

To be eligible for the exception, you must demonstrate to EPA that your stormwater discharge(s) that exceeded the applicable nationally representative MSGP benchmark threshold would not result in an exceedance of a derived facility-specific value. The demonstration to EPA, which will be made publicly available, must meet the minimum elements below in order to be considered for and approved by the applicable EPA Regional Office. If you exceed the MSGP benchmark threshold for aluminum or copper, you must still comply with any applicable AIM requirements and additional benchmark monitoring until the demonstration is made to and approved by the applicable EPA Regional Office. In this case, EPA suggests that samples collected for any continued benchmark monitoring also be analyzed for the required input parameters for each model for efficiency. If you are an existing operator and you anticipate an exceedance of the MSGP benchmark(s) based on previous monitoring data and expect to utilize this exception(s), EPA recommends you begin the required data collection in your first year of permit coverage.

a. Aluminum:

i. Conditions for this exception are:

- 1) Use of EPA's 2018 National Recommended Aluminum Aquatic Life Criteria: <https://www.epa.gov/wqc/aquatic-life-criteria-aluminum>;
- 2) In-stream waterbody sampling for the three water quality input parameters for the recommended criteria model: pH, total hardness, and dissolved organic carbon (DOC); and
- 3) Completion of sampling events sufficient to capture spatial and temporal variability. Sampling events must adequately represent each applicable season at the facility's location, which would likely be over the course of at least one year. An equal number of ambient waterbody samples must be collected at a single upstream and downstream location from the operator's discharge point(s) to the receiving water of the United States. Where there exists no ambient source water upstream of the operator's discharge point(s) to the receiving water of the United States, samples of the ambient downstream waterbody conditions are sufficient.

ii. The demonstration provided to EPA must include, at minimum:

- 1) A description of the sampling, analysis, and quality assurance procedures that were followed for data collection, following the guidance in Section

3 of EPA's Industrial Stormwater Monitoring and Sampling Guide.
https://www.epa.gov/sites/production/files/2015-11/documents/msgp_monitoring_guide.pdf;

- 2) The input parameters and export of results from the Aluminum Criteria Calculator, available at: <https://www.epa.gov/sites/production/files/2018-12/aluminum-criteria-calculator-v20.xlsm>; and,
- 3) A narrative summary of results.

b. Copper (only for discharges to freshwater):

i. Conditions for this exception are:

- 1) Use of EPA's 2007 National Recommended Freshwater Copper Aquatic Life Criteria: <https://www.epa.gov/wqc/aquatic-life-criteria-copper>;
- 2) In-stream waterbody sampling for the 10 water quality input parameters to the BLM for copper: pH; dissolved organic carbon (DOC); alkalinity; temperature; major cations (calcium, magnesium, sodium, and potassium); and major anions (sulfate, chloride);
- 3) The water quality input parameters, with the exception of temperature, must fall within the range of conditions recommended for use in the BLM, found in Table 1-1 of the Data Requirements document: <https://www.epa.gov/sites/production/files/2015-11/documents/copper-data-requirements-training.pdf>; and
- 4) Completion of sampling events sufficient to capture spatial and temporal variability. Because some of the BLM input parameters are known to vary seasonally, EPA suggests a possible starting point of at least one sampling event per season.²⁰ Sampling events must adequately represent each applicable season at the facility's location, which would likely be over the course of at least one year. An equal number of ambient waterbody samples must be collected at a single upstream and downstream location from the operator's discharge point(s) to the receiving water of the United States. Where there exists no ambient source water upstream of the operator's discharge point(s) to the receiving water of the United States, samples of the ambient downstream waterbody conditions are sufficient.

ii. The demonstration provided to EPA must include, at minimum:

- 1) A description of the sampling, analysis, and quality assurance procedures that were followed for data collection, following the guidance in Section 3 of EPA's Industrial Stormwater Monitoring and Sampling Guide.

²⁰ EPA training materials on Copper BLM for Data Requirements states that spatial variability in the BLM input parameters caused by physical factors such as watershed size or the presence or absence of a point source discharge(s) to a waterbody should also be considered when determining how many sampling events should be collected when using the BLM to develop site-specific copper criteria. Spatial variability in the BLM input parameters should also be considered when determining how many sampling locations should be selected for development of site-specific copper criteria using the BLM. Regardless of the number of sampling events involved, data collection should reflect site-specific characteristics and consider special circumstances that may affect copper toxicity throughout the expected range of receiving water conditions. See <https://www.epa.gov/sites/production/files/2015-11/documents/copper-data-requirements-training.pdf>.

https://www.epa.gov/sites/production/files/2015-11/documents/msgp_monitoring_guide.pdf;

- 2) A discussion of how the data collected reflects the site-specific characteristics and how the operator considered special circumstances that may affect copper toxicity throughout the expected range of receiving water conditions;
- 3) The input file and export of the results from the BLM software, which can be requested at: <https://www.epa.gov/wqs-tech/copper-biotic-ligand-model>; and
- 4) A narrative summary of results.

5.2.6.5 Demonstrated to not result in any exceedance of water quality standards: You must demonstrate to EPA within 30 days of the AIM triggering event that the triggering event does not result in any exceedance of water quality standards. If it is not feasible to complete this demonstration within 30 days, you may take up to 90 days, documenting in your SWPPP why it is infeasible to complete the demonstration within 30 days. EPA may also grant you an extension beyond 90 days, based on an appropriate demonstration by you, the operator. The demonstration to EPA, which will be made publicly available, must include the following minimum elements in order to be considered for approval by the EPA Regional Office:

- a. the water quality standards applicable to the receiving water;
- b. the average flow rate of the stormwater discharge;
- c. the average instream flow rates of the receiving water immediately upstream and downstream of the discharge point;
- d. the ambient concentration of the parameter(s) of concern in the receiving water immediately upstream and downstream of the discharge point demonstrated by full-storm composite sampling;
- e. the concentration of the parameter(s) of concern in the stormwater discharge demonstrated by full-storm, flow-weighted composite sampling;
- f. any relevant dilution factors applicable to the discharge; and
- g. the hardness of the receiving water.

Timeframe of EPA Review of Your Submitted Demonstration: EPA will review and either approve or disapprove of such demonstration within 90 days of receipt (EPA may take up to 180 days upon notice to you before the 90th day that EPA needs additional time).

- **EPA Approval of Your Submitted Demonstration.** If EPA approves such demonstration within this timeframe, you have met the requirements for this exception, and you do not have to comply with the corresponding AIM requirements and continued benchmark monitoring.
- **EPA Disapproval of Your Submitted Demonstration.** If EPA disapproves such demonstration within this timeframe, you must comply with the corresponding AIM requirements and continued benchmark monitoring, as required. Compliance with the AIM requirements would begin from the date EPA notifies you of the disapproval unless you submit a Notice of Dispute to the applicable EPA Regional Office in Part 7 within 30 days of EPA's disapproval.

- **EPA Does Not Provide Response Related to Your Submitted Demonstration.** If EPA does not provide a response on the demonstration within this timeframe, you may submit to the EPA Regional Office in Part 7 a Notice of Dispute.
- **Operator Submittal of Notice of Dispute.** You may submit all relevant materials, including support for your demonstration and all notices and responses to the Water Division Director for the applicable EPA Region to review within 30 days of EPA's disapproval or after 90 days (or 180 days if EPA has provided notice that it needs more time) of not receiving a response from EPA.
- **EPA Review of Notice of Dispute.** EPA will send you a response within 30 days of receipt of the Notice of Dispute. Time for action by you, the operator, upon disapproval shall be tolled during the period from filing of the Notice of Dispute until the decision on the Notice of Dispute is issued by the Water Division Director for the applicable EPA Region.

5.3 **Corrective Action and AIM Documentation**

5.3.1 **Documentation within 24 Hours.** You must document the existence of any of the conditions listed in Parts 5.1.1, 5.2.3, 5.2.4, or 5.2.5 within 24 hours of becoming aware of such condition. You are not required to submit this documentation to EPA, unless specifically required or requested to do so. However, you must summarize your findings in the annual report per Part 7.4. Include the following information in your documentation:

5.3.2 Description of the condition or event triggering the need for corrective action review and/or AIM response. For any spills or leaks, include the following information: 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 United States, through stormwater or otherwise;

5.3.2.1 Date the condition/triggering event was identified;

5.3.2.2 Description of immediate actions taken pursuant to Part 5.1.3.1 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. Also include any measures taken to prevent the reoccurrence of such releases (see Part 2.1.2.4); and

5.3.2.3 A statement, signed and certified in accordance with Appendix B, Subsection 11.

5.3.3 **Documentation within 14 Days.** You must also document the corrective actions and/or AIM responses you took or will take as a result of the conditions listed in Part 5.1.1, 5.2.3, 5.2.4, and/or 5.2.5 within 14 days from the time of discovery of any of those conditions/triggering events. Provide the dates when you initiated and completed (or expect to complete) each corrective action and/or AIM response. If infeasible to complete the necessary corrective actions and/or AIM responses within the specified timeframe, per Parts 5.1.1, 5.2.3, 5.2.4, or 5.2.5, you must document your rationale and schedule for installing the controls and making them operational as soon as practicable after the specified timeframe. If you notified EPA regarding an allowed extension of the specified timeframe, you must document your rationale for an extension. Include any additional information and/or rationale that is required and/or applicable to the specified corrective action and/or AIM response in Part 5. You are not required to submit this documentation to EPA, unless specifically required or

requested to do so. However, you must summarize your corrective actions and/or AIM responses in the Annual Report per Part 7.4.

6. **Stormwater Pollution Prevention Plan (SWPPP)**

You must prepare a SWPPP for your facility before submitting your NOI for permit coverage. If you prepared a SWPPP for coverage under a previous version of this permit, you must review and update the SWPPP to implement all provisions of this permit prior to submitting your NOI. The SWPPP does not contain effluent limitations; such limitations are contained in Parts 2, 8, and 9 of the permit. The SWPPP is intended to document the selection, design, and installation of stormwater control measures to meet the permit's effluent limits. The SWPPP is a living document. Facilities must keep their SWPPP up-to-date throughout their permit coverage, such as making revisions and improvements to their stormwater management program based on new information and experiences with major storm events. As distinct from the SWPPP, the additional documentation requirements (see Part 6.5) are so that you document the implementation (including inspection, maintenance, monitoring, and corrective action) of the permit requirements.

Note: Any discharges not expressly authorized in this permit cannot become authorized or shielded from liability under CWA section 402(k) by disclosure to EPA, state, or local authorities after issuance of this permit via any means, including the Notice of Intent (NOI) to be covered by the permit, the SWPPP, during an inspection, etc.

6.1 **Person(s) Responsible for Preparing the SWPPP**

You shall prepare the SWPPP in accordance with good engineering practices and to industry standards. The SWPPP may be developed by either a person on your staff or a third party you hire, but it must be developed by a "qualified person" and must be certified per the signature requirements in Part 6.2.7. If EPA concludes that the SWPPP is not in compliance with Part 6.2 of this permit, EPA may require the SWPPP to be reviewed, amended as necessary, and certified by a Professional Engineer, or for Sector G, H or J, by a Professional Geologist, with the education and experience necessary to prepare an adequate SWPPP.

Note: A "qualified person," as defined in Appendix A, is a person knowledgeable in the principles and practices of industrial stormwater controls and pollution prevention, and possesses the education and ability to assess conditions at the industrial facility that could impact stormwater quality, and the education and ability to assess the effectiveness of stormwater controls selected and installed to meet the requirements of the permit.

6.2 **Required Contents of Your SWPPP**

To be covered under this permit, your SWPPP must contain all of the following elements:

- Stormwater pollution prevention team (Part 6.2.1);
- Site description (Part 6.2.2);
- Summary of potential pollutant sources (Part 6.2.3);
- Description of stormwater control measures (Part 6.2.4);
- Schedules and procedures (Part 6.2.5);
- Documentation to support eligibility pertaining to other federal laws (Part 6.2.6); and

- Signature requirements (Part 6.2.7).

Where your SWPPP refers to procedures in other facility documents, such as a Spill Prevention, Control and Countermeasure (SPCC) Plan or an Environmental Management System (EMS), copies of the relevant portions of those documents must be kept with your SWPPP.

- 6.2.1 Stormwater Pollution Prevention Team.** You must identify the staff members (by name or title) that comprise the facility's stormwater pollution prevention team as well as their individual responsibilities. Your 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 and/or AIM responses, 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 your SWPPP, and other relevant documents or information that must be kept with the SWPPP.
- 6.2.2 Site Description.** Your SWPPP must include the following:
- 6.2.2.1 Activities at the facility.** Provide a description of the nature of the industrial activities at your facility.
- 6.2.2.2 General location map.** Provide a general location map (e.g., U.S. Geological Survey (USGS) quadrangle map) with enough detail to identify the location of your facility and all receiving waters for your stormwater discharges.
- 6.2.2.3 Site map.** Provide a map showing:
- a. Boundaries of the property and the size of the property in acres;
 - b. Location and extent of significant structures and impervious surfaces;
 - c. Directions of stormwater flow (use arrows), including flows with a significant potential to cause soil erosion;
 - d. Locations of all stormwater control measures;
 - e. Locations of all receiving waters, including wetlands, in the immediate vicinity of your facility. Indicate which waterbodies are listed as impaired and which are identified by your state, tribe, or EPA as Tier 2, Tier 2.5, or Tier 3 waters;
 - f. Locations of all stormwater conveyances including ditches, pipes, and swales;
 - g. Locations of potential pollutant sources identified under Part 6.2.3.2;
 - h. Locations where significant spills or leaks identified under Part 6.2.3.3 have occurred;
 - i. Locations of all stormwater monitoring points;
 - j. Locations of stormwater inlets and discharge points, with a unique identification code for each discharge point (e.g., 001, 002), indicating if you are treating one or more discharge points as "substantially identical" under Parts 3.2.4.5, 6.2.5.3, and 4.1.1, and an approximate outline of the areas draining to each discharge point;
 - k. If applicable, municipal separate storm sewer systems (MS4s) and where your stormwater discharges to them;
 - l. Areas of Endangered Species Act-designated critical habitat for endangered or threatened species, if applicable.

- m. Locations of the following activities where such activities are exposed to precipitation:
 - ii. fueling stations;
 - iii. vehicle and equipment maintenance and/or cleaning areas;
 - iv. loading/unloading areas;
 - v. locations used for the treatment, storage, or disposal of wastes;
 - vi. liquid storage tanks;
 - vii. processing and storage areas;
 - viii. 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;
 - ix. transfer areas for substances in bulk;
 - x. machinery;
 - xi. locations and sources of run-on to your site from adjacent property that contains significant quantities of pollutants.

6.2.3 Summary of Potential Pollutant Sources. You must describe in the SWPPP areas at your facility where industrial materials or activities are exposed to stormwater or from which authorized non-stormwater discharges originate. 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, you 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.

For each area identified, the description must include:

- 6.2.3.1 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).
- 6.2.3.2 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.
- 6.2.3.3 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 actually 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 substances.

6.2.3.4 Unauthorized Non-Stormwater Discharges Evaluation. By the end of the first year of your permit coverage under this permit, you must inspect and document all discharge points at your facility as part of the SWPPP. If it is infeasible to complete the evaluation within the first year of permit coverage, you must document in your SWPPP why this is the case and identify the schedule by which you expect to complete the evaluation. Documentation of your evaluation must include:

- a. The date of the evaluation;
- b. A description of the evaluation criteria used;
- c. A list of the discharge points or onsite drainage points that were directly observed during the evaluation; and
- d. If there are any unauthorized non-stormwater discharges (see Part 1.2.2 for the exclusive list of authorized non-stormwater discharges under this permit) you must immediately take action(s), such as implementing control measures, to eliminate those discharges or seek an individual NPDES wastewater permit and document that you obtained the permit (for example, a floor drain was sealed, a sink drain was re-routed to sanitary, or an NPDES permit application was submitted for an unauthorized cooling water discharge).
- e. An explanation of everything you did to immediately eliminate the unauthorized discharge per Part 5 Corrective Actions.

6.2.3.5 Salt Storage. You must document the location of any storage piles containing salt used for deicing or other commercial or industrial purposes.

6.2.3.6 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.

6.2.4 Description of Stormwater Control Measures to Meet Technology-Based and Water Quality-Based Effluent Limits. You must document the location and type of stormwater control measures you have specifically chosen and/or designed to comply with:

6.2.4.1 Part 2.1.2: Non-numeric technology-based effluent limits;

6.2.4.2 Parts 2.1.3 and 8: Applicable numeric effluent limitations guidelines-based limits;

6.2.4.3 Part 2.2: Water quality-based effluent limits;

6.2.4.4 Part 2.3: Any additional measures that formed the basis of eligibility 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;

6.2.4.5 Parts 8 and 9: Applicable effluent limits;

6.2.4.6 Regarding your control measures, you must also document, as appropriate:

- a. How you addressed the selection and design considerations in Part 2.1.1;
- b. How they address the pollutant sources identified in Part 6.2.3.

Effluent limit requirements in Part 2.1.2 that do not involve the site-specific selection of a stormwater control measure or are specific activity requirements (e.g., "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") are marked with an asterisk (*). For the requirements marked with an asterisk, you may include extra information, or you may just "copy-and-paste" these effluent limits word-for-word into your SWPPP without providing additional documentation.

6.2.5 Schedules and Procedures

6.2.5.1 Pertaining to Stormwater Control Measures Used to Comply with the Effluent Limits in Part 2. You must document the following in your SWPPP:

- a. **Good Housekeeping (see Part 2.1.2.2)** – A schedule or the convention used for determining when pickup and disposal of waste materials occurs. Also provide a schedule for routine inspections for leaks and conditions of drums, tanks and containers.
- b. **Maintenance (see Part 2.1.2.3)** – Preventative maintenance procedures, including regular inspections, testing, maintenance and repair of all stormwater control measures to avoid situations that may result in leaks, spills, and other releases, and any back-up practices in place should a storm event resulting in a stormwater discharge occur while a control measure is off-line. The SWPPP shall include the schedule or frequency for maintaining all control measures used to comply with the effluent limits in Part 2;
- c. **Spill Prevention and Response Procedures (see Part 2.1.2.4)** – Procedures for preventing and responding to spills and leaks, including notification procedures. For preventing spills, include in your SWPPP the stormwater control measures for material handling and storage, and the procedures for preventing spills that can contaminate stormwater. Also specify cleanup equipment, procedures and spill logs, as appropriate, in the event of spills. You may reference the existence of other plans for Spill Prevention, Control and Countermeasure (SPCC) developed for the facility under section 311 of the CWA or BMP programs otherwise required by an NPDES permit for the facility, provided that you keep a copy of that other plan onsite and make it available for review consistent with Part 6.4;
- d. **Erosion and Sediment Controls (see Part 2.1.2.5)** – If you use polymers and/or other chemical treatments as part of your erosion and sediment controls, you must identify the polymers and/or chemicals used and the purpose;
- e. **Employee Training (see Part 2.1.2.8)** – The elements of your employee training plan shall include all, but not necessarily limited to, the requirements set forth in Part 2.1.2.8, and also the following:
 - ii. The content of the training;

- iii. 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;
- iv. A log of the dates on which specific employees received training.

6.2.5.2 Pertaining to Inspections and Assessments. You must document in your SWPPP your procedures for performing, as appropriate, the types of inspections specified by this permit, including:

- a. Routine facility inspections (see Part 3.1) and;
- b. Quarterly visual assessment of stormwater discharges (see Part 3.2).

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 (see Part 3.2.4);
- c. Specific items to be covered by the inspection, including schedules for specific discharge points.

If you are invoking the exception for inactive and unstaffed facilities relating to routine facility inspections and quarterly visual assessments, you must include in your SWPPP the information to support this claim as required by Parts 3.1.5 and 3.2.4.

6.2.5.3 Pertaining to Monitoring

- a. **Procedures for Each Type of Monitoring.** You must document in your SWPPP procedures for conducting the six types of analytical stormwater discharge monitoring specified by this permit, where applicable to your facility, including:
 - i. Indicator monitoring (Part 4.2.1);
 - ii. Benchmark monitoring (Part 4.2.2);
 - iii. Effluent limitations guidelines monitoring (Part 4.2.3);
 - iv. State- or tribal-specific monitoring (Part 4.2.4);
 - v. Impaired waters monitoring (Part 4.2.5);
 - vi. Other monitoring as required by EPA (Part 4.2.6).
- b. **Documentation for Each Type of Monitoring.** For each type of stormwater discharge monitoring, you must document in your SWPPP:
 - 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 your facility, including schedule for alternate monitoring periods for climates with irregular stormwater discharges (see Part 4.1.6);
 - iv. Any numeric control values (benchmark thresholds, effluent limitations guidelines, TMDL-related requirements, or other requirements) applicable to stormwater discharges from each discharge point;
 - v. Procedures (e.g., responsible staff, logistics, laboratory to be used) for gathering storm event data, as specified in Part 4.1.
- c. **Exception for Inactive and Unstaffed Facilities.** If you are invoking the exception for inactive and unstaffed facilities for indicator monitoring, benchmark monitoring or impaired waters monitoring, you must include in your SWPPP the information to support this claim as required by Part 4.2.2.5 and 4.2.5.2.
- d. **Exception for Substantially Identical Discharge Points (SIDP).** You must document the following in your SWPPP if you plan to use the SIDP exception for your quarterly visual assessment requirements in Part 3.2.4 or your indicator, benchmark, or impaired waters monitoring requirements in Parts 4.2.1, 4.2.2, and 4.2.5, respectively (see also Part 4.1.1):
- i. Location of each SIDP;
 - ii. Description of the general industrial activities conducted in the drainage area of each discharge point;
 - iii. Description of the control measures implemented in the drainage area of each discharge point;
 - iv. Description of the exposed materials located in the drainage area of each discharge point that are likely to be significant contributors of pollutants via stormwater discharges;
 - v. An estimate of the runoff coefficient of the drainage areas (low = under 40%; medium = 40 to 65%; high = above 65%);
 - vi. Why the discharge points are expected to discharge substantially identical effluents.
- 6.2.6 **Documentation to Support Eligibility Pertaining to Other Federal Laws**
- 6.2.6.1 **Documentation Regarding Endangered Species Act-Listed Threatened and Endangered Species and Critical Habitat Protection.** You must keep with your SWPPP the documentation supporting your determination with regard to Part 1.1.4.
- 6.2.6.2 **Documentation Regarding National Historic Preservation Act Historic Properties.** You must keep with your SWPPP the documentation supporting your determination with regard to Part 1.1.5.
- 6.2.7 **Signature Requirements.** You must sign and date your SWPPP in accordance with Appendix B, Subsection 11.

6.3 Required SWPPP Modifications

You must modify your SWPPP based on any corrective actions and deadlines required under Part 5. You must sign and date any SWPPP modifications in accordance with Appendix B, Subsection 11.

6.4 SWPPP Availability

You must retain a complete copy of your current SWPPP required by this permit at the facility in any accessible format. A complete SWPPP includes any documents incorporated by reference and all documentation supporting your permit eligibility pursuant to Part 1.1 of this permit, as well as your signed and dated certification page. Regardless of the format, the SWPPP must be immediately available to facility employees, EPA, a state or tribe, the operator of an MS4 into which you discharge, and representatives of the U.S. Fish and Wildlife Service (USFWS) or the National Marine Fisheries Service (NMFS) at the time of an on-site inspection.

Your current SWPPP or certain information from your current SWPPP described below must also be made available to the public (except any confidential business information (CBI) or restricted information [as defined in Appendix A]), but you must clearly identify those portions of the SWPPP that are being withheld from public access; to do so, you must comply with one of the following two options:

6.4.1 Making Your SWPPP Publicly Available

You have three options to comply with the public availability requirements for the SWPPP: attaching your SWPPP to your NOI; providing a URL of your SWPPP in your NOI; or providing SWPPP information in your NOI. To remain current for all three options, you must update your SWPPP (by updating the attachment per Part 6.4.1.1 via a Change NOI, updating your webpage per Part 6.4.1.2, or updating the SWPPP information in the NOI per Part 6.4.1.3 via a Change NOI no later than 45 days after conducting the final routine facility inspection for the year required in Part 3.1. You may switch your preferred option throughout your permit coverage, but you must update your NOI as necessary to indicate your change in option. You are not required to post any CBI or restricted information (as defined in Appendix A) (such information may be redacted), but you must clearly identify those portions of the SWPPP that are being withheld from public access. CBI may not be withheld from those staff cleared for CBI review within EPA, USFWS or NMFS.

6.4.1.1 Attaching Your SWPPP to your NOI: You may attach a copy of your SWPPP, and any SWPPP modifications, records, and other reporting elements that must be kept with your SWPPP, to your NOI in NeT-MSGP.

6.4.1.2 Providing a URL of your SWPPP in your NOI: You may provide a URL in your NOI in NeT-MSGP where your SWPPP can be found, and maintain your current SWPPP at this URL. You must post any SWPPP modifications, records, and other reporting elements that must be kept with your SWPPP required for the previous year at the same URL as the main body of the SWPPP.

6.4.1.3 Providing SWPPP Information in your NOI. You may include the following information in your NOI in NeT-MSGP. Irrespective of this requirement, EPA may provide access to portions of your SWPPP to a member of the public upon request (except any CBI or restricted information (as defined in Appendix A)).

- a. Onsite industrial activities exposed to stormwater, including potential spill and leak areas (see Parts 6.2.3.1, 6.2.3.3 and 6.2.3.5);
- b. Pollutants or pollutant constituents associated with each industrial activity exposed to stormwater that could be discharged in stormwater and/or any authorized non-stormwater discharges listed in Part 1.2.2 (see Part 6.2.3.2);
- c. Stormwater control measures you employ to comply with the non-numeric technology-based effluent limits required in Part 2.1.2 and Part 8, and any other measures taken to comply with the requirements in Part 2.2 Water Quality-Based Effluent Limitations (see Part 6.2.4). If you use polymers and/or other chemical treatments as part of your erosion and sediment controls, you must identify the polymers and/or chemicals used and the purpose; and
- d. Schedule for good housekeeping and maintenance (see Part 6.2.5.1) and schedule for all inspections required in Part 3 (see Part 6.2.5.2).

6.5 Additional Documentation Requirements

You are required to keep the following inspection, monitoring, and certification records with your SWPPP that together keep your records complete and up-to-date, and demonstrate your full compliance with the conditions of this permit:

- 6.5.1 A copy of the NOI submitted to EPA along with any correspondence exchanged between you and EPA specific to coverage under this permit;
- 6.5.2 A copy of the authorization email you receive from the EPA assigning your NPDES ID;
- 6.5.3 A copy of this permit (either a hard copy or an electronic copy easily available to SWPPP personnel);
- 6.5.4 Documentation of any maintenance and repairs of stormwater control measures, including the date(s) of regular maintenance, date(s) of discovery of areas in need of repair/replacement, and for repairs, date(s) that the control measure(s) returned to full function, and the justification for any extended maintenance/repair schedules (see Part 2.1.2.3);
- 6.5.5 All inspection reports, including the Routine Facility Inspection Reports (see Part 3.1.6) and Visual Assessment Documentation (see Part 3.2.3);
- 6.5.6 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) (see Parts 3.2.4 and 4.1.5);
- 6.5.7 Corrective action documentation required per Part 5.1;
- 6.5.8 Documentation of any benchmark threshold exceedances, which AIM Level triggering event the exceedance caused, and AIM response you employed per Part 5.2, including:
 - 6.5.8.1 The AIM triggering event;
 - 6.5.8.2 The AIM response taken;
 - 6.5.8.3 Any rationale that SWPPP/SCM changes were unnecessary;

- 6.5.8.4** Any documentation required to meet any AIM exception per Part 5.2.6.
- 6.5.9** Documentation to support any determination that pollutants of concern are not expected to be present above natural background levels if you discharge directly to impaired waters, and that such pollutants were not detected in your discharge after three years or were solely attributable to natural background sources (see Part 4.2.5.1); and
- 6.5.10** Documentation to support your claim that your facility has changed its status from active to inactive and unstaffed with respect to the requirements to conduct routine facility inspections (see Part 3.1.5), quarterly visual assessments (see Part 3.2.4.4), benchmark monitoring (see Part 4.2.2.4), and/or impaired waters monitoring (see Part 4.2.5.2).

7. Reporting and Recordkeeping

7.1 Electronic Reporting Requirement

You must submit all NOIs, NOTs, NECs, Annual Reports, Discharge Monitoring Reports (DMRs), and other reporting information as appropriate electronically, unless the EPA Regional Office grants you a waiver based on one of the following conditions:

- If your 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; or
- If you have 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 you need to submit information on paper after your first waiver, you must apply for a new waiver. The EPA Regional Office may extend a waiver on a case-by-case basis.

If you wish to obtain a waiver from submitting a report electronically, you must submit a request to the applicable EPA Regional Office, found in Part 7.9. In that request you must document which exemption you meet, provide evidence supporting any claims, and a copy of your completed paper form. A waiver may only be considered granted once you receive written confirmation from EPA or its authorized representative.

7.2 Submitting Information to EPA

- 7.2.1 Submitting Forms via NeT-MSGP.** You must submit all required information via EPA's electronic NPDES eReporting tool (NeT), unless the permit states otherwise or unless you have been granted a waiver per Part 7.1. You can both prepare and submit required information in NeT-MSGP using specific forms, also found in the permit's appendices. To access NeT-MSGP, go to <https://cdxnodengn.epa.gov/net-msgp/action/login>.

Information you must submit to EPA via NeT-MSGP:

- Notice of Intent (NOI) (Part 1.3);
- Change Notice of Intent (NOI) (Part 1.3.4);

- No Exposure Certification (NEC) (Part 1.5);
- Notice of Termination (NOT) (Part 1.4); and
- Annual Report (AR) (Part 7.4).

Note: You must submit Discharge Monitoring Reports (see Part 7.3) electronically using Net-DMR.

If the applicable EPA Regional Office grants you a waiver from electronic reporting, you must use the required forms found in the Appendices.

7.2.2 Other Information Required to be Submitted. Information required to be submitted to the applicable EPA Regional Office at the address in Part 7.8:

- New Dischargers and New Sources to Water Quality-Impaired Waters (Part 1.1.6.2);
- Exceedance Report for Numeric Effluent Limitations (Part 7.5); and
- Additional Reporting (Part 7.6)

7.3 Reporting Monitoring Data to EPA

7.3.1 Submitting Monitoring Data via NeT-DMR. You must submit all stormwater discharge monitoring data collected pursuant to Part 4 to EPA using Net-DMR, EPA's electronic DMR system (for more information visit: <https://www.epa.gov/compliance/npdes-ereporting> (unless the applicable EPA Regional Office grants you a waiver from electronic reporting, in which case you may submit a paper DMR form) no later than 30 days after you have received your complete laboratory results for all monitoring discharge points for the reporting period. Your monitoring requirements (i.e., parameters required to be monitored and sample frequency) will be prepopulated on your electronic Discharge Monitoring Report (DMR) form based on the information you reported on your NOI form through the NeT-MSGP. Accordingly, you must certify the following changes to your monitoring frequency to EPA by submitting a Change NOI in NeT-MSGP, unless EPA has completed the development of planned features in the electronic systems to process submitted monitoring results to automatically turn monitoring on/off as applicable, which will trigger changes to your monitoring requirements in Net-DMR:

- 7.3.1.1** All benchmark monitoring requirements have been fulfilled for the permit term;
- 7.3.1.2** All impaired waters monitoring requirements have been fulfilled for the permit term;
- 7.3.1.3** Benchmark monitoring requirements no longer apply because the EPA Regional Office has concurred with your assessment that run-on from a neighboring source is the cause of the exceedance;
- 7.3.1.4** Benchmark and/or impaired monitoring requirements no longer apply because your facility is inactive and unstaffed;
- 7.3.1.5** Benchmark and/or impaired monitoring requirements now apply because your facility has changed from inactive and unstaffed to active and staffed;
- 7.3.1.6** For Sector G2 only: Discharges from waste rock and overburden piles have exceeded benchmark thresholds;
- 7.3.1.7** A numeric effluent limitation guideline has been exceeded;

- 7.3.1.8 A numeric effluent limitation guideline exceedance is back in compliance.
- 7.3.2 **When You Can Discontinue Submission of Monitoring Data.** Once you have completely fulfilled applicable monitoring requirements, you are no longer required to report monitoring results using Net-DMR. If you have only partially fulfilled your benchmark monitoring and/or impaired waters monitoring requirements (e.g., your four quarterly average is below the benchmark for some, but not all, parameters; you did not detect some, but not all, impairment pollutants), you must continue to report your results in Net-DMR for the remaining monitoring requirements. If the EPA Regional Office grants you a waiver per Part 7.1, you must submit paper reporting forms by the same deadline.
- 7.3.3 **State or Tribal Required Monitoring Data.** See Part 9 for specific reporting requirements applicable to individual states or tribes.
- 7.3.4 **Submission Deadline for Indicator and Benchmark Monitoring Data.** For both indicator and benchmark monitoring, you are required to submit sampling results to EPA no later than 30 days after receiving your complete laboratory results for all monitored discharge points for each monitoring period that you are required to collect samples, per Part 4.2.1. and Part 4.2.2. If you collect samples during multiple storm events in a single quarter (e.g., due to adverse weather conditions, climates with irregular stormwater discharges, or areas subject to snow), you are required to submit all sampling results for each storm event to EPA within 30 days of receiving all laboratory results for the event. Or, for any of your monitored discharge points that did not have a discharge within the reporting period, using Net-DMR, you must report that no discharges occurred for that discharge point no later than 30 days after the end of the reporting period.
- 7.4 **Annual Report**
- You must submit an Annual Report to EPA via NeT-MSGP, per Part 7.2, by January 30th for each year of permit coverage containing information generated from the past calendar year. You must include the following information in the Annual Report:
- 7.4.1 A summary of your past year's routine facility inspection documentation required (Part 3.1.6). In addition, if you are an operator of an airport facility (Sector S) that is subject to the airport effluent limitations guidelines and are complying with the Part 8.S.8.1 effluent limitation through the use of non-urea-containing deicers, provide a statement certifying that you do not use pavement deicers containing urea. (Note: Operators of airport facilities that are complying with Part 8.S.8.1 by meeting the numeric effluent limitation for ammonia do not need to include this statement.)
- 7.4.2 A summary of your past year's visual assessment documentation (see Part 3.2.3);
- 7.4.3 A summary of your past year's corrective action and any required AIM documentation (see Part 5.3). If you have not completed required corrective action or AIM responses at the time you submit your annual report, you must describe the status of any outstanding corrective action(s) or AIM responses. Also describe any incidents of noncompliance in the past year or currently ongoing, or if none, provide a statement that you are in compliance with the permit.

Your Annual Report must also include a statement, signed and certified in accordance with Appendix B, Subsection 11.

7.5 Numeric Effluent Limitations Exceedance Report

If follow-up monitoring per Part 4.2.3.3 exceeds a numeric effluent limit, you must submit an Exceedance Report to EPA no later than 30 days after you have received your laboratory results. Send the Exceedance Report to the applicable EPA Regional Office listed in Part 7.8, and report the monitoring data through Net-DMR. Your report must include the following:

- 7.5.1 NPDES ID;
- 7.5.2 Facility name, physical address and location;
- 7.5.3 Name of receiving water;
- 7.5.4 Monitoring data from this and the preceding monitoring event(s);
- 7.5.5 An explanation of the situation, including what you have done and intend to do (should your corrective actions not yet be complete) to correct the violation;
- 7.5.6 An appropriate contact name and phone number.

7.6 Additional Standard Recordkeeping and Reporting Requirements

In addition to the reporting requirements stipulated in Part 7, you are also subject to the standard permit reporting provisions of Appendix B, Subsection 12. You must submit the following reports to the applicable EPA Regional Office listed in Part 7.8, as applicable. If you discharge through an MS4, you must also submit these reports to the MS4 operator (identified pursuant to Part 6.2.2).

- 7.6.1 24-hour reporting (see Appendix B, Subsection 12.F) – You must report any noncompliance which may endanger health or the environment. Any information must be provided orally within 24 hours from the time you become aware of the circumstances;
- 7.6.2 5-day follow-up reporting to the 24-hour reporting (see Appendix B, Subsection 12.F) – A written submission must also be provided within five days of the time you become aware of the circumstances;
- 7.6.3 Reportable quantity spills (see Part 2.1.2.4) – You must provide notification, as required under Part 2.1.2.4, as soon as you 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;
- 7.6.4 Planned changes (see Appendix B, Subsection 12.A) – You must give notice to EPA 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;
- 7.6.5 Anticipated noncompliance (see Appendix B, Subsection 12.B) – You must give advance notice to EPA of any planned changes in the permitted facility or activity which you anticipate will result in noncompliance with permit requirements;
- 7.6.6 Compliance schedules (see Appendix B, Subsection 12.F) – 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;

7.6.7 Other noncompliance (see Appendix B, Subsection 12.G) – You must report all instances of noncompliance not reported in your Annual Report, compliance schedule report, or 24-hour report at the time monitoring reports are submitted; and

7.6.8 Other information (see Appendix B, Subsection 12.H) – You must promptly submit facts or information if you become aware that you failed to submit relevant facts in your NOI, or that you submitted incorrect information in your NOI or in any report.

7.7 Record Retention Requirements

You must retain copies of your SWPPP (including any modifications made during the term of this permit), additional documentation requirements pursuant to Part 6.5 (including documentation related to any corrective actions or AIM responses taken pursuant to Part 5), 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 three years from the date that your coverage under this permit expires or is terminated.

7.8 Addresses for Reports

Permit Part	EPA Region	Areas Covered	Address
7.8.1	1	Connecticut Massachusetts New Hampshire Rhode Island Vermont	U.S. EPA Region 1 Water Division Stormwater and Construction Permits Section 5 Post Office Square, Ste. 100 (06-1) Boston, MA 02109-3912
7.8.2	2	New Jersey New York	U.S. EPA Region 2 NPDES Stormwater Program 290 Broadway, 24th Floor New York, NY 10007-1866
		Puerto Rico Virgin Islands	U.S. EPA Region 2 Caribbean Environmental Protection Division NPDES Stormwater Program City View Plaza II – Suite 7000 48 Rd. 165 Km 1.2 Guaynabo, PR 00968-8069
7.8.3	3	Delaware District of Columbia Maryland Pennsylvania Virginia West Virginia	U.S. EPA Region 3 NPDES Permits Section, MC 3WD41 1650 Arch Street Philadelphia, PA 19103
7.8.4	4	Alabama Florida Georgia Kentucky Mississippi North Carolina	U.S. EPA Region 4 Water Division NPDES Stormwater Program Atlanta Federal Center 61 Forsyth Street SW Atlanta, GA 30303-3104

Permit Part	EPA Region	Areas Covered	Address
		South Carolina Tennessee	
7.8.5	5	Illinois Indiana Michigan Minnesota Ohio Wisconsin	U.S. EPA Region 5 NPDES Program Branch 77 W. Jackson Blvd. MC WP16J Chicago, IL 60604-3507
7.8.6	6	Arkansas Louisiana Oklahoma Texas New Mexico (except see Region 9 for Navajo lands, and see Region 8 for Ute Mountain Reservation lands)	U.S. EPA Region 6 Permitting Section (WD-PE) 1201 Elm Street, Suite 500 Dallas, TX 75270
7.8.7	7	Iowa Kansas Missouri Nebraska	U.S. EPA Region 7 NPDES Stormwater Program 11201 Renner Blvd Lenexa, KS 66219
7.8.8	8	Colorado Montana North Dakota South Dakota Wyoming Utah (except see Region 9 for Goshute Reservation and Navajo Reservation lands) The Ute Mountain Reservation in New Mexico The Pine Ridge Reservation in Nebraska	EPA Region 8 Storm Water Program MC: 8P-W-WW 1595 Wynkoop Street Denver, CO 80202-1129

Permit Part	EPA Region	Areas Covered	Address
7.8.9	9	Arizona California Hawaii Nevada Guam American Samoa The Commonwealth of the Northern Mariana Islands The Goshute Reservation in Utah and Nevada The Navajo Reservation in Utah New Mexico, and Arizona The Duck Valley Reservation in Idaho Fort McDermitt Reservation in Oregon	U.S. EPA Region 9 Water Division NPDES Stormwater Program (WTR-2-3) 75 Hawthorne Street San Francisco, CA 94105-3901
7.8.10	10	Alaska Idaho Oregon (except see Region 9 for Fort McDermitt Reservation) Washington	U.S. EPA Region 10 Water Division NPDES Stormwater Program (19-C04) 1200 6th Avenue, Suite 155 Seattle, WA 98101-3188
7.8.11	State and Tribal Addresses		See Part 9 (states and tribes) for the addresses of applicable states or tribes that require submission of information to their agencies.

Part 8 – Sector-Specific Requirements for Industrial Activity

Subpart A – Sector A – Timber Products

You must comply with Part 8 sector-specific requirements associated with your primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

8.A.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 D-1 of Appendix D of the permit.

8.A.2 Limitations on Coverage

8.A.2.1 *Prohibition of Discharges.* (See also Part 1.1.3) 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 NPDES permit.

8.A.2.2 *Authorized Non-Stormwater Discharges.* (See also Part 1.2.2) Also authorized by this permit, provided the non-stormwater component of the discharge is in compliance with the requirements in Part 2.1.2 (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.

8.A.3 Additional Technology-Based Effluent Limits

8.A.3.1 *Good Housekeeping.* (See also Part 2.1.2.2) In areas where storage, loading and unloading, and material handling occur, perform good housekeeping to minimize the discharge of wood debris, leachate generated from decaying wood materials, and the generation of dust.

8.A.4 Additional SWPPP Requirements

8.A.4.1 *Drainage Area Site Map.* (See also Part 6.2.2) Document in your SWPPP where any of the following may be exposed to precipitation or stormwater: 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.

8.A.4.2 *Inventory of Exposed Materials.* (See also Part 6.2.3.2) Where such information exists, if your facility has used chlorophenolic, creosote, or chromium-copper-arsenic formulations for wood surface protection or preserving, document in your 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.

8.A.4.3 *Description of Stormwater Management Controls.* (See also Part 6.2.4) 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 your facility performs wood surface protection and preservation activities, address the specific control measures, including any BMPs, for these activities.

8.A.5 Additional Inspection Requirements. (See also Part 3.1)

If your 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.

8.A.6 Indicator Monitoring (See also Part 4.2.1)

Table 8.A-1 identifies indicator monitoring that applies to the specific subsectors of Sector A. This indicator monitoring applies to both your primary industrial activity and any co-located industrial activities.

Subsector (You may be subject to requirements for more than one sector/subsector)	Indicator Monitoring Parameter	Indicator Monitoring Threshold
Applies to all Sector A (Subsectors A1, A2, A3, and A4) facilities with stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values
Applies to all Sector A (Subsectors A1, A2, A3, and A4) facilities that manufacture, use, or store creosote or creosote-treated wood in areas that are exposed to precipitation	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values

* Monitoring is required for the 16 individual PAHs identified at Appendix A to 40 CFR Part 423: naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, indeno[1,2,3-c,d]pyrene, and dibenz[a,h]anthracene.

8.A.7 Sector-Specific Benchmarks (See also Part 4.2.2)

Table 8.A-2 identifies benchmarks that apply to the specific subsectors of Sector A. These benchmarks apply to both your primary industrial activity and any co-located industrial activities.

Subsector (You 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 Recoverable Zinc (freshwater) ¹	Hardness Dependent
	Total Recoverable Zinc (saltwater) ²	90 µg/L
Subsector A2. Wood Preserving (SIC 2491)	Total Recoverable Arsenic (freshwater)	150 µg/L
	Total Recoverable Arsenic (saltwater) ¹	69 µg/L
	Total Recoverable Copper (freshwater)	5.19 µg/L
	Total Recoverable Copper (saltwater) ²	4.8 µg/L
Subsector A3. Log Storage and Handling (SIC 2411)	Total Suspended Solids (TSS)	100 mg/L
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

¹ The freshwater benchmark values of some metals are dependent on water hardness. For these parameters, permittees must determine the hardness of the receiving water (see Appendix J, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part 4.2.2.1, to identify the applicable 'hardness range' for determining their benchmark value applicable to their facility. Hardness Dependent Benchmarks follow in the table below:

Freshwater Hardness Range	Zinc
0-24.99 mg/L	37
25-49.99 mg/L	52
50-74.99 mg/L	80
75-99.99 mg/L	107
100-124.99 mg/L	132
125-149.99 mg/L	157
150-174.99 mg/L	181
175-199.99 mg/L	204
200-224.99 mg/L	227

225-249.99 mg/L	249
250+ mg/L	260

² Saltwater benchmark values apply to stormwater discharges into saline waters where indicated.

8.A.8 Effluent Limitations Based on Effluent Limitations Guidelines. (See also Part 4.2.3)

Table 8.A-3 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.

Industrial Activity	Paramete	Effluent Limitation
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

¹ Monitor annually.

8.A.8.1 *Credit for Pollutants in Intake Water.* For discharges that are comprised solely of water drawn from the same body of water into which the discharges flow and that exceed an applicable effluent limitation, you may be eligible for a credit to the extent necessary to meet the limitation. To obtain this credit, you must show that your discharge would meet the limitation in the absence of the pollutant(s) in the intake water by demonstrating that the control measures you use to meet the limitation would, if properly installed and operated, meet the limitations for the pollutant (i.e., the pollutant level in your discharge is in exceedance of the limitation due to the pollutant concentration in the source or intake water). You must consult the appropriate EPA Regional Office for guidance in seeking a pollutant credit under this Part. EPA will notify you whether you are eligible for the credit, and, if so, provide the scope of such credit.

Part 8 – Sector-Specific Requirements for Industrial Activity**Subpart B – Sector B – Paper and Allied Products**

You must comply with Part 8 sector-specific requirements associated with your primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

8.B.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 D-1 of Appendix D of the permit.

8.B.2 Indicator Monitoring (See also Part 4.2.1)

Table 8.B-1 identifies indicator monitoring that applies to the specific subsectors of Sector B. This indicator monitoring applies to both your primary industrial activity and any co-located industrial activities.

Subsector (You may be subject to requirements for more than one sector/subsector)	Indicator Monitoring Parameter	Indicator Monitoring Threshold
Applies to all Sector B (Subsectors B1 and B2) facilities with stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values
Subsector B2. Pulp Mills (SIC Code 2611); Paper Mills (SIC Code 2621); Paperboard Containers and Boxes (SIC Code 2652-2657); Converted Paper and Paperboard Products, Except Containers and Boxes (SIC Code 2671-2679)	Chemical Oxygen Demand (COD)	Report Only/ No thresholds or baseline values
	Total Suspended Solids (TSS)	Report Only/ No thresholds or baseline values
	pH	Report Only/ No thresholds or baseline values

* Monitoring is required for the 16 individual PAHs identified at Appendix A to 40 CFR Part 423: naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, indeno[1,2,3-c,d]pyrene, and dibenz[a,h]anthracene.

8.B.3 Sector-Specific Benchmarks (See also Part 4.2.2)

Table 8.B-2 identifies benchmarks that apply to the specific subsectors of Sector B. These benchmarks apply to both your primary industrial activity and any co-located industrial activities.

Table 8.B-2.		
Subsector (You 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

Part 8 – Sector-Specific Requirements for Industrial Activity**Subpart C – Sector C – Chemical and Allied Products Manufacturing, and Refining**

You must comply with Part 8 sector-specific requirements associated with your primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

8.C.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 D-1 of Appendix D of the permit.

8.C.2 Limitations on Coverage

8.C.2.1 *Prohibition of Non-Stormwater Discharges.* (See also Part 1.1.3) 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. (EPA includes this prohibited non-stormwater discharge here solely as a helpful reminder to the operator that the only non-stormwater discharges authorized by this permit are at Part 1.2.2.)

8.C.3 Indicator Monitoring (See also Part 4.2.1)

Table 8.C-1 identifies indicator monitoring that applies to the specific subsectors of Sector C. This indicator monitoring applies to both your primary industrial activity and any co-located industrial activities.

Subsector (You may be subject to requirements for more than one sector/subsector)	Indicator Monitoring Parameter	Indicator Monitoring Threshold
Applies to all Sector C (Subsectors C1, C2, C3, C4, and C5) facilities with stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values

Table 8.C-1		
Subsector (You may be subject to requirements for more than one sector/subsector)	Indicator Monitoring Parameter	Indicator Monitoring Threshold
Subsector C5. Medicinal Chemicals and Botanical Products; Pharmaceutical Preparations; in vitro and in vivo Diagnostic Substances; and Biological Products, Except Diagnostic Substances (SIC Code 2833-2836); Paints, Varnishes, Lacquers, Enamels, and Allied Products (SIC Code 2851); Industrial Organic Chemicals (SIC Code 2861-2869); Miscellaneous Chemical Products (SIC Code 2891-2899); 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 (SIC Code 3952 (limited to list of inks and paints)); Petroleum Refining (SIC Code 2911)	Chemical Oxygen Demand (COD)	Report Only/ No thresholds or baseline values
	Total Suspended Solids (TSS)	Report Only/ No thresholds or baseline values
	pH	Report Only/ No thresholds or baseline values
Subsector C5. Petroleum Refining (SIC Code 2911)	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values

* Monitoring is required for the 16 individual PAHs identified at Appendix A to 40 CFR Part 423: naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, indeno[1,2,3-c,d]pyrene, and dibenz[a,h]anthracene.

8.C.4 Sector-Specific Benchmarks (See also Part 4.2.2)

Table 8.C-2 identifies benchmarks that apply to the specific subsectors of Sector C. These benchmarks apply to both your primary industrial activity and any co-located industrial activities.

Table 8.C-2.		
Subsector (You 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 Recoverable Lead (freshwater) ²	Hardness Dependent
	Total Recoverable Lead (saltwater) ¹	210 µg/L
	Total Recoverable Zinc (freshwater) ²	Hardness Dependent
	Total Recoverable Zinc (saltwater) ¹	90 µg/L
	Total Phosphorus	2.0 mg/L

Subsector (You may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
Subsector C2. Industrial Inorganic Chemicals (SIC 2812-2819)	Total Recoverable Aluminum	1,100 µg/L
	Nitrate plus Nitrite Nitrogen	0.68 mg/L
Subsector C3. Soaps, Detergents, Cosmetics, and Perfumes (SIC 2841-2844)	Nitrate plus Nitrite Nitrogen	0.68 mg/L
	Total Recoverable Zinc (freshwater) ²	Hardness Dependent
	Total Recoverable Zinc (saltwater) ¹	90 µg/L
Subsector C4. Plastics, Synthetics, and Resins (SIC 2821-2824)	Total Recoverable Zinc (freshwater) ²	Hardness Dependent
	Total Recoverable Zinc (saltwater) ¹	90 µg/L

¹ Saltwater benchmark values apply to stormwater discharges into saline waters where indicated.

² The freshwater benchmark values of some metals are dependent on water hardness. For these parameters, permittees must determine the hardness of the receiving water (see Appendix J, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part 4.2.2.1, to identify the applicable 'hardness range' for determining their benchmark value applicable to their facility. Hardness Dependent Benchmarks follow in the table below:

Freshwater Hardness Range	Lead (µg/L)	Zinc (µg/L)
0-24.99 mg/L	14	37
25-49.99 mg/L	24	52
50-74.99 mg/L	45	80
75-99.99 mg/L	69	107
100-124.99 mg/L	95	132
125-149.99 mg/L	123	157
150-174.99 mg/L	152	181
175-199.99 mg/L	182	204
200-224.99 mg/L	213	227
225-249.99 mg/L	246	249
250+ mg/L	262	260

8.C.5 Effluent Limitations Based on Effluent Limitations Guidelines (See also Part 4.2.3.1)

Table 8.C-3 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 8.C-3 ¹		
Industrial Activity	Parameter	Effluent
Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished product, by-products or waste products (SIC 2874)	Total Phosphorus (as P)	105.0 mg/L, daily maximum
		35 mg/L, 30-day avg.
	Fluoride	75.0 mg/L, daily maximum
		25.0 mg/L, 30-day avg.

¹ Monitor annually.

Part 8 – Sector-Specific Requirements for Industrial Activity**Subpart D – Sector D – Asphalt Paving and Roofing Materials and Lubricant Manufacturing**

You must comply with Part 8 sector-specific requirements associated with your primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

8.D.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 D-1 of Appendix D of the permit.

8.D.2 Limitations on Coverage

The following stormwater discharges associated with industrial activity are not authorized by this permit (see also Part 1.1.3):

8.D.2.1 *Stormwater 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).*

The following stormwater discharges associated with industrial activity are not authorized under Sector D:

8.D.2.2 *Stormwater discharges from oil recycling facilities, which are covered under Sector N* (see Part 8.N); and**8.D.2.3 *Stormwater discharges associated with fats and oils rendering, which are covered under Sector U* (see Part 8.U).****8.D.3 Indicator Monitoring (See also Part 4.2.1)**

Table 8.D-1 identifies indicator monitoring that applies to the specific subsectors of Sector D. This indicator monitoring applies to both your primary industrial activity and any co-located industrial activities.

Subsector (You may be subject to requirements for more than one sector/subsector)	Indicator Monitoring Parameter	Indicator Monitoring Threshold
Applies to all Sector D (Subsectors D1 and D2) facilities with stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values
Subsector D1. Asphalt Paving and Roofing Materials (SIC Code 2951, 2952)	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values

Table 8.D-1		
Subsector (You may be subject to requirements for more than one sector/subsector)	Indicator Monitoring Parameter	Indicator Monitoring Threshold
Subsector D2. Miscellaneous Products of Petroleum and Coal (SIC Code 2992, 2999)	Chemical Oxygen Demand (COD)	Report Only/ No thresholds or baseline values
	Total Suspended Solids (TSS)	Report Only/ No thresholds or baseline values
	pH	Report Only/ No thresholds or baseline values
	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values

* Monitoring is required for the 16 individual PAHs identified at Appendix A to 40 CFR Part 423: naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, indeno[1,2,3-c,d]pyrene, and dibenz[a,h]anthracene.

8.D.4 Sector-Specific Benchmarks (See also Part 4.2.2)

Table 8.D-2 identifies benchmarks that apply to the specific subsectors of Sector D. These benchmarks apply to both your primary industrial activity and any co-located industrial activities.

Table 8.D-2.		
Subsector	Parameter	Benchmark Monitoring Concentration
Subsector D1. Asphalt Paving and Roofing Materials (SIC 2951, 2952)	Total Suspended Solids (TSS)	100 mg/L

8.D.5 Effluent Limitations Based on Effluent Limitations Guidelines (See also Part 4.2.3.1)

Table 8.D-3 identifies effluent limitations that apply to the industrial activities described below. Compliance with these effluent limitations 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 8.D-3 ¹		
Industrial Activity	Parameter	Effluent Limitation
Discharges from asphalt emulsion facilities.	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 mg/L, 30-day avg.

¹Monitor annually.

Part 8 – Sector-Specific Requirements for Industrial Activity**Subpart E – Sector E – Glass, Clay, Cement, Concrete, and Gypsum Products**

You must comply with Part 8 sector-specific requirements associated with your primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

8.E.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 D-1 of Appendix D of the permit.

8.E.2 Additional Technology-Based Effluent Limits

8.E.2.1 *Good Housekeeping Measures.* (See also Part 2.1.2.2) As part of your good housekeeping program, 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 paved surfaces of the site that are exposed to stormwater at regular intervals or use other equivalent measures (e.g., wash down the area and collect and/or treat and properly dispose of the washdown water) to minimize the potential discharge of these materials in stormwater. Indicate in your SWPPP the frequency of sweeping, vacuuming or other 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 in areas where cement, aggregate, kiln dust, fly ash or settled dust are being handled or processed and may be discharged in stormwater. You must also prevent the exposure of fine granular solids (e.g., cement, fly ash, kiln dust) to stormwater, where practicable, by storing these materials in enclosed silos, hoppers, buildings or under other covering.

8.E.3 Additional SWPPP Requirements

8.E.3.1 *Drainage Area Site Map.* (See also Part 6.2.2) 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.

8.E.3.2 *Discharge Testing.* (See also Part 6.2.3.4) For facilities producing ready-mix concrete, concrete block, brick, or similar products, include in the non-stormwater discharge testing a description of measures that ensure that process wastewaters resulting from washing trucks, mixers, transport buckets, forms, or other equipment are discharged in accordance with NPDES wastewater permit requirements or are recycled.

8.E.4 Indicator Monitoring. (See also Part 4.2.1)

Table 8.E-1 identifies indicator monitoring that applies to the specific subsectors of Sector E. This indicator monitoring applies to both your primary industrial activity and any co-located industrial activities.

Table 8.E-1		
Subsector (You may be subject to requirements for more than one sector/subsector)	Indicator Monitoring Parameter	Indicator Monitoring Threshold
Applies to all Sector E (Subsectors E1, E2, and E3) facilities with stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during your coverage under this permit	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values
Subsector E3. Flat Glass (SIC Code 3211); Glass and Glassware, Pressed or Blown (SIC Code 3221, 3229); Glass Products Made of Purchased Glass (SIC Code 3231); Hydraulic Cement (SIC Code 3241); Cut Stone and Stone Products (SIC Code 3281); Abrasive, Asbestos, and Miscellaneous Nonmetallic Mineral Products (SIC Code 3291-3299)	Chemical Oxygen Demand (COD)	Report Only/ No thresholds or baseline values
	Total Suspended Solids (TSS)	Report Only/ No thresholds or baseline values
	pH	Report Only/ No thresholds or baseline values

* Monitoring is required for the 16 individual PAHs identified at Appendix A to 40 CFR Part 423: naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, indeno[1,2,3-c,d]pyrene, and dibenz[a,h]anthracene.

8.E.5 Sector-Specific Benchmarks (See also Part 4.2.2)

Table 8.E-2 identifies benchmarks that apply to the specific subsectors of Sector E. These benchmarks apply to both your primary industrial activity and any co-located industrial activities.

Table 8.E-2.		
Subsector (You may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
Subsector E1. Clay Product Manufacturers (SIC 3251-3259, 3261-3269)	Total Recoverable Aluminum	1,100 µg/L
Subsector E2. Concrete and Gypsum Product Manufacturers (SIC 3271-3275)	Total Suspended Solids (TSS)	100 mg/L

8.E.6 Effluent Limitations Based on Effluent Limitations Guidelines (See also Part 4.2.3.1)

Table 8.E-3 identifies effluent limits that apply to the industrial activities described below.

Compliance with these 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 8.E-3 ¹		
Industrial Activity	Parameter	Effluent Limitation
Discharges from material storage piles at cement manufacturing facilities (SIC 3241)	Total Suspended Solids (TSS)	50 mg/L, daily maximum ²
	pH	6.0 - 9.0 s.u. ²

¹ Monitor annually.

² Any untreated overflow from facilities designed, constructed and operated to treat the volume of stormwater from materials storage piles which is associated with a 10-year, 24-hour rainfall event shall not be subject to the pH and TSS limitations (40 CFR 411.32(b)).

Part 8 – Sector-Specific Requirements for Industrial Activity

Subpart F – Sector F – Primary Metals

You must comply with Part 8 sector-specific requirements associated with your primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

8.F.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 D-1 of Appendix D of the permit.

8.F.2 Additional Technology-Based Effluent Limits

8.F.2.1 *Good Housekeeping Measures.* (See also Part 2.1.2.2) As part of your good housekeeping program, you must implement a cleaning and maintenance program for all impervious areas of the facility where particulate matter, dust or debris may accumulate to minimize the discharge of pollutants in stormwater. The cleaning and maintenance program must encompass, as appropriate, areas where material loading and unloading, storage, handling and processing occur.

Stabilize unpaved areas using vegetation or paving where there is vehicle traffic or where material loading and unloading, storage, handling and processing occurs, unless feasible.

For paved areas of the facility where particulate matter, dust or debris may accumulate, to minimize the discharge of pollutants in stormwater, implement control measures such as the following, where determined to be feasible (list not exclusive): sweeping or vacuuming at regular intervals; and washing down the area and collecting and/or treating and properly disposing of the washdown water. For unstabilized areas or for stabilized areas where sweeping, vacuuming, or washing down is not possible, to minimize the discharge of particulate matter, dust, or debris or other pollutants in stormwater, implement stormwater management devices such as the following, where determined to be feasible (list not exclusive): sediment traps, vegetative buffer strips, filter fabric fence, sediment filtering boom, gravel outlet protection, and other equivalent measures that effectively trap or remove sediment.

8.F.3 Additional SWPPP Requirements

8.F.3.1 *Drainage Area Site Map.* (See also Part 6.2.2) Identify in the SWPPP where any of the following activities may be exposed to precipitation or stormwater: 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 in stormwater.

8.F.3.2 *Inventory of Exposed Material.* (See also Part 6.2.3) Include in the inventory of materials handled at the site that potentially may be exposed to precipitation or

stormwater: areas where there is the potential for deposition of particulate matter from process air emissions or losses during material-handling activities.

8.F.4 **Additional Inspection Requirements (See also Part 3.1)**

As part of conducting your routine facility inspections at least quarterly (Part 3.1), address all potential sources of pollutants, including (if applicable) air pollution control equipment (e.g., baghouses, electrostatic precipitators, scrubbers, cyclones), for any signs of degradation (e.g., leaks, corrosion, 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.

8.F.5 **Indicator Monitoring (See also Part 4.2.1)**

Table 8.F-1 identifies indicator monitoring that applies to the specific subsectors of Sector F. This indicator monitoring applies to both your primary industrial activity and any co-located industrial activities.

Subsector (You may be subject to requirements for more than one sector/subsector)	Indicator Monitoring Parameter	Indicator Monitoring Threshold
Applies to all Sector F (Subsectors F1, F2, F3, F4, and F5) facilities with stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values
Subsector F1. Steel Works, Blast Furnaces, and Rolling and Finishing Mills (SIC Code 3312-3317)	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values
Subsector F2. Iron and Steel Foundries (SIC Code 3321-3325)	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values
Subsector F3. Rolling, Drawing, and Extruding of Nonferrous Metals (SIC Code 3351-3357)	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values
Subsector F4. Nonferrous Foundries (Castings) (SIC Code 3363-3369)	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values

Table 8.F-1		
Subsector (You may be subject to requirements for more than one sector/subsector)	Indicator Monitoring Parameter	Indicator Monitoring Threshold
Subsector F5. Primary Smelting and Refining of Nonferrous Metals (SIC Code 3331-3339); Secondary Smelting and Refining of Nonferrous Metals (SIC Code 3341); Miscellaneous Primary Metal Products (SIC Code 3398, 3399)	Chemical Oxygen Demand (COD)	Report Only/ No thresholds or baseline values
	Total Suspended Solids (TSS)	Report Only/ No thresholds or baseline values
	pH	Report Only/ No thresholds or baseline values
	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values

* Monitoring is required for the 16 individual PAHs identified at Appendix A to 40 CFR Part 423: naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, indeno[1,2,3-c,d]pyrene, and dibenz[a,h]anthracene.

8.F.6 Sector-Specific Benchmarks (See also Part 4.2.2)

Table 8.F-2 identifies benchmarks that apply to the specific subsectors of Sector F. These benchmarks apply to both your primary industrial activity and any co-located industrial activities.

Table 8.F-2.		
Subsector (You may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
Subsector F1. Steel Works, Blast Furnaces, and Rolling and Finishing Mills (SIC 3312-3317)	Total Recoverable Aluminum	1,100 µg/L
	Total Recoverable Zinc (freshwater) ²	Hardness Dependent
	Total Recoverable Zinc (saltwater) ¹	90 µg/L
Subsector F2. Iron and Steel Foundries (SIC 3321-3325)	Total Recoverable Aluminum	1,100 µg/L
	Total Suspended Solids (TSS)	100 mg/L
	Total Recoverable Copper (freshwater)	5.19 µg/L
	Total Recoverable Copper (saltwater) ¹	4.8 µg/L
	Total Recoverable Zinc (freshwater) ²	Hardness Dependent
	Total Recoverable Zinc (saltwater) ¹	90 µg/L

Table 8.F-2.		
Subsector (You may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
Subsector F3. Rolling, Drawing, and Extruding of Nonferrous Metals (SIC 3351-3357)	Total Recoverable Copper (freshwater)	5.19 µg/L
	Total Recoverable Copper (saltwater) ¹	4.8 µg/L
	Total Recoverable Zinc (freshwater) ²	Hardness Dependent
	Total Recoverable Zinc (saltwater) ¹	90 µg/L
Subsector F4. Nonferrous Foundries (SIC 3363-3369)	Total Recoverable Copper (freshwater)	5.19 µg/L
	Total Recoverable Copper (saltwater) ¹	4.8 µg/L
	Total Recoverable Zinc (freshwater) ²	Hardness Dependent
	Total Recoverable Zinc (saltwater) ¹	90 µg/L

¹ Saltwater benchmark values apply to stormwater discharges into saline waters where indicated.

² The freshwater benchmark values of some metals are dependent on water hardness. For these parameters, permittees must determine the hardness of the receiving water (see Appendix J, “Calculating Hardness in Receiving Waters for Hardness Dependent Metals,” for methodology), in accordance with Part 4.2.2.1, to identify the applicable ‘hardness range’ for determining their benchmark value applicable to their facility. Hardness Dependent Benchmarks follow in the table below:

Freshwater Hardness Range	Zinc
0-24.99 mg/L	37
25-49.99 mg/L	52
50-74.99 mg/L	80
75-99.99 mg/L	107
100-124.99 mg/L	132
125-149.99 mg/L	157
150-174.99 mg/L	181
175-199.99 mg/L	204
200-224.99 mg/L	227
225-249.99 mg/L	249
250+ mg/L	260

Part 8 – Sector-Specific Requirements for Industrial Activity

Subpart G – Sector G – Metal Mining

You must comply with Part 8 sector-specific requirements associated with your primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

Note: Where compliance with a requirement in a separate exploration permit, mining permit, reclamation plan, Surface Mining Control and Reclamation Act (SMCRA) requirements, etc. will result in you fully meeting any requirement in this Subpart, you are considered to have complied with the relevant requirement in this Subpart. You must include documentation in your SWPPP describing your rationale for concluding that any particular action on your part is sufficient to comply with the corresponding requirement in this Subpart.

8.G.1 Covered Stormwater Discharges

The requirements in Subpart G apply to stormwater discharges associated with industrial activity from Metal Mining facilities, including mines abandoned on Federal lands, as identified by the SIC Codes specified under Sector G in Table D-1 of Appendix D. Coverage is required for metal mining facilities that discharge stormwater contaminated by contact with, or that has come into contact with, any overburden, raw material, intermediate product, finished product, byproduct, or waste product located on the site of the operation.

8.G.1.1 *Covered Discharges from Inactive Facilities.* All stormwater discharges.

8.G.1.2 *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 combined 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;
- Discharges from tailings dams or dikes when not constructed of waste rock or tailings and no process fluids are present;
- Discharges 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;
- Unreclaimed, disturbed areas outside of active mining area;
- Reclaimed areas released from reclamation requirements prior to December 17, 1990;
- Partially or inadequately reclaimed areas or areas not released from reclamation requirements.

8.G.1.3 Covered Discharges from Earth-Disturbing Activities Conducted Prior to Active Mining Activities. All stormwater discharges.

8.G.1.4 Covered Discharges from Facilities Undergoing Reclamation. All stormwater discharges.

8.G.2 Limitations on Coverage

8.G.2.1 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 discharges 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: 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 1.1 of the permit. Operators bear the initial responsibility for determining if they are eligible for coverage under this permit, or must seek coverage under another NPDES permit. EPA recommends that operators contact the relevant NPDES permit issuance authority 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.

8.G.2.2 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 (see also the standard Limitations on Coverage in Part 1.1.3). (EPA includes these prohibited non-stormwater discharges

here solely as a helpful reminder to the operator that the only non-stormwater discharges authorized by this permit are at Part 1.2.2)

8.G.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).

8.G.3.1 *Mining operations.* 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.

8.G.3.2 *Earth-disturbing activities conducted prior to active mining activities.* Consists of two classes of earth-disturbing (i.e., clearing, grading and excavation) activities:

- a. activities performed for purposes of mine site preparation, including: cutting new rights of way (except when related to access road construction); providing access to a mine site for vehicles and equipment (except when related to access road construction); other earth disturbances associated with site preparation activities on any areas where active mining activities have not yet commenced (e.g., for heap leach pads, waste rock facilities, tailings impoundments, wastewater treatment plants); and
- b. construction of staging areas to prepare for erecting structures such as to house project personnel and equipment, mill buildings, etc., and construction of access roads. Earth-disturbing activities associated with the construction of staging areas and the construction of access roads conducted prior to active mining are considered to be "construction" and have additional effluent limits in Part 8.G.4.2.

8.G.3.3 *Active mining activities.* Activities related to the extraction, removal or recovery, and beneficiation of metal ore from the earth; removal of overburden and waste rock to expose mineable minerals; and site reclamation and closure activities. All such activities occur within the "active mining area." Reclamation involves activities undertaken, in compliance with applicable mined land reclamation requirements, to return the land to an appropriate post-mining contour and land use in order to meet applicable federal and state reclamation requirements. In addition, once earth-disturbing activities conducted prior to active mining activities have ceased and all related requirements in Part 8.G.4 have been met, and a well-delineated "active mining area" has been established, all activities (including any clearing, grading, and excavation) that occur within the active mining area are "active mining activities."

8.G.3.4 *Active mining area.* A place where work or other activity related to the extraction, removal or recovery of metal ore is being conducted, except, with respect to surface mines, any area of land on or in which grading has been completed to return the earth to desired contour and reclamation work has begun.

Note: Earth-disturbing activities described in the definition in Part 8.G.3.2 that occur on areas outside the active mining area (e.g., for expansion of the mine into undeveloped territory) are considered "earth-disturbing conducted prior to active mining activities", and must comply with the requirements in Part 8.G.4.

8.G.3.5 *Inactive metal mining facility.* A site or portion of a site where metal mining and/or milling occurred in the past but there are no active mining activities occurring 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 / operator. 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 an NPDES industrial stormwater permit.

8.G.3.6 *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.

8.G.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 8.G.3.2) are covered under this permit. For such earth-disturbing activities, you must comply with all applicable requirements in Parts 1-9 of the MSGP except for the technology-based effluent limits in Part 8.G.5 and Part 2.1.2, the inspection requirements in Part 8.G.7 and Part 3, and the monitoring requirements in Part 8.G.8 and Part 4.

Authorized discharges from areas where earth-disturbing activities have ceased and stabilization as specified in Part 8.G.4.1.9 or 8.G.4.2.11, where appropriate, has been completed (stabilization is not required for areas where active mining activities will occur), are no longer subject to the Part 8.G.4 requirements. At such time, authorized discharges become subject to all other applicable requirements in the MSGP, including the effluent limits in Parts 2.1.2 and 8.G.5, the inspection requirements in Parts 3 and 8.G.7, and the monitoring requirements in Parts 4 and 8.G.8.

8.G.4.1 *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 8.G.3.2(a) and 8.G.3.2(b). These limits supersede the technology-based limits listed in Part 2.1.2 and Part 8.G.5 of the MSGP.

8.G.4.1.1 *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.

8.G.4.1.2 *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 work day.

- 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 practicable.

8.G.4.1.3 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 controls (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.

8.G.4.1.4 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 vehicle and equipment tires prior to exit, where necessary;
- Remove sediment that is tracked out onto paved roads by end of the work day.

Note: EPA recognizes 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 8.G.4.1.4.

8.G.4.1.5 Soil or sediment stockpiles. You must:

- Minimize erosion of stockpiles from stormwater and wind via temporary cover, if feasible.
- Prevent up-slope stormwater flows from causing erosion of stockpiles (e.g., by diverting flows around the stockpile).
- Minimize sediment from stormwater that runs off of stockpiles, using sediment controls (e.g., a sediment barrier or downslope sediment control).

8.G.4.1.6 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 (e.g., erosion control blankets), and (2) the inlet and outlet points of the basin using erosion controls and velocity dissipation devices.

8.G.4.1.7 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.

8.G.4.1.8 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 state/local requirements;
- Use chemicals in accordance with good engineering practices and specifications of chemical supplier;
- Ensure proper training;
- Provide proper SWPPP documentation.

If you plan to use cationic treatment chemicals (as defined in Appendix A), you are ineligible for coverage under this permit, unless you notify your applicable EPA Regional Office in advance and the EPA Regional Office authorizes coverage under this permit after you have included appropriate controls and implementation procedures designed to ensure that your use of cationic treatment chemicals will not lead to a violation of water quality standards.

8.G.4.1.9 *Site stabilization requirements for earth-disturbing activities performed for purposes of mine site preparation as defined in 8.G.3.2(a) (i.e., not applicable to construction of staging areas for structures and access roads as defined in 8.G.3.2(b)).* 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) (although you are encouraged to do so within the active mining area, where appropriate):

- *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 (as defined in 8.G.3.2(a)) have temporarily ceased, but in no case more than 14 days after such activities have temporarily ceased. In arid, semi-arid, 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 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 (as defined in 8.G.3.2(a)) have permanently ceased, but in no case more than 14 days after the earth-disturbing activities have permanently ceased. In arid, semi-

arid, 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 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.

8.G.4.2 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, as defined in Part 8.G.3.2(b). These limits supersede the technology-based limits listed in Part 2.1.2 and Part 8.G.5 of the MSGP. These limits do not apply to earth-disturbing activities performed for purposes of mine site preparation (as defined in 8.G.3.2(a)).

8.G.4.2.1 Area of disturbance. You must minimize the amount of soil exposed during construction activities.

8.G.4.2.2 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:
 - The expected amount, frequency, intensity and duration of precipitation;
 - The nature of stormwater discharges and run-on at the site, including factors such as impervious surfaces, slopes and site drainage features;
 - 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.

- 8.G.4.2.3 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:
1. Provide a 50-foot undisturbed natural buffer between construction activities and the water of the U.S.; or
 2. 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
 3. 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.

See EPA's industrial stormwater website under "Fact Sheets and Guidance" for information on complying with these alternatives:

<https://www.epa.gov/npdes/stormwater-discharges-industrial-activities>.

- 8.G.4.2.4 Soil or sediment stockpiles.** In addition to the requirements in Part 8.G.4.1.5, you must locate any piles outside of any natural buffers established under Part 8.G.4.2.3.
- 8.G.4.2.5 Sediment basins.** In addition to the requirements in Part 8.G.4.1.6, you must locate sediment basins outside of any surface waters and any natural buffers established under Part 8.G.4.2.3, and you must utilize outlet structures that withdraw water from the surface, unless infeasible.
- 8.G.4.2.6 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 (e.g., by keeping the topsoil stabilized with seed or similar measures). This requirement does not apply if the intended function of the disturbed area dictates that topsoil be disturbed or removed.
- 8.G.4.2.7 Steep slopes.** You must minimize the disturbance of steep slopes. The permit does not prevent or prohibit disturbance on steep slopes.

Depending on site conditions and needs, disturbance on steep slopes may be necessary (e.g., a road cut in mountainous terrain; 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.

8.G.4.2.8 *Soil compaction.* Where final vegetative stabilization will occur or where infiltration practices will be installed, you must either restrict vehicle/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.

8.G.4.2.9 *Dewatering Practices.* You are prohibited from discharging ground water or accumulated stormwater that is removed from excavations, trenches, foundations, vaults or other similar points of accumulation, unless such waters are first effectively managed by appropriate controls (e.g., sediment basins or sediment 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. (An uncontaminated discharge is a discharge that meets applicable water quality standards.)

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 Parts 8.G.4.1.8.

8.G.4.2.10 *Pollution prevention requirements.*

- *Prohibited discharges* (this non-exhaustive list of prohibited non-stormwater discharges is included here as a reminder that only the only authorized non-stormwater discharges are those enumerated in Part 1.2.2):
 - 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).

8.G.4.2.11 Site Stabilization requirements for the construction of staging areas for structures and access roads as defined in 8.G.3.2(b) (i.e., not applicable to earth-disturbing activities performed for purposes of mine site preparation as defined in 8.G.3.2(a)). You must comply with the following stabilization requirements, except where the intended function of the site accounts for such disturbed earth (e.g., 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 work day after construction work in an area has stopped permanently or temporarily (“temporarily” means the land will be idle for a period of 14 days or more but earth-disturbing activities will resume in the future), immediately initiate stabilization measures;
- 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 final stabilization), and cover at least 70% of 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.

Note: For the purposes of this permit, EPA 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:

- Arid, semi-arid (if construction occurs during seasonally dry period), or drought-stricken areas:
 - Within 14 days of stopping construction work in an area, install any necessary non-vegetative stabilization measures;
 - 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.
- Sites affected by severe storm events or other unforeseen circumstances:
 - 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 so that within 3 years the 70% cover requirement is met.

8.G.4.3 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 defined in Part 8.G.3.2(a) and 8.G.3.2(b), in addition to the water quality-based limits in Part 2.2 of the MSGP.

Stricter requirements apply if your site will discharge to an impaired water or a water that is identified by your state, tribe, or EPA as a Tier 2 or Tier 2.5 for antidegradation purposes:

- More rapid stabilization of exposed areas: Complete initial stabilization activities within 7 days of stopping earth-disturbing work.
- More frequent site inspections: Once every 7 days and within 24 hours of a storm event of 0.25 inches or greater.

8.G.4.4 Inspection Requirements Applicable to Earth-Disturbing Activities Conducted Prior to Active Mining Activities.

The following requirements supersede the inspection requirements in Part 3 and 8.G.7 of the MSGP for earth-disturbing activities conducted prior to active mining activities defined in Part 8.G.3.2(a) and 8.G.3.2(b).

8.G.4.4.1 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 only required during working hours;
- Inspections 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 (either rain gauge or representative weather station)

Note: To determine if a storm event of 0.25 inches or greater has occurred on your site, you must either keep a properly maintained rain gauge on your site, or obtain the storm event information from a weather station that is representative of your location. For any day of rainfall during normal business hours that measures 0.25 inches or greater, you must record the total rainfall measured for that day.

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 still 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.

8.G.4.4.2 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 8.G.4.1.9 or 8.G.4.2.11.
- Arid, semi-arid, and drought stricken areas: If earth-disturbing activities are occurring during the seasonally dry period or during a period in which drought is predicted to occur, you may reduce inspections to once per month and within 24 hours of a 0.25 inch storm event.
- 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, e.g., 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.

8.G.4.4.3 Areas to be inspected. You must at a minimum inspect the 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.

8.G.4.4.4 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/sedimentation at points of discharge.

If a discharge is occurring, check:

- The quality and characteristics of the discharge;
- Whether controls are operating effectively.

8.G.4.4.5 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, include 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.

8.G.5 Technology-Based Effluent Limits for Active Mining Activities

Note: These requirements do not apply for any discharges from earth-disturbing activities conducted prior to active mining as defined in 8.G.3.2(a) or 8.G.3.2(b).

8.G.5.1 Employee training. (See also Part 2.1.2.8) Conduct employee training at least annually at active and temporarily inactive facilities.

8.G.5.2 Stormwater controls. Apart from the control measures you implement to meet your Part 2 technology-based effluent limits, where necessary to minimize pollutant discharges in stormwater, implement the following control measures at your site. The potential pollutants identified in Part 8.G.6.3 shall determine the priority and appropriateness of the control measures selected. For mines subject to dust control requirements under state or county air quality permits, provided the requirements are equivalent, compliance with such air permit dust requirements shall constitute compliance with the dust control effluent limit in Part 2.1.2.10.

Stormwater diversions: Divert stormwater away from potential pollutant sources through implementation of control measures such as the following, where determined to be feasible (list not exclusive): interceptor or diversion controls (e.g., dikes, swales, curbs, 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.

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

Treatment: If treatment of stormwater (e.g., chemical or physical systems, oil - 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 is encouraged, where feasible. Treated stormwater 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).

8.G.5.3 **Discharge testing.** (See also Part 6.2.3.4) Test or evaluate all discharge points covered under this permit for the presence of specific mining-related but unauthorized 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. Alternatively (if applicable), you may keep a certification with your SWPPP consistent with Part 8.G.6.6.

8.G.6 **Additional SWPPP Requirements for Mining Operations**

Note: The requirements in Part 8.G.6 are not applicable to inactive metal mining facilities.

8.G.6.1 **Nature of industrial activities.** (See also Part 6.2.2) Briefly document in your 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.

8.G.6.2 **Site map.** (See also Part 6.2.2) Document in your 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 points within the facility with indications of the types of discharges from the drainage areas; location(s) of all permitted discharges covered under an individual NPDES 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.

8.G.6.3 **Potential pollutant sources.** (See also Part 6.2.3) 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 your SWPPP with this information.

8.G.6.4 Documentation of control measures. Document all control measures that you implement consistent with Part 8.G.5.2. If control measures are implemented or planned but are not listed in Part 8.G.5.2 (e.g., substituting a less toxic chemical for a more toxic one), include descriptions of them in your SWPPP. If you are in compliance with dust control requirements under state or county air quality permits, you must include (or summarize, as necessary) what the state or county air quality permit dust control requirements are and how you've achieved compliance with them.

8.G.6.5 Employee training. All employee training(s) must be documented in the SWPPP.

8.G.6.6 Certification of permit coverage for commingled non-stormwater discharges. If you are able, consistent with Part 8.G.5.3 above, to certify that a particular discharge composed of commingled stormwater and non-stormwater is covered under a separate NPDES permit, and that permit subjects the non-stormwater portion to effluent limitations prior to any commingling, retain such certification with your SWPPP. This certification must identify the non-stormwater discharges, the applicable NPDES 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.G.7 Additional Inspection Requirements (See also Part 3.1)

Except for earth-disturbing activities conducted prior to active mining activities as defined in Part 8.G.3.2(a) and 8.G.3.2(b), which are subject to Part 8.G.4.4, inspect sites at least quarterly unless adverse weather conditions make the site inaccessible. Sites which discharge to waters designated as Tier 2 or 2.5 or waters which are impaired for sediment or nitrogen must be inspected monthly. See Part 8.G.8.5 for inspection requirements for inactive and unstaffed sites.

8.G.8 Monitoring and Reporting Requirements (See also Part 4)

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

8.G.8.1 Indicator Monitoring (See also Part 4.2.1)

Table 8.G-1 identifies indicator monitoring that applies to the specific subsectors of Sector G. This indicator monitoring applies to both your primary industrial activity and any co-located industrial activities.

Table 8.G-1		
Subsector (You may be subject to requirements for more than one sector/subsector)	Indicator Monitoring Parameter	Indicator Monitoring Threshold
Applies to all Sector G (Subsectors G1 and G2) facilities with stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values

* Monitoring is required for the 16 individual PAHs identified at Appendix A to 40 CFR Part 423: naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, indeno[1,2,3-c,d]pyrene, and dibenz[a,h]anthracene.

8.G.8.2 Benchmark Monitoring for Active Copper Ore Mining and Dressing Facilities.

Table 8.G-2 identifies benchmarks that apply to active copper ore mining and dressing facilities. These benchmarks apply to both your primary industrial activity and any co-located industrial activities.

Table 8.G-2		
Subsector (You 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

8.G.8.3 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 8.G-3, and twice annually in all subsequent years of coverage under this permit for any parameters for which the benchmark has been exceeded. You are also required to conduct analytic monitoring for the parameters listed in Table 8.G-4 in accordance with the requirements in Part 8.G.8.4. The Director may also notify you that you must perform additional monitoring to accurately characterize the quality and quantity of pollutants discharged from your waste rock and overburden piles.

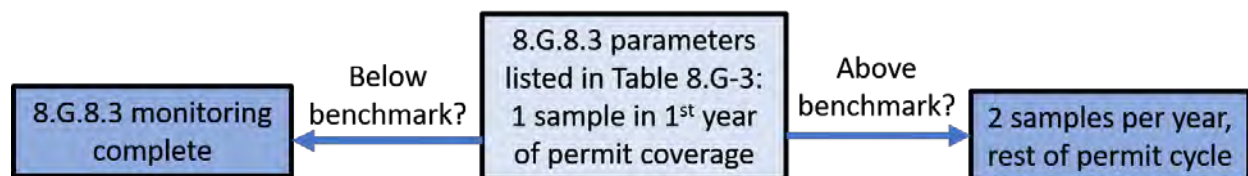


Table 8.G-3.		
Subsector (Discharges may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
Subsector G2. Iron Ores; Copper Ores; Lead and Zinc Ores; Gold and Silver Ores; Ferroalloy Ores, Except Vanadium; and Miscellaneous Metal Ores (SIC Codes 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 CaCO ₃ ; calc. from Ca, Mg) ²	no benchmark value
	Total Recoverable Antimony	640 µg/L
	Total Recoverable Arsenic (freshwater)	150 µg/L
	Total Recoverable Arsenic (saltwater) ¹	69 µg/L
	Total Recoverable Beryllium	130 µg/L
	Total Recoverable Cadmium (freshwater) ²	Hardness Dependent
	Total Recoverable Cadmium (saltwater) ¹	33 µg/L
	Total Recoverable Copper (freshwater)	5.19 µg/L
	Total Recoverable Copper (saltwater) ¹	4.8 µg/L
	Total Recoverable Lead (freshwater) ²	Hardness Dependent
	Total Recoverable Lead (saltwater) ¹	210 µg/L
	Total Recoverable Mercury (freshwater)	1.4 µg/L
	Total Recoverable Mercury (saltwater) ¹	1.8 µg/L
	Total Recoverable Nickel (freshwater) ²	Hardness Dependent
	Total Recoverable Nickel (saltwater) ¹	74 µg/L
	Total Recoverable Selenium (freshwater)	1.5 µg/L for still/standing (lentic) waters;
	Total Recoverable Selenium (saltwater) ¹	3.1 µg/L for flowing (lotic) waters 290 µg/L
Total Recoverable Silver (freshwater) ²	Hardness Dependent	
Total Recoverable Silver (saltwater) ¹	1.9 µg/L	
Total Recoverable Zinc (freshwater) ²	Hardness Dependent	
Total Recoverable Zinc (saltwater) ¹	90 µg/L	

¹Saltwater benchmark values apply to stormwater discharges into saline waters where indicated.

²The freshwater benchmark values of some metals are dependent on water hardness. For these parameters,

permittees must determine the hardness of the receiving water (see Appendix J, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part 4.2.2.1, to identify the applicable 'hardness range' for determining their benchmark value applicable to their facility. Hardness Dependent Benchmarks follow in the table below:

Freshwater Hardness Range	Cadmium (µg/L)		Lead (µg/L)	Nickel (µg/L)	Silver (µg/L)	Zinc (µg/L)
0-24.99 mg/L	0.49		14	145	0.37	37
25-49.99 mg/L	0.73		24	203	0.80	52
50-74.99 mg/L	1.2		45	314	1.9	80
75-99.99 mg/L	1.7		69	418	3.3	107
100-124.99 mg/L	2.1		95	518	5.0	132
125-149.99 mg/L	2.6		123	614	7.1	157
150-174.99 mg/L	3.1		152	707	9.4	181
175-199.99 mg/L	3.5		182	798	12	204
200-224.99 mg/L	4.0		213	888	15	227
225-249.99 mg/L	4.4		246	975	18	249
250+ mg/L	4.7		262	1019	20	260

8.G.8.4 Additional Analytic Monitoring Requirements for Discharges From Waste Rock and Overburden Piles at Active Metal Mining Facilities. In addition to the monitoring required in Part 8.G.8.3 for discharges from waste rock and overburden piles, you must also conduct monitoring for additional parameters based on the type of ore you mine at your site. The schedule for monitoring for this Part 8.G.8.4 is the same as specified in Part 8.G.8.3: once in the first year for the parameters listed in Table 8.G-4 (except radium and uranium), and twice annually in all subsequent years of coverage under this permit for any parameters for which the benchmark has been exceeded. Where a parameter in Table 8.G-4 is the same as a pollutant you are required to monitor for in Table 8.G-3 (i.e., for all of the metals), you must use the corresponding benchmark in Table 8.G-3 and you may use any monitoring results conducted for Part 8.G.8.3 to satisfy the monitoring requirement for that parameter for Part 8.G.8.4. For radium and uranium, which do not have corresponding benchmarks in Table 8.G-3, there are no applicable benchmarks. For radium and uranium, you must monitor quarterly (as identified in Part 4.1.7) for your first four full quarters of permit coverage commencing no earlier than [insert 90 days after permit effective date], after which you may discontinue monitoring for these two parameters.

Table 8.G-4. 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, Lead (H), Zinc (H)
Nickel Ore	X	X	Arsenic, Cadmium (H), Copper, Lead (H), Zinc (H)
Aluminum Ore	X	X	Iron
Mercury Ore	X	X	Nickel (H)
Iron Ore	X	X	Iron (Dissolved)

Supplemental Requirements			
Type of Ore Mined	Pollutants of Concern		
	Total Suspended Solids (TSS)	pH	Metals, Total
Platinum Ore			Cadmium (H), Copper, Mercury, Lead (H), Zinc (H)
Titanium Ore	X	X	Iron, Nickel (H), Zinc (H)
Vanadium Ore	X	X	Arsenic, Cadmium (H), Copper, Lead (H), Zinc (H)
Molybdenum	X	X	Arsenic, Cadmium (H), Copper, 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 you are required to monitor for those parameters. (H) indicates that hardness must also be measured when this pollutant is measured.

8.G.8.5 Inactive and Unstaffed Sites – Conditional Exemption from No Exposure Requirements for Quarterly Visual Assessments and Routine Facility Inspections. As a Sector G facility, if you are seeking to exercise a waiver from the quarterly visual assessment and routine facility inspection requirements for inactive and unstaffed sites (including temporarily inactive sites), you are conditionally exempt from the requirement to certify that "there are no industrial materials or activities exposed to stormwater" in Parts 3.1.5 and 3.2.4.4. This exemption is conditioned on the following:

- If circumstances change and your facility becomes active and/or staffed, this exception no longer applies and you must immediately begin complying with the quarterly visual assessment requirements; and
- EPA 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 your facility is inactive and unstaffed, you are waived from the requirement to conduct quarterly visual assessments and routine facility inspections. You must still do an annual site inspection in accordance with Part 3.1. You are encouraged to inspect your site more frequently where you have reason to believe that severe weather or natural disasters may have damaged control measures or increased discharges.

Discharge/Source of Discharge	Note/Comment
Piles	
Waste rock/overburden	Covered under the MSGP if composed entirely of stormwater and not combined with mine drainage. See note below.
Topsoil	--

Table 8.G-5. Applicability of the Multi-Sector General Permit to Stormwater From Active Mining and Dressing Sites, Temporarily Inactive Sites, and Sites Undergoing Reclamation	
Discharge/Source of Discharge	Note/Comment
Roads constructed of waste rock or spent ore	
Onsite haul roads	Covered under the MSGP if composed entirely of stormwater and not combined 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 MSGP 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 MSGP except if process fluids are present and only if composed entirely of stormwater and not combined with mine drainage. See Note below.
Runoff from tailings dams/dikes when not constructed of waste rock and tailings	Covered under the MSGP except if process fluids are present.
Concentration building	Covered under the MSGP if stormwater only and no contact with piles.
Mill site	If stormwater only and no contact with piles.
Ancillary areas	
Office and administrative building and housing	Covered under the MSGP if mixed with stormwater from the industrial area.
Chemical storage area	--
Docking facility	Covered under the MSGP 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 MSGP but coverage unnecessary if only employee and visitor-type parking.
Power plant	
Truck wash area	Covered under the MSGP except when excessive contact with waste product that would otherwise constitute mine drainage.
Reclamation-related areas	
Any disturbed area (unreclaimed)	Covered under the MSGP 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 from these sources are subject to the NPDES 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 NPDES 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 1.1 of the permit.

Operators bear the initial responsibility for determining the applicable technology-based standard for such discharges. EPA recommends that operators contact the relevant NPDES permit issuance authority 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.

8.G.9 Termination of Permit Coverage

8.G.9.1 *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 as defined in Part 8.G.3.3.

8.G.9.2 *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 that comes into contact with raw materials, intermediate byproducts, finished products, and waste products does not have the potential to cause or contribute to violations of state water quality standards, 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.

Part 8 – Sector-Specific Requirements for Industrial Activity

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

You must comply with Part 8 sector-specific requirements associated with your primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

Note: Where compliance with a requirement in a separate exploration permit, mining permit, reclamation plan, Surface Mining Control and Reclamation Act (SMCRA) requirements, etc. will result in you fully meeting any requirement in this Subpart, you are considered to have complied with the relevant requirement in this Subpart. You must include documentation in your SWPPP describing your rationale for concluding that any particular action on your part is sufficient to comply with the corresponding requirement in this Subpart.

8.H.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 D-1 of Appendix D.

8.H.2 Limitations on Coverage

8.H.2.1 *Prohibition of Non-Stormwater Discharges.* (See also Part 1.1.3) 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. (EPA includes these prohibited non-stormwater discharges here solely as a helpful reminder to the operator that the only non-stormwater discharges authorized by this permit are at Part 1.2.2).

8.H.2.2 *Discharges Subject to Stormwater Effluent Guidelines.* (See also Part 1.2.1.4) Not authorized by this permit: stormwater discharges subject to an existing effluent limitation guideline at 40 CFR Part 434.

8.H.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).

8.H.3.1 *Mining operations* - 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.

8.H.3.2 *Earth-disturbing activities conducted prior to active mining activities* – Consists of two classes of earth-disturbing (i.e., clearing, grading and excavation) activities:

- a. Activities performed for purposes of mine site preparation, including: cutting new rights of way (except when related to access road construction); providing access to a mine site for vehicles and equipment (except when related to access road construction); other earth disturbances associated with site preparation

activities on any areas where active mining activities have not yet commenced (e.g., for heap leach pads, waste rock facilities, tailings impoundments, wastewater treatment plants); and

- b. Construction of staging areas to prepare for erecting structures such as to house project personnel and equipment, mill buildings, etc., and construction of access roads. Earth-disturbing activities associated with the construction of staging areas and the construction of access roads conducted prior to active mining are considered to be “construction” and have additional effluent limits in Part 8.H.4.2.

8.H.3.3 *Active mining activities* – Activities related to the extraction, removal or recovery, and preparation of coal; removal of overburden and waste rock to expose mineable minerals; and site reclamation and closure activities. All such activities occur within the “active mining area.” Reclamation involves activities undertaken, in compliance with applicable mined land reclamation requirements, to return the land to an appropriate post-mining contour and land use in order to meet applicable federal and state reclamation requirements. In addition, once earth-disturbing activities conducted prior to active mining activities have ceased and all related requirements in Part 8.H.4 have been met, and a well-delineated “active mining area” has been established, all activities (including any clearing, grading, and excavation) that occur within the active mining area are “active mining activities.”

8.H.3.4 *Active mining area* – A place where work or other activity related to the extraction, removal or recovery of coal is being conducted, except, with respect to surface mines, any area of land on or in which grading has been completed to return the earth to desired contour and reclamation work has begun.

Note: Earth-disturbing activities described in the definition in Part 8.H.3.2 that occur on areas outside the active mining area (e.g., for expansion of the mine into undeveloped territory) are considered “earth-disturbing conducted prior to active mining activities”, and must comply with the requirements in Part 8.H.4.

8.H.3.5 *Inactive coal mining facility* – A site or portion of a site where coal mining and/or milling occurred in the past but there are no active mining operations occurring 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 / operator. 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 an NPDES industrial stormwater permit.

8.H.3.6 *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.

8.H.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 8.H.3.2) are covered under this permit. For such earth-disturbing activities, you must comply with all applicable requirements in Parts 1-9 of the MSGP except for the

technology-based effluent limits in Part 8.H.5 and Part 2.1.2, the inspection requirements in Part 8.H.7 and Part 3, and the monitoring requirements in Part 8.H.8 and Part 4.

Authorized discharges from areas where earth-disturbing activities have ceased and stabilization as specified in Part 8.H.4.19 or 8.H.4.2.11, where appropriate, has been completed (stabilization is not required for areas where active mining activities will occur), are no longer subject to the Part 8.H.4 requirements. At such time, authorized discharges become subject to all other applicable requirements in the MSGP, including the effluent limits in Parts 2.1.2 and 8.H.5, the inspection requirements in Parts 3 and 8.H.7, and the monitoring requirements in Parts 4, 8.H.8, and 8.H.9.

8.H.4.1 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 Parts 8.H.3.2(a) and 8.H.3.2(b). These limits supersede the technology-based limits listed in Part 2.1.2 and Part 8.H.5 of the MSGP.

8.H.4.1.1 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.

8.H.4.1.2 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 work day.
- 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 practicable.

8.H.4.1.3 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 controls (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.

8.H.4.1.4 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 vehicle and equipment tires prior to exit, where necessary;

- Remove sediment that is tracked out onto paved roads by end of the work day.

Note: EPA recognizes 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 8.H.4.1.4.

8.H.4.1.5 Soil or sediment stockpiles. You must:

- Minimize erosion of stockpiles from stormwater and wind via temporary cover, if feasible.
- Prevent up-slope stormwater flows from causing erosion of stockpiles (e.g., by diverting flows around the stockpile).
- Minimize sediment from stormwater that runs off of stockpiles, using sediment controls (e.g., a sediment barrier or downslope sediment control).

8.H.4.1.6 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 (e.g., erosion control blankets), and (2) the inlet and outlet points of the basin using erosion controls and velocity dissipation devices.

8.H.4.1.7 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.

8.H.4.1.8 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 state/local requirements;
- Use chemicals in accordance with good engineering practices and specifications of chemical supplier;
- Ensure proper training;
- Provide proper SWPPP documentation.

If you plan to use cationic treatment chemicals (as defined in Appendix A), you are ineligible for coverage under this permit, unless you notify your applicable EPA Regional Office in advance and the EPA Regional Office authorizes coverage under this permit after you have included appropriate controls and implementation procedures designed to ensure that your use of cationic treatment chemicals will not lead to a violation of water quality standards.

8.H.4.1.9 *Site stabilization requirements for earth-disturbing activities performed for purposes of mine site preparation as defined in 8.H.3.2(a)* (i.e., not applicable to construction of staging areas for structures and access roads as defined in 8.H.3.2(b)). 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 (as defined in 8.H.3.2(a)) have temporarily ceased, but in no case more than 14 days after such activities have temporarily ceased. In arid, semi-arid, 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 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 (as defined in 8.H.3.2(a)) have permanently ceased, but in no case more than 14 days after the earth-disturbing activities have permanently ceased. In arid, semi-arid, 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 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.

8.H.4.2 ***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, as defined in Part 8.H.3.2(b). These limits supersede the technology-based limits listed in Part 2.1.2 and Part 8.H.5 of the MSGP. These limits do not apply to earth-disturbing activities performed for purposes of mine site preparation (as defined in 8.H.3.2(a)).

8.H.4.2.1 ***Area of disturbance.*** You must minimize the amount of soil exposed during construction activities.

8.H.4.2.2 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:
 - The expected amount, frequency, intensity and duration of precipitation;
 - The nature of stormwater discharges and run-on at the site, including factors such as impervious surfaces, slopes and site drainage features;
 - 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.

8.H.4.2.3 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:

1. Provide a 50-foot undisturbed natural buffer between construction activities and the water of the U.S.; or
2. 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
3. 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.

See EPA's industrial stormwater website under "Fact Sheets and Guidance" for information on complying with these alternatives:

<https://www.epa.gov/npdes/stormwater-discharges-industrial-activities>.

- 8.H.4.2.4** *Soil or sediment stockpiles.* In addition to the requirements in Part 8.H.4.1.5, you must locate any piles outside of any natural buffers established under Part 8.H.4.2.3.
- 8.H.4.2.5** *Sediment basins.* In addition to the requirements in Part 8.H.4.1.6, you must locate sediment basins outside of any surface waters and any natural buffers established under Part 8.H.4.2.3, and you must utilize outlet structures that withdraw water from the surface, unless infeasible.
- 8.H.4.2.6** *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 (e.g., by keeping the topsoil stabilized with seed or similar measures). This requirement does not apply if the intended function of the disturbed area dictates that topsoil be disturbed or removed.
- 8.H.4.2.7** *Steep slopes.* You must minimize the disturbance of steep slopes. The permit does not prevent or prohibit disturbance on steep slopes.
- Depending on site conditions and needs, disturbance on steep slopes may be necessary (e.g., a road cut in mountainous terrain; 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.
- 8.H.4.2.8** *Soil compaction.* Where final vegetative stabilization will occur or where infiltration practices will be installed, you must either restrict vehicle/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.
- 8.H.4.2.9** *Dewatering Practices.* You are prohibited from discharging ground water or accumulated stormwater that is removed from excavations, trenches, foundations, vaults or other similar points of accumulation, unless such waters are first effectively managed by appropriate controls (e.g., sediment basins or sediment 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.

(An uncontaminated discharge is a discharge that meets applicable water quality standards.)

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 Parts 8.H.4.1.8.

8.H.4.2.10 Pollution prevention requirements.

- *Prohibited discharges* (this non-exhaustive list of prohibited non-stormwater discharges is included here as a reminder that only the only authorized non-stormwater discharges are those enumerated in Part 1.2.2):
 - 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).

8.H.4.2.11 *Site Stabilization requirements for the construction of staging areas for structures and access roads as defined in Part 8.H.3.2(b)* (i.e., not applicable to earth-disturbing activities performed for purposes of mine site preparation as defined in Part 8.H.3.2(a)). You must comply with the following stabilization requirements, except where the intended function of the site accounts for such disturbed earth (e.g., 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 work day after construction work in an area has stopped permanently or temporarily (“temporarily” means the land will be idle for a period of 14 days or more but earth-disturbing activities will resume in the future), immediately initiate stabilization measures;
- 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 final stabilization), and cover at least 70% of 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.

Note: For the purposes of this permit, EPA 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:

- Arid, semi-arid (if construction occurs during seasonally dry period), or drought-stricken areas:
 - Within 14 days of stopping construction work in an area, install any necessary non-vegetative stabilization measures;
 - 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.
- Sites affected by severe storm events or other unforeseen circumstances:
 - Initiate vegetative stabilization as soon conditions on the site allow;
 - Document the schedule that will be followed for initiating and completing vegetative stabilization;
 - Plant the area so that so that within 3 years the 70% cover requirement is met.

8.H.4.3 *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 defined in Parts 8.H.3.2(a) and 8.H.3.2(b), in addition to the water quality-based limits in Part 2.2 of the MSGP.

Stricter requirements apply if your site will discharge to an impaired water or a water that is identified by your state, tribe, or EPA as a Tier 2 or Tier 2.5 for antidegradation purposes:

- More rapid stabilization of exposed areas: Complete initial stabilization activities within 7 days of stopping earth-disturbing work.
- More frequent site inspections: Once every 7 days and within 24 hours of a storm event of 0.25 inches or greater.

8.H.4.4 *Inspection Requirements Applicable to Earth-Disturbing Activities Conducted Prior to Active Mining Activities.*

The following requirements supersede the inspections requirements in Part 3 and 8.H.7 of the MSGP for earth-disturbing activities conducted prior to active mining activities defined in Parts 8.H.3.2(a) and 8.H.3.2(b).

8.H.4.4.1 *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 only required during working hours;
- Inspections 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 (either rain gauge or representative weather station)

Note: To determine if a storm event of 0.25 inches or greater has occurred on your site, you must either keep a properly maintained rain gauge on your site, or obtain the storm event information from a weather station that is representative of your location. For any day of rainfall during normal business hours that measures 0.25 inches or greater, you must record the total rainfall measured for that.

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 still continuing. Thus, if you have elected to inspect bi-weekly in 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.

8.H.4.4.2 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 8.H.4.1.9 or 8.H.4.2.11.
- Arid, semi-arid, and drought stricken areas: If earth-disturbing activities are occurring during the seasonally dry period or during a period in which drought is predicted to occur, you may reduce inspections to once per month and within 24 hours of a 0.25 inch storm event.
- 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, e.g., 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.

8.H.4.4.3 Areas to be Inspected. You must at a minimum inspect 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.

8.H.4.4.4 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/sedimentation at points of discharge.

If a discharge is occurring:

- The quality and characteristics of the discharge (see Part 3.2.2.4);
- Whether controls are operating effectively.

8.H.4.4.5 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, include 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.
- *Cessation of Requirements Applicable to Earth-Disturbing Activities Conducted Prior to Active Mining Activities.* The requirements in 8.H.4 no longer apply for any earth-disturbing activities conducted prior to active mining activities as defined in 8.H.3.2(a) or 8.H.3.2(b) where:
 - Earth-disturbing activities have ceased; and
 - Stabilization has been met consistent with Part 8.H.4.1.9 or 8.H.4.2.11 (not required for areas where active mining activities will occur).

8.H.5 Technology-Based Effluent Limits for Active Mining Activities

Note: These requirements do not apply for any discharges from earth-disturbing activities conducted prior to active mining as defined in 8.H.3.2(a) or 8.H.3.2(b).

8.H.5.1 Good Housekeeping Measures. (See also Part 2.1.2.2) As part of your good housekeeping program, in order to minimize discharges of pollutants in stormwater, implement control measures such as the following, where determined to be feasible (list not inclusive): using sweepers and covered storage; watering haul roads to minimize dust generation; and conserving vegetation to minimize erosion. For mines subject to dust control requirements under state or county air quality permits, provided the requirements are equivalent, compliance with such air permit dust requirements shall constitute compliance with the dust control effluent limit in Part 2.1.2.10.

8.H.5.2 Preventive Maintenance. (See also Part 2.1.2.3) 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.

8.H.6 Additional SWPPP Requirements for Mining Operations

Note: The requirements in Part 8.H.6 are not applicable to inactive coal mining facilities.

8.H.6.1 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 states 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).
- 8.H.6.2 *Site Map.*** (See also Part 6.2.2) Document in your SWPPP where any of the following may be exposed to precipitation or stormwater: 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; 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.
- 8.H.6.3 *Potential Pollutant Sources.*** (See also Part 6.2.3) Document in your SWPPP the following sources and activities that have potential pollutants associated with them: truck traffic on haul roads and resulting generation of dust or sediment that could be discharged via stormwater; 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.
- 8.H.6.4** If you are in compliance with dust control requirements under state or county air quality permits, you must include (or summarize, as necessary) what the state or county air quality permit dust control requirements are and how you've achieved compliance with them.
- 8.H.7 Additional Inspection Requirements (See also Part 3.1)**
- 8.H.7.1 *Inspections of Active Mining-Related Areas.*** (See also Part 3) Except for earth-disturbing activities conducted prior to active mining activities as defined in Parts 8.H.3.2(a) and 8.H.3.2(b), which are subject to Part 8.H.4.4, perform routine 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. See Part 8.H.9.1 for inspection requirements for inactive and unstaffed sties.
- 8.H.7.2 *Sediment and Erosion Control.*** (See also Part 2.1.2.5) As indicated in Part 8.H.6.1, SMCRA requirements regarding sediment and erosion control measures must be complied with for those areas subject to SMCRA authority, including inspection requirements.
- 8.H.7.3 *Routine Site Inspections. (See also Part 3.1)*** Your 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.H.8 Indicator Monitoring (See also Part 4.2.1)**

Table 8.H-1 identifies indicator monitoring that applies to the specific subsectors of Sector H. This indicator monitoring applies to both your primary industrial activity and any co-located industrial activities.

Table 8.H-1		
Subsector (You may be subject to requirements for more than one sector/subsector)	Indicator Monitoring Parameter	Indicator Monitoring Threshold
Applies to all Sector H (Subsector H1) facilities with stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values
Subsector H1. Coal Mines and Coal Mining-Related Facilities (SIC Code 1221-1241)	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values

* Monitoring is required for the 16 individual PAHs identified at Appendix A to 40 CFR Part 423: naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, indeno[1,2,3-c,d]pyrene, and dibenz[a,h]anthracene.

8.H.9 Sector-Specific Benchmarks (See also Part 4.2.2)

Table 8.H-2 identifies benchmarks that apply to the specific subsectors of Sector H. These benchmarks apply to both your primary industrial activity and any co-located industrial activities. Note: There are no Part 8.H. 8 and 8.H.9 monitoring and reporting or impaired waters monitoring requirements for inactive and unstaffed sites.

Table 8.H-2.		
Subsector (You 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 Recoverable Aluminum	1,100 µg/L
	Total Suspended Solids (TSS)	100 mg/L

8.H.9.1 *Inactive and Unstaffed Sites – Conditional Exemption from No Exposure Requirement for Routine Inspections, Quarterly Visual Assessments, and Indicator, Benchmark and Impaired Waters Monitoring.* As a Sector H facility, if you are seeking to exercise a waiver from either the quarterly visual assessment or the indicator, benchmark, and/or impaired waters monitoring requirements for inactive and unstaffed sites (including temporarily inactive sites), you are conditionally exempt from the requirement to certify that “there are no industrial materials or activities exposed to stormwater” in Parts 3.2.4.4, 4.2.1.3, and 4.2.5.2. Additionally, if you are seeking to reduce your required routine inspection frequency, as is allowed under Part 3.1.5, you are 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:

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

- EPA 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 your facility is inactive and unstaffed, you are waived from the requirement to conduct routine facility inspections, quarterly visual assessments, and benchmark and impaired waters monitoring. You must still conduct an annual site inspection in accordance with Part 3.1. You are encouraged to inspect your site more frequently where you have reason to believe that severe weather or natural disasters may have damaged control measures or increased discharges.

8.H.10 Termination of Permit Coverage

8.H.10.1 *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 as defined in Part 8.H.3.5.

8.H.10.2 *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 that comes into contact with raw materials, intermediate byproducts, finished 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.

Part 8 – Sector-Specific Requirements for Industrial Activity

Subpart I – Sector I – Oil and Gas Extraction

You must comply with Part 8 sector-specific requirements associated with your primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

8.1.1 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 D-1 of Appendix D of the permit.

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

- 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
- 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
- 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 122.26(c)(1)(iii) may be covered under this permit unless otherwise required to obtain coverage under an alternative NPDES general permit or an individual NPDES permit as specified in Part 1.3.8.

8.1.2 Limitations on Coverage

8.1.2.1 *Stormwater Discharges Subject to Effluent Limitation Guidelines.* (See also Part 4.2.3) This permit does not authorize stormwater discharges from drilling operations that are subject to nationally established effluent limitation guidelines found at 40 CFR Part 435, respectively.

8.1.2.2 *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 NPDES permit, or be discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements. (EPA includes this prohibited non-stormwater discharge here solely as a helpful reminder to the operator that the only non-stormwater discharges authorized by this permit are at Part 1.2.2).

8.1.3 Additional Technology-Based Effluent Limits

8.1.3.1 *Vegetative Controls.* Implement vegetative practices designed to preserve existing vegetation, where attainable, and revegetate open areas as soon as practicable after grade drilling. Implement appropriate vegetative practices, such as the following (list

not exclusive): 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.

8.1.4 **Additional SWPPP Requirements**

8.1.4.1 *Drainage Area Site Map.* (See also Part 6.2.2) Document in your SWPPP where any of the following may be exposed to precipitation or stormwater: 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.

8.1.4.2 *Potential Pollutant Sources.* (See also Part 6.2.3) Also document in your 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), procedures 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).

8.1.4.3 *Erosion and Sediment Controls.* (See also Part 2.1.2.5) Unless covered by EPA’s Construction General Permit (CGP), the additional documentation requirements for sediment and erosion controls for well drillings and sand/shale mining areas include the following:

8.1.4.3.1 *Site Description.* Also include a description in your 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.

8.1.4.3.2 *Vegetative Controls.* Document vegetative practices used consistent with Part 8.1.3.1 in the SWPPP.

8.1.5 **Additional Inspection Requirements**

All erosion and sediment controls must be inspected either: 1) every 7 days; or 2) once every 14 calendar days and within 24 hours of a storm event of 0.25 inches or greater.

8.1.6 **Indicator Monitoring (See also Part 4.2.1)**

Table 8.1-1 identifies indicator monitoring that applies to the specific subsectors of Sector I. This indicator monitoring applies to both your primary industrial activity and any co-located industrial activities.

Table 8.I-1		
Subsector (You may be subject to requirements for more than one sector/subsector)	Indicator Monitoring Parameter	Indicator Monitoring Threshold
Applies to all Sector I (Subsector I1) facilities with stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values
Subsector I1. Crude Petroleum and Natural Gas (SIC Code 1311); Natural Gas Liquids (SIC Code 1321); Oil and Gas Field Services (SIC Code 1381-1389)	Chemical Oxygen Demand (COD)	Report Only/ No thresholds or baseline values
	Total Suspended Solids (TSS)	Report Only/ No thresholds or baseline values
	pH	Report Only/ No thresholds or baseline values
	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values

* Monitoring is required for the 16 individual PAHs identified at Appendix A to 40 CFR Part 423: naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, indeno[1,2,3-c,d]pyrene, and dibenz[a,h]anthracene.

Part 8 – Sector-Specific Requirements for Industrial Activity

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

You must comply with Part 8 sector-specific requirements associated with your primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

Note: Where compliance with a requirement in a separate exploration permit, mining permit, reclamation plan, Surface Mining Control and Reclamation Act (SMCRA) requirements, etc. will result in you fully meeting any requirement in this Subpart, you are considered to have complied with the relevant requirement in this Subpart. You must include documentation in your SWPPP describing your rationale for concluding that any particular action on your part is sufficient to comply with the corresponding requirement in this Subpart.

8.J.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 D-1 of Appendix D of the permit.

8.J.1.1 *Covered Discharges from Inactive Facilities.* All stormwater discharges.

8.J.1.2 *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.

8.J.1.3 *Covered Discharges from Earth-Disturbing Activities Conducted Prior to Active Mining Activities.* All stormwater discharges.

8.J.1.4 *Covered Discharges from Sites Undergoing Reclamation.* All stormwater discharges.

8.J.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.

8.J.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).

8.J.3.1 *Mining operations* – 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.

- 8.J.3.2** **Earth-disturbing activities conducted prior to active mining activities** – Consists of two classes of earth-disturbing (i.e., clearing, grading and excavation) activities:
- a. activities performed for purposes of mine site preparation, including: cutting new rights of way (except when related to access road construction); providing access to a mine site for vehicles and equipment (except when related to access road construction); other earth disturbances associated with site preparation activities on any areas where active mining activities have not yet commenced (e.g., for heap leach pads, waste rock facilities, tailings impoundments, wastewater treatment plants); and
 - b. construction of staging areas to prepare for erecting structures such as to house project personnel and equipment, mill buildings, etc., and construction of access roads. Earth-disturbing activities associated with the construction of staging areas and the construction of access roads conducted prior to active mining are considered to be “construction” and have additional effluent limits in Part 8.J.4.2.
- 8.J.3.3** **Active mining activities** – Activities related to the extraction, removal or recovery, and beneficiation of non-metallic minerals from the earth; removal of overburden and waste rock to expose mineable minerals; and site reclamation and closure activities. All such activities occur within the “active mining area.” Reclamation involves activities undertaken, in compliance with applicable mined land reclamation requirements, to return the land to an appropriate post-mining contour and land use in order to meet applicable federal and state reclamation requirements. In addition, once earth-disturbing activities conducted prior to active mining activities have ceased and all related requirements in Part 8.J.4 have been met, and a well-delineated “active mining area” has been established, all activities (including any clearing, grading, and excavation) that occur within the active mining area are “active mining activities”
- 8.J.3.4** **Active mining area** – A place where work or other activity related to the extraction, removal or recovery of non-metallic minerals is being conducted, except, with respect to surface mines, any area of land on or in which grading has been completed to return the earth to desired contour and reclamation work has begun.
- Note:* Earth-disturbing activities described in the definition in Part 8.J.3.2 that occur on areas outside the active mining area (e.g., for expansion of the mine into undeveloped territory) are considered “earth-disturbing conducted prior to active mining activities”, and must comply with the requirements in Part 8.J.4.
- 8.J.3.5** **Inactive mineral mining facility** – A site or portion of a site where mineral mining and/or milling occurred in the past but there are no active mining activities occurring 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 / operator. 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 an NPDES industrial stormwater permit.
- 8.J.3.6** **Temporarily inactive mineral mining facility** – A site or portion of a site where non-metallic mineral 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.

8.J.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 8.J.3.2) are covered under this permit. For such earth-disturbing activities, you must comply with all applicable requirements in Parts 1-9 of the MSGP except for the technology-based effluent limits in Part 8.J.5 and Part 2.1.2, the inspection requirements in Part 8.J.7 and Part 3, and the monitoring requirements in Part 8.J.8, Part 8.J.9, and Part 4.

Authorized discharges from areas where earth-disturbing activities have ceased and stabilization as specified in Part 8.J.4.1.9 or 8.J.4.2.11, where appropriate, has been completed (stabilization is not required for areas where active mining activities will occur), are no longer subject to the Part 8.J.4 requirements. At such time, authorized discharges become subject to all other applicable requirements in the MSGP, including the effluent limits in Parts 2.1.2 and 8.J.5, the inspection requirements in Parts 3 and 8.J.7, and the monitoring requirements in Parts 4, 8.J.8, and 8.J.9.

8.J.4.1 *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 8.J.3.2(a) and 8.J.3.2(b). These limits supersede the technology-based limits listed in Part 2.1.2 and Part 8.J.5 of the MSGP.

8.J.4.1.1 *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.

8.J.4.1.2 *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 work day.
- 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 practicable.

8.J.4.1.3 *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 controls (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.

8.J.4.1.4 ***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 vehicle and equipment tires prior to exit, where necessary;
- Remove sediment that is tracked out onto paved roads by end of the work day.

Note: EPA recognizes 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 8.J.4.1.4.

8.J.4.1.5 ***Soil or sediment stockpiles.*** You must:

- Minimize erosion of stockpiles from stormwater and wind via temporary cover, if feasible.
- Prevent up-slope stormwater flows from causing erosion of stockpiles (e.g., by diverting flows around the stockpile).
- Minimize sediment from stormwater that runs off of stockpiles, using sediment controls (e.g., a sediment barrier or downslope sediment control).

8.J.4.1.6 ***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 (e.g., erosion control blankets), and (2) the inlet and outlet points of the basin using erosion controls and velocity dissipation devices.

8.J.4.1.7 ***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.

8.J.4.1.8 ***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 state/local requirements;
- Use chemicals in accordance with good engineering practices and specifications of chemical supplier;
- Ensure proper training;
- Provide proper SWPPP documentation.

If you plan to use cationic treatment chemicals (as defined in Appendix A), you are ineligible for coverage under this permit, unless you notify your applicable EPA Regional Office in advance and the EPA Regional Office authorizes coverage under this permit after you have included appropriate controls and implementation procedures designed to ensure that your use of cationic treatment chemicals will not lead to a violation of water quality standards.

8.J.4.1.9 ***Site stabilization requirements for earth-disturbing activities performed for purposes of mine site preparation as defined in 8.J.3.2(a)*** (i.e., not applicable to construction of staging areas for structures and access roads as defined in 8.J.3.2(b)). 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 (as defined in 8.J.3.2(a)) have temporarily ceased, but in no case more than 14 days after such activities have temporarily ceased. In arid, semi-arid, 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 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 (as defined in 8.J.3.2(a)) have permanently ceased, but in no case more than 14 days after the earth-disturbing activities have permanently ceased. In arid, semi-arid, 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 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.

8.J.4.2 ***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, as defined in Part 8.J.3.2(b). These limits supersede the technology-based limits listed in Part 2.1.2 and Part 8.J.5 of the MSGP. These limits do not apply to earth-

disturbing activities performed for purposes of mine site preparation (as defined in 8.J.3.2(a)).

8.J.4.2.1 Area of disturbance. You must minimize the amount of soil exposed during construction activities.

8.J.4.2.2 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:
 - The expected amount, frequency, intensity and duration of precipitation;
 - The nature of stormwater discharges and run-on at the site, including factors such as impervious surfaces, slopes and site drainage features;
 - 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.

8.J.4.2.3 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:

1. Provide a 50-foot undisturbed natural buffer between construction activities and the water of the U.S.; or
2. 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
3. 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.

See EPA's industrial stormwater website under "Fact Sheets and Guidance" for information on complying with these alternatives:

<https://www.epa.gov/npdes/stormwater-discharges-industrial-activities>.

8.J.4.2.4 **Soil or sediment stockpiles.** In addition to the requirements in Part 8.J.4.1.5, you must locate any piles outside of any natural buffers established under Part 8.J.4.2.3.

8.J.4.2.5 **Sediment basins.** In addition to the requirements in Part 8.J.4.1.6, you must locate sediment basins outside of any surface waters and any natural buffers established under Part 8.J.4.2.3, and you must utilize outlet structures that withdraw water from the surface, unless infeasible.

8.J.4.2.6 **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 (e.g., by keeping the topsoil stabilized with seed or similar measures). This requirement does not apply if the intended function of the disturbed area dictates that topsoil be disturbed or removed.

8.J.4.2.7 **Steep slopes.** You must minimize the disturbance of steep slopes. The permit does not prevent or prohibit disturbance on steep slopes.

Depending on site conditions and needs, disturbance on steep slopes may be necessary (e.g., a road cut in mountainous terrain; 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.

8.J.4.2.8 **Soil compaction.** Where final vegetative stabilization will occur or where infiltration practices will be installed, you must either restrict vehicle/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.

8.J.4.2.9 **Dewatering Practices.** You are prohibited from discharging ground water or accumulated stormwater that is removed from excavations, trenches,

foundations, vaults or other similar points of accumulation, unless such waters are first effectively managed by appropriate controls (e.g., sediment basins or sediment 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. (An uncontaminated discharge is a discharge that meets applicable water quality standards.)

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 Parts 8.J.4.1.8.

8.J.4.2.10 Pollution prevention requirements.

- *Prohibited discharges* (this non-exhaustive list of prohibited non-stormwater discharges is included here as a reminder that only the only authorized non-stormwater discharges are those enumerated in Part 1.2.2):
 - 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).

8.J.4.2.11 *Site Stabilization requirements for the construction of staging areas for structures and access roads as defined in 8.J.3.2(b)* (i.e., not applicable to earth-disturbing activities performed for purposes of mine site preparation as defined in 8.J.3.2(a)). You must comply with the following stabilization requirements, except where the intended function of the site accounts for such disturbed earth (e.g., 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 work day after construction work in an area has stopped permanently or temporarily (“temporarily” means the land will be idle for a period of 14 days or more but earth-disturbing activities will resume in the future), immediately initiate stabilization measures;
- 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 final stabilization), and cover at least 70% of 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.

Note: For the purposes of this permit, EPA 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:

- Arid, semi-arid (if construction occurs during seasonally dry period), or drought-stricken areas:
 - Within 14 days of stopping construction work in an area, install any necessary non-vegetative stabilization measures;
 - 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.
- Sites affected by severe storm events or other unforeseen circumstances:
 - Initiate vegetative stabilization as soon conditions on the site allow;
 - Document the schedule that will be followed for initiating and completing vegetative stabilization;
 - Plant the area so that so that within 3 years the 70% cover requirement is met.

8.J.4.3 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 defined in Parts 8.J.3.2(a) and 8.J.3.2(b), in addition to the water quality-based limits in Part 2.2 of the MSGP.

Stricter requirements apply if your site will discharge to an impaired water or a water that is identified by your state, tribe, or EPA as a Tier 2 or Tier 2.5 for antidegradation purposes:

- More rapid stabilization of exposed areas: Complete initial stabilization activities within 7 days of stopping construction work.
- More frequent site inspections: Once every 7 days and within 24 hours of a storm event of 0.25 inches or greater.

8.J.4.4 Inspection Requirements Applicable to Earth-Disturbing Activities Conducted Prior to Active Mining Activities.

The following requirements supersede the inspections requirements in Part 3 and 8.J.7 of the MSGP for earth-disturbing activities conducted prior to active mining activities defined in Parts 8.J.3.2(a) and 8.J.3.2(b).

8.J.4.4.1 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 only required during working hours;

- Inspections 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 (either rain gauge or representative weather station)

Note: To determine if a storm event of 0.25 inches or greater has occurred on your site, you must either keep a properly maintained rain gauge on your site, or obtain the storm event information from a weather station that is representative of your location. For any day of rainfall during normal business hours that measures 0.25 inches or greater, you must record the total rainfall measured for that day.

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 still 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.

8.J.4.4.2 *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 8.J.4.1.9 or Part 8.J.4.2.11.
- Arid, semi-arid, and drought stricken areas: If earth-disturbing activities are occurring during the seasonally dry period or during a period in which drought is predicted to occur, you may reduce inspections to once per month and within 24 hours of a 0.25 inch storm event.
- 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, e.g., 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.

8.J.4.4.3 *Areas to be Inspected. You must at a minimum inspect the 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.

8.J.4.4.4 *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/sedimentation at points of discharge. If a discharge is occurring:
- The quality and characteristics of the discharge (see Part 3.2.2.4);
- Whether controls are operating effectively.

8.J.4.4.5 *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, include 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.

8.J.4.5 *Cessation of Requirements Applicable to Earth-Disturbing Activities Conducted Prior to Active Mining Activities.* The requirements in 8.J.4 no longer apply for any earth-disturbing activities conducted prior to active mining activities as defined in 8.J.3.2(a) or 8.J.3.2(b) where:

1. Earth-disturbing activities have ceased; and
2. Stabilization has been met consistent with Part 8.J.4.1.9 or Part 8.J.4.2.11 (not required for areas where active mining activities will occur).

8.J.5 Technology-Based Effluent Limits for Active Mining Activities

Note: These requirements do not apply for any discharges from earth-disturbing activities conducted prior to active-mining as defined in 8.J.3.2(a) or 8.J.3.2(b).

8.J.5.1 *Employee Training.* Conduct employee training at least annually at active and temporarily inactive sites. (See also Part 2.1.2.8).

8.J.5.2 *Stormwater Controls.* Apart from the control measures you implement to meet your Part 2 effluent limits, where necessary to minimize pollutant discharges in stormwater, implement the following control measures at your site. The potential pollutants identified in Part 8.J.6.3 shall determine the priority and appropriateness of the control measures selected.

Stormwater Diversions: Divert stormwater away from potential pollutant sources through implementation of control measures such as the following, where determined to be feasible (list not exclusive): interceptor or diversion controls (e.g., dikes, swales, curbs, 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. For mines subject to dust control requirements under state or county air quality permits, provided the requirements are equivalent, compliance with such air permit dust requirements shall constitute compliance with the dust control effluent limit in Part 2.1.2.10.

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

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 is encouraged. Treated stormwater 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).

8.J.5.3 **Discharge Testing.** (See also Part 6.2.3.4) Test or evaluate all discharge points covered under this permit for the presence of specific mining-related but unauthorized non-stormwater discharges such as discharges subject to effluent limitations guidelines (e.g., 40 CFR Part 436). Alternatively (if applicable), you may keep a certification with your SWPPP, per Part 8.J.6.6.

8.J.6 **Additional SWPPP Requirements for Mining Operations**

Note: The requirements in Part 8.J.6 are not applicable to inactive mineral mining facilities.

8.J.6.1 **Nature of Industrial Activities.** (See also Part 6.2.2) Document in your 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.

8.J.6.2 **Site Map.** (See also Part 6.2.2) Document in your 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 points within the facility with indications of the types of discharges from the drainage areas; location(s) of all permitted discharges covered under an individual NPDES 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.

8.J.6.3 **Potential Pollutant Sources.** (See also Part 6.2.3) For each area of the mine or mill site where stormwater discharges associated with industrial activities occur, document in your 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.

8.J.6.4 **Documentation of Control Measures.** To the extent that you use any of the control measures in Part 8.J.5.2, document them in your SWPPP per Part 6.2.4. 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 your SWPPP. If you are in compliance with dust control requirements under state or county air quality permits, you must state (or summarize, as necessary) what the state or county air quality permit dust control requirements are and how you've achieved compliance with them.

8.J.6.5 Employee Training. All employee training(s) conducted in accordance with Part 8.J.5.1 must be documented with the SWPPP.

8.J.6.6 Certification of Permit Coverage for Commingled Non-Stormwater Discharges. If you determine that you are able to certify, consistent with Part 8.J.5.3, that a particular discharge composed of commingled stormwater and non-stormwater is covered under a separate NPDES permit, and that permit subjects the non-stormwater portion to effluent limitations prior to any commingling, you must retain such certification with your SWPPP. This certification must identify the non-stormwater discharges, the applicable NPDES 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.J.7 Additional Inspection Requirements (See also Part 3.1)

Except for earth-disturbing activities conducted prior to active mining activities as defined in Part 8.J.3.2(a) and Part 8.J.3.2(b), which are subject to Part 8.J.4.4, perform inspections at least quarterly unless adverse weather conditions make the site inaccessible. Sites which discharge to waters which are designated as Tier 2 or 2.5 or waters which are impaired for sediment or nitrogen must be inspected monthly. See Part 8.J.9.1 for inspection requirements for inactive and unstaffed sites.

8.J.8 Indicator Monitoring (See also Part 4.2.1)

Table 8.J-1 identifies indicator monitoring that applies to the specific subsectors of Sector J. This indicator monitoring applies to both your primary industrial activity and any co-located industrial activities.

Subsector (You may be subject to requirements for more than one sector/subsector)	Indicator Monitoring Parameter	Indicator Monitoring Threshold
Applies to all Sector J (Subsectors J1, J2, and J3) facilities with stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values
Subsector J3. Clay, Ceramic, and Refractory Materials (SIC Code 1455, 1459); Chemical and Fertilizer Mineral Mining (SIC Code 1474-1479)	Chemical Oxygen Demand (COD)	Report Only/ No thresholds or baseline values
	Total Suspended Solids (TSS)	Report Only/ No thresholds or baseline values
	pH	Report Only/ No thresholds or baseline values

* Monitoring is required for the 16 individual PAHs identified at Appendix A to 40 CFR Part 423: naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, indeno[1,2,3-c,d]pyrene, and dibenz[a,h]anthracene.

8.J.9 Sector-Specific Benchmarks (See also Part 4.2.2)

Table 8.J-2 identifies benchmarks that apply to the specific subsectors of Sector J. These benchmarks apply to both your primary industrial activity and any co-located industrial activities. Note: There are no Part 8.J.9 monitoring and reporting or impaired waters monitoring requirements for inactive and unstaffed sites.

Subsector (You 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
Subsector J2. Dimension and Crushed Stone and Nonmetallic Minerals (except fuels) (SIC 1411, 1422-1429, 1481, 1499)	Total Suspended Solids (TSS)	100 mg/L

8.J.9.1 *Inactive and Unstaffed Sites – Conditional Exemption from No Exposure Requirement for Routine Inspections, Quarterly Visual Assessments, and Indicator, Benchmark, and Impaired Waters Monitoring.* As a Sector J facility, if you are seeking to exercise a waiver from either the routine inspection, quarterly visual assessment or the indicator, benchmark and/or impaired monitoring requirements for inactive and unstaffed sites (including temporarily inactive sites), you are conditionally exempt from the requirement to certify that “there are no industrial materials or activities exposed to stormwater” in Parts 3.1.5, 3.2.4.4, 4.2.1.3, and 4.2.5.2. This exemption is conditioned on the following:

- If circumstances change and your facility becomes active and/or staffed, this exception no longer applies and you must immediately begin complying with the applicable benchmark monitoring requirements as if you were in your first year of permit coverage, and the quarterly visual assessment requirements; and
- EPA 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 your facility is inactive and unstaffed, you are waived from the requirement to conduct routine facility inspections, quarterly visual assessments, and benchmark and impaired waters monitoring. You must still conduct an annual site inspection in accordance with Part 3.1. You are encouraged to inspect your site more frequently where you have reason to believe that severe weather or natural disasters may have damaged control measures or increased discharges.

8.J.10 Effluent Limitations Based on Effluent Limitations Guidelines (See also Part 4.2.3.1)

Table 8.J-3 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.

Industrial Activity	Parameter	Effluent Limitation ¹
Mine dewatering discharges at crushed stone mining facilities (SIC 1422 - 1429)	pH	6.0 - 9.0
Mine dewatering discharges at construction sand and gravel mining facilities (SIC 1442)	pH	6.0 - 9.0
Mine dewatering discharges at 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

¹Monitor annually.

8.J.11 Termination of Permit Coverage

8.J.11.1 *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 as defined in Part 8.J.3.5.

8.J.11.2 *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 that comes into contact with raw materials, intermediate byproducts, finished 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.

Part 8 – Sector-Specific Requirements for Industrial Activity**Subpart K – Sector K – Hazardous Waste Treatment, Storage, or Disposal Facilities**

You must comply with Part 8 sector-specific requirements associated with your primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

8.K.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 D-1 of Appendix D of the permit.

8.K.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 and 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.

8.K.3 Limitations on Coverage

8.K.3.1 *Prohibition of Non-Stormwater Discharges.* (See also Part 1.1.3) 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. (EPA includes these prohibited non-stormwater discharges here solely as a helpful reminder to the operator that the only non-stormwater discharges authorized by this permit are at Part 1.2.2.)

8.K.3.2 *Limitations on Coverage for Facilities Providing Commercial TSDF Services.* For facilities located in Region 6 (see Appendix C) coverage is limited to hazardous waste TSDFs that are self-generating (including occasionally accepting wastes from community household hazardous waste collection events as public service), handle only residential wastes, and/or only store hazardous wastes and do not treat or dispose of them. Coverage under this permit is not available to commercial waste disposal and treatment facilities located in Region 6 that dispose and treat on a commercial basis any produced hazardous wastes (i.e., not their own) as a service to commercial or industrial generators.

8.K.4 Definitions

8.K.4.1 *Contaminated stormwater* – stormwater that comes into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater as defined in Part 8.K.4.4. 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.

- 8.K.4.2** **Drained free liquids** – aqueous wastes drained from waste containers (e.g., drums) prior to landfilling.
- 8.K.4.3** **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.
- 8.K.4.4** **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 ground water, 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.
- 8.K.4.5** **Leachate** – liquid that has passed through or emerged from solid waste and contains soluble, suspended, or miscible materials removed from such waste.
- 8.K.4.6** **Non-contaminated stormwater** – stormwater that does not come into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater as defined in Part 8.K.4.4. Non-contaminated stormwater includes stormwater that flows off the cap, cover, intermediate cover, daily cover, and/or final cover of the landfill.
- 8.K.5** **Indicator Monitoring (See also Part 4.2.1)**

Table 8.K-1 identifies indicator monitoring that applies to the specific subsectors of Sector K. This indicator monitoring applies to both your primary industrial activity and any co-located industrial activities.

Table 8.K-1		
Subsector (You may be subject to requirements for more than one sector/subsector)	Indicator Monitoring Parameter	Indicator Monitoring Threshold
Applies to all Sector K (Subsector K1) facilities with stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values

* Monitoring is required for the 16 individual PAHs identified at Appendix A to 40 CFR Part 423: naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, indeno[1,2,3-c,d]pyrene, and dibenz[a,h]anthracene.

8.K.6 **Sector-Specific Benchmarks (See also Part 4.2.2)**

Table 8.K-1 identifies benchmarks that apply to the specific subsectors of Sector K. These benchmarks apply to both your primary industrial activity and any co-located industrial activities.

Table 8.K-1.		
Subsector (You 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 states). 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 Recoverable Arsenic (freshwater)	150 µg/L
	Total Recoverable Arsenic (saltwater) ¹	69 µg/L
	Total Recoverable Cadmium (freshwater) ²	Hardness Dependent
	Total Recoverable Cadmium (saltwater) ¹	33 µg/L
	Total Recoverable Cyanide (freshwater)	22 µg/L
	Total Recoverable Cyanide (saltwater) ¹	1 µg/L
	Total Recoverable Lead (freshwater) ²	Hardness Dependent
	Total Recoverable Lead (saltwater) ¹	210 µg/L
	Total Recoverable Mercury (freshwater)	1.4 µg/L
	Total Recoverable Mercury (saltwater) ¹	1.8 µg/L
	Total Recoverable Selenium (freshwater)	1.5 µg/L for still/standing (lentic) waters;
Total Recoverable Selenium (saltwater) ¹	3.1 µg/L for flowing (lotic) waters 290 µg/L	
Total Recoverable Silver (freshwater) ²	Hardness Dependent	
Total Recoverable Silver (saltwater) ¹	1.9 µg/L	

¹Saltwater benchmark values apply to stormwater discharges into saline waters where indicated.

²The freshwater benchmark values of some metals are dependent on water hardness. For these parameters, permittees must determine the hardness of the receiving water (see Appendix J, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part 4.2.2.1, to identify the applicable 'hardness range' for determining their benchmark value applicable to their facility. Hardness Dependent Benchmarks follow in the table below:

Freshwater Hardness Range	Cadmium (µg/L)	Lead (µg/L)	Silver (µg/L)
0-24.99 mg/L	0.49	14	0.37
25-49.99 mg/L	0.73	24	0.80
50-74.99 mg/L	1.2	45	1.9

75-99.99 mg/L	1.7	69	3.3
100-124.99 mg/L	2.1	95	5.0
125-149.99 mg/L	2.6	123	7.1
150-174.99 mg/L	3.1	152	9.4
175-199.99 mg/L	3.5	182	12
200-224.99 mg/L	4.0	213	15
225-249.99 mg/L	4.4	246	18
250+ mg/L	4.7	262	20

8.K.7 Effluent Limitations Based on Effluent Limitations Guidelines (See also Part 4.2.3.1)

Table 8.K-2 identifies effluent limitations that apply to the industrial activities described below. Compliance with these effluent limitations 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.

Industrial Activity	Parameter	Effluent Limitation
Discharges from hazardous waste landfills subject to effluent limitations in 40 CFR Part 445 Subpart A (see footnote).	Biochemical Oxygen Demand (BOD ₅)	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	Within the range of 6-9 standard pH units (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.

Part 8 – Sector-Specific Requirements for Industrial Activity

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

You must comply with Part 8 sector-specific requirements associated with your primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

8.L.1 Covered Stormwater Discharges

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

8.L.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 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.

8.L.3 Limitations on Coverage

8.L.3.1 *Prohibition of Non-Stormwater Discharges.* (See also Part 1.1.3) 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. (EPA includes these prohibited non-stormwater discharges here solely as a helpful reminder to the operator that the only non-stormwater discharges authorized by this permit are at Part 1.2.2.)

8.L.3.2 *Prohibition Stormwater Discharges from Open Dumps.* Discharges from open dumps as defined under RCRA are also not authorized under this permit.

8.L.4 Definitions

8.L.4.1 *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.

8.L.4.2 *Drained free liquids* – aqueous wastes drained from waste containers (e.g., drums) prior to landfilling.

8.L.4.3 *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 ground water, 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.
- 8.L.4.4** **Leachate** – liquid that has passed through or emerged from solid waste and contains soluble, suspended, or miscible materials removed from such waste.
- 8.L.4.5** **Non-contaminated stormwater** – stormwater that does not come into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater.
- 8.L.5** **Additional Technology-Based Effluent Limits**
- 8.L.5.1** **Preventive Maintenance Program.** (See also Part 2.1.2.3) As part of your 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.
- 8.L.5.2** **Erosion and Sedimentation Control.** (See also Part 2.1.2.5) Provide temporary stabilization (e.g., temporary seeding, mulching, and placing geotextiles on the inactive portions of stockpiles) for the following in order to minimize discharges of pollutants in stormwater: 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.
- 8.L.6** **Additional SWPPP Requirements**
- 8.L.6.1** **Drainage Area Site Map.** (See also Part 6.2.2) Document in your SWPPP where any of the following may be exposed to precipitation or stormwater: 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 stormwater, and leachate collection and handling systems.
- 8.L.6.2** **Summary of Potential Pollutant Sources.** (See also Part 6.2.3) Document in your 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.
- 8.L.7** **Additional Inspection Requirements (See also Part 3)**
- 8.L.7.1** **Inspections of Active Sites.** Except in arid and semi-arid climates, 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, or where the climate is arid or semi-arid, conduct inspections at least once every month.

8.L.7.2 ***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.L.8 **Additional Post-Authorization Documentation Requirements**

8.L.8.1 ***Recordkeeping and Internal Reporting.*** Keep records with your 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.

8.L.9 **Indicator Monitoring (See also Part 4.2.1)**

Table 8.L-1 identifies indicator monitoring that applies to the specific subsectors of Sector L. This indicator monitoring applies to both your primary industrial activity and any co-located industrial activities.

Subsector (You may be subject to requirements for more than one sector/subsector)	Indicator Monitoring Parameter	Indicator Monitoring Threshold
Applies to all Sector L (Subsectors L1 and L2) facilities with stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values
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 (Activity Code LF)	Chemical Oxygen Demand (COD)	Report Only/ No thresholds or baseline values
	Total Suspended Solids (TSS)	Report Only/ No thresholds or baseline values
	pH	Report Only/ No thresholds or baseline values

* Monitoring is required for the 16 individual PAHs identified at Appendix A to 40 CFR Part 423: naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, indeno[1,2,3-c,d]pyrene, and dibenz[a,h]anthracene.

8.L.10 **Sector-Specific Benchmarks (See also Part 4.2.2)**

Table 8.L-2 identifies benchmarks that apply to the specific subsectors of Sector L. These benchmarks apply to both your primary industrial activity and any co-located industrial activities.

Table 8.L-2.		
Subsector (You may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration ¹
Subsector L1. All Landfill, Land Application Sites and Open Dumps (Industrial Activity Code "LF")	Total Suspended Solids (TSS)	100 mg/L

¹Benchmark monitoring required only for discharges not subject to effluent limitations in 40 CFR Part 445 Subpart B (see Table L-3 below).

8.L.11 Effluent Limitations Based on Effluent Limitations Guidelines (See also Part 4.2.3.1)

Table 8.L-3 identifies effluent limitations that apply to the industrial activities described below. Compliance with these effluent limitations 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 8.L-3 ¹		
Industrial Activity	Parameter	Effluent Limitation
Discharges from non-hazardous waste landfills subject to effluent limitations in 40 CFR Part 445 Subpart B.	Biochemical Oxygen Demand (BOD ₅)	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	Within the range of 6-9 standard pH units (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:

- 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;
- 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;
- 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.

Part 8 – Sector-Specific Requirements for Industrial Activity

Subpart M – Sector M – Automobile Salvage Yards

You must comply with Part 8 sector-specific requirements associated with your primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

8.M.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 D-1 of Appendix D of this permit.

8.M.2 Additional Technology-Based Effluent Limits

8.M.2.1 *Spill and Leak Prevention Procedures.* (See also Part 2.1.2.4) Drain vehicles intended to be dismantled of all fluids upon arrival at the site (or as soon thereafter as practicable), or employ some other equivalent means to prevent spills and leaks.

8.M.2.2 *Employee Training.* (See also Part 2.1.2.8) If applicable to your facility, address the following areas (at a minimum) in your employee training program: proper handling (collection, storage, and disposal) of oil, used mineral spirits, anti-freeze, mercury switches, and solvents.

8.M.2.3 *Management of Stormwater.* (See also Part 2.1.2.6) Implement control measures to minimize discharges of pollutants in stormwater such as the following, where determined to be feasible (list not exclusive): 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.

8.M.3 Additional SWPPP Requirements

8.M.3.1 *Drainage Area Site Map.* (See also Part 6.2.2) Identify locations used for dismantling, storing, and maintaining used motor vehicle parts. Also identify where any of the following may be exposed to precipitation or stormwater: 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.

8.M.3.2 *Potential Pollutant Sources.* (See also Part 6.2.3) 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.

8.M.4 Additional Inspection Requirements (See also Part 3.1)

Immediately (or as soon thereafter as practicable) 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.

8.M.5 Indicator Monitoring (See also Part 4.2.1)

Table 8.M-1 identifies indicator monitoring that applies to the specific subsectors of Sector M. This indicator monitoring applies to both your primary industrial activity and any co-located industrial activities.

Subsector (You may be subject to requirements for more than one sector/subsector)	Indicator Monitoring Parameter	Indicator Monitoring Threshold
Applies to all Sector M (Subsector M1) facilities with stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values
Subsector M1. Automobile Salvage Yards (SIC Code 5015)	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values

* Monitoring is required for the 16 individual PAHs identified at Appendix A to 40 CFR Part 423: naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, indeno[1,2,3-c,d]pyrene, and dibenz[a,h]anthracene.

8.M.6 Sector-Specific Benchmarks (See also Part 4.2.3)

Table 8.M-2 identifies benchmarks that apply to Sector M. These benchmarks apply to both your primary industrial activity and any co-located industrial activities.

Subsector (You 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 Recoverable Aluminum	1,100 µg/L
	Total Recoverable Lead (freshwater) ² Total Recoverable Lead (saltwater) ¹	Hardness Dependent 210 µg/L

¹Saltwater benchmark values apply to stormwater discharges into saline waters where indicated.

²The freshwater benchmark values of some metals are dependent on water hardness. For these parameters, permittees must determine the hardness of the receiving water (see Appendix J, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part 4.2.2.1, to identify the applicable 'hardness range' for determining their benchmark value applicable to their facility. Hardness Dependent Benchmarks follow in the table below:

Freshwater Hardness Range	Lead (µg/L)
0-24.99 mg/L	14
25-49.99 mg/L	24
50-74.99 mg/L	45
75-99.99 mg/L	69
100-124.99 mg/L	95
125-149.99 mg/L	123
150-174.99 mg/L	152
175-199.99 mg/L	182
200-224.99 mg/L	213
225-249.99 mg/L	246
250+ mg/L	262

Part 8 – Sector-Specific Requirements for Industrial Activity

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

You must comply with Part 8 sector-specific requirements associated with your primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

8.N.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 D-1 of Appendix D of the permit.

8.N.2 Limitation on Coverage

Separate permit requirements have been established for recycling facilities that receive, process, and do wholesale distribution of only 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). See Part 8.N.3.3.

8.N.2.1 *Prohibition of Non-Stormwater Discharges.* (See also Part 1.1.3) Non-stormwater discharges from turnings containment areas are not covered by this permit (see also Part 8.N.3.1.3). Discharges from containment areas in the absence of a storm event are prohibited unless covered by a separate NPDES permit. (EPA includes these prohibited non-stormwater discharges here solely as a helpful reminder to the operator that the only non-stormwater discharges authorized by this permit are at Part 1.2.2.)

8.N.3 Additional Technology-Based Effluent Limits

8.N.3.1 *Scrap and Waste Recycling Facilities (Non-Source Separated, Nonliquid Recyclable Materials).* The following requirements are for facilities that receive, process, and do wholesale distribution of non-source separated, 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.

8.N.3.1.1 *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 and through implementation of control measures such as the following, where determined to be feasible (list not exclusive): providing 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 your facility; establishing procedures to minimize the potential of any residual fluids from coming into contact with precipitation or stormwater; establishing 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 in Part 8.N.3.1.6); providing training targeted for those personnel engaged in the inspection and acceptance of inbound recyclable materials; and establishing 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).

- 8.N.3.1.2** *Scrap and Waste Material Stockpiles and Storage (Outdoor)*. Minimize contact of stormwater with stockpiled materials, processed materials, and nonrecyclable wastes through implementation of control measures such as the following, where determined to be feasible (list not exclusive): permanent or semi-permanent covers; sediment traps, vegetated swales and strips, catch basin filters, and sand filters to facilitate settling or filtering of pollutants; dikes, berms, containment trenches, culverts, and surface grading to divert stormwater from storage areas; silt fencing; and oil and water separators, sumps, and dry absorbents for areas where potential sources of residual fluids are stockpiled (e.g., automobile engine storage areas).
- 8.N.3.1.3** *Stockpiling of Turnings Exposed to Cutting Fluids (Outdoor Storage)*. Minimize contact of stormwater with residual cutting fluids by storing all turnings exposed to cutting fluids under some form of permanent or semi-permanent cover, or 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 from these areas can be discharged, provided that any stormwater is first collected and treated by an oil and water separator or its equivalent. You must regularly maintain the oil and water separator (or its equivalent) and properly dispose of or recycle collected residual fluids.
- 8.N.3.1.4** *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 stormwater through implementation of control measures such as the following, where determined to be feasible (list not exclusive): good housekeeping measures, including the use of dry absorbents or wet vacuuming to contain, dispose of, or recycle residual liquids originating from recyclable containers, and mercury spill kits for spills from storage of mercury switches; not allowing wash water from tipping floors or other processing areas to discharge to the storm sewer system; and disconnecting or sealing off all floor drains connected to the storm sewer system.
- 8.N.3.1.5** *Scrap and Recyclable Waste Processing Areas*. Minimize stormwater 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 stormwater (i.e., through good housekeeping, preventive maintenance). To minimize discharges of pollutants in stormwater from scrap and recyclable waste processing areas, implement control measures such as the following, where determined to be feasible (list not exclusive): at least once per month inspecting equipment for spills

or leaks and malfunctioning, worn, or corroded parts or equipment; establishing a preventive maintenance program for processing equipment; using 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; on unattended hydraulic reservoirs over 150 gallons in capacity, installing protection devices such as low-level alarms or equivalent devices, or secondary containment that can hold the entire volume of the reservoir; implementing containment or diversion structures such as dikes, berms, culverts, trenches, elevated concrete pads, and grading to minimize contact of stormwater with outdoor processing equipment or stored materials; using oil and water separators or sumps; installing permanent or semi-permanent covers in processing areas where there are residual fluids and grease; and using retention or detention ponds or basins, sediment traps, vegetated swales or strips, and/or catch basin filters or sand filters for pollutant settling and filtration.

- 8.N.3.1.6 *Scrap Lead-Acid Battery Program.*** To minimize the discharge of pollutants in stormwater from lead-acid batteries, properly handle, store, and dispose of scrap lead-acid batteries, and implement control measures such as the following, where determined to be feasible (list not exclusive): segregating scrap lead-acid batteries from other scrap materials; properly handling, storing, and disposing of cracked or broken batteries; collecting and disposing of leaking lead-acid battery fluid; minimizing or eliminating (if possible) exposure of scrap lead-acid batteries to precipitation or stormwater; and providing employee training for the management of scrap batteries.
- 8.N.3.1.7 *Spill Prevention and Response Procedures.*** (See also Part 2.1.2.4) 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.
- 8.N.3.1.8 *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.

8.N.3.2 *Waste Recycling Facilities (Liquid Recyclable Materials)*

- 8.N.3.2.1 *Waste Material Storage (Indoor).*** Minimize or eliminate contact between residual liquids from waste materials stored indoors and from stormwater. 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. To minimize discharges of pollutants in stormwater from indoor waste material storage areas, implement control measures such as the following, where determined to be feasible (list not exclusive): implementing procedures for material handling (including labeling and marking); cleaning up spills and leaks with dry absorbent materials and/or a wet vacuum system; installing appropriate containment structures (e.g., trenching, curbing, gutters, etc.); and installing a drainage system, including appurtenances (e.g., pumps or ejectors, manually operated valves), to handle discharges from diked or bermed areas. Drainage

should be discharged to an appropriate treatment facility or sanitary sewer system, or otherwise disposed of properly. These discharges may require coverage under a separate NPDES wastewater permit or industrial user permit under the pretreatment program.

8.N.3.2.2 Waste Material Storage (Outdoor). Minimize contact between stored residual liquids and precipitation or stormwater. The plan may refer to applicable portions of other existing plans, such as SPCC plans required under 40 CFR Part 112.

Discharges of stormwater from containment areas containing used oil must also be in accordance with applicable sections of 40 CFR Part 112. To minimize discharges of pollutants in stormwater from outdoor waste material storage areas, implement control measures such as the following, where determined to be feasible (list not exclusive): appropriate containment structures (e.g., dikes, berms, curbing, pits) to store the volume of the largest tank, with sufficient extra capacity for precipitation; drainage control and other diversionary structures; corrosion protection and/or leak detection systems for storage tanks; and dry-absorbent materials or a wet vacuum system to collect spills.

8.N.3.2.3 Trucks and Rail Car Waste Transfer Areas. Minimize pollutants in stormwater 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. To minimize discharges of pollutants in stormwater from truck and rail car waste transfer areas, implement control measures such as the following, where determined to be feasible (list not exclusive): containment and diversionary structures to minimize contact with precipitation or stormwater; and dry clean-up methods, wet vacuuming, roof coverings, and/or stormwater controls.

8.N.3.3 Recycling Facilities (Source-Separated Materials). The following requirements are for facilities that receive only source-separated recyclables, primarily from non-industrial and residential sources.

8.N.3.3.1 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 and through the implementation of control measures such as the following, where determined to be feasible (list not exclusive): providing information and education measures to inform suppliers of recyclables about acceptable and non-acceptable materials; training drivers responsible for pickup of recycled material; clearly marking public drop-off containers regarding which materials can be accepted; rejecting nonrecyclable wastes or household hazardous wastes at the source; and establishing procedures for handling and disposal of nonrecyclable material.

8.N.3.3.2 Outdoor Storage. Minimize exposure of recyclables to precipitation and stormwater by using good housekeeping measures to prevent accumulation of particulate matter and fluids, particularly in high traffic areas and through implementation of control measure such as the following, where determined to be feasible (list not exclusive): providing totally enclosed drop-off containers for the public; installing a sump and pump with each container pit and treat or discharge collected fluids to a sanitary sewer system; providing dikes and curbs for secondary

containment (e.g., around bales of recyclable waste paper); diverting stormwater away from outside material storage areas; providing covers over containment bins, dumpsters, and roll-off boxes; and storing the equivalent of one day's volume of recyclable material indoors.

8.N.3.3.3 *Indoor Storage and Material Processing.* Minimize the release of pollutants from indoor storage and processing areas through implementation of control measures such as the following, where determined to be feasible (list not exclusive): scheduling routine good housekeeping measures for all storage and processing areas; prohibiting tipping floor wash water from draining to the storm sewer system; and providing employee training on pollution prevention practices.

8.N.3.3.4 *Vehicle and Equipment Maintenance.* Minimize the discharge of pollutants in stormwater from areas where vehicle and equipment maintenance occur outdoors through implementation of control measures such as the following, where determined to be feasible (list not exclusive): minimizing or eliminating outdoor maintenance areas; establishing spill prevention and clean-up procedures in fueling areas; avoiding topping off fuel tanks; diverting stormwater from fueling areas; storing lubricants and hydraulic fluids indoors; and providing employee training on proper handling and storage of hydraulic fluids and lubricants.

8.N.4 Additional SWPPP Requirements

8.N.4.1 *Drainage Area Site Map.* (See also Part 6.2.2) Document in your SWPPP the locations of any of the following activities or sources that may be exposed to precipitation or stormwater: scrap and waste material storage; outdoor scrap and waste processing equipment; and containment areas for turnings exposed to cutting fluids.

8.N.4.2 *Maintenance Schedules/Procedures for Collection, Handling, and Disposal or Recycling of Residual Fluids at Scrap and Waste Recycling Facilities.* If you are subject to Part 8.N.3.1.3, your SWPPP must identify any applicable maintenance schedule and the procedures to collect, handle, and dispose of or recycle residual fluids.

8.N.5 Additional Inspection Requirements

8.N.5.1 *Inspections for Waste Recycling Facilities.* The inspections must be performed quarterly, per Part 3.1, 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.

8.N.6 Indicator Monitoring (See also Part 4.2.1)

Table 8.N-1 identifies indicator monitoring that applies to the specific subsectors of Sector N. This indicator monitoring applies to both your primary industrial activity and any co-located industrial activities.

Table 8.N-1		
Subsector (You may be subject to requirements for more than one sector/subsector)	Indicator Monitoring Parameter	Indicator Monitoring Threshold
Applies to all Sector N (Subsectors N1 and N2) facilities with stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values
Subsector N2. Source-separated Recycling Facility (SIC Code 5093)	Chemical Oxygen Demand (COD)	Report Only/ No thresholds or baseline values
	Total Suspended Solids (TSS)	Report Only/ No thresholds or baseline values
	pH	Report Only/ No thresholds or baseline values

8.N.7 Sector-Specific Benchmarks (See also Part 4.2.2)

Table 8.N-2 identifies benchmarks that apply to Sector N. These benchmarks apply to both your primary industrial activity and any co-located industrial activities.

Table 8.N-2.		
Subsector (You may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
Subsector N1. Scrap Recycling and Waste Recycling Facilities except those only receiving source-separate recyclable materials primarily from non-industrial and residential sources (SIC 5093)	Chemical Oxygen Demand (COD)	120 mg/L
	Total Suspended Solids (TSS)	100 mg/L
	Total Recoverable Aluminum	1,100 µg/L
	Total Recoverable Copper (freshwater) ²	5.19 µg/L
	Total Recoverable Copper (saltwater) ¹	4.8 µg/L
	Total Recoverable Lead (freshwater) ²	Hardness Dependent
	Total Recoverable Lead (saltwater) ¹	210 µg/L
Total Recoverable Zinc (freshwater) ²	Total Recoverable Zinc (freshwater) ²	Hardness Dependent
	Total Recoverable Zinc (saltwater) ¹	90 µg/L

¹Saltwater benchmark values apply to stormwater discharges into saline waters where indicated.

²The freshwater benchmark values of some metals are dependent on water hardness. For these parameters, permittees must determine the hardness of the receiving water (see Appendix J, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part 4.2.2.1, to identify the applicable 'hardness range' for determining their benchmark value applicable to their facility. Hardness Dependent Benchmarks follow in the table below:

Freshwater Hardness Range	Lead	Zinc
0-24.99 mg/L	14	37
25-49.99 mg/L	24	52
50-74.99 mg/L	45	80
75-99.99 mg/L	69	107
100-124.99 mg/L	95	132
125-149.99 mg/L	123	157
150-174.99 mg/L	152	181
175-199.99 mg/L	182	204
200-224.99 mg/L	213	227
225-249.99 mg/L	246	249
250+ mg/L	262	260

Part 8 – Sector-Specific Requirements for Industrial Activity

Subpart O – Sector O – Steam Electric Generating Facilities

You must comply with Part 8 sector-specific requirements associated with your primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

8.O.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 D-1 of Appendix D.

8.O.2 Industrial Activities Covered by Sector O

This permit authorizes stormwater discharges from the following industrial activities at Sector O facilities:

8.O.2.1 *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 power);*

8.O.2.2 *Coal pile runoff, including effluent limitations established by 40 CFR Part 423;*

8.O.2.3 *Dual fuel facilities that could employ a steam boiler.*

8.O.3 Limitations on Coverage

8.O.3.1 *Prohibition of Non-Stormwater Discharges.* Non-stormwater discharges subject to effluent limitations guidelines are not covered by this permit. (EPA includes these prohibited non-stormwater discharges here solely as a helpful reminder to the operator that the only non-stormwater discharges authorized by this permit are at Part 1.2.2.)

8.O.3.2 *Prohibition of Stormwater Discharges.* Stormwater discharges from the following are not covered by this permit:

8.O.3.2.1 *Ancillary facilities (e.g., fleet centers and substations) that are not contiguous to a steam electric power generating facility;*

8.O.3.2.2 *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 (and the facility is not a dual-fuel facility that includes a steam boiler);*

8.O.3.2.3 *Cogeneration (combined heat and power) facilities utilizing a gas turbine.*

8.O.4 Additional Technology-Based Effluent Limits. The following good housekeeping measures are required in addition to Part 2.1.2.2:

8.O.4.1 *Fugitive Dust Emissions.* Minimize fugitive dust emissions from coal handling areas to minimize the tracking of coal dust offsite that could be discharged in stormwater through implementation of control measures such as the following, where determined to be feasible, (list not exclusive): installing specially designed tires; and

- washing vehicles in a designated area before they leave the site and controlling the wash water.
- 8.O.4.2 *Delivery Vehicles.*** Minimize contamination of stormwater from delivery vehicles arriving at the plant site. Implement procedures to inspect delivery vehicles arriving at the plant site as necessary to minimize discharges of pollutants in stormwater. Ensure the overall integrity of the body or container of the delivery vehicle and implement procedures to deal with leakage or spillage from delivery vehicles.
- 8.O.4.3 *Fuel Oil Unloading Areas.*** Minimize contamination of precipitation or stormwater from fuel oil unloading areas. Use containment curbs in unloading areas where feasible. In addition, ensure personnel familiar with spill prevention and response procedures are available to respond expeditiously in the event of a leak or spill during deliveries. 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).
- 8.O.4.4 *Chemical Loading and Unloading.*** Minimize contamination of precipitation or stormwater from chemical loading and unloading areas. Use containment curbs at chemical loading and unloading areas to contain spills, where practicable. In addition, ensure personnel familiar with spill prevention and response procedures are available to respond expeditiously in the event of a leak or spill during deliveries. Ensure leaks and spills are immediately contained and cleaned up and, where practicable, load and unload in covered areas and store chemicals indoors.
- 8.O.4.5 *Miscellaneous Loading and Unloading Areas.*** Minimize contamination of precipitation or stormwater from loading and unloading areas through implementation of control measures such as the following, where determined to be feasible (list not exclusive): covering the loading area; grading, curbing, or berming 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.
- 8.O.4.6 *Liquid Storage Tanks.*** Minimize contamination of stormwater from above-ground liquid storage tanks through implementation of control measures such as the following, where determined to be feasible, the following (list not exclusive): using protective guards around tanks; using containment curbs; installing spill and overflow protection; using dry cleanup methods; or equivalent measures.
- 8.O.4.7 *Large Bulk Fuel Storage Tanks.*** Minimize contamination of stormwater from large bulk fuel storage tanks. Use containment berms (or their equivalent). You must also comply with applicable state and federal laws, including Spill Prevention, Control and Countermeasure (SPCC) Plan requirements.
- 8.O.4.8 *Spill Reduction Measures.*** Minimize the potential for an oil or chemical spill, or reference the appropriate part of your SPCC plan. Visually inspect as part of your 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.
- 8.O.4.9 *Oil-Bearing Equipment in Switchyards.*** Minimize contamination of stormwater from oil-bearing equipment in switchyard areas. Use level grades and gravel surfaces to retard flows and limit the spread of spills, or collect stormwater in perimeter ditches.

- 8.O.4.10 *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.
- 8.O.4.11 *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 as necessary to minimize discharges of pollutants in stormwater.
- 8.O.4.12 *Areas Adjacent to Disposal Ponds or Landfills.*** Minimize contamination of stormwater 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.
- 8.O.4.13 *Landfills, Scrap Yards, Surface Impoundments, Open Dumps, General Refuse Sites.*** Minimize the potential for contamination of stormwater from these areas.
- 8.O.5 Additional SWPPP Requirements**
- 8.O.5.1 *Drainage Area Site Map.*** (See also Part 6.2.2) Document in your SWPPP the locations of any of the following activities or sources that may be exposed to precipitation or stormwater: 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).
- 8.O.5.2 *Documentation of Good Housekeeping Measures.*** You must document in your SWPPP the good housekeeping measures implemented to meet the effluent limits in Part 8.O.4.

8.O.6 Additional Inspection Requirements

As part of your 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.

8.O.7 Indicator Monitoring (See also Part 4.2.1)

Table 8.O-1 identifies indicator monitoring that applies to the specific subsectors of Sector O. This indicator monitoring applies to both your primary industrial activity and any co-located industrial activities.

Table 8.O-1		
Subsector (You may be subject to requirements for more than one sector/subsector)	Indicator Monitoring Parameter	Indicator Monitoring Threshold
Applies to all Sector O (Subsector O1) facilities with stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values
Subsector O1. Steam Electric Generating Facilities, including coal handling sites (SIC Code SE)	Chemical Oxygen Demand (COD)	Report Only/ No thresholds or baseline values
	Total Suspended Solids (TSS)	Report Only/ No thresholds or baseline values
	pH	Report Only/ No thresholds or baseline values
	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values

* Monitoring is required for the 16 individual PAHs identified at Appendix A to 40 CFR Part 423: naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, indeno[1,2,3-c,d]pyrene, and dibenz[a,h]anthracene.

8.O.8 Effluent Limitations Based on Effluent Limitations Guidelines (See also Part 4.2.3.1)

Table 8.O-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 8.O-2 ¹		
Industrial Activity	Parameter	Effluent Limitation
Discharges from coal storage piles at Steam Electric Generating Facilities	TSS	50 mg/l ²
	pH	6.0 min - 9.0 max

¹ Monitor annually.

² If your facility is designed, constructed, and operated to treat the volume of coal pile runoff that is associated with a 10-year, 24-hour rainfall event, any untreated overflow of coal pile runoff from the treatment unit is not subject to the 50 mg/L limitation for total suspended solids.

Part 8 – Sector-Specific Requirements for Industrial Activity**Subpart P – Sector P – Land Transportation and Warehousing**

You must comply with Part 8 sector-specific requirements associated with your primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

8.P.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 D-1 of Appendix D of the permit.

8.P.2 Limitation on Coverage

8.P.2.1 *Prohibited Discharges* (see also Parts 1.1.3 and 8.P.3.1.4) 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 NPDES permit, discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements, or recycled on-site.

8.P.3 Additional Technology-Based Effluent Limits

8.P.3.1 *Good Housekeeping Measures.* (See also Part 2.1.2.2) In addition to the Good Housekeeping requirements in Part 2.1.2.2, you must do the following.

8.P.3.1.1 *Vehicle and Equipment Storage Areas.* Minimize the potential for stormwater exposure to leaky or leak-prone vehicles/equipment awaiting maintenance through implementation of control measures such as the following, where determined to be feasible (list not exclusive): using of drip pans under vehicles/equipment; storing vehicles and equipment indoors; installing berms or dikes; using of absorbents; roofing or covering storage areas; and cleaning pavement surfaces to remove oil and grease.

8.P.3.1.2 *Fueling Areas.* Minimize contamination of stormwater from fueling areas through implementation of control measures such as the following, where determined to be feasible: covering the fueling area; using spill/overflow protection and cleanup equipment; minimizing stormwater run-on/discharges to the fueling area; using dry cleanup methods; and treating and/or recycling collected stormwater.

8.P.3.1.3 *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"). To minimize discharges of pollutants in stormwater from material storage areas, implement control measures such as the following, where determined to be feasible (list not exclusive): storing the materials indoors; installing berms/dikes around the areas; minimizing discharges of stormwater to the areas; using dry cleanup methods; and treating and/or recycling collected stormwater.

8.P.3.1.4 *Vehicle and Equipment Cleaning Areas.* Minimize contamination of stormwater from all areas used for vehicle/equipment cleaning through

implementation of control measures such as the following, where determined to be feasible (list not exclusive): 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 and equipment wash water, including tank cleaning operations, are not authorized by this permit for this sector.

8.P.3.1.5 *Vehicle and Equipment Maintenance Areas.* Minimize contamination of stormwater from all areas used for vehicle/equipment maintenance through implementation of control measures such as the following, where determined to be feasible (list not exclusive): 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; and minimizing run on/discharges of stormwater to maintenance areas.

8.P.3.1.6 *Locomotive Sanding (Loading Sand for Traction) Areas.* Minimize discharges of pollutants in stormwater from locomotive sanding areas through implementation of control measures such as the following, where determined to be feasible (list not exclusive): covering sanding areas; minimizing stormwater run on/discharges; or appropriate sediment removal practices to minimize the offsite transport of sanding material by stormwater.

8.P.3.2 *Employee Training.* (See also Part 2.1.2.8) 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.

8.P.4 Additional SWPPP Requirements

8.P.4.1 *Drainage Area Site Map.* (See also Part 6.2.2) Identify in the SWPPP the following areas of the facility and indicate whether activities occurring there may be exposed to precipitation/stormwater: 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.

8.P.4.2 *Potential Pollutant Sources.* (See also Part 6.2.3) 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.

8.P.4.2.1 *Description of Good Housekeeping Measures.* You must document in your SWPPP the good housekeeping measures you implement consistent with Part 8.P.3.

8.P.4.2.2 *Vehicle and Equipment Wash Water Requirements.* If wash water is handled in a manner that does not involve separate NPDES permitting

(e.g., hauled offsite), describe the disposal method and include all pertinent information (e.g., frequency, volume, destination, etc.) in your SWPPP. Discharges of vehicle and equipment wash water, including tank cleaning operations, are not authorized by this permit for this sector.

8.P.5 **Additional Inspection Requirements (See also Part 3.1)**

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.

8.P.6 **Indicator Monitoring (See also Part 4.2.1)**

Table 8.P-1 identifies indicator monitoring that applies to the specific subsectors of Sector P. This indicator monitoring applies to both your primary industrial activity and any co-located industrial activities.

Subsector (You may be subject to requirements for more than one sector/subsector)	Indicator Monitoring Parameter	Indicator Monitoring Threshold
Applies to all Sector P (Subsector P1) facilities with stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values
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 States Postal Service (SIC Code 4311); Petroleum Bulk Stations and Terminals (SIC Code 5171)	Chemical Oxygen Demand (COD)	Report Only/ No thresholds or baseline values
	Total Suspended Solids (TSS)	Report Only/ No thresholds or baseline values
	pH	Report Only/ No thresholds or baseline values
Subsector P1. Railroad Transportation (SIC Code 4011, 4013); Petroleum Bulk Stations and Terminals (SIC Code 5171)	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values

* Monitoring is required for the 16 individual PAHs identified at Appendix A to 40 CFR Part 423: naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, indeno[1,2,3-c,d]pyrene, and dibenz[a,h]anthracene.

Part 8 – Sector-Specific Requirements for Industrial Activity

Subpart Q – Sector Q – Water Transportation

You must comply with Part 8 sector-specific requirements associated with your primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

8.Q.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 D-1 of Appendix D of the permit.

8.Q.2 Limitations on Coverage

8.Q.2.1 *Prohibition of Non-Stormwater Discharges.* (See also Part 1.1.3) The following are not authorized by this permit: discharges from vessels including bilge and ballast water, sanitary wastes, pressure wash water, and cooling water. Any discharge of pollutants from a point source to a water of the U.S. requires coverage under an NPDES permit. (EPA includes these prohibited non-stormwater discharges here solely as a helpful reminder to the operator that the only non-stormwater discharges authorized by this permit are at Part 1.2.2.)

8.Q.3 Additional Technology-Based Effluent Limits

8.Q.3.1 *Good Housekeeping Measures.* You must implement the following good housekeeping measures in addition to the requirements of Part 2.1.2.2:

8.Q.3.1.1 *Pressure Washing Area.* If pressure washing is used to remove marine growth from vessels, the discharge water must be permitted by a separate NPDES permit. Collect or contain the discharges from the pressure washing area so that they are not commingled with stormwater discharges authorized by this permit.

8.Q.3.1.2 *Blasting and Painting Area.* Minimize the potential for spent abrasives, paint chips, and overspray to be discharged into receiving waters or the storm sewer system. 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). At least once per month, you must clean stormwater conveyances of deposits of abrasive blasting debris and paint chips.

8.Q.3.1.3 *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 stormwater from the storage areas. Specify which materials are stored indoors, and contain or enclose or use other measures 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.

- 8.Q.3.1.4 Engine Maintenance and Repair Areas.** Minimize the contamination of precipitation or stormwater from all areas used for engine maintenance and repair through implementation of control measures such as the following, where determined to be feasible (list not exclusive): 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 collected from the maintenance area.
- 8.Q.3.1.5 Material Handling Area.** Minimize the contamination of precipitation or stormwater from material handling operations and areas (e.g., fueling, paint and solvent mixing, disposal of process wastewater streams from vessels) through implementation of control measures such as the following, where determined to be feasible (list not exclusive): covering fueling areas; using spill and overflow protection; mixing paints and solvents in a designated area (preferably indoors or under a shed); and minimizing discharges of stormwater to material handling areas.
- 8.Q.3.1.6 Drydock Activities.** Routinely maintain and clean the drydock to minimize discharges of pollutants in stormwater. 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. To minimize discharges of pollutants in stormwater from drydock activities, implement control measures such as the following, where determined to be feasible (list not exclusive): 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.
- 8.Q.3.2 Employee Training.** (See also Part 2.1.2.8) As part of your 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.
- 8.Q.3.3 Preventive Maintenance.** (See also Part 2.1.2.3) As part of your 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.
- 8.Q.4 Additional SWPPP Requirements**
- 8.Q.4.1 Drainage Area Site Map.** (See also Part 6.2.2) Document in your SWPPP where any of the following may be exposed to precipitation or stormwater: 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).

8.Q.4.2 Summary of Potential Pollutant Sources. (See also Part 6.2.3) 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).

8.Q.5 Additional Inspection Requirements (See also Part 3.1)

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.Q.6 Indicator Monitoring (See also Part 4.2.1)

Table 8.Q-1 identifies indicator monitoring that applies to the specific subsectors of Sector Q. This indicator monitoring applies to both your primary industrial activity and any co-located industrial activities.

Subsector (You may be subject to requirements for more than one sector/subsector)	Indicator Monitoring Parameter	Indicator Monitoring Threshold
Applies to all Sector Q (Subsector Q1) facilities with stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values
Subsector Q1. Water Transportation Facilities (SIC Code 4491 only)	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values

* Monitoring is required for the 16 individual PAHs identified at Appendix A to 40 CFR Part 423: naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, indeno[1,2,3-c,d]pyrene, and dibenz[a,h]anthracene.

8.Q.7 Sector-Specific Benchmarks (See also Part 4.2.2)

Table 8.Q-2 identifies benchmarks that apply to Sector Q. These benchmarks apply to both your primary industrial activity and any co-located industrial activities.

Subsector (You may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
Subsector Q1. Water Transportation Facilities (SIC 4412-4499)	Total Recoverable Aluminum	1,100 µg/L
	Total Recoverable Lead (freshwater) ²	Hardness Dependent
	Total Recoverable Lead (saltwater) ¹	210 µg/L
	Total Recoverable Zinc	Hardness

Subsector (You may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
	(freshwater) ² Total Recoverable Zinc (saltwater) ¹	Dependent 90 µg/L

¹Saltwater benchmark values apply to stormwater discharges into saline waters where indicated.

²The freshwater benchmark values of some metals are dependent on water hardness. For these parameters, permittees must determine the hardness of the receiving water (see Appendix J, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part 4.2.2.1, to identify the applicable 'hardness range' for determining their benchmark value applicable to their facility. Hardness Dependent Benchmarks follow in the table below:

Freshwater Hardness Range	Lead (µg/L)	Zinc (µg/L)
0-24.99 mg/L	14	37
25-49.99 mg/L	24	52
50-74.99 mg/L	45	80
75-99.99 mg/L	69	107
100-124.99 mg/L	95	132
125-149.99 mg/L	123	157
150-174.99 mg/L	152	181
175-199.99 mg/L	182	204
200-224.99 mg/L	213	227
225-249.99 mg/L	246	249
250+ mg/L	262	260

Part 8 – Sector-Specific Requirements for Industrial Activity**Subpart R – Sector R – Ship and Boat Building and Repair Yards**

You must comply with Part 8 sector-specific requirements associated with your primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

8.R.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 D-1 of Appendix D of the permit.

8.R.2 Limitations on Coverage

8.R.2.1 Prohibition of Non-Stormwater Discharges. (See also Part 1.1.3) The following are not authorized by this permit: discharges from vessels including bilge and ballast water, sanitary wastes, pressure wash water, and cooling water. (EPA includes these prohibited non-stormwater discharges here solely as a helpful reminder to the operator that the only non-stormwater discharges authorized by this permit are at Part 1.2.2.)

8.R.3 Additional Technology-Based Effluent Limits

8.R.3.1 Good Housekeeping Measures. (See also Part 2.1.2.2)

8.R.3.1.1 *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 NPDES permit.

8.R.3.1.2 *Blasting and Painting Area.* Minimize the potential for spent abrasives, paint chips, and overspray to be discharged into receiving waters or the storm sewer system. 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.

8.R.3.1.3 *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 stormwater from the storage areas. 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.

8.R.3.1.4 *Engine Maintenance and Repair Areas.* Minimize the contamination of precipitation or stormwater from all areas used for engine maintenance and repair through implementation of control measures such as the following, where determined to be feasible (list not exclusive): 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 collected from the maintenance area.

- 8.R.3.1.5 *Material Handling Area.*** Minimize the discharge of pollutants in stormwater from material handling operations and areas (e.g., fueling, paint and solvent mixing, disposal of process wastewater streams from vessels) through implementation of control measures such as the following, where determined to be feasible (list not exclusive): 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.
- 8.R.3.1.6 *Drydock Activities.*** Routinely maintain and clean the drydock to minimize pollutants in stormwater. 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. To minimize discharges of pollutants in stormwater from drydock activities, implement control measures such as the following, where determined to be feasible (list not exclusive): 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.
- 8.R.3.2 *Employee Training.*** (See also Part 2.1.2.8) As part of your 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.
- 8.R.3.3 *Preventive Maintenance.*** (See also Part 2.1.2.3) As part of your 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.
- 8.R.4 Additional SWPPP Requirements**
- 8.R.4.1 *Drainage Area Site Map.*** (See also Part 6.2.2) Document in your SWPPP where any of the following may be exposed to precipitation or stormwater: 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.R.4.2 *Potential Pollutant Sources.*** (See also Part 6.2.3) Document in your 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).

8.R.4.3 Documentation of Good Housekeeping Measures. Document in your SWPPP any good housekeeping measures implemented to meet the effluent limits in Part 8.R.3.

8.R.4.3.1 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).

8.R.4.3.2 Storage Areas. Specify in your SWPPP which materials are stored indoors, and contain or enclose or use other measures for those stored outdoors.

8.R.5 Additional Inspection Requirements (See also Part 3.1)

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.R.6 Indicator Monitoring (See also Part 4.2.1)

Table 8.R-1 identifies indicator monitoring that applies to the specific subsectors of Sector R. This indicator monitoring applies to both your primary industrial activity and any co-located industrial activities.

Subsector (You may be subject to requirements for more than one sector/subsector)	Indicator Monitoring Parameter	Indicator Monitoring Threshold
Applies to all Sector R (Subsector R1) facilities with stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values
Subsector R1. Ship and Boat Building or Repairing Yards (SIC Code 3731, 3732)	Chemical Oxygen Demand (COD)	Report Only/ No thresholds or baseline values
	Total Suspended Solids (TSS)	Report Only/ No thresholds or baseline values
	pH	Report Only/ No thresholds or baseline values
	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values

* Monitoring is required for the 16 individual PAHs identified at Appendix A to 40 CFR Part 423: naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, indeno[1,2,3-c,d]pyrene, and dibenz[a,h]anthracene.

Part 8 – Sector-Specific Requirements for Industrial Activity

Subpart S – Sector S – Air Transportation

You must comply with Part 8 sector-specific requirements associated with your primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

8.S.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 D-1 of Appendix D of the permit.

8.S.2 Limitation on Coverage

8.S.2.1 *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: the term “deicing” in this permit 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 otherwise.

8.S.2.2 *Prohibition of Non-Stormwater Discharges.* (See also Part 1.1.3 and Part 8.S.5.3) 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 NPDES permit(s). Note that a discharge resulting from snowmelt is not a dry weather discharge. (EPA includes these prohibited non-stormwater discharges here solely as a helpful reminder to the operator that the only non-stormwater discharges authorized by this permit are at Part 1.2.2.)

8.S.3 Multiple Operators at Air Transportation Facilities

Air transportation facilities often have more than one operator who could discharge stormwater associated with industrial activity. Operators include the airport authority and airport tenants, including air passenger or cargo companies, fixed based operators, and other parties who routinely perform industrial activities on airport property.

8.S.3.1 *Permit Coverage/Submittal of NOIs.* Where an airport transportation facility has multiple industrial operators that discharge stormwater, each individual operator must obtain coverage under an NPDES stormwater permit. To obtain coverage under the MSGP, all such operators must meet the eligibility requirements in Part 1 and must submit an NOI, per Part 1.3.2. (or, if appropriate, a no exposure certification per Part 1.5).

8.S.3.2 *MSGP Implementation Responsibilities for Airport Authority and Tenants.* The airport authority, in collaboration with its tenants, may choose to implement certain MSGP 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 MSGP requirements include:

- The airport authority performs certain activities on behalf of itself and its tenants and reports on its activities;
- 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;
- Tenants independently perform, document and submit required information on their activities.

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

8.S.3.3 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 operator develops a SWPPP for discharges from its own areas of the airport, that SWPPP must be coordinated and integrated with the comprehensive SWPPP. All operators and their separate SWPPP contributions and compliance responsibilities must be clearly identified in the comprehensive SWPPP, which all operators must sign and certify per Part 6.2.7. As applicable, the SWPPP must clearly specify the MSGP requirements to be complied with by:

- The airport authority for itself;
- The airport authority on behalf of its tenants;
- Tenants for themselves.

For each activity that an operator (e.g., the airport authority) conducts on behalf of another operator (e.g., a tenant), the SWPPP must describe a process for reporting results to the latter operator and for ensuring appropriate follow-up, if necessary, by all affected operators. This is to ensure all actions are taken to correct any potential deficiencies or permit violations. For example, where the airport authority 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.

8.S.3.4 Duty to Comply. All individual operators are responsible for implementing their assigned portion of the comprehensive SWPPP, and operators must ensure that their individual activities do not render another operator's stormwater controls ineffective. In addition, the standard permit conditions found in Appendix B apply to each individual operator, including B.1 Duty to Comply (which states, in part, "You [each individual operator] must comply with all conditions of this permit."). For multiple operators at an airport this means that each individual operator remains responsible for ensuring all requirements of its own MSGP 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 an MSGP requirement on behalf of other operators does not negate the other operators' ultimate liability.

8.S.4 **Additional Technology-Based Effluent Limits****8.S.4.1** ***Good Housekeeping Measures.*** (See also Part 2.1.2.2)

- 8.S.4.1.1** ***Aircraft, Ground Vehicle and Equipment Maintenance Areas.*** Minimize the contamination of stormwater from all areas used for aircraft, ground vehicle and equipment maintenance (including the maintenance conducted on the terminal apron and in dedicated hangars) through implementation of control measures such as the following, where determined to be feasible and that accommodate considerations of safety, space, operational constraints, and flight considerations (list not exclusive): 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 from the maintenance area and providing treatment or recycling.
- 8.S.4.1.2** ***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 from cleaning areas.
- 8.S.4.1.3** ***Aircraft, Ground Vehicle and Equipment Storage Areas.*** Store all aircraft, ground vehicles and equipment awaiting maintenance in designated areas only and implement control measures to minimize the discharge of pollutants in stormwater from these storage areas such as the following, where determined to be feasible and that accommodate considerations of safety, space, operational constraints, and flight considerations (list not exclusive): 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.
- 8.S.4.1.4** ***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"). To minimize contamination of precipitation/stormwater from these areas, implement control measures such as the following, where determined to be feasible and that accommodate considerations of safety, space, operational constraints, and flight considerations (list not exclusive): storing materials indoors; storing waste materials in a centralized location; and installing berms/dikes around storage areas.
- 8.S.4.1.5** ***Airport Fuel System and Fueling Areas.*** Minimize the discharge of pollutants in stormwater from airport fuel system and fueling areas through implementation of control measures such as the following, where determined to be feasible and that accommodate considerations of safety, space, operational constraints, and flight considerations (list not exclusive): implementing spill and overflow practices (e.g., placing absorptive materials beneath aircraft during fueling operations); using only dry cleanup methods; and collecting stormwater. If you have implemented a SPCC plan developed in accordance with the 2006 amendments to the SPCC rule, you may cite the relevant aspects from your SPCC plan that comply with the requirements of this section in your SWPPP.

- 8.S.4.1.6** **Source Reduction.** Consistent with safety considerations, minimize the use of urea and glycol-based deicing chemicals to reduce the aggregate amount of deicing chemicals used that could add pollutants to stormwater discharges.
- **Runway Deicing Operations.** To minimize the discharge of pollutants in stormwater from runway deicing operations, implement source reduction control measures such as the following, where determined to be feasible and that accommodate considerations of safety, space, operational constraints, and flight considerations (list not exclusive): 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; heating sand; and product substitution. Chemical options to replace pavement deicers (urea or glycol) include (list not exclusive): potassium acetate; magnesium acetate; calcium acetate; and anhydrous sodium acetate.
 - **Aircraft Deicing Operations.** Minimize the discharge of pollutants in stormwater from aircraft deicing operations. Determine whether excessive application of deicing chemicals occurs and adjust as necessary, consistent with considerations of flight safety. Determine whether alternatives to glycol and whether containment measures for applied chemicals are feasible. Implement control measures for reducing deicing fluid such as the following, where determined to be feasible and that accommodate considerations of safety, space, operational constraints, and flight considerations (list not exclusive): 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 and that accommodate considerations of safety, space, operational constraints, and flight considerations. The evaluations and determinations required by this Part should be carried out by the personnel most familiar with the particular aircraft and flight operations and related systems in question (versus an outside entity such as the airport authority).
- 8.S.4.1.7** **Management of Stormwater.** (See also Part 2.1.2.6) Minimize the discharge of pollutants in stormwater from deicing chemicals in stormwater. To minimize discharges of pollutants in stormwater from aircraft deicing, implement stormwater control measures such as the following, where determined to be feasible and that accommodate considerations of safety, space, operational constraints, and flight considerations (list not exclusive): installing a centralized deicing pad to recover deicing fluid following application; plug- and-pump (PnP); using vacuum/collection trucks (glycol recovery vehicles); storing contaminated stormwater/deicing fluids in tanks; recycling collected deicing fluid where feasible; releasing controlled amounts to a publicly owned treatment works; separation of contaminated snow; conveying contaminated stormwater into an impoundment for biochemical decomposition (be aware of attracting wildlife that may prove hazardous to flight operations); and directing stormwater into vegetative swales or other

infiltration measures. To minimize discharges of pollutants in stormwater from runway deicing, implement stormwater control measures such as the following, where determined to be feasible and that accommodate considerations of safety, space, operational constraints, and flight considerations (list not exclusive): mechanical systems (snow plows, brushes); conveying contaminated stormwater into swales and/or an impoundment; and pollution prevention practices such as ice detection systems, and airfield prewetting.

When applying deicing fluids during non-precipitation events (also referred to as “clear ice deicing”), implement control measures to prevent unauthorized discharge of pollutants (dry-weather discharges of pollutants would need coverage under an NPDES wastewater permit), or to minimize the discharge of pollutants from deicing fluids in later stormwater discharges, implement control measures such as the following, where determined to be feasible and that accommodate considerations safety, space, operational constraints, and flight considerations (list not exclusive): recovering deicing fluids; preventing the fluids from entering storm sewers or other stormwater discharge conveyances (e.g., covering storm sewer inlets, using booms, installing absorptive interceptors in the drains); releasing controlled amounts to a publicly owned treatment works Used deicing fluid should be recycled whenever practicable.

- 8.S.4.1.8** *Deicing Season.* You must determine the seasonal timeframe (e.g., December- February, October - March) 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 you meet the deicing chemical usage thresholds of 100,000 gallons glycol and/or 100 tons of urea, the deicing season you identified is the timeframe during which you must obtain the four required benchmark monitoring event results for deicing-related parameters, i.e., BOD, COD, ammonia and pH. See also Part 8.S.8.

8.S.5 **Additional SWPPP Requirements**

- 8.S.5.1** *Drainage Area Site Map.* (See also Part 6.2.2) Document in the SWPPP the following areas of the facility and indicate whether activities occurring there may be exposed to precipitation/stormwater: aircraft and runway deicing operations; fueling stations; aircraft, ground vehicle and equipment maintenance/cleaning areas; and storage areas for aircraft, ground vehicles and equipment awaiting maintenance.

- 8.S.5.2** *Potential Pollutant Sources.* (See also Part 6.2.3) 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; and aircraft and runway deicing operations (including apron and centralized aircraft deicing stations, runways, taxiways and ramps). If deicing chemicals are used, a record of the types (including the Safety Data Sheets [SDS]) used and the monthly quantities, either as measured or, in the absence of metering, using best estimates, must be maintained. 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. Deicing operators must provide the above information to the airport authority for inclusion with any comprehensive airport SWPPPs.

8.S.5.3 *Vehicle and Equipment Wash Water Requirements.* If wash water is handled in a manner that does not involve separate NPDES permitting or local pretreatment requirements (e.g., hauled offsite, retained onsite), describe the disposal method and include all pertinent information (e.g., frequency, volume, destination) in your SWPPP. Discharges of vehicle and equipment wash water are not authorized by this permit for this sector.

8.S.5.4 *Documentation of Control Measures Used for Management of Stormwater.* Document in your SWPPP the control measures used for collecting or containing contaminated melt water from collection areas used for disposal of contaminated snow.

8.S.6 Additional Inspection Requirements

At a minimum, you must conduct facility inspections at least monthly during the deicing season (e.g., October through April for most mid-latitude airports). If your 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 Director may specifically require you to increase inspection frequencies.

8.S.7 Indicator Monitoring (See also Part 4.2.1)

Table 8.S-1 identifies indicator monitoring that applies to the specific subsectors of Sector S. This indicator monitoring applies to both your primary industrial activity and any co-located industrial activities.

Subsector (You may be subject to requirements for more than one sector/subsector)	Indicator Monitoring Parameter	Indicator Monitoring Threshold
Applies to all Sector S (Subsector S1) facilities with stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values
Subsector S1. Air Transportation Facilities (SIC Code 4512-4581)	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values

* Monitoring is required for the 16 individual PAHs identified at Appendix A to 40 CFR Part 423: naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, indeno[1,2,3-c,d]pyrene, and dibenz[a,h]anthracene.

8.S.8 Sector-Specific Benchmarks (See also Part 4.2.2)

Table 8.S-2 identifies benchmarks that apply to Sector S. These benchmarks apply to both your primary industrial activity and any co-located industrial activities.

Table 8.S-2.		
Subsector (You 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 pure glycol in glycol- based deicing fluids 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 stormwater from areas where deicing activities occur (SIC 4512-4581).	Biochemical Oxygen Demand (BOD ₅) 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 8.S.4.1.8 when deicing activities are occurring.

8.S.9 Effluent Limitations Based on Effluent Limitations Guidelines and New Source Performance Standards (See also Part 4.2.3.1)

8.S.9.1 *Airfield Pavement Deicing.* For both existing and new “primary airports” (as defined at 40 CFR 449.2) 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 8.S-3.

8.S.9.2 *Aircraft Deicing.* Airports that are both “primary airports” (as defined at 40 CFR 449.2) and new sources (“new airports”) with 1,000 or more annual non-propeller aircraft departures must meet the applicable requirements for aircraft deicing at 40 CFR 449.11(a). Discharges of the collected aircraft deicing fluid directly to waters of the U.S. are not eligible for coverage under this permit.

8.S.9.3 *Monitoring, Reporting and Recordkeeping.* For new and existing airports subject to the effluent limitations in Part 8.S.9.1 or 8.S.9.2 of this permit, you must comply with the applicable monitoring, reporting and recordkeeping requirements outlined in 40 CFR 449.20.

Table 8.S-3		
Industrial Activity	Parameter	Effluent Limitation
Runoff containing urea from airfield pavement deicing at existing and new primary airports with 1,000 or more annual non-propeller aircraft departures	Ammonia as Nitrogen	14.7 mg/L, daily maximum

Part 8 – Sector-Specific Requirements for Industrial Activity**Subpart T – Sector T – Treatment Works**

You must comply with Part 8 sector-specific requirements associated with your primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

8.T.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 D-1 of Appendix D of the permit.

8.T.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:

8.T.2.1 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.

8.T.2.2 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.

8.T.3 Limitations on Coverage

8.T.3.1 ***Prohibition of Non-Stormwater Discharges.*** (See also Part 1.1.3) Sanitary and industrial wastewater and equipment and vehicle wash water are not authorized by this permit. (EPA includes these prohibited non-stormwater discharges here solely as a helpful reminder to the operator that the only non-stormwater discharges authorized by this permit are at Part 1.2.2.)

8.T.4 Additional Technology-Based Effluent Limits

8.T.4.1 ***Control Measures.*** (See also Part 2.1.2) To minimize the discharge of pollutants in stormwater, implement control measures such as the following, where determined to be feasible (list not exclusive): 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).

8.T.4.2 ***Employee Training.*** (See also Part 2.1.2.8) 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.

8.T.5 Additional SWPPP Requirements

8.T.5.1 *Site Map.* (See also Part 6.2.2) Document in your SWPPP where any of the following may be exposed to precipitation or stormwater: 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.

8.T.5.2 *Potential Pollutant Sources.* (See also Part 6.2.3) Document in your 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.

8.T.5.3 *Wastewater and Wash Water Requirements.* If wastewater and/or vehicle and equipment wash water is not covered by another NPDES permit but is handled in another manner (e.g., hauled offsite, retained onsite), the disposal method must be described and all pertinent information (e.g., frequency, volume, destination) must be included in your SWPPP. Discharges of vehicle and equipment wash water, including tank cleaning operations, are not authorized by this permit for this sector.

8.T.6 Additional Inspection Requirements (See also Part 3.1)

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.

8.T.7 Indicator Monitoring (See also Part 4.2.1)

Table 8.T-1 identifies indicator monitoring that applies to the specific subsectors of Sector T. This indicator monitoring applies to both your primary industrial activity and any co-located industrial activities.

Subsector (You may be subject to requirements for more than one sector/subsector)	Indicator Monitoring Parameter	Indicator Monitoring Threshold
Applies to all Sector T (Subsector T1) facilities with stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values
Subsector T1. 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	Chemical Oxygen Demand (COD)	Report Only/ No thresholds or baseline values
	Total Suspended Solids (TSS)	Report Only/ No thresholds or baseline values
	pH	Report Only/ No thresholds or baseline values

Table 8.T-1		
Subsector (You may be subject to requirements for more than one sector/subsector)	Indicator Monitoring Parameter	Indicator Monitoring Threshold
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 (Activity Code TW)		

* Monitoring is required for the 16 individual PAHs identified at Appendix A to 40 CFR Part 423: naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, indeno[1,2,3-c,d]pyrene, and dibenz[a,h]anthracene.

Part 8 – Sector-Specific Requirements for Industrial Activity

Subpart U – Sector U – Food and Kindred Products

You must comply with Part 8 sector-specific requirements associated with your primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

8.U.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 D-1 of Appendix D of the permit.

8.U.2 Limitations on Coverage

8.U.2.1 *Prohibition of Non-Stormwater Discharges.* (See also Part 1.1.3) 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. (EPA includes these prohibited non-stormwater discharges here solely as a helpful reminder to the operator that the only non-stormwater discharges authorized by this permit are at Part 1.2.2.)

8.U.3 Additional Technology-Based Limitations

8.U.3.1 *Employee Training.* (See also Part 2.1.2.8) Address pest control in your employee training program.

8.U.4 Additional SWPPP Requirements

8.U.4.1 *Drainage Area Site Map.* (See also Part 6.2.2) Document in your SWPPP the locations of the following activities if they are exposed to precipitation or stormwater: 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.

8.U.4.2 *Potential Pollutant Sources.* (See also Part 6.2.3) Document in your 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.

8.U.5 Additional Inspection Requirements (See also Part 3.1)

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.

8.U.6 Indicator Monitoring (See also Part 4.2.1)

Table 8.U-1 identifies indicator monitoring that applies to the specific subsectors of Sector U. This indicator monitoring applies to both your primary industrial activity and any co-located industrial activities.

Table 8.U-1		
Subsector (You may be subject to requirements for more than one sector/subsector)	Indicator Monitoring Parameter	Indicator Monitoring Threshold
Applies to all Sector U (Subsectors U1, U2, and U3) facilities with stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values
Subsector U3. Meat Products (SIC Code 2011-2015); Dairy Products (SIC Code 2021-2026); Canned, Frozen, and Preserved Fruits, Vegetables, and Food Specialties (SIC Code 2032-2038); Bakery Products (SIC Code 2051-2053); Sugar and Confectionery Products (SIC Code 2061-2068); Beverages (SIC Code 2082-2087); Miscellaneous Food Preparations and Kindred Products (SIC Code 2091-2099); Tobacco Products (SIC Code 2111-2141)	Chemical Oxygen Demand (COD)	Report Only/ No thresholds or baseline values
	Total Suspended Solids (TSS)	Report Only/ No thresholds or baseline values
	pH	Report Only/ No thresholds or baseline values

* Monitoring is required for the 16 individual PAHs identified at Appendix A to 40 CFR Part 423: naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, indeno[1,2,3-c,d]pyrene, and dibenz[a,h]anthracene.

8.U.7 Sector-Specific Benchmarks (See also Part 4.2.2)

Table 8.U-2 identifies benchmarks that apply to the specific subsectors of Sector U. These benchmarks apply to both your primary industrial activity and any co-located industrial activities.

Table 8.U-2.		
Subsector (You 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
Subsector U2. Fats and Oils Products (SIC 2074-2079)	Biochemical Oxygen Demand (BOD ₅)	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

Part 8 – Sector-Specific Requirements for Industrial Activity

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

You must comply with Part 8 sector-specific requirements associated with your primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

8.V.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 D-1 of Appendix D of the permit.

8.V.2 Limitations on Coverage

8.V.2.1 *Prohibition of Non-Stormwater Discharges.* (See also Part 1.1.3) The following discharges 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 you have these types of discharges from your facility, you must cover them under a separate NPDES permit. (EPA includes these prohibited non-stormwater discharges here solely as a helpful reminder to the operator that the only non-stormwater discharges authorized by this permit are at Part 1.2.2.)

8.V.3 Additional Technology-Based Limitations

8.V.3.1 *Good Housekeeping Measures.* (See also Part 2.1.2.2)

8.V.3.1.1 *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 from such storage areas. Also consider 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 stormwater. Collect and dispose of wash water from these cleanings properly.

8.V.3.1.2 *Material Handling Areas.* Minimize contamination of stormwater from material handling operations and areas through implementation of control measures such as the following, where determined to be feasible: using 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.

8.V.3.1.3 *Fueling Areas.* Minimize contamination of stormwater from fueling areas through implementation of control measures such as the following, where determined to be feasible: 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 collected from the fueling area.

8.V.3.1.4 Above-Ground Storage Tank Area. Minimize contamination of stormwater from above-ground storage tank areas, including the associated piping and valves, through implementation of control measures such as the following, where determined to be feasible (list not exclusive): regular cleanup of these areas; including measures for tanks, piping and valves explicitly in your SPCC program; minimizing discharges 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.

8.V.3.1.5 Employee Training. (See also Part 2.1.2.8) As part of your 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.

8.V.4 Additional SWPPP Requirements

8.V.4.1 Potential Pollutant Sources. (See also Part 6.2.3) Document in your SWPPP 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).

8.V.4.2 Description of Good Housekeeping Measures for Material Storage Areas. Document in the SWPPP your containment area or enclosure for materials stored outdoors in connection with Part 8.V.3.1.1 above.

8.V.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.

8.V.6 Indicator Monitoring (See also Part 4.2.1)

Table 8.V-1 identifies indicator monitoring that applies to the specific subsectors of Sector V. This indicator monitoring applies to both your primary industrial activity and any co-located industrial activities.

Subsector (You may be subject to requirements for more than one sector/subsector)	Indicator Monitoring Parameter	Indicator Monitoring Threshold
Applies to all Sector V (Subsector V1) facilities with stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values

Table 8.V-1		
Subsector (You may be subject to requirements for more than one sector/subsector)	Indicator Monitoring Parameter	Indicator Monitoring Threshold
Subsector V1. Textile Mill Products (SIC Code 2211-2299); Apparel and Other Finished Products Made from Fabrics and Similar Materials (SIC Code 2311-2399); Leather and Leather Products (note: see Sector Z1 for Leather Tanning and Finishing) (SIC Code 3131-3199)	Chemical Oxygen Demand (COD)	Report Only/ No thresholds or baseline values
	Total Suspended Solids (TSS)	Report Only/ No thresholds or baseline values
	pH	Report Only/ No thresholds or baseline values

* Monitoring is required for the 16 individual PAHs identified at Appendix A to 40 CFR Part 423: naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, indeno[1,2,3-c,d]pyrene, and dibenz[a,h]anthracene.

Part 8 – Sector-Specific Requirements for Industrial Activity**Subpart W – Sector W – Furniture and Fixtures**

You must comply with Part 8 sector-specific requirements associated with your primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

8.W.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 D-1 of Appendix D of the permit.

8.W.2 Additional SWPPP Requirements

8.W.2.1 *Drainage Area Site Map.* (See also Part 6.2.2) Document in your SWPPP where any of the following may be exposed to precipitation or stormwater: 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.

8.W.3 Indicator Monitoring (See also Part 4.2.1)

Table 8.W-1 identifies indicator monitoring that applies to the specific subsectors of Sector W. This indicator monitoring applies to both your primary industrial activity and any co-located industrial activities.

Subsector (You may be subject to requirements for more than one sector/subsector)	Indicator Monitoring Parameter	Indicator Monitoring Threshold
Applies to all Sector W (Subsector W1) facilities with stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values
Subsector W1. Wood Kitchen Cabinets (SIC Code 2434); Furniture and Fixtures (SIC Code 2511-2599)	Chemical Oxygen Demand (COD)	Report Only/ No thresholds or baseline values
	Total Suspended Solids (TSS)	Report Only/ No thresholds or baseline values
	pH	Report Only/ No thresholds or baseline values

* Monitoring is required for the 16 individual PAHs identified at Appendix A to 40 CFR Part 423: naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, indeno[1,2,3-c,d]pyrene, and dibenz[a,h]anthracene.

Part 8 – Sector-Specific Requirements for Industrial Activity**Subpart X – Sector X – Printing and Publishing**

You must comply with Part 8 sector-specific requirements associated with your primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

8.X.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 SIC Codes specified under Sector X in Table D-1 of Appendix D of the permit.

8.X.2 Additional Technology-Based Effluent Limits**8.X.2.1 Good Housekeeping Measures. (See also Part 2.1.2.2)**

8.X.2.1.1 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 from such storage areas. Also consider an inventory control plan to prevent excessive purchasing of potentially hazardous substances.

8.X.2.1.2 Material Handling Area. Minimize contamination of stormwater from material handling operations and areas (e.g., blanket wash, mixing solvents, loading and unloading materials) through implementation of control measures such as the following, where determined to be feasible (list not exclusive): 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.

8.X.2.1.3 Fueling Areas. Minimize contamination of stormwater from fueling areas through implementation of control measures such as the following, where determined to be feasible (list not exclusive): covering the fueling area; using spill and overflow protection; minimizing discharges of stormwater to the fueling areas; using dry cleanup methods; and treating and/or recycling stormwater collected from the fueling area.

8.X.2.1.4 Above Ground Storage Tank Area. Minimize contamination of the stormwater from above-ground storage tank areas, including the associated piping and valves, through implementation of control measures such as the following, where determined to be feasible (list not exclusive): regularly cleaning these areas; explicitly addressing tanks; piping and valves in the SPCC program; minimizing stormwater discharges 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.

8.X.2.2 Employee Training. (See also Part 2.1.2.8) As part of your 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.

8.X.3 Additional SWPPP Requirements

8.X.3.1 Description of Good Housekeeping Measures for Material Storage Areas. In connection with Part 8.X.2.1.1, describe in the SWPPP the containment area or enclosure for materials stored outdoors.

8.X.4 Indicator Monitoring (See also Part 4.2.1)

Table 8.X-1 identifies indicator monitoring that applies to the specific subsectors of Sector X. This indicator monitoring applies to both your primary industrial activity and any co-located industrial activities.

Subsector (You may be subject to requirements for more than one sector/subsector)	Indicator Monitoring Parameter	Indicator Monitoring Threshold
Applies to all Sector X (Subsector X1) facilities with stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values
Subsector X1. Printing, Publishing, and Allied Industries (SIC Code 2711-2796)	Chemical Oxygen Demand (COD)	Report Only/ No thresholds or baseline values
	Total Suspended Solids (TSS)	Report Only/ No thresholds or baseline values
	pH	Report Only/ No thresholds or baseline values

* Monitoring is required for the 16 individual PAHs identified at Appendix A to 40 CFR Part 423: naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, indeno[1,2,3-c,d]pyrene, and dibenz[a,h]anthracene.

Part 8 – Sector-Specific Requirements for Industrial Activity**Subpart Y – Sector Y – Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries**

You must comply with Part 8 sector-specific requirements associated with your primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

8.Y.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 D-1 of Appendix D of the permit.

8.Y.2 Additional Technology-Based Effluent Limits

8.Y.2.1 *Controls for Rubber Manufacturers.* (See also Part 2.1.2) Minimize the discharge of zinc in your stormwater discharges. Parts 8.Y.2.1.1 to 8.Y.2.1.5 give possible sources of zinc to be reviewed and list control measures to be implemented where determined to be feasible. Implement additional control measures such as the following, where determined to be feasible (list not exclusive): 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.

8.Y.2.1.1 *Zinc Bags.* Ensure proper handling and storage of zinc bags at your facility through implementation of control measures such as the following, where determined to be feasible (list not exclusive): 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.

8.Y.2.1.2 *Dumpsters.* Minimize discharges of zinc from dumpsters through implementation of control measures such as the following, where determined to be feasible (list not exclusive): covering the dumpster; moving the dumpster indoors; and providing a lining for the dumpster.

8.Y.2.1.3 *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.

8.Y.2.1.4 *Grinding Operations.* Minimize contamination of stormwater as a result of dust generation from rubber grinding operations. Where determined to be feasible, install a dust collection system.

8.Y.2.1.5 *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 determined to be feasible, use alternative compounds to zinc stearate.

8.Y.2.2 Controls for Plastic Products Manufacturers. Minimize the discharge of plastic resin pellets in your stormwater discharges through implementation of control measures

such as the following, where determined to be feasible (list not exclusive): minimizing spills; cleaning up of spills promptly and thoroughly; sweeping thoroughly; pellet capturing; employee education; and disposal precautions.

8.Y.3 Additional SWPPP Requirements

8.Y.3.1 Potential Pollutant Sources for Rubber Manufacturers. (See also Part 6.2.3) Document in your SWPPP the use of zinc at your facility and the possible pathways through which zinc may be discharged in stormwater.

8.Y.4 Indicator Monitoring (See also Part 4.2.1)

Table 8.Y-1 identifies indicator monitoring that applies to the specific subsectors of Sector Y. This indicator monitoring applies to both your primary industrial activity and any co-located industrial activities.

Subsector (You may be subject to requirements for more than one sector/subsector)	Indicator Monitoring Parameter	Indicator Monitoring Threshold
Applies to all Sector Y (Subsectors Y1 and Y2) facilities with stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values
Subsector Y2. Miscellaneous Plastics Products (SIC Code 3081-3089); Musical Instruments (SIC Code 3931); Dolls, Toys, Games, and Sporting and Athletic Goods (SIC Code 3942-3949); Pens, Pencils, and Other Artists' Materials (SIC Code 3951-3955 (except 3952 – see Sector C)); Costume Jewelry, Costume Novelties, Buttons, and Miscellaneous Notions, Except Precious Metal (SIC Code 3961, 3965); Miscellaneous Manufacturing Industries (SIC Code 3991-3999)	Chemical Oxygen Demand (COD)	Report Only/ No thresholds or baseline values
	Total Suspended Solids (TSS)	Report Only/ No thresholds or baseline values
	pH	Report Only/ No thresholds or baseline values

* Monitoring is required for the 16 individual PAHs identified at Appendix A to 40 CFR Part 423: naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, indeno[1,2,3-c,d]pyrene, and dibenz[a,h]anthracene.

8.Y.5 Sector-Specific Benchmarks (See also Part 4.2.2)

Table 8.Y-2 identifies benchmarks that apply to Sector Y. These benchmarks apply to both your primary industrial activity and any co-located industrial activities.

Subsector (You 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 Recoverable Zinc (freshwater) ²	Hardness Dependent
	Total Recoverable Zinc (saltwater) ¹	90 µg/L

¹Saltwater benchmark values apply to stormwater discharges into saline waters where indicated.

²The freshwater benchmark values of some metals are dependent on water hardness. For these parameters, permittees must determine the hardness of the receiving water (see Appendix J, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part 4.2.2.1, to identify the applicable 'hardness range' for determining their benchmark value applicable to their facility. Hardness Dependent Benchmarks follow in the table below:

Freshwater Hardness Range	Zinc (µg/L)
0-24.99 mg/L	37
25-49.99 mg/L	52
50-74.99 mg/L	80
75-99.99 mg/L	107
100-124.99 mg/L	132
125-149.99 mg/L	157
150-174.99 mg/L	181
175-199.99 mg/L	204
200-224.99 mg/L	227
225-249.99 mg/L	249
250+ mg/L	260

Part 8 – Sector-Specific Requirements for Industrial Activity**Subpart Z – Sector Z – Leather Tanning and Finishing**

You must comply with Part 8 sector-specific requirements associated with your primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

8.Z.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 D-1 of Appendix D of the permit.

8.Z.2 Additional Technology-Based Effluent Limits**8.Z.2.1 Good Housekeeping Measures. (See also Part 2.1.2.2)**

- 8.Z.2.1.1 Storage Areas for Raw, Semiprocessed, or Finished Tannery By-products.**
Minimize contamination of stormwater from pallets and bales of raw, semiprocessed, or finished tannery by-products (e.g., splits, trimmings, shavings). Store or protect indoors with polyethylene wrapping, tarpaulins, roofed storage, etc. where practicable. Place materials on an impermeable surface and enclose or put berms (or equivalent measures) around the area to prevent stormwater run-on and discharges where practicable.
- 8.Z.2.1.2 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.
- 8.Z.2.1.3 Buffing and Shaving Areas.** Minimize contamination of stormwater with leather dust from buffing and shaving areas through implementation of control measures such as the following, where determined to be feasible (list not exclusive): implementing dust collection enclosures; implementing preventive inspection and maintenance programs; or other appropriate preventive measures.
- 8.Z.2.1.4 Receiving, Unloading, and Storage Areas.** Minimize contamination of stormwater from receiving, unloading, and storage areas. If these areas are exposed, implement control measures such as the following, where determined to be feasible (list not exclusive): covering all hides and chemical supplies; diverting drainage to the process sewer; or grade berming or curbing the area to prevent stormwater discharges.
- 8.Z.2.1.5 Outdoor Storage of Contaminated Equipment.** Minimize contact of stormwater with contaminated equipment through implementation of control measures such as the following, where determined to be feasible (list not exclusive): covering equipment, diverting drainage to the process sewer, and cleaning thoroughly prior to storage.
- 8.Z.2.1.6 Waste Management.** Minimize contamination of stormwater from waste storage areas through implementation of control measures such as the following, where determined to be feasible (list not exclusive): covering dumpsters; moving waste management activities indoors; covering waste

piles with temporary covering material such as tarpaulins or polyethylene; and minimizing stormwater discharges by enclosing the area or building berms around the area.

8.7.3 Additional SWPPP Requirements

8.7.3.1 *Drainage Area Site Map.* (See also Part 6.2.2) Identify in your SWPPP where any of the following may be exposed to precipitation or stormwater: processing and storage areas of the beamhouse, tanyard, and re-tan wet finishing and dry finishing operations.

8.7.3.2 *Potential Pollutant Sources.* (See also Part 6.2.3) Document in your 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.

8.7.4 Indicator Monitoring (See also Part 4.2.1)

Table 8.Z-1 identifies indicator monitoring that applies to the specific subsectors of Sector Z. This indicator monitoring applies to both your primary industrial activity and any co-located industrial activities.

Subsector (You may be subject to requirements for more than one sector/subsector)	Indicator Monitoring Parameter	Indicator Monitoring Threshold
Applies to all Sector Z (Subsector Z1) facilities with stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values
Subsector Z1. Leather Tanning and Finishing (SIC Code 3111)	Chemical Oxygen Demand (COD)	Report Only/ No thresholds or baseline values
	Total Suspended Solids (TSS)	Report Only/ No thresholds or baseline values
	pH	Report Only/ No thresholds or baseline values

* Monitoring is required for the 16 individual PAHs identified at Appendix A to 40 CFR Part 423: naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, indeno[1,2,3-c,d]pyrene, and dibenz[a,h]anthracene.

Part 8 – Sector-Specific Requirements for Industrial Activity**Subpart AA – Sector AA – Fabricated Metal Products**

You must comply with Part 8 sector-specific requirements associated with your primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

8.AA.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 D-1 of Appendix D of the permit.

8.AA.2 Additional Technology-Based Effluent Limits**8.AA.2.1 Good Housekeeping Measures.** (See also Part 2.1.2.2)

8.AA.2.1.1 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.

8.AA.2.1.2 Paints and Painting Equipment. Minimize exposure of paint and painting equipment to stormwater.

8.AA.2.2 Spill Prevention and Response Procedures. (See also Part 2.1.2.4) Ensure that the necessary equipment to implement a cleanup is available to personnel. The following areas should be addressed:

8.AA.2.2.1 Metal Fabricating Areas. Maintain clean, dry, orderly conditions in these areas. Use dry clean-up techniques where practicable.

8.AA.2.2.2 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 through implementation of control measures such as the following, where determined to be feasible (list not exclusive): 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.

8.AA.2.2.3 Metal Working Fluid Storage Areas. Minimize the potential for stormwater contamination from storage areas for metal working fluids.

8.AA.2.2.4 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.

8.AA.2.2.5 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 where feasible. Install perimeter controls such as dikes, curbs, grass filter strips, or equivalent measures where feasible.

8.AA.2.2.6 Chemical Storage Areas. Minimize stormwater contamination and accidental spillage in chemical storage areas. Include a program to inspect containers and identify proper disposal methods.

8.AA.2.3 Spills and Leaks. (See also Part 6.2.3.3) In your spill prevention and response procedures, required by Part 2.1.2.4, 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.

8.AA.3 Additional SWPPP Requirements

8.AA.3.1 Drainage Area Site Map. (See also Part 6.2.2) Document in your SWPPP where any of the following may be exposed to precipitation or stormwater: raw metal storage areas; finished 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.

8.AA.3.2 Potential Pollutant Sources. (See also Part 6.2.3) Document in your 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.

8.AA.4 Additional Inspection Requirements

8.AA.4.1 Inspections. (See also Part 3.1) At a minimum, include the following areas in all inspections: raw metal storage areas, finished product storage areas, material and chemical storage areas, spent solvents and chemical storage areas, recycling areas, loading and unloading areas, equipment storage areas, paint areas, drainage from roof and vehicle fueling and maintenance areas. Potential pollutants include chromium, zinc, lubricating oil, solvents, aluminum, oil and grease, methyl ethyl ketone, steel, and related materials.

8.AA.5 Indicator Monitoring (See also Part 4.2.1)

Table 8.AA-1 identifies indicator monitoring that applies to the specific subsectors of Sector AA. This indicator monitoring applies to both your primary industrial activity and any co-located industrial activities.

Table 8.AA-1		
Subsector (You may be subject to requirements for more than one sector/subsector)	Indicator Monitoring Parameter	Indicator Monitoring Threshold
Applies to all Sector AA (Subsectors AA1 and AA2) facilities with stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values

* Monitoring is required for the 16 individual PAHs identified at Appendix A to 40 CFR Part 423: naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, indeno[1,2,3-c,d]pyrene, and dibenz[a,h]anthracene.

8.AA.6 Sector-Specific Benchmarks (See also Part 4.2.2)

Table 8.AA-2 identifies benchmarks that apply to the specific subsectors of Sector AA. These benchmarks apply to both your primary industrial activity and any co-located industrial activities.

Subsector (You 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 Recoverable Aluminum	1,100 µg/L
	Total Recoverable Zinc (freshwater) ²	Hardness Dependent
	Total Recoverable Zinc (saltwater) ¹	90 µg/L
	Nitrate plus Nitrite Nitrogen	0.68 mg/L
Subsector AA2. Fabricated Metal Coating and Engraving (SIC 3479)	Total Recoverable Zinc (freshwater) ²	Hardness Dependent
	Total Recoverable Zinc (saltwater) ¹	90 µg/L
	Nitrate plus Nitrite Nitrogen	0.68 mg/L

¹ Saltwater benchmark values apply to stormwater discharges into saline waters where indicated.

² The freshwater benchmark values of some metals are dependent on water hardness. For these parameters, permittees must determine the hardness of the receiving water (see Appendix J, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part 4.2.2.1, to identify the applicable 'hardness range' for determining their benchmark value applicable to their facility. Hardness Dependent Benchmarks follow in the table below:

Freshwater Hardness Range	Zinc (µg/L)
0-24.99 mg/L	37
25-49.99 mg/L	52
50-74.99 mg/L	80
75-99.99 mg/L	107
100-124.99 mg/L	132
125-149.99 mg/L	157
150-174.99 mg/L	181
175-199.99 mg/L	204
200-224.99 mg/L	227
225-249.99 mg/L	249
250+ mg/L	260

Part 8 – Sector-Specific Requirements for Industrial Activity**Subpart AB – Sector AB – Transportation Equipment, Industrial or Commercial Machinery Facilities**

You must comply with Part 8 sector-specific requirements associated with your primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

8.AB.1 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 D-1 of Appendix D of the permit.

8.AB.2 Additional SWPPP Requirements

8.AB.2.1 Drainage Area Site Map. (See also Part 6.2.2) Identify in your SWPPP where any of the following may be exposed to precipitation or stormwater: vents and stacks from metal processing and similar operations.

8.AB.3 Indicator Monitoring (See also Part 4.2.1)

Table 8.AB-1 identifies indicator monitoring that applies to the specific subsectors of Sector AB. This indicator monitoring applies to both your primary industrial activity and any co-located industrial activities.

Subsector (You may be subject to requirements for more than one sector/subsector)	Indicator Monitoring Parameter	Indicator Monitoring Threshold
Applies to all Sector AB (Subsector AB1) facilities with stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values
Subsector AB1. Industrial and Commercial Machinery, Except Computer and Office Equipment (see Sector AC) (SIC Code 3511-3599 (except 3571-3579)); Transportation Equipment Except Ship and Boat Building and Repairing (see Sector R) (SIC Code 3711-3799 (except 3731, 3732))	Chemical Oxygen Demand (COD)	Report Only/ No thresholds or baseline values
	Total Suspended Solids (TSS)	Report Only/ No thresholds or baseline values
	pH	Report Only/ No thresholds or baseline values

* Monitoring is required for the 16 individual PAHs identified at Appendix A to 40 CFR Part 423: naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, indeno[1,2,3-c,d]pyrene, and dibenz[a,h]anthracene.

Part 8 – Sector-Specific Requirements for Industrial Activity**Subpart AC – Sector AC – Electronic and Electrical Equipment and Components, Photographic and Optical Goods**

You must comply with Part 8 sector-specific requirements associated with your primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

8.AC.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 D-1 of Appendix D of the permit.

8.AC.2 Additional Requirements

No additional sector-specific requirements apply.

8.AC.3 Indicator Monitoring (See also Part 4.2.1)

Table 8.AC-1 identifies indicator monitoring that applies to the specific subsectors of Sector AC. This indicator monitoring applies to both your primary industrial activity and any co-located industrial activities.

Table 8.AC-1		
Subsector (You may be subject to requirements for more than one sector/subsector)	Indicator Monitoring Parameter	Indicator Monitoring Threshold
Applies to all Sector AC (Subsector AC1) facilities with stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values
Subsector AC1. Computer and Office Equipment (SIC Code 3571-3579); Measuring, Analyzing, and Controlling Instruments; Photographic and Optical Goods, Watches, and Clocks (SIC Code 3812-3873); Electronic and Electrical Equipment and Components, Except Computer Equipment (SIC Code 3612-3699)	Chemical Oxygen Demand (COD)	Report Only/ No thresholds or baseline values
	Total Suspended Solids (TSS)	Report Only/ No thresholds or baseline values
	pH	Report Only/ No thresholds or baseline values

* Monitoring is required for the 16 individual PAHs identified at Appendix A to 40 CFR Part 423: naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, indeno[1,2,3-c,d]pyrene, and dibenz[a,h]anthracene.

Part 8 – Sector-Specific Requirements for Industrial Activity**Subpart AD – Sector AD – Stormwater Discharges Designated by the Director as Requiring Permits**

You must comply with Part 8 sector-specific requirements associated with your primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

8.AD.1 Covered Stormwater Discharges

Sector AD is used to provide permit coverage for facilities designated by the Director 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.

8.AD.1.1 Eligibility for Permit Coverage. Because this sector is primarily intended for use by discharges designated by the Director as needing a stormwater permit (which is an atypical circumstance), and your facility may or may not normally be discharging stormwater associated with industrial activity, you must obtain the Director’s written permission to use this permit prior to submitting an NOI. If you are authorized to use this permit, you will still be required to ensure that your discharges meet the basic eligibility provisions of this permit at Part 1.1.

8.AD.2 Sector-Specific Benchmarks and Effluent Limits. (See also Part 4)

The Director will establish any additional monitoring and reporting requirements for your facility prior to authorizing you to be covered by this permit. Additional monitoring requirements would be based on the nature of activities at your facility and your stormwater discharges.

8.AD.3 Indicator Monitoring (See also Part 4.2.1)

Table 8.AD-1 identifies indicator monitoring that applies to the specific subsectors of Sector AD. This indicator monitoring applies to both your primary industrial activity and any co-located industrial activities.

Table 8.AD-1		
Subsector (You may be subject to requirements for more than one sector/subsector)	Indicator Monitoring Parameter	Indicator Monitoring Threshold
Applies to all Sector AD (Subsectors AD1) facilities with stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values
Subsector AD1. Other stormwater discharges designated by the Director 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 Director may assign a facility to Sector AD.	Chemical Oxygen Demand (COD)	Report Only/ No thresholds or baseline values
	Total Suspended Solids (TSS)	Report Only/ No thresholds or baseline values
	pH	Report Only/ No thresholds or baseline values

* Monitoring is required for the 16 individual PAHs identified at Appendix A to 40 CFR Part 423: naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, indeno[1,2,3-c,d]pyrene, and dibenz[a,h]anthracene.

9 Permit Conditions Applicable to Specific States, Indian Country Lands, or Territories

Section 401 of the CWA (see also 40 CFR §122.44(d)(3) and §124.53(a)) provides that no federal license or permit, including NPDES permits, to conduct any activity that may result in any discharge to waters of the United States shall be granted until the state/tribe in which the discharge originates certifies that the discharge will comply with the applicable provisions of sections 301, 302, 303, 306, and 307 of the CWA. The requirements under this Part of the permit provide state, U.S. territory, and tribal requirements that these entities certify are necessary in order for the permit to comply with applicable water quality requirements.

The conditions below have been incorporated into the 2021 MSGP based on the certifications granted for the 2021 MSGP. These conditions apply for activities conducted under this permit that occur within the jurisdiction that established the condition. Any references below to the “2020 MSGP,” “MSGP 2020,” “2020 proposed MSGP,” “proposed permit,” or similar refer to the final 2021 MSGP.

9.1 EPA Region 1: Connecticut, Massachusetts, Maine, New Hampshire, Rhode Island, Vermont

9.1.1 CTR051000: Indian Country within the State of Connecticut

No additional requirements.

9.1.2 MAR050000: Commonwealth of Massachusetts, except Indian country

Operators in the Commonwealth of Massachusetts must meet the following conditions (see certification provided by the Commonwealth of Massachusetts, CWA401Cert_MA_2021 MSGP):

9.1.2.1 *Additional conditions required by the Commonwealth of Massachusetts.*

Discharges covered by the general permit must comply with the provisions of 314 CMR 3.00, 314 CMR 4.00, 314 CMR 9.00, and 310 CMR 10.00. New facilities or redevelopment of existing facilities subject to this permit must comply with applicable stormwater performance standards prescribed by state regulation. A permit under 314 CMR 3.04 is not required for existing facilities that meet state stormwater performance standards. An application for a permit under 314 CMR 3.00 is required only when required under 314 CMR 3.04(2)(b) (designation of a discharge on a case-by-case basis) or is otherwise identified in 314 CMR 3.00 as a discharge requiring a permit application. See *id.* at 1-2.

9.1.2.2 *SWPPP Availability.*

MassDEP may request a copy of the Stormwater Pollution Prevention Plan (SWPPP) at any time, and the permittee is required to submit the SWPPP to MassDEP within 14 days of such a request. MassDEP may conduct an inspection of any facility covered by this permit to ensure compliance with state law requirements, including state water quality standards. MassDEP may enforce its certification conditions. See *id.*

9.1.2.3 *New Dischargers.*

For new dischargers applying to be covered under the MSGP and proposing to discharge to Outstanding Resource Waters as identified in 314 CMR 4.00, MassDEP will require applicants to submit a copy of the Stormwater Pollution Prevention Plan (SWPPP) for review. For purposes of this review the applicant is required to submit a copy of the EPA NOI and SWPPP to MassDEP at the same time they are submitted to EPA. Instructions on how to submit these documents to MassDEP can be found here: <https://www.mass.gov/how-to/wm-15-npdes-general-permit-notice-of-intent>. See *id.*

9.1.2.4 Submission of Monitoring Data.

The results of any monitoring required by this permit that identify violations of any effluent limits or benchmarks for any parameter for which monitoring is required shall be sent to the appropriate Regional Office of MassDEP (attention: Bureau of Air and Waste). In addition, any follow-up monitoring and a description of the corrective actions required and undertaken to meet the effluent limits or benchmarks shall be sent to the appropriate MassDEP Regional Office. See *id.*

9.1.2.5 Sector-Specific Requirements.

The Massachusetts Coastal Zone Management Program submitted the following conditions to be included in the WQC for the 2015 permit in order to meet the Program's Consistency Review, and to remain consistent, these same requirements are included in this WQC:

- a. In Sector Q [Water Transportation] add copper to the required monitoring parameters with a benchmark monitoring concentration as is included in the MSGP 2020 Table 1 of Appendix J.
- b. In Sector R [Ship and Boat Building and Repair Yards] add aluminum, lead, and copper to the list of required monitoring parameters with a benchmark monitoring concentration as included in the MSGP 2020 Table 1 of Appendix J.
- c. Modify the monitoring requirements for Sectors Q and R such that all four of the quarterly monitoring samples must meet the benchmarks rather than the average of the four before no further monitoring is required. See *id.* at 2.

9.1.3 MAR05I000: Indian country within the Commonwealth of Massachusetts

No additional requirements.

9.1.4 NHR050000: State of New Hampshire

Operators in New Hampshire must also meet the following conditions (see certification provided by the State of New Hampshire, CWA410Cert_NH_2021 MSGP):

9.1.4.1 Consider Opportunities for on-site infiltration of stormwater.

In Part 2.1.1 Control Measure Selection and Design Considerations, you are required to consider opportunities for infiltrating runoff onsite. This is encouraged, but it should only be done if consistent with the statutes and rules of the Department of Environmental Services written to protect groundwater. Infiltration best management practices are not recommended at industrial sites except in areas where industrial activities do not occur, such as at office buildings and their associated parking facilities, or in drainage areas at the facility where a certification of no exposure will always be possible [see 40CFR122.26(g)]. Other justifiable reasons for not using on-site infiltration BMP include the following:

- a. The facility is located in a wellhead protection area as defined in RSA 485-C:2; or
- b. The facility is located in an area where groundwater has been reclassified to GAA, GA1 or GA2 pursuant to RSA 485-C and Env-Dw 901; and
- c. Any areas that would be exempt from the groundwater recharge requirements contained in Env-Wq 402, Groundwater Discharge Permit and Registration Rules (formerly Env-Ws1500), including all land uses or activities considered to be a "High-load site." See *id.* at 1-5

9.1.4.2 Maintenance of Infiltration Best Management Practices.

In Part 2.1.2.3 you are required to maintain control measures. In Parts 6.2.2, 6.2.5.1 and 6.5 you are required to document the location of control measures, perform

inspections and maintenance, and keep records. Accordingly, the SWPPP must contain the following:

- a. A description of and the location of each on-site infiltration BMP installed;
- b. The maintenance procedures that will be followed to ensure proper operation, including the removal of sediment from pretreatment devices;
- c. The inspection procedures that will be followed at least annually. These should include the procedures for ensuring that the stormwater being infiltrated is not exposed to industrial pollutants and the procedures for ensuring proper drainage to prevent mosquito breeding;
- d. The employee name (or title of the position) who is a member of the stormwater pollution prevention team (see Part 6.2.1) who will be responsible for the maintenance required in Part 9.1.4.2.b, the inspection required in Part 9.1.4.c and any necessary corrective actions or additional implementation measures required in Part 5; and
- e. Records for all maintenance performed, inspections conducted, and corrective actions taken. See *id.*

9.1.4.3 Discontinue, Permit or Register On-site Infiltration BMP if Necessary.

If at any time a certification of no exposure can no longer be made for any of the stormwater to be infiltrated, then the infiltration BMP must cease for that portion of the runoff or the discharge must be permitted or registered as appropriate. The following may be required:

- a. Infiltration BMP that meet the definition of a Class V well or that infiltrates stormwater via a subsurface structure (i.e. concrete chambers, dry well, leach field, etcetera) will need an underground injection control (UIC) registration from NHDES; and
- b. Permitting as a groundwater discharge as required in Env-Wq 402, if the stormwater will or may contain regulated contaminants.

The SWPPP must be modified immediately if new infiltration BMP are proposed or if existing infiltration BMP will cease. See *id.*

9.1.4.4 Required NHDES notification.

- a. Notify the NHDES Groundwater Discharge Permit Coordinator immediately if you believe that any infiltration BMP may need to be permitted or registered (see Part 9.1.4.3) during the permit term.
- b. Notify the NHDES Wastewater Engineering Bureau immediately of any plans to discharge any new non-stormwater discharges during the permit term. This does not include the allowable non-stormwater discharges listed in Part 1.1.3
- c. Immediately notify the NHDES Drinking Water and Groundwater Bureau at (603) 271-2513 of reportable releases (e.g., spills) of extremely hazardous, hazardous substance or oil as defined in accordance with the Emergency Planning and Community Right-to-Know Act (EPCRA) that are discharged into a source of drinking water or within a source protection area. This is in addition to immediately contacting local and state emergency responders through calling 911 and (603) 271-3899 during business hours and the state police at 800 525-5555 after hours or on weekends. See *id.*

9.1.4.5 Information That May Be Requested by NHDES.

To ensure compliance with RSA 485-C, RSA 485-A, RSA 485-A:13, I(a), Env-Wq 400 and Env-Wq 401 the following information may be requested by NHDES. This information

must be kept on site unless you receive a written request from NHDES that it be sent to the address shown in Part 9.1.4.6.

- a. The site map required in Part 6.2.2, showing the type and location of all on-site infiltration BMP utilized at the facility or the reason(s) why none were installed.
- b. A list of all non-stormwater discharges that occur at the facility, including their source locations and the control measures being used (see Parts 1.2.2 and 6.2.3.4).
- c. A copy of the Annual Reports required in Part 7.4. See *id.*

9.1.4.6 Where to Submit Information.

Information submitted to NHDES must be sent to the following address:

NH Department of Environmental Services
Wastewater Engineering Bureau
Permits & Compliance Section
P.O. Box 95
Concord, NH 03302-0095

9.1.4.7 Modification of Clean Water Act Section 401 Water Quality Certification.

When NHDES determines that additional water quality certification requirements are necessary to protect water quality, it may require individual dischargers to meet additional conditions to obtain or continue coverage under the MSGP. Any such conditions shall be supplied to the permittee in writing. Any required pollutant loading analyses and any designs for structural best management practices necessary to protect water quality must be prepared by a professional engineer (civil or sanitary) licensed in New Hampshire. See *id.*

9.1.5 RIR05I000: Indian country within the State of Rhode Island

No additional requirements.

9.1.6 VTR05F000: Areas in the State of Vermont subject to industrial activity by a Federal Operator

No additional requirements.

9.2 EPA Region 2: New Jersey, New York, Puerto Rico, Virgin Islands

9.2.1 PRR050000: Commonwealth of Puerto Rico

No additional requirements.

9.2.2 NYR051000: Indian country within the State of New York, except the lands of the St. Regis Mohawk Tribe

No additional requirements.

9.3 EPA Region 3: Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia.

9.3.1 DCR050000: District of Columbia

Operators in the District of Columbia must also meet the following conditions (see certification provided by the District of Columbia, CWA410Cert_DC_2021 MSGP):

9.3.1.1 *Compliance with District of Columbia Laws and Regulations.*

Discharges covered by the MSGP must comply with the District of Columbia Water Pollution Control Act of 1984, as amended, D.C. Official Code § 8-103.01 et seq.; and its implementing regulations in Title 21 Chapters 11 and 19 of the District of Columbia Municipal Regulations. See *id.* at 1-3

9.3.1.2 No Preclusion of Responsibilities.

Nothing in this permit will be construed to preclude the permittee of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to District of Columbia laws and regulations. See *id.*

9.3.1.3 Additional Reporting.

The permittee shall report to the Associate Director, Inspection and Enforcement Division any noncompliance which may endanger health or the environment. All information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. See *id.*

9.3.2 DER05F000: Areas in the State of Delaware subject to industrial activity by a Federal Operator

No additional requirements.

9.4 EPA Region 4: Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee

9.4.1 ALR05I000: Indian country within the State of Alabama

No additional requirements.

9.4.2 FLR05I000: Indian country within the State of Florida

9.4.2.1 Miccosukee Tribe of Indians

Industrial stormwater discharges on the Miccosukee Tribe lands are not eligible for permit coverage under this permit. Contact the EPA Region 4 office for additional information, including available permits.

9.4.2.2 Seminole Tribe of Florida

Industrial stormwater discharges on the Seminole Tribe lands are not eligible for permit coverage under this permit. Contact the EPA Region 4 office for additional information, including available permits.

9.4.3 MSR05I000: Indian country within the State of Mississippi

No additional requirements.

9.4.4 NCR05I000: Indian country within the State of North Carolina

No additional requirements.

9.4.5 SCR05I000: Indian country within the State of South Carolina

No additional requirements.

9.5 EPA Region 5: Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin.

9.5.1 MIR05I000: Indian country within the State of Michigan

No additional requirements.

9.5.2 MNR05I000: Indian country within the State of Minnesota

9.5.2.1 Fond du Lac Reservation

Operators in the Fond du Lac Reservation must also meet the following conditions (see certification provided by the Fond du Lac Reservation, CWA410Cert_Fond du Lac_2021 MSGP):

9.5.2.1.1 Submission of SWPPP.

A copy of the Storm Water Pollution Prevention Plan (SWPPP) must be submitted to the Office of Water Protection at least fifteen (15) days in advance of sending the

Notice of Intent to EPA. The SWPPP can be submitted electronically to richardgitar@FDLREZ.com or by hardcopy sent to:

Fond du Lac Reservation
Office of Water Protection
1720 Big Lake Road
Cloquet, MN 55720

MSGP applicants are encouraged to work with the FDL Office of Water Protection in the identification of all proposed receiving waters and selection of appropriate Best Management Practices (BMPs). See *id.* at 2-4.

9.5.2.1.2 Submission of NOI and NOT.

Copies of the Notice of Intent (NOI) and the Notice of Termination (NOT) must be sent to the Fond du Lac Office of Water Protection at the same time they are submitted to EPA. See *id.*

9.5.2.1.3 Benchmark Monitoring for Turbidity.

The Benchmark Monitoring Concentration (BMC) for Turbidity shall NOT exceed 10% of natural background as determined by the Office of Water Protection staff as measured in NTU. See *id.*

9.5.2.1.4 Effluent Limitations.

The Effluent Limitations for ALL sectors shall NOT exceed more than two times (2x) Fond du Lac's ambient concentrations (based upon more than 20 years of monitoring data) for the following (See *id.*):

- | | |
|---------------------------|----------------------|
| a) Ammonia | Ambient =<0.3mg/l |
| b) Arsenic | Ambien =< 3.0 µg/l |
| c) Chromium | Ambient =< 0.8 µg/l |
| d) Total Phosphorus | Ambient =< 0.09 mg/l |
| e) Total Suspended Solids | Ambient =< 16 mg/l |
| f) Zinc | Ambient =< 24 mg/l |

9.5.2.1.5 Water Quality Criteria.

All industrial activities shall be carried out in such a manner as will prevent violations of water quality criteria as stated in the Water Quality Standards of the Fond du Lac Reservation, Ordinance 12/98, as amended. This includes, but is not limited to, the prevention of any discharge that causes a condition in which visible solids, bottom deposits, or turbidity impairs the usefulness of water of the Fond du Lac Reservation for any of the uses designated in the Water Quality Standards of the Fond du Lac Reservation. These uses include wildlife, aquatic life, warm water fisheries, cold water fisheries, subsistence fishing (netting), primary contact recreation, secondary contact recreation, cultural, wild rice areas, aesthetic waters, agriculture, navigation, and commercial. See *id.*

9.5.2.1.6 Impacts to cultural sites.

This certification does not authorize impacts to cultural, historical, or archeological features or sites, or properties that may be eligible for such listing. See *id.*

9.5.2.2 Grand Portage Band of the Minnesota Chippewa Tribe

The following conditions apply to industrial storm water discharges into Waters of the Grand Portage Reservation (see certification provided by the Grand Portage Reservation, CWA410Cert_Fond du Lac_2021 MSGP):

9.5.2.2.1 *Definitions.*

The definitions set forth in the Grand Portage Water Resources Ordinance, as amended, (“Water Resources Ordinance”) govern these certification conditions. See *id.* at 1,4.

9.5.2.2.2 *Water Quality Standards.*

All industrial storm water discharges authorized by this permit must comply with the Grand Portage Water Quality Standards, Applicable Federal Standards, and the Water Resources Ordinance. See *id.*

9.5.2.2.3 *Additional Monitoring.*

Grand Portage reserves the right to require additional monitoring of storm water discharges as determined on a case-by-case basis. If the Board determines that additional monitoring is necessary, the monitoring plan must be supplemented and incorporated into the Storm Water Pollution Prevention Plan (“SWPPP”) before the SWPPP is submitted to the USEPA. Accordingly, the Board must be contacted, at the address listed below, at the onset of writing the SWPPP. See *id.* at 1,4.

9.5.2.2.4 *Submission of SWPPP, NOI, and NOT.*

In addition, a copy of the SWPPP, Notice of Intent (“NOI”), and Notice of Termination (NOT) (collectively the “application”) must be submitted to the Board at least 30 days before submitting the NOI to USEPA. Applications should be sent to the following address:

Grand Portage Environmental Resources Board
P.O. Box 428
Grand Portage, MN 55605

9.5.2.2.5 *Additional information.*

Upon receipt of the application, the Board shall order the Grand Portage Environmental Department (Department) to conduct a technical review of the application materials. If necessary, Department staff will send a request for additional information to the applicant within 30 days of receipt of the application. See *id.* at 1,5.

9.5.2.2.6 *Preliminary coverage determination.*

After considering the application and such other information and data as the Department staff deems relevant, the Department Director will evaluate whether there is a reasonable probability that the proposed activity will violate the Grand Portage Water Quality Standards or any Applicable Federal Standards and recommend one of the following preliminary determinations:

- (a) Unconditionally grant coverage under the MSGP;
- (b) Grant coverage under the MSGP subject to certain conditions; or
- (c) Deny coverage under the MSGP.

9.5.2.2.7 *Final coverage determination.*

Within 30 days of the Department Director’s recommendation, the Board will provide public notice of the application for coverage under the MSGP and the Department Director’s recommendations. Upon request, the Department will

schedule a hearing as provided in 40 CFR Part 25. If, after considering the evidence provided at the hearing and the entire record, the Board determines by a preponderance of the evidence that the proposed activity will violate the Grand Portage Water Quality Standards or any Applicable Federal Standards, the Board shall deny eligibility for coverage under the MSGP, unless there is a reasonable certainty that compliance can be achieved by the applicant's adherence to reasonable conditions. If the Board finds insufficient evidence to show that the proposed activity will violate the Grand Portage Water Quality Standards or any Applicable Federal Standards, it shall approve coverage under the MSGP. See *id.*

9.5.2.2.8 Appeals.

Appeals related to water quality certification decisions or permits will be heard by the Grand Portage Tribal Court. See *id.*

9.5.2.2.9 Prohibition of Discharge.

The applicant is prohibited from discharging into the Waters of the Reservation pursuant to the MSGP unless the Board has granted coverage under the MSGP, or until the applicant has adhered to conditions required by the Board's conditional grant of coverage. See *id.*

9.5.2.2.10 Compliance.

The Board retains full authority provided by the Water Resources Ordinance to ensure compliance with and enforce the provisions of the Water Resource Ordinance, the Grand Portage Water Quality Standards, Applicable Federal Standards, and these certification conditions." See *id.*

9.5.3 WIR051000: Indian country within the State of Wisconsin, except those on Bad River Band of Lake Superior Tribe of Chippewa Indians lands and on Sokaogon Chippewa Community lands

No additional requirements.

9.6 EPA Region 6: Arkansas, Louisiana, Oklahoma, Texas, and New Mexico (except see Region 9 for Navajo lands, and see Region 8 for Ute Mountain Reservation lands).

9.6.1 LAR051000: Indian country within the State of Louisiana

No additional requirements.

9.6.2 NMR050000: The State of New Mexico, except Indian country

Operators in New Mexico must also meet the following conditions (see certification provided by the State of New Mexico, CWA410Cert_NM_2021 MSGP):

9.6.2.1 PFAS Analytes Monitoring.

Except as specified below, all NAICS codes listed in the December 4, 2019 Advanced Notice of Proposed Rulemaking for TRI Reporting¹ and covered under this MSGP shall monitor and report PFAS in effluent once during the first year of MSGP coverage, or when the facility discharges if no discharge occurs during the first year. Samples shall be analyzed by an accredited lab for all 18 PFAS analytes using EPA Method 537.1 (EPA 2018), and the DoD Quality Systems Manual Method 5.3 (2019) as guidance. Method and analysis shall be sufficiently sensitive to evaluate the New Mexico screening level for PFOA and PFOS.

The PFAS screening level in New Mexico is indicated below. The screening level is not a standard of quality and purity for the surface waters of New Mexico but

¹ <https://www.federalregister.gov/documents/2019/12/04/2019-26034/addition-of-certain-per--and-polyfluoroalkyl-substances-community-right-to-know-toxic-chemical>

allows detection and further evaluation of the existence of PFAS in stormwater discharges to determine if more attention is warranted.

PFAS Screening Level for New Mexico*	
PFOA + PFOS	0.070 µg/L

*Concentrations of PFOA and PFOS are summed before being compared to the screening level.

If PFOA and/or PFOS are detected above the New Mexico screening level, additional monitoring and reporting shall occur annually and in accordance with the same parameters and methods as required for the first sampling event. In addition, the permittee should take corrective action and identify ways to minimize, reduce, and eliminate PFAS from the industrial activity through product substitution and/or additional best management practices and operational controls. Results of past monitoring and any corrective actions taken should be included in the Stormwater Pollution Prevention Plan (SWPPP).

The permittee shall submit monitoring results for all 18 PFAS analytes under EPA Method 537.1, as required, to NMED at the following address:

Point Source Program Manager
 Surface Water Quality Bureau
 New Mexico Environment Department
 P.O. Box 5469
 Santa Fe, NM 87502-5469

NMED may suspend the requirement to monitor and report PFAS under the following circumstances:

- If the permittee determines it is not technically practicable to measure PFAS in their stormwater discharge; or
- If additional sampling determines that it is unlikely that PFAS exist in a permittee’s stormwater discharge, if the permittee provides facility data that demonstrate PFAS are unlikely to be present in the stormwater discharge, or there are no available, accredited laboratories capable of performing the required PFAS analysis; or
- If additional sampling demonstrates that the pollutant concentration is lower than the screening level or the permittee is subject to duplicative or more stringent PFAS requirements.

However, to be exempted for these reasons, the permittee must submit documentation to NMED for approval. See *id.* At 4-6.

9.6.2.2 Benchmark Monitoring Concentrations

The benchmark values for pollutants must be modified to reflect New Mexico WQS for the facilities in New Mexico based on water quality criteria approved in the Standards for Interstate and Intrastate Surface Waters, 20.6.4.900 NMAC. Consistent with the language in this permit, exceedances of a benchmark value, even if that value is based on New Mexico WQS, are not immediately a violation of the permit unless the permittee does not take appropriate action to improve best management practices or otherwise mitigate the discharge of the detected pollutant. A full Tier 2 Antidegradation Review (significant degradation analysis; reasonable alternatives identification; economic and social importance; etc.) does not translate to projects covered under this general permit. Therefore, this condition is necessary to ensure that New Mexico’s antidegradation policy is upheld and surface waters of the state are protected from degradation. See *id.*

The following tables lay out the benchmark values that should be used for sector-specific monitoring in the MSGP.

MSGP Benchmark Values and Sources		
Most restrictive value (highlighted below) must be chosen		
Pollutant	2020 proposed MSGP Benchmark	New Mexico MSGP Benchmark
Total Recoverable Beryllium	130 µg/L	
Biochemical Oxygen Demand (5-day)	30 mg/L	
pH	6.0 – 9.0 s.u.	6.6 – 9.0 s.u.
Chemical Oxygen Demand	120 mg/L	
Total Phosphorus	2.0 mg/L	
Total Suspended Solids (TSS)	100 mg/L	
Ammonia	2.14 mg/L	
Nitrate and Nitrite Nitrogen	0.68 mg/L	
Turbidity	50 NTU	
Total Recoverable Antimony	640 µg/L	640 µg/L (dissolved)
Total Recoverable Arsenic	150 µg/L	9 µg/L (dissolved)
Total Recoverable Cadmium	1.8 µg/L	See below
Chromium (III)	570 µg/L	See below
Chromium (VI)	16 µg/L	16 µg/L (dissolved)
Total Recoverable Copper	14 µg/L	See below
Total Recoverable Cyanide	22 µg/L	5.2 µg/L
Total Recoverable Lead	8.2 µg/L	14 µg/L (dissolved)
Total Recoverable Mercury	1.4 µg/L	0.77 µg/L
Total Recoverable Nickel	47 µg/L	See below
Total Recoverable Selenium	5 µg/L	5 µg/L
Total Recoverable Silver	3.8 µg/L	See below
Total Recoverable Zinc	120 µg/L	See below

Concurrent Hardness as CaCO ₃ , dissolved (mg/L)	Hardness dependent criteria - Dissolved (µg/L)						
	Cd	Cr III	Cu	Pb	Ni	Ag	Zn
25	0.51	180	4	14	140	0.3	45
30	0.59	210	4	17	170	0.4	54
40	0.76	270	6	24	220	0.7	70

50	0.91	320	7	30	260	1.0	85
60	1.07	370	8	37	300	1.3	101
70	1.22	430	10	44	350	1.7	116
80	1.37	470	11	51	390	2.2	131
90	1.51	520	12	58	430	2.7	145
100	1.65	570	13	65	470	3.2	160
200	2.98	1,010	26	140	840	11	301
220	3.23	1,087	28	151	912	13	328
300	4.21	1,400	38	210	1190	21	435
400 and above	5.38	1,770	50	280	1510	35	564

9.6.2.3 Outstanding National Resource Waters.

Operators are not eligible to obtain authorization under this permit for stormwater discharges to outstanding national resource waters (ONRWs, also referred to as “Tier 3” waters). Although State WQS provide for temporary and short-term degradation of water quality in an ONRW under very limited circumstances, if approved by the New Mexico Water Quality Control Commission as specified at 20.6.4.8.A NMAC, the approval process required for these activities does not translate to projects covered under this general permit. This condition is necessary to ensure that no degradation is allowed in ONRWs by requiring proposed stormwater discharges to be reviewed under the individual permit process. Tier 3 waters are defined in Appendix F of the proposed permit. See *id.*

9.6.2.4 Additional SWPPP Requirements.

Information on how the permittee knows the groundwater or spring water is uncontaminated must be documented in the facility SWPPP.

EPA must amend the NOI to include a question for the permittee to indicate whether they anticipate to discharge groundwater or spring water from their site. The permittee must be able to indicate on the NOI: flow rate, whether the ground or spring water source is nearby potential pollutant sources, and if the ground or spring water has been tested and is not contaminated by the potential pollutant source.

If discharge of groundwater or spring water is anticipated at a facility, permittees must complete the following steps to determine if it is potentially contaminated:

- a. Indicate on the NOI that dewatering activities are anticipated. Provide information on flow and potential to encounter impacted ground or spring water.
- b. Refer to the Mapper tool at <https://gis.web.env.nm.gov/oem> and check if the following groundwater pollutant sources are located nearby the anticipated source of groundwater or spring water such that there is a potential for contamination:

Project Location Relative to a Source of Potential Groundwater Contamination	Constituents likely to be required for testing
Within 0.5 mile of an open Leaking Tank site	BTEX (Benzene, Toluene, Ethylbenzene, and Xylene) plus additional parameters depending on site conditions.

Within 0.5 mile of an open Voluntary Remediation site	All parameters listed in 20.6.4.900 NMAC, hardness and pH (or an alternate list approved by the NMED SWQB)
Within 0.5 mile of an open RCRA Corrective Action Site	All parameters listed in 20.6.4.900 NMAC, hardness and pH (or an alternate list approved by the NMED SWQB)
Within 0.5 mile of an open Abatement Site	All parameters listed in 20.6.4.900 NMAC, hardness and pH (or an alternate list approved by the NMED SWQB)
Within 0.5 mile of an open Brownfield Site	All parameters listed in 20.6.4.900 NMAC, hardness and pH (or an alternate list approved by the NMED SWQB)
Within 1.0 mile of a Superfund site with associated groundwater contamination.	All parameters listed in 20.6.4.900 NMAC, hardness and pH (or an alternate list approved by the NMED SWQB)
EPA approved-sufficiently sensitive methods must be used – approved methods are listed in 40 C.F.R. 136.3.	

- c. If within the distances listed above, Permittee must provide test data indicating the quality of the groundwater or spring water to be discharged according to the table above.
- d. Permittee must send test result data to EPA Region 6 and the NMED Surface Water Quality Bureau. If the test data exceed State WQS, the ground or spring water cannot be discharged from the facility into surface waters under this permit. Discharge to surface waters must be conducted under a separate NPDES individual permit to ensure proper treatment and disposal. If disposal will be to the ground surface or in an unlined pond, the permittee must submit a Notice of Intent to Discharge (NOI) to the NMED Ground Water Quality Bureau. For further assistance determining whether your facility may encounter impacted groundwater, the permittee may contact the NMED Ground Water Quality Bureau at (505) 827-2965.
- e. Investigative information and data demonstrating that water is not contaminated must be documented in the facility SWPPP. See *id.*

9.6.2.5 Ponds and Other Impoundments.

Per the New Mexico Office of the State Engineer requirements², impoundments must drain or infiltrate within 96 hours. The facility must transfer a valid water right to impound and retain the stormwater longer than 96 hours or request a variance from the State Engineer.

If the facility intends to discharge stormwater that contains a "water contaminant" as defined in 20.6.2.7 NMAC, a State of New Mexico Notice of Intent to Discharge must

² 19.26.2.15.B NMAC PONDS AND OTHER IMPOUNDMENTS: A permit is required to capture or store surface water in an impoundment. An application to capture and store surface water shall be filed pursuant to 19.26.2.10 NMAC or 19.26.2.11 NMAC unless the impoundment of water is authorized as a livestock watering impoundment under 19.26.2.14 NMAC.

B. Flood control: No permit to appropriate water is required for an impoundment when the primary purpose of the impoundment is flood control, provided the outlet drains the impoundment (from the spillway crest) in 96 hours. The water shall not be detained in the impoundment in excess of 96 hours unless the state engineer has issued a waiver to the owner of the impoundment.

be submitted to NMED in accordance with 20.6.2.1201 NMAC **prior to discharge**. This includes infiltration of stormwater or a discharge to the ground surface that may move directly or indirectly into groundwater.

In the event impounded stormwater contains a "water contaminant" as defined in 20.6.2.7 NMAC, the stormwater must meet benchmark values in order to be discharged to a surface water of the State. See *id.*

9.6.3 NMR05I000: Indian country within the State of New Mexico, except Ute Mountain Reservation lands that are covered under Colorado permit COR05I000 and Navajo Reservation lands that are covered under Arizona permit AZR05I000

9.6.3.1 Ohkay Owingeh

Permittees in the tribe of Ohkay Owingeh must also meet the following conditions (see certification provided by the Tribe of Ohkay Owingeh, CWA410Cert_Ohkay Owingeh_2021 MSGP):

9.6.3.1.1 *Submission of NOI and NOT.*

The operator(s) must provide a copy of the Notice of Intent (NOI) to the Ohkay Owingeh Office of Environmental Affairs the same day electronic confirmation is received from the U.S. Environmental Protection Agency (EPA) that the submitted NOI was certified and is undergoing its 30-day review period . Additionally, a copy of the Notice of Termination (NOT) must be provided the same day electronic confirmation is received from the EPA that the NOT has been accepted. The NOI and NOT should be provided to the address below. See *id.* at 1-2.

9.6.3.1.2 *Where to Submit Information.*

Ron Lovato, Governor
P.O. Box 1099
Ohkay Owingeh, NM 87566
governor@ohkay.org

Naomi L. Archuleta
Environmental Programs Manager
Office of Environmental Affairs, NRD Division
P.O. Box 717
Ohkay Owingeh, NM 87566
naomi.archuleta@ohkay.org

9.6.3.1.3 *SWPPP Availability.*

The operator(s) must provide an electronic copy of the Storm Water Pollution Prevention Plan(s) to the Office of Environmental Affairs by email to naomi.archuleta@ohkay.org at least 30 days prior to submitting the NOI to EPA and Ohkay Owingeh. See *id.*

9.6.3.2 Pueblo of Isleta

Permittees in the Pueblo of Isleta must also meet the following conditions (see certification provided by the Pueblo of Isleta, CWA410Cert_Pueblo of Isleta_2021 MSGP):

9.6.3.2.1 *Water Quality Standards.*

Impacts to waters of the Pueblo of Isleta are prohibited. All lakes, rivers, streams, ditches, springs and wetlands shall be fully protected. See *id.* at 1-2.

9.6.3.2.2 *Submission of NOI.*

All discharges made pursuant to the MSGP shall be conducted in conformance with the requirements of Permit No. NMR05000, and in such a manner as will prevent violations of the Pueblo's Surface Water Quality Standards. See *id.*

9.6.3.2.3 Submission of NOI.

The operator(s) must provide a copy of the Notice of Intent ("NOI") to the Governor and Water Quality Control Officer the same day electronic confirmation is received by the EPA that the submitted NOI was certified and is undergoing its 30-day review period. See *id.* Additionally, a copy of the Notice of Termination ("NOT") must be provided the same day electronic confirmation is received from the EPA that the NOT has been accepted. A paper copy of the NOI and NOT should be provided to the Governor; electronic copy or URL is acceptable for submittal to the Pueblo of Isleta Water Quality Control Officer:

Governor Pueblo of Isleta
PO Box 1270
Isleta NM 87022

Water Quality Control Officer Pueblo of Isleta
Environment Department PO Box 1270
Isleta NM 87022
Ramona.Montoya @isletapueblo.com

9.6.3.2.4 SWPPP Availability.

The operator(s) must provide an electronic copy of its Storm Water Pollution Prevention Plan(s) ("SWPPP") to the Pueblo of Isleta Environment Department by email to Ramona.Montoya@isletapueblo.com at least 30 days prior to submitting the NOI to EPA and the Pueblo. The Pueblo may use the EPA 30-day waiting period to determine whether any additional measures are necessary to meet applicable Tribal surface water quality standards or to comply with Tribal antidegradation requirements. See *id.*

9.6.3.3 Pueblo of Laguna

The following condition applies only to discharges on the Santa Ana Indian Pueblo (see certification provided by the Pueblo of Isleta, CWA410Cert_Pueblo of Laguna_2021 MSGP):

9.6.3.3.1 Submission of NOI.

The operator(s) must provide a copy of the Notice of Intent (NOI) to the Pueblo of Laguna's Environmental & Natural Resources Department the same day electronic confirmation is received from the U.S. Environmental Protection Agency (EPA) that the submitted NOI was certified and is undergoing its 30-day review period. Additionally, a copy of the Notice of Termination (NOT) must be provided the same day electronic confirmation is received from the EPA that the NOT has been accepted. See *id.* 1-2.

The NOI and NOT should be provided to the following address:

Pueblo of Laguna, Office of the Governor
Attn: Environmental & Natural Resources Department
P.O. Box 194 Laguna, NM 87026
Email: setter@pol-nsn.gov, cc: gjojola@pol-nsn.gov, ewoodward@pol-nsn.gov

9.6.3.3.2 SWPPP Availability.

The operator(s) must provide an electronic copy of the Storm Water Pollution Prevention Plan(s) to Pueblo of Laguna Environmental Program at the same time the NOI is submitted to the listed email addresses above. See *id.*

9.6.3.3.3 Additional Correspondence.

The Pueblo of Laguna Environmental Program shall be included on any correspondences between the applicant and the EPA related to analytical data, written reports, corrective action, enforcement, monitoring, or incident reports. See *id.*

9.6.3.3.4 Additional Consultation.

Immediate initiation of consultation with the Pueblo of Laguna is required should any human remains or artifacts be unearthed that fall under the Native American Graves Protection and Repatriation Act guidelines during the span of the project. If human remains are unearthed, contact the Pueblo of Laguna Police Department at 505-552-6666. If artifacts are unearthed, contact the Pueblo of Laguna Tribal Historic Preservation Office at 505-552-5033. See *id.*

9.6.3.4 Pueblo of Santa Ana

The following condition applies only to discharges on the Santa Ana Indian Pueblo (see certification provided by the Pueblo of Isleta, CWA410Cert_Pueblo of Santa Ana_2021 MSGP):

9.6.3.4.1 Submission of NOI.

The permittee shall provide a copy of the Notice of Intent (NOI) to the Pueblo of Santa Ana (the Pueblo), at the same time it is submitted to the U.S. Environmental Protection Agency (EPA), for projects with discharges onto the lands of the Pueblo as defined in the Pueblo's antidegradation policy within the Pueblo of Santa Ana Water Quality Standards. See *id.* at 2-3.

9.6.3.4.2 SWPPP Availability.

The permittee shall provide a final copy of the Stormwater Pollution Prevention Plan (SWPPP) to the Pueblo that is associated with any project identified in the NOI, at the same time that an NOI is submitted to the EPA. The SWPPP should include any projects with discharges onto the lands of the Pueblo as defined in the antidegradation policy within the Pueblo of Santa Ana Water Quality Standards. See *id.*

9.6.3.4.3 Additional Reporting.

The permittee shall provide copies of inspections reports and of corrective action reports to the Pueblo at the address below for review, upon request. See *id.*

9.6.3.4.4 Submission of NOT.

Upon completion of the project identified in the NOI, the permittee will submit a Notice of Termination (NOT) to the Pueblo. See *id.*

9.6.3.4.5 Where to Submit Information.

All required or requested permittee specific information identified above shall be submitted to the following address:

Pueblo of Santa Ana Department of Natural
Resources, Attention: Water Resources Division
2 Dove Road
Santa Ana Pueblo, NM, 87004

9.6.3.4.6 Additional Reporting to the Pueblo.

Discharges are not authorized by the permittee unless an accurate and complete NOI and SWPPP have been submitted to the Pueblo. Failure to

provide an accurate and complete NOI and SWPPP may result in a denial of the discharge permit, or a delay in groundbreaking or construction. See *id.*

9.6.3.4.7 Start Work Authorization.

The permittee will not proceed with site work until authorized by the Pueblo. The Pueblo requires review of the complete and final SWPP before authorization to proceed. The Pueblo will provide and "Authorization to Process" notice after review and approval of the SWPPP. See *id.*

9.6.3.4.8 Additional Monitoring.

The permittee could be required to perform water quality monitoring, sampling or analysis during the active permit dates for constituents determined by the Pueblo. See *id.*

9.6.3.4.9 Site Stabilization.

Before submitting a NOT, permittees must certify to the Pueblo's Department of Natural Resources in writing that requirements for site stabilization have been met, and any temporary erosion control structures have been removed. Documentation of the Pueblo's review that such requirements have been reviewed and met will be provided for the permittee to add to the permittee's NOT submission to EPA. Copies of all NOT submitted to the EPA must also be sent to the Pueblo at the address provided above. See *id.*

9.6.3.4.10 Additional Correspondence.

Copies of all Notifications (Notice of Intent, Notice of Termination, or other communications), associated analytical data, and written reports for actions covered under this permit occurring on Pueblo of Santa Ana lands or within five river miles of the northern exterior boundary of Pueblo of Santa Ana lands shall be provided to the Pueblo of Santa Ana Department of Natural Resources at same time they are provided to the U.S. Environmental Protection Agency.

Any correspondence between the applicant and EPA related to corrective action, enforcement, monitoring, or adverse incident written reports should likewise be routed to the Pueblo of Santa Ana Department of Natural Resources. The Pueblo of Santa Ana reserves the right to request additional information or study and may delay or deny a permit for cause. All requested materials shall be sent to: Pueblo of Santa Ana Department of Natural Resources, 2 Dove Road, Santa Ana Pueblo, NM, 87004. See *id.*

9.6.3.5 Pueblo of Santa Clara.

The following condition applies only to discharges on the Santa Clara Indian Pueblo (see certification provided by the Pueblo of Isleta, CWA410Cert_Pueblo of Santa Clara_2021 MSGP):

9.6.3.5.1 Submission of NOI, NOT and SWPPP.

The operator(s) provide an electronic copy of Notice of Intent (NOI) to the Santa Clara Pueblo Office of Environmental Affairs within 7 business days after electronic confirmation is received from the U.S. Environmental Protection Agency (EPA) that the submitted NOI was certified and is undergoing its 30-day review period. An electronic copy of the Notice of Termination (NOT) shall be provided to the Santa Clara Pueblo Office of Environmental Affairs within 5 calendar days after electronic confirmation is received from the EPA that the NOT has been accepted. A copy of the Storm Water Pollution Prevention Plan

shall be made available to the Pueblo of Santa Clara staff upon request. See *id.* 1-4.

9.6.3.5.2 Where to Submit Information.

Electronic copies of all required or requested documents shall be emailed to the Santa Clara Pueblo Office of Environmental Affairs at dinoc@santaclarapueblo.org. If an electronic copy can't be provided, a hard copy may be mailed to:

Santa Clara Pueblo Governor's Office
P.O. Box 580
Espanola, NM 87532

9.6.4 OKR05I000: Indian country within the State of Oklahoma

9.6.4.1 Pawnee Nation

The following condition applies only to discharges in Pawnee Nation (see certification provided by the Pueblo of Isleta, CWA410Cert_Pawnee Nation of Oklahoma_2021 MSGP):

9.6.4.1.1 Submission of NOI and NOT.

The operator(s) must provide a copy of the Notice of Intent (NOI) to the Pawnee Nation the same day electronic confirmation is received from the U.S. Environmental Protection Agency (EPA) that the submitted NOI was certified and is undergoing its 30-day review period. Additionally, a copy of the Notice of Termination (NOT) must be provided the same day electronic confirmation is received from the EPA that the NOT has been accepted. Electronic copies of the NOI and NOT shall be submitted to the Pawnee Nation Department of Environmental Conservation and Safety by email to: [dnrs@pawneenation.org](mailto:dnr@santaclarapueblo.org). See *id.*

9.6.4.1.2 SWPPP Availability.

The operator(s) must provide an electronic copy of the Storm Water Pollution Prevention Plan(s) to the Pawnee Nation by email to Pawnee Nation Department of Environmental Conservation and Safety, dnrs@pawneenation.org at least 30 days prior to submitting the NOI to EPA and the Pawnee Nation. See *id.*

9.6.4.1.3 Additional Reporting.

The Pawnee Nation must be notified at 918.762.3655 immediately upon discovery of any non-compliance with any provision of the permit conditions. See *id.*

9.6.5 OKR05F000: Facilities in the State of Oklahoma not under the jurisdiction of the Oklahoma Department of Environmental Quality or the Oklahoma Department of Agriculture, Food and Forestry, except those on Indian Country. EPA jurisdiction facilities include SIC Codes 1311, 1381, 1382, 1389, and 5171

No additional requirements.

9.6.6 TXR05F000: Facilities in the State of Texas not under the jurisdiction of the Texas Commission on Environmental Quality, except those on Indian Country. EPA- jurisdiction facilities include SIC Codes 1311, 1321, 1381, 1382, and 1389 (other than oil field service company "home base" facilities)

No additional requirements.

9.6.7 TXR05I000: Indian country within the State of Texas

No additional requirements.

9.7 EPA Region 7: Iowa, Kansas, Missouri, Nebraska (except see Region 8 for Pine Ridge Reservation Lands)

9.7.1 IAR05I000: Indian country within the State of Iowa

9.7.1.1 Meskwaki Nation

The following condition applies only to discharges on the Meskwaki Nation (see certification provided by the Pueblo of Isleta, CWA410Cert_Meskwaki Nation_2021 MSGP):

9.7.1.1.1 Document Submission.

All original and revised documents required by this permit, including SWPPP, NOI, Change NOI, and NOT, must be submitted electronically to MNRD 30 calendar days prior to the submission deadline to EPA. Incidental reporting, such as AIM documentation and plans, must be submitted to the MNRD at the same time that they are submitted to EPA. See *id.* at 1-3.

9.7.1.1.2 Monitoring Data Submission.

All discharge monitoring data required by this permit should be submitted electronically to the Meskwaki Natural Resources Department (MNRD) at the time of submission to EPA in the same form as it is submitted to EPA. See *id.*

9.7.1.1.3 Where to Submit Information.

Contact the MNRD office by phone at 641-484-3511 to gather submission details. See *id.*

9.7.2 KSR05I000: Indian country within the State of Kansas

No additional requirements.

9.7.3 NER05I000: Indian country within the State of Nebraska, except Pine Ridge Reservation lands (see Region 8)

No additional requirements.

9.8 EPA Region 8: Colorado, Montana, North Dakota, South Dakota, Wyoming, Utah (except see Region 9 for Goshute Reservation and Navajo Reservation Lands), the Ute Mountain Reservation in NM, and the Pine Ridge Reservation in NE

9.8.1 COR05F000: Areas in the State of Colorado, except those located on Indian country, subject to industrial activity by a Federal Operator

No additional requirements.

9.8.2 COR05I000: Indian country within the State of Colorado, as well as the portion of the Ute Mountain Reservation located in New Mexico

9.8.2.1 Southern Ute Indian Tribe

The following condition applies only to discharges within the Southern Ute Indian Reservation (see certification provided by the Southern Ute Indian Tribe, CWA410Cert_Southern Ute Indian Tribe_2021 MSGP):

9.8.2.1.1 Submission of SWPPP.

The applicant must submit its Stormwater Pollution Prevention Plan (SWPPP) to the Tribe's Environmental Programs Division at the same time or

immediately after the applicant submits its Notice of Intent (NOI) to EPA. At the applicant's option, the submittal may be made electronically.

This condition must be met to give the Tribe an opportunity, in consultation with EPA, to ensure that the permittee has developed an adequate SWPPP for the facility. This

is a minimum requirement for the proposed permit and a less stringent condition does not exist for the Tribe's certification. See *id.* at 1, 4-7.

9.8.2.1.2 Submission of NOI and NOT.

The applicant must send a copy of its Notice of Intent (NOI) and Notice of Termination (NOT) to the Tribe's Environmental Programs Division at the same time or immediately after the applicant sends those documents to EPA. At the applicant's option, the submittal may be made electronically. See *id.*

9.8.2.1.3 Authorization to Inspect.

The permittee shall allow employees of the Tribe's Environmental Programs Division access to inspect any facility, equipment, practices, or operations regulated or required under this permit and to access records maintained under the conditions of this permit. See *id.*

9.8.2.1.4 Where to Submit Information

Information submitted to the Tribe's Environmental Programs Division must be sent to the following address:

Environmental Programs Division
P.O. Box 737 MS#81 Ignacio, CO 81137
jseebach@southernute-nsn.gov

9.8.3 MTR05I000: Indian country within the State of Montana

No additional requirements.

9.8.4 NDR05I000: Indian country within the State of North Dakota, as well as that portion of the Standing Rock Reservation located in South Dakota (except for the portion of the lands within the former boundaries of the Lake Traverse Reservation which is covered under South Dakota permit SDR05I000 listed below)

No additional requirements.

9.8.5 SDR05I000: Indian country within the State of South Dakota, as well as the portion of the Pine Ridge Reservation located in Nebraska and the portion of the lands within the former boundaries of the Lake Traverse Reservation located in North Dakota(except for the Standing Rock Reservation which is covered under North Dakota permit NDR05I000 listed above)

No additional requirements.

9.8.6 UTR05I000: Indian country within the State of Utah, except Goshute and Navajo Reservation lands (see Region 9)

No additional requirements.

9.8.7 WYR05I000: Indian country within the State of Wyoming

No additional requirements.

9.9 EPA Region 9: California, Hawaii, Nevada, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Confederated Tribes of the Goshute Reservation in Utah and Nevada, Indian Country within the State of Arizona including the Navajo Reservation in Utah and New Mexico and Arizona, the Duck Valley Reservation in Idaho, and the Fort McDermitt Reservation in Oregon.

9.9.1 ASR050000: American Samoa

No additional requirements.

9.9.2 AZR05I000: Indian country within the State of Arizona, including Navajo Reservation lands in New Mexico and Utah

No additional requirements.

9.9.3 CAR05I000: Indian country within the State of California

9.9.3.1 Hoopa Valley Tribe

Facilities in the Hoopa Valley Tribe lands are not eligible for stormwater discharge coverage under this permit. Contact the EPA Region 9 office for an individual permit application.

9.9.3.2 Morongo Band of Mission Indians

The following condition applies only to discharges in the Indian country of the Morongo Band of Mission Indians (see certification provided by the Morongo Band of Mission Indian, CWA410Cert_Morongo Band of Mission Indians_2021 MSGP):

9.9.3.2.1 *Compliance with Local Law.*

This certification does not exempt, and is provisional upon compliance with, other applicable statutes and codes administered by Federal and Tribal agencies. Pursuant to the Morongo Band of Mission Indians Surface Water Quality Protection Ordinance (Ordinance 39), all unpermitted discharges must be reported to the Morongo Band of Mission Indians Environmental Protection Department within 24 hours of the incident. See *id.* at 1.

9.9.3.2.2 *Submission of NOI and SWPPP.*

Each operator shall submit copies of the Notices of Intent (NOI) and Stormwater Water Pollution Plans (SWPPPs) to the Morongo Environmental Protection Department at the same time they are submitted to EPA. See *id.*

9.9.3.2.3 *Additional Reporting.*

All monitoring data and exceedance reports shall be provided to the Morongo Environmental Protection Department. See *id.*

9.9.3.2.4 *Where to Send Information.*

All required or requested documents should be submitted to:

Morongo Band of Mission Indians
Environmental Protection Department 12700 Pumarra Road
Banning, CA 92220
Or electronically at epd@morongo-nsn.gov

9.9.3.3 Twenty-Nine Palms Band of Mission Indians

The following condition applies only to discharges in the Indian country of the Twenty-Nine Palms Band of Mission Indians (see certification provided by the Twenty-Nine Palms Band of Mission Indians, CWA410Cert_Twenty-Nine Palms Band of Mission Indians_2021 MSGP):

9.9.3.3.1 *Submission of NOI*

Tribal EPA must receive written notification of the intent to discharge, and must be afforded the opportunity to evaluate whether the specific pollutant discharge proposed will violate TWQS prior to EPA granting the permit. See *id.* at 1-2

9.9.3.3.2 *Reporting*

Permitted entities under the MSGP must keep Tribal EPA informed of authorized discharges under the MSGP by submitting written information about the type, quantity, frequency and location, intended purpose, and potential human health

and/or environmental effects of their activities. These requirements are pursuant to Article 4 of the Twenty-Nine Palms Band of Mission Indians Water Pollution Control Ordinance (022405A). This information may be submitted to Tribal EPA in the form of Storm Water Pollution Prevention Plans (SWPPPs), monitoring reports, or other reports as required under the MSGP. Spills, leaks, or unpermitted discharges must be reported in writing to Tribal EPA within 24 hours of the incident. See *id.*

9.9.4 GUR050000: Island of Guam

The following condition applies only to discharges in Guam (see certification provided by the Island of Guam, CWA410Cert_Guam_2021 MSGP):

9.9.4.1 *General Conditions*

- a. A1. For purposes of this Order, the term "Applicant" shall mean U.S. Environmental Protection Agency, and its agents, assignees, and contractors.
- b. A2. For purposes of this Order, the permit "Permittee" shall mean any facility granted coverage under EPA's 2020 Multi-Sector General Permit.
- c. A3. The Applicant shall enforce the proposed 2020 MSGP and ensure that the Permittee complies with the conditions of the permit at all times.
- d. A4. Nothing in this Order waives Guam EPA's authority to issue additional orders if Guam EPA determines that further actions are necessary to implement Guam water quality laws, or if additional conditions are necessary to further protect water quality.
- e. A5. In the event of changes or amendments to GWQS, or changes in or amendments to the Guam Water Pollution Control Act or the federal Clean Water Act, Guam EPA may issue an amendment to this Order to incorporate any such changes or amendments applicable to the proposed 2020 MSGP.
- f. A6. Failure of any person or entity to comply with this Order may result in the issuance of civil penalties or other actions, whether administrative or judicial, to enforce the terms of this Order.
- g. A7. All submittals required by this Order shall be sent to the Guam Environmental Protection Agency Attn: 401 Federal Permit Manager, Non-Point Source Program, EMAS Division, 3304 Mariner Avenue, Bldg. 17-3304, Barrigada, Guam 96913, AND via email to jesse.cruz@epa.guam.gov. *The submittals shall be identified with WQC Order #2020-10 and include the MSGP Permit Number, certifying representative's name, title, mailing address and phone number.*
- h. A8. This condition is specific to Sector J. Mineral Mining and Dressing covered by the proposed 2020 MSGP: Prior to any earth moving activities, a Clearing and Grading or Building Permit, shall be approved by Guam EPA. Sediment control designs and erosion control Best Management Practices (BMPs) must meet the design standard criteria required in the CNMI and Guam Stormwater Management Manual (October 2006) and in the Guam Soil Erosion and Sediment Control Regulations.
- i. A9. This condition is specific to section 2.1 Control Measures of the proposed 2020 MSGP: The selection and installation of stormwater control measures shall meet the design criteria and standards in the CNMI and Guam Stormwater Management Manual (October 2006) and the Guam Soil Erosion and Sediment Control Regulations.
- j. A10. A signed copy of the Notice of Intent (NOi), Stormwater Pollution Prevention Plan (SWPPP), and Notice of Termination (NOT) shall be submitted to Guam EPA, consistent with condition A7, at the same time it is submitted to U.S. EPA for review and approval. Coordination with Guam EPA is encouraged

when the receiving water(s) for the proposed stormwater discharge is/are being identified.

- k. A11. The coordinates and location of any proposed discharge outfall(s) shall be submitted to Guam EPA for review and approval, consistent with condition A7. Specific discharge information shall also be submitted.
- l. A12. The NOT application shall be submitted to Guam EPA for review and approval prior to submittal to U.S. EPA, consistent with condition A7. Guam EPA may conduct inspections to ensure that conditions of termination have been met and sources of pollutants have been removed or adequately mitigated. Guam EPA may advise U.S. EPA as to findings and recommendations concerning the Permittee's proposed termination of permit coverage.
- m. A13. A copy of all final and local permits shall be provided to Guam EPA within two weeks of receipt, consistent with condition A7.
- n. A14. Reports, monitoring and analytical data (e.g. Discharge Monitoring Reports (DMRs), follow-up monitoring reports, Exceedance Reports for Numerical Effluent Limits, etc.) submitted to EPA shall be concurrently submitted to Guam EPA, consistent with condition A7.
- o. A 15. A copy of the MSGP, SWPPP, and NOI shall be on file at the Permittee and readily accessible.
- p. A16. Guam EPA shall be allowed access to any MSGP industrial facility and mitigation sites at any reasonable time to perform compliance inspections, monitoring, necessary data collection, and/or to ensure that discharge is not in violation of permit conditions, the Guam Water Pollution Control Act, GWQS, or any applicable Guam laws and/or regulations.
- q. A17. This Order does not authorize direct, indirect, permanent, or temporary impacts to waters under Guam EPA's jurisdiction (including wetlands) or related aquatic resources, except as specifically provided for in conditions of this Order.
- r. A18. A signed Statement of Understanding of Water Quality Certification Conditions shall be submitted to Guam EPA (see Attachment A for an example) per condition A7. See *id.* at 1-3.

9.9.4.2 Water Quality Conditions

- a. Stormwater discharges to waterbodies under the jurisdiction of Guam EPA must be consistent with the antidegradation policy in 22GAR §510I(b).
- b. B2. All discharges shall comply with the Guam Water Pollution Control Act (10 GCA Chapter 47) and implementing regulations at 22 GAR Chapter 5 (GWQS) and 22 GAR Chapter 10 (Guam Soil Erosion and Sediment Control (SESC) Regulations). Furthermore, nothing in this Order shall absolve the Permittee from liability for contamination and any subsequent cleanup of marine waters, surface waters, ground waters, or sediments occurring as a result of proposed 2020 MSGP stormwater discharges.
- c. B3. 2020 MSGP industrial stormwater discharges are prohibited as follows:
 - i. In Marine Waters, Category M-1 Excellent (22 GAR Chapter 5 §5102(b)(1)); and
 - ii. In Surface Waters, Category S-1 High (22 GAR Chapter 5 §5102(c)(I)).
- d. B4. All point source discharges to Guam's waters will be controlled (permitted) through the Federal NPDES, or through the Guam Environmental Protection Agency's local permit program, consistent with the requirements of these programs. 22 GAR Chapter 5 §5104(a)(I2)

- e. B5. Dewatering is not permitted under this certification. Dewatering activities shall require a separate Dewatering Permit from the Agency prior to any dewatering activity.
- f. B6. Mitigation and/or additional monitoring may be required if site inspections indicate water quality standards have not been met. See *id.*

EMERGENCY/CONTINGENCY MEASURES:

- g. B7. The Permittee shall develop and implement a Spill Prevention and Containment Plan.
- h. B8. The Permittee shall have adequate and appropriate spill response materials on hand to respond to emergency release of oil, petroleum or any other material into waters of the territory.
- i. B9. Any unpermitted discharge into territorial waters or onto land with a potential for entry into territorial waters, is prohibited. If this occurs, the Permittee shall immediately take the following actions:
 - i. Cease operations at the location of the violation or spill.
 - ii. Assess the cause of the water quality problem and take appropriate measures to correct the problem and/or prevent further environmental damage.
 - iii. Notify Guam EPA of the failure to comply. All petroleum spills shall be reported immediately to:
 - 1) Guam's Emergency 911 system
 - 2) Guam EPA's 24-Hour Spill Response Team at (67 I) 888-6488 or during working hours (67 J) 300-4751
 - 3) U.S. Coast Guard Sector Guam (671) 355-4824
 - 4) National Response Center 1-800-424-8802
 - iv. Submit a detailed written report to Guam EPA within five days of noncompliance that describes the nature of the event, corrective action taken and/or planned, steps to be taken to prevent a recurrence, results of any samples taken, and any other pertinent information. See *id.*
- j. B10. Compliance with this condition does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this Order or the resulting liability from failure to comply. See *id.*
- k. B11. Submittal or reporting of any of this information does not provide relief from any subsequent enforcement actions for unpermitted discharges to waters of the United States. See *id.*

9.9.4.3 Timing Requirements

- a. C1. This Order is valid for five (5) Years from Date of Certification, unless otherwise approved by the Guam EPA Administrator. See *id.*
- b. C2. The Permittee shall be required to adhere to the current Guam Coral Spawning Moratorium dates for both hard and soft corals where in-water activities may impair water quality. These dates can be obtained from the Guam Department of Agriculture, Division of Aquatic and Wildlife Resources, or the NOAA NMFS Pacific Islands Regional Office Habitat Conservation Division. See *id.*

9.9.4.4 Reporting and Notification Requirement Conditions

- a. D1. The Permittee shall provide notice to Guam EPA consistent with Condition A7: Immediately upon discovery of noncompliance with the provisions of this Order.
- b. D2. A Notice of Violation/Work Stop Order will be issued if certification conditions are not adhered to or when significant or sustained water quality degradation occurs. Work or discharge shall be suspended or halted until the Permittee addresses environmental problems/concerns to Guam EPA's satisfaction. Guam EPA may also levy penalties and fines (IO GCA §47111). Invalidity or enforceability of one or more provisions of this certification shall not affect any other provision of this certification. See *id.*

9.9.4.5 Right to Appeal

You have a right to appeal this Order to the Guam EPA Board of Directors, or request a hearing within 30 days of the date of receipt of this Order. Failure to appeal this Order constitutes a waiver of your right to a hearing. Any appeal will proceed pursuant to the provisions of 5 GCA Chapter 9, as provided by 22 GAR §5 I06(i)(7). Unless a written request for a hearing, signed by or on behalf of the person named as Applicant in the accompanying order, is delivered or mailed to the agency within 30 days after this order is signed, Guam EPA may proceed upon the Notice of Intent to Appeal without a hearing. The request for hearing may be made by delivering or mailing the enclosed form entitled Notice of Intent to Appeal (Appendix B) as provided in §9205 to the address below.

To appeal you must do both of the following within 30 days of the date of receipt of this Order:

- a. File your appeal and a copy of this Order with the Guam EPA Board of Directors (see address below). Filing means actual receipt by the Guam EPA Board of Directors during regular business hours.
- b. Serve a copy of your appeal and this Order to the Administrator in paper form - by mail or in person at the address below. Email or facsimile is not accepted. See *id.*

9.9.4.6 Address Information

GUAM EPA Board of Directors
3304 Mariner Avenue, Bldg. 17 - 33 04, Barrigada, Guam 96913

9.9.5 JAR050000: Johnston Atoll

No additional requirements.

9.9.6 MWR050000: Midway Island and Wake Island

No additional requirements.

9.9.7 MPR050000: Commonwealth of the Northern Mariana Islands

No additional requirements.

9.9.8 NVR05I000: Indian country within the State of Nevada, including the Duck Valley Reservation in Idaho, the Fort McDermitt Reservation in Oregon and the Confederated Tribes of the Goshute Reservation in Utah

No additional requirements.

9.10 Region 10: Alaska, Idaho (except see Region 9 for Duck Valley Reservation lands), Oregon (except see Region 9 for Fort McDermitt Reservation), Washington

9.10.1 AKR05F000: Areas in the Denali National Park and Preserve subject to industrial activity by a Federal Operator

No additional requirements.

9.10.2 AKR05I000: Indian country lands as defined in 18 U.S.C 1151 within the State of Alaska

No additional requirements.

9.10.3 IDR050000: The State of Idaho, except Indian country lands

Operators in the State of Idaho must meet the following conditions (see certification provided by the State of Idaho, CWA410Cert_ID_2021 MSGP).

9.10.3.1 *Numeric Benchmarks and Effluent Limitations*

Due to the discrete and relatively short duration of storm events that would result in discharges under this MSGP, DEQ believes it is appropriate to set numeric benchmarks and effluent limits based on acute aquatic life criteria rather than chronic aquatic life criteria or human health criteria, which are based on longer-term exposures. See *id.* at 1-7.

pH - The 2020 MSGP proposes a universal pH benchmark range of 6.0-9.0 standard units, which does not comply with Idaho WQS (IDAPA 58.01.02.250.01.a). Therefore, numeric effluent limitations and benchmark monitoring cutoff concentrations for pH shall be 6.5-9.0 standard units.

Total Arsenic - The 2020 MSGP proposes a total arsenic effluent limitation (Subsector G & Sector K) of 1.1 mg/L, which exceeds Idaho's acute and chronic criteria of 0.34 mg/L and 0.15 mg/L, respectively. Given that storms are discrete events of relatively short duration, DEQ believes it is more appropriate to use the acute water quality criteria as benchmark values; therefore, DEQ will require the total arsenic effluent limit to be set equal to Idaho's acute criterion of 0.34 mg/L.

Total Zinc - The 2020 MSGP proposes a monthly average maximum numeric effluent limit for zinc of 0.535 mg/L for Sector K, which will only comply with water quality standards when hardness is greater than 535 mg/L. Similarly, the proposed maximum daily limit and the monthly average maximum limit for zinc is 0.2 mg/L and 0.11 mg/L, respectively for Sector L; these limits do not generally comply with WQS when hardness values for the receiving water are less than 130 mg/L and 85 mg/L, respectively. Therefore, DEQ will require that the total zinc effluent limit be hardness based for all sectors requiring zinc effluent limits, including Sectors K and L.

Cadmium – The 2020 MSGP proposes hardness-based numeric benchmarks for cadmium based on EPA’s 2016 Aquatic Life Ambient Water Quality Criteria for Cadmium. Idaho adopted state- specific cadmium criteria different from EPA’s recommended national criteria; therefore, DEQ will require that cadmium benchmarks for all sectors subject to cadmium benchmarks be based on Idaho’s hardness-based acute cadmium criterion, using the following table:

Freshwater Hardness Range (mg/L)	Cadmium Benchmark (µg/L)
0-24.99	0.20
25-49.99	0.42

50-74.99	0.75
75-99.99	1.05
100-124.99	1.34
125-149.99	1.62
150-174.99	1.88
175-199.99	2.14
200-224.99	2.39
225-249.99	2.64
>250	2.89

Chromium III – The 2020 MSGP proposes a benchmark Chromium III concentration of 570 µg/L. However, this concentration will only comply with Idaho WQS when hardness is 100 mg/L or greater. Therefore, DEQ will require that Chromium III benchmarks be based on the hardness-based acute Chromium III criterion, using the following table:

Freshwater Hardness Range (mg/L)	Chromium III Benchmark (µg/L)
0-49.99	183
50-74.99	323
75-99.99	450
100-124.99	570
125-149.99	684
150-174.99	794
175-199.99	901
200-224.99	1005
225-249.99	1107
>250	1207

Total Recoverable Copper – The 2020 MSGP proposes hardness-based numeric benchmarks for copper. However, Idaho water quality standards require that copper criteria be derived using the Biotic Ligand Model (BLM). In order to ensure compliance with the copper BLM criteria, the permittee for each facility subject to copper benchmarks in the 2020 MSGP must implement one of the following options:

- a. Utilize a numeric benchmark for copper that corresponds to the most conservative estimate of acute copper criteria for Idaho waters: 1.0 µg/L; or
- b. Collect BLM input parameters as described in IDAPA 58.01.02.210.03.c concurrent with quarterly benchmark monitoring, use the BLM to derive an acute copper criterion based on these data, and apply that BLM-derived criterion as the numeric copper benchmark; or
- c. Make a written application for, and obtain DEQ approval of, a numeric copper benchmark that is protective of aquatic life in the receiving waters before discharging under the 2020 MSGP. See *id.*

9.10.3.2 Monitoring of Discharges to Impaired Waters

The proposed 2020 MSGP does not require monitoring on impaired waters where no pollutant has been identified as the cause of impairment. For water bodies included on the state's 303(d) list (Category 5 of the Integrated Report) as "cause unknown," or "combined biota/habitat assessments" the permittee must monitor for suspected pollutants listed in the cause comments section of the integrated report (e.g., nutrients, metals, pesticides). See *id.*

9.10.3.3 New or Expanding Discharges

New dischargers or existing dischargers wishing to expand their discharge to high-quality waters are only eligible for coverage under the MSGP if the discharger establishes, to the satisfaction of EPA and DEQ, that the new or expanded discharge will not result in an increase in the concentration of pollutants relevant to the use for which the water is considered high quality, or that the increase constitutes insignificant degradation as defined in the WQS (IDAPA 58.01.02.052.08.a).

A new discharger or an existing discharger wishing to expand must include an analysis regarding whether the new or expanded discharge will cause an increase in the pollutants relevant to the use for which the water is considered high quality. If there is an increase, the permittee must identify whether that increase constitutes insignificant degradation in the NOI, or in the planned changes report. These NOIs and planned changes reports must be submitted to both EPA and DEQ.

If DEQ determines the new discharge or planned changes of an existing discharger will result in significant degradation, the permittee must provide to DEQ an alternatives analysis (IDAPA 58.01.02.052.08.c), a socioeconomic justification (IDAPA 58.01.02.052.08.d) and information regarding other source controls (IDAPA 58.01.02.052.08.b), and obtain DEQ's approval in accordance with Idaho's antidegradation implementation process (IDAPA 58.01.02.052.08.e). See *id.*

9.10.3.4 Outstanding Resource Waters.

Any permittee proposing to discharge to an outstanding resource water shall not be covered under this General Permit (Permit Part I.E.8) and is required to apply for an individual [IPDES permit](#) from DEQ (IDAPA 58.01.02.052.09). See *id.*

9.10.3.5 Sector L – Stormwater and Leachate

Stormwater entering a landfill, including runoff from areas that have received

daily cover which may have contacted waste material, must be managed as leachate and is thus not eligible for coverage under the MSGP (40 CFR 258.26(a)(2); Municipal Solid Waste Landfill Criteria Technical Manual, EPA 530-R-93-017, 1998). Stormwater from a closed landfill or from areas of the landfill that have received final cover is not leachate and may be covered under the MSGP. See *id.*

9.10.3.6 Stormwater Pollution Prevention Plan (SWPPP) Availability.

If requested by DEQ, the permittee must submit a copy of the SWPPP to DEQ within 14 days of the request. See *id.*

9.10.3.7 Reporting of Discharges Containing Hazardous Materials or Petroleum Products.

Any spill of hazardous materials must be immediately reported to the State Communications Center by calling 1-800-632-8000 or 208-846-7610.

Spills must also be reported to the appropriate DEQ Regional Office (Table 1). Spills of petroleum products that exceed 25 gallons or that cause a visible sheen on surface waters should be reported to DEQ within 24-hours. Petroleum product spills of less than 25 gallons or spills that do not cause sheen on surface waters must only be reported to DEQ if clean-up cannot be accomplished within 24-hours (IDAPA 58.01.02.850, 58.01.02.851, 58.01.02.852). See *id.*

9.10.3.8 Other Reporting Requirements

Copies of the following information must be sent to the appropriate DEQ Regional Office:

- a. Notices of Intent and Termination (NOIs and NOTs), as required by Permit Part 7.2.1
- b. Monitoring data collected pursuant to Permit Part 4 of the MSGP, as well as any additional monitoring required by this § 401 water quality certification
- c. Exceedance Reports, as required by Permit Part 7.5
- d. Planned Changes Reports, as required by Permit Parts 7.6.4 and 7.6.5

Both monitoring data and exceedance reports must be sent to the appropriate DEQ Regional Office within 30 days of receipt of the analytical results. DEQ Regional Office contact information is listed in Table 1. See *id.*

9.10.3.9 Material Modifications

Pursuant to 33 U.S.C. § 1341, this certification is conditioned upon the requirement that any material modification of the permit or the permitted activities—including without limitation, significant changes to the MSGP, any modifications of the permit to reflect new or modified TMDLs, wasteload allocations, site-specific criteria, variances, or other new information—shall first be provided to DEQ for review to determine compliance with Idaho WQS and to provide additional certification pursuant to Section 401. See *id.*

9.10.3.10 Alternative Limitations

The following condition in the MSGP can be made less stringent and still comply with WQS:

Benchmark Values

The benchmark value for arsenic is 150 µg/L. This value is equivalent to Idaho's chronic water quality criterion. Given that storms are discrete events of relatively short duration, DEQ believes it is more appropriate to use the acute water quality

criterion as a benchmark value. Therefore, the benchmark value for arsenic can be set equal to 340 µg/L, and still comply with Idaho WQS. See *id.*

9.10.3.11 Idaho DEQ Regional and State Office Contacts.

Table 1. Idaho DEQ regional and state office contacts.

<i>Regional and State Office</i>	<i>Address</i>	<i>Phone Number</i>	<i>Email</i>
Boise	1145 N. Orchard St., Boise 83706	208-373-0550	kati.carberry@deq.idaho.gov
Coeur d’Alene	2110 Ironwood Parkway, Coeur d’Alene 83814	208-769-1422	chantilly.higbee@deq.idaho.gov
Idaho Falls	900 N. Skyline Dr., Suite B, Idaho Falls 83402	208-528-2650	troy.saffle@deq.idaho.gov
Lewiston	1118 F St., Lewiston 83501	208-799-4370	sujata.connell@deq.idaho.gov
Pocatello	444 Hospital Way, #300, Pocatello 83201	208-236-6160	lynn.vanevery@deq.idaho.gov
Twin Falls	650 Addison Avenue West, Suite 110, Twin Falls 83301	208-736-2190	sean.woodhead@deq.idaho.gov
State Office	1410 North Hilton St., Boise 83706	208-373-0502	jason.pappani@deq.idaho.gov

9.10.4 IDR05I000: Indian country lands within the State of Idaho, except Duck Valley Reservation lands, which are covered under Nevada permit NVR05I000

9.10.4.1 Shoshone-Bannock Tribes

The following conditions apply only to discharges to waters of the Shoshone-Bannock Tribes (see certification provided by the Shoshone-Bannock Tribes, CWA410Cert_Shoshone-Bannock Tribes_2021 MSGP):

9.10.4.1.1 Submission of NOI, Monitoring Data, and Reports.

Copies of the following information must be sent to the SBT-WRD:

- Notice of Intents (NOI)
- Monitoring data collected pursuant to section 4.2 of the MSGP
- Exceedance Reports

The monitoring data and exceedance reports must be sent to the SBT-WRD within thirty (30) days of receipt of analytical results. See *id* at1-3.

Contact information for SBT-WRD:

Shoshone-Bannock Tribes Water Resources Department
PO Box 306 Pima Drive
Fort Hall, ID 83203
Phone: (208) 239-4582
Fax:(208)239-4592

9.10.4.1.2 SWPPP Availability.

If requested by the SBT-WRD, the permittee must submit a copy of the SW PPP to SBT-WRD within fourteen (14) days of the request. See *id.*

9.10.5 ORR05I000: Indian country lands within the State of Oregon, except Fort McDermitt Reservation lands, which are covered under Nevada permit NVR05I000

No additional requirements.

9.10.6 WAR05I000: Indian country lands within the State of Washington

9.10.6.1 Confederated Tribes of the Colville Reservation

No additional requirements.

9.10.6.2 Lummi Nation

No additional requirements.

9.10.6.3 Puyallup Tribe of Indians

No additional requirements.

9.10.6.4 Port Gamble S'Klallam Tribe

The following conditions apply only to discharges to waters of the Port Gamble S'Klallam Tribal Land (see certification provided by the Port Gamble S'Klallam Tribe, CWA410Cert_Port Gamble S'Klallam Tribe_2021 MSGP):

9.10.6.4.1 Compliance with Port Gamble S'Klallam Tribe Water Quality Standards.

Each operator shall be responsible for achieving compliance with the Port Gamble S'Klallam Tribe Water Quality Standards for Surface Waters. Please see the PGST website (pgst.nsn.us) to review a copy of the Port Gamble S'Klallam Tribe Water Quality Standards for Surface Waters See *id.* at 1.

9.10.6.4.2 Submission of SWPPP

Each operator shall develop and submit a Storm Water Pollution Prevention Plan to the Port Gamble S'Klallam Natural Resources Department for review and approval by the Tribe prior to beginning any discharge activities. See *id.*

9.10.6.4.3 Submission of NOI, Reports, and NOT

Each operator shall submit a copy of the Notice of Intent, analytical monitoring results, any Exceedance Reports, Annual Reports, and Notice of Termination to the PGST Natural Resources Department at the same time it is submitted to the Environmental Protection Agency (EPA). See *id.*

9.10.6.5 Spokane Tribe of Indians

The following conditions apply only to discharges to waters of the Spokane Tribal Land (see certification provided by the Spokane Tribe of Indians, CWA410Cert_Spokane Tribe of Indians_2021 MSGP):

9.10.6.5.1 Compliance with Water Quality Standards.

The permittee shall be responsible for achieving compliance with the Spokane Tribal Water Quality Standards. See *id.* at 1.

9.10.6.5.2 Submission of SWPPP

The permittee shall submit all Pollution Prevention Plans to the Spokane Tribal Water Control Board for review and approval at the same time they are submitted to EPA and prior to any discharge activities. See *id.*

9.10.6.5.3 Compliance with IRMP

The permittee shall comply with all Spokane Tribal Integrated Resource Management Plan (IRMP) guidelines for land use activities and disturbances. See *id.*

9.10.6.5.4 Inspection.

The permittee shall allow the Tribal Water Control Board to inspect the storm water management system and adopt recommendations made anytime throughout its operation. See *id.*

9.10.6.5.5 Monitoring,

Monitoring of the discharge shall occur at a level indicated by EPA, the Tribe, are subject to change, and shall be submitted to both entities. See *id.*

9.10.6.5.6 Where to send information.

Water Control Board c/o Brian Crossley
PO Box 480
Wellpinit, WA 99040

9.10.6.6 Swinomish Indian Tribal Community

Facilities in the Swinomish Indian Tribal lands and are not eligible for stormwater discharge coverage under this permit. Contact the EPA Region 10 office for an individual permit application.

9.10.6.7 Tulalip Tribes

The following conditions apply only to discharges to waters of the Tulalip Tribes (see certification provided by the Tulalip Tribes, CWA410Cert_Tulalip Tribes_2021 MSGP):

9.10.6.7.1 Submission of NOI, NOT and No Exposure.

Copies of the Notice of Intent (NOI), Notice of Termination (NOT), and No Exposure Certification shall be submitted to the Tribe's Natural Resources Department. See *id.* at 1-2.

9.10.6.7.2 Submission of SWPPP.

A copy of the Stormwater Pollution Plans (SWPPPs) shall be submitted to the Tribe's Natural Resources Department at least thirty (30) days in advance of submitting the NOI to EPA. See *id.*

9.10.6.7.3 Compliance with Tribe's Water Quality Standards:

Each permittee shall be responsible for achieving compliance with the Tribe's Water Quality Standards. See *id.*

9.10.6.7.4 Submission and approval of Monitoring Plans.

A monitoring plan, if applicable, shall be submitted to the Tribe's Natural Resources Department and approved by the Tribe prior to initiation of monitoring required under Part 6 of this permit. See *id.*

9.10.6.7.5 Submission of Monitoring Data and Reports:

The results of any monitoring required by this permit and reports must be sent to the Tribe's Natural Resources Department, including a description of the corrective

actions required and undertaken to meet effluent limits or benchmarks (as applicable). See *id.*

9.10.6.7.6 Authorization to Inspect.

The Natural Resources Department staff may conduct an inspection of any facility covered by this permit to ensure compliance with tribal water quality standards. The Department may enforce its certification conditions.

The Tulalip Tribes are federally recognized successors in the interest to the Snohomish, Snoqualmie, Skykomish, and other allied tribes and bands signatory to the Treaty of Point Elliott. See *id.*

9.10.6.7.7 Incorporation by reference.

This certification does not exempt the applicant from compliance with other statutes and codes administered by the Tribes, county, state and federal agencies. See *id.*

9.10.6.7.8 Invalidation.

This certification will cease to be valid if the project is constructed and/or operated in a manner not consistent with the project description contained in the permit. This certification will also cease to be valid and the applicant must reapply with an updated application if information contained in the permit is voided by subsequent submittals. See *id.*

9.10.6.7.9 Modification.

Nothing in this certification waives the Tulalip Tribes of Washington's authority to issue modifications to this certification if additional impacts due to operational changes are identified, or if additional conditions are necessary to protect water quality or further protect the Tribal Communities interest. See *id.*

9.10.6.7.10 Permits on-site.

A copy of the permit shall be kept on the job site and readily available for reference by the construction supervisor, construction managers and site foreman, and Tribal inspectors. In addition, a sign of permit coverage needs to be posted at a safe, publicly accessible location. See *id.*

9.10.6.7.11 Project Management.

The applicant shall ensure that project or site managers, construction managers and site foreman, and other responsible parties have read and understand conditions of the permit, this certification, and other relevant documents, to avoid violations or noncompliance with this certification. See *id.*

9.10.6.7.12 Emergencies/Contingency Measures.

In the event the operator or applicant is unable to comply with the permit terms and conditions due to any cause, the operator or applicant shall immediately take action to stop the violation and correct the problem, and immediately report spill events to EPA's 24-hour Spill Response Team at (206) 553-1263 and the Tulalip Tribes Police Department (360) 716-5959. Compliance with this condition does not relieve the applicant from responsibility to maintain continuous compliance with the terms and conditions of this certification or the resulting liability from failure to comply. See *id.*

9.10.6.7.13 Tribal ESA Consultation.

Consultation with the Tribes is required when permitted actions may effect federally-listed threatened or endangered species and designated critical habitat. Information required as part of the consultation shall include:

- a. Basis of the determination that permit actions will not adversely affect federally-listed as endangered or threatened ("listed") under the Endangered Species Act (ESA) and will not result in the adverse modification or destruction of designated critical habitat including appropriate measures to be undertaken to avoid or eliminate the likelihood of adverse effects (under Criterion E in Section 1.1.4.5); and
- b. Notice of Intent form complete with extent of action area, list of federally-listed threatened or endangered species or designated critical habitat likely to occur in action area, list of potential pollutants (if you are a new discharger) or list of pollutants for which you have ever exceeded an applicable benchmark or effluent limitations guideline, or for which your discharge has ever been found to cause or contribute to an exceedance of an applicable water quality standard (if you are an existing discharger). See *id.*

9.10.6.7.14 Discharges to CERCLA Sites:

This permit does not authorize direct discharges to certain sites undergoing remedial cleanup actions pursuant to the Comprehensive Environmental Response,

Compensation and Liability Act (CERCLA) unless first approved by the appropriate EPA Regional office. In the case of the Tulalip Landfill site, the Tulalip Tribes also requests notification by the facility and consultation with EPA prior to discharge. Contaminants at this site may include but are not limited to: dioxins, furans, arsenic, copper, lead, zinc, 4-methyl-phenol, Hex-CB, HPAHs, PCBs, PCE, cadmium, mercury, and LPAHs. See *id.*

9.10.6.7.15 Discharge-related Activities that have Potential to Cause an Adverse Effect on Historic Properties:

Installation of stormwater controls that involve subsurface disturbances may potentially have an adverse impact on historic properties. Procedures detailed in Appendix F of the permit shall be completed. Richard Young, of the Tulalip Tribe's Cultural Resources Department shall be contacted prior to initiating discharge-related activities that may have an impact on historic properties. His contact information is (360) 716-2652 and ryoung@tulaliptribes-nsn.gov. See *id.*

9.10.6.7.16 Where to Submit Information:

All required or requested documents shall be sent to the:

Tulalip Tribes
Natural Resources Environmental Division c/o Kurt Nelson and Valerie Streeter
6704 Marine Drive
Tulalip, Washington 98271

9.10.7 WAR05F000: Areas in the State of Washington, except those located on Indian Country lands, subject to industrial activity by a Federal Operator

Permittees in the State of Washington must meet the following conditions (see certification provided by the State of Washington, CWA410Cert_WA_2021 MSGP):

9.10.7.1 General Conditions.

- a. For purposes of this Order, the term "Applicant" shall mean U.S. Environmental Protection Agency, and its agents, assignees and contractors.
- b. For Purposes of this Order, the Permit "Permittee" shall mean any facility granted coverage under EPA's Multi Sector General Permit.
- c. The Applicant shall enforce the permit and ensure that the Permittee complies with

the conditions of the permits at all times.

- d. Nothing in the Certification waives Ecology’s authority to issue additional orders if Ecology determines that further actions are necessary to implement the water quality laws of the state. Further, Ecology retains continuing jurisdiction to make modifications hereto through supplemental orders, if additional impacts due to project construction or operation are identified (e.g., violations of water quality standards, downstream erosion, etc.), or if additional conditions are necessary to further protect water quality.
- e. In the event of changes or amendments to the state water quality, ground water quality, or sediment standards, or changes in or amendments to the state Water Pollution Control Act (RCW 90.48) or the federal Clean Water Act, Ecology may issue an amendment to this Certification to incorporate any such changes or amendments applicable to this project.
- f. Failure of any person or entity to comply with this Certification may result in the issuance of civil penalties or other actions, whether administrative or judicial, to enforce the terms of the Certification. See *id.* at 3.

9.10.7.2 Water Quality.

- a. This Certification does not authorize exceedances of water quality standards established in chapter 173-201A WAC.
- b. Discharges shall not cause or contribute to a violation of surface water quality standards (chapter 173-201A WAC), ground water quality standards (chapter 173-200 WAV), sediment management standards (chapter 173-204 WAC), and human health based criteria in the National Toxics Rule (40 CFR Part 131.36). Discharges that are not in compliance with these standards are not authorized.
- c. Prior to the discharge of stormwater and non-stormwater to waters of the state, the Permittee shall apply all known, available, and reasonable methods of prevention, control, and treatment (AKART). This includes the preparation and implementation of an adequate Stormwater Pollution Prevention Plan (SWPPP), with all appropriate best management practices (BMPs) installed and maintained in accordance with the SWPPP and the terms and conditions of this permit. The Permittee shall include each of the following mandatory BMPs in the SWPPP and implement the BMPs. The Permittee may omit individual BMPs if site conditions render the BMP unnecessary or infeasible and the Permittee provides alternative and equally effective BMPs. The Permittee must justify each BMP omission in the SWPPP. BMPs shall be consistent with:
 - i. 2019 Stormwater Management Manual for Western Washington, for sites west of the crest of the Cascade mountains; or
 - ii. 2019 Stormwater Management Manual for Eastern Washington, for sites east of the crest of the Cascade Mountains; or
 - iii. Revisions to the manuals in S3.A.3. a & b., or other stormwater management guidance documents or manuals which provide an equivalent level of pollution prevention, that are approved by Ecology and incorporated into this permit in accordance with the permit modification requirements of WAC 173-226-230. For purposes of this section, the documents listed in Appendix 10 of the August 1, 2019 Phase I Municipal Stormwater Permit are hereby incorporated into this permit; or
 - iv. Documentation in the SWPPP that the BMPs selected are demonstrably equivalent to practices contained in stormwater technical manuals approved by Ecology, including the proper selection, implementation, and maintenance of all applicable and appropriate best management practices for on-site pollution control.

d. Additional Sampling Requirements and Effluent Limits for Discharges to Certain Impaired Waters and Puget Sound Sediment Cleanup Sites.

- i. Permittees discharging to a 303(d)-listed waterbody (Category 5), either directly or indirectly through a stormwater drainage system, shall comply with the applicable sampling requirements and numeric effluent limits in Table 1.

For purposes of this condition, “applicable sampling requirements and effluent limits” means the sampling and effluent limits in Table 1 that correspond to the specific parameter(s) the receiving water is 303(d)-listed for at the time of permit coverage, or Total Suspended Solids (TSS) if the waterbody is 303(d)-listed (Category 5) for sediment quality at the time of MSGP coverage.

If a discharge point is subject to an impaired waterbody effluent limit for a parameter that also has a benchmark, the effluent limit supersedes the benchmark. All references to Category 5 pertain to the 2012 EPA-approved Water Quality Assessment.

The 2012 EPA-approved Water Quality Assessment may be viewed online at: http://www.ecy.wa.gov/programs/wq/links/wq_assessments.html. See *id.*

Table 1: Sampling and Effluent Limits Applicable to Discharges to 303(d)-listed Waters

Parameter	Units	Maximum Daily ^a		Analytical Method ^b	Laboratory Quantitation Level ^c	Sampling Frequency ^d
		Freshwater	Marine			
Turbidity	NTUs	25	25	EPA 180.1 Meter	0.5	1/quarter
pH	SU	j	Between 7.0 and 8.5	Meter	±0.1	1/quarter
Fecal Coliform Bacteria	# colonies/100 mL	i	i	SM 9222D	20 CFU/100 mL	1/quarter
TSS ^f	mg/L	30	30	SM2540-D	5	1/quarter
Phosphorus, Total	mg/L	g	g	EPA 365.1	0.01	1/quarter
Total Ammonia (as N)	mg/L	g	g	SM 4500 NH ³ -GH	0.3	1/quarter
Copper, Total	µg/L	g	g	EPA 200.8	2.0	1/quarter
Lead, Total	µg/L	g	g	EPA 200.8	0.5	1/quarter
Mercury, Total	µg/L	2.1	1.8	EPA1631E	0.0005	1/quarter
Zinc, Total	µg/L	g	g	EPA 200.8	2.5	1/quarter
Pentachlorophenol	µg/L	9 ^h	g	EPA 625	1.0	1/quarter

^a Maximum daily effluent limit means the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day. The daily discharge is the average measurement of the pollutant over the day; this does not apply to pH.

^b Or other equivalent method with the same reporting level.

- c. The Permittee shall ensure laboratory results comply with the quantitation level (QL) specified in the table. However, if an alternate method from 40 CFR Part 136 is sufficient to produce measurable results in the sample, the Permittee may use that method for analysis. If the Permittee uses an alternative method it must report the test method and QL on the DMR. If the Permittee is unable to obtain the required QL due to matrix effects, the Permittee must report the matrix-specific method detection level (MDL) and QL on the DMR.
- d. 1/quarter means at least one sample taken each quarter, e.g., Q1 = Jan 1 – March 31, Q2 = April 1 – June 30.
- e. Permittees shall use either a calibrated pH meter consistent with EPA 9040 or an approved state method.
- f. Permittees who discharge to a waterbody 303(d)-listed (Category 5) for sediment quality shall sample the discharge for TSS.
- g. Site-specific effluent limitation will be assigned at the time of permit coverage.
- h. Based on a pH of 7.0.
- i. A numeric effluent limit does not apply, but Permittees must sample according to Table 1. In addition, the following mandatory BMPs shall be incorporated into the SWPPP and implemented; the Permittee must:
 - 1) Use all known, available and reasonable methods to prevent rodents, birds, and other animals from feeding/nesting/roosting at the facility. Nothing in this section shall be construed as allowing violations of any applicable federal, state or local statutes, ordinances, or regulations including the Migratory Bird Treaty Act.
 - 2) Perform at least one annual dry weather inspection of the stormwater system to identify and eliminate sanitary sewer cross-connections.
 - 3) Install structural source control BMPs to address on-site activities and sources that could cause bacterial contamination (e.g., dumpsters, compost piles, food waste, and animal products).
 - 4) Implement operational source control BMPs to prevent bacterial contamination from any known sources of fecal coliform bacteria (e.g., animal waste).
 - 5) Conduct additional bacteria-related sampling and/or BMPs, if ordered by Ecology on a case-by-case basis.
- j. The effluent limit for a Permittee who discharges to a freshwater body 303(d)-listed for pH is: Between 6.0 and 8.5, if the 303(d)-listing is for high pH only; Between 6.5 and 9.0, if the 303(d)-listing is for low pH only; and Between 6.5 and 8.5 if the 303(d)-listing is for both low and high pH. All pH effluent limits are applied end-of-pipe.
 - ii. Permittees discharging to a Puget Sound Sediment Cleanup Site³, either directly or indirectly through a stormwater drainage system, shall comply with this section:
 - 1) Permittees shall sample the discharge for Total Suspended Solids (TSS) in accordance with Table 2.
 - 2) If the waterbody is listed within Category 5 (sediment medium) where the *outfall* discharges to the waterbody, the discharge is subject to the TSS numeric effluent limit in Attachment A, Table 1.

³ **Puget Sound Sediment Cleanup Site:** means Category 4B (Sediment) portions of Budd Inlet (Inner), Commencement Bay (Inner), Commencement Bay (Outer), Dalco Passage and East Passage, Duwamish Waterway (including East and West Waterway), Eagle Harbor, Elliot Bay, Hood Canal (North), Liberty Bay, Rosario Strait, Sinclair Inlet, and Thea Foss Waterway; Category 5 (Sediment) portions of the Duwamish Waterway; Category 4A (Sediment) portions of Bellingham Bay (Inner); and the Everett/Port Gardner, Oakland Bay/Shelton Harbor, and Port Angeles Harbor sediment cleanup areas, as mapped on Ecology's ISGP website. All references to Category 4A, 4B and 5 pertain to the 2012 EPA-approved Water Quality Assessment

All references to Category 4B and 5 pertain to the 2012 EPA-approved Water Quality Assessment, available online at: http://www.ecy.wa.gov/programs/wq/links/wq_assessments.html.

- 3) If the waterbody is not listed within Category 5 (sediment medium) where the outfall discharges to the waterbody (e.g., Category 4B, etc.), the discharge is subject to the TSS benchmark in Attachment A, Table 2. If the discharge is subject to more than one TSS benchmark value (i.e., two different benchmarks), the lower benchmark supersedes the higher one. If a discharge exceeds the TSS benchmark, the Permittee shall implement corrective actions in accordance with the MSGP.
- 4) Permittees shall remove accumulated solids from storm drain lines (including inlets, catch basins, sumps, conveyance lines, and oil/water separators) owned or controlled by the Permittee at least once during the term of the MSGP.

Permittees shall conduct line cleaning operations (e.g., jetting, vacuuming, removal, loading, storage, and/or transport) using BMPs to prevent discharges of storm drain solids to surface waters of the state.

Removed storm drain solids and liquids shall be disposed of in accordance with applicable laws and regulations and documented in the SWPPP.

- 5) Prior to removing storm drain solids according to Attachment A, Condition 2.D, Permittees shall sample and analyze storm drain solids in accordance with Table 3. Storm drain solids must be collected/sampled from a representative catch basin, sump, pipe, or other feature within the storm drain system that corresponds to the discharge point where Total Suspended Solids (TSS) samples are collected per Attachment A. Samples may be either a single grab sample or a composite sample. Samples must be representative of the storm drain solids generated and accumulated in the facility's drainage system. To the extent possible, sample locations must exclude portions of the drainage system affected by water from off-site sources (e.g., run-on from off-site properties, tidal influence, backflow). See *id.*

Table 2: Benchmarks and Sampling Requirements Applicable to Discharges to Puget Sound Sediment Cleanup Sites that are not Category 5 for Sediment Quality

Parameter	Units	Benchmark Value ^a	Analytical Method	Laboratory Quantitation Level ^b	Minimum Sampling Frequency ^c
TSS	mg/L	30	SM2540-D	5	1/quarter

- a. Permittees sampling more than once per quarter shall average the sample results and compare the average value to the benchmark to determine if the discharge has exceeded the benchmark value. However, if Permittees collect more than one sample during a 24-hour period, they must first calculate the daily average of the individual grab sample results collected during that 24-hour period; then use the daily average to calculate a quarterly average.
- b. The Permittee shall ensure laboratory results comply with the quantitation level (QL) specified in the table. However, if an alternate method from 40 CFR Part 136 is sufficient to produce measurable results in the sample, the Permittee may use that method for analysis. If the Permittee uses an alternative method it must report the test method and QL on the DMR. If the Permittee is unable to obtain the required QL due to matrix effects, the Permittee must report the matrix-specific method detection level (MDL) and QL on the DMR.
- c. 1/quarter means at least one sample taken each quarter, year-round.

Table 3: Sampling and Analytical Procedures for Storm Drain Solids

Analyte	Method in Sediment	Quantitation Level ^a
Conventional Parameters		
Percent total solids	SM 2540G, or ASTM Method D 2216	NA
Total organic carbon	Puget Sound Estuary Protocols (PSEP 1997), or EPA 9060	0.1%
Grain size	Ecology Method Sieve and Pipette (ASTM 1997), ASTM D422, or PSEP 1986/2003	NA
Metals		
Antimony, Total	EPA Method 200.8 (ICP/MS) , EPA Method 6010 or EPA Method 6020	0.2 mg/kg dw ^b
Arsenic, Total	EPA Method 200.8 (ICP/MS) , EPA Method 6010 or EPA Method 6020	0.1 mg/kg dw
Beryllium, Total	EPA Method 200.8 (ICP/MS) , EPA Method 6010 or EPA Method 6020	0.2 mg/kg dw
Cadmium, Total	EPA Method 200.8 (ICP/MS) , EPA Method 6010 or EPA Method 6020	0.2 mg/kg dw
Chromium, Total	EPA Method 200.8 (ICP/MS) , EPA Method 6010 or EPA Method 6020	0.5 mg/kg dw
Copper, Total	EPA Method 200.8 (ICP/MS) , EPA Method 6010 or EPA Method 6020	0.2 mg/kg dw
Lead, Total	EPA Method 200.8 (ICP/MS) , EPA Method 6010 or EPA Method 6020	0.2 mg/kg dw
Mercury, Total	EPA Method 1631E, or EPA Method 7471B	0.005 mg/kg dw
Nickel, Total	EPA Method 200.8 (ICP/MS) , EPA Method 6010 or EPA Method 6020	0.1 mg/kg dw
Selenium, Total	EPA Method 200.8 (ICP/MS) , EPA Method 6010 or EPA Method 6020	0.5 mg/kg dw
Silver, Total	EPA Method 200.8 (ICP/MS) , EPA Method 6010 or EPA Method 6020	0.1 mg/kg dw
Thallium, Total	EPA Method 200.8 (ICP/MS) , EPA Method 6010 or EPA Method 6020	0.2 mg/kg dw
Zinc, Total	EPA Method 200.8 (ICP/MS) , EPA Method 6010 or EPA Method 6020	5.0 mg/kg dw
Organics		
PAH compounds ^c	EPA Method 8270 D	70 µg/kg dw

PCBs (aroclor), Total ^d	EPA Method 8082	10 µg/kg dw
Petroleum Hydrocarbons		
NWTPH-Dx	NWTPH-Dx	25.0-100.0 mg/kg dw

- a. The Permittee shall ensure laboratory results comply with the quantitation level (QL) specified in the table. However, if an alternate method is sufficient to produce measurable results in the sample, the Permittee may use that method for analysis. If the Permittee uses an alternative method, it must report the test method and QL on the sediment monitoring report. All results shall be reported. For values below the QL, or where a QL is not specified, report results at the method detection level (MDL) from the lab and the qualifier of "U" for undetected at that concentration. If the Permittee is unable to obtain the required QL due to matrix effects, the Permittee must report the matrix-specific MDL and QL on the DMR.
- b. dw = dry weight.
- c. PAH compounds include: 1-methylnaphthalene, 2-methylnaphthalene, 2-chloronaphthalene, acenaphthylene, acenaphthene, anthracene, benzo(a)anthracene, benzo(a)pyrene, benzo(b, k)fluoranthene, benzo(ghi)perylene, dibenzo(a,h)anthracene, dibenzofuran, carbazole, chrysene, fluoranthene, fluorene, indeno(1,2,3-cd)pyrene, naphthalene, phenanthrene, and pyrene.
- d. Total = sum of PCB aroclors 1016+1221+1232+1242+1248+1254+1260.

6) All storm drain solids sampling data shall be reported to EPA no later than the DMR due date for the reporting period in which the solids were sampled. A copy of the lab report shall be submitted to EPA. See *id.*

e. Requirements for Discharges to Waters with Applicable TMDLs

- i. The Permittee shall comply with applicable TMDL determinations. Applicable TMDLs or TMDL determinations are TMDLs which have been completed by the issuance date of this permit, or which have been completed prior to the date that the Permittee's NOI is received by EPA, whichever is later. EPA will list the Permittee's requirements to comply with this condition on the letter of permit coverage.
- ii. TMDL requirements associated with TMDLs completed after the issuance date of this permit only become effective if they are imposed through an administrative order issued by EPA.
- iii. Where Ecology has established a TMDL wasteload allocation and sampling requirements for the Permittee's discharge, the Permittee shall comply with all requirements of the TMDL.
 - 1) If a discharge point is subject to a TMDL-related effluent limit for a parameter that also has a benchmark, the effluent limit supersedes the benchmark.
- iv. Where Ecology has established a TMDL general wasteload allocation for industrial stormwater discharges for a parameter present in the Permittee's discharge, but has not identified specific requirements, EPA will assume the Permittee's compliance with the terms and conditions of the permit complies with the approved TMDL.
- v. Where Ecology has not established a TMDL wasteload allocation for industrial stormwater discharges for a parameter present in the Permittee's discharge, but has not excluded these discharges, EPA will assume the Permittee's compliance with the terms and conditions of this permit complies with the approved TMDL.

- vi. Where a TMDL for a parameter present in the Permittee's discharge specifically precludes or prohibits discharges of stormwater associated with industrial activity, the Permittee is not eligible for coverage under the MSGP. See *id.*

Appendix A - Definitions, Abbreviations, and Acronyms (for the purposes of the 2021 MSGP)

A.1. DEFINITIONS

Action Area – all areas to be affected directly or indirectly by the federal action and not merely the immediate area involved in the action. See 50 CFR 402. For the purposes of this permit and for application of Endangered Species Act requirements, the following areas are included in the definition of action area:

- The areas where stormwater discharges originate and flow from the industrial facility to the point of discharge into receiving waters. (Example: Where stormwater flows into a ditch, swale, or gully that leads to receiving waters and where listed species (such as listed amphibians) are found in the ditch, swale, or gully.)
- The areas where stormwater from industrial activities discharge into receiving waters and the areas in the immediate vicinity of the point of discharge. (Example: Where stormwater from industrial activities discharges into a stream segment that is known to harbor listed aquatic species.)
- The areas where stormwater controls will be constructed and operated, including any areas where stormwater flows to and from the stormwater controls. (Example: Where a stormwater retention pond would be built.)
- The areas upstream and/or downstream from the stormwater discharge into a stream segment that may be affected by these discharges. (Example: Where sediment discharged to a receiving stream settles downstream and impacts a breeding area of a listed aquatic species.)

Antidegradation Policy or Antidegradation Requirements – the water quality standards regulation that requires States and Tribes to establish a three-tiered antidegradation program:

1. Tier 1 maintains and protects existing uses and water quality conditions necessary to support such uses. An existing use can be established by demonstrating that fishing, swimming, or other uses have actually occurred since November 28, 1975, or that the water quality is suitable to allow such uses to occur. Where an existing use is established, it must be protected even if it is not listed in the water quality standards as a designated use. Tier 1 requirements are applicable to all surface waters.
2. Tier 2 maintains and protects "high quality" waters -- water bodies where existing conditions are better than necessary to support CWA § 101(a)(2) "fishable/swimmable" uses. Water quality can be lowered in such waters. However, state and tribal Tier 2 programs identify procedures that must be followed and questions that must be answered before a reduction in water quality can be allowed. In no case may water quality be lowered to a level which would interfere with existing or designated uses.
3. Tier 3 maintains and protects water quality in outstanding national resource waters (ONRWs). Except for certain temporary changes, water quality cannot be lowered in such waters. ONRWs generally include the highest quality waters of the United States. However, the ONRW classification also offers special protection for waters of exceptional ecological significance, i.e., those which are important, unique, or sensitive ecologically. Decisions regarding which water bodies qualify to be ONRWs are made by States and authorized Indian Tribes.

Arid Areas – areas where annual rainfall averages from 0 to 10 inches.

Best Available Technology Economically Achievable (BAT) – defined in CWA section 304(b)(2).

Best Conventional Pollutant Control Technology (BCT) – defined in CWA section 304(b)(4).

Best Practicable Control Technology Currently Available (BPT) – defined in CWA section 304(b)(1).

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 that are defined by the stormwater regulations at 122.26(b)(14)(i) and (xi). 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 D.

Confidential Business Information (CBI) – see 40 CFR Part 2 for relevant definitions of CBI: <http://www.gpo.gov/fdsys/pkg/CFR-2013-title40-vol1/pdf/CFR-2013-title40-vol1-part2-subpartB.pdf>.

Control Measures – 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 United States.

Corrective Action – for the purposes of the permit, any action taken, or required to be taken, to repair, modify, or replace any stormwater control used at the site; (2) clean up and dispose of spills, releases, or other deposits found on the site; and (3) remedy a permit violation.

Critical Habitat – as defined in the Endangered Species Act at 16 U.S.C. 1531 for a threatened or endangered species, (i) the specific areas within the geographical area occupied by the species, at the time it is listed in accordance with the provisions of section 4 of the Endangered Species Act, on which are found those physical or biological features essential to the conservation of the species and which may require special management considerations or protection; and (ii) specific areas outside the geographical area occupied by the species at the time it is listed in accordance with the provisions of section 4 of the Endangered Species Act, upon a determination by the Secretary that such areas are essential for the conservation of the species.

Director – a Regional Administrator of the Environmental Protection Agency or an authorized representative. See 40 CFR 122.2.

Discharge – when used without qualification, means the "discharge of a pollutant." See 40 CFR 122.2.

Discharge of a Pollutant – any addition of any "pollutant" or combination of pollutants to "waters of the United States" 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 United States from: surface runoff which is collected or channeled by man; discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works. See 40 CFR 122.2.

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 U.S.

Discharge-Related Activity – 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 stormwater controls to control, reduce, or prevent pollution in the discharges.

Discharge to an Impaired Water – for the purposes of this permit, a discharge to an impaired water occurs if the first water of the U.S. to which you discharge is identified by a state, tribe, or EPA as not meeting an applicable water quality standard, and requires development of a total maximum daily load (TMDL) (pursuant to Section 303(d) of the Clean Water Act), or is addressed by an EPA-approved or established TMDL, or is not in either of the above categories but the waterbody is covered by pollution control requirements that meet the requirements of 40 CFR 130.7(b)(1). For discharges that enter a separate storm sewer system prior to discharge, the water of the U.S. to which you discharge is the waterbody that receives the stormwater discharge from the storm sewer system.

Drought-Stricken Area – for the purposes of this permit, an area in which the National Oceanic and Atmospheric Administration’s U.S. Seasonal Drought Outlook indicates for the period that any of the following conditions are likely: (1) “Drought to persist or intensify”, (2) “Drought ongoing, some improvement”, (3) “Drought likely to improve, impacts ease”, or (4) “Drought development likely”. See http://www.cpc.ncep.noaa.gov/products/expert_assessment/season_drought.gif.

Effective Operating Condition – for the purposes of this permit, a stormwater control is kept in effective operating condition if it has been implemented and maintained in such a manner that it is working as designed to minimize pollutant discharges.

Effluent Limitations – for the purposes of this permit, any of the Part 2 requirements.

Effluent Limitations Guideline (ELG) – defined in 40 CFR § 122.2 as a regulation published by the Administrator under section 304(b) of CWA to adopt or revise effluent limitations.

Eligible – for the purposes of this permit, refers to stormwater and allowable non-stormwater discharges that are authorized for coverage under this general permit.

Endangered Species – defined in the Endangered Species Act at 16 U.S.C. 1531 as any species which is in danger of extinction throughout all or a significant portion of its range other than a species of the Class Insecta determined by the Secretary to constitute a pest whose protection under the provisions of this Act would present an overwhelming and overriding risk to man.

Existing Discharger – an operator applying for coverage under this permit for discharges authorized previously under an NPDES general or individual permit.

Facility or Activity – any NPDES “point source” (including land or appurtenances thereto) that is subject to regulation under the NPDES program. See 40 CFR 122.2.

Feasible – for the purposes of this permit, feasible means technologically possible and economically practicable and achievable in light of best industry practices. EPA notes that it does not intend for any permit requirement to conflict with state water rights law.

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.

Green Infrastructure – the range of measures that use plant or soil systems, permeable pavement or other permeable surfaces or substrates, stormwater harvest and reuse, or landscaping to store, infiltrate, or evapotranspire stormwater and reduce flows to sewer systems or to surface waters. See Section 502 of the Federal Water Pollution Control Act (33 U.S.C. 1362).

Hazardous Waste – for the purposes of this permit, any liquid, solid, or contained gas that contain properties that are dangerous or potentially harmful to human health or the environment. See also 40 CFR §261.2.

Hazardous Substance – defined in CERCLA section 101(14) to include: a) any substance designated pursuant to the CWA section 311(b)(2)(A); b) any element, compound, mixture, solution or substance designated pursuant to section 102 of CERCLA; c) any hazardous waste having the characteristics identified under or listed pursuant to section 3001 of the Resource Conservation and Recovery Act (RCRA); d) any toxic pollutant listed under CWA section 307(a); e) any hazardous air pollutant listed under section 112 of the Clean Air Act; and f) any imminently hazardous chemical substance or mixture with respect to which the Administrator has taken action pursuant to section 7 of the Toxic Substances Control Act. See 40 CFR 302.4 for the list of such hazardous substances.

Historic Property – as defined in the National Historic Preservation Act regulations means any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places maintained by the Secretary of the Interior. This term includes artifacts, records, and remains that are related to and located within such properties. The term includes properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization and that meet the National Register criteria.

Impaired Water (or “Water Quality Impaired Water” or “Water Quality Limited Segment”) – for the purposes of this permit, waters identified by a state, tribe, or EPA as not meeting an applicable water quality standard, and require development of a total maximum daily load (TMDL) (pursuant to Section 303(d) of the CWA), or are addressed by an EPA-approved or established TMDL, or are covered by pollution controls requirements that meet the requirements of 40 FR 130.7(b)(1). For discharges that enter a separate storm sewer system prior to discharge, the first water of the U.S. to which you discharge is the waterbody that receives the stormwater discharge from the storm sewer system.

Indian Country or Indian Country Lands – defined at 40 CFR 122.2 as:

1. All land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and including rights-of-way running through the reservation;
2. All dependent Indian communities within the borders of the United States, whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a State: and
3. All Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same. This definition includes all land held in trust for an Indian tribe. (18 U.S.C. 1151)

Infeasible – for the purposes of this permit, infeasible means not technologically possible or not economically practicable and achievable in light of best industry practices. EPA notes that it does not intend for any permit requirement to conflict with state water rights law.

Industrial Activity – the 10 categories of industrial activities included in the definition of “stormwater discharges associated with industrial activity” as defined in 40 CFR 122.26(b)(14)(i)- and (xi).

Industrial Stormwater – stormwater runoff from industrial activity.

Measurable Storm Event – a precipitation event that results in a measurable amount of precipitation (i.e., a storm event that results in an actual discharge) and that follows the preceding storm event by at least 72 hours (3-days). The 72-hour storm interval does not apply if you document that less than a 72-hour interval is representative for local storm events.

Minimize – for the purposes of this permit, minimize means to reduce and/or eliminate to the extent achievable using control measures that are technologically available and economically practicable and achievable in light of best industry practices.

Municipal Separate Storm Sewer (MS4) – defined at 40 CFR §122.26(b)(8) as a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains):

1. Owned or operated by a state, city, town, borough, county, parish, 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 United States;
2. Designed or used for collecting or conveying stormwater;
3. Which is not a combined sewer; and
4. Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2. See 40 CFR 122.26(b)(4) and (b)(7).

National Pollutant Discharge Elimination System (NPDES) – defined at 40 CFR §122.2 as the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of CWA. The term includes an ‘approved program.’

New Discharger – a facility from which there is or may be a discharge, that did not commence the discharge of pollutants at a particular site prior to August 13, 1979, which is not a new source, and which has never received a finally effective NPDES permit for discharges at that site. See 40 CFR 122.2.

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. See 40 CFR 122.2.

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 protected by a storm-resistant shelter to prevent exposure to rain, snow, snowmelt, and/or runoff. See 40 CFR 122.26(g).

Non-Stormwater Discharges – discharges that do not originate from storm events. They can include, but are not limited to, discharges of process water, air conditioner condensate, non-contact cooling water, pavement wash water, external building washdown, irrigation water, or uncontaminated ground water or spring water.

Notice of Intent (NOI) – the form (electronic or paper) required for authorization of coverage under the Multi-Sector General Permit.

Notice of Termination (NOT) – the form (electronic or paper) required for terminating coverage under the Multi-Sector General Permit.

Operator – any entity with a stormwater discharge associated with industrial activity that meets either of the following two criteria:

1. The entity has operational control over industrial activities, including the ability to make modifications to those activities; or
2. 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).

Outfall – see “Discharge Point.”

Permitting Authority – for the purposes of this permit, EPA, a Regional Administrator of EPA, or an authorized representative.

Person – an individual, association, partnership, corporation, municipality, State or Federal agency, or an agent or employee thereof. See 40 CFR 122.2.

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. See 40 CFR 122.2.

Pollutant – defined at 40 CFR §122.2. A partial listing from this definition includes: 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. See 40 CFR 122.2.

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 and included in the descriptions of 122.26(b)(14)(ii), (iii), (vi), (viii),

or (xi); or (2) included in the narrative descriptions of 122.26(b)(14)(i), (iv), (v), (vii), or (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.] Narrative descriptions in 40 CFR 122.26(b)(14) identified above include: (i) activities subject to stormwater effluent limitations guidelines, new source performance standards, or toxic pollutant effluent standards; (iv) 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); (v) landfills, land application sites and open dumps that receive or have received industrial wastes; (vii) steam electric power generating facilities; and (ix) sewage treatment works with a design flow of 1.0 mgd or more.

Qualified Personnel – qualified personnel are those who are knowledgeable in the principles and practices of industrial stormwater controls and pollution prevention, and who possess the education and ability to assess conditions at the industrial facility that could impact stormwater quality, and the education and ability to assess the effectiveness of stormwater controls selected and installed to meet the requirements of the permit.

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.

Restricted Information – for the purposes of this permit, information that is privileged or that is otherwise protected from disclosure pursuant to applicable statutes, Executive Orders, or regulations. Such information includes, but is not limited to: classified national security information, protected critical infrastructure information, sensitive security information, and proprietary business information.

Runoff Coefficient – the fraction of total rainfall that will appear at the conveyance as runoff. See 40 CFR 122.26(b)(11).

Run-On – sources of stormwater that drain from land located upslope or upstream from the regulated facility in question.

Saline Water or Saltwater – for the purposes of this permit, a waterbody with salinity that is equal to or exceeds 10 parts per thousand 95 percent or more of the time, unless otherwise defined as a coastal or marine water by the applicable state or tribal surface water quality standards.

Semi-Arid Areas – areas where annual rainfall averages from 10 to 20 inches.

Significant Materials – includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under section 101(14) of CERCLA; any chemical the facility is required to report pursuant to 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. See 40 CFR 122.26(b)(12).

Special Aquatic Sites – sites identified in 40 CFR 230 Subpart E. These are geographic areas, large or small, possessing special ecological characteristics of productivity, habitat, wildlife protection, or other important and easily disrupted ecological values. These areas are generally recognized

as significantly influencing or positively contributing to the general overall environmental health or vitality of the entire ecosystem of a region.

Spill – for the purpose of this permit, the release of a hazardous or toxic substance from its container or containment.

Stormwater – stormwater runoff, snow melt runoff, and surface runoff and drainage. See 40 CFR 122.26(b)(13).

Stormwater Controls – see “Control Measures.”

Stormwater Discharges Associated with Construction Activity – as used in this permit, a discharge of pollutants in stormwater runoff from areas where land-disturbing activities (e.g., clearing, grading, or excavating) occur, or where 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. See 40 CFR 122.26(b)(14)(x) and 40 CFR 122.26(b)(15).

Stormwater Discharges Associated with Industrial Activity – the discharge from any conveyance that is used for collecting and conveying stormwater and that is directly related to manufacturing, processing or raw materials storage areas at an industrial plant. The term does not include discharges from facilities or activities excluded from the NPDES program under Part 122. 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 part 401 of this chapter); 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 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. Industrial facilities include those that are federally, state, or municipally owned or operated that meet the description of the facilities listed in 40 CFR 122.26(b)(14). The term also includes those facilities designated under the provisions of 40 CFR 122.26(a)(1)(v). See 40 CFR 122.26(b)(14).

Stormwater Pollution Prevention Team – the stormwater pollution prevention team is responsible for overseeing development of the SWPPP, any modifications to it, and for implementing and maintaining stormwater 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 your SWPPP, and other relevant documents or information that must be kept with the SWPPP. The individuals on the “Stormwater Team” must be identified in the SWPPP.

Storm Event – a precipitation event that results in a measurable amount of precipitation.

Threatened Species – defined in the Endangered Species Act at 16 U.S.C. 1531 as any species which is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.

Tier 2 Waters – for antidegradation purposes, pursuant to 40 CFR 131.12(a)(2), Tier 2 waters are characterized as having water quality that exceeds the levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water.

Tier 2.5 Waters – for antidegradation purposes, Tier 2.5 waters are those waters designated by States or Tribes as requiring a level of protection equal to and above that given to Tier 2 waters, but less than that given Tier 3 waters. States have special requirements for these waters.

Tier 3 Waters – for antidegradation purposes, pursuant to 40 CFR 131.12(a)(3), Tier 3 waters are identified by states as having high quality waters constituting an Outstanding National Resource Water (ONRW), such as waters of National Parks and State Parks, wildlife refuges, and waters of exceptional recreational or ecological significance.

Total Maximum Daily Loads (TMDLs) – the sum of the individual wasteload allocations (WLAs) for point sources and load allocations (LAs) for nonpoint sources and natural background. If receiving water has only one point source discharger, the TMDL is the sum of that point source WLA plus the LAs for any nonpoint sources of pollution and natural background sources, tributaries, or adjacent segments. TMDLs can be expressed in terms of either mass per time, toxicity, or other appropriate measure. (See section 303(d) of the Clean Water Act and 40 CFR 130.2 and 130.7).

Toxic Waste – see “Hazardous Materials.”

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

Upset – upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond your reasonable control. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation. See 40 CFR 122.41(n)(1).

Water Quality Impaired – see “Impaired Water.”

Water Quality Standards – defined in 40 CFR § 131.3, and are provisions of State or Federal law which consist of a designated use or uses for the waters of the United States, water quality criteria for such waters based upon such uses, and an antidegradation policy to protect high-quality waters. Water quality standards protect the public health or welfare, enhance the quality of water and serve the purposes of the Act.

Waters of the United States – see definition at 40 CFR §122.2.

A.2. ABBREVIATIONS AND ACRONYMS

AIM – Advanced Implementation Measures

BAT – Best Available Technology Economically Achievable

BOD5 – Biochemical Oxygen Demand (5-day test)

BMP – Best Management Practice

BPJ – Best Professional Judgment

CERCLA – Comprehensive Environmental Response, Compensation and Liability Act

CGP – Construction General Permit

CFR – Code of Federal Regulations

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

DMR – Discharge Monitoring Report

ELG – Effluent Limitations Guideline

EPA – U. S. Environmental Protection Agency

ESA – Endangered Species Act

FWS – U. S. Fish and Wildlife Service

LA – Load Allocations

MGD – Million Gallons per Day

MOS – Margin of Safety

MS4 – Municipal Separate Storm Sewer System

MSGP – Multi-Sector General Permit

NAICS – North American Industry Classification System

NEPA – National Environmental Policy Act

NET – NPDES eReporting Tool

NHPA – National Historic Preservation Act

NMFS – U. S. National Marine Fisheries Service

NOI – Notice of Intent

NOE – No Exposure

NOT – Notice of Termination

NPDES – National Pollutant Discharge Elimination System

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

SDS – Safety Data Sheet

SHPO – State Historic Preservation Officer

SIC – Standard Industrial Classification

SMCRA – Surface Mining Control and Reclamation Act

SPCC – Spill Prevention, Control, and Countermeasures

SWPPP – Stormwater Pollution Prevention Plan

THPO – Tribal Historic Preservation Officer

TMDL – Total Maximum Daily Load

TSDf – Treatment, Storage, or Disposal Facility

TSS – Total Suspended Solids

USGS – United States Geological Survey

WLA – Wasteload Allocation

WQS – Water Quality Standard

Appendix B - Standard Permit Conditions

Standard permit conditions in Appendix B are consistent with the general permit provisions required under 40 CFR 122.41.

B.1. Duty To Comply.

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

- A. You must comply with effluent standards or prohibitions established under section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards, even if the permit has not yet been modified to incorporate the requirement.
- B. Penalties for Violations of Permit Conditions: EPA and other federal agencies are required to adjust their maximum and minimum statutory civil penalty amounts through rulemaking by January 15 each year to account for inflation. EPA's annual rulemaking adjustments, codified in 40 C.F.R. § 19.4, are mandated by the Federal Civil Penalties Inflation Adjustment Act of 1990, as amended through the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (28 U.S.C. § 2461 note). As such, the civil penalty amounts below may change in the future due to inflation. See 40 C.F.R. § 19.4 for the most up-to-date civil penalty amounts.

1. Criminal Penalties.

- 1.1. **Negligent Violations.** The CWA provides that any person who negligently violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to criminal penalties of not less than \$2,500 nor more than \$25,000 per day of violation, or imprisonment of not more than one year, or both. In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than \$50,000 per day of violation or by imprisonment of not more than two years, or both.
- 1.2. **Knowing Violations.** The CWA provides that any person who knowingly violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a fine of not less than \$5,000 nor more than \$50,000 per day of violation, or by imprisonment for not more than 3 years, or both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than \$100,000 per day of violation, or imprisonment of not more than 6 years, or both.
- 1.3. **Knowing Endangerment.** The CWA provides that any person who knowingly violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act and who knows at that time that he or she is placing another person in imminent danger of death or serious bodily injury shall upon conviction be subject to a fine of not more than \$250,000 or by imprisonment of not more than 15 years, or both. In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than \$500,000 or by imprisonment of not more than 30 years, or both. An organization, as defined in section 309(c)(3)(B)(iii) of the Act, shall, upon conviction of violating the imminent danger provision be subject to a fine of not more than \$1,000,000 and can be fined up to \$2,000,000 for second or subsequent convictions.

- 1.4. *False Statement.* The CWA provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than 4 years, or both. The Act further provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.
2. *Civil Penalties.* The CWA provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a civil penalty not to exceed the maximum amounts authorized by Section 309(d) of the Act and the Federal Civil Penalties Inflation Adjustment Act of 1990, as amended by Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (28 U.S.C. § 2461 note), and codified at 40 CFR § 19.4.
3. *Administrative Penalties.* The CWA provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to an administrative penalty, as follows
 - 3.1 *Class I Penalty.* Not to exceed the maximum amounts authorized by Section 309(g)(2)(A) of the Act and the Federal Civil Penalties Inflation Adjustment Act of 1990 as amended by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (28 U.S.C. § 2461 note), and codified at 40 CFR § 19.4.
 - 3.2 *Class II Penalty.* Not to exceed the maximum amounts authorized by Section 309(g)(2)(B) of the Act and the Federal Civil Penalties Inflation Adjustment Act of 1990, as amended by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (28 U.S.C. § 2461 note), and codified at 40 CFR § 19.4.

B.2. Duty to Reapply.

If you wish to continue an activity regulated by this permit after the expiration date of this permit, you must apply for and obtain authorization as required by the new permit once EPA issues it.

B.3. Need to Halt or Reduce Activity Not a Defense.

It shall not be a defense for you 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.

B.4. Duty to Mitigate.

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

B.5. Proper Operation and Maintenance.

You must at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by you to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems which are installed by you only when the operation is necessary to achieve compliance with the conditions of this permit.

B.6. Permit Actions.

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

B.7. Property Rights.

This permit does not convey any property rights of any sort, or any exclusive privileges.

B.8. Duty to Provide Information.

You must furnish to EPA or an authorized representative (including an authorized contractor acting as a representative of EPA), within a reasonable time, any information which EPA may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. You must also furnish to EPA or an authorized representative upon request, copies of records required to be kept by this permit.

B.9. Inspection and Entry.

You must allow EPA or an authorized representative (including an authorized contractor acting as a representative of EPA), upon presentation of credentials and other documents as may be required by law, to:

- A. Enter upon your premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- B. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- C. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- D. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

B.10. Monitoring and Records.

- A. Samples and measurements taken for the purpose of monitoring must be representative of the volume and nature of the monitored activity.
- B. You must retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for 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 three years from the date the permit expires or the date the permittee's authorization is terminated. This period may be extended by request of EPA at any time.
- C. Records of monitoring information must include:

1. The date, exact place, and time of sampling or measurements;
 2. The individual(s) who performed the sampling or measurements;
 3. The date(s) analyses were performed
 4. The individual(s) who performed the analyses;
 5. The analytical techniques or methods used; and
 6. The results of such analyses.
- D. Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in the permit.
- E. The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than 4 years, or both.

B.11. Signatory Requirements.

- A. NOIs, NOTs, and NOEs must be signed as follows:
1. For a corporation: By a responsible corporate officer. For the purpose of this subsection, a responsible corporate officer means: (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
 2. For a partnership or sole proprietorship: By a general partner or the proprietor, respectively; or
 3. For a municipality, state, federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this subsection, a principal executive officer of a federal agency includes (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator of EPA).
- B. Your SWPPP, including changes to your SWPPP to document any corrective actions or advanced implementation measures taken as required by Part 5, and any other compliance documentation required under this permit, including the Annual Report, DMRs, and inspection reports, must be signed by a person described in Appendix B, Subsection 11.A above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

1. The authorization is made in writing by a person described in Appendix B, Subsection 11.A;
 2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position); and
 3. The signed and dated written authorization is included in the SWPPP. A copy must be submitted to EPA, if requested.
- C. All other changes to your SWPPP, and other compliance documentation required under Part 5.3, must be signed and dated by the person preparing the change or documentation.
- D. Changes to Authorization. If an authorization under this permit is no longer accurate because the industrial facility has been purchased by a different entity, a new NOI satisfying the requirements of Part 1.3 must be submitted to EPA. See Table 1-2 in Part 1.3.3 of the permit. However, if the only change that is occurring is a change in contact information or a change in the facility's address, the operator need only make a modification to the existing NOI submitted for authorization.
- E. Any person signing documents in accordance with Appendix B, Subsections 11.A or 11.B above must include the following certification:
- "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information contained therein. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information contained 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."
- F. For persons signing documents electronically, in addition to meeting other applicable requirements in Appendix I, Subsection B.11, such signatures must be legally dependable with no less evidentiary value than their paperequivalent.
- G. The CWA provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

B.12. Reporting Requirements.

- A. Planned changes. You must give notice to EPA as soon as possible, but no fewer than 30 days, of any planned physical alterations or additions to the permitted facility. Notice is required only when:
1. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b); or
 2. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under 40 CFR 122.42(a)(1).

- B. Anticipated noncompliance. You must give advance notice to EPA of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
- C. Transfers. This permit is not transferable to any person except after notice to EPA. Where a facility wants to change the name of the permittee, the original permittee (the first owner or operators) must submit a Notice of Termination pursuant to Part 1.4. The new owner or operator must submit a Notice of Intent in accordance with Part 1.3.3 and Table 1-2. See also requirements in Appendix B, Subsections 11.B and 11.D.
- D. Monitoring reports. Monitoring results must be reported at the intervals specified elsewhere in this permit.
1. Pursuant to Part 7.1, all monitoring data collected pursuant to Part 4 must be submitted to EPA using EPA's online DMR system (<http://www.epa.gov/netdmr/>).
 2. If you monitor any pollutant more frequently than required by the permit using test procedures approved under 40 CFR Part 136 or as specified in the permit, the results of this monitoring must be included in the calculation and reporting of the data submitted in the DMR.
 3. Calculations for all limitations which require averaging of measurements must use an arithmetic mean. For averaging purposes, use a value of zero for any individual sample parameter, which is determined to be less than the method detection limit. For sample values that fall between the method detection level and the quantitation limit (i.e., a confirmed detection but below the level that can be reliably quantified), use a value halfway between zero and the quantitation limit.
- E. 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.
- F. Twenty-four hour reporting.
1. You must report any noncompliance which may endanger health or the environment. Any information must be provided orally within 24 hours from the time you become aware of the circumstances. A written submission must also be provided within five days of the time you become aware of the circumstances. The written submission must contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance 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 noncompliance.
 2. The following shall be included as information which must be reported within 24 hours under this paragraph.
 - a. Any unanticipated bypass which exceeds any effluent limitation in the permit. (See 40 CFR 122.41(m)(3)(ii))
 - b. Any upset which exceeds any effluent limitation in the permit
 - c. Violation of a maximum daily discharge limit for any numeric effluent limitation. (See 40 CFR 122.44(g).)
 3. EPA may waive the written report on a case-by-case basis for reports under Appendix B, Subsection 12.F.2 if the oral report has been received within 24 hours.

- G. Other noncompliance. You must report all instances of noncompliance not reported under Appendix B, Subsections 12.D, 12.E, and 12.F, at the time monitoring reports are submitted. The reports must contain the information listed in Appendix B, Subsection 12.F.
- H. Other information. Where you become aware that you failed to submit any relevant facts in your NOI, or submitted incorrect information in your NOI or in any report to the Permitting Authority, you must promptly submit such facts or information.

B.13. Bypass.

A. Definitions.

- 1. Bypass means the intentional diversion of waste streams from any portion of a treatment facility See 40 CFR 122.41(m)(1)(i).
- 2. Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production. See 40 CFR 122.41(m)(1)(ii).

- B. Bypass not exceeding limitations. You may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Appendix B, Subsections 13.C and 13.D. See 40 CFR 122.41(m)(2).

C. Notice.

- 1. Anticipated bypass. If you know in advance of the need for a bypass, you must submit prior notice, if possible at least ten days before the date of the bypass. See 40 CFR 122.41(m)(3)(i).
- 2. Unanticipated bypass. You must submit notice of an unanticipated bypass as required in Appendix B, Subsection 12.F (24-hour notice). See 40 CFR 122.41(m)(3)(ii).

D. Prohibition of bypass. See 40 CFR 122.41(m)(4).

- 1. Bypass is prohibited, and EPA may take enforcement action against you for bypass, unless:
 - a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - c. You submitted notices as required under Appendix B, Subsection 13.C.
- 2. EPA may approve an anticipated bypass, after considering its adverse effects, if EPA determines that it will meet the three conditions listed above in Appendix B, Subsection 13.D.1.

B.14. Upset.

- A. Definition. Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond your reasonable control. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation. See 40 CFR 122.41(n)(1).
- B. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of Appendix B, Subsection 14.C are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review. See 40 CFR 122.41(n)(2).
- C. Conditions necessary for a demonstration of upset. See 40 CFR 122.41(n)(3). A permittee who wishes to establish the affirmative defense of upset must demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - 1. An upset occurred and that you can identify the cause(s) of the upset;
 - 2. The permitted facility was at the time being properly operated; and
 - 3. You submitted notice of the upset as required in Appendix B, Subsection 12.F.2.b (24 hour notice).
 - 4. You complied with any remedial measures required under Appendix B, Subsection 4.
- D. Burden of proof. In any enforcement proceeding, you, as the one seeking to establish the occurrence of an upset, have the burden of proof. See 40 CFR 122.41(n)(4).

B.15. Retention of Records.

Copies of the SWPPP and all documentation required by this permit, including records of all data used to complete the NOI to be covered by this permit, must be retained for at least three years from the date that permit coverage expires or is terminated. This period may be extended by request of EPA at any time.

B.16. Reopener Clause.

- A. Procedures for modification or revocation. Permit modification or revocation will be conducted according to 40 CFR §122.62, §122.63, §122.64 and §124.5. This includes reasons such as new information which was not available at the time of permit issuance and would have justified the application of different permit conditions at the time of issuance, including but not limited to any Reasonable and Prudent Alternatives or Reasonable and Prudent Measures developed in Endangered Species Act consultation, and/or future monitoring results.
- B. Water quality protection. If there is evidence indicating that the stormwater discharges authorized by this permit cause, have the reasonable potential to cause or contribute to an excursion above any applicable water quality standard, you may be required to obtain an individual permit, or the permit may be modified to include different limitations and/or requirements.
- C. Timing of permit modification. EPA may elect to modify the permit prior to its expiration (rather than waiting for the new permit cycle) to comply with any new statutory or regulatory requirements, such as for effluent limitation guidelines that may be promulgated in the course of the current permit cycle.

Appendix C - Areas Eligible for Permit Coverage

EPA can only provide permit coverage in these areas and for classes of discharges that are outside the scope of a state's NPDES program authorization.

C.1 EPA Region 1: Connecticut, Massachusetts, Maine, New Hampshire, Rhode Island, Vermont.

This permit offers NPDES permit coverage for stormwater discharges associated with industrial activity from the following areas in EPA Region 1:

Master Permit Number	Areas of Coverage/Where EPA Is Permitting Authority
CTR05I000	Indian Country within the State of Connecticut
MAR050000	Commonwealth of Massachusetts, except Indian country
MAR05I000	Indian country within the Commonwealth of Massachusetts
NHR050000	State of New Hampshire
RIR05I000	Indian country within the State of Rhode Island
VTR05F000	Areas in the State of Vermont subject to industrial activity by a Federal Operator

For stormwater discharges in EPA Region 1 outside the areas of coverage identified above, please contact your state NPDES permitting authority to obtain coverage under a state-issued NPDES permit.

C.2 EPA Region 2: New Jersey, New York, Puerto Rico, Virgin Islands.

This permit offers NPDES permit coverage for stormwater discharges associated with industrial activity from the following areas in EPA Region 2:

Master Permit Number	Areas of Coverage/Where EPA Is Permitting Authority
PRR050000	Commonwealth of Puerto Rico
NYR05I000	Indian country within the State of New York, except the lands of the St. Regis Mohawk Tribe

For stormwater discharges in EPA Region 2 outside the areas of coverage identified above, please contact your state NPDES permitting authority to obtain coverage under a state-issued NPDES permit.

C.3 EPA Region 3: Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia.

This permit offers NPDES permit coverage for stormwater discharges associated with industrial activity from the following areas in EPA Region 3:

Master Permit Number	Areas of Coverage/Where EPA Is Permitting Authority
DCR050000	District of Columbia
DER05F000	Areas in the State of Delaware subject to industrial activity by a Federal Operator
VAR05I000	Indian country within the State of Virginia

For stormwater discharges in EPA Region 3 outside the areas of coverage identified above, please contact your state NPDES permitting authority to obtain coverage under a state-issued NPDES permit.

C.4 EPA Region 4: Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee.

This permit offers NPDES permit coverage for stormwater discharges associated with industrial activity from the following areas in EPA Region 4:

Master Permit Number	Areas of Coverage/Where EPA Is Permitting Authority
ALR05I000	Indian country within the State of Alabama
FLR05I000	Indian country within the State of Florida (except for facilities on the Miccosukee and Seminole Tribe lands, contact EPA Region 4 for an individual permit application)
MSR05I000	Indian country within the State of Mississippi
NCR05I000	Indian country within the State of North Carolina
SCR05I000	Indian country within the State of South Carolina

For stormwater discharges in EPA Region 4 outside the areas of coverage identified above, please contact your state NPDES permitting authority to obtain coverage under a state-issued NPDES permit.

C.5 EPA Region 5: Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin.

This permit offers NPDES permit coverage for stormwater discharges associated with industrial activity from the following areas in EPA Region 5:

Master Permit Number	Areas of Coverage/Where EPA Is Permitting Authority
MIR05I000	Indian country within the State of Michigan
MNR05I000	Indian country within the State of Minnesota
WIR05I000	Indian country within the State of Wisconsin (except for facilities on Sokaogon Chippewa Community lands and Bad River Band of Lake Superior Tribe of Chippewa Indians lands, see EPA Region 5 for an individual permit application).

For stormwater discharges in EPA Region 5 outside the areas of coverage identified above, please contact your state NPDES permitting authority to obtain coverage under a state-issued NPDES permit.

C.6 EPA Region 6: Arkansas, Louisiana, Oklahoma, Texas, and New Mexico (except see Region 9 for Navajo lands, and see Region 8 for Ute Mountain Reservation lands).

This permit offers NPDES permit coverage for stormwater discharges associated with industrial activity from the following areas in EPA Region 6:

Master Permit Number	Areas of Coverage/Where EPA Is Permitting Authority
LAR05I000	Indian country within the State of Louisiana
NMR050000	The State of New Mexico, except Indian country

Master Permit Number	Areas of Coverage/Where EPA Is Permitting Authority
NMR05I000	Indian country within the State of New Mexico, except Ute Mountain Reservation lands that are covered under Colorado permit COR05I000 and Navajo Reservation lands that are covered under Arizona permit AZR05I000
OKR05I000	Indian country within the State of Oklahoma
OKR05F000	Facilities in the State of Oklahoma not under the jurisdiction of the Oklahoma Department of Environmental Quality or the Oklahoma Department of Agriculture, Food and Forestry, except those on Indian Country. EPA jurisdiction facilities include SIC Codes 1311, 1381, 1382, 1389, and 5171.
TXR05F000	Facilities in the State of Texas not under the jurisdiction of the Texas Commission on Environmental Quality, except those on Indian Country. EPA-jurisdiction facilities include SIC Codes 1311, 1321, 1381, 1382, 1389, and 5171 (other than oil field service company "home base" facilities).
TXR05I000	Indian country within the State of Texas

For stormwater discharges in EPA Region 6 outside the areas of coverage identified above, please contact your state NPDES permitting authority to obtain coverage under a state-issued NPDES permit.

C.7 EPA Region 7: Iowa, Kansas, Missouri, Nebraska (except see Region 8 for Pine Ridge Reservation Lands).

This permit offer NPDES permit coverage for stormwater discharges associated with industrial activity from the following areas in EPA Region 7:

Master Permit Number	Areas of Coverage/Where EPA Is Permitting Authority
IAR05I000	Indian country within the State of Iowa
KSR05I000	Indian country within the State of Kansas
NER05I000	Indian country within the State of Nebraska, except Pine Ridge Reservation lands (see Region 8)

For stormwater discharges in EPA Region 7 outside the areas of coverage identified above, please contact your state NPDES permitting authority to obtain coverage under a state-issued NPDES permit.

C.8 EPA Region 8: Colorado, Montana, North Dakota, South Dakota, Wyoming, Utah (except see Region 9 for Goshute Reservation and Navajo Reservation Lands), the Ute Mountain Reservation in NM, and the Pine Ridge Reservation in NE.

This permit offers NPDES permit coverage for stormwater discharges associated with industrial activity from the following areas in EPA Region 8:

Master Permit Number	Areas of Coverage/Where EPA Is Permitting Authority
COR05F000	Areas in the State of Colorado, except those located on Indian country, subject to industrial activity by a Federal Operator

Master Permit Number	Areas of Coverage/Where EPA Is Permitting Authority
COR05I000	Indian country within the State of Colorado, as well as the portion of the Ute Mountain Reservation located in New Mexico
MTR05I000	Indian country within the State of Montana
NDR05I000	Indian country within the State of North Dakota, as well as that portion of the Standing Rock Reservation located in South Dakota (except for the portion of the lands within the former boundaries of the Lake Traverse Reservation, which is covered under South Dakota permit SDR05I000 listed below)
SDR05I000	Indian country within the State of South Dakota, as well as the portion of the Pine Ridge Reservation located in Nebraska and the portion of the lands within the former boundaries of the Lake Traverse Reservation located in North Dakota (except for the Standing Rock Reservation, which is covered under North Dakota permit NDR05I000 listed above)
UTR05I000	Indian country within the State of Utah, except Goshute and Navajo Reservation lands (see Region 9)
WYR05I000	Indian country within the State of Wyoming

For stormwater discharges in EPA Region 8 outside the areas of coverage identified above, please contact your state NPDES permitting authority to obtain coverage under a state-issued NPDES permit.

C.9 EPA Region 9: California, Hawaii, Nevada, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Confederated Tribes of the Goshute Reservation in Utah and Nevada, Indian Country within the State of Arizona including the Navajo Reservation in Utah and New Mexico and Arizona, the Duck Valley Reservation in Idaho, and the Fort McDermitt Reservation in Oregon.

This permit offers NPDES permit coverage for stormwater discharges associated with industrial activity from the following areas in EPA Region 9:

Master Permit Number	Areas of Coverage/Where EPA Is Permitting Authority
ASR050000	American Samoa
AZR05I000	Indian country within the State of Arizona, including Navajo Reservation lands in New Mexico and Utah
CAR05I000	Indian country within the State of California (facilities on the Hoopa Valley Reservation must contact EPA Region 9 for an individual permit)
GUR050000	Island of Guam
JAR050000	Johnston Atoll
MWR050000	Midway Island and Wake Island
MPR050000	Commonwealth of the Northern Mariana Islands
NVR05I000	Indian country within the State of Nevada, including the Duck Valley Reservation in Idaho, the Fort McDermitt Reservation in Oregon and the Confederated Tribes of the Goshute Reservation in Utah

For stormwater discharges in EPA Region 9 outside the areas of coverage identified above, please contact your state NPDES permitting authority to obtain coverage under a state-issued NPDES permit.

C.10 Region 10: Alaska, Idaho (except see Region 9 for Duck Valley Reservation lands), Oregon (except see Region 9 for Fort McDermitt Reservation), Washington.

This permit offers NPDES permit coverage for stormwater discharges associated with industrial activity from the following areas in EPA Region 10:

Master Permit Number	Areas of Coverage/Where EPA Is Permitting Authority
AKR05F000	Denali National Park and Preserve
AKR05I000	Indian country lands as defined in 18 U.S.C. 1151 within the State of Alaska
IDR050000	The State of Idaho, except Indian country lands
IDR05I000	Indian country lands within the State of Idaho, except Duck Valley Reservation lands, which are covered under Nevada permit NVR05I000
ORR05I000	Indian country lands within the State of Oregon, except Fort McDermitt Reservation lands, which are covered under Nevada permit NVR05I000
WAR05I000	Indian country lands within the State of Washington (facilities on the Swinomish Reservation must contact EPA Region 10 for an individual permit)
WAR05F000	Areas in the State of Washington, except those located on Indian country lands, subject to industrial activity by a Federal Operator

For stormwater discharges in EPA Region 10 outside the areas of coverage identified above, please contact your state NPDES permitting authority to obtain coverage under a state-issued NPDES permit.

Appendix D - Facilities and Activities Covered

Your permit eligibility is limited to discharges from facilities in the “sectors” of industrial activity summarized in Table D-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 D-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 W)
	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
	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 Glass

Table D-1. Sectors of Industrial Activity Covered by This Permit		
Subsector (May be subject to more than one)	SIC Code or Activity Code¹	Activity Represented
C5	2833-2836	Medicinal Chemicals and Botanical Products; Pharmaceutical Preparations; in vitro and in vivo Diagnostic Substances; and Biological Products, Except Diagnostic Substances
	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
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

Table D-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 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		
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
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

Table D-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 N: SCRAP RECYCLING FACILITIES		
N1	5093	Scrap Recycling and Waste Recycling Facilities except Source-Separated Recycling
N2	5093	Source-separated Recycling Facility
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	4412-4499	Water Transportation Facilities
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
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

Table D-1. Sectors of Industrial Activity Covered by This Permit		
Subsector (May be subject to more than one)	SIC Code or Activity Code¹	Activity Represented
	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 Products
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 Finished 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 Precious Metal
	3991-3999	Miscellaneous Manufacturing Industries

Table D-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 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
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, Watches, and Clocks
	3612-3699	Electronic and Electrical Equipment and Components, Except Computer Equipment
SECTOR AD: NON-CLASSIFIED FACILITIES		
AD1	Other stormwater discharges designated by the Director 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 Director may assign a facility to Sector AD.	

¹ A complete list of SIC Codes (and conversions from the newer North American Industry Classification System" (NAICS)) can be obtained from the Internet at www.census.gov/epcd/www/naics.html or in paper form from various locations in the document titled *Handbook of Standard Industrial Classifications*, Office of Management and Budget, 1987.

Appendix E - Procedures Relating to Endangered Species Protection

E.1 Assessing the Effects of Your Discharges and Discharge-Related Activities

In accordance with Part 1.1.4, you must follow the procedures in this appendix to determine which of the eligibility criteria (i.e., criterion A - E) you qualify under, if any, with respect to the protection of threatened or endangered species listed, and "critical habitat" designated, under the federal Endangered Species Act (ESA). If you do not meet one of these criteria, you are not eligible for coverage under this permit.

The procedures in this appendix will help you assess the potential effects of applicable stormwater discharges, discharge-related activities, and authorized non-stormwater discharges on federally listed threatened and endangered species and their designated critical habitat. In accordance with Part 6.2.6.1 of this permit, you must keep any documentation that supports your eligibility criteria determination, including the completed [Criterion Selection Worksheet](#) in Part E.4 of this appendix, with your Stormwater Pollution Prevention Plan (SWPPP).

You must complete your eligibility determination outlined in the Endangered Species Protection section of the Notice of Intent (NOI) in the NPDES eReporting Tool (NeT-MSGP) and provide all information as required on your NOI that supports the Part 1.1.4 eligibility criterion you qualify under. Note that if you have determined that you may be eligible under Criterion C3 or Criterion F, you must complete additional questions in the Endangered Species Protection section of the NOI in NeT-MSGP, unless the EPA Regional Office grants you a waiver from electronic reporting, in which case you must submit a completed [Criterion C3 Eligibility Form](#) to EPA a minimum of 30 days prior to submitting your NOI for permit coverage.

While coordination between you and the U.S. Fish and Wildlife Service (USFWS) and/or the National Marine Fisheries Service (NMFS)(together, the "Services") is not necessarily required in all cases, EPA encourages you to coordinate with the Services, to document that coordination, and to do so early in the planning process prior to submitting your NOI.

When evaluating the potential effects of your activities, you must consider effects to listed species or critical habitats within the "action area" of your industrial activity, as identified by the [USFWS IPaC](#) and/or the [NOAA Species Directory](#) (see Part E.4 of this appendix). Action area is defined in Appendix A of the MSGP and below:

Action Area – all areas to be affected directly or indirectly by the federal action and not merely the immediate area involved in the action. See 50 CFR 402. For the purposes of this permit and for application of Endangered Species Act requirements, the following areas are included in the definition of action area:

- The areas where stormwater discharges originate and flow from the industrial facility to the point of discharge into receiving waters. (Example: Where stormwater flows into a ditch, swale, or gully that leads to receiving waters and where listed species (such as listed amphibians) are found in the ditch, swale, or gully.)
- The areas where stormwater from industrial activities discharge into receiving waters and the areas in the immediate vicinity of the point of discharge. (Example: Where stormwater from industrial activities discharges into a stream segment that is known to harbor listed aquatic species.)

- The areas where stormwater controls will be constructed and operated, including any areas where stormwater flows to and from the stormwater controls. (Example: Where a stormwater retention pond would be built.)
- The areas upstream and/or downstream from the stormwater discharge into a stream segment that may be affected by these discharges. (Example: Where sediment discharged to a receiving stream settles downstream and impacts a breeding area of a listed aquatic species.)

E.2 Eligibility Criterion

As required by Part 1.1.4, you must certify in your NOI that you meet one of the following criteria (A - E) to be eligible for coverage under the permit. Once you determine the applicable eligibility criterion, you must:

- Specify the basis for your selection of the applicable eligibility criterion, and if required, provide documentation that is the basis for your determination with the NOI form; and
- Provide documentation in your SWPPP that is sufficient to support your determination that you satisfy the requirements of the applicable criterion.

NOTE: You must use the information from the [USFWS IPaC](#) and [NOAA Species Directory](#) (see Part E.4 of this appendix, Step 2 and 3) when determining the presence of ESA listed species and critical habitat. Attaching aerial image(s) of the site to this NOI is helpful to EPA, USFWS, and NMFS in confirming eligibility under this criterion. Please Note: NMFS' jurisdiction includes ESA-listed marine and estuarine species that spawn in inland rivers.

Criterion A. No ESA-listed species and/or critical habitat present in action area. No ESA-listed species and designated critical habitat(s) are likely to occur in your facility's "action area" as defined in Appendix A. You must provide a description below of the basis for selecting this criterion and provide documentation supporting your eligibility determination in your SWPPP.

Basis statement content: A basis statement supporting the selection of this criterion must identify the USFWS and NMFS information sources used. State resources are not acceptable. Attaching aerial image(s) of the site to this NOI is helpful to EPA, USFWS, and NMFS in confirming eligibility under this criterion. Note that NMFS' jurisdiction includes ESA-listed marine and estuarine species that spawn in inland rivers.

Criterion B. Eligibility requirements met by another operator under the 2021 MSGP. Your industrial activity's discharges and discharge-related activities were already addressed in another operator's valid certification of eligibility for your "action area" under eligibility criteria A, C, D, or E of the 2021 MSGP and you have confirmed that no additional ESA-listed species and designated critical habitat not considered in that certification may be present or located in the "action area" (e.g., due to a new species listing or critical habitat designation). To certify your eligibility under this criterion, there must be no lapse of NPDES permit coverage in the other 2021 MSGP operator's certification. By certifying eligibility under this criterion, you must comply with any conditions upon which the other operator's certification was based. You must include in your NOI the NPDES ID assigned to the other 2021 MSGP operator's authorization under this permit. If your certification is based on another 2021 MSGP operator's certification under

criterion C, you must provide EPA with the relevant supporting information required (i.e., permit tracking number, industrial activity SWPPP, a description of the basis for the criterion selected) in your NOI form.

Basis statement content: A basis statement supporting the selection of this criterion must identify the eligibility criterion of the other MSGP NOI, the authorization date, and confirmation that the authorization is effective.

Criterion C1. Facility eligible for Criterion C in the 2015 MSGP with NO CHANGE to listed species, critical habitat, or action area. Your facility was eligible for Criterion C in the 2015 MSGP and there has been no change in your facility's action area and you have confirmed that there are no additional threatened or endangered species or designated critical habitat listed by USFWS and/or NMFS in your action area since your certification under Criterion C in the 2015 MSGP. You must provide a description of the basis of this criterion selected on your NOI form and provide documentation supporting your eligibility determination in your SWPPP.

Basis statement content: A basis statement supporting the selection of this criterion must provide the USFWS and/or NMFS resources consulted that helped you determine that there are no additional and/or critical habitat listed by under the jurisdiction of the Services in your action area.

Criterion C2. Facility eligible for Criterion C in the 2015 MSGP with CHANGES to listed species, critical habitat, or action area. Your facility was eligible for Criterion C in the 2015 MSGP, but there have been changes in your facility's action area, and/or additional threatened or endangered species and/or designated critical habitat have been listed by USFWS and/or NMFS in your action area since your certification under Criterion C under the 2015 MSGP. You must provide a description of the basis of this criterion selected on your NOI form and provide documentation supporting your eligibility determination in your SWPPP. You must submit your completed Criterion C2 Eligibility information at the same time that you submit your NOI, which will be held for 30 additional days prior to the standard 30-day review for all NOIs.

Basis statement content: A basis statement supporting the selection of this criterion must identify the following:

1. A description of the changes in the facility's action area (if applicable).
2. The USFWS and/or NMFS resources consulted that helped you determine that additional species and/or critical habitat have been listed/designated by either of the Services in your action area.
3. What ESA-listed species and/or designated critical habitat are located in your "action area".
4. Distance in miles between your site and the ESA-listed species and/or designated critical habitat within the action area (in miles, or state "on site" if the ESA-listed species and/or designated critical habitat is within the area to be disturbed).

5. A description of EPA approved measures you will implement or will continue to implement to ensure no likely adverse effects on ESA-listed species and/or critical habitat.

Criterion C3. ESA-listed species and/or designated critical habitat likely to occur, but discharges not likely to adversely affect them. ESA-listed threatened or endangered species or their designated critical habitat(s) under the jurisdiction of USFWS and/or NMFS are likely to occur in or near your facility's "action area," and you certify to EPA that your industrial activity's discharges and discharge-related activities are not likely to adversely affect ESA-listed and/or critical habitat. To certify your eligibility under this criterion, you must complete the Criterion C3 Eligibility Form, which you must complete additional questions in the Endangered Species Protection section of the NOI in NeT-MSGP, unless the EPA Regional Office grants you a waiver from electronic reporting, in which case you must submit to EPA at least 30 days prior to filing your NOI for permit coverage. After evaluation of your Criterion C3 Eligibility Form, EPA may require additional measures that you must implement to avoid or eliminate likely adverse effects on ESA-listed species and/or critical habitat from discharges and discharge-related activities. You must submit your completed Criterion C3 Eligibility information at the same time that you submit your NOI, which will be held for 30 additional days prior to the standard 30-day review for all NOIs. You must also provide a description of the basis for the criterion you selected on your NOI form and provide documentation supporting your eligibility determination in your SWPPP.

Basis statement content: A basis statement supporting the selection of this criterion must identify the following:

1. The USFWS and NMFS information resources and expertise (e.g., state or federal biologists) used to arrive at this conclusion. Any supporting documentation should explicitly state that both ESA-listed species and designated critical habitat under the jurisdiction of the USFWS and/or NMFS were considered in the evaluation.
2. What ESA-listed species and/or designated critical habitat are located in your "action area".
3. Distance in miles between your site and the ESA-listed species and/or designated critical habitat within the action area (in miles, or state "on site" if the ESA-listed species and/or designated critical habitat is within the area to be disturbed).
4. A description of EPA approved measures you will implement to ensure no likely adverse effects on ESA-listed species and/or critical habitat.
5. A statement affirming that "I agree to implement any additional measures that were determined by EPA to be necessary to ensure that my discharges and/or discharge-related activities will not have likely adverse effects on listed species and critical habitat."
6. If the EPA Regional Office granted you a waiver from electronic reporting, date you sent completed Criterion C3 Eligibility form to EPA.

Criterion D. ESA Section 7 consultation has successfully concluded. Consultation between a Federal Agency and the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service under section 7 of the Endangered Species Act has concluded. The consultation must have addressed the effects of the facility's discharges and discharge-related activities on ESA-listed species and/or designated critical habitat under the jurisdiction of USFWS and/or NMFS. To certify eligibility under this criterion, indicate the result of the consultation:

- i. A biological opinion and/or conference opinion that concludes that the action in question (taking into account the effects of your facility's discharges and discharge-related activities) is not likely to jeopardize the continued existence of ESA-listed species, or result in the destruction or adverse modification of designated critical habitat; or
- ii. Written concurrence from the applicable Service(s) with a finding that your facility's discharges and discharge-related activities are not likely to adversely affect ESA-listed species or designated critical habitat.

You must verify that the consultation does not warrant reinitiation under 50 CFR §402.16. If reinitiation of consultation is required, in order to be eligible under this criterion you must ensure consultation is reinitiated and the result of the consultation must be consistent with Criterion D (i), or (ii) above.

If eligible under Criterion D, you must also provide supporting documentation for your determination in your NOI and SWPPP, including the Biological Opinion (or ECO tracking number) or concurrence letter. You must include copies of the correspondence between yourself and the USFWS and/or NMFS in your SWPPP and your NOI.

Basis statement content: A basis statement supporting the selection of this criterion should identify the federal action agency(ies) involved, the field office/regional office(s) providing that consultation, any tracking numbers of identifiers associated with that consultation (e.g., IPaC number, ECO number), and the date the consultation was completed.

Criterion E. Issuance of section 10 permit. Potential take is authorized through the issuance of a permit under section 10 of the ESA by the USFWS and/or NMFS, and this authorization addresses the effects of the facility's discharges and discharge-related activities on ESA-listed species and designated critical habitat. You must include copies of the correspondence between yourself and the participating agencies in your SWPPP and your NOI.

Basis statement content: A basis statement supporting the selection of this criterion should identify whether USFWS or NMFS or both agencies provided a section 10 permit, the field office/regional office(s) providing permit(s), any tracking numbers of identifiers associated with that consultation (e.g., IPaC number, ECO number), and the date the permit was granted.

E.3 Eligibility Compliance

You must comply with any measures that formed the basis of your eligibility determination in Part 1.1.4 for the duration of your coverage under the MSGP in order to maintain your eligibility for coverage under the permit. These measures become permit requirements per Part 2.3. Documentation of these measures must be kept as part of your SWPPP (see Part 6.2.6.1).

E.4 Criterion Selection Worksheet

Instructions:

You must follow the step-by-step instructions in this worksheet in order to determine your eligibility under the Part 1.1.4. Alternatively, if you prefer to use a Biological Evaluation (or its equivalent) in making a determination of your eligibility, you should ensure all of the information requested below for the criterion you are selecting is fully addressed in the document and provided. You must attach this completed document or Biological Evaluation (or equivalent) to your SWPPP to support your Part 1.1.4 eligibility determination.

You may need the following information in order to determine your eligibility:

- 1) Your facility's draft Stormwater Pollution Prevention Plan (SWPPP), including information on receiving waters.
- 2) Any additional site-specific information related to your facility's discharges and discharge-related activities, such as the geographic location.
- 3) The list(s) of threatened and endangered species and/or any designated critical habitat in your action area, as acquired from the Fish and Wildlife Service and/or the National Marine Fisheries Service. Directions on how to acquire species lists is described in a subsequent section below.

Note that much of the information needed to complete this worksheet is also needed in order to prepare your NOI for permit coverage and is information that is part of your SWPPP. You may copy and paste any information that is already required and completed in your SWPPP into this worksheet. *(You may also decide to make minor changes or additions to your SWPPP while filling out the worksheet for clarification purposes or to address any concerns that are identified below.)*

STEP 1: DETERMINE IF YOU MEET THE ELIGIBILITY REQUIREMENTS OF CRITERION B, D, or E.

- I. You should first determine whether you are eligible under criterion B (because another operator has accounted for your action area in their valid certification of eligibility under the 2021 MSGP), criterion D (because of a previously completed ESA section 7 consultation), or criterion E (because of a previously issued ESA section 10 permit).
- II. If you determine that your facility does not meet criterion B, D, or E (e.g., due to difference in action area described, lack of analysis of appropriate effects, new listings or designation of critical habitat), proceed to [Step 2](#) below.

Criterion B Eligibility Requirements

If your industrial activities were already addressed in another operator's valid certification of eligibility under the current 2021 MSGP, you may be eligible for coverage under criterion B. In order to be eligible for coverage under criterion B, you must confirm that **all** three of the following are true:

- You have confirmed that the other operator's certification of eligibility accounted for your action area and that the eligibility determination was valid.
- There has been no lapse of NPDES permit coverage in the other operator's certification.

- You will comply with all measures that formed the basis of the other operator's valid certification of eligibility. Provide the operator's NPDES permit number and list any measures that you must comply with in the box below (or enter "N/A" if none exist):

- **If all three of the above are true, you may select criterion B on your NOI.** You must include in your NOI the NPDES ID assigned to the other operator's authorization under this permit, and a description of the basis for the criterion selected on your NOI form, including the eligibility criterion selected in the other operator's NOI. You must include this completed Worksheet in your SWPPP.
- **If any of the above are not true, you may not select criterion B and must proceed to [Step 2](#).** For example, if there are any listed species in your action area that were not addressed in the other operator's certification, you are not eligible under criterion B.

Criterion D Eligibility Requirements

If consultation under section 7 of the ESA has concluded, you may be eligible for coverage under criterion D. In order to be eligible for coverage under criterion D, you must confirm that **all** two of the following are true:

- A consultation between a federal agency and the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service under section 7 of the ESA has concluded. Consultations can be either formal or informal, and would have occurred only as a result of a separate federal action (e.g., during application for an individual wastewater discharge permit or the issuance of a wetlands dredge and fill permit), and the consultation must have addressed the effects of your industrial activity's discharges and discharge-related activities on all ESA-listed threatened or endangered species and all designated critical habitat in your action area. The result of this consultation must be either:
 - i. A biological opinion currently in effect that concludes that the action in question (taking into account the effects of your facility's discharges and discharge-related activities) is not likely to jeopardize the continued existence of listed species or result in the destruction or adverse modification of critical habitat. The biological opinion must have included the effects of your facility's discharges¹ and discharge-related activities on all the listed species and designated critical habitat in your action area. To be eligible under (i), any

¹ Effects of discharge includes, but is not limited to, the analysis of the hydrological, chemical, and biological effects of the discharge on listed species, their prey, and their habitat, as well as critical habitat, where designated. For example, the effects analysis would have evaluated whether the various pollutants in the discharge (e.g., TSS, metals) would adversely affect listed species through exposure to the pollutants, or to their prey or habitat. Effects that look only at short-term effects unrelated to the stormwater discharge effects to listed species are not sufficient for these purposes.

reasonable and prudent measures specified in the incidental take statement must be implemented;

- ii. Written concurrence (e.g., letter of concurrence) from the applicable Service(s) with a finding that your facility's discharges and discharge-related activities are not likely to adversely affect ESA-listed species and/or designated critical habitat. The concurrence letter must have included the effects of your facility's discharges and discharge-related activities on all the ESA-listed species and/or designated critical habitat on your species list(s) acquired from the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service as part of this worksheet.
- The consultation does not warrant reinitiation under 50 CFR §402.16; or, if reinitiation of consultation is required (e.g., due to a new species listing or critical habitat designation; new information), you have reinitiated the consultation and the result of the consultation is consistent with the statements above. Attach a copy of any reinitiation documentation from the Services or other consulting federal agency.
- **If both of the above are true, you may select criterion D on your NOI.** You must also provide a description of the basis for the criterion selected on your NOI form and you must include this completed worksheet in your SWPPP. In both your SWPPP and NOI you must also provide the Biological Opinion (or ECO tracking number) or concurrence letter and any other documentation supporting your eligibility determination.
 - **If any of the above are not true, you may not select criterion D and must proceed to [Step 2](#).** For example, if the biological opinion or written concurrence did not include the effects of the discharge or discharge-related activities as described above (e.g., the previous consultation covered some but not all of the species or critical habitat in your action area as shown on your species list), or if the consultation is no longer valid (e.g., due to new species listings), you are not eligible under criterion D.

Criterion E Eligibility Requirements

If your industrial activities are the subject of a permit under section 10 of the ESA, and this authorization addresses the effects of your facility's discharges and discharge-related activities on ESA-listed species and designated critical habitat in your action area, you may be eligible for coverage under criterion E. In order to be eligible for coverage under criterion E, you must confirm that the following is true:

- A permit has been issued under section 10 of the ESA. The permit authorization specifically addresses the effects of your facility's discharges and discharge-related activities (if applicable) on all federally-listed species and designated critical habitat in your action area.
- **If the above is true, you may select criterion E on your NOI.** You must also provide a description of the basis for the criterion selected on your NOI form and must include this completed worksheet in your SWPPP. In both your SWPPP and your NOI you must provide a copy of the section 10 permit issued by the Services.
 - **If the above is not true, you may not select criterion E and must proceed to [Step 2](#).** For example, if a permit has been issued under section 10 of the ESA, but the permit authorization did not address the effects of your facility's discharges and/or discharge-related activities on all federally-listed species and designated critical

habitat in your action area, you are not eligible under criterion E, but you should attach a copy of the permit to the SWPPP for reference.

E.5 STEP 2: DETERMINE THE EXTENT OF YOUR ACTION AREA

You must determine whether species listed as either threatened or endangered, or their critical habitat(s) are located in your facility's [action area](#) (i.e., all areas to be affected directly or indirectly by the federal action and not merely the immediate area involved in the action, including areas beyond the footprint of the facility that are likely to be affected by stormwater discharges, discharge-related activities, and authorized non-stormwater discharges). Consider the following in determining the action area for your facility:

- Discharges of pollutants into downstream areas can expand the action area well beyond the footprint of your facility and the discharge point(s). Take into account the controls you will be implementing to minimize pollutants and the receiving waterbody characteristics (e.g., perennial, intermittent, ephemeral) in determining the extent of physical, chemical, and/or biotic effects of the discharges. All receiving waterbodies that could receive pollutants from your facility must be included in your action area.
- Discharge-related activities must also be accounted for in determining your action area. Discharge-related activities are any activities that cause, contribute to, or result in stormwater and authorized non-stormwater point source discharges, and measures such as the siting, construction, and operation of stormwater controls to control, reduce, or prevent pollutants from being discharged. For example, any new or modified stormwater controls that will have noise or other similar effects, and any disturbances associated with construction of controls, are part of your action area.

If you have any questions about determining the extent of your action area, you may contact EPA or the Services for assistance. <https://www.epa.gov/npdcs/contact-us-stormwater#regional>

You must include a **map and a written description** of the action area of your facility in [Attachment 1](#) of this appendix. You may choose to include the map that is generated from the FWS' on-line mapping tool IPaC (the *Information, Planning, and Consultation System*) located at <http://ecos.fws.gov/ipac/> (see [Step 3](#) for information about using this tool).

You must proceed to [Step 3](#) below.

E.6 STEP 3: DETERMINE IF LISTED THREATENED OR ENDANGERED SPECIES AND/OR CRITICAL HABITAT ARE PRESENT IN YOUR ACTION AREA.

You must determine whether species listed as either threatened or endangered under the Endangered Species Act, and/or their designated critical habitat(s) (as defined in Appendix A), are located in your facility's action area. ESA listed species and designated critical habitat are under the purview of the National Marine Fisheries Service (NMFS) and the U.S. Fish and Wildlife Service (USFWS), and in many cases, you will need to acquire species and critical habitat lists from both Services.

- For NMFS species and critical habitat information, use the following webpages, which provide up-to-date information on listed species (<https://www.fisheries.noaa.gov/species-directory/threatened-endangered>) and critical habitat <https://www.fisheries.noaa.gov/national/endangered-species-conservation/critical-habitat>. To determine the field office that corresponds to your facility, go to <https://www.fisheries.noaa.gov/regions>. Choose the Region where the project is based from the left-hand column and the office from the About Us on the right-hand column.

If the action area includes coastal waters or waters used by species that migrate between fresh and salt waters (e.g., salmon, sturgeon), you must obtain a species list from NMFS field office.

- For FWS species information, use the on-line mapping tool IPaC (the *Information, Planning, and Consultation System*) located at <http://ecos.fws.gov/ipac/>, and follow these steps:
 - *Select Get Started.*
 - **Search or zoom to find your location:** Use an address, city name or other location to find your facility then use the zoom in/out feature to see the entire extent of your action area on the screen..
 - **Define you action area:** Use one of the mapping features (e.g., sketch, polygon or line drawing tool) to draw your entire action area.
 - For the aquatic portion of your action area, trace the waterbody(ies) with the tool to characterize your action area.
 - If your proposal will include any upland activities (i.e., discharge-related activities), or if there is some aspect of your discharge that would potentially result in effects to terrestrial species, include the corresponding upland areas within your action area.
 - When you are done, go to confirm and press *Continue*.
 - *Select Define Project* to request an Official Species List
 - Complete the fields on the Official Species List Request page and include "(MSGP)" at the end of the project description.
 - For Classification, select "Water Quality Modification".
 - Select the appropriate requesting agency/organization type (for most operators, this should be "Other").
 - Submit the request to acquire an Official Species List, which should show both listed species as well as any designated critical habitat that are present in the action area in the previous step.
 - *Note: If a link to an Official Species List is not available on the page, follow the web link of the office(s) indicated, or contact the office directly by mail or phone if a web link is not shown.*

The principle authority for critical habitat designations and associated requirements is found at [50 CFR Parts 17](#) and [226](#).

Attach a copy of the species and critical habitat list(s) from the Service(s) to [Attachment 2](#) of this appendix and use the list(s) to complete the rest of this worksheet. For FWS species, include the full printout from your IPaC query/Official Species List in Attachment 2. You can include the map from your IPaC query in Attachment 1. For NMFS species, include the full printout from the Species Directory with the correct Region selected.

If after following the steps you have determined that there are no listed species and/or designated critical habitat in your action area, you may be eligible for coverage under [criterion A](#).

If you have determined that there are or may be listed species and/or designated critical habitat in your action area, you are not eligible under criterion A and must proceed to [Step 4](#) below.

Criterion A Eligibility Requirements

In order to be eligible for coverage under criterion A, you must confirm that the following is true:

I have confirmed there to be no ESA-listed species and no critical habitat in my action area.

- **If the above is true, you may select criterion A on your NOI form.** You must also provide a description of the basis for the criterion selected on your NOI form. You must include this completed worksheet in your SWPPP. *Note: If your Official Species List from the USFWS indicated no species or critical habitat were present in your action area, include the full consultation tracking code at the top of your Official Species List in your NOI in the basis statement for Criterion A. If an Official Species List was not available on IPaC, list the contact date and name of the Service staff with whom you corresponded to verify no USFWS species or critical habitat were present in your action area.*
- If the above is not true, you may not select criterion A and must proceed to [Step 4](#) to determine if you can become eligible under criterion C.

Note: For existing dischargers that have previously obtained coverage under criterion A, you must verify whether ESA-protected species and/or critical habitat are expected to exist in your action area, as described above. Please note that if you now find that your action area overlaps with ESA-protected species or critical habitat, you must proceed to Step 4.

STEP 4: DETERMINE IF YOUR INDUSTRIAL FACILITY'S DISCHARGES OR DISCHARGE-RELATED ACTIVITIES ARE LIKELY TO ADVERSELY AFFECT LISTED THREATENED OR ENDANGERED SPECIES OR DESIGNATED CRITICAL HABITAT AND ANY MEASURES THAT MUST BE IMPLEMENTED TO AVOID ADVERSE EFFECTS

If in Step 3 you determined that listed species and/or designated critical habitat could exist in your action area, you must next assess whether your discharges and discharge-related activities are likely to adversely affect ESA-listed threatened or endangered species or designated critical habitat, and whether any additional measures are necessary to ensure no likely adverse effects. In order to make a determination of your facility's likelihood of adverse effects, you must complete additional questions in the Endangered Species Protection section of the NOI in NeT-MSGP, unless the EPA Regional Office grants you a waiver from electronic reporting, in which case you must complete the attached [Criterion C3 Eligibility Form](#) and must submit this form to EPA a minimum of 30 days prior to filing your NOI for permit coverage. After you submit your NOI containing Criterion C3 information or your [Criterion C3 Eligibility Form](#), you may be contacted by EPA with additional measures that you must implement in order to ensure your eligibility under criterion C3.

Criterion C3 Eligibility Form

Instructions:

In order to be eligible for coverage under criterion C3, **you must complete the Endangered Species Protection section of the Notice of Intent in the NPDES eReporting Tool (NeT-MSGP)**. Per Part 7.1, you must submit your NOI electronically via NeT-MSGP, unless the EPA Regional Office grants you a waiver from electronic reporting, in which case you may use this paper Criterion C3 form. If using the paper form, you must complete the following form and you must submit it to EPA following the instructions in Section VII a **minimum of 30 days prior to filing your NOI for permit coverage**. After you submit your form, you may be contacted by EPA with additional measures (e.g., additional stormwater controls or modifications to your discharge-related activities) that you must implement in order to ensure your eligibility under criterion C3.

If after completing this worksheet you cannot make a determination that your discharges and discharge-related activities are not likely to adversely affect ESA listed threatened or endangered species or designated critical habitat, you must submit this completed worksheet to EPA, and you may not file your NOI for permit coverage until you receive a determination from EPA that your discharges and/or discharge-related activities are not likely to adversely affect ESA-protected species and critical habitat.

Note: Much of the information needed for this form can be obtained from your draft SWPPP which will be needed when you file your NOI.

SECTION I. OPERATOR, FACILITY, AND SITE LOCATION INFORMATION.

1) Operator Information

a) Operator Name: _____

b) Point of Contact

First Name: _____ Last Name: _____

Phone Number: _____

E-mail: _____

2) Facility Information

a) Facility Name: _____

b) Check which of the following applies:

- I am seeking coverage under the MSGP as a new discharger or as a new source
- I am seeking coverage under the MSGP as an existing discharger and my facility has modifications to its discharge characteristics (e.g., changes in discharge flow or area drained, different pollutants) and/or discharge-related activities (e.g., stormwater controls)

Indicate the number of years the facility has been in operation: _____ years

Provide your NPDES ID (i.e., permit tracking number) from your previous MSGP coverage: _____

- I am seeking coverage under the MSGP as an existing discharger and there are no modifications to my facility.

Indicate the number of year(s) the facility has been in operation: _____year(s)

Provide your NPDES ID (i.e., permit tracking number) from your previous MSGP coverage: _____

c) Facility Address:

Address 1: _____

Address 2: _____

City: _____ State: _____ Zip Code: _____

d) Identify the primary industrial sector to be covered under the 2021 MSGP:

SIC Code _____ or Primary Activity Code _____

Sector _____ and Subsector _____

e) Identify the sectors of any co-located activities to be covered under the 2021 MSGP:

Sector _____ Subsector _____

Sector _____ Subsector _____

Sector _____ Subsector _____

Sector _____ Subsector _____

Sector _____ Subsector _____

Sector _____ Subsector _____

f) Estimated area of industrial activity exposed to stormwater: _____ acres

g) Provide a general description of the industrial activities that are taking place at this facility:

3) Receiving Waters Information

List all the stormwater outfalls from your facility.				For each outfall, provide the following receiving water information:	
Discharge Point ID	Design Capacity (if known)	Latitude (decimal degrees)	Longitude (decimal degrees)	Name of the receiving water that receives stormwater from the discharge point and/or from the MS4 that the discharge point discharges to	Type of Waterbody (e.g., lake, pond, river/stream/creek, estuarine/marine water)
		----.----	----.----		
		----.----	----.----		
		----.----	----.----		
		----.----	----.----		
		----.----	----.----		

SECTION II. ACTION AREA

As required in [Step 2 of Section E.4 of Appendix E](#), You must include a map and a written description of the action area of your facility in Attachment 1 of this appendix.

SECTION III. LISTED SPECIES AND CRITICAL HABITAT LIST

As required in [Step 3 of Section E.4 of Appendix E](#), attach a copy of the species and critical habitat list(s) from the Service(s) to [Attachment 2](#) of this appendix and use the list(s) to complete the rest of this worksheet. For FWS species, include the full printout from your IPaC query/Official Species List in Attachment 2. You can include the map from your IPaC query in Attachment 1.

Note: For the purposes of this permit, "terrestrial species" would not include animal or plant species that 1) spends any portion of its life cycle in a waterbody or wetland, or 2) if an animal, depends on prey or habitat that occurs in a waterbody or wetland. For example, shorebirds, wading birds, amphibians, and certain reptiles would not be considered terrestrial species under this definition. Please also be aware that some terrestrial animals (e.g., certain insects, amphibians) may have an aquatic egg or larval/juvenile phase.

Review your species list in Attachment 2, choose one of the following three statements, and follow the corresponding instructions:

- The species list includes only terrestrial species and/or their designated critical habitat. No aquatic or aquatic-dependent species or their critical habitat are present in the action area. **You may skip to [Section IV](#) of this form. You are not required to fill out [Section V](#).**
- The species list includes only aquatic and/or aquatic-dependent species and/or their designated critical habitat. No terrestrial species or their critical habitat are present in the action area. **You may skip to [Section V](#) of this form and are not required to fill out [Section IV](#).**
- The species list includes both terrestrial and aquatic or aquatic-dependent species and/or their designated critical habitat. **You must fill out both [Sections IV](#) and [V](#) of this form.**

SECTION IV. EVALUATION OF DISCHARGE-RELATED ACTIVITIES EFFECTS

Note: You are only required to fill out this section if your facility's action area contains terrestrial species and/or their designated critical habitat. If your action area only contains aquatic and/or aquatic-dependent species and/or their designated critical habitat, you can skip directly to [Section V](#).

Most of the potential effects related to coverage under the MSGP are assumed to occur to aquatic and/or aquatic-dependent species. However, in some cases, potential effects to terrestrial species and/or their critical habitat should be considered as well from any discharge-related activities that occur during coverage under the MSGP. Examples of discharge-related activities that could have potential effects on listed terrestrial species or their critical habitat include the storage of materials and land disturbances associated with stormwater management-related activities (e.g., the installation or placement of stormwater control measures).

A. Select the applicable statement(s) below and follow the corresponding instructions:

- There are no discharge-related activities that are planned to occur during my coverage under the 2021 MSGP. You can conclude that your discharge-related activities will have no likely adverse effects, and:
 - If there are any aquatic or aquatic-dependent species and/or their critical habitat in your action area, you must skip to [Section V](#), *Evaluation of Discharge Effects*, below.
 - If there are no aquatic or aquatic-dependent species, you may skip to [Section VI](#) and verify that your activities will have no likely adverse effects. You must submit this form to EPA as specified in [Section VII](#) of this form. You may select criterion C on your NOI form and may submit your NOI for permit coverage 30 days after you have submitted this *Criterion C Eligibility Form*. You must also provide a description of the basis for the criterion you selected on your NOI form, **including the species and critical habitat list(s) in your action area**, as well as any other documentation supporting your eligibility. You must also include this completed *Criterion C Eligibility Form* in your SWPPP.
- There are discharge-related activities planned as part of the proposal. Describe your discharge-related activities in the following box and continue to (b) below.

B. In order to ensure any discharge-related activities will have no likely adverse effects on ESA-listed threatened and endangered species and/or their designated critical habitat, you must certify that all the following are true:

- Discharge-related activities will occur:
 - on previously cleared/developed areas of the site where maintenance and operation of the facility are currently occurring or where existing conditions of the area(s) in which the discharge-related activities will occur precludes its use by listed species (e.g., work on existing impervious surfaces, work occurring inside buildings, area is not used by species), and
 - if discharge-related activities will include the establishment of structures (including, but not limited to, infiltration ponds and other controls) or any related disturbances, these structures and/or disturbances will be sited in areas that will not result in isolation or degradation of nesting, breeding, or foraging habitat or other habitat functions for listed animal species (or their designated critical habitat), and will avoid the destruction of native vegetation (including listed plant species).
- If vegetation removal (e.g., brush clearing) or other similar activities will occur, no terrestrial listed species that use these areas for habitat would be expected to be present during vegetation removal and these activities will not occur within critical habitat.

If all the above are true, you can conclude that your discharge-related activities will have no likely adverse effects, and:

- If there are any aquatic or aquatic-dependent species and/or critical habitat in your action area, you must skip to [Section V](#), *Evaluation of Discharge Effects*, below.
- If there are no aquatic or aquatic-dependent species, you may skip to [Section VI](#) and verify that your activities will have no likely adverse effects. You must submit this form to EPA as specified in [Section VII](#) of this form. You may select criterion C on your NOI and may submit your NOI for permit coverage 30 days after you have submitted this completed form. You must also provide a description of the basis for the criterion you selected on your NOI form, **including the species and critical habitat list(s)**, and any other documentation supporting your eligibility. You must also include this completed *Criterion C Eligibility Form* in your SWPPP.
- **If any of the above are not true**, you cannot conclude that your discharge-related activities will have no likely adverse effects. You must complete the rest of this form (if applicable) and must submit the form to EPA for assistance in determining your eligibility for coverage.

SECTION V. EVALUATION OF DISCHARGE EFFECTS

Note: You are only required to fill out this section if your facility's action area includes aquatic and/or aquatic-dependent species and/or their critical habitat.

In this section, you will evaluate the likelihood of adverse effects from your facility's discharges. The scope of effects to consider will vary with each facility and species/critical habitat characteristics. The following are examples of discharge affects you should consider:

- *Hydrological Effects.* Stormwater discharges may adversely affect receiving waters by causing changes in water quality parameters such as turbidity, temperature, salinity, or pH. Stormwater discharges may adversely affect the immediate vicinity of the discharge point through streambank erosion and scour. These effects will vary with the amount of stormwater

discharged and the volume and condition of the receiving water. Where a stormwater discharge constitutes a minute portion of the total volume of the receiving water, adverse hydrological effects are less likely.

- Toxicity of Pollutants.** Pollutants in stormwater may have toxic effects on listed species and may adversely affect critical habitat. Exceedances of benchmarks, effluent limitation guidelines, or state or tribal water quality requirements may be indicative of potential adverse effects on listed species or critical habitat. However, some listed species may be adversely affected at pollutant concentrations below benchmarks, effluent limitation guidelines, and state or tribal water quality standards due to exposures to multiple stressors at the same time. In addition, stormwater pollutants identified in Part 6.2.3.2 of your SWPPP, but not monitored as benchmarks or effluent limitation guidelines, may also adversely affect listed species and critical habitat.

As these effects are difficult to analyze for listed species, their prey, habitat, and designated critical habitat, this form helps you to analyze your discharges to make a determination of whether your discharges will likely have adverse effects and whether there are any additional controls you can implement to ensure no likely adverse effects.

<p>A. Evaluation of Pollutants and Controls to Avoid Adverse Effects. In this section, you must document <u>all</u> of your pollutant sources and pollutants expected to be discharged in stormwater (see Part 8). You must also document the controls you will implement to avoid adverse effects on listed aquatic and aquatic-dependent species and critical habitat. You must include specific details about the expected effectiveness of the controls in avoiding adverse effects to the listed aquatic and aquatic-dependent species and critical habitat. Attach additional pages if needed.</p>		
Potential Pollutant Source	Potential Pollutants	<p>Controls to Avoid Adverse Effects on Listed Aquatic and Aquatic-Dependent Species and Critical Habitat. Include information supporting why the control(s) will ensure no adverse effects, including any data you have about the effectiveness of the control(s) in reducing pollutant concentrations. You may also attach photos of</p>
<p>e.g., vehicle and equipment fueling</p>	<p>e.g.,</p> <ul style="list-style-type: none"> Oil & grease Diesel Gasoline TSS Antifreeze 	<p>e.g.,</p> <ul style="list-style-type: none"> Fueling operators (including the transfer of fuel from tank trucks) will be conducted on an impervious or contained pad or under cover Drip pans will be used where leaks or spills of fuel can occur and where making and breaking hose connections Spill kit will be kept on-site in close proximity to potential spill areas Any spills will be cleaned-up immediately using dry clean-up methods Stormwater runoff will be diverted around fueling areas using diversion dikes and curbing

Potential Pollutant Source	Potential Pollutants	Controls to Avoid Adverse Effects on Listed Aquatic and Aquatic-Dependent Species and Critical Habitat.

Potential Pollutant Source	Potential Pollutants	Controls to Avoid Adverse Effects on Listed Aquatic and Aquatic-Dependent Species and Critical Habitat.
<p><input type="checkbox"/> Check if you are not able to make a preliminary determination that any of your pollutants will be controlled to a level necessary to avoid adverse effects on aquatic and/or aquatic-dependent listed species and their designated critical habitat. You must check in Section VI that you are unable to make a determination of no likely adverse effects and must complete the rest of the form. You must submit your completed form to EPA for assistance in determining your eligibility for coverage.</p>		

B. Analysis of Effects Based on Past Monitoring Data. Select which of the following applies to your facility:

- I have no previous monitoring data for my facility because there are no applicable monitoring requirements for my facility's sector(s).
- I have no previous monitoring data for my facility because I am a new discharger or a new source, but I am subject to monitoring under the 2021 MSGP. You must provide information to support a conclusion that your facility's discharges are not expected to result in benchmark or numeric effluent limit exceedances that will adversely affect listed species or their critical habitat:

- My facility has not had any exceedances under the 2015 MSGP of any required benchmark(s) or numeric effluent limits. I comply with the applicable monitoring requirements and have not had any exceedances
- My facility has had exceedances of one or more benchmark(s) or numeric effluent limits under the 2015 MSGP, but I have addressed them during my coverage under the 2015 MSGP, or in my evaluation of controls to avoid adverse effects in (A) above. Describe all actions (including specific controls) that you will implement to ensure that the pollutants in your discharge(s) will not result in likely adverse effects from future exceedances.

- Check if your facility has had exceedances of one or more benchmarks or numeric effluent limits under the 2015 MSGP and you have not been able to address them to avoid adverse effects from future exceedances, or if you are a new discharger or a new source but you are not sure if you can avoid adverse effects from possible exceedances. You must check in [Section VI](#) that you are unable to make a determination of no likely adverse effects. You must submit your completed form to EPA for assistance in determining your eligibility for coverage. You may not file your NOI for permit coverage until you are able to make a determination that your discharges will avoid adverse effects on listed species and designated critical habitat.

SECTION VI VERIFICATION OF PRELIMINARY EFFECTS DETERMINATION

Based on Steps I – V of this form, you must verify your preliminary determination of effects on listed species and designated critical habitat from your discharges and/or discharge-related activities:

- Following the applicable Steps in I – V above, I have provided information supporting a preliminary determination that my discharges and/or discharge-related activities are not likely to adversely affect listed species and designated critical habitats.
- Following the applicable Steps in I – V above, I am **not** able to provide information supporting a preliminary determination that my discharges and/or discharge-related activities are not likely to adversely affect listed species and designated critical habitats.

Certification Information

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete.

I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

First Name, Middle initial, Last Name

Title

Signature: _____

Date:

E-mail:

SECTION VII CRITERION C ELIGIBILITY FORM SUBMISSION INSTRUCTIONS

Only if the applicable EPA Regional Office has granted you a waiver from electronic reporting, you must submit this completed form to EPA at msgpesa@epa.gov, including any attachments and any additional information that demonstrates how you will avoid or eliminate adverse effects to listed threatened and endangered species or designated critical habitat (e.g., specific controls you will implement to avoid or eliminate adverse effects). Any missing or incomplete information may result in a delay of your coverage under the permit.

If you have made a preliminary determination that your discharges and/or discharge-related activities are not likely to adversely affect listed species and critical habitat, this form must be submitted a minimum of 30 days prior to submitting your NOI for permit coverage under criterion C. Please note that during either the 30-day *Criterion C Eligibility Form* review period prior to your NOI submission, or within 30 days after your NOI submission and before you have been

authorized for permit coverage, EPA may advise you that additional information is needed, or that there are additional measures you must implement to avoid likely adverse effects.

If you are unable to make a preliminary determination that your discharges and/or discharge-related activities are not likely to adversely affect listed species and critical habitat, this worksheet must be submitted to EPA, but you may not file your NOI for permit coverage until you have received a determination from EPA that your discharges and/or discharge-related activities are not likely to adversely affect listed species and critical habitat.

Attachment 1

Include a **map and a written description** of the action area of your facility, as required in [Step 2 of Section E.4 of Appendix E](#). You may choose to include the map that is generated from the FWS' on-line mapping tool IPaC (the *Information, Planning, and Consultation System*) located at <http://ecos.fws.gov/ipac/>.

The written description of your action area that accompanies your action area map must explain your rationale for the extent of the action area drawn on your map. For example, your action area written description may look something like this:

The action area for the (name of your facility)'s stormwater discharges extends downstream from the outfall(s) in (name of receiving waterbody) (# of meters/feet/kilometers/miles). The downstream limit of the action area reflects the approximate distance at which the discharge waters and any pollutants would be expected to cause potential adverse effects to listed species and/or critical habitat because (insert rationale). The action area does/does not extend to the (name of receiving waterbody)'s confluence with (name of confluence waterbody) because (insert rationale).

Note that your action area written description will be highly site-specific, depending on the expected effects of your facility's discharges and discharge-related activities, receiving waterbody characteristics, etc.

Attachment 2

List or attach the list(s) of species and critical habitat in your action area on this sheet, as required in [Step 3 of Section E.4 of Appendix E](#). You must include a list for applicable listed NMFS and USFWS species and critical habitat. If there are listed species and/or critical habitat for only one Service, you must include a statement confirming there are no listed species and/or critical habitat for the other Service. For USFWS species, include the USFWS Official Species List full printout from your IPaC query (including the consultation code and event code at the top of the FWS printout). *Note: If your Official Species List from the USFWS indicated no species or critical habitat were present in your action area, include the consultation code and event code that can be found at the top of your Official Species List in your NOI basis statement. If an Official Species List was not available on IPaC, list the contact date, the ecological services field office and the name of the Service staff with whom you corresponded to identify the existence of any USFWS species or critical habitat present in your action area.*

Appendix G - Notice of Intent (NOI) Form

Part 7.2 requires you to use the NPDES eReporting Tool, or “NeT”, to prepare and submit your Notice of Intent (NOI). However, if the applicable EPA Regional office grants you a waiver to use a paper NOI form, and you elect to use it, you must complete and submit the following form.

Submission of this NOI constitutes notice that the operator identified in Section C of this form requests authorization to discharge pursuant to the NPDES Multi-Sector General Permit (MSGP) permit number identified in Section B of this form. Submission of this NOI also constitutes notice that the operator identified in Section C of this form meets the eligibility conditions of Part 1.1 of the MSGP for the facility identified in Section D of this form. To obtain authorization, you must submit a complete and accurate NOI form. Discharges are not authorized if your NOI is incomplete or inaccurate or if you were never eligible for permit coverage. Refer to the instructions at the end of this form to complete your NOI.

NPDES FORM 3510-6		UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460 NOTICE OF INTENT (NOI) FOR STORMWATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY UNDER THE NPDES MULTI-SECTOR GENERAL PERMIT	OMB No. 2040-0300 Exp. Date: 3/31/2024
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Submission of this Notice of Intent (NOI) constitutes notice that the operator identified in Section C of this form requests authorization to discharge pursuant to the NPDES Stormwater Multi-Sector General Permit (MSGP) permit number identified in Section B of this form. Submission of this NOI also constitutes notice that the operator identified in Section C of this form meets the eligibility conditions of Part 1.1 of the MSGP for the facility identified in Section D of this form. To obtain authorization, you must submit a complete and accurate NOI form. Discharges are not authorized if your NOI is incomplete or inaccurate or if you were never eligible for permit coverage. Refer to the instructions at the end of this form to complete your NOI.

A. Approval to Use Paper NOI Form

1. Have you been granted a waiver from electronic reporting from the EPA Regional Office*? YES NO
 If yes, check which waiver you have been granted, the name of the EPA Regional Office staff person who granted the waiver, and the date of approval:

- Waiver granted: The owner/operator'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.
- The owner/operator has issues regarding available computer access or computer capability

Name of EPA staff person that granted the waiver:

Date approval obtained: / /

* Note: You are required to obtain approval from the applicable EPA Regional Office prior to using this paper NOI form. If you have not obtained a waiver, you must file this form electronically using the NPDES eReporting Tool (NeT) at <http://water.epa.gov/polwaste/npdes/stormwater/Stormwater-eNOI-System-for-EPAs-MultiSector-General-Permit.cfm>

B. Permit Information

NPDES ID (EPA Use Only):

1. Master Permit Number: (see Appendix C of the MSGP for the list of eligible master permit numbers)

2. Are you a new discharger or a new source as defined in Appendix A? YES NO (If yes, skip to Part C of this form).

3. If you are not a new discharger or a new source, have stormwater discharges from your facility been covered previously under an NPDES permit?
 YES NO

If yes, provide the NPDES ID if you had coverage under EPA's 2015 MSGP or the NPDES ID if you had coverage under an EPA individual permit:

4. Do you have a pending enforcement action related to industrial stormwater by EPA, a state, or a citizen (to include both notices of violation (NOVs) by EPA or a state and notices of intent to bring a citizen suit)? YES NO

C. Facility Operator Information

1. Operator Information:

Operator Name:

2. Mailing Address:

Street:

City: State: ZIP Code: -

County or Similar Government Subdivision:

Phone: - - Ext.

E-mail:

2. Operator Point of Contact Information:

First Name, Middle Initial, Last Name

Title:

3. NOI Preparer Information (Complete if NOI was prepared by someone other than the certifier):

First Name, Middle Initial, Last Name

Organization:

Phone: - - Ext.

E-mail:

9. Is your facility presently inactive and unstaffed and are there no industrial materials or activities exposed to stormwater?* YES NO
 *The requirement for benchmark monitoring does not apply at a facility that is inactive and unstaffed, provided that there are no industrial materials or activities exposed to stormwater. Note that if your facility becomes inactive and unstaffed and/or industrial materials or activities become exposed to stormwater during the permit term, you must submit an NOI modification to reflect the change.

E. Discharge Information

1. By indicating "Yes" below, I confirm that I understand that the MSGP only authorizes the authorized stormwater discharges in Part 1.2.1 and the allowable non-stormwater discharges listed in Part 1.2.2. Any discharges not expressly authorized in this permit cannot become authorized or shielded from liability under CWA section 402(k) by disclosure to EPA, state, or local authorities 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 1.2.1 and 1.2.2 will be discharged, they must be covered under another NPDES permit. YES

2. Federal Effluent Limitation Guidelines

Are you requesting permit coverage for any stormwater discharges subject to effluent limitation guidelines? YES NO

If yes, which effluent limitation guidelines apply to your stormwater discharges?

40 CFR Part/Subpart	Eligible Discharges	Affected MSGP Sector	New Source Date	Check if Applicable
Part 411, Subpart C	Runoff from material storage piles at cement manufacturing facilities	E	2/20/1974	<input type="checkbox"/>
Part 418 Subpart A	Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished product, by-products or waste products (SIC 2874)	C	4/8/1974	<input type="checkbox"/>
Part 423	Coal pile runoff at steam electric generating facilities	O	11/19/1982 10/8/1974 ¹	<input type="checkbox"/>
Part 429, Subpart I	Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas	A	1/26/1981	<input type="checkbox"/>
Part 436, Subpart B, C, or D	Mine dewatering discharges at crushed stone mines, construction sand and gravel mines, or industrial sand mines	J	N/A	<input type="checkbox"/>
Part 443, Subpart A	Runoff from asphalt emulsion facilities	D	7/28/1975	<input type="checkbox"/>
Part 445, Subparts A & B	Runoff from hazardous waste and non-hazardous waste landfills	K, L	2/2/2000	<input type="checkbox"/>
Part 449	Runoff containing urea from airfield pavement deicing at existing and new primary airports with 1,000 or more annual non-propeller aircraft departures	S	6/15/2012	<input type="checkbox"/>

¹NSPS promulgated in 1974 were not removed via the 1982 regulation; therefore, wastewaters generated by Part 423-applicable sources that were New Sources under the 1974 regulations are subject to the 1974 NSPS.

3. Receiving Waters Information: (Attach a separate list if necessary)

List all of the stormwater discharge points from your facility. Each discharge point must be identified by a unique 3-digit ID (e.g., 001, 002). Also provide the latitude and longitude in degrees decimal for each discharge point.	For each outfall, provide the following receiving water information:					
	Provide the name of the first water of the U.S. that receives stormwater directly from the discharge point and/or from the MS4 that the outfall discharges to:	If the receiving water is impaired (on the CWA 303(d) list), list the pollutants that are causing the impairment:	If a TMDL has been completed for this receiving waterbody, providing the following information:	Is this receiving water saltwater or freshwater?	Is this receiving water designated by the state or tribal authority under its antidegradation policy as a Tier 2 (or Tier 2.5) water (water quality exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water) or as a Tier 3 water (Outstanding National Resource Water)?	For freshwater discharges from operators in subsectors K1 and G2 only: is this receiving water still/standing (lentic) (e.g., lake or impoundment) or flowing (lotic) (e.g., river or stream)?
Discharge Point ID			TMDL ID: _____ Pollutants for which there is a TMDL: _____	<input type="checkbox"/> Freshwater <input type="checkbox"/> Saltwater	<input type="checkbox"/> Tier 2/2.5 <input type="checkbox"/> Tier 3 (Outstanding National Resource Waters)*	<input type="checkbox"/> Still/standing <input type="checkbox"/> Flowing
Latitude						
Longitude						
Discharge Point ID			TMDL ID: _____ Pollutants for which there is a TMDL: _____	<input type="checkbox"/> Freshwater <input type="checkbox"/> Saltwater	<input type="checkbox"/> Tier 2/2.5 <input type="checkbox"/> Tier 3 (Outstanding National Resource Waters)*	<input type="checkbox"/> Still/standing <input type="checkbox"/> Flowing
Latitude						
Longitude						
If substantially identical to other discharge point, list identical discharge point ID: _____						
Discharge Point ID			TMDL ID: _____ Pollutants for which there is a TMDL: _____	<input type="checkbox"/> Freshwater <input type="checkbox"/> Saltwater	<input type="checkbox"/> Tier 2/2.5 <input type="checkbox"/> Tier 3 (Outstanding National Resource Waters)*	<input type="checkbox"/> Still/standing <input type="checkbox"/> Flowing
Latitude						
Longitude						

If substantially identical to other discharge point, list identical discharge point ID: _____
 *Note: You are ineligible for coverage if you are a new discharger or new source to waters designated as Tier 3 (Outstanding National Resource Waters) for antidegradation purposes under 40 CFR 131.13(a)(3).

4. Provide the following Information about your discharge point latitude/longitude:

Latitude/Longitude Data Source:

If you used a USGS topographic map, what was the scale? _____

Horizontal Reference Datum: NAD 27 NAD 83 WGS 84

5. Does your facility discharge into a Municipal Separate Storm Sewer System (MS4)? YES NO

If yes, provide the name of the MS4 operator: _____

6. If you are subject to benchmark monitoring requirements for a hardness-dependent metal, what is the hardness of your receiving water(s) (see Appendix J)? _____(mg/L)

7. For facilities in EPA Region 10: Does your facility discharge to a federal CERCLA site listed in Appendix P? YES NO

7.a. If yes, did you notify the EPA Regional Office in advance of filing your NOI, and did the EPA Regional Office determine that you are eligible for permit coverage pursuant to Part 1.1.7*? YES NO

*** Note: If you discharge to a federal CERCLA site listed in Appendix P, you are ineligible for coverage under this permit unless you notify the EPA Regional Office in advance and the EPA Regional Office determines you are eligible coverage under this permit. In determining your eligibility for coverage under this Part, the EPA Regional Office may evaluate whether you have included adequate controls and/or procedures to ensure that your discharges will not lead to recontamination of aquatic media at the CERCLA Site such that it will cause or contribute to an exceedance of a water quality standard.**

8. For operators in New Mexico only: Do you anticipate the discharge of groundwater or spring water from your facility? YES NO

*If yes, below you are asked to provide information on flow and potential to encounter impacted ground or spring water such that there is a potential for contamination. If potential for contamination exists, you will be asked to provide test result data to EPA Region 6 and the NMED Surface Water Quality Bureau. If the test data exceed State Water Quality Standards, the ground or spring water cannot be discharged from the facility into surface waters under this permit. Discharge to surface waters must be conducted under a separate NPDES individual permit to ensure proper treatment and disposal. If disposal will be to the ground surface or in an unlined pond, you must submit a Notice of Intent to Discharge (NOI) to the NMED Ground Water Quality Bureau. For further assistance determining whether your facility may encounter impacted groundwater, the permittee may contact the NMED Ground Water Quality Bureau at (505) 827-2965.

8.a. If yes, what is the anticipated flow rate of the groundwater or spring water? _____

8.b. Provide information on the potential to encounter impacted ground or spring water in the space provided below:

8.c. Using the Mapper tool located at <https://gis.web.env.nm.gov/oem/> for reference, check if the following groundwater pollutant sources are located nearby the anticipated source of groundwater or spring water such that there is potential for contamination:

Project Location Relative to a Source of Potential Groundwater Contamination	Constituents likely to be required for testing	Check if applicable
Within 0.5 mile of an open Leaking Tank site	BTEX (Benzene, Toluene, Ethylbenzene, and Xylene) plus additional parameters depending on site conditions.	<input type="checkbox"/>
Within 0.5 mile of an open Voluntary Remediation site	All parameters listed in 20.6.4.900 NMAC, hardness and pH (or an alternate list approved by the NMED SWQB)	<input type="checkbox"/>
Within 0.5 mile of an open RCRA Corrective Action site	All parameters listed in 20.6.4.900 NMAC, hardness and pH (or an alternate list approved by the NMED SWQB)	<input type="checkbox"/>
Within 0.5 mile of an open Abatement site	All parameters listed in 20.6.4.900 NMAC, hardness and pH (or an alternate list approved by the NMED SWQB)	<input type="checkbox"/>
Within 0.5 mile of an open Brownfield site	All parameters listed in 20.6.4.900 NMAC, hardness and pH (or an alternate list approved by the NMED SWQB)	<input type="checkbox"/>
Within 1.0 mile of a Superfund site with associated groundwater contamination	All parameters listed in 20.6.4.900 NMAC, hardness and pH (or an alternate list approved by the NMED SWQB)	<input type="checkbox"/>

EPA approved-sufficiently sensitive methods must be used – approved methods are listed in 40 C.F.R. 136.3.

8.d. If any of the above are applicable, provide a summary of test data indicating the quality of the groundwater or spring water to be discharged:

F. Stormwater Pollution Prevention Plan (SWPPP) Information
<p>1. Has the SWPPP been prepared in advance of filing this NOI, as required?</p>
<p>2. SWPPP Contact Information:</p> <p>First Name, Middle Initial, Last Name: <input style="width: 300px; height: 20px;" type="text"/></p> <p>Professional Title: <input style="width: 450px; height: 20px;" type="text"/></p> <p>Phone: <input style="width: 40px; height: 20px;" type="text"/> - <input style="width: 40px; height: 20px;" type="text"/> - <input style="width: 40px; height: 20px;" type="text"/> Ext. <input style="width: 40px; height: 20px;" type="text"/></p> <p>E-mail: <input style="width: 450px; height: 20px;" type="text"/></p>
<p>3. SWPPP Availability:</p> <p>Your current SWPPP or certain information from your SWPPP must be made available through one of the following two options. Select one of the options and provide the required information*:</p> <p>* Note: You are not required to post any confidential business information (CBI) or restricted information (as defined in Appendix A) (such information may be redacted), but you must clearly identify those portions of the SWPPP that are being withheld from public access.</p> <p><input type="checkbox"/> Option 1: Maintain a current copy of your SWPPP on an Internet page (Universal Resource Locator or URL). Provide the web address URL: <input style="width: 500px;" type="text"/></p> <p><input type="checkbox"/> Option 2: Provide the following information from your SWPPP:</p>
<p>A. Describe your onsite industrial activities exposed to stormwater (e.g., material storage; equipment fueling, maintenance, and cleaning; cutting steel beams), and potential spill and leak areas:</p>
<p>B. 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 1.2.2:</p>
<p>C. Describe the control measures you will employ to comply with the non-numeric technology-based effluent limits required in Part 2.1.2 and Part 8, and any other measures taken to comply with the requirements in Part 2.2 Water Quality-Based Effluent Limitations (see Part 6.2.4):</p>
<p>D. Provide a schedule for good housekeeping and maintenance (see Part 6.2.5.1) and a schedule for all inspections required in Part 3 (see Part 6.2.5.2):</p>
G. Endangered Species Protection
<p>Using the instructions in Appendix E of the MSGP and the Criterion Selection Worksheet in Appendix E, Part E.4, under which criterion listed below are you eligible for coverage under this permit?* You must consider Endangered Species Act listed (ESA-listed) threatened or endangered species and/or designated critical habitat(s) under the jurisdiction of both the U.S. Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS) and check only the 1 box that is the most conservative criterion that applies to your facility stormwater discharge.</p> <p>*Note: You must use the information from the USFWS IPaC and NMFS Species Directory (see MSGP Appendix E, Part E.4, Step 2 and 3) when determining the presence of ESA-listed species and critical habitat. Attaching aerial image(s) of the site to this NOI is helpful to EPA, USFWS, and NMFS in confirming eligibility under this criterion. Please Note: NMFS' jurisdiction includes ESA-listed marine and estuarine species that spawn in inland rivers.</p> <p>After you submit your NOI and before your NOI is authorized, EPA may notify you if any additional controls are necessary to ensure your discharges have no likely adverse effects on ESA-listed species and critical habitat.</p>

A. No ESA-listed species and/or critical habitat present in action area. No ESA-listed species and designated critical habitat(s) are likely to occur in your facility's "action area" as defined in Appendix A. You must provide a description below of the basis for selecting this criterion and provide documentation supporting your eligibility determination in your SWPPP. **[Basis statement content: A basis statement supporting the selection of this criterion should identify the USFWS and NMFS information sources used. State resources are not acceptable. Attaching aerial image(s) of the site to this NOI is helpful to EPA, USFWS, and NMFS in confirming eligibility under this criterion. Note that NMFS' jurisdiction includes ESA-listed marine and estuarine species that spawn in inland rivers.]**

B. Eligibility requirements met by another operator under the 2021 MSGP. Your industrial activity's discharges and discharge-related activities were already addressed in another operator's valid certification of eligibility for your "action area" under eligibility criteria A, C, D, or E of the 2021 MSGP and you have confirmed that no additional ESA-listed species and designated critical habitat not considered in that certification may be present or located in the "action area" (e.g., due to a new species listing or critical habitat designation). To certify your eligibility under this criterion, there must be no lapse of NPDES permit coverage in the other 2021 MSGP operator's certification. By certifying eligibility under this criterion, you must comply with any conditions upon which the other operator's certification was based. You must include in your NOI the NPDES ID assigned to the other 2021 MSGP operator's authorization under this permit. If your certification is based on another 2021 MSGP operator's certification under criterion C, you must provide EPA with the relevant supporting information required (i.e., permit tracking number, industrial activity SWPPP, a description of the basis for the criterion selected) in your NOI form. **[Basis statement content: A basis statement supporting the selection of this criterion must identify the eligibility criterion of the other MSGP NOI, the authorization date, and confirmation that the authorization is effective.]**

If you select criterion B, provide the NPDES ID from the other operator's notification of authorization under this permit: _____

C(1). Facility eligible for Criterion C in the 2015 MSGP with NO CHANGE to listed species, critical habitat, or action area. Your facility was eligible for Criterion C in the 2015 MSGP and there has been no change in your facility's action area and you have confirmed that there are no additional threatened or endangered species or designated critical habitat under the jurisdiction of the USFWS and/or NMFS in your action area since your certification under Criterion C in the 2015 MSGP. You must provide a description of the basis of this criterion selected on your NOI form and provide documentation supporting your eligibility determination in your SWPPP. **[Basis statement content: A basis statement supporting the selection of this criterion must provide the USFWS and/or NMFS resources consulted that helped you determine that there are no additional species and/or critical habitat under the jurisdiction of the Services in your action area.]**

C(2). Facility eligible for Criterion C in the 2015 MSGP with CHANGES to listed species, critical habitat, or action area. Your facility was eligible for Criterion C in the 2015 MSGP, but there have been changes in your facility's action area, and/or there are additional threatened or endangered species and/or designated critical habitat under the jurisdiction of the USFWS and/or NMFS in your action area since your certification under Criterion C under the 2015 MSGP. You must provide a description of the basis of this criterion selected on your NOI form and provide documentation supporting your eligibility determination in your SWPPP. **[Basis statement content: A basis statement supporting the selection of this criterion must identify the following:**

1. A description of the changes in the facility's action area (if applicable).
2. The USFWS and/or NMFS resources consulted that helped you determine that additional species and/or critical habitat have been listed/designated by either of the Services in your action area.
3. What ESA-listed species and/or designated critical habitat are located in your "action area".
4. Distance in miles between your site and the ESA-listed species and/or designated critical habitat within the action area (in miles, state "on site" if the ESA-listed species and/or designated critical habitat is within the area to be disturbed).
5. A description of EPA approved measures you will implement or will continue to implement to ensure no likely adverse effects on ESA-listed species and/or critical habitat.]

C(3). ESA-listed species and/or designated critical habitat likely to occur, but discharges not likely to adversely affect them. ESA-listed threatened or endangered species or their designated critical habitat(s) under the jurisdiction of USFWS and/or NMFS are likely to occur in or near your facility's "action area," and you certify to EPA that your industrial activity's discharges and discharge-related activities are not likely to adversely affect ESA-listed and/or critical habitat. To certify your eligibility under this criterion, you must complete the Criterion C Eligibility Form, which you must submit to EPA at least 30 days prior to filing your NOI for permit coverage. After evaluation of your Criterion C Eligibility Form, EPA may require additional measures that you must implement to avoid or eliminate likely adverse effects on ESA-listed species and/or critical habitat from discharges and discharge-related activities. You may submit your NOI for permit coverage 30 days after submitting to EPA your completed Criterion C Eligibility Form. You must also provide a description of the basis for the criterion you selected on your NOI form and provide documentation supporting your eligibility determination in your SWPPP.

[Basis statement content: A basis statement supporting the selection of this criterion must identify the following:

1. The USFWS and NMFS information resources and expertise (e.g., state or federal biologists) used to arrive at this conclusion. Any supporting documentation should explicitly state that both ESA-listed species and designated critical habitat under the jurisdiction of the USFWS and/or NMFS were considered in the evaluation.
2. What ESA-listed species and/or designated critical habitat are located in your "action area".
3. Distance in miles between your site and the ESA-listed species and/or designated critical habitat within the action area (in miles, state "on site" if the ESA-listed species and/or designated critical habitat is within the area to be disturbed).
4. A description of EPA approved measures you will implement to ensure no likely adverse effects on ESA-listed species and/or critical habitat
5. A statement affirming that "I submitted my completed Criterion C Eligibility Form to EPA at least 30 days prior to submitting this NOI and agree to implement any additional measures that were determined by EPA to be necessary to ensure that my discharges and/or discharge-related activities will not have likely adverse effects on listed species and critical habitat."
6. Date you sent completed Criterion C Eligibility form to EPA.]

D. ESA Section 7 consultation has successfully concluded. Consultation between a Federal Agency and the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service under section 7 of the Endangered Species Act has concluded. The consultation must have addressed the effects of the facility's discharges and discharge-related activities on ESA-listed species and/or designated critical habitat under the jurisdiction of USFWS and/or NMFS. To certify eligibility under this criterion, indicate the result of the consultation:

1. A biological opinion and/or conference opinion that concludes that the action in question (taking into account the effects of your facility's discharges and discharge-related activities) is not likely to jeopardize the continued existence of ESA-listed species, or result in the destruction or adverse modification of designated critical habitat; or

2. Written concurrence from the applicable Service(s) with a finding that your facility's discharges and discharge-related activities are not likely to adversely affect ESA-listed species or designated critical habitat.

You must verify that the consultation does not warrant reinitiation under 50 CFR §402.16. If reinitiation of consultation is required, in order to be eligible under this criterion you must ensure consultation is reinitiated and the result of the consultation must be consistent with Criterion D (i), or (ii) above.

If eligible under Criterion D, you must also provide supporting documentation for your determination in your NOI and SWPPP, including the Biological Opinion (or ECO tracking number) or concurrence letter. You must include copies of the correspondence between yourself and the USFWS and/or NMFS in your SWPPP and your NOI. **[Basis statement content: A basis statement supporting the selection of this criterion should identify the federal action agency(ies) involved, the field office/regional office(s) providing that consultation, any tracking numbers of identifiers associated with that consultation (e.g., IPaC number, ECO number), and the date the consultation was completed.]**

E. **Issuance of section 10 permit.** Potential take is authorized through the issuance of a permit under section 10 of the ESA by the USFWS and/or NMFS, and this authorization addresses the effects of the facility's discharges and discharge-related activities on ESA-listed species and designated critical habitat. You must include copies of the correspondence between yourself and the participating agencies in your SWPPP and your NOI. **[Basis statement content: A basis statement supporting the selection of this criterion should identify whether USFWS or NMFS or both agencies provided a section 10 permit, the field office/regional office(s) providing permit(s), any tracking numbers of identifiers associated with that consultation (e.g., IPaC number, ECO number), and the date the permit was granted.]**

H. Historic Preservation

1. If your facility is not located on Indian country lands, is your facility located on a property of religious or cultural significance to an Indian tribe?

YES NO

If yes, provide the name of the Indian tribe associated with the property: _____

2. Using the instructions in Appendix F of the MSGP, under which historic properties preservation criterion listed in Part 1.1.4.6 are you eligible for coverage under this permit (only check 1 box)?

A B C D

I. Certification Information

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

First Name, Middle, Last Name:

Title:

Signature: _____ Date: / /

E-mail:

Instructions for Completing EPA Form 3510-6

**Notice of Intent (NOI) for Stormwater Discharges
Associated with Industrial Activity Under the NPDES Multi-Sector General Permit**

This Form Replaces Form 3510-6 (06/15) Form Approved OMB No. 2040-0300

Who Must File an NOI Form

Under section 402(p) of the Clean Water Act (CWA) and regulations at 40 CFR Part 122, stormwater discharges associated with industrial activity are prohibited to waters of the United States unless authorized under a National Pollutant Discharge Elimination System (NPDES) permit. You can obtain coverage under the MSGP by submitting a completed Notice of Intent (NOI) if you are an operator of a facility:

- that is located in a jurisdiction where EPA is the permitting authority, listed in Appendix C of the MSGP,
- that discharges stormwater associated with industrial activities, identified in Appendix D of the MSGP,
- that meets the eligibility requirements in Part 1.1 of the permit,
- that has developed a stormwater pollution prevention plan (SWPPP) in accordance with Part 6 of the MSGP; and
- that installs and implements control measures in accordance with Part 2 and Part 8 to meet numeric and non-numeric effluent limits.

Completing the Form

Obtain and read a copy of the 2021 MSGP, viewable at <http://water.epa.gov/polwaste/npdes/stormwater/EPA-Multi-Sector-General-Permit-MSGP.cfm>. To complete this form, type or print, using uppercase letters, in the appropriate areas only. Please place each character between the marks. Abbreviate if necessary to stay within the number of characters allowed for each item. Use only one space for breaks between words, but not for punctuation marks unless they are needed to clarify your response. **Please submit original document with signature in ink - do not send a photocopied signature.**

Section A. Approval to Use Paper NOI Form

You must indicate whether you have been granted a waiver from electronic reporting from the EPA Regional Office. Note that you are not authorized to use this paper NOI form unless the EPA Regional Office has approved its use. Where you have obtained approval to use this form, indicate the waiver that you have been granted, the name of the EPA staff person who granted the waiver, and the date that approval was provided.

See <http://water.epa.gov/polwaste/npdes/stormwater/Stormwater-Contacts.cfm> for a list of EPA Regional Office contacts.

Section B. Permit Information

Provide the master permit number of the permit under which you are applying for coverage (see Appendix C of the general permit for the list of eligible master permit numbers).

You must indicate whether you are a new discharger or a new source (see Appendix A for the definitions). If you are not a new discharger or a new source, you must indicate whether stormwater discharges from your facility have been previously covered under another NPDES permit. If yes, you must provide the unique NPDES ID (i.e., permit tracking number) for the previous permit your facility was covered under.

You must also indicate whether you have a pending enforcement action by EPA, a state, or a citizen, related to industrial stormwater.

Section C. Facility Operator Information

Provide the legal name of the person, firm, public organization, or any other entity that operates the facility described in this NOI. An operator of a facility is the legal entity that controls the operation of the facility. Refer to Appendix A of the permit for the definition of "operator". Provide the operator's mailing address, phone number,

and e-mail. Correspondence for the NOI will be sent to this address. Also provide the name and title for the operator point of contact (note that the point of contact name may be the same as the operator name).

If the NOI was prepared by someone other than the certifier (for example, if the NOI was prepared by the facility SWPPP contact or a consultant for the certifier's signature), include the full name, organization, phone number, and e-mail address of the NOI preparer.

Section D. Facility Information

Enter the official or legal name and complete address, including city, state, ZIP code, and county or similar government subdivision of the facility. If the facility lacks a street address, indicate the general location of the facility (e.g., Intersection of State Highways 61 and 34). Complete facility information must be provided for permit coverage to be granted.

Provide the latitude and longitude of your facility in decimal degrees format. The latitude and longitude of your facility can be determined in several different ways, including through the use of global positioning system (GPS) receivers, U.S. Geological Survey (USGS) topographic or quadrangle maps. Refer to <http://transition.fcc.gov/mb/audio/bickel/DDDMSS-decimal.html/> for assistance in providing the proper latitude/longitude format. For consistency, EPA requests that measurements be taken from the approximate center of the facility. Specify which method you used to determine latitude and longitude. If a USGS topographic map is used, specify the scale of the map used. Enter the horizontal reference datum for your latitude and longitude. The horizontal reference datum used on USGS topographic maps is shown on the bottom left corner of USGS topographic maps; it is also available for GPS receivers.

Indicate whether the facility is on Indian country lands, and if so, provide the name of the Indian tribe associated with the area of Indian country (including name of Indian reservation, if applicable).

Indicate whether you are seeking coverage under this permit as a "federal operator" as defined in Appendix A. Also check the ownership type for the facility (e.g., Federal Facility, Privately Owned Facility, Municipality, County Government, Corporation, State Government, Tribal Government, School District, District, Mixed Ownership [e.g., public/private], Municipal or Water District).

Enter the estimated area of industrial activity at your facility exposed to stormwater to the nearest quarter acre.

Indicate whether, during coverage under this permit, there will be stormwater discharges from paved surfaces that will be sealed or re-sealed with coal-tar where industrial activities are located.

List the four-digit Standard Industrial Classification (SIC) code or two character activity code that best describes the primary industrial activities performed by your facility under which you are required to obtain permit coverage. Your primary industrial activity includes any activities performed on-site which are (1) identified by the facility's primary SIC code and included in the descriptions of 40 CFR 122.26(b)(14)(ii), (iii), (vi), or (viii); or (2) included in the narrative descriptions of 40 CFR 122.26(b)(14)(i), (iv), (v), (vii), or (ix). See Appendix D of the MSGP for a complete list of SIC codes and activities codes covered under the MSGP. Also provide the applicable sector and subsector associated with the SIC code or activity code for your primary industrial activities. For a complete list of sector and subsector codes, see Appendix D of the MSGP.

If your facility has co-located industrial activities that are not identified as your primary industrial activity, identify the sector, subsector, SIC, and

Instructions for Completing EPA Form 3510-6

**Notice of Intent (NOI) for Stormwater Discharges
Associated with Industrial Activity Under the NPDES Multi-Sector General Permit**

This Form Replaces Form 3510-6 (06/15) Form Approved OMB No. 2040-0300

For Sector A facilities (Timber Products), indicate whether you manufacture, use or store creosote or creosote treated wood in areas that are exposed to precipitation.

For Sector S facilities (Air Transportation), indicate whether you anticipate that the entire airport facility will use more than 100,000 gallons of pure glycol in glycol-based deicing fluids and/or 100 tons or more of urea on an average annual basis. If so, additional effluent limits and monitoring conditions apply to your discharge (see Part 8.S of the permit).

For Sector G facilities (Metal Mining), check the type of ore(s) mined at the facility.

Indicate whether your facility is currently inactive and unstaffed. Note that if your facility becomes inactive and unstaffed and/or industrial materials or activities become exposed to stormwater during the permit term, you must submit an NOI modification to reflect the change.

Section E. Discharge Information

You must confirm that you understand that the MSGP only authorizes the allowable stormwater discharges listed in Part 1.2.1 and the allowable non-stormwater discharges listed in Part 1.2.2. Any discharges not expressly authorized under the MSGP are not covered by the MSGP or the permit shield provision of the CWA Section 402(k) and they cannot become authorized or shielded by disclosure to EPA, state, or local authorities via the NOI to be covered by the permit or by any other means (e.g., in the SWPPP or during an inspection). If any discharges requiring NPDES permit coverage other than the allowable stormwater and non-stormwater discharges listed in Parts 1.2.1 and 1.2.2 will be discharged, they must either be eliminated or covered under another NPDES permit.

Depending on your industrial activities, your facility may be subject to federal effluent limitation guidelines which include additional effluent limits and monitoring requirements for your facility. Please review these requirements, described in Part 2.1.3 of the MSGP, and check any appropriate boxes on the NOI form.

You must identify all the discharge points from your facility that discharge stormwater. Each outfall must be assigned a unique 3-digit ID (e.g., 001, 002, 003). You must also provide the latitude and longitude for each discharge point from your facility. Indicate whether any discharge points are substantially identical to a discharge point already listed, and identify the discharge point it is identical to. For each unique discharge point you list, you must specify the name of the first water of the U.S. that receives stormwater directly from the discharge point and/or from the MS4 that the discharge point discharges to. You must specify whether any receiving waters that you discharge to are listed as "impaired" as defined in Appendix A, and the pollutants for which the water is impaired. You must also check identify any Total Maximum Daily Loads (TMDL) that have been completed for any of the waters of the U.S. that you discharge to. For each unique discharge point you must indicate whether the receiving water is saltwater or freshwater, and indicate whether discharges from the facility will enter into a water of the U.S. that is designated as a Tier 2, Tier 2.5, or Tier 3 water. A list of Tier 2, 2.5, and 3 waters is provided as Appendix L. If the answer is "yes", name all waters designated as Tier 2, Tier 2.5, or Tier 3 to which the facility will discharge. Note that you are ineligible for coverage if you are a new discharger or a new source to waters designated as Tier 3 (outstanding national resource waters) for antidegradation purposes under 40 CFR 131.13(a)(3).

If your facility is in subsector K1 or G2, you must also indicate, for each unique discharge point, if the receiving water is still/standing (lentic) (e.g., a lake or impoundment) or flowing (lotic) (e.g., a river or stream).

You must also provide information about the discharge point latitude/longitude, including data source, the scale (if applicable), and the horizontal reference datum. See the instructions in Section D for more information about determining the latitude and longitude.

Identify whether your facility discharges into a Municipal Separate Storm Sewer System (MS4). If yes, provide the name of the MS4 operator. If you are uncertain of the MS4 operator, contact your local government for that information.

If you are subject to any benchmark monitoring requirements for metals (see the requirements applicable to your Sector(s) in Part 8 of the permit), indicate the hardness for your receiving water(s). See Appendix J of the permit for information about determining waterbody hardness.

If you are subject to benchmark monitoring requirements for hardness-dependent metals you must also answer whether your facility discharges into any saltwater receiving waters.

If our facility is located in EPA Region 10, indicate whether your facility will discharge to a federal CERCLA site listed in Appendix P. Note that if your facility will discharge into a federal CERCLA site listed in Appendix P, you are not eligible for coverage under this permit unless you notify the EPA Regional Office in advance and the EPA Regional Office authorizes coverage under this permit after you have included adequate controls and/or procedures designed to ensure that discharges will not lead to recontamination of aquatic media at the CERCLA site such that your discharge will cause or contribute to an exceedance of a water quality standard.

Operators in New Mexico, indicate whether you anticipate the discharge of groundwater or spring water from your facility. If yes, you must provide information on flow and potential to encounter impacted ground or spring water such that there is a potential for contamination. You must also use the mapper tool located at <https://gis.web.env.nm.gov/oem/> to determine if the groundwater sources listed are located near the anticipated source of groundwater or spring water such that there is potential for contamination. If potential for contamination exists, you must provide a summary of test data indicating the quality of the groundwater or spring water to be discharged.

Section F. Stormwater Pollution Prevention Plan (SWPPP) Information

All facilities eligible for coverage under this permit are required to prepare a SWPPP in advance of filing the NOI, in accordance with Part 6. Indicate whether the SWPPP has been prepared in advance of filing the NOI.

Indicate the contact information (name, phone, and e-mail) for the person who developed the SWPPP for this facility.

You identify how your SWPPP information will be made available, consistent with Part 5.4 and 7.3 of the permit. If you are making your SWPPP publicly available on a web site, check Option 1 and provide the appropriate Internet URL address. If you are not providing a URL, check Option 2 and provide the selected SWPPP information on this NOI form. You may copy and paste this information directly from your SWPPP.

Instructions for Completing EPA Form 3510-6

**Notice of Intent (NOI) for Stormwater Discharges
Associated with Industrial Activity Under the NPDES Multi-Sector General Permit**

This Form Replaces Form 3510-6 (06/15) Form Approved OMB No. 2040-0300

Section G. Endangered Species Protection

Using the instructions in Appendix E, indicate the Part 1.1.4.5 criterion (i.e., A, B, C, D, or E) you are eligible under with regard to the protection of federally listed endangered and threatened species and designated critical habitat. A description of the basis for the criterion selected must also be provided.

If criterion B is selected, provide the NPDES ID (i.e., permit tracking number) for the other operator who has certified their eligibility under this permit. The NPDES ID was assigned when the operator received coverage under this permit.

If criterion C is selected, you must specify the federally-listed species or designated critical habitat that are located in the "action area" of the facility. You must also indicate under which scenario you determined you were eligible to submit your NOI under criterion C using Appendix E, and answer any corresponding questions.

If criterion D or E is selected, attach copies of any communications between you and the U.S. Fish and Wildlife Service and National Marine Fisheries Service to this NOI.

Section H. Historic Preservation

If the project is not located in Indian country lands, indicate whether the project is located on a property of religious or cultural significance to an Indian tribe, and if so, provide the name of the Indian tribe associated with the property. Use the instructions in Appendix F to complete the questions on the NOI form regarding historic preservation.

Section I. Certification

Certification statement and signature (see Section B.11 of Appendix B of the MSGP for more information). Enter certifier's printed name, title and email address. Sign and date the form. (CAUTION: An unsigned or undated NOI form will prevent the granting of permit coverage.) Federal statutes provide for severe penalties for submitting false information on this application form. Federal regulations require this application to be signed as follows:

For a corporation: by a responsible corporate officer, which means: (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

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

For a municipality, state, federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this Part, a principal executive officer of a federal agency includes (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator of EPA). Include the name and title of the person signing the form and the date of signing.

An unsigned or undated NOI form will not be considered eligible for permit coverage.

Modifying Your NOI

If you have been granted a waiver from your Regional Office from electronic reporting, and if after submitting your NOI you need to correct or update any fields on this NOI form, you may do so by indicating changes on this same form.

Paperwork Reduction Act Notice

This collection of information is approved by OMB under the Paperwork Reduction Act, 44 U.S.C. 3501 et seq. (OMB Control No. 2040-0300). Responses to this collection of information are mandatory (40 CFR 122.26). An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The public reporting and recordkeeping burden for this collection of information is estimated to be 4.1 hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates and any suggested methods for minimizing respondent burden to the Regulatory Support Division Director, U.S. Environmental Protection Agency (2821T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

Submitting Your Form

If you have been granted a waiver from your Regional Office to submit a paper NOI form, you must send your NOI by mail to one of the following addresses:

For Regular U.S. Mail Delivery:

Stormwater Notice Processing Center
Mail Code 4203M, ATTN: 2021 MSGP Reports
U.S. EPA
1200 Pennsylvania Avenue, NW
Washington, DC 20460


For Overnight/Express Mail Delivery:

Stormwater Notice Processing Center
William Jefferson Clinton East Building - Room 7420
ATTN: 2021 MSGP Reports
U.S. EPA
1201 Constitution Avenue, NW
Washington, DC 20004

Visit this website for instructions on how to submit electronically:
<http://water.epa.gov/polwaste/npdes/stormwater/Stormwater-eNOI-System-for-EPAs-MultiSector-General-Permit.cfm>

Appendix H - Notice of Termination (NOT) Form

Part 7.2 requires you to use the NPDES eReporting Tool, or "NeT", to prepare and submit your No Exposure Certification (NEC) form. However, if you are given a waiver by the EPA Regional Office to use a paper NEC form, and you elect to use it, you must complete and submit the following form.

NPDES FORM 3510-7		UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460 NOTICE OF TERMINATION (NOT) FOR STORMWATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY UNDER THE NPDES MULTI-SECTOR GENERAL PERMIT	OMB No. 2040-0300 Exp. Date: 3/31/2024
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Submission of this Notice of Termination constitutes notice that the operator identified in Section C of this form is no longer authorized to discharge pursuant to the NPDES Multi-Sector General Permit (MSGP) from the facility identified in Section D of this form. All necessary information must be included on this form. Refer to the instructions at the end of this form.

1. Have you been granted a waiver from electronic reporting from the EPA Regional Office*? YES NO
 If yes, check which waiver you have been granted, the name of the EPA Regional Office staff person who granted the waiver, and the date of approval:

- Waiver granted: The owner/operator'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.
- The owner/operator has issues regarding available computer access or computer capability

Name of EPA staff person that granted the waiver:

Date approval obtained: / /

* Note: You are required to obtain approval from the applicable Regional Office prior to using this paper NOT form. If you have not obtained a waiver, you must file this form electronically using the NPDES eReporting Tool (NeT) at <https://www.epa.gov/npdes/stormwater-discharges-industrial-activities>

1. NPDES ID:

2. Reason for Termination (check one only):

- A new owner or operator has taken over responsibility for the facility.
- You have ceased operations at the facility, there are not or no longer will be discharges of stormwater associated with industrial activity from the facility, and you have already implemented necessary sediment and erosion controls as required by Part 2.1.2.5.
- You are a Sector G, H, or J facility and you have met the applicable termination requirements.
- You obtained coverage under an individual or alternative general permit for all discharges required to be covered by an NPDES permit.

1. Operator Name:

2. Mailing Address:

Street:

City: State: ZIP Code: -

3. Phone: - - Ext.

4. E-mail:

1. Facility Name:

2. Facility Address:

Street:

City: State: ZIP Code: -

County or Similar Government Subdivision:

E. Certification Information

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

First Name, Middle, Last Name

Title:

Signature: _____ Date: / /

E-mail:

Instructions for Completing EPA Form 3510-7

**Notice of Termination for Stormwater Discharges
Associated with Industrial Activity Under the NPDES Multi-Sector General Permit**

This Form Replaces Form 3510-7 (06/15) Form OMB No. 2040-0300

Who May File Notice of Termination (NOT) Form

Permittees currently covered by EPA's NPDES Stormwater Multi-Sector General Permit (MSGP or permit) must submit a Notice of Termination (NOT) within 30 days after one or more of the following conditions have been met:

- A new owner or operator has assumed responsibility for the facility;
- You have ceased operations at the facility and there are not or no longer will be discharges of stormwater associated with industrial activity from the facility and you have already implemented necessary sediment and erosion controls per Part 2.1.2.5;
- You are a Sector G, H, or J facility and you have met the applicable termination requirements; or
- You obtained coverage under an individual or alternative general permit for all discharges required to be covered by an NPDES permit.

See the MSGP Part 1.4.2 for more information.

Completing the Form

To complete this form, type or print, using uppercase letters, in the appropriate areas only. Please place each character between the marks. Abbreviate if necessary to stay within the number of characters allowed for each item. Use only one space for breaks between words, but not for punctuation marks unless they are needed to clarify your response. Please submit original document with signature in ink - do not send a photocopied signature.

Section A. Approval to Use Paper NOT Form

You must indicate whether you have been granted a waiver from electronic reporting from the EPA Regional Office. Note that you are not authorized to use this paper NOT form unless the EPA Regional Office has approved its use. Where you have obtained approval to use this form, indicate the waiver that you have been granted, the name of the EPA Regional Office staff person who granted the waiver, and the date that approval was provided. See <https://www.epa.gov/npdes/contact-us-stormwater> for a list of EPA Regional Office contacts.

Section B. Permit Information

Enter the existing NPDESID (i.e., NOI tracking number) assigned to your permit authorization.

Indicate your reason for submitting this NOT by checking the appropriate box. Check only one box (see MSGP Part 1.4.2 for more information).

Section C. Facility Operator Information

Provide the legal name of the person, firm, public organization, or any other entity that operates the facility described in this NOT. An operator of a facility is the legal entity that controls the operation of the facility. Refer to Appendix A of the permit for the definition of "operator". Provide the operator's mailing address, phone number, and e-mail.

Section D. Facility Information

Enter the official or legal name and complete street address, including city, state, ZIP code, and county or similar government subdivision of the facility. If the facility lacks a street address, indicate the general location of the facility (e.g., Intersection of State Highways 61 and 34). Complete facility information must be provided for termination of permit coverage to be valid.

Section E. Certification Information

All NOTs must be signed as follows:

For a corporation: By a responsible corporate officer. For the purpose of this Section, a responsible corporate officer means: (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

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

For a municipality, state, federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this Part, a principal executive officer of a federal agency includes (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator of EPA). Include the name and title of the person signing the form and the date of signing.

Include the name, title, and e-mail address of the person signing the form and the date of signing. An unsigned or undated NOT form will not be considered valid termination of permit coverage.

Paperwork Reduction Act Notice

This collection of information is approved by OMB under the Paperwork Reduction Act, 44 U.S.C. 3501 et seq. (OMB Control No. 2040-0300). Responses to this collection of information are mandatory (40 CFR 122.26). An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The public reporting and recordkeeping burden for this collection of information is estimated to be 0.5 hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates and any suggested methods for minimizing respondent burden to the Regulatory Support Division Director, U.S. Environmental Protection Agency (2821T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

Instructions for Completing EPA Form 3510-7

**Notice of Termination for Stormwater Discharges
Associated with Industrial Activity Under the NPDES Multi-Sector General Permit**

This Form Replaces Form 3510-7 (06/15) Form OMB No. 2040-0300

Submitting Your Form

If you have been granted a waiver from your Regional Office to submit a paper NOT form, you must send your NOT by mail to one of the following addresses:

For Regular U.S. Mail Delivery:

Stormwater Notice Processing Center
Mail Code 4203M, ATTN: 2020 MSGP Reports
U.S. EPA
1200 Pennsylvania Avenue, NW
Washington, DC 20460


For Overnight/Express Mail Delivery:

Stormwater Notice Processing Center
William Jefferson Clinton East Building - Room 7420
ATTN: 2020 MSGP Reports
U.S. EPA
1201 Constitution Avenue, NW Washington, DC 20004

Visit this website for instructions on how to submit electronically:
<https://www.epa.gov/npdes/stormwater-discharges-industrial-activities>

Appendix I - Annual Report Form

Part 7.2 requires you to use the NPDES eReporting Tool, or “NeT”, to prepare and submit your Annual Report. However, if you are given a waiver by the EPA Regional Office to use a paper annual report form, and you elect to use it, you must complete and submit the following form.

NPDES FORM 6100-28		UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460 ANNUAL REPORT FOR STORMWATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY UNDER THE NPDES MULTI-SECTOR GENERAL PERMIT	OMB No. 2040-0300 Exp. Date: 3/31/2024
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A. Approval to Use Paper Annual Report Form

1. Have you been granted a waiver from electronic reporting from the EPA Regional Office*? YES NO

If yes, check which waiver you have been granted, the name of the EPA Regional Office staff person who granted the waiver, and the date of approval:

Waiver granted: The owner/operator'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.

The owner/operator has issues regarding available computer access or computer capability

Name of EPA staff person that granted the waiver:

Date approval obtained: / /

* Note: You are required to obtain approval from the applicable EPA Regional Office prior to using this paper annual report form. If you have not obtained a waiver, you must file this form electronically using the NPDES eReporting Tool (NeT) at <https://www.epa.gov/npdes/stormwater-discharges-industrial-activities>

B. Permit Information

1. NPDES ID:

C. Facility Information

1. Facility Name:

2. Facility Phone: - - Ext.

3. Facility Mailing Address:

Street:

City: State: ZIP Code: -

County or Similar Government Subdivision:

4. Point of Contact:

First Name, Middle Initial, Last Name

D. General Findings

1. Provide a summary of your past year's routine facility inspection documentation, including dates (see Part 3.1.6 of the permit). In addition, if you are an operator of an airport facility (Sector S) that is subject to the airport effluent limitations guidelines, and are complying with the MSGP Part 8.S.8.1 effluent limitation through the use of non-urea-containing deicers, provide a statement certifying that you do not use pavement deicers containing urea (e.g., "Urea was not used at [name of airport] for pavement deicing in the past year and will also not be used in 2021." (Note: Operators of airport facilities that are complying with Part 8.S.8.1 by meeting the numeric effluent limitation for ammonia do not need to include this statement.)

2. Provide a summary of your past year's quarterly visual assessment documentation, including dates (see Part 3.2.3 of the permit).

3. Provide a summary of your past year's corrective action and/or advanced implementation measures (AIM) documentation (See Part 5.1.3 of the permit). (Note: If corrective action is not yet completed at the time of submission of this annual report, you must describe the status of any outstanding corrective action(s).) Note that you must modify your SWPPP based on the corrective actions and deadlines required under Part 5. Also describe any incidents of noncompliance in the past year or currently ongoing, or if none, provide a statement that you are in compliance with the permit.

E. Certification Information

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

First Name, Middle, Last Name

Title:

Signature: _____

Date: / /

E-mail:

Instructions for Completing EPA Form 6100-28

**Annual Report for Stormwater Discharges
Associated with Industrial Activity Under the NPDES Multi-Sector General Permit**

This Form Replaces Form 6100-28 (06/15) OMB No. 2040-0300

Who Must File an Annual Report

Operators must submit an Annual Report to EPA electronically, per Part 7.4, by January 30th for each year of permit coverage containing information generated from the past calendar year.

Completing the Form

To complete this form, type or print, using uppercase letters, in the appropriate areas only. Please place each character between the marks. Abbreviate if necessary to stay within the number of characters allowed for each item. Use only one space for breaks between words, but not for punctuation marks unless they are needed to clarify your response. Please submit original document with signature in ink - do not send a photocopied signature.

Section A. Approval to Use Paper Annual Report Form

You must indicate whether you have been granted a waiver from electronic reporting from the EPA Regional Office. Note that you are not authorized to use this paper form unless the EPA Regional Office has approved its use. Where you have obtained approval to use this form, indicate the waiver that you have been granted, the name of the EPA staff person who granted the waiver, and the date that approval was provided. See <https://www.epa.gov/npdes/contact-us-stormwater> for a list of EPA Regional Office contacts.

Section B. Permit Information

Provide the NPDES ID (i.e., NOI tracking number) assigned to your facility.

Section C. Facility Information

Enter the official or legal name, phone number, and complete street address, including city, state, ZIP code, and county or similar government subdivision, for the facility that is covered by the NPDES ID identified in Section B. If the facility lacks a street address, indicate the general location of the facility (e.g., Intersection of State Highways 61 and 34). Also provide a point of contact name for the facility.

Section D. General Findings

To complete this section you must provide the following information in your annual report:

1. A summary of your past year’s routine facility inspection documentation, including inspection dates, required by Part 3.1.6 of the permit.
2. A summary of your past year’s quarterly visual assessment documentation, including visual assessment dates, required by Part 3.2.3 of the permit.
3. Information copied or summarized from the corrective action and/or advanced implementation measures (AIM) documentation required per Part 5.1.3 (if applicable). If corrective action and/or advanced implementation measures are not yet completed at the time of submission of this Annual Report, you must describe the status of any outstanding corrective action(s)/advanced implementation measures. You must also describe any incidents of noncompliance in the past year or currently ongoing, or if none, provide a statement that you are in compliance with the permit.

Section E. Certification Information

The Annual Report must be signed by a person described below, or by a duly authorized representative of that person.

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

(i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

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

For a municipality, state, federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this Part, a principal executive officer of a federal agency includes (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator of EPA). Include the name and title of the person signing the form and the date of signing.

A person is a duly authorized representative only if:

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

An unsigned or undated Annual Report form will be considered incomplete.

Paperwork Reduction Act Notice

This collection of information is approved by OMB under the Paperwork Reduction Act, 44 U.S.C. 3501 et seq. (OMB Control No. 2040-0300). Responses to this collection of information are mandatory (40 CFR 122.26). An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The public reporting and recordkeeping burden for this collection of information is estimated to be 1 hour per response. Send comments on the Agency’s need for this information, the accuracy of the provided burden estimates and any suggested methods for minimizing respondent burden to the Regulatory Support Division Director, U.S. Environmental Protection Agency (2821T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

Instructions for Completing EPA Form 6100-28
Annual Report for Stormwater Discharges
Associated with Industrial Activity Under the NPDES Multi-Sector General Permit

This Form Replaces Form 6100-28 (06/15) OMB No. 2040-0300

Submitting Your Form

If you have been granted a waiver from your Regional Office to submit a paper Annual Report form, you must send your Annual Report form by mail to one of the following addresses:

For Regular U.S. Mail Delivery:

Stormwater Notice Processing Center
Mail Code 4203M, ATTN: 2020 MSGP Reports
U.S. EPA
1200 Pennsylvania Avenue, NW
Washington, DC 20460

For Overnight/Express Mail Delivery:

Stormwater Notice Processing Center
William Jefferson Clinton East Building - Room 7420
ATTN: 2020 MSGP Reports
U.S. EPA
1201 Constitution Avenue, NW
Washington, DC 20004

Visit this website for instructions on how to submit electronically:
<https://www.epa.gov/npdes/stormwater-discharges-industrial-activities>

Appendix J - Calculating Hardness in Freshwater Receiving Waters for Hardness Dependent Metals

Overview

For any sectors required to conduct benchmark samples for a hardness-dependent metal, EPA includes 'hardness ranges' from which benchmark values are determined. To determine which hardness range to use, you must collect data on the hardness of your 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 hardness ranges, as shown in Table 1. You only need to determine hardness for your discharges into freshwater as the benchmark values for metals do not vary for discharges to saline waters.

Table 1. Hardness Ranges to Be Used to Determine Benchmark Values for Cadmium, Lead, Nickel, Silver, and Zinc.

All Units (mg/L)	Benchmark Values (µg/L, total)				
	Cadmium	Lead	Nickel	Silver	Zinc
0-24.99	0.49	14	145	0.37	37
25-49.99	0.73	24	203	0.80	52
50-74.99	1.2	45	314	1.9	80
75-99.99	1.7	69	418	3.3	107
100-124.99	2.1	95	518	5.0	132
125-149.99	2.6	123	614	7.1	157
150-174.99	3.1	152	707	9.4	181
175-199.99	3.5	182	798	12	204
200-224.99	4.0	213	888	15	227
225-249.99	4.4	246	975	18	249
250+	4.7	262	1019	20	260

How to Determine Hardness for Hardness-Dependent Parameters in Freshwater.

You may select one of three methods to determine hardness, including: individual grab sampling, grab sampling by a group of operators which discharge to the same receiving water, or using third-party data. Regardless of the method used, you are responsible for documenting the procedures used for determining hardness values. The hardness value is required to be submitted to EPA with your Notice of Intent (NOI) so that your electronic Discharge Monitoring Report (DMR) which you will submit through Net-DMR will include the appropriate limits. You must retain all report and monitoring data in accordance with Part 7.8 of the permit. The three method options for determining hardness are detailed in the following sections.

i. Permittee Samples for Receiving Stream Hardness

This method involves collecting samples in the receiving water and submitting these to a laboratory for analysis. If you elect to sample your receiving water(s) and submit samples for analysis, hardness must be determined from the closest intermittent or perennial stream downstream of your 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).

ii. *Group Monitoring for Receiving Stream Hardness*

You 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.

iii. *Collection of Third-Party Hardness Data*

You 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 should 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 or a state environmental agency. 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 that, 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. 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:

$$\text{mg/L CaCO}_3 = 2.497 (\text{Ca mg/L}) + 4.118 (\text{Mg mg/L})$$

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 K - No Exposure Certification (NEC) Form

Part 7.2 requires you to use the NPDES eReporting Tool, or "NeT", to prepare and submit your No Exposure Certification (NEC) form. However, if you are given a waiver by the EPA Regional Office to use a paper NEC form, and you elect to use it, you must complete and submit the following form.

NPDES FORM 3510-11		UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460 No EXPOSURE CERTIFICATION (NEC) FOR EXCLUSION FROM EPA'S MULTI-SECTOR GENERAL PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY (MSGP)	OMB No. 2040-0300 Exp. Date: 3/31/2024
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Submission of this No Exposure Certification (NEC) constitutes notice that the operator identified in Section C does not require permit authorization under EPA's Stormwater Multi Sector General Permit for its stormwater discharges associated with industrial activity from the facility identified in Section D of this form due to the existence of a condition of no exposure.

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

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

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

By signing and submitting this NEC form, the operator in Section C is certifying that a condition of no exposure exists at its facility or site, and is obligated to comply with the terms and conditions of 40 CFR 122.26(g).

A. Approval to Use Paper NEC Form

1. Have you been granted a waiver from electronic reporting from the EPA Regional Office*? YES NO

If yes, check which waiver you have been granted, the name of the EPA Regional Office staff person who granted the waiver, and the date of approval:

- Waiver granted: The owner/operator'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.
- The owner/operator has issues regarding available computer access or computer capability

Name of EPA staff person that granted the waiver:

Date approval obtained: / /

* Note: You are required to obtain approval from the applicable EPA Regional Office prior to using this paper NEC form. If you have not obtained a waiver, you must file this form electronically using the NPDES eReporting Tool (NeT) at <https://www.epa.gov/hpdes/stormwater-discharges-industrial-activities>

B. Reason for Submission

Select the purpose for filling out this form (check only 1).

- To obtain a new NEC. Fill in Sections C, D, E and F.
- To discontinue an existing NEC. Select this option if you would like to discontinue an existing NEC because your facility is no longer subject to regulation under 40 CFR 122.26 (e.g., the facility has ceased the industrial activity that necessitated the NEC)*. Provide the following information and fill out Section G.

Provide the existing NPDES ID for the NEC that you would like to discontinue:

1. Are you a new discharger or a new source as defined in Appendix A? YES NO (If yes, skip to Part C of this form).

* Note that if your facility no longer qualifies for the NEC because permit coverage is required for exposed industrial materials or activities, you should not check this box, and must instead file for coverage under the Multi-Sector General Permit (MSGP) or an individual permit. Your NEC will be automatically discontinued after you obtain coverage under the MSGP or an individual permit.

C. Facility Operator Information

1. Operator Name:

2. Mailing Address:

Street:

City: State: ZIP Code: -

3. Phone: - - Ext.

4. E-mail:

5. Operator Point of Contact Information:

First Name, Middle Initial, Last Name [grid] Title: [grid]

D. Facility Information

1. Facility Name: [grid]
2. Facility Address:
Street/Location: [grid]
City: [grid] State: [grid] ZIP Code: [grid] - [grid]
County or Similar Government Subdivision: [grid]

3. Latitude/Longitude for the facility:
Latitude: ___ . ___ ° N (decimal degrees) Longitude: ___ . ___ ° W (decimal degrees)

Latitude/Longitude Data Source: [] Maps [] GPS [] Other _____

If you used a USGS topographic map, what was the scale? _____

Horizontal Reference Datum: [] NAD 27 [] NAD 83 [] WGS 84

4. Is your facility located on Indian Country lands? [] YES [] NO
If yes, provide the name of the Indian tribe associated with the area of Indian country (including name of Indian reservation, if applicable): _____

5. Are you a "federal operator" as defined in Appendix A? [] YES [] NO

6. What is the ownership type of the facility? [] Federal Facility (U.S. Government) [] Privately Owned Facility [] Municipality [] County Government
[] Corporation [] State Government [] Tribal Government [] School District
[] District [] Mixed Ownership (e.g., Public/Private) [] Municipal or Water District

7. Have stormwater discharges from your facility been covered previously under an NPDES permit? [] YES [] NO
If yes, provide the NPDES ID if you had coverage under EPA's MSGP or the NPDES permit number if you had coverage under an EPA individual permit: _____

8. Has your facility previously been covered by a noexposure exclusion? [] YES [] NO
If yes, provide the NPDES ID for your previous no exposure exclusion: _____

9. Identify the 4-digit Standard Industrial Classification (SIC) code or 2-letter Activity Code that best represents the products produced or services rendered for which your facility is primarily engaged, as defined in the MSGP, and the applicable sector and subsector of your primary industrial activity (See Appendix D):

[] Primary SIC Code [grid] OR [] Primary Activity Code [grid] [grid] [grid]

10. Total size of site associated with industrial activity: _____ (to the nearest quarter acre)

11. Have you paved or roofed over a formerly exposed, pervious area in order to qualify for the no exposure exclusion? [] YES [] NO

If yes, please indicate approximately how much area was paved or roofed over. Completing this question does not disqualify you for the no exposure exclusion. However, your permitting authority may use this information in considering whether stormwater discharges from your site are likely to have an adverse impact on water quality, in which case you could be required to obtain permit coverage.

[] Less than one (1) acre [] One (1) to five (5) acres [] More than five (5) acres

E. Exposure Checklist		
Are any of the following materials or activities exposed to precipitation, now or in the foreseeable future? (Please check either "Yes" or "No" in the appropriate box.) If you answer "Yes" to any of these questions, you are <u>not</u> eligible for the no exposure exclusion.		
	Yes	No
Using, storing or cleaning industrial machinery or equipment, and areas where residuals from using, storing or cleaning industrial machinery or equipment remain and are exposed to stormwater	<input type="checkbox"/>	<input type="checkbox"/>
Materials or residuals on the ground or in stormwater inlets from spills/leaks	<input type="checkbox"/>	<input type="checkbox"/>
Materials or products from past industrial activity	<input type="checkbox"/>	<input type="checkbox"/>
Material handling equipment (except adequately maintained vehicles)	<input type="checkbox"/>	<input type="checkbox"/>
Materials or products during loading/unloading or transporting activities	<input type="checkbox"/>	<input type="checkbox"/>
Materials or products stored outdoors (except final products intended for outside use [e.g., new cars] where exposure to stormwater does not result in the discharge of pollutants)	<input type="checkbox"/>	<input type="checkbox"/>
Materials contained in open, deteriorated or leaking storage drums, barrels, tanks, and similar containers	<input type="checkbox"/>	<input type="checkbox"/>
Materials or products handled/stored on roads or railways owned or maintained by the discharger	<input type="checkbox"/>	<input type="checkbox"/>
Waste material (except waste in covered, non-leaking containers [e.g., dumpsters])	<input type="checkbox"/>	<input type="checkbox"/>
Application or disposal of process wastewater (unless otherwise permitted)	<input type="checkbox"/>	<input type="checkbox"/>
Particulate matter or visible deposits of residuals from roof stacks and/or vents not otherwise regulated (i.e., under an air quality control permit) and evident in the stormwater outflow	<input type="checkbox"/>	<input type="checkbox"/>
F. Certification Information		
I certify under penalty of law that I have read and understand the eligibility requirements for claiming a condition of "no exposure" and obtaining an exclusion from NPDES stormwater permitting. I certify under penalty of law that there are no discharges of stormwater contaminated by exposure to industrial activities or materials from the industrial facility or site identified in this document (except as allowed under 40 CFR 122.26(g)(2)). I understand that I am obligated to submit a NEC form once every five years to the NPDES permitting authority and, if requested, to the operator of the local municipal separate storm sewer system (MS4) into which the facility discharges (where applicable). I understand that I must allow the NPDES permitting authority, or MS4 operator where the discharge is into the local MS4, to perform inspections to confirm the condition of no exposure and to make such inspection reports publicly available upon request. I understand that I must obtain coverage under an NPDES permit prior to any point source discharge of stormwater from the facility. Additionally, I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.		
First Name, Middle, Last Name: <input style="width: 250px;" type="text"/>		
Title: <input style="width: 450px;" type="text"/>		
Signature: _____		Date: <input style="width: 30px;" type="text"/> / <input style="width: 30px;" type="text"/> / <input style="width: 40px;" type="text"/>
E-mail: <input style="width: 300px;" type="text"/>		
G. Discontinuation of NEC Information		
I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.		
First Name, Middle, Last Name <input style="width: 250px;" type="text"/>		
Title: <input style="width: 450px;" type="text"/>		
Signature: _____		Date: <input style="width: 30px;" type="text"/> / <input style="width: 30px;" type="text"/> / <input style="width: 40px;" type="text"/>
E-mail: <input style="width: 300px;" type="text"/>		

Instructions for Completing EPA Form 3510-11

**No Exposure Certification (NEC) for Exclusion from Stormwater Discharges
Associated with Industrial Activity Under the NPDES Multi-Sector General Permit**

This Form Replaces Form 3510-11 (06/15) OMB No. 2040-0300

Who May File a No Exposure Certification (NEC) Form

Federal law at 40 CFR Part 122.26 prohibits point source discharges of stormwater associated with industrial activity to waters of the U.S. without a National Pollutant Discharge Elimination System (NPDES) permit. However, NPDES permit coverage is not required for discharges of stormwater associated with industrial activities identified at 40 CFR 122.26(b)(14)(i)-(ix) and (xi) if the discharger can certify that a condition of "no exposure" exists at the industrial facility or site.

Stormwater discharges from construction activities identified in 40 CFR 122.26(b)(14)(x) and (b)(15) are not eligible for the no exposure exclusion.

Obtaining and Maintaining the No Exposure Exclusion

This form is used to certify that a condition of no exposure exists at the industrial facility or site described herein. This certification is only applicable in jurisdictions where EPA is the NPDES permitting authority and must be re-submitted at least once every five years.

The industrial facility operator must maintain a condition of no exposure at its facility or site in order for the no exposure exclusion to remain applicable. If conditions change resulting in the exposure of materials and activities to stormwater, the facility operator must obtain coverage under an NPDES stormwater permit immediately.

Completing the Form

You must type or print, using uppercase letters, in appropriate areas only. Enter only one character per space (i.e., between the marks). Abbreviate if necessary to stay within the number of characters allowed for each item. Use one space for breaks between words, but not for punctuation marks unless they are needed to clarify your response. Please submit original document with signature in ink - do not send a photocopied signature. One form must be completed for each facility or site for which you are seeking to certify a condition of no exposure. **Please make sure you have addressed all applicable questions and have made a photocopy for your records before sending the completed form to the above address.**

Section A. Approval to Use Paper NEC Form

You must indicate whether you have been granted a waiver from electronic reporting from the EPA Regional Office. Note that you are not authorized to use this paper NEC form unless the EPA Regional Office has approved its use. Where you have obtained approval to use this form, indicate the waiver that you have been granted, the name of the EPA Regional Office staff person who granted the waiver, and the date that approval was provided. See <https://www.epa.gov/npdes/contact-us-stormwater> for a list of EPA Regional Office contacts.

Section B. Reason for Submission

You must check your reason for submitting this form. You may submit this form for obtaining a new NEC, for renewing a previous NEC, or for discontinuing an existing NEC (for facilities that no longer need the exclusion from permit coverage for industrial stormwater discharges).

Section C. Facility Operator Information

Provide the legal name of the person, firm, public organization, or any other entity that operates the facility described in this certification form. An operator of a facility is the legal entity that controls the operation of the facility. Refer to Appendix A of the

MSGP for the definition of "operator". Provide the operator's mailing address, phone number, and e-mail. Correspondence for the NEC will be sent to this address. Also provide the name and title for the operator point of contact (note that the point of contact name may be the same as the operator name).

Section D. Facility Information

Enter the official or legal name and complete street address, including city, state, ZIP code, and county or similar government subdivision of the facility. If the facility lacks a street address, indicate the general location of the facility (e.g., Intersection of State Highways 61 and 34). Complete facility information must be provided for permit coverage to be granted.

Provide the latitude and longitude of your facility in decimal degrees format. The latitude and longitude of your facility can be determined in several different ways, including through the use of global positioning system (GPS) receivers and U.S. Geological Survey (USGS) topographic or quadrangle maps. Refer to <http://transition.fcc.gov/mb/audio/bickel/DDDMSS-decimal.html> for assistance in providing the proper latitude/longitude format. For consistency, EPA requests that measurements be taken from the approximate center of the facility. Specify which method you used to determine latitude and longitude. If a USGS topographic map is used, specify the scale of the map used. Enter the horizontal reference datum for your latitude and longitude. The horizontal reference datum used on USGS topographic maps is shown on the bottom left corner of USGS topographic maps; it is also available for GPS receivers.

Indicate whether the facility is on Indian country lands, and if so, provide the name of the Indian tribe associated with the area of Indian country (including name of Indian reservation, if applicable).

Indicate whether you are a "federal operator" as defined in Appendix A of the MSGP. Also check the facility's ownership type.

Indicate whether the facility was previously covered under an NPDES stormwater permit. If so, include the NPDES ID (i.e., NOI tracking number).

List the four-digit Standard Industrial Classification (SIC) code or two character activity code that best describes the primary industrial activities performed by your facility.

Enter the total size of the site associated with industrial activity in acres.

Check "Yes" or "No" as appropriate to indicate whether you have paved or roofed over a formerly exposed, pervious area (i.e., lawn, meadow, dirt or gravel road/parking lot) in order to qualify for no exposure. If yes, also indicate approximately how much area was paved or roofed over and is now impervious area.

Instructions for Completing EPA Form 3510-11

**No Exposure Certification (NEC) for Exclusion from Stormwater Discharges
Associated with Industrial Activity Under the NPDES Multi-Sector General Permit**

This Form Replaces Form 3510-11 (06/15) Form OMB No. 2040-0300

Section E. Exposure Checklist

Check "Yes" or "No" as appropriate to describe the exposure condition at your facility. If you answer "Yes" to **ANY** of the questions in this section, a potential for exposure exists at your site and you cannot certify to a condition of no exposure. You must obtain (or already have) coverage under an NPDES stormwater permit. After obtaining permit coverage, you can institute modifications to eliminate the potential for a discharge of stormwater exposed to industrial activity, and then certify to a condition of no exposure.

Section F and G. Certification and Discontinuation of NEC Information

The NEC form must be signed as follows:

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

(i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

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

For a municipality, state, federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this Part, a principal executive officer of a federal agency includes (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator of EPA). Include the name and title of the person signing the form and the date of signing.

Include the name, title, and e-mail address of the person signing the form and the date of signing.

An unsigned or undated NEC form will not be considered valid.

Paperwork Reduction Act Notice

This collection of information is approved by OMB under the Paperwork Reduction Act, 44 U.S.C. 3501 et seq. (OMB Control No. 2040-0300). Responses to this collection of information are mandatory (40 CFR 122.26). An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The public reporting and recordkeeping burden for this collection of information is estimated to be 45 minutes per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates and any suggested methods for minimizing respondent burden to the

Regulatory Support Division Director, U.S. Environmental Protection Agency (2821T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

Submitting Your Form

If you have been granted a waiver from your Regional Office to submit a paper NEC form, you must send your NEC form by mail to one of the following addresses:

For Regular U.S. Mail Delivery:

Stormwater Notice Processing Center
Mail Code 4203M, ATTN: MSGP No Exposure
U.S. EPA
1200 Pennsylvania Avenue, NW
Washington, DC 20460

For Overnight/Express Mail Delivery:

Stormwater Notice Processing Center
William Jefferson Clinton East Building - Room 7420
ATTN: MSGP No Exposure
U.S. EPA
1201 Constitution Avenue, NW
Washington, DC 20004

Visit this website for instructions on how to submit electronically:
<https://www.epa.gov/npdes/stormwater-discharges-industrial-activities>

Appendix L - List of Tier 3, Tier 2, and Tier 2.5 Waters

EPA's MSGP has special requirements for discharges to waters designated by a state or tribe as Tier 2/2.5 or Tier 3 for antidegradation purposes under 40 CFR 131.12(a). See Parts 1.1.6.2 and 1.1.7.

The list below is provided as a resource for operators who must determine whether they discharge to a Tier 2/2.5 or Tier 3 water. Only Tier 2/2.5 or Tier 3 waters specifically identified by a water quality standard authority (e.g., a state, territory, or tribe) are identified in the table below. Many authorities evaluate the existing and protected quality of the receiving water on a pollutant-by-pollutant basis and determine 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. In instances where water quality is better, the authority may choose to allow lower water quality, where lower water quality is determined to be necessary to support important social and economic development. Permittees are not required to identify those waters which are evaluated on an individual basis.

Permit Number	Areas of Coverage/Where EPA Is Permitting Authority	
MAR050000	Commonwealth of Massachusetts, except Indian Country lands	
	Tier 2, Tier 2.5, and 3 waters are identified and listed in the Massachusetts Water Quality Standards 314 CMR 4.00. Surface water qualifiers that correspond with Tier classifications are defined at 314 CMR 4.06(1)(d) and listed in tables and figures at the end of 314 CMR 4.06. See MassDEP's web page at: https://www.mass.gov/doc/314-cmr-400-surface-water-quality-standards/download .	
	Tier 2	Listed as "High Quality Waters", and all wetlands that are not designated as an Outstanding Resource Water
	Tier 2.5	Listed as "Outstanding Resource Water", "Public Water Supply", "Tributary to Public Water Supply", all wetlands bordering Outstanding Resource Waters, and vernal pools
Tier 3	Defined as "Special Resource Water". Note: No waters have been defined as a Special Resource Water as of the issuance of this permit.	

Permit Number	Areas of Coverage/Where EPA Is Permitting Authority	
NHR050000	State of New Hampshire	
	Tier 2	<p>All waters are Tier 2 except where listed as impaired for the most current approved assessment cycle. GIS maps are available in cycle specific Surface Water Quality Viewer at: https://nhdes.maps.arcgis.com/apps/webappviewer/index.html?id=aa5a11f8b8c341058fc031701a2fb3c9 and, using the NHDES Assessment Unit ID assigned to the waterbody, referencing the appropriate Watershed Report Card (based on the 305(b)/303(d) Assessment). Waterbodies included in Categories "4A-*" or "5-*" are impaired and therefore not designated as Tier 2 waters.</p> <p>The assessment status of waterbodies is also included in the biennial 303(d) Lists available in spreadsheet and PDF format at: https://www.des.nh.gov/resource-center/publications?keys=303%28d%29+List&purpose=&subcategory=Watershed+Management. As of Effective Date of this Permit, the following assessment cycles are approved for the waterbodies indicated (however, operators must check for any more recently approved cycles at the time of filing an NOI; i.e., the 2020 303(d) List will apply to all waterbodies once approved):</p> <p>For discharges into the following waters, reference the 2012 305(b)/303(d) List:</p> <p>Little Bay, Bellamy River, Upper Piscataqua River, Portsmouth Harbor, Little Harbor/Back Channel and Great Bay assessment zones; and the Upper Portsmouth Harbor, Great Bay Prohib SZ2, and Great Bay-Cond Appr assessment units.</p> <p>For discharges into all other waters, reference the 2018 303(d) List available at: https://www.des.nh.gov/resource-center/publications?keys=2018+status&purpose=&subcategory=Watershed+Management</p> <p>Waterbodies not identified on the list or map are Tier 2.</p> <p>There is no list of Tier 2 or 2.5 waters in New Hampshire. New dischargers and new sources should contact David J. Gray (EPA Region 1's MSGP coordinator at gray.davidj@epa.gov).</p>
Tier 2.5	<p>There is no list of Tier 2 or 2.5 waters in New Hampshire. New dischargers and new sources should contact David J. Gray (EPA Region 1's MSGP coordinator at gray.davidj@epa.gov).</p>	

Permit Number	Areas of Coverage/Where EPA Is Permitting Authority	
	Tier 3	<p>Listed as an Outstanding Resource Water (ORW). Env-Ws 1708.04(a) describes that surface waters of national forests and surface waters designated as "natural" under RSA 483:7-a, shall be considered outstanding resource waters (ORW). A list of ORWs/Tier 3 waters is available at: https://www.des.nh.gov/resource-center/publications?keys=cgp&purpose=&subcategory=Watershed+Management. If so indicated on this list, review the NHDES OneStop Data Mapper at: https://www4.des.state.nh.us/onestopdatamapper/onestopmapper.aspx.</p> <p>Waterbodies not identified on the list or map are not ORWs.</p> <p>Env-Wq 1708.04(a) Surface waters of national forests and surface waters designated as "natural" under RSA 483:7-a, shall be considered outstanding resource waters (ORW). The New Hampshire waters listed as ORW can be found along with a list of impaired waters at https://www.des.nh.gov/organization/divisions/water/stormwater/documents/impaired-tmdl-orw-listcgp-msgp.xlsx. New dischargers and new sources should contact David J. Gray (EPA Region 1's MSGP coordinator at gray.davidj@epa.gov).</p>
PRR050000	Commonwealth of Puerto Rico	
	Tier 3	<p>Tier III waters are those which are classified as either Class SA or Class SE. Class SA waters are defined as "Coastal waters and estuarine waters of high quality and/or exceptional ecological or recreational value whose existing characteristics shall not be altered, except by natural causes, in order to preserve the existing natural phenomena." Class SA waters include bioluminescent lagoons and bays such as La Parguera and Monsio José on the Southern Coast, Bahía de Mosquito in Vieques, and any other coastal or estuarine waters of exceptional quality of high ecological value or recreational which may be designated by Puerto Rico, through Resolution, as requiring this classification for protection of the waters. Class SE waters are defined as "Surface waters and wetlands of exceptional ecological value, whose existing characteristics should not be altered in order to preserve the existing natural phenomena." Class SE waters include Laguna Tortuguero, Laguna Cartagena and any other surface water bodies of exceptional ecological value as may be designated by Puerto Rico through Resolution.</p>
DCR050000	District of Columbia	
	Tier 2/2.5	<p>Rule 1102.4 SPECIAL WATERS OF THE DISTRICT OF COLUMBIA (SWDC): Any segment or segments of the surface waters of the District that are of water quality better than needed for the current use or have scenic or aesthetic importance shall be designated as Special Waters of the District of Columbia (SWDC). Rock Creek and its tributaries and Battery Kemble Creek and its tributaries are considered Special Waters of the District of Columbia (SWDC) under its antidegradation program.</p>
MNR050001	Fond du Lac Band of MN Chippewa	
	Tier 3	<p>Six lakes are presently identified as Tier 3: (1) Dead Fish, (2) Jaskari, (3) Miller (Mud), (4) Perch, (5) Rice Portage, (6) Wild Rice.</p>

Permit Number	Areas of Coverage/Where EPA Is Permitting Authority	
	Grand Portage Band of MN Chippewa	
	Tier 2/2.5	All waters, not already classified as Tier 3, are high quality Tier 2 waters. (see Grand Portage Reservation Water Quality Standards, Section VI & VII, Pages 14-16).
	Tier 3	"The portion of Lake Superior north of latitude 47 degrees, 57 minutes, 13 seconds, east of Hat Point, south of the Minnesota-Ontario boundary, and west of the Minnesota-Michigan boundary." (see Section VII, Page 16).
WIR050001	Lac du Flambeau Band of the Lake Superior Chippewa	
	Tier 2	All named waters, including wetlands, not specified under an antidegradation classification.
	Tier 2.5	Bills Lake, Birch Lake, Bobidosh Lake, Bog Lake (SE SE Sec. 31, T40NR6E), Bolton Lake, Broken Bow Lake, Chewalah Lake, Clear Lake (Sec. 2, T39NR4E), Corn Great, Great, Corn Lake, Little "Least/Lesser", Crawling Stone Lake, Big, Crawling Stone Lake, Little, Crescent Lake, Crooked Lake, Big, David Lake, Ellerson Lake, Middle, Ellerson Lake, West, Elsie Lake "Boundary Lake", Fat Lake, Fence Lake, Gresham
		Creek, Green Lake (NW NW Sec. 19, T41R6E), Grey Lake, Gunlock Lake, Haskell Lake, Headflyer Lake (Sec. 19, T41NR5E), Highway Lake (NW NW Sec. 19, T41NR5E), Horsehead Lake (SE SW Sec. 9, T40NR5E), Hutton's Creek, Ike Walton Lake, Lily Lake (SE SW Sec. 35, T40NR5E), Little Ten Lake, Lodge Lake "L. Rice" (NW NW Sec. 8, T41NR6E), Lucy Lake, Mindys Lake (Sec. 8, T40NR5E), Minette Lake, Mitten Lake, Monk's Lake (Sec. 13, T40NR5E), Moving Cloud Lake, Mud Creek, Muskesin Lake, Patterson Lake, Placid Twin Lake (North), Placid Twin Lake (South), Plummer Lake, Poupart Lake, Prairie Lake (NE SW Sec. 13, T40NR4E), Raven Lake, Ross Allen Lake, Sand Lake, Little, Scott Lake (Sec. 22, T40N, R4E), Shishebogama Lake, Signal Lake, Snort Lake (Sec. 5, T41N, R6E), Spring Lake "Jerms", Squirrel Lake, Statenaker Lake "Hollow", Stearns Lake "Hourglass", Sugarbush "Hidden Lake" (NW NW Sec. 17, T41NR5E), Sugarbush Creek, Sugarbush Lake, Little, Sugarbush Lake, Lower, Sugarbush Lake, Middle, Sugarbush Lake, Upper, Sunfish Lake, Tippecanoe Lake, Tomahawk River, To-To Tom Lake, Toulish Lake, Trout River, Warrior Lake, White Sand Lake, Whitefish Lake "Cattail Lake" (Sec. 34, T40N5R), Wishow Lake, Wyandock Lake
	Tier 3	Bear River (1st bridge to Reservation boundary), Big Springs (Sec. 25, T40NR4E), Black Lake, Cranberry Lake, Doud Lake, Eagle Lake, Gene Lake, Johnson Springs, Little Trout Lake, Lost Lake (Sect. 1, T41NR4E), Mishonagon Creek, Munnomin (Jesse, Duck) Lake, Negani (Hegani) Lake, Reservation Line Lake, Spring Creek, Tank Lake, Thomas Lake, Wild Rice Lake, Zee Lake
	Mole Lake Band of the Lake Superior Tribe of the Chippewa Indians, Sokaogon Chippewa Community	
	Tier 2.9	One Tribal Water, Wetland 22, is classified as Exceptional High Quality Water (EHQW). It is a high-quality water body of significant cultural, religious, social, ecological and recreational attributes.
	Tier 3	All waters in the Sokaogon Chippewa Community (WI) as classified as Tier 3, with one exception (Wetland 22).

Permit Number	Areas of Coverage/Where EPA Is Permitting Authority	
COR0500I	State of Colorado	
	Ute Mountain Ute Tribe	
	Tier 3	<p>(2010 Proposed) Designations:</p> <p>(1) Ute Spring and unnamed creek from Ute Spring downstream within Section 12, TWP35N R18W (Colorado).</p> <p>(2) Allen Canyon Creek, Sections 17, 20, 29, 30, 31, TWP 35S, R21E (Utah)</p> <p>(3) "Lopez" Spring and unnamed creek tributary to and downstream from the spring, within Section 35, TWP 34N, R18W</p>
NMR050000	State of New Mexico	
	Tier 3	<p>(1) Rio Santa Barbara, including the west, middle and east forks from their headwaters downstream to the boundary of the Pecos Wilderness; and</p> <p>(2) the waters within the United States forest service Valle Vidal special management unit including:</p> <p>(a) Rio Costilla, including Comanche, La Cueva, Fernandez, Chuckwagon, Little Costilla, Holman, Gold, Grassy, LaBelle and Vidal creeks, from their headwaters downstream to the boundary of the United States forest service Valle Vidal special management unit;</p> <p>(b) Middle Ponil creek, including the waters of Greenwood Canyon, from their headwaters downstream to the boundary of the Elliott S. Barker wildlife management area;</p> <p>(c) Shuree lakes;</p> <p>(d) North Ponil creek, including McCrystal and Seally Canyon creeks, from their headwaters downstream to the boundary of the United States forest service Valle Vidal special management unit; and</p> <p>(e) Leandro creek from its headwaters downstream to the boundary of the United States forest service Valle Vidal special management unit.</p> <p>(3) the named perennial surface waters of the state, identified in Subparagraph (a) below, located within United States department of agriculture forest service wilderness. Wilderness are those lands designated by the United States congress as wilderness pursuant to the Wilderness Act. Wilderness areas included in this designation are the Aldo Leopold wilderness, Apache Kid wilderness, Blue Range wilderness, Chama River Canyon wilderness, Cruces Basin wilderness, Dome wilderness, Gila wilderness, Latir Peak wilderness, Pecos wilderness, San Pedro Parks wilderness, Wheeler Peak wilderness, and White Mountain wilderness.</p> <p>(a) The following waters are designated in the Rio Grande basin:</p> <p>(i) in the Aldo Leopold wilderness: Byers Run, Circle Seven creek, Flower canyon, Holden Prong, Indian canyon, Las Animas creek, Mud Spring canyon, North Fork Palomas creek, North Seco creek, Pretty canyon, Sids Prong, South Animas canyon, Victorio Park canyon, Water canyon;</p> <p>(ii) in the Apache Kid wilderness Indian creek and Smith canyon;</p> <p>(iii) in the Chama River Canyon wilderness: Chavez canyon, Ojitos canyon, Rio Chama;</p> <p>(iv) in the Cruces Basin wilderness: Beaver creek, Cruces creek, Diablo creek, Escondido creek, Lobo creek, Osha creek;</p> <p>(v) in the Dome wilderness: Capulin creek, Medio creek, Sanchez canyon/creek;</p> <p>(vi) in the Latir Peak wilderness: Bull creek, Bull Creek lake, Heart lake,</p>

Permit Number	Areas of Coverage/Where EPA Is Permitting Authority
	<p>Lagunitas Fork, Lake Fork creek, Rito del Medio, Rito Primero, West Latir creek;</p> <p>(vii) in the Pecos wilderness: Agua Sarca, Hidden lake, Horseshoe lake (Alamitos), Jose Vigil lake, Nambe lake, Nat lake IV, No Fish lake, North Fork Rio Quemado, Rinconada, Rio Capulin, Rio de las Trampas (Trampas creek), Rio de Truchas, Rio Frijoles, Rio Medio, Rio Molino, Rio Nambe, Rio San Leonardo, Rito con Agua, Rito Gallina, Rito Jaroso, Rito Quemado, San Leonardo lake, Santa Fe lake, Santa Fe river, Serpent lake, South Fork Rio Quemado, Trampas lake (East), Trampas lake (West);</p> <p>iii) in the San Pedro Parks wilderness: Agua Sarca, Cañon Madera, Cave creek, Cecilia Canyon creek, Clear creek (North SPP), Clear creek (South SPP), Corralitos creek, Dove creek, Jose Miguel creek, La Jara creek, Oso creek, Rio Capulin, Rio de las Vacas, Rio Gallina, Rio Puerco de Chama, Rito Anastacio East, Rito Anastacio West, Rito de las Palomas, Rito de las Perchas, Rito de los Pinos, Rito de los Utes, Rito Leche, Rito Redondo, Rito Resumidero, San Gregorio lake;</p> <p>(ix) in the Wheeler Peak wilderness: Black Copper canyon, East Fork Red river, Elk lake, Horseshoe lake, Lost lake, Sawmill creek, South Fork lake, South Fork Rio Hondo, Williams lake.</p> <p>(b) The following waters are designated in the Pecos River basin:</p> <p>(i) in the Pecos wilderness: Albright creek, Bear creek, Beatty creek, Beaver creek, Carpenter creek, Cascade canyon, Cave creek, El Porvenir creek, Hollinger creek, Holy Ghost creek, Horsethief creek, Jack's creek, Jarosa canyon/creek, Johnson lake, Lake Katherine, Lost Bear lake, Noisy brook, Panchuela creek, Pecos Baldy lake, Pecos river, Rio Mora, Rio Valdez, Rito Azul, Rito de los Chimayosos, Rito de los Esteros, Rito del Oso, Rito del Padre, Rito las Trampas, Rito Maestas, Rito Oscuro, Rito Perro, Rito Sebadillosos, South Fork Bear creek, South Fork Rito Azul, Spirit lake, Stewart lake, Truchas lake (North), Truchas lake (South), Winsor creek;</p> <p>(ii) in the White Mountain wilderness: Argentina creek, Aspen creek, Bonito creek, Little Bonito creek, Mills canyon/creek, Rodamaker creek, South Fork Rio Bonito, Turkey canyon/creek.</p> <p>(c) The following waters are designated in the Gila River basin:</p> <p>(i) in the Aldo Leopold wilderness: Aspen canyon, Black Canyon creek, Bonner canyon, Burnt canyon, Diamond creek, Falls canyon, Fisherman canyon, Running Water canyon, South Diamond creek;</p> <p>(ii) in the Gila wilderness: Apache creek, Black Canyon creek, Brush canyon, Canyon creek, Chicken Coop canyon, Clear creek, Cooper canyon, Cow creek, Cub creek, Diamond creek, East Fork Gila river, Gila river, Gilita creek, Indian creek, Iron creek, Langstroth canyon, Lilley canyon, Little creek, Little Turkey creek, Lookout canyon, McKenna creek, Middle Fork Gila river, Miller Spring canyon, Mogollon creek, Panther canyon, Prior creek, Rain creek, Raw Meat creek, Rocky canyon, Sacaton creek, Sapillo creek, Sheep Corral canyon, Skeleton canyon, Squaw creek, Sycamore canyon, Trail canyon, Trail creek, Trout creek, Turkey creek, Turkey Feather creek, Turnbo canyon, West Fork Gila river, West Fork Mogollon creek, White creek, Willow creek, Woodrow canyon.</p> <p>(d) The following waters are designated in the Canadian River basin: in the Pecos wilderness Daily creek, Johns canyon, Middle Fork Lake of Rio de la Casa, Middle Fork Rio de la Casa, North Fork Lake of Rio de la Casa, Rito de Gascon, Rito San Jose, Sapello river, South Fork Rio de la</p>

Permit Number	Areas of Coverage/Where EPA Is Permitting Authority	
	<p>Casa, Sparks creek (Manuelitas creek).</p> <p>(e) The following waters are designated in the San Francisco River basin:</p> <p>(i) in the Blue Range wilderness: Pueblo creek;</p> <p>in the Gila wilderness: Big Dry creek, Lipsey canyon, Little Dry creek, Little Whitewater creek, South Fork Whitewater creek, Spider creek, Spruce creek, Whitewater creek.</p> <p>(f) The following waters are designated in the Mimbres Closed basin: in the Aldo Leopold wilderness Corral canyon, Mimbres river, North Fork Mimbres river, South Fork Mimbres river.</p> <p>(g) The following waters are designated in the Tularosa Closed basin: in the White Mountain wilderness Indian creek, Nogal Arroyo, Three Rivers.</p> <p>(h) The wetlands designated are identified on the maps and list of wetlands within United States forest service wilderness areas designated as outstanding national resource waters published at the New Mexico state library and available on the department's website.</p>	
CAR050001	Hualapai Tribe	
	Tier 3	Spencer, Meriwhitica, Willow Spring, Upper Milkweed Spring, Bridge Canyon, Travertine Spring, Travertine Falls, Diamond Creek, Diamond Creek Spring, Blue Mountain, Metuck, Peach Springs Spring, Westwater, Clay Tank, Hockey Puck, Pocamote Spring, Mohawk Spring, Granite Spring, Three Spring, Warm Spring, Honga Spring, National Canyon Spring, National Canyon, Moss Spring
	White Mountain Apache Tribe of the Fort Apache Indian Reservation	
	Tier 2/2.5	East Fork White River, above R52 Road, East Fork White River below R52 Road, above Rock Cr., Paradise Creek, above Wohlenberg, Ord Creek, Smith Cienega, Bull Cienega, Smith Creek, Big Bonito , Tonto Creek, below Y47 Crossing, Crooked Creek, Boggy Creek, Lofer Cienego Creek, Little Bonito Creek, above Y55 Crossing, Flash Creek, Squaw Creek, Hurricane Lake, Hurricane Creek, Hughey Creek, Bonito Cienega, West Fork Black River, Hall Cienega, Purcell Cienega, Thompson Creek, Carrizo Creek below Corduroy, Carrizo Creek above Corduroy, Cedar Creek, Big Canyon (E. Cedar Creek), Middle Cedar Creek, West Cedar Creek, Cibecue Creek in Box Canyon to Salt river, Cibecue Creek, Box CallYon up to confluence with Salt Creek, Spring Creek, Salt Creek, Cibecue Creek, from confluence w/Salt Cr, to Big Springs, Cibecue Creek, above Big Springs, Rock Springs Creek, Salt Draw, Canyon Creek S. of Chediski Farms, Willow Creek (Lower Canyon Cr), Oak Creek, Canyon Creek. N. of Chedlski Fanns,
	Tier 3	East Fork White River, in Wilderness Area, Pumpkin Lake
IDR050000	State of Idaho	
	For Tier 2 and Tier 3 waters, please consult the Idaho Integrated Report, available at: http://www.deq.idaho.gov/water-quality/surface-water/monitoring-assessment/integrated-report.aspx and the closest regional office of the Idaho Department of Environmental Quality: http://www.deq.idaho.gov/regional-offices-issues.aspx .	

Appendix M - Discharge Monitoring Report (DMR) Form

Part 7.2 requires you to use the electronic DMR system to prepare and submit your Discharge Monitoring Report (DMR) form. However, if you are given approval by the EPA Regional Office to use a paper DMR form, and you elect to use it, you must complete and submit the following form.

NPDES FORM 6100-29		UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460 MSGP INDUSTRIAL DISCHARGE MONITORING REPORT (DMR) FORM	OMB No. 2040-0300 Exp. Date: 3/31/2024
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A. Approval to Use Paper NOI Form

1. Have you been granted a waiver from electronic reporting from the EPA Regional Office*? YES NO

If yes, check which waiver you have been granted, the name of the EPA Regional Office staff person who granted the waiver, and the date of approval:

Waiver granted: The owner/operator'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.

The owner/operator has issues regarding available computer access or computer capability

Name of EPA staff person that granted the waiver:

Date approval obtained: / /

*** Note: Note: You are required to obtain approval from the applicable EPA Regional Office prior to using this paper DMR form. If you have not obtained a waiver, you must file this form electronically using the NetDMR at <http://www.epa.gov/netdmr/>**

1. NPDES ID:

2. Reason(s) for Submission (Check all that apply):

Submitting monitoring data (Fill in all Sections).

Reporting no discharge for all discharge points for this monitoring period (Fill in Sections A, B, C, D, E.1, and G).

Reporting that your site status has changed to inactive and unstaffed and there are no industrial materials or activities exposed to stormwater (Fill in Sections A, B, C, D, and F.4 (include date of status change in comment field).

Reporting that your site status has changed to active and/or there are industrial materials or activities exposed to stormwater (Fill in all Sections and include date of status change in comment field in Section F.4).

1. Operator Information:

Operator Name:

Mailing Address:

Street:

City: State: ZIP Code: -

Phone: - - Ext.

E-mail:

2. DMR Preparer (Complete if DMR was prepared by someone other than the certifier):

First Name, Middle Initial, Last Name

Organization:

Phone: - - Ext.

E-mail:

D. Facility Information

1. Facility Name:

2. Facility Address:
Street/Location:

City: State: ZIP Code:

County or Similar Government Subdivision:

E. Discharge Information

1. Identify monitoring period: Check here if proposing alternative monitoring periods due to irregular stormwater runoff. Identify alternative monitoring schedule and indicate for which alternative monitoring period you are reporting monitoring data:

Quarter 1 (January 1 – March 31) Quarter 1: From / To /

Quarter 2 (April 1 – June 30) Quarter 2: From / To /

Quarter 3 (July 1 – September 30) Quarter 3: From / To /

Quarter 4 (October 1 – December 31) Quarter 4: From / To /

2. Are you required to monitor for cadmium, chromium, lead, nickel, silver, or zinc in freshwater? YES (Skip to 3) NO (Skip to 4)

3. What is the hardness level of the receiving water? (mg/L)

4. Does your facility discharge into any saltwater receiving waters? YES NO

	UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460 MSGP INDUSTRIAL DISCHARGE MONITORING REPORT (DMR) FORM	OMB No. 2040-0300
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F. Monitoring Information Note: Make additional copies of this form as necessary.

1. Nature of Discharge: Rainfall (Complete line items 2.a., 2.b., & 2.c.) Snowmelt

2.a. Duration of the rainfall event (hours): 2.b. Rainfall amount (inches): . 2.c. Time since previous measurable storm event (days):

3.a. Discharge Point ID (list the same 3- digit discharge points identified on the NOI form)	3.b. Check if Any Discharge Points are Substantially Identical to Other Discharge Points Listed	3.c. Check if No Discharge	3.d. Monitoring Type IM, BM, ELG, S/T, I, O*	3.e. Parameter	3.f. Quantity or Concentration	3.g. Units	3.h. Results Description	3.i. Collection Date	3.j. Exceedance solely attributable to natural background pollutant levels per Part 5.2.6.1	3.k. Exceedance due to run-on per Part 5.2.6.2	3.l Exceedance due to an abnormal event per 5.2.6.3	3.m Exceedance but discharge does not result in any exceedance of water quality standards per Part 5.2.6.5	3.n Aluminum Exceedance demonstrated to not result in an exceedance of your facility- specific criteria per Part 5.2.6.4.a	3.o Copper Exceedance demonstrated to not result in an exceedance of your facility- specific criteria per Part 5.2.6.4.b
	<input type="checkbox"/> Substantially identical to discharge point: _____	<input type="checkbox"/>									<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/> Substantially identical to discharge point: _____	<input type="checkbox"/>									<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/> Substantially identical to discharge point: _____	<input type="checkbox"/>									<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/> Substantially identical to discharge point: _____	<input type="checkbox"/>									<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

* IM - Indicator monitoring; BM - Benchmark monitoring; (ELG) - Annual effluent limitations guidelines monitoring; (S/T) - State- or tribal-specific monitoring; (I) - Impaired waters monitoring; (O) - Other monitoring as required by EPA

4. Comment and/or Explanation of Any Violations (Reference all attachments here)

G. Certification

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

First Name, Middle, Last Name

Title:

Signature: _____

Date: / /

E-mail:

Instructions for Completing EPA Form 6100-29

**Discharge Monitoring Report (DMR) for Stormwater Discharges
Associated with Industrial Activity Under the NPDES Multi-Sector General Permit**

OMB No. 2040-0300

Who Must Submit A Discharge Monitoring Report to EPA?

Facilities covered under EPA's NPDES Stormwater Multi-Sector General Permit (MSGP or permit) that are required to monitor pursuant to Parts 4.2 and 8 of the permit must submit Discharge Monitoring Reports (DMRs) consistent with the reporting requirements specified in Part 7.1 of the permit.

Completing the Form

Obtain and read a copy of the 2021 MSGP, viewable at <https://www.epa.gov/npdes/stormwater-discharges-industrial-activities>. To complete this form, type or print, using uppercase letters, in the appropriate areas only. Please place each character between the marks. Abbreviate if necessary to stay within the number of characters allowed for each item. Use only one space for breaks between words, but not for punctuation marks unless they are needed to clarify your response. Please submit original document with signature in ink - do not send a photocopied signature. **Photocopy your DMR form for your records before you send the completed original form to the appropriate address.**

Section A. Approval to Use Paper DMR Form

You must indicate whether you have been granted a waiver from electronic reporting from the EPA Regional Office. Note that you are not authorized to use this paper DMR form unless the EPA Regional Office has approved its use. Where you have obtained approval to use this form, indicate the waiver that you have been granted, the name of the EPA staff person who granted the waiver, and the date that approval was provided. See <https://www.epa.gov/npdes/contact-us-stormwater> for a list of EPA Regional Office contacts.

Section B. Permit Information

Provide the NPDES ID (i.e., NOI tracking number) assigned to the facility for which this DMR is being submitted.

Indicate your reason(s) for submitting this DMR by checking all boxes that apply. The reasons for submission are defined as follows:

- *Submitting monitoring data:* For each storm sampled, submit one DMR form with data for all discharge points sampled. Select this reason even if you only have monitoring data for some of your discharge points (i.e., some discharge points did not discharge). If you select this reason you are required to complete all Sections of the form.
- *Reporting no discharge for all discharge points for this monitoring period:* Indicates that there were no discharges from all discharge points during this monitoring period. If you select this reason you are only required to complete Sections A, B, C, D, E.1, and G.
- *Reporting that your site status has changed to inactive and unstaffed and there are no industrial materials or activities exposed to stormwater:* Indicates that your facility is currently inactive and unstaffed and there are no industrial materials or activities exposed to stormwater (See Part 4.2.1.3 of the permit for more information). If you select this reason you are only required to complete Sections A, B, C, D, and F.4 (include date of status change in comment field).

- *Reporting that your site status has changed from inactive to active and/or there are industrial materials or activities exposed to stormwater:* Indicates that your facility is currently active (See Part 4.2.1.3 of the permit for more information). If you select this reason you are required to complete all Sections of the form and include date of status change in the comment field in Section F.4.

Section C. Facility Operator Information.

Provide the legal name of the person, firm, public organization, or any other entity that operates the facility for which this DMR is being submitted. An operator of a facility is the legal entity that controls the operation of the facility. Refer to Appendix A of the permit for the definition of "operator". Provide the operator's mailing address, phone number, and e-mail. The operator information in this Section should match the operator information provided on your NOI form.

Provide the name, organization, phone number, an e-mail address for the person who prepared this DMR form.

Section D. Facility Information

Enter the official or legal name and complete street address, including city, state, ZIP code, and county or similar government subdivision of the facility. If the facility lacks a street address, indicate the general location of the facility (e.g., Intersection of State Highways 61 and 34). Complete facility information must be provided for permit coverage to be granted. The facility information in this Section should match the facility information provided on your NOI form.

Section E. Discharge Information.

Indicate the appropriate monitoring period (Quarter 1, 2, 3, or 4) covered by the DMR. "Alternative" monitoring periods can apply to facilities located in arid and semi-arid climates, or in areas subject to snow or prolonged freezing. To use alternative monitoring periods, you must provide a revised monitoring schedule here. If using alternative monitoring periods, identify the first day of the monitoring period through the last day of the monitoring period for each of the four periods. The dates should be displayed as month (Mo) / day (Day). See Parts 4.1.6 and 4.1.7 of the permit for more information.

If you are submitting benchmark monitoring data, identify if your facility is required to collect benchmark samples for one or more hardness-dependent metals (i.e., cadmium, lead, nickel, silver, and zinc). If you select "yes" to this question provide the hardness level of the receiving water (in mg/L). If you select "no" to this question, you must identify if your facility discharges into any saltwater receiving waters.

Instructions for Completing EPA Form 6100-29

**Discharge Monitoring Report (DMR) for Stormwater Discharges
Associated with Industrial Activity Under the NPDES Multi-Sector General Permit**

OMB No. 2040-0300

Section F. Monitoring Information

For the reported monitoring event indicate whether the discharge was from a rainfall or snowmelt event. If you select "rainfall" then indicate the 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 in line items 2.a-c. For both rainfall and snowmelt monitoring, you must identify the date of collection for the monitoring event in column 3.i. of the table. If the discharge occurs during a period of both rainfall and snowmelt, check both the rainfall and snowmelt boxes and report the appropriate rainfall information in item 2.a-c. To report multiple monitoring events in the same reporting period, copy this form and enter each monitoring event separately with data for all discharge points sampled.

Identify all the discharge points from your facility that discharge stormwater. Each discharge point must be assigned a unique 3-digit number (e.g., 001, 002, 003), and should match the discharge points identified on your NOI form.

If any discharge points are substantially identical, check the box in 3.b and identify the discharge point that the discharge point in 3.a is substantially identical to. In 3.d – k, you only need to provide benchmark monitoring data for one of the discharge points if it is substantially identical.

For any discharge point for which there was no discharge during the monitoring period, check the box in 3.c.

In 3.d, identify the type of monitoring using the specified codes, in parentheses, below:

- (IM) – Indicator monitoring
- (BM) – Benchmark monitoring
- (ELG) – Annual effluent limitations guidelines monitoring;
- (S/T) – State- or Tribal-specific monitoring;
- (I) – Impaired waters monitoring; or
- (O) – Other monitoring as required by EPA.

In 3.e, enter each "parameter" (or "pollutant") monitored. For BM and ELG monitoring, use the same parameter name as in Part 8 of the permit.

In 3.f., enter a sample measurement value for each parameter analyzed and required to be reported. Enter "ND" (i.e., not detected) for any sample results below the method detection limit or "BQL" (i.e., below quantitation limit) for sample results above the detection limit but below the quantitation limit.

In 3.g., enter the units for sample measurement values (i.e., "mg/L" for milligrams per liter) for each parameter analyzed and required to be reported. For monitoring results reported as ND or BQL this space will be left blank and the units will be reported in Column 3.f.

3.h. must be completed for any monitoring results reported as ND or BQL in the "Quality or Concentration" column. For ND, report the laboratory detection level and units in this column. For BQL, report the laboratory quantitation limit and units in this column.

In 3.i. identify the sampling date for each parameter monitoring result reported on this form.

3.j. *Exceedance solely attributable to natural background pollutant levels:* Check box if following the first 4 quarters of benchmark monitoring (or sooner if the exceedance is triggered by less than 4 quarters of data) you have determined that the exceedance of the benchmark is attributable solely to the presence of that pollutant in the natural background for that discharge point and any substantially identical discharge points, or for impaired waters

monitoring, the presence of the pollutant is caused solely by natural background, provided that all of the conditions in Part 5.2.6.1 are met.

3.k. *Exceedance due to run-on:* Check box if you can demonstrate and obtain EPA agreement that run-on from a neighboring source (e.g., a source external to your facility) is the cause of the exceedance, provided that the conditions in Part 5.2.6.2 are met.

3.l. *Exceedance due to an abnormal event:* Check box if one single sampling event is abnormal and you have immediately documented per Part 5.3 that the single event was abnormal and met all other conditions in Part 5.2.6.3.

3.m. *Exceedance but discharge does not result in any exceedance of water quality standards per Part 5.2.6.5:* Check box if you can demonstrate through an analysis that an exceedance triggering AIM requirements does not result in any exceedance of applicable water quality standards, provided that all the conditions in Part 5.2.6.5 are met.

3.n. *Aluminum exceedance demonstrated to not result in an exceedance of your facility-specific criteria per Part 5.2.6.4.a:* Check box if you can demonstrate through an analysis that an aluminum exceedance does not result in an exceedance of your facility-specific criteria using the national recommended water quality criteria in-lieu of the applicable MSGP benchmark threshold.

3.o. *Copper exceedance demonstrated to not result in an exceedance of your facility-specific criteria per Part 5.2.6.4.b:* Check box if you can demonstrate through an analysis that a copper exceedance does not result in an exceedance of your facility-specific criteria using the national recommended water quality criteria in-lieu of the applicable MSGP benchmark threshold.

Where violations of the permit requirements are reported, include a brief explanation to describe the cause and corrective actions taken, and reference each violation by date. Also, this section should include any additional comments such as are required when changing site status from inactive and unstaffed to active or vice versa. Attach additional pages if you need more space.

Attach additional copies of Section F as necessary to address all discharge points and parameters.

Section G. Certification Information

DMRs must be signed by a person described below, or by a duly authorized representative of that person.

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

(i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated

Appendix O - Summary of Reports Permit Submittals

Permit Section	Applicable Operator	Report/Submittal	Frequency	Due Date(s)	Where to Submit
Part 1.1.4	Only for operators seeking coverage under Part 1.1.4 eligibility criterion C3	Procedures Relating to Endangered Species Protection Appendix E Criterion C3 Eligibility Form: Submittal of Criterion C Form	Once, if applicable	At the same time as the NOI for permit coverage is submitted (an additional 30 calendar day review period will apply)	Electronically using the NPDES eReporting Tool (NeT) for MSGP
Part 1.3	Operator operating consistent with EPA's No Action Assurance and submitted an Intent to Operate (ITO) form [Operators of industrial activities who commenced discharging between June 4, 2020 and March 1, 2021 and have been operating consistent with EPA's June 3, 2020 'No Action Assurance for the NPDES Stormwater Multi-Sector General Permit for Industrial Activities.']	Submittal of Notice of Intent (NOI)	Once per permit term	As soon as possible, but see the June 3, 2020 'No Action Assurance for the NPDES Stormwater Multi-Sector General Permit for Industrial Activities' (and any updates to that document) for additional guidance on deadlines.	Electronically using the NPDES eReporting Tool (NeT) for MSGP
Part 1.3	New facility without MSGP coverage (Operators of industrial activities that will commence discharging after March 1, 2021)	Submittal of Notice of Intent (NOI)	Once per permit term	At least 30 calendar days prior to commencing discharge	Electronically using the NPDES eReporting Tool (NeT) for MSGP
Part 1.3	Existing MSGP facility [Operators of industrial activities whose stormwater discharges were covered under the 2015 MSGP]	Submittal of Notice of Intent (NOI)	Once per permit term	No later than May 30, 2021. However, if you have not previously obtained coverage under an NPDES permit, you must submit your NOI immediately.	Electronically using the NPDES eReporting Tool (NeT) for MSGP

Permit Section	Applicable Operator	Report/Submittal	Frequency	Due Date(s)	Where to Submit
Part 1.3	Existing facility covered under an alternative permit [Operators seeking coverage for stormwater discharges previously covered under an individual permit or an alternative general permit]	Submittal of Notice of Intent (NOI)	Once per permit term	At least 30 calendar days prior to commencing discharge	Electronically using the NPDES eReporting Tool (NeT) for MSGP
Part 1.3	Existing MSGP facility with a new operator [New operators of existing industrial activities with stormwater discharges previously authorized under the 2021 MSGP]	Submittal of Notice of Intent (NOI)	Once per permit term	At least 30 calendar days prior to the date of transfer of control to the new operator.	Electronically using the NPDES eReporting Tool (NeT) for MSGP
Part 1.3	Existing facility without MSGP coverage [Operators of industrial activities that commenced discharging prior to March 1, 2021, but whose stormwater discharges were not covered under the 2015 MSGP or another NPDES permit and have not been operating consistent with EPA's No Action Assurance for EPA's NPDES MSGP]	Submittal of Notice of Intent (NOI)	Once per permit term	Immediately; your stormwater discharges are currently unpermitted.	Electronically using the NPDES eReporting Tool (NeT) for MSGP

Permit Section	Applicable Operator	Report/Submittal	Frequency	Due Date(s)	Where to Submit
Part 1.3.4	An operator needing to correct or update any NOI fields	Submittal of a Change NOI	As applicable	<p>For existing operator, within 30 calendar days after the change occurs.</p> <p>Within 30 calendar days of the transfer in operator or a new operator taking over operational control at an existing facility, the new operator must submit a new NOI.</p> <p>No later than 30 calendar days after MSGP coverage becomes active for the new operator, the previous operator must submit a Notice of Termination (NOT) per Part 1.4.</p>	Electronically using the NPDES eReporting Tool (NeT) for MSGP
Part 1.4	An operator seeking to terminate their permit coverage under the 2021 MSGP	Notice of Termination	Once, if applicable	<p>Within 30 days after:</p> <ul style="list-style-type: none"> • a new operator takes over responsibility for the facility; or • operations and stormwater discharges have ceased; or • for Sector G, H, or J facilities, the applicable termination requirements have been met; or • alternative permit coverage has been obtained 	Electronically using the NPDES eReporting Tool (NeT) for MSGP

Permit Section	Applicable Operator	Report/Submittal	Frequency	Due Date(s)	Where to Submit
Part 1.5	An eligible operator seeking an exclusion from NPDES permitting per 40 CFR 122.26(g)	Conditional "No Exposure" Certification Form (NEC)	If eligible, once every 5 years	As necessary	Electronically using the NPDES eReporting Tool (NeT) for MSGP
Part 3.1.6	All operators, unless eligible for an exception	Routine Inspection Documentation	At least quarterly	By the end of the quarter	Reports are kept with SWPPP
Part 3.2.3	All operators, unless eligible for an exception	Quarterly Visual Assessment Documentation	At least quarterly	By the end of the quarter	Reports are kept with SWPPP
Part 5.3	Operators that must perform corrective action or Additional Implementation Measures per Parts 5.1 and 5.2	Corrective Action and AIM Documentation	<ul style="list-style-type: none"> Document existence of corrective action/AIM condition within 24 hours of becoming aware of the condition; Document corrective actions/AIMs taken or to be taken within 14 days from the time of discovery of the condition. 	As necessary	Reports are kept with SWPPP
Part 6 Part 7.3	All operators	Stormwater Pollution Prevention Plan (SWPPP)	<ul style="list-style-type: none"> Attach SWPPP to NOI, provide URL for SWPPP, or provide SWPPP information directly on the NOI form. Update the on-site SWPPP as site conditions indicate. At minimum, the SWPPP must be modified based on corrective actions and deadlines required under Part 5. 	Develop initial SWPPP prior to the submittal of NOI form. Update the SWPPP information included in attachment to NOI, on URL, or on NOI form, at a minimum, no later than 45 days after conducting the final routine facility inspection for the year.	Electronically using the NPDES eReporting Tool (NeT) for MSGP

Permit Section	Applicable Operator	Report/Submittal	Frequency	Due Date(s)	Where to Submit
Part 4 Part 7.4	All operators	Discharge Monitoring Reports (DMRs)	<ul style="list-style-type: none"> • <u>Indicator Monitoring for pH, Total Suspended Solids (TSS), and Chemical Oxygen Demand (COD) (Part 4.2.1.1.a.)</u>: 1/quarter for entire permit coverage; • <u>Indicator Monitoring for Polycyclic Aromatic Hydrocarbons (PAHs) (Part 4.2.1.1.b.)</u>: 2/year in years 1 and 4 of permit coverage; • <u>Benchmark Monitoring (Part 4.2.2)</u>: 1/quarter in years 1 and 4 of permit coverage (additional monitoring may be required if exceedances occur); • <u>Effluent Limitations Monitoring (Part 4.2.3)</u>: 1/year for entire permit coverage; • <u>State or Tribal Monitoring (Part 4.2.4)</u>: See Part 9 of the permit for frequency; • <u>Impaired Waters Monitoring (Part 4.2.5)</u>: 1/year in years 1 and 4 of permit coverage for discharges to impaired waters without an EPA-approved or established total maximum daily load (TMDL) 	Within 30 days of receiving your full laboratory results for all monitored discharge points during the reporting period.	Electronically using EPA's electronic DMR tool (Net-DMR)

Permit Section	Applicable Operator	Report/Submittal	Frequency	Due Date(s)	Where to Submit
Part 7.4	All operators	Annual Report	1/year	By January 30th	Electronically using the NPDES eReporting Tool (NeT) for MSGP (NeT-MSGP)
Part 7.5	Operators subject to follow-up monitoring per Part 4.2.3.3	Exceedance Report for Numeric Effluent Limitations	If applicable	30 days after receiving laboratory results if 30-day follow-up monitoring indicates exceedance	Follow-up monitoring submitted Electronically using EPA's electronic DMR tool (Net-DMR) Exceedance reports submitted directly to the applicable EPA Regional Office listed in Part 7.8 of the permit
Part 7.6	Any applicable operator	Additional Reporting (Noncompliance endangering health, reportable quantity spills, etc.)	As necessary	Varies – see Part 7.6	Varies – see Part 7.6

Appendix P - List of Federal CERCLA Sites

Part 1.1.7 of the MSGP has special requirements for discharges to a federal CERCLA site.¹

If your facility discharges to one of the federal CERCLA sites listed below, you must notify the EPA Regional Office when submitting your NOI and the EPA Regional Office must determine that you are eligible for permit coverage. In determining eligibility for coverage under Part 1.1.7, the EPA Regional Office may evaluate whether you are implementing or plan to implement adequate controls and/or procedures to ensure your discharge will not lead to recontamination of aquatic media at the CERCLA Site, (i.e., your stormwater discharge will not be controlled as necessary such that the receiving water of the United States will meet an applicable water quality standard. If it is determined that your facility discharges to a CERCLA Site listed below after you have obtained coverage under this permit, you must contact your EPA Regional Office and ensure that you have either implemented or will implement adequate controls and/or procedures to ensure that your discharges will not lead to recontamination of aquatic media at the CERCLA Site such that your stormwater discharge will be controlled as necessary such that the receiving water of the United States will meet an applicable water quality standard.

EPA Region 10		
<p>The CERCLA Sites and the receiving waters associated with these sites to which the requirements of Part 1.1.7 apply are listed in the table below. The areas where the permit applies are enumerated in Appendix C of the permit. Operators who discharge / intend to discharge into the receiving waters listed below must first contact the EPA Regional Office before submitting an NOI. Contact information is viewable at: https://www.epa.gov/npdes-permits/stormwater-discharges-industrial-activities-region-10.</p> <p>Similarly, if you have received notice from EPA that the facility to be covered under the MSGP is considered a potential source to a clean up site, you must first contact the Regional EPA office before submitting an NOI.</p>		
	Waterbody (HUC code/Watershed)	Superfund Sites CERCLIS ID Latitude / Longitude Major Contaminants
ID	St. Joe River; Coeur d'Alene Lake Basin	St. Maries Creosote IDSFN1002095 47.191697 / -116.343000L PAHs, HPAHs
WA	Commencement Bay, Puget Sound	Commencement Bay, Near Shore/Tide Flats WAD980726368 47.155998 / -122.245998 Dioxins, furans, arsenic, copper, lead, zinc, 4-methyl-phenol, Hex-CB, HPAHs, PCBs, PCE, cadmium, mercury, LPAHs
WA	Duwamish Waterway; Elliott Bay; Puget Sound	Harbor Island (Lead) WAD980722839 47.344584 / -122.210792 Lead, arsenic, copper, HPAHs, LPAHs, mercury, PCBs, zinc, TBT

¹ "CERCLA site" means a facility 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 C.F.R. Part 300

EPA Region 10		
<p>The CERCLA Sites and the receiving waters associated with these sites to which the requirements of Part 1.1.7 apply are listed in the table below. The areas where the permit applies are enumerated in Appendix C of the permit. Operators who discharge / intend to discharge into the receiving waters listed below must first contact the EPA Regional Office before submitting an NOI. Contact information is viewable at: https://www.epa.gov/npdes-permits/stormwater-discharges-industrial-activities-region-10.</p> <p>Similarly, if you have received notice from EPA that the facility to be covered under the MSGP is considered a potential source to a clean up site, you must first contact the Regional EPA office before submitting an NOI.</p>		
	Waterbody (HUC code/Watershed)	Superfund Sites CERCLIS ID Latitude / Longitude Major Contaminants
WA	Clam Bay; Puget Sound	Old Navy Dump/ Manchester Lab WA8680030931 47.342798 / -122.325298 PCBs, copper, lead, zinc, silver, 2,4-dimethyl-phenol, PCBs
WA	Elliott Bay; Puget Sound	Pacific Sound Resources WAD009248287 47.345639 / -122.215998 LMW PAHs, HMWPAHs, PCBs
WA	Columbia River	Upper Columbia River (T2) WASFN1002171 47.5722 / -118.5846
WA	Puget Sound	Puget Sound Naval Shipyard WA2170023418 47.333298 / -122.384999 PCBs, mercury
WA	Puget Sound	Wycoff / Eagle Harbor WAD009248295 47.371798 / -122.310012 Mercury, LPAHs, HPAHs
WA	Duwamish Waterway; Elliott Bay; Puget Sound	Lower Duwamish Waterway (T2) WA0002329803 47.321608 / -122.194040 PCBs, PAHs, phthalates, inorganics, mercury, semi-VOCs



Instructions:

In order to be eligible for coverage under Criterion C3, **you must complete the Endangered Species Protection section of the Notice of Intent in the NPDES eReporting Tool (NeT-MSGP)**. Per Part 7.1, you must submit your NOI electronically via NeT-MSGP, unless the EPA Regional Office grants you a waiver from electronic reporting, in which case you may use this paper Criterion C3 form. If using the paper form, you must complete the following form and you must submit it to EPA following the instructions in Section VII **a minimum of 30 days prior to filing your NOI for permit coverage**. After you submit your form, you may be contacted by EPA with additional measures (e.g., additional stormwater controls or modifications to your discharge-related activities) that you must implement in order to ensure your eligibility under Criterion C3.

If after completing this worksheet you cannot make a determination that your discharges and discharge-related activities are not likely to adversely affect ESA listed threatened or endangered species or designated critical habitat, you must submit this completed worksheet to EPA, and you may not file your NOI for permit coverage until you receive a determination from EPA that your discharges and/or discharge-related activities are not likely to adversely affect ESA-protected species and critical habitat.

Note: Much of the information needed for this form can be obtained from your draft SWPPP which will be needed when you file your NOI.

Section I. Operator, Facility, and Site Location Information

1) Operator Information:

a) Operator Name:

b) Point of Contact

Phone: - - Ext.

E-mail:

2) Facility Information

a) Facility Name:

b) Check which of the following applies:

I am seeking coverage under the MSGP as a new discharger or as a new source

I am seeking coverage under the MSGP as an existing discharger and my facility has modifications to its discharge characteristics (e.g., changes in discharge flow or area drained, different pollutants) and/or discharge-related activities (e.g., stormwater controls)

 Indicate the number of years the facility has been in operation: _____ years

 Provide your NPDES ID (i.e., permit tracking number) from your previous MSGP coverage: _____

I am seeking coverage under the MSGP as an existing discharger and there are no modifications to my facility.

 Indicate the number of years the facility has been in operation: _____ years

 Provide your NPDES ID (i.e., permit tracking number) from your previous MSGP coverage: _____

c) Facility Address:

Address 1
Street/ Location:

Address 2:

City: State: ZIP Code:

d) Identify the primary industrial sector to be covered under the 2021 MSGP:

SIC Code or Primary Activity Code

Sector and Subsector

e) Identify the sectors of any co-located activities to be covered under the 2021 MSGP:

Sector	<input type="text"/>	and	Subsector	<input type="text"/>
Sector	<input type="text"/>	and	Subsector	<input type="text"/>
Sector	<input type="text"/>	and	Subsector	<input type="text"/>
Sector	<input type="text"/>	and	Subsector	<input type="text"/>
Sector	<input type="text"/>	and	Subsector	<input type="text"/>
Sector	<input type="text"/>	and	Subsector	<input type="text"/>

f) Estimated area of industrial activity exposed to stormwater: _____ acres

g) Provide a general description of the industrial activities that are taking place at this facility:

3) Receiving Waters Information

List all the stormwater outfalls from your facility				For each outfall, provide the following receiving water information:	
Discharge Point ID	Design Capacity (if known)	Latitude (decimal degrees)	Longitude (decimal degrees)	Name of the receiving water that receives stormwater from the discharge point and/or from the MS4 that the discharge point discharges to	Type of Waterbody (e.g., lake, pond, river/stream/creek, estuarine/marine water)
		____.____.____ ° N	____.____.____ ° W		
		____.____.____ ° N	____.____.____ ° W		
		____.____.____ ° N	____.____.____ ° W		
		____.____.____ ° N	____.____.____ ° W		
		____.____.____ ° N	____.____.____ ° W		

Section II. Action Area

As required in Step 2 of Section E.4 of Appendix E, you must include a map and a written description of the action area of your facility in Attachment 1 of this appendix.

Section III. Listed Species and Critical Habitat

As required in Step 3 of Section E.4 of Appendix E, attach a copy of the species and critical habitat list(s) from the Service(s) to [Attachment 2](#) of this appendix and use the list(s) to complete the rest of this worksheet. For FWS species, include the full printout from your IPaC query/Official Species List in Attachment 2. You can include the map from your IPaC query in Attachment 1.

Note: For the purposes of this permit, "terrestrial species" would not include animal or plant species that 1) spends any portion of its life cycle in a waterbody or wetland, or 2) if an animal, depends on prey or habitat that occurs in a waterbody or wetland. For example, shorebirds, wading birds, amphibians, and certain reptiles would not be considered terrestrial species under this definition. Please also be aware that some terrestrial animals (e.g., certain insects, amphibians) may have an aquatic egg or larval/juvenile phase.

Review your species list in Attachment 2, choose one of the following three statements, and follow the corresponding instructions:

- The species list includes only terrestrial species and/or their designated critical habitat. No aquatic or aquatic-dependent species or their critical habitat are present in the action area. **You may skip to [Section IV](#) of this form. You are not required to fill out [Section V](#).**
- The species list includes only aquatic and/or aquatic-dependent species and/or their designated critical habitat. No terrestrial species or their critical habitat are present in the action area. **You may skip to [Section V](#) of this form and are not required to fill out [Section IV](#).**
- The species list includes both terrestrial and aquatic or aquatic-dependent species and/or their designated critical habitat. **You must fill out both [Sections IV](#) and [V](#) of this form.**

Section IV. Evaluation of Discharge-Related Activities Effects

Note: You are only required to fill out this section if your facility's action area contains terrestrial species and/or their designated critical habitat. If your action area only contains aquatic and/or aquatic-dependent species and/or their designated critical habitat, you can skip directly to [Section V](#).

Most of the potential effects related to coverage under the MSGP are assumed to occur to aquatic and/or aquatic-dependent species. However, in some cases, potential effects to terrestrial species and/or their critical habitat should be considered as well from any discharge-related activities that occur during coverage under the MSGP. Examples of discharge-related activities that could have potential effects on listed terrestrial species or their critical habitat include the storage of materials and land disturbances associated with stormwater management-related activities (e.g., the installation or placement of stormwater control measures).

A. Select the applicable statement(s) below and follow the corresponding instructions:

- There are no discharge-related activities that are planned to occur during my coverage under the 2021 MSGP. You can conclude that your discharge-related activities will have no likely adverse effects, and:
- If there are any aquatic or aquatic-dependent species and/or their critical habitat in your action area, you must skip to [Section V](#), Evaluation of Discharge Effects, below.
 - If there are no aquatic or aquatic-dependent species, you may skip to [Section VI](#) and verify that your activities will have no likely adverse effects. You must submit this form to EPA as specified in [Section VII](#) of this form. You may select criterion C on your NOI form and may submit your NOI for permit coverage 30 days after you have submitted this Criterion C Eligibility Form. You must also provide a description of the basis for the criterion you selected on your NOI form, **including the species and critical habitat list(s) in your action area**, as well as any other documentation supporting your eligibility. You must also include this completed Criterion C Eligibility Form in your SWPPP.
- There are discharge-related activities planned as part of the proposal. Describe your discharge-related activities in the following box and continue to (b) below.

B. In order to ensure any discharge-related activities will have no likely adverse effects on ESA- listed threatened and endangered species and/or their designated critical habitat, you must certify that all the following are true:

- Discharge-related activities will occur:
- on previously cleared/developed areas of the site where maintenance and operation of the facility are currently occurring or where existing conditions of the area(s) in which the discharge-related activities will occur precludes its use by listed species (e.g., work on existing impervious surfaces, work occurring inside buildings, area is not used by species), and
 - if discharge-related activities will include the establishment of structures (including, but not limited to, infiltration ponds and other controls) or any related disturbances, these structures and/or disturbances will be sited in areas that will not result in isolation or degradation of nesting, breeding, or foraging habitat or other habitat functions for listed animal species (or their designated critical habitat), and will avoid the destruction of native vegetation (including listed plant species).
- If vegetation removal (e.g., brush clearing) or other similar activities will occur, no terrestrial listed species that use these areas for habitat would be expected to be present during vegetation removal and these activities will not occur within critical habitat.

If all the above are true, you can conclude that your discharge-related activities will have no likely adverse effects, and:

- If there are any aquatic or aquatic-dependent species and/or critical habitat in your action area, you must skip to [Section V](#), Evaluation of Discharge Effects, below.
- If there are no aquatic or aquatic-dependent species, you may skip to [Section VI](#) and verify that your activities will have no likely adverse effects. You must submit this form to EPA as specified in [Section VII](#) of this form. You may select criterion C on your NOI and may submit your NOI for permit coverage 30 days after you have submitted this completed form. You must also provide a description of the basis for the criterion you selected on your NOI form, **including the species and critical habitat list(s)**, and any other documentation supporting your eligibility. You must also include this completed Criterion C Eligibility Form in your SWPPP.
- **If any of the above are not true**, you cannot conclude that your discharge-related activities will have no likely adverse effects. You must complete the rest of this form (if applicable) and must submit the form to EPA for assistance in determining your eligibility for coverage.

Section V. Evaluation of Discharge Effects

Note: You are only required to fill out this section if your facility's action area includes aquatic and/or aquatic-dependent species and/or their critical habitat.

In this section, you will evaluate the likelihood of adverse effects from your facility's discharges. The scope of effects to consider will vary with each facility and species/critical habitat characteristics. The following are examples of discharge affects you should consider:

- *Hydrological Effects.* Stormwater discharges may adversely affect receiving waters by causing changes in water quality parameters such as turbidity, temperature, salinity, or pH. Stormwater discharges may adversely affect the immediate vicinity of the discharge point through streambank erosion and scour. These effects will vary with the amount of stormwater discharged and the volume and condition of the receiving water. Where a stormwater discharge constitutes a minute portion of the total volume of the receiving water, adverse hydrological effects are less likely.

- *Toxicity of Pollutants.* Pollutants in stormwater may have toxic effects on listed species and may adversely affect critical habitat. Exceedances of benchmarks, effluent limitation guidelines, or state or tribal water quality requirements may be indicative of potential adverse effects on listed species or critical habitat. However, some listed species may be adversely affected at pollutant concentrations below benchmarks, effluent limitation guidelines, and state or tribal water quality standards due to exposures to multiple stressors at the same time. In addition, stormwater pollutants identified in Part 6.2.3.2 of your SWPPP, but not monitored as benchmarks or effluent limitation guidelines, may also adversely affect listed species and critical habitat.

As these effects are difficult to analyze for listed species, their prey, habitat, and designated critical habitat, this form helps you to analyze your discharges to make a determination of whether your discharges will likely have adverse effects and whether there are any additional controls you can implement to ensure no likely adverse effects.

A. Evaluation of Pollutants and Controls to Avoid Adverse Effects. In this section, you must document all of your pollutant sources and pollutants expected to be discharged in stormwater (see Part 8). You must also document the controls you will implement to avoid adverse effects on listed aquatic and aquatic-dependent species and critical habitat. You must include specific details about the expected effectiveness of the controls in avoiding adverse effects to the listed aquatic-and aquatic-dependent species and critical habitat. Attach additional pages if needed.

Potential Pollutant Source	Potential Pollutants	Controls to Avoid Adverse Effects on Listed Aquatic and Aquatic-Dependent Species and Critical Habitat. Include information supporting why the control(s) will ensure no adverse effects, including any data you have about the effectiveness of the control(s) in reducing pollutant concentrations. You may also attach photos of your controls to this form
<i>e.g., vehicle and equipment fueling</i>	<i>e.g.,</i> <ul style="list-style-type: none"> • Oil & grease • Diesel • Gasoline • TSS • Antifreeze 	<i>e.g.,</i> <ul style="list-style-type: none"> • Fueling operators (including the transfer of fuel from tank trucks) will be conducted on an impervious or contained pad or under cover • Drip pans will be used where leaks or spills of fuel can occur and where making and breaking hose connections • Spill kit will be kept on-site in close proximity to potential spill areas • Any spills will be cleaned-up immediately using dry clean-up methods • Stormwater runoff will be diverted around fueling areas using diversion dikes and curbing

Potential Pollutant Source	Potential Pollutants	Controls to Avoid Adverse Effects on Listed Aquatic and Aquatic-Dependent Species and Critical Habitat.

Check if you are not able to make a preliminary determination that any of your pollutants will be controlled to a level necessary to avoid adverse effects on aquatic and/or aquatic-dependent listed species and their designated critical habitat. You must check in [Section VI](#) that you are unable to make a determination of no likely adverse effects and must complete the rest of the form. You must submit your completed form to EPA for assistance in determining your eligibility for coverage.

B. Analysis of Effects Based on Past Monitoring Data. Select which of the following applies to your facility:

- I have no previous monitoring data for my facility because there are no applicable monitoring requirements for my facility's sector(s).
- I have no previous monitoring data for my facility because I am a new discharger or a new source, but I am subject to monitoring under the 2021 MSGP. You must provide information to support a conclusion that your facility's discharges are not expected to result in benchmark or numeric effluent limit exceedances that will adversely affect listed species or their critical habitat:

- My facility has not had any exceedances under the 2015 MSGP of any required benchmark(s) or numeric effluent limits. I comply with the applicable monitoring requirements and have not had any exceedances
- My facility has had exceedances of one or more benchmark(s) or numeric effluent limits under the 2015 MSGP, but I have addressed them during my coverage under the 2015 MSGP, or in my evaluation of controls to avoid adverse effects in (A) above. Describe all actions (including specific controls) that you will implement to ensure that the pollutants in your discharge(s) will not result in likely adverse effects from future exceedances.

- Check if your facility has had exceedances of one or more benchmarks or numeric effluent limits under the 2015 MSGP and you have not been able to address them to avoid adverse effects from future exceedances, or if you are a new discharger or a new source but you are not sure if you can avoid adverse effects from possible exceedances. You must check in [Section VI](#) that you are unable to make a determination of no likely adverse effects. You must submit your completed form to EPA for assistance in determining your eligibility for coverage. You may not file your NOI for permit coverage until you are able to make a determination that your discharges will avoid adverse effects on listed species and designated critical habitat.

Section VI. Verification of Preliminary Effects Determination

Based on Steps I – V of this form, you must verify your preliminary determination of effects on listed species and designated critical habitat from your discharges and/or discharge-related activities:

- Following the applicable Steps in I – V above, I have provided information supporting a preliminary determination that my discharges and/or discharge-related activities are not likely to adversely affect listed species and designated critical habitats.
- Following the applicable Steps in I – V above, I am **not** able to provide information supporting a preliminary determination that my discharges and/or discharge-related activities are not likely to adversely affect listed species and designated critical habitats.

I. Certification Information

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete.

I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

First Name, Middle, Last Name: [Grid]
Title: [Grid]
Signature: _____ Date: [Grid]
E-mail: [Grid]

Section VII. Criterion C Eligibility Form Submission Instructions

Only if the applicable EPA Regional Office has granted you a waiver from electronic reporting, you must submit this completed form to EPA at msgpesa@epa.gov, including any attachments and any additional information that demonstrates how you will avoid or eliminate adverse effects to listed threatened and endangered species or designated critical habitat (e.g., specific controls you will implement to avoid or eliminate adverse effects). **Any missing or incomplete information may result in a delay of your coverage under the permit.**

If you have made a preliminary determination that your discharges and/or discharge-related activities are not likely to adversely affect listed species and critical habitat, this form must be submitted a minimum of 30 days prior to submitting your NOI for permit coverage under criterion C. Please note that during either the 30-day Criterion C Eligibility Form review period prior to your NOI submission, or within 30 days after your NOI submission and before you have been authorized for permit coverage, EPA may advise you that additional information is needed, or that there are additional measures you must implement to avoid likely adverse effects.

If you are unable to make a preliminary determination that your discharges and/or discharge-related activities are not likely to adversely affect listed species and critical habitat, this worksheet must be submitted to EPA, but you may not file your NOI for permit coverage until you have received a determination from EPA that your discharges and/or discharge-related activities are not likely to adversely affect listed species and critical habitat.

Attachment 1

Include a **map and a written description** of the action area of your facility, as required in Step 2 of Section E.4 of Appendix E. You may choose to include the map that is generated from the FWS' on-line mapping tool IPaC (the Information, Planning, and Consultation System) located at <http://ecos.fws.gov/ipac/>.

The written description of your action area that accompanies your action area map must explain your rationale for the extent of the action area drawn on your map. For example, your action area written description may look something like this:

The action area for the (name of your facility)'s stormwater discharges extends downstream from the outfall(s) in (name of receiving waterbody) (# of meters/feet/kilometers/miles). The downstream limit of the action area reflects the approximate distance at which the discharge waters and any pollutants would be expected to cause potential adverse effects to listed species and/or critical habitat because (insert rationale). The action area does/does not extend to the (name of receiving waterbody)'s confluence with (name of confluence waterbody) because (insert rationale).

Note that your action area written description will be highly site-specific, depending on the expected effects of your facility's discharges and discharge-related activities, receiving waterbody characteristics, etc.

Attachment 2

List or attach the list(s) of species and critical habitat in your action area on this sheet, as required in Step 3 of Section E.4 of Appendix E. You must include a list for applicable listed NMFS and USFWS species and critical habitat. If there are listed species and/or critical habitat for only one Service, you must include a statement confirming there are no listed species and/or critical habitat for the other Service. For USFWS species, include the USFWS Official Species List full printout from your IPaC query (including the consultation code and event code at the top of the FWS printout). *Note: If your Official Species List from the USFWS indicated no species or critical habitat were present in your action area, include the consultation code and event code that can be found at the top of your Official Species List in your NOI basis statement. If an Official Species List was not available on IPaC, list the contact date, the ecological services field office and the name of the Service staff with whom you corresponded to identify the existence of any USFWS species or critical habitat present in your action area.*

Paperwork Reduction Act Notice

This collection of information is approved by OMB under the Paperwork Reduction Act, 44 U.S.C. 3501 et seq. (OMB Control No. 2040-0300). Responses to this collection of information are mandatory (40 CFR 122.26). An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The public reporting and recordkeeping burden for this collection of information is estimated to range from 2.5 to 3 hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates and any suggested methods for minimizing respondent burden to the Regulatory Support Division Director, U.S. Environmental Protection Agency (2821T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

APPENDIX B

2021 NPDES NOTICE OF INTENT MAR053164, APPENDIX E
CRITERIA, TENANT CERTIFICATION TENNANT NOTICE OF
INTENT



Permit Information

This form has not yet been certified.

Master Permit Number: MAR050000

NPDES ID: MAR053164

Eligibility Information

State/territory where your facility is discharging: MA

Does your facility discharge to federally recognized Indian Country lands? No

Are you a "Federal Operator" as defined in Appendix A (https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_a_-_definitions.pdf)? No

Which type of form would you like to submit? Notice of Intent (NOI)

By indicating "Yes" below, I confirm that I understand that the MSGP only authorizes the stormwater discharges in Part 1.1.2 and the allowable non-stormwater discharges listed in Part 1.2.2. Any discharges not expressly authorized in this permit cannot become authorized or shielded from liability under CWA section 402(k) by disclosure to EPA, state, or local authorities 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 allowable stormwater and non-stormwater discharges listed in Parts 1.2.1. and 1.2.2. will be discharged, they must be covered under another NPDES permit.

Yes

Are you a new discharger or a new source as defined in Appendix A (https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_a_-_definitions.pdf)? No

➤ Have stormwater discharges from your facility been covered previously under an NPDES permit? Yes

➤ If yes, provide your most current NPDES ID (i.e., permit tracking number) if you had coverage under EPA's MSGP or the NPDES permit number if you had coverage under an EPA individual permit:
MAR053164

➤ Are you discharging to any waters of the U.S. that are designated by the state or tribal authority under its antidegradation policy as a Tier 3 water (Outstanding National Resource water)? (See Appendix L (https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_l_-_list_of_tier_3_tier_2_and_tier_2.5_waters.pdf))
No

What is the legal name of the Operator as defined in Appendix A (https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_a_-_definitions.pdf)? Cape Cod Gateway Airport

What is the name of your facility or activity as defined in Appendix A (https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_a_-_definitions.pdf)?
CAPE COD GATEWAY AIRPORT

Operator Information

Operator Information

Operator Name: Cape Cod Gateway Airport

Operator Mailing Address

Address Line 1: 480 Barnstable Road

Address Line 2:

City: Hyannis

ZIP/Postal Code: 02601

State: MA

County or Similar Division: Barnstable

Operator Point of Contact Information

First Name Middle Initial Last Name: Katie Servis

Title: Asst. Airport Manager

Phone: 5087752020

Ext.:

Email: kservis@flyhya.com

NOI Preparer Information

This NOI is being prepared by someone other than the certifier.

First Name Middle Initial Last Name: Josephine Ibanez

Organization: Horsley Witten Group, Inc.

Phone: 508-833-6600

Ext.:

Email: jibanez@horsleywitten.com

Facility Information

Facility Information

Facility Name: CAPE COD GATEWAY AIRPORT

Facility Address

Address Line 1: 480 BARNSTABLE ROAD

Address Line 2:

City: HYANNIS

ZIP/Postal Code: 02601

State: MA

County or Similar Division: Barnstable

Latitude/Longitude for the Facility

Latitude/Longitude: 41.6666°N, 70.2859°W

Latitude/Longitude Data Source: Map

Horizontal Reference Datum: NAD 83

General Facility Information

What is the ownership type of the facility? Municipality

Estimated area of industrial activity at your facility exposed to stormwater (rounded to the nearest quarter acre): 645

Is your facility presently inactive and unstaffed? No

Exception for Inactive and Unstaffed Facilities: The requirement for indicator monitoring, impaired waters monitoring, and/or benchmark monitoring does not apply at a facility that is inactive and unstaffed, as long as there are no industrial materials or activities exposed to stormwater.

If circumstances change during the permit term that affect your qualifications for this exception to monitoring requirements (i.e. industrial materials or activities exposure to stormwater or your facility's active/inactive and staffed/unstaffed status) you must submit a NOI notifying EPA of the change in circumstances.

Sector-Specific Information

Primary Sector: S

Primary Subsector: S1

Primary SIC Code: 4581

If you are a Sector S (Air Transportation) facility, do you anticipate using more than 100,000 gallons of pure glycol in glycol-based deicing fluids and/or 100 tons or more of urea on an average annual basis? No

Discharge Information

By indicating "Yes" below, I confirm that I understand that the MSGP only authorizes the stormwater discharges in Part 1.2.1 and the allowable non-stormwater discharges listed in Part 1.2.2. Any discharges not expressly authorized in this permit cannot become authorized or shielded from liability under CWA section 402(k) by disclosure to EPA, state, or local authorities 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 1.2.1 and 1.2.2 will be discharged, they must be covered under another NPDES permit.

Yes

Federal Effluent Limitation Guidelines

Identify the Effluent Limitation Guideline(s) that apply to your stormwater discharges.

40 CFR Part/Subpart	Eligible Discharges	Affected MSGP Sector	New Source Date	Applicability
Part 449	Existing and new primary airports with 1,000 or more annual jet departures that discharge wastewater associated with airfield pavement deicing that contains urea commingled with stormwater	S	06/15/2012	Does your facility have any discharges subject to this effluent limitation guideline? No

Are you requesting permit coverage for any stormwater discharges subject to effluent limitation guidelines? No

Other Discharge Information

Does your facility discharge into a Municipal Separate Sewer System (MS4)? No

Receiving Waters Information

List all of the stormwater discharge points from your facility.

Discharge Point 00A: Outfall A

Applicable Sectors

Select the Sectors/Subsector(s) that apply to this discharge point.

	Sector	Subsector	SIC/Activity Code
<input checked="" type="checkbox"/>	S - AIR TRANSPORTATION FACILITIES	S1 - Air Transportation Facilities	4581

Latitude/Longitude: 41.6713°N, 70.2847°W

This discharge point is *Substantially Identical* to an existing discharge point.

Receiving Water

GNIS Name:
n/a

Waterbody Name:
Upper Gate Pond

Listed Water ID:
n/a

Is this receiving water saltwater or freshwater? Freshwater

Is this receiving water designated by the state or tribal authority under its antidegradation policy as a Tier 2 (or Tier 2.5) water (water quality exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water)?

No

Will you have stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit? No

Benchmark Monitoring

Are you subject to benchmark monitoring requirements for a hardness-dependent metal? No

Impaired Waters Monitoring

NOTE: The information automatically populated in this section for determining if the receiving water is listed as impaired on the 303(d) list and in need of a TMDL, the cause(s) of the impairment if the receiving water is impaired on the CWA 303(d) list, if a TMDL has been completed for the receiving waterbody, and the TMDL ID and pollutants for which there is a TMDL may be outdated and inaccurate. It is recommended that you consult with your state's guidance for discharges into impaired waters to determine the correct pollutants and TMDLS and update the causes for the impairment and TMDL information accordingly.

Massachusetts Impaired Waters (IW) information and required monitoring parameters available at:

<https://www.mass.gov/lists/integrated-lists-of-waters-related-reports> (<https://www.mass.gov/lists/integrated-lists-of-waters-related-reports>)

<https://www3.epa.gov/region1/npdes/stormwater/assets/pdfs/msgp-2021-part-425-parameters-ma.pdf> (<https://www3.epa.gov/region1/npdes/stormwater/assets/pdfs/msgp-2021-part-425-parameters-ma.pdf>)

Where the Massachusetts monitoring guidance identifies one or more monitoring parameters that are different than the identified pollutant causing the impairment, indicate the monitoring parameter(s) as the pollutant(s) causing the impairment in the table below (select Yes for "Is the receiving water listed as impaired on the 303(d) list and in need of a TMDL?" to display the pollutant table). Where the monitoring guidance indicates No Monitoring Required "NMR" for the pollutant causing the impairment, do not add a Cause of Impairment Group/Pollutant and delete any that were automatically populated in the table.

Is the receiving water listed as impaired on the 303(d) list and in need of a TMDL? No

Has a TMDL been completed for this receiving waterbody? No

Discharge Point 00B: Outfall B

Applicable Sectors

Select the Sectors/Subsector(s) that apply to this discharge point.

	Sector	Subsector	SIC/Activity Code
<input checked="" type="checkbox"/>	S - AIR TRANSPORTATION FACILITIES	S1 - Air Transportation Facilities	4581

Latitude/Longitude: 41.6693°N, 70.2837°W

This discharge point is *Substantially Identical* to an existing discharge point.

Receiving Water

GNIS Name:
n/a

Waterbody Name:
Upper Gate Pond

Listed Water ID:
n/a

Is this receiving water saltwater or freshwater? Freshwater

Is this receiving water designated by the state or tribal authority under its antidegradation policy as a Tier 2 (or Tier 2.5) water (water quality exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water)?

No

Will you have stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit? No

Benchmark Monitoring

Are you subject to benchmark monitoring requirements for a hardness-dependent metal? No

Impaired Waters Monitoring

NOTE: The information automatically populated in this section for determining if the receiving water is listed as impaired on the 303(d) list and in need of a TMDL, the cause(s) of the impairment if the receiving water is impaired on the CWA 303(d) list, if a TMDL has been completed for the receiving waterbody, and the TMDL ID and pollutants for which there is a TMDL may be outdated and inaccurate. It is recommended that you consult with your state's guidance for discharges into impaired waters to determine the correct pollutants and TMDLS and update the causes for the impairment and TMDL information accordingly.

Massachusetts Impaired Waters (IW) information and required monitoring parameters available at:

<https://www.mass.gov/lists/integrated-lists-of-waters-related-reports> (<https://www.mass.gov/lists/integrated-lists-of-waters-related-reports>)

<https://www3.epa.gov/region1/npdes/stormwater/assets/pdfs/msgp-2021-part-425-parameters-ma.pdf> (<https://www3.epa.gov/region1/npdes/stormwater/assets/pdfs/msgp-2021-part-425-parameters-ma.pdf>)

Where the Massachusetts monitoring guidance identifies one or more monitoring parameters that are different than the identified pollutant causing the impairment, indicate the monitoring parameter(s) as the pollutant(s) causing the impairment in the table below (select Yes for "Is the receiving water listed as impaired on the 303(d) list and in need of a TMDL?" to display the pollutant table). Where the monitoring guidance indicates No Monitoring Required "NMR" for the pollutant causing the impairment, do not add a Cause of Impairment Group/Pollutant and delete any that were automatically populated in the table.

Is the receiving water listed as impaired on the 303(d) list and in need of a TMDL? No

Has a TMDL been completed for this receiving waterbody? No

Discharge Point 00C: Outfall C

Applicable Sectors

Select the Sectors/Subsector(s) that apply to this discharge point.

	Sector	Subsector	SIC/Activity Code
<input checked="" type="checkbox"/>	S - AIR TRANSPORTATION FACILITIES	S1 - Air Transportation Facilities	4581

Latitude/Longitude: [41.6695°N, 70.2834°W](#)

This discharge point is *Substantially Identical* to an existing discharge point.

Receiving Water

GNIS Name:
[n/a](#)

Waterbody Name:
[Upper Gate Pond](#)

Listed Water ID:
[n/a](#)

Is this receiving water saltwater or freshwater? [Freshwater](#)

Is this receiving water designated by the state or tribal authority under its antidegradation policy as a Tier 2 (or Tier 2.5) water (water quality exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water)?

[No](#)

Will you have stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit? [No](#)

Benchmark Monitoring

Are you subject to benchmark monitoring requirements for a hardness-dependent metal? [No](#)

Impaired Waters Monitoring

NOTE: The information automatically populated in this section for determining if the receiving water is listed as impaired on the 303(d) list and in need of a TMDL, the cause(s) of the impairment if the receiving water is impaired on the CWA 303(d) list, if a TMDL has been completed for the receiving waterbody, and the TMDL ID and pollutants for which there is a TMDL may be outdated and inaccurate. It is recommended that you consult with your state's guidance for discharges into impaired waters to determine the correct pollutants and TMDLS and update the causes for the impairment and TMDL information accordingly.

Massachusetts Impaired Waters (IW) information and required monitoring parameters available at:

<https://www.mass.gov/lists/integrated-lists-of-waters-related-reports> (<https://www.mass.gov/lists/integrated-lists-of-waters-related-reports>)

<https://www3.epa.gov/region1/npdes/stormwater/assets/pdfs/msgp-2021-part-425-parameters-ma.pdf> (<https://www3.epa.gov/region1/npdes/stormwater/assets/pdfs/msgp-2021-part-425-parameters-ma.pdf>)

Where the Massachusetts monitoring guidance identifies one or more monitoring parameters that are different than the identified pollutant causing the impairment, indicate the monitoring parameter(s) as the pollutant(s) causing the impairment in the table below (select Yes for "Is the receiving water listed as impaired on the 303(d) list and in need of a TMDL?" to display the pollutant table). Where the monitoring guidance indicates No Monitoring Required "NMR" for the pollutant causing the impairment, do not add a Cause of Impairment Group/Pollutant and delete any that were automatically populated in the table.

Is the receiving water listed as impaired on the 303(d) list and in need of a TMDL? [No](#)

Has a TMDL been completed for this receiving waterbody? [No](#)

Discharge Point 00D: Outfall D

Applicable Sectors

Select the Sectors/Subsector(s) that apply to this discharge point.

	Sector	Subsector	SIC/Activity Code
<input checked="" type="checkbox"/>	S - AIR TRANSPORTATION FACILITIES	S1 - Air Transportation Facilities	4581

Latitude/Longitude: [41.6697°N, 70.279°W](#)

This discharge point is *Substantially Identical* to an existing discharge point.

Receiving Water

GNIS Name:
[n/a](#)

Waterbody Name:
[Lewis Pond](#)

Listed Water ID:
[n/a](#)

Is this receiving water saltwater or freshwater? [Freshwater](#)

Is this receiving water designated by the state or tribal authority under its antidegradation policy as a Tier 2 (or Tier 2.5) water (water quality exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water)?

[No](#)

Will you have stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit? [No](#)

Benchmark Monitoring

Are you subject to benchmark monitoring requirements for a hardness-dependent metal? [No](#)

Impaired Waters Monitoring

NOTE: The information automatically populated in this section for determining if the receiving water is listed as impaired on the 303(d) list and in need of a TMDL, the cause(s) of the impairment if the receiving water is impaired on the CWA 303(d) list, if a TMDL has been completed for the receiving waterbody, and the TMDL ID and pollutants for which there is a TMDL may be outdated and inaccurate. It is recommended that you consult with your state's guidance for discharges into impaired waters to determine the correct pollutants and TMDLS and update the causes for the impairment and TMDL information accordingly.

Massachusetts Impaired Waters (IW) information and required monitoring parameters available at:

<https://www.mass.gov/lists/integrated-lists-of-waters-related-reports> (<https://www.mass.gov/lists/integrated-lists-of-waters-related-reports>)

<https://www3.epa.gov/region1/npdes/stormwater/assets/pdfs/msgp-2021-part-425-parameters-ma.pdf> (<https://www3.epa.gov/region1/npdes/stormwater/assets/pdfs/msgp-2021-part-425-parameters-ma.pdf>)

Where the Massachusetts monitoring guidance identifies one or more monitoring parameters that are different than the identified pollutant causing the impairment, indicate the monitoring parameter(s) as the pollutant(s) causing the impairment in the table below (select Yes for "Is the receiving water listed as impaired on the 303(d) list and in need of a TMDL?" to display the pollutant table). Where the monitoring guidance indicates No Monitoring Required "NMR" for the pollutant causing the impairment, do not add a Cause of Impairment Group/Pollutant and delete any that were automatically populated in the table.

Is the receiving water listed as impaired on the 303(d) list and in need of a TMDL? No

Has a TMDL been completed for this receiving waterbody? No

SWPPP Information

Has the SWPPP been prepared in advance of filing this NOI, as required? Yes

SWPPP Contact Information:

First Name Middle Initial Last Name: Katie Servis

Phone: 5087752020 Ext.:

Email: katie.servis@town.barnstable.ma.us

SWPPP Availability:

Your current SWPPP or certain information from your SWPPP must be made available through one of the following three options. Select one of the options and provide the required information.

Note: you are not required to post any confidential business information (CBI) or restricted information (as defined in Appendix A (https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_a_-_definitions.pdf)) (such information may be redacted), but you must clearly identify those portions of the SWPPP that are being withheld from public access.

Option 1: Attach a current copy of your SWPPP to this NOI.

Option 2: Maintain a Current Copy of your SWPPP on an Internet page (Universal Resource Locator or URL).

Option 3: Provide the following information from your SWPPP:

A. Describe your onsite industrial activities exposed to stormwater and potential spill and leak areas.

e.g., material storage; equipment fueling, maintenance, and cleaning; cutting steel beams

Industrial activities exposed to stormwater include:- vehicle and aircraft operation, storage, and maintenance, fuel storage and transfer between on-site storage facilities, fuel delivery vehicles, mobile refuelers, aircraft, and ground support vehicles- deicing and washing of aircraft at designated deicing locations where residual deicing fluid and washwater is collected and discharged to a wastewater treatment facility- winter maintenance of pavement utilizing Federal Aviation Administration (FAA) approved sand

B. List the pollutant(s) or pollutant constituent(s) associated with each industrial activity exposed to stormwater that could be discharged in stormwater and/or in any authorized non-stormwater discharges listed in Part 1.1.3.

Vehicle and aircraft operation, storage, and maintenance - oil and grease, gasoline, aviation fuels, antifreeze, waste oil Aircraft deicing and washing - propylene glycol, oil and grease, aviation fuel residuals, antifreeze, metals Winter maintenance of pavement - suspended solids

C. Describe the control measures you will employ to comply with the non-numeric technology-based effluent limits required in Part 2.1.2 and Part 8, and any other measures taken to comply with the requirements in Part 2.2 Water Quality-Based Effluent Limitations (see Part 5.2.4).

Minimize exposure - storage of fuel, oil, and maintenance products, and waste products, is prohibited in areas exposed to stormwater. Deicing and aircraft washing is only allowed in designated areas where residual deicing fluid and washwater are collected and discharge to a wastewater treatment facility. Spill kits and containment measures are stationed at fuel transfer locations, and all fuel deliveries to the Airport fuel farm are monitored by Airport personnel. 100% of stormwater discharged to Upper Gate and Lewis Ponds is treated by a Vortechs hydronamic separator achieving greater than 80% total suspended solids removal prior to discharge. The Airport has implemented a Spill Prevention Control and Countermeasure (SPCC) Plan, and a Zero Discharge Policy that prohibits any discharge of vehicle or aircraft washwater to areas exposed to stormwater or areas that discharge to the facility stormwater system.

D. Provide a schedule for good housekeeping and maintenance (see Part 5.2.5.1) and a schedule for all inspections required in Part 4 (see Part 5.2.5.2).

Mobile refuelers and fuel storage facilities are inspected by the operator on a daily basis for any deficiencies and are removed from service if any deficiencies are observed. Good housekeeping measures are intended to be consistently implemented by the Airport and tenant operators on a daily basis. Discharge monitoring will be conducted by Airport personnel on a quarterly basis, and monthly during the deicing season (variable, typically November through March). Routine facility inspections will be conducted by Airport personnel on a quarterly basis, or more frequently to address any areas of significant activity (i.e., during airfield construction projects). At least one routine facility inspection per year will be conducted during a period when stormwater discharge is occurring. Maintenance of stormwater structures (i.e., sediment and debris removal) is conducted during the spring, and on a more frequent basis as necessary based on visual inspection of the stormwater structures.

The following questions will help you determine your eligibility under Part 1.1.4 of the permit with respect to protection of Endangered Species Act (ESA) species and critical habitat(s). Please refer to Appendix E (https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_e_-_procedures_relatng_to_endangered_species_protection.pdf) of the 2021 MSGP for important information regarding your obligations under this permit concerning ESA-protected species and critical habitat(s).

Determine ESA Eligibility Criterion

Are your industrial activities already addressed in another operator's valid certification of eligibility for your "action area" under eligibility criteria A, C, D, or E of the 2021 MSGP? No

Are your industrial activities the subject of a permit under section 10 of the ESA by the USFWS and/or NMFS, and this authorization addresses the effects of your facility's discharges and discharge-related activities on ESA-listed species and critical habitat? No

No

You must determine whether species listed as either threatened or endangered under the Endangered Species Act, and/or their critical habitat are located in your facility's action area. ESA-listed species and critical habitat are under the purview of the NMFS and the USFWS.

Determine Your Action Area

Your "action area" (as defined in Appendix A (https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_a_-_definitions.pdf)) includes all areas to be affected directly or indirectly by the action and not merely the immediate area involved in the action, including areas beyond the footprint of the facility that are likely to be affected by stormwater discharges, discharge-related activities, and authorized non-stormwater discharges. You must select and confirm that all the following are true:

➤ In determining my "action area", I have considered that discharges of pollutants into downstream areas can expand the action area well beyond the footprint of my facility and the discharge point(s). I have taken into account the controls I will be implementing to minimize pollutants and the receiving waterbody characteristics (e.g. perennial, intermittent, ephemeral) in determining the extent of physical, chemical, and/or biotic effects of the discharges. I confirm that all receiving waterbodies that could receive pollutants from my facility are included in my action area.

True

➤ In determining my "action area", I have considered that discharge-related activities must also be accounted for in determining my action area. I understand that discharge-related activities are any activities that cause, contribute to, or result in stormwater and authorized non-stormwater point source discharges, and measures such as the siting, construction, and operation of stormwater controls to control, reduce, or prevent pollutants from being discharged. I understand that any new or modified stormwater controls that will have noise or other similar effects, and any disturbances associated with construction of controls, are part of my action area.

True

Provide a written description of your action area and explain your rationale for the extent of the action area drawn on your map. Click here for an example.

The action area for the Cape Cod Gateway Airport's stormwater discharges extends from the facility to the discharge points located at Lewis Pond and Upper Gate Pond. The limit of the action area reflects the approximate distance at which the discharge and any pollutants would be expected to cause potential adverse effects to ESA-listed species and/or critical habitat because Lewis Pond and Upper Gate Pond are the only receiving waterbodies. The action area does not extend beyond these ponds, since there are no other direct hydrologic connections.

Attach a map of the action area for your facility. Mapping tool IPaC (the Information, Planning, and Consultation System) located at <http://ecos.fws.gov/ipac/> (<https://ecos.fws.gov/ipac/>) or click here (/net-msgp/documents/action_area_example.pdf) for an example.

Name	Uploaded Date	Size
 2021_Drainage Plan Layout.pdf (attachment/715527)	05/26/2021	4.10 MB

Determine if ESA-listed species and/or critical habitat are in your facility's action area.

ESA-listed species and critical habitat are under the purview of the NMFS and the USFWS, and in many cases, you will need to acquire species and critical habitat lists from both federal agencies.

National Marine Fisheries Service (NMFS)

To obtain NMFS-listed species and critical habitat information, use the resources listed below:

General Resources:

- NOAA Fisheries, Regions Page (<https://www.fisheries.noaa.gov/regions>)

For the Northeastern U.S.:

- NOAA Fisheries Greater Atlantic Region ESA Section 7 Mapper (<https://noaa.maps.arcgis.com/apps/webappviewer/index.html?id=1bc332edc5204e03b250ac11f9914a27>)

For Puerto Rico:

- Acropora critical habitat map (<https://www.fisheries.noaa.gov/resource/map/acropora-elkhorn-and-staghorn-coral-critical-habitat-map-and-gis-data>)
- Green turtle critical habitat map (<https://www.fisheries.noaa.gov/resource/map/green-turtle-critical-habitat-map-and-gis-data>)
- Hawksbill Turtle critical habitat map (<https://www.fisheries.noaa.gov/resource/map/hawksbill-turtle-critical-habitat-map-and-gis-data>)

Western U.S.:

- West Coast Region Protected Resources App (<https://www.webapps.nwfsc.noaa.gov/portal/apps/webappviewer/index.html?id=7514c715b8594944a6e468dd25aaacc9>)

Pacific Islands:

- Contact the Pacific Islands Regional Office at (808) 725-5000 or pirohonolulu@noaa.gov

I have checked the webpages listed above and confirmed that: There are no NMFS-listed species and/or critical habitat in my action area.

U.S. Fish and Wildlife Service (USFWS)

To obtain FWS-listed species and critical habitat information, use the resources listed below:

- IPaC (the Information, Planning, and Consultation System) (<https://ecos.fws.gov/ipac/>)
- For instructions for using IPaC, click here.

I have checked the webpages listed above and confirmed that: There are FWS-listed species and/or critical habitat in my action area.

For FWS species, include the full printout from your IPaC query/Official Species List.

Name	Uploaded Date	Size
 Species List_ New England Ecological Services Field Office.pdf (attachment/715517)	05/26/2021	194.57 KB

You may be eligible under **Criterion C**. You must assess whether your discharges and discharge-related activities are likely to adversely affect ESA-listed species or critical habitat, and whether any additional measures are necessary to ensure no likely adverse effects. In order to make a determination of your facility's likelihood of adverse effects, you must complete the Criterion C Eligibility fields below.

Criterion C Eligibility

Select which applies:

Criterion C1: Facility eligible for Criterion C in the 2015 MSGP with no change to ESA-listed species, critical habitat, or action area.

Your facility was eligible for Criterion C in the 2015 MSGP and there has been no change in your facility's action area and you have confirmed that there are no additional ESA-listed species or critical habitat under the jurisdiction of USFWS and/or NMFS in your action area since your certification under Criterion C in the 2015 MSGP. You must provide a description of the basis of this criterion selected on your NOI form and provide documentation supporting your eligibility determination in your SWPPP.

Select which applies:

I am seeking coverage under the MSGP as an existing discharger and my facility has modifications to its discharge characteristics (e.g., changes in discharge flow or area drained, different pollutants) and/or discharge-related activities (e.g., stormwater controls).

Provide a basis statement providing the USFWS and/or NMFS resources consulted that helped you determine that there are no additional ESA-listed species and/or critical habitat have been listed by under the jurisdiction of the Services in your action area.

Based on a review of information provided by the National Marine Fisheries Service (NMFS) and using the NOAA Fisheries Greater Atlantic Region ESA Section 7 Mapper, there are no listed threatened or endangered species or critical habitat in the designated action area. Based on a listed threatened and endangered species and critical habitat information request completed in the U.S. Fish and Wildlife Information, Planning, and Coordination (IPaC) system, there is one threatened species and one endangered species listed and no critical habitat designated for the action area. The Northern Long-eared Bat is listed as threatened and the American Chaffseed is listed as endangered. Slight drainage modifications were made to areas near the East Ramp of the Airport. All drainage changes made in 2021 did not result in any additional stormwater directed towards Lewis Pond or Upper Gate Pond.

Note: Any missing or incomplete information in this section may result in a delay of your coverage under the permit.

Historic Preservation: Criterion A

The following questions will help you determine your eligibility under Part 1.1.5 of the permit with respect to preservation of historic properties. You may still use the paper instructions in Appendix F (https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_f_-_procedures_relatig_to_historic_properties_preservation.pdf) of the MSGP in advance or in conjunction with answering the questions in this section of the form. For more information about your State Historic Preservation Office (SHPO) or Tribal Historic Preservation Office (THPO), please visit the National Park Service (NPS) websites at:

- State Historic Preservation Office (SHPO) (<https://www.nps.gov/subjects/nationalregister/state-historic-preservation-offices.htm>)
- Tribal Historic Preservation Office (THPO) (https://www.nps.gov/history/tribes/Tribal_Historic_Preservation_Officers_Program.htm)

Are you an existing facility that is resubmitting for certification under the 2021 MSGP? Yes

➤ If you are an existing facility you should have already addressed National Historic Preservation Act (NHPA) issues. To gain coverage under the 2015 MSGP, you were required to certify that you were either not affecting historic properties or had obtained written agreement from the relevant SHPO or THPO regarding methods of mitigating potential impacts.

Will you be constructing or installing any new stormwater control measures? No

You are eligible under **Criterion A**.

Certification Information

Form has not been certified yet.



United States Department of the Interior



FISH AND WILDLIFE SERVICE
New England Ecological Services Field Office
70 Commercial Street, Suite 300
Concord, NH 03301-5094
Phone: (603) 223-2541 Fax: (603) 223-0104
<http://www.fws.gov/newengland>

In Reply Refer To:

May 26, 2021

Consultation Code: 05E1NE00-2021-SLI-3555

Event Code: 05E1NE00-2021-E-10665

Project Name: Cape Cod Gateway Airport

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at:

<http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>;

<http://www.towerkill.com>; and

[http://](http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html)

www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

New England Ecological Services Field Office

70 Commercial Street, Suite 300

Concord, NH 03301-5094

(603) 223-2541

Project Summary

Consultation Code: 05E1NE00-2021-SLI-3555

Event Code: 05E1NE00-2021-E-10665

Project Name: Cape Cod Gateway Airport

Project Type: TRANSPORTATION

Project Description: Environmental Overview

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@41.670652863991194,-70.28344048034839,14z>



Counties: Barnstable County, Massachusetts

Endangered Species Act Species

There is a total of 2 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Flowering Plants

NAME	STATUS
American Chaffseed <i>Schwalbea americana</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1286	Endangered

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

APPENDIX C
RECORD OF CHANGES

APPENDIX D

Spill Prevention, Control, and Countermeasure Plan

Horsley Witten Group

Sustainable Environmental Solutions

90 Route 6A • Sandwich, MA • 02563
Phone - 508-833-6600 • Fax - 508-833-3150 • www.horsleywitten.com



Spill Prevention, Control, and Countermeasure Plan

**Barnstable Municipal Airport
Hyannis, Massachusetts**

Revision 4, April 2020



Prepared for:

**Barnstable Municipal Airport
480 Barnstable Road
Hyannis, Massachusetts 02601**

Job # 14105

**SPILL PREVENTION, CONTROL, AND COUNTERMEASURE PLAN
BARNSTABLE MUNICIPAL AIRPORT
HYANNIS, MASSACHUSETTS
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- Appendix F. Spill Response Resource Inventory
- Appendix G. Fuel Farm Inspection Sheets
- Appendix H. Spill Response Products and Vendors

PREFACE - I

SPILL PREVENTION, CONTROL, AND COUNTERMEASURE PLAN EMERGENCY ACTION PLAN

BARNSTABLE MUNICIPAL AIRPORT HYANNIS, MASSACHUSETTS

This Emergency Response Action Plan has been developed for the Barnstable Municipal Airport, 480 Barnstable Road, Hyannis, Massachusetts 02601 as a guide to assist in the response to releases of oil and/or hazardous materials to the environment.

1.0 EMERGENCY NOTIFICATION PHONE LIST

National Response Center (to report a release to navigable waters)

24-Hour Call Center: 800-424-8802

Massachusetts Department of Environmental Protection Emergency Response Center

24-Hour Call Center: 888-304-1133

Massachusetts State Police / Hyannis Fire Department

24-Hour Call Center: 911

Airport Rescue and Fire Fighting

24-Hour Call Center: 508-778-7770

Barnstable Fire District Water Department

(To report a spill on Water Dept. property located north of 15/33)

Office: 508-362-6498

Supt. Thomas Rooney (24-Hour): 508-364-9359

The Barnstable Municipal Airport Emergency Response Personnel include the following:

Spill Response Program Manager:

Katie Servis

Airport Manager

Barnstable Municipal Airport

508-775-2020

PREFACE – I

(continued)

Spill Response Coordinator:

Robert Holzman
Operations Supervisor
Barnstable Municipal Airport
508-778-7770 (24-hour contact number)

Local consultants and contractors to contact for spill response:

Licensed Site Professional:

Horsley Witten Group, Inc.
90 Route 6A
Sandwich, Massachusetts
508-833-6600

Bryan Massa, LSP
24-Hour Contact Number: 781-243-1527

Mark Nelson, LSP
24-Hour Contact Number: 508-566-0912

Spill Response Contractors:

Clean Harbors 800-645-8256

Moran Environmental Recovery 888-233-5338

Global Remediation 508-828-1005

Spill Response Materials/Equipment

A rapid spill response trailer is maintained at the Airport ARFF/SRE Building; a complete inventory of the trailer's contents is included as Appendix F in the SPCCP. Inventories are conducted regularly, and out-of-date equipment is replaced. A smaller spill kit is also maintained on each of the Airport's Mobile Refuelers, at the Gate F Fuel Farm, and at the Airport ARFF/SRE Building waste oil and anti-freeze storage AST. Each tenant involved in the storage or transfer of fuel is responsible for maintaining their own spill response resources on each of their vehicles and at fuel storage locations.

PREFACE – I

(continued)

2.0 IMMEDIATE ACTIONS

Spill response actions may include the following (as personnel safety allows)

- 1) Initiate evacuation, if necessary.
- 2) Notify Federal and State Emergency Response Personnel (see Section 1.0).
- 3) Stop spill flow when possible without risk of personal injury.
- 4) Contain the spill using whatever means readily available.
- 5) Make the spill location off limits to unauthorized personnel.
- 6) Restrict all sources of ignition when flammable substances are involved.
- 7) Report the release to the appropriate regulatory agencies (MassDEP, Fire Department, Airport Operations).

PREFACE – I

(continued)

3.0 RELEASE NOTIFICATION FORM

A. Incident Description

Date: _____ Reporter: _____

Time of Incident: _____ Time of Report: _____

Facility Name: _____

Facility Telephone #: _____

Location of Release: _____

Facility Location: _____

Street Address: _____

City/Town: _____

B. Release Description

Type of material(s) released: _____

Estimated quantity released: _____

Were there injuries to anyone on site?: _____

Did the release impact a catch basin or storm drain?: _____

Describe the ground surface that the release occurred over: _____

Did the release enter or travel along underground utilities (pipes, conduit, etc.)?:

How did the release occur? _____

Other details: _____

Are any surface waters impacted, or in danger of being impacted?

C. Spill Response Program Notification Requirements

IN THE EVENT OF ANY RELEASE, NOTIFY:

PROGRAM MANAGER KATIE SERVIS 508-775-2020

SPILL RESPONSE COORDINATOR ROBERT HOLZMAN 508-778-7770

BARNSTABLE MUNICIPAL AIRPORT RESCUE AND FIREFIGHTING 508-778-7770

PREFACE – I

(continued)

IF RELEASE IS LOCATED ON WATER DEPT. PROPERTY NORTH OF 15/33, NOTIFY:

SUPT. THOMAS ROONEY 508-364-9359

D. State and Federal Notification Requirements

Does Massachusetts Department of Environmental Protection (MassDEP) Require Notification?

- A release of ≥ 10 Gallons Gas/Diesel/Oil requires MassDEP Notification
- A release of an unknown quantity requires MassDEP notification

If required, notify Massachusetts DEP at 888-304-1133*

Does the USCG/Federal National Response Center (NRC) Require Notification?

- A discharge to navigable waters requires USCG/NRC notification
- A sheen on water surface is considered a harmful quantity

If required, notify USCG/NRC at 800-424-8802*

*** record any instructions/information from MassDEP or NRC in the space provided below.**

E. Generator Information

Generator/Responsible Party: _____

Street Address: _____

City/Town: _____ State: _____

Contact Person: _____ Title: _____

Contact Telephone Number: _____

F. Documentation of Notification

(Record time of agency/contact notification, instructions, reporting number, etc. here)

PREFACE – I

(continued)

4.0 REPORTABLE CONDITIONS

In accordance with Commonwealth of Massachusetts regulations, 310 CMR 30 and 310 CMR 40.0000, a release or threat of a release of a reportable quantity of oil and or hazardous materials must be reported to the MassDEP within two hours of obtaining knowledge of the release. Under MassDEP regulations 310 CMR 40.0000 a release of oil of **10-gallons or greater** is considered reportable. Contaminants detected in the environment at or above a certain concentration require reporting to the MassDEP, are listed in 310 CMR 40.1600. Refer to Appendix E of the Airport’s SPCCP for forms to be completed during a spill event.

Federal reportable quantities for releases into soil, water and air are listed in Table 302.4 of 40 CFR 302.4. Each regulatory agency has these reportable quantities posted on its website (www.state.gov/dep; and www.epa.gov).

PREFACE - II

SPILL PREVENTION, CONTROL, AND COUNTERMEASURE PLAN APPROVAL AND CERTIFICATION

BARNSTABLE MUNICIPAL AIRPORT HYANNIS, MASSACHUSETTS

MANAGEMENT APPROVAL

This oil and hazardous substances Spill Prevention, Control, and Countermeasure Plan and attached Emergency Response Action Plan has been carefully reviewed by Barnstable Municipal Airport Management. Management concurs with and supports the programs and procedures which are to be implemented, periodically reviewed, and updated in accordance with Federal Regulation 40 CFR 112.

Signature: _____

Katie Servis
Spill Response Program Manager
Airport Manager
Barnstable Municipal Airport

PROFESSIONAL ENGINEER CERTIFICATION

I hereby certify that I am familiar with the provisions of Federal Regulation 40 CFR 112 and attest that the Spill Prevention, Control, and Countermeasure Plan has been prepared in accordance with reasonable and prudent engineering practices, and satisfies the current requirements of the aforementioned regulation.

Name: Richard A. Claytor, Jr., P.E.

Signature: _____

Richard A. Claytor, Jr.

Date: _____

4-29-2020



Registration Number: 45116

x

Barnstable Municipal Airport
Spill Prevention, Control, and Countermeasure Plan
Revision 4, April 2020

April 2020
Horsley Witten Group, Inc.

PREFACE - IV

SPILL PREVENTION, CONTROL, AND COUNTERMEASURE PLAN REGULATORY CROSS-REFERENCE WITH 40 CFR 112

BARNSTABLE MUNICIPAL AIRPORT HYANNIS, MASSACHUSETTS

Regulatory Provision	Regulatory Requirement	Location in SPCCP
112.3 (d)	Professional Engineer Certification	Preface II
112.3 (e)	Location of SPCC Plan	Section 2.0
112.5	SPCC Plan review and amendment	Section 3.0
112.7	Facility Management approval	Preface II
112.7	Cross reference with 40 CFR 112	Preface IV
112.7 (a)(1)	Discussion of Facility conformance	Section 1.0
112.7 (a)(2)	Deviation from plan requirements	Not Applicable
112.7 (a)(3)	Facility physical layout and facility	Section 7.0,
112.7 (a)(3)(i)	Oil storage containers	Sections 8.0, 9.0 Figures 2 and 3
112.7 (a)(3)(ii)	Discharge prevention measures	Section 10.0
112.7 (a)(3)(iii)	Discharge or drainage controls	Section 10.0
112.7 (a)(3)(iv)	Countermeasures for discharge discovery, response, and cleanup	Section 12.0, 14.0
112.7 (a)(3)(v)	Methods of disposal of recovered	Section 12.1.1
112.7 (a)(3)(vi)	Emergency contact list	Section 13.1,
112.7 (a)(4)	Discharge reporting	Section 13.0,
112.7 (a)(5)	Discharge response procedures	Section 12.0
112.7 (b)	Potential discharge volumes and direction	Section 8.0, 9.0,
112.7 (c)	Containment and diversionary structures	Section 8.0, 9.0,
112.7 (d)	Demonstration of impracticability of secondary	Not Applicable
112.7 (e)	Inspections, Tests, and Records	Section 15.0

PREFACE – IV

(continued)

Regulatory Provision	Regulatory Requirement	Location in SPCCP
112.7 (f)(1)	Oil handling personnel trained in operation and maintenance of facility equipment to avoid a discharge, discharge procedures, applicable laws and regulations, and contents of SPCC Plan	Section 4.0
112.7 (f)(2)	Designate personnel at each applicable facility responsible for SPCC Plan compliance	Section 2.0
112.7 (f)(3)	Discharge prevention briefings for all oil-handling personnel	Section 4.0
112.7 (g)(1)	Applicable areas fully fenced when unattended	Section 7.3
112.7 (g)(2)	Flow and drain valves secured in closed position when not in operation	Appendix B
112.7 (g)(3)	Transfer controls secured in closed position when not in operation, accessible only by authorized personnel	Appendix B
112.7 (g)(4)	Transfer systems capped when not in operation	Appendix B
112.7 (g)(5)	Adequate facility lighting to observe a discharge and prevent vandalism	Section 7.3
112.7 (h)(1)	Quick drainage systems in lieu of catchment basin	Not Applicable
112.7 (h)(2)	Warning system to prevent vehicle departure prior to complete disconnection of flexible or fixed transfer lines	Appendix B
112.7 (h)(3)	Inspection of all transfer connections on vehicle prior to transfer	Appendix B
112.7 (i)	Brittle fracture evaluation	Section 15.5
112.7 (j)	Compliance with Applicable State and Local Requirements	Section 1.0
112.8 (b)	Facility drainage	Section 7.5
112.8 (c)(1)	Bulk storage container construction	Section 8.0, 9.0

PREFACE – IV

(continued)

Regulatory Provision	Regulatory Requirement	Location in SPCCP
112.8 (c)(2)	Secondary containment	Section 8.0, 9.0, 10.0
112.8 (c)(3)	Drainage of diked areas	Section 7.5
112.8 (c)(4)	Corrosion protection	Section 8.0
112.8 (c)(5)	Partially buried and bunkered storage tanks	Not Applicable
112.8 (c)(6)	Inspection and testing of aboveground storage tanks	Section 15.0
112.8 (c)(7)	Heating coils	Not Applicable
112.8 (c)(8)	Overfill prevention devices	Section 8.0
112.8 (c)(9)	Effluent treatment facilities	Not Applicable
112.8 (c)(10)	Visible discharges	Appendix B
112.8 (c)(11)	Mobile and portable containers	Section 8.0, 9.0
112.8 (d)	Transfer operations, pumping and in-plant	Section 8.0
112.20 (e)	Certification of Substantial Harm Determination	Appendix A

SPILL PREVENTION, CONTROL, AND COUNTERMEASURE PLAN

BARNSTABLE MUNICIPAL AIRPORT HYANNIS, MASSACHUSETTS

1.0 INTRODUCTION

Code of Federal Regulations 40, Subpart 112 (40 CFR 112) provides guidance for the development of Spill Prevention, Control, and Countermeasure Plans (SPCCP) and establishes procedures and methods to prevent the discharge of oil from non-transportation-related facilities into surface waters and adjoining shorelines. Additionally, Massachusetts State regulations (310 CMR 30.521(4)) require SPCCPs, with added requirements to comply with State 310 CMR 30 Hazardous Waste regulations. The Comprehensive Environmental Response Compensation and Liability Act (CERCLA) Regulation 40 CFR 300.3, and the Resource Conservation and Recovery Act (RCRA) Regulation 40 CFR 264.52 expand the scope of the SPCCP to incorporate hazardous materials as defined in 40 CFR 302.3.

An SPCCP must be written and certified for an installation or commercial entity when both of the following criteria are met:

1. There is a reasonable potential for discharging oil into or upon navigable waters of the United States; and
2. The oil storage capacity on-site exceeds either:
 - a. 42,000-gallons of total underground storage, or
 - b. 1,320-gallons of total above-ground storage, or any single container having a capacity in excess of 660-gallons.

This SPCCP has been prepared for the Barnstable Municipal Airport, 480 Barnstable Road, Hyannis, Massachusetts 02601 (the "Airport"), due to the following:

1. There is a reasonable potential for discharging oil into or upon the waters of the United States, and
2. Above-ground fuel storage capacity exceeds 1,320-gallons, with a single container having a capacity in excess of 660-gallons.

2.0 SPCCP IMPLEMENTATION

This SPCCP is to be implemented by Airport employees and tenants. The Spill Response Program Manager (Program Manager) and Spill Response Coordinator (Coordinator) are

responsible, to the greatest extent possible, for ensuring employee and tenant awareness, program participation, and operational compliance with the guidelines provided in this SPCCP. Copies of the SPCCP are to be maintained in the Barnstable Municipal Airport (Airport) Management Office within the Main Terminal, the Aircraft Rescue and Fire Fighting/Snow Removal Equipment (ARFF/SRE) Building, and with the tenants identified in Section 7.2.

Spill Response Program Manager:

Katie Servis
Airport Manager
Barnstable Municipal Airport
508-775-2020

Spill Response Coordinator:

Robert Holzman
Operations Supervisor
508-778-7770 (24-hour contact number)

Effective spill prevention and response management is best facilitated through the designation of a Response Team representative (typically an owner, manager, or supervisor) for each Airport tenant operation involving the storage, transfer, or use of oil and/or hazardous materials (OHM). Response Team representatives are responsible for personnel training and maintaining operational compliance with the guidelines established in this SPCCP and described in further detail in Section 4.0 of this plan.

3.0 SPCCP REVIEW

If there is a change in the facility design, construction, operation, or maintenance which materially affects the potential for discharge of OHM into surface waters and adjoining shorelines, this SPCCP shall be amended in accordance with 40 CFR, parts 112.5 and 112.7. Amendments shall be implemented no later than 6 months after such changes occur. The Program Manager shall review and evaluate the SPCCP every five years. The Program Manager shall amend the SPCCP within 6 months of the five-year review to include more effective prevention and control technology, if available. No amendment to this SPCCP shall be effective to satisfy these requirements unless it has been certified by a Professional Engineer in accordance with 40 CFR 112.3(d). Statements of Airport Management Approval and Professional Engineer Certification, and a SPCCP Revision Log are included as prefaces to this plan. Amendments which do not significantly alter the potential for a discharge to occur, such as name and address revisions, do not require an Engineer's certification, however, all revisions shall be recorded in the SPCCP Revision Log.

4.0 RESPONSE TEAM DESIGNATION AND PERSONNEL TRAINING

The Coordinator shall designate a Response Team representative for each Airport tenant operation that involves the transport, use, or storage of OHM. Response Team members, along with the Coordinator, will be responsible for ensuring spill awareness among Airport and tenant employees, and operational compliance with the provisions of this SPCCP.

At a minimum, OHM-handling personnel shall be trained in the operation and maintenance of related facility equipment, facility discharge procedures, applicable laws and regulations, and the contents of the SPCCP. On an annual basis, the Coordinator shall conduct Discharge Prevention briefings for all oil-handling personnel, and include discussions of the SPCCP, any discharges within the past year, or changes to the Airport that might affect the potential for a discharge.

No provisions within this SPCCP, expressed or understood, relieve any tenant from providing response training to their employees, as required by Local, State and Federal regulations. Each Response Team Member shall provide the Coordinator with 24-hour contact information for inclusion in Section 7.2, and in the Airport's Emergency Response Action Plan (ERAP), described in Section 11.0.

5.0 SPCCP LIMITATIONS

This SPCCP provides information critical to the prevention of, and response to, releases of OHM at the Airport, and includes discussions of tenant operations, storage facilities, and transfer procedures. The Airport assumes no liability or responsibility for tenant operational compliance with applicable Local, State, and Federal Regulations, including the requirements established in 40 CFR 112, and described in this SPCCP. Tenants required to prepare and implement a SPCCP shall do so independently of this SPCCP.

6.0 APPLICATION OF SUBSTANTIAL HARM CRITERIA

Appendix C of 40 CFR 112 requires a facility to determine whether or not their facility is considered a "substantial harm facility." Certification of the applicability of the substantial harm criteria for the Airport is included as Appendix A. Substantial harm facilities are required to submit a Facility Response Plan to the Environmental Protection Agency's (EPA) Regional Administrator. The Airport is not considered a "substantial harm" facility and as such is not required to submit a Facility Response Plan to the EPA Regional Administrator.

7.0 FACILITY INFORMATION

7.1 Facility Description and Operations

The Airport provides commercial airline service and general aviation services to Boston, Cape Cod and the Islands of Martha's Vineyard, and Nantucket. The Airport began operations in 1928 and is the third largest and busiest airport in the Commonwealth of Massachusetts.

The Airport property consists of approximately 645 acres, approximately 142 are paved for use as taxiways, runways, and parking aprons. The Airport is bordered to the south by Barnstable Road (Route 132), to the west by Yarmouth Road, to the north by Route 6, and to the east by an industrial park (Independence Park). A locus map is included as Figure 1 and an aerial photograph identifying OHM storage locations at the Airport is included as Figure 2. Structures on Airport property include the Main Terminal and Air Traffic Control Tower (ATCT), several service and storage hangars, tenant facilities, and the Airport Rescue and Fire Fighting/Snow Removal Equipment Building (Airport ARFF/SRE). Airport property and structures located along runways 6 and 15 are commonly referred to as the East and North Ramps, respectively. A site plan detailing the structural layout of the Airport including stormwater drainage patterns and locations is included as Figure 3.

More than 40 tenant businesses operate on Airport property, providing industry-related services. Normal tenant operations include the maintenance and servicing of aircraft and associated aviation equipment, aviation fuel transfer, and general facility maintenance. Operations related to aircraft maintenance include engine maintenance, electronics repair, hydraulic system repair, aircraft washing, body repair, aircraft de-icing, and wheel and tire maintenance and repair. Ground vehicle operations and maintenance includes fluid changes, filter changes, refueling, brake repair, interior and exterior reupholstering, body repair, minor painting, and washing.

Airport Operations and Maintenance responsibilities include fuel transfer, traffic control, airport security, equipment operation and maintenance, facility maintenance and grounds-keeping. OHM use and storage at the Airport includes aviation fuel, gasoline, diesel, lubrication oil, motor oil, waste oil, deicing solutions, anti-freeze, paints, industrial chemicals and adhesives, compressed gases, solvents, and cleaning solutions.

Facilities maintenance operations include structural maintenance and repairs, airfield lighting and marking maintenance, painting, mowing, snow removal, and utility maintenance.

7.2 Tenant and Airport Operations Information

Current Airport Operations and tenant contact information are presented below.

Robert Holzman
Airport Operations Supervisor
480 Barnstable Road - 2nd Floor
Hyannis, MA 02601
508-778-7770

Helyne Medeiros
Rectrix Aerodrome Center, Inc.
Box 13 - 730 Barnstable Road
Hyannis, MA 02601
508-771-7520

Hildie Rios
Aviation Fuel Coordinator
480 Barnstable Road
Hyannis, MA 02601
508-778-7770

John Cahill
Hertz Car Wash
480 Barnstable Road
Hyannis, MA 02601
508-775-5825

Brad Everson
Airport Rescue Fire Fighting Coordinator
480 Barnstable Road - 2nd Floor
Hyannis, MA 02601
508-778-7770

Jody Lewis
Allies Air
550 Barnstable Road
Hyannis, MA 02601
508-364-5786

Robert Griffin
Griffin Avionics
630 Barnstable Road
Hyannis, MA 02601
508-771-2638

Peter Farrell
Cape Air / Nantucket Airlines
660 Barnstable Road
Hyannis, MA 02601
508-790-3122

Peter Greaves
AMA Nantucket Inc.
130 Mary Dunn Way
Hyannis, MA 02601
508-771-8273

Cape Flight Instruction
Edmund Cottle
150 Mary Dunn Way
Hyannis, MA 02601
508-274-2424

7.3 Facility Security

The Airport is manned on a 24-hour basis. Airport security is maintained through several means. Access to Airport property is restricted by a perimeter fence which is inspected daily. Unsupervised entry within the perimeter fence is limited to approved personnel who carry Airport-assigned identification. Facility security staffing includes personnel from Airport Security, the Hyannis Police Department, and the Transportation Security Administration (TSA). All fuel transfer and storage areas are located within the

main perimeter fence and access to these areas is therefore restricted to approved personnel. The Airport's Gate F Fuel Farm facility is also surrounded by an additional security fence and can only be accessed by approved personnel. The fuel transfer facility, Gate F Fuel Farm, and overnight staging areas for mobile refuelers are equipped with adequate lighting to aid in the observation of a release and deter any acts of vandalism.

7.4 Wastewater Management

With the exception of the ARFF/SRE building (Figure 3), all tenant facilities located on the East Ramp currently discharge sanitary wastewater to on-site septic systems. The ARFF/SRE building, South Ramp Deicing Pad and all structures located on the North Ramp of the Airport, including the Main Terminal, ATCT, and all other tenant facilities (Figure 3) discharge wastewater including sanitary waste to the Barnstable Wastewater Treatment Facility. Oil/water separators (O/WS) are located at the ARFF/SRE building, South Ramp Deicing Pad, Griffin Avionics, and Cape Air/Nantucket Air hangar and provide pre-treatment of floor drain discharge from each facility prior to discharge to the Barnstable Wastewater Treatment Facility. The Avis and Hertz Car Wash, located south of Barnstable Road on Airport property, also utilize O/WS to pre-treat vehicle wash-water that is subsequently discharged to the Barnstable Wastewater Treatment Facility. The locations of these tenants are included on Figure 3.

7.5 Stormwater Management

Stormwater management at the Airport is provided through several systems. The majority of paved surfaces within the perimeter fence, including all runways, discharge stormwater to a system that transports stormwater to one of two surface water bodies located on Airport property, Upper Gate and Lewis ponds (Figure 3). A number of catch basins are not connected to the main drainage system, and infiltrate stormwater at their respective locations or discharge stormwater to infiltration basins. A site plan, identifying Airport drainage areas, stormwater conveyances, surface water outfalls, and retention basins is included as Figure 3. O/WS used to pre-treat stormwater are located at the Gate F Fuel Farm and prior to Outfall A. Vortech® water quality units located prior to each of the outfalls discharging to Upper Gate and Lewis ponds provide pretreatment to all stormwater discharged to the ponds. Calculated total suspended solid (TSS) removal rates for the water quality units range from 81% to 87%. Since the installation of the Vortech® units in 2011, 100% of stormwater discharged to the ponds receives pretreatment.

7.6 Spill History

Facilities having experienced one or more spills within a year of the effective date of the SPCCP are required to describe each spill, any corrective actions taken, and plans for preventing recurrence. Two spills have occurred at the Airport in 2019, as described below. No other spills have occurred at the Airport within the past five years of the effective date of this plan (April 2020).

- In November 2019, a release of 51 gallons of Jet A fuel occurred at the Gate F Fuel Farm from a hand operated pump located within the concrete secondary containment structure (Figure 2). The hand pump was not fully closed after the previous use and was the source of the release. Due to a storm drainage valve being opened, the release drained from the secondary containment structure into an O/WS. Airport personnel responded to the spill and applied absorbents. Airport personnel notified the fire department and the MassDEP within two hours of identifying the release. Clean Harbors and a Licensed Site Professional responded to the release and pumped out and cleaned the O/WS, recovered absorbents, and cleaned the interior of the concrete secondary structure with a citrus based degreaser. The release was contained by the concrete secondary containment and the OW/S and there was no discharge of pollutants to stormwater and/or surface waters. Due to this incident, a new procedure was implemented by the Airport on November 26, 2019 for the operation of the hand pump and storm water drain valve at the fuel farm. The new procedure is as follows:

Hand Pump Operation

- Prior to hand pump usage by Airport staff, verify that the stormwater drain valve located adjacent to the secondary containment structure is in the closed position.
- Operate hand pump as necessary to obtain fuel sample.
- After sample collection, verify hand pump is in the closed position.

Stormwater Drain Valve Operation

- Inspect the concrete secondary containment pad and both interior drainage sumps for visual and olfactory evidence of OHM. Collect a representative sample of accumulated rainwater in a clear container and record the observations on the inspection form. If no visual or olfactory indication of OHM is observed, the accumulated rainwater within the secondary containment is assumed to be free of OHM.
- Next, open the first manhole cover (marked "DRAIN") in front of the Gate F Fuel Farm located between the storm water valve and the fuel farm. Cones

or other means to mark the open hole must be utilized. Collect a representative sample of accumulated rainwater from within the manhole in a clear container and record the observations on the inspection form. If no visual or olfactory indication of OHM is observed, the accumulated rainwater within the drain manhole is assumed to be free of OHM. The adjacent drain valve should then be opened, and the Airport staff member will monitor the draining of the open manhole and secondary containment as the water moves into the adjacent O/WS prior to discharging into the stormwater system.

- Once the draining of the open manhole and secondary containment is completed, the drain valve is to be closed. Additionally, the manhole is to be closed.
- On December 21, 2019 a release of one to two gallons of jet fuel occurred at the Rectrix Aerodrome Center Hanger while refueling a Hawker 827TX aircraft (Figure 2). The release occurred to the asphalt paved ground surface from venting of the right wing. Rectrix personnel responded to the spill immediately by placing granular absorbents and using pads to mop up the spilled jet fuel and notified the Airport. The absorbent and pads were placed into a 55-gallon drum for future off-site disposal. The release was contained to the asphalt pavement and there was no discharge of pollutants to stormwater and/or surface waters. Considering the nature of the release, no change to the fueling procedures or release response is necessary.

8.0 STORAGE AND TRANSFER OF FUEL

Significant volumes of virgin petroleum are stored at several locations at the Airport within storage tanks. Details concerning virgin petroleum storage are provided in Table 1 and Table 2, and locations are set forth on Figures 2. The Airport is also subject to the requirements in Federal Aviation Administration (FAA) Advisory Circular 150/5230-4, Aircraft Fuel Storage, Handling, and Dispensing on Airports.

Table 1. Barnstable Municipal Airport Virgin Petroleum Storage

Operator	Location	Product	Tank Type	Spill Protection	Volume (Gallons)
Rectrix / Air Cape Cod	Gate P Fuel Farm	Avgas ³	AST ¹	Overfill protection, double walled tanks, interstitial monitoring	10,000
		Jet A			10,000
Griffin Avionics	Griffin Fuel Island	Avgas ³	UST ²	Overflow protection, leak detection, double walled piping with sumps/sensors, and line leak detection	(2) 10,000
Cape Air	Inside Cape Air Hangar	Avgas ³	Portable AST ¹	Spill Containment Pallet	100

Operator	Location	Product	Tank Type	Spill Protection	Volume (Gallons)
Hertz Car Rental	Barnstable Road – Service Lot	Unleaded Gasoline	UST	Double walled, In tank monitor	10,000
Barnstable Municipal Airport	Gate F Fuel Farm	Unleaded Gasoline	AST	Overfill protection, concrete secondary containment, interstitial monitoring	4,000
		Diesel	AST		4,000
		Jet A	AST	Overfill protection, concrete secondary containment pad, double walled tanks, interstitial monitoring	(3) 20,000

Notes:

¹ Aboveground Storage Tank

² Underground Storage Tank

³ Aviation Gas

Virgin petroleum products are transported by Airport and tenant mobile refuelers for the purpose of refueling aircraft. Fuel delivery and transfer procedures are described in greater detail in Sections 8.1 and 8.2. Specific characteristics of each mobile refueler are provided in Table 2, below.

Table 2. Barnstable Municipal Airport Mobile Refuelers

Operator	Product	Spill Prevention Equipment	Truck Designation	Storage Capacity (Gallons)
Barnstable Municipal Airport	Jet A	All mobile refuelers are equipped with absorbents, drip pans, magnetic catch basin covers, and oil booms to respond to the most likely quantity of oil that could be discharged (<10 gallons) during refueling activities	5249	5,000
			5250	5,000
			5251	3,000
Rectrix / Air Cape Cod	Avgas		44219	1,500
Rectrix Aerodrome	Jet A		5693	3,000
Cape Air	Avgas		4298	1,500
Griffin Avionics	Avgas		612	620
		4134	1,200	

8.1 Fuel Delivery

Detailed fuel delivery procedures for the Airport are included as Appendix C and are described in general below.

8.1.1 Jet A Fuel

Jet A fuel is currently stored at the Airport's Gate F Fuel Farm in three 20,000-gallon ASTs, and at Rectrix / Air Cape Cod's Gate P Fuel Farm in a 10,000-gallon AST. Details concerning spill protection are included above in Table 1. Vendor delivery of Jet A fuel at the Gate F Fuel Farm is coordinated and supervised by Airport personnel; fuel delivery at the Gate P Fuel Farm is coordinated and supervised by Rectrix / Air Cape Cod personnel. Flexible transfer lines, used for connecting fuel delivery trucks to the above-ground transfer manifolds at both locations, are inspected prior to each fuel transfer, and are replaced as necessary. Fuel deliveries are generally made during daylight hours; however, after-hours deliveries are conducted when necessary. Direct communication between the refueling agent and Airport personnel is maintained throughout the transfer. Prior to delivery, magnetic storm drain covers are temporarily placed on all catch basins within proximity of the vehicle prior to fuel transfer. Drip pans are also placed under the fuel rack on the vendor fuel delivery truck and personnel shall ensure that spill response resources to clean up or contain a small spill are readily available.

Airport and Rectrix / Air Cape Cod personnel are responsible for the assessment of Jet A fuel quality at the time of delivery and for the inspection of all fuel transfer and containment equipment.

8.1.2 Aviation Gas

Aviation Gas (Avgas) is currently stored in two 10,000-gallon USTs located at Griffin Avionics and at Rectrix / Air Cape Cod's Gate P Fuel Farm in a 10,000-gallon AST. Details concerning spill protection are included above in Table 1. Avgas deliveries are made by several vendors for each receiving facility and are completed during normal business hours. Flexible transfer lines, used for connecting fuel delivery trucks to the transfer manifolds, are inspected prior to each fuel transfer, and are replaced as necessary. Direct communication between the delivery truck operator and tenant personnel is maintained throughout the transfer. Prior to delivery, magnetic storm drain covers are temporarily placed on all catch basins within proximity of the vehicle prior to fuel transfer. Drip pans are also placed under the fuel rack on the vendor fuel delivery truck and personnel ensure that spill response resources to clean up or contain a small spill are readily available.

In accordance with Federal Regulations 14 CFR 139, tenant operations involving the storage or transfer of Avgas must maintain personnel training programs. One supervisor from each refueling tenant must complete an aviation fuel training course at an approved FAA-sponsored fueling course. Following this training, supervisors shall train all other employees involved in storing, dispensing and handling fuel in fire safety. Records of employee training are maintained by the Airport Operations. Records of system checks and transfer equipment inspections are maintained by each tenant.

8.1.3 Unleaded Gasoline

Unleaded gasoline is currently stored in a 10,000-gallon UST located at Hertz Car Rental located at the Barnstable Road Service Lot and at the Gate F Fuel Farm in a 4,000-gallon AST. Details concerning spill protection are included above in Table 1. Direct connections between the delivery truck and the storage tank are accomplished through flexible transfer lines, which are inspected prior to each fuel transfer. Fuel flow during transfer is controlled by the delivery truck operator and incorporates a dead man switch. Delivery of unleaded gasoline to the Gate F Fuel Farm is supervised by Airport personnel. Prior to delivery, magnetic storm drain covers are temporarily placed on all catch basins within proximity of the vehicle prior to fuel transfer. Drip pans are also placed under the fuel rack on the vendor fuel delivery truck and personnel ensure that spill response resources to clean up or contain a small spill are readily available.

8.1.4 Diesel Fuel

Diesel fuel is currently stored at the Gate F Fuel Farm in a 4,000-gallon AST. Details concerning spill protection are included above in Table 1. Diesel fuel at the Gate F Fuel farm is used for the refueling of Airport service vehicles. Direct connections between the delivery truck and storage tank are accomplished through a flexible transfer line, which is inspected prior to each fuel transfer. Fuel flow during transfer is controlled by the tank truck operator and incorporates a dead man switch. Delivery of diesel is supervised by Airport personnel. Prior to delivery, magnetic storm drain covers are temporarily placed on all catch basins within proximity of the vehicle prior to fuel transfer. Drip pans are also placed under the fuel rack on the vendor fuel delivery truck and personnel ensure that spill response resources to clean up or contain a small spill are readily available.

8.2 Mobile Refueler Operations

Transfer of fuel between mobile refueling trucks and aircraft occurs regularly at the Airport and is described in further detail below. Standard procedures for the transfer of fuel to mobile refuelers operated by the Airport are included as Appendix C. Details concerning spill protection are included above in Table 2.

During normal hours of operation, tenant-operated refuelers are staged at each respective tenant's apron terminal, where aircraft refueling typically occurs. The Airport's Jet A mobile refuelers are staged along the paved access way behind the Airport Operations building on the East Ramp. Prior to fuel transfer or during extended vehicle parking, magnetic storm drain covers are temporarily placed on all catch basins within proximity of the Mobile Refueler. Drip pans are also placed under the fuel rack and personnel ensure that spill response resources to clean up or contain a small spill are readily available.

40 CFR 112.7(c) and 112.8(c) require all mobile or portable fuel containers to be designed, positioned, and operated within a means of containment allowing for any discharge to be contained. Rule change EPA-HQ-OPA-2005-0001; FRL-8007-2 relieves airport refuelers from the "sized" secondary containment requirements established in 40 CFR 112.8(c)(2) and (11). All refueling of aircraft occurs over impervious surfaces, allowing for any discharge to be properly contained using the spill response resources maintained on each refueler, at each fuel storage location, and in the spill response trailer at the Airport Operations building. An O/WS, described in further detail in Section 10.2, provides secondary containment for the paved apron area at the Gate F Fuel Farm. All transfers of fuel at the Gate F Fuel Farm occur over this paved apron area, including delivery and transfer to mobile refuelers.

8.2.1 Transfer of Jet A to Mobile Refuelers

The Airport and Rectrix currently operate Jet A mobile refuelers. Jet A is transferred to the Airport's mobile refuelers at the Gate F Fuel Farm, and to the Rectrix mobile refueler at the Gate P Fuel Farm. Details concerning spill protection are included above in Table 2. Airport personnel conduct daily inspections of all associated transfer equipment, including transfer hoses, flow control devices, and spill prevention devices, as required by 139 CFR 327. Annual tank testing and maintenance are completed by outside contractors. Records of daily and annual inspections are maintained by the Airport and tenant Fueling Agents. A mobile refueler daily inspection sheet utilized by Airport Operations personnel is included as Appendix D.

Loading of Jet A refuelers is accomplished through the use of flexible transfer lines. Fuel flow is controlled by a dead man switch, held by the operator. Airport and Rectrix personnel are responsible for the proper function and alignment of all fuel transfer equipment during transfer of Jet A to mobile refuelers. Prior to transfer, magnetic storm drain covers are temporarily placed on all catch basins within proximity of the vehicle prior to fuel transfer. Drip pans are also placed under the fuel rack on the transfer vehicle and personnel ensure that spill response resources to clean up or contain a small spill are readily available.

8.2.2 Transfer of Avgas to Tenant Mobile Refuelers

Fuel transfer of Avgas to tenant mobile refuelers occurs at both Rectrix / Air Cape Cod's AST and Griffin Avionic's USTs. Details concerning spill protection are included above in Table 2. Griffin and Cape Air refuel their refuelers at the Griffin fuel transfer station. Rectrix is the only tenant that utilizes the Avgas AST located at the Gate P Fuel Farm. All fuel transfers occur over well-lit, impervious surfaces, allowing for the observation and containment of any discharges. Transfer of fuel is performed using flexible transfer lines. Fuel flow to the refueler is controlled by a dead man switch, held by the refueler operator. Prior to transfer, magnetic storm drain covers are temporarily placed on all catch basins within proximity of the vehicle prior to fuel transfer. Drip pans are also placed under the fuel rack on the transfer vehicle and personnel ensure that spill response resources to clean up or contain a small spill are readily available.

8.2.3 Transfer of Jet A to Aircraft

Jet A Fuel is transferred to aircraft on non-movement taxiway apron areas and aircraft parking areas by Airport Operations and Rectrix mobile refuelers. Details concerning spill protection are included above in Table 2. Airport Operations personnel conduct all transfer of Jet A fuel to aircraft other than Rectrix. Prior to transfer, magnetic storm drain covers are temporarily placed on all catch basins within proximity of the vehicle prior to fuel transfer. Drip pans are also placed under the fuel rack on the transfer vehicle and personnel ensure that spill response resources to clean up or contain a small spill are readily available.

8.2.4 Transfer of Avgas to Aircraft

Griffin, Cape Air, and Rectrix personnel transfer Avgas to aircraft on non-movement apron areas and aircraft parking areas. Details concerning spill protection are included above in Table 2. Only trained tenant personnel, as described in Sections 4.0 and 8.1.2, are authorized to dispense Avgas fuel to aircraft. Prior to transfer, magnetic storm drain covers are temporarily placed on all catch basins within proximity of the vehicle prior to fuel transfer. Drip pans are also placed under the fuel rack on the transfer vehicle and personnel ensure that spill response resources to clean up or contain a small spill are readily available.

9.0 STORAGE OF OTHER OHM

Other OHM is stored at several locations at the Airport within containers ranging in size from less than 5-gallons to 500-gallons. Details concerning 55-gallon and larger containers of other OHM (non-fueling related products) are provided in Table 3, and OHM storage locations are included on Figure 2.

Table 3. Other Airport OHM Storage Locations

Operator	Location	Product	Storage Vessel Type	Spill Protection	Volume (Gallons)
Barnstable Municipal Airport	Outside Airport ARFF/SRE Building	Waste Oil / Anti-freeze	AST	Leak detection, double walled with reinforced concrete	350/150
	Inside Airport ARFF/SRE Building	Anti-freeze	Drums	Spill Containment Pallet	55
		Diesel Exhaust Fluid			
		15W40			
		Grease			
		Hydraulic Oil			
		ATF			
5W30 SYN					
Waste Oil					
Rectrix / Air Cape Cod	Gate P Fuel Farm	Waste Absorbent	Drums	Spill Containment Pallet with overhead cover	55
		Waste Jet A Fuel			
		Avgas			
Rectrix Aerodrome	Inside Rectrix Hangar	Jet A	AST	Double walled	55
		Reclaimable Jet A Fuel	Drums	Spill Containment Workstation with lid	55
		Waste Oil			
		Waste Absorbent			
Griffin Avionics	Inside Griffin Hangar	Used Oil filters	Drums	Spill Containment Pallet	55
		Waste Oil			
		Avgas			
Cape Air	Inside Cape Air Hangar	Waste Oil	AST	Overflow detection, double walled	500
		Waste Oil	Drums	Spill Containment Pallet	55
		Hydraulic Oil			
		Used Oil Filters			
Anti-freeze					
Allies Air	Inside Allies Air Hangar	Waste Oil	Drums	Spill Containment Pallet	55
AMA Nantucket Inc.	Inside AMA Nantucket Inc. Hangar	Waste Oil	Drums	Spill Containment Pallet	55
		Mineral Spirits			
Cape Flight Instruction	Inside Cape Flight Instruction Hangar	Waste Oil	Drums	Spill Containment Pallet	55
		Anti-freeze			
		Used Oil Filters			
Avis Car Wash	Barnstable Road – Service Lot	Car Washer Fluid	AST	O/WS	250
Hertz Car Wash	Barnstable Road – Service Lot	Car Washer Fluid	AST	O/WS	250

Note: The total number of drums of OHM located in tenant facilities may vary. Proper secondary containment must always be provided for all drums of OHM and petroleum storage ASTs.

9.1 OHM Usage in Portable Containers

OHM including lubricants, cleaners, car washer fluid and anti-freeze is dispensed into small containers from hand dispensers connected to larger containers. The larger containers are located within the interior of the ARFF/SRE building, tenant hangars, Hertz Car Wash, and Avis Car Wash. Any floor drains located within the buildings are connected to O/WS and discharge to the municipal sewer system. Details on spill protection is included above in Table 3.

9.2 OHM Stored in Portable Containers for Disposal

OHM including waste lubricants, cleaners, and anti-freeze is placed into 55-gallon drums for future off-site disposal. The 55-gallon drums are located within the interior of the ARFF/SRE building and tenant hangars and are located within secondary containment. Floor drains located within the buildings are connected to O/WS and discharge to the municipal sewer system. It is estimated that at any given time the Airport and tenants could have approximately 50 to 75 55-gallon drums of various OHM stored within buildings. Details on spill protection is included above in Table 3.

10.0 SPILL PREVENTION AND POTENTIAL SPILL PATHWAYS

Where experience indicates a reasonable potential for the release of oil to the environment, 40 CFR 112.7(b) requires that a SPCCP predict a flow pathway for any released material. Sanitary waste is the only material discharged to septic systems. Floor drains located within buildings are connected to O/WS and/or the municipal sewer system. Potential discharge pathways for each fuel storage and transfer area and OHM container storage area are predicted below.

10.1 Rectrix / Air Cape Cod Fuel Farm

The Rectrix/Air Cape Cod Fuel Farm is located in Drainage Area K as indicated on Figure 3. Standard operating procedures for the delivery and dispensing of Avgas from Rectrix/Air Cape Cod Gate P Fuel Farm should limit the likelihood of a release during fuel transfer. Vehicle traffic at the AST locations and associated transfer areas is restricted. The fuel farm is equipped with an emergency shut-off. Rectrix/Air Cape Cod maintain fire-fighting spill response resources at the fuel farm as well as on-board their mobile refueler. The fuel farm is also equipped with appropriate fire extinguishers.

In the event of primary containment failure in the ASTs at the Rectrix / Air Cape Cod Gate P Fuel Farm, Avgas would be contained within the secondary containment wall, and personnel would be alerted. In the event of secondary containment failure, or a discharge during transfer to or from the AST, Avgas would be released to the

environment. Release migration would most likely occur in a northwesterly direction over the paved apron surface, toward a stormwater catch basin which ultimately discharges into Lewis Pond. Rectrix personnel have been directed to quickly install a magnetic catch basin cover and take preliminary response actions to minimize release migration.

10.2 Gate F Fuel Farm

The Gate F Fuel Farm is located in Drainage Area C as indicated on Figure 3. The Gate F Fuel Farm was improved in 2016 by removal of the USTs and installation of three new 20,000-gallon ASTs containing Jet A aviation fuel. A 4,000-gallon diesel and a 4,000-gallon unleaded gasoline AST are also located in this area. The new fuel farm improvements include secondary containment and leak detection monitoring as well as a 110% secondary containment concrete pad, a shut off valve, and a new O/WS that connects to the existing storm drain system in the vicinity of the three 20,000-gallon ASTs.

The 4,000-gallon diesel AST and 4,000-gallon unleaded gasoline AST are located adjacent to the secondary containment pad associated with the 20,000-gallon ASTs. Both tanks are located within secondary containment and have overfill prevention devices. Fixed fuel transfer lines are wrapped in secondary containment fiberglass housings. The paved vehicle staging area adjacent to the ASTs features an O/WS and oil level alarm. The transfer area is well-lit to aid in the observation of a release. Additional details concerning spill protection are included above in Table 1.

In the event of a release of Jet A fuel during fuel transfer, release migration would occur over the concrete containment pad and into a concrete sump. The sump features petroleum detection technology which includes audible and visual alarms to signal the presence of oil in the structure. A discharge of fuel to the paved surface at the Gate F Fuel Farm will collect in an O/WS and can be removed by a cleanup contractor for proper disposal.

In the event of failure of the unleaded gasoline/diesel AST or pump station, released fuel would migrate over paved surfaces into an O/WS. The O/WS features a high oil level audible and visual alarms to signal the presence of petroleum within the structure. A discharge of fuel to the paved surface at the Gate F Fuel Farm will collect in the O/WS and can be removed by a cleanup contractor for proper disposal.

ARFF/OPS personnel conduct FAA required testing of the fuel from the Gate F Jet A ASTs and the Airport's mobile refuelers on a daily basis, generating approximately 5 gallons of sample fuel per day. Sample fuel is returned to the tank via a recycling system located within the fuel farm.

10.3 Barnstable Municipal Airport – Airport ARFF/SRE Building

The ARFF/SRE Building is located in Drainage Area M. A double walled split AST is located outside, adjacent to the Airport ARFF/SRE Building. The AST contains 350-gallons of waste oil and 150-gallons of anti-freeze. The AST includes a primary steel tank and secondary containment with reinforced concrete and leak detection.

In the event of primary containment failure in the AST, waste oil and/or anti-freeze would be contained within the secondary containment wall, and personnel would be alerted. In the event of secondary containment failure, or a discharge during transfer to or from the AST, waste oil and/or anti-freeze would be released to the environment. Release migration would most likely occur in an eastern direction over the paved apron surface, toward a grass area with a leaching catch basin with an underground discharge chamber. ARFF/OPS personnel have been directed to quickly install a magnetic catch basin cover and take preliminary response actions to minimize release migration.

10.4 Barnstable Municipal Airport - Emergency Generators

All emergency generators at the Airport have been converted to natural gas.

10.5 Griffin Avionics

Griffin Avionics is located within Drainage Area F. Standard operating procedures for the delivery and dispensing of Avgas from the Griffin Avionics USTs should prevent a release during fuel transfer. Additionally, overfill prevention in each tank's transfer manifold prevents the transfer of Avgas above the tank's capacity. Griffin maintains fire extinguishers and spill response resources at the fuel transfer station as well as on-board their mobile fuel trucks.

In the event of a release during fuel delivery, or fuel transfer to mobile refuelers, fuel released to the paved surface would migrate toward and could potentially enter leaching catch basins and/or the Airport's stormwater system which ultimately discharges to Upper Gate Pond. In the event of primary containment failure in the Griffin USTs, Avgas would be released to the soils and fill material around and below the UST.

10.6 Refueling of Aircraft

Standard operating procedures for aircraft refueling reduce the potential for a discharge. Refueling of aircraft occurs on taxiway apron areas on both the North and East Ramps. There are no spill prevention systems associated with the refueling of aircraft. A release during refueling would result in a release to the paved apron surface, where the discharge could be contained using available spill response resources. Airport and tenant mobile refuelers are required to be equipped with spill response kits as described in Table 2, above. Additionally, impacts to the Airport's stormwater drainage system are minimized by the placement of magnetic mats over storm drain inlets prior to refueling operations.

10.7 Hertz Car Wash

Unleaded gasoline is stored and transferred at the Hertz Car Wash, located directly across Barnstable Road from the Airport. In the event of primary containment failure in the Hertz UST, released fuel would be contained within the secondary containment wall. In the event of secondary containment failure, fuel would be released to the soils and fill material around and under the UST.

In the event of a release during fuel transfer at the Hertz service station, spilled fuel could potentially migrate over paved surfaces and enter infiltrating catch basins located in the service station lots.

11.0 EMERGENCY RESPONSE ACTION PLAN

An Emergency Response Action Plan (ERAP) is intended to provide easy access to instructions for Airport Response Team personnel in the event of a release. An ERAP will remain attached as a preface to this SPCCP and be distributed to Response Team members at the discretion of the Program Manager. The ERAP will be kept on file and updated as described in Section 3.0 of this SPCCP.

The ERAP shall contain the following information, and shall be constructed to facilitate and expedite response to a release or threat of release of OHM:

1. Facility name, address, and general location;
2. 24-hour contact information for each Response Team Member;
3. 24-hour contact information for the Spill Response Program Manager and Coordinator;
4. Local, State, and Federal Emergency Response contact information;
5. Recommended guidelines for spill abatement, response, etc.;
6. Location of spill response materials/equipment;

7. A site map that includes the following (Figure 2 and 3):
 - a. floor-drain, manhole, sewer grate locations, etc.
 - b. location of oil and hazardous materials bulk storage areas
8. Additional Response Resources Contact Information (e.g., LSP, outside spill cleanup contractor); and
9. Forms to aid in proper documentation and reporting of a release.

A copy of the ERP is included as Preface I.

12.0 SPILL RESPONSE PROCEDURES

In the event of a release, or threat of release of OHM to the environment, personnel shall implement response actions to contain the release. The Spill Response Coordinator or Program Manager shall be notified as soon as possible. The following response actions should be followed for most releases.

Note: Any personnel undertaking any response activity is responsible for ensuring that appropriate, properly fitted, personnel protective equipment (PPE) is worn at all times.

12.1 General Response Procedures for Airport and Tenant Employees

Note: Only properly trained Airport and Tenant employees shall respond to a release of oil or hazardous materials.

1. Initiate evacuation, if necessary;
2. Notify Spill Response Coordinator or Program Manager, listed in Section 2.0;
3. Stop spill flow when possible without risk of personal injury to self or others;
4. Immediately deploy any readily available response resources (e.g., absorbent pads, drain covers, granulated absorbent, etc.);
5. Make the release area off limits to unauthorized personnel;
6. Restrict all sources of ignition when flammable substances are involved;
7. Continue response actions at the direction of the Spill Response Coordinator or Program Manager; and
8. Ensure that all contaminated response resources and PPE are properly containerized and labeled for disposal by a licensed hazardous waste handler.

The sequence of the initial response action may be altered depending upon the spill characteristics (i.e., type of material, quantity). The following section describes Spill Response Coordinator and Program Manager responsibilities during response actions.

12.1.1 Spill Response Coordinator

Note: If the Program Manager is unavailable, the Coordinator is authorized to activate emergency response contractors, and initiate any regulatory reporting procedures.

1. Evacuate any non-essential personnel, if necessary;
2. Eliminate the source of the release, if not already accomplished, without jeopardizing the health and safety of self or others;
3. Report the release to the appropriate local contacts (Airport Fire Department, Hyannis Fire Department, Emergency Response Contractors, LSP). When notifying any outside agency of a release of oil or hazardous material the following information, at minimum, should be provided:
 - a. Name of individual reporting spill;
 - b. Release location and Contact information;
 - c. Substance released, estimated amount;
 - d. Date and Time of release;
 - e. Description of response actions, undertaken and planned;
 - f. Other agencies notified or to be notified; and,
 - g. Any other relevant information.
4. Direct the deployment of response resources and ensure their proper use;
5. Minimize the potential for environmental impact;
6. Notify LSP and emergency response contractors (Section 13.1) if necessary;
7. Notify the Program Manager and inform them of the release. Determine if release requires MassDEP or Federal notification, as described in Section 13.0;
8. Ensure that all contaminated response resources and PPE are properly containerized and labeled for disposal in accordance with applicable local, state and federal regulations by a licensed hazardous waste handler; and
9. Properly document all response activities; including generator information, response personnel, emergency contractor information, and any related correspondence.

12.1.2 Spill Response Program Manager

1. Determine if the release requires notification, as described in Section 13.0;

2. Ensure proper notification of authorities and/or outside response contractors (Sections 13.0 and 13.1);
3. Ensure proper documentation of release and response activities; a Spill Reporting Form is included as Appendix E;
4. Retain Hazardous Waste Manifests or Bills of Lading from licensed hazardous waste handlers; and,
5. Take additional measures, as necessary, to minimize potential for subsequent environmental impact (e.g., install absorbent boom at stormwater outfalls to capture stormwater-transported contaminants).

13.0 NOTIFICATION REQUIREMENTS

In response to a release of oil or hazardous materials, responsible parties are required to conduct response activities in accordance with Massachusetts General Laws, Chapter 21E, 40 CFR 112, and the Massachusetts Contingency Plan (310 CMR 40.0000). Notification of Local, State, or Federal agencies may be necessary. All releases, regardless of size or material, shall be reported to the Spill Response Coordinator or Program Manager. Similarly, any release that occurs due to tenant operations on Airport property must be reported to the Spill Response Coordinator or Program Manager.

The Spill Response Coordinator or Program Manager shall establish whether a harmful quantity has been released, and if the release requires notification of outside agencies. Federal regulations generally define an oil spill of harmful quantity as “....such quantities of oil determined to be harmful to the public health or welfare.....to include discharges which exceed applicable water quality standards.....or cause a film or sheen on the surface of the water, or cause a sludge or emulsion to be deposited beneath the water surface”. These regulations are applicable to all navigable waters of the United States, Upper Gate and Lewis ponds are both considered navigable waters.

Massachusetts regulations 310 CMR 40.0000 define a release of 10 gallons or greater of oil or gasoline as a reportable quantity and notification to the MassDEP is required within two hours of obtaining knowledge of the release. Contaminants detected in the environment at or above threshold concentrations also require reporting to the MassDEP and are listed in 310 CMR 40.1600. Additionally, a release of oil or hazardous materials to a stormwater conveyance (e.g., leaching catch basins, culverts) requires MassDEP notification, regardless of the volume of OHM.

In the event of a single discharge of more than 1,000 gallons into or upon the navigable waters of the U.S. or adjoining shorelines, or two discharges greater than 42 gallons

within any 12 month period, the SPCCP shall be submitted to the EPA Region 1 Regional Administrator and the MassDEP for review.

13.1 Reporting to State and Federal Agencies

In accordance with Massachusetts Regulations 310 CMR 30.0000 and 310 CMR 40.0000, certain releases or threats of releases of a reportable quantity of oil and or hazardous materials must be reported to the MassDEP within two hours (www.state.ma.gov/dep). Federal reportable quantities for releases into soil, water and air are listed in Table 302.4 of 40 CFR 302.4. Each regulatory agency has these reportable quantities posted on its website.

If a harmful or reportable quantity, as defined by state and/or federal regulations, has been discharged, the spill should be reported to the following agencies:

National Response Center

24 Hour: 800-424-8802

Massachusetts Department of Environmental Protection Emergency Response Center

24-Hour Call Center: 888-304-1133

Massachusetts State Police / Hyannis Fire Department

911

Airport Rescue and Firefighting

508-778-7770

Barnstable Fire District Water Department

(To report a spill on Water Dept. property located north of 15/33)

Office: 508-362-6498

Supt. Thomas Rooney (24-Hour): 508-364-9359

The following information must be provided to State and Federal agencies when a spill is reported. All correspondence with Local, State, or Federal agencies should be recorded on a Spill Reporting Form, included as Appendix E.

1. Name, location and type of facility;
2. Person in charge of facility and phone number;
3. Name and phone number of person reporting;
4. Type and estimated amount of material;

5. Location of spill;
6. Time and date of incident;
7. Impacted waterways;
8. Whether or not storm drains have been impacted;
9. Cause of incident and equipment involved;
10. Injuries and/or property damage;
11. Duration of discharge;
12. Response Actions taken; and,
13. Agencies notified.

In the event of a large or complex release of oil or hazardous materials, the Airport will rely upon outside cleanup contractors to conduct cleanup activities. Spill containment and cleanup contractors and regulatory consultants are listed below.

Spill Containment and Cleanup:

Clean Harbors	800-645-8256
Moran Environmental Recovery	888-233-5338
Global Remediation	508-828-1005

Licensed Site Professional:

Horsley Witten Group, Inc.	508-833-6600
Bryan Massa, LSP 24-Hour Contact Number:	781-243-1527
Mark Nelson, LSP 24-Hour Contact Number:	508-566-0912

14.0 SPILL RESPONSE RESOURCES

A rapid spill response trailer is maintained at the ARFF/SRE Building. A complete inventory of the trailer’s contents is included as Appendix F. Inventories are conducted regularly, and out-of-date equipment is replaced. A smaller spill kit is also maintained on each of the Airport’s Mobile Refuelers, at the Gate F Fuel Farm, and at the Airport ARFF/SRE Building waste oil and anti-freeze storage AST. Each tenant involved in the

storage or transfer of fuel is responsible for maintaining their own spill response resources on each of their vehicles and at fuel storage locations.

15.0 INSPECTIONS

The Airport conducts regular inspections of all OHM storage areas including fuel storage tanks, mobile refuelers, waste storage area, and drum storage areas. Inspections are conducted by properly trained Airport personnel and are recorded on inspection sheets. Inspection sheets are kept on file at the Airport Operations office for a minimum of three years, as required by 40 CFR 112.7. Mobile refueler and Gate F Fuel Farm inspection sheets are included as Appendix D and G.

15.1 Daily Inspections

On a daily basis, Airport personnel conduct inspections of Airport mobile refuelers and the Gate F Fuel Farm for the following:

Mobile refuelers are inspected for:

1. General Condition;
2. Filter Sumps;
3. Filter differential pressure;
4. Deadman control operation;
5. Brake Interlocks;
6. Nozzle fueling pressure
7. Hoses, Swivels and Nozzles;
8. Ground reels, cables, and clamps;
9. Fire extinguishers
10. Tanker troughs;
11. Tanker sumps;
12. Condensation in air tanks;
13. Ladders
14. Mechanics tools; and
15. Diesel fuel level.

The Gate F Fuel Farm is inspected for:

1. Tank sumps;

2. Fuel sumps;
3. Filter sumps;
4. Hoses, swivels, and nozzles;
5. Ground reels, cables, and clamps;
6. Fire extinguishers;
7. Waste fuel tanks;
8. Differential pressure; and
9. Primary pressure.

Hand Pump Operation

- Prior to hand pump usage by Airport staff, verify that the stormwater drain valve located adjacent to the secondary containment structure is in the closed position.
- Operate hand pump as necessary to obtain fuel sample.
- After sample collection, verify hand pump is in the closed position.

Stormwater Drain Valve

- Following a rain event, inspect the concrete secondary containment pad and both interior drainage sumps for visual and olfactory evidence of OHM. Collect a representative sample of accumulated rainwater in a clear container and record the observations on the inspection form. If no visual or olfactory indication of OHM is observed, the accumulated rainwater within the secondary containment is assumed to be free of OHM.
- Next, open the first manhole cover (marked "DRAIN") in front of the Gate F Fuel Farm located between the storm water valve and the fuel farm. Cones or other means to mark the open hole must be utilized. Collect a representative sample of accumulated rainwater from within the manhole in a clear container and record the observations on the inspection form. If no visual or olfactory indication of OHM is observed, the accumulated rainwater within the drain manhole is assumed to be free of OHM. The adjacent drain valve should then be opened, and the Airport staff member will monitor the draining of the open manhole and secondary containment as the water moves into the adjacent O/WS prior to discharging into the stormwater system.
- Once the draining of the open manhole and secondary containment is completed, the drain valve is to be closed. Additionally, the manhole is to be closed.

15.2 Monthly Inspections

On a monthly basis, Airport personnel conduct inspections of Airport mobile refuelers and the Gate F Fuel Farm for the following:

Mobile refuelers are inspected for:

1. Filtration test;
2. Grounding cable continuity test;
3. Nozzle screens;
4. Signs and placards;
5. Meter seals;
6. Emergency shutdown system;
7. Tanker interiors;
8. Tanker vents and dome covers;
9. Tanker trough drains; and
10. Fire extinguishers.

The Gate F Fuel Farm is inspected for:

1. Grounding cable continuity;
2. Nozzle screens;
3. Signs and placards;
4. Floating suction; and
5. Fire extinguishers.

15.3 Quarterly Inspections

On a quarterly basis, Airport personnel conduct inspections of Airport mobile refuelers and the Gate F Fuel Farm for the following:

Mobile refuelers are inspected for:

1. General condition;
2. Pressure controls;
3. Secondary pressure; and,
4. Water defense system.
5. The Gate F Fuel Farm is inspected for:

6. Tank high level controls;
7. Emergency shutdown system; and
8. Water defense system.

15.4 Annual Inspections

On a quarterly basis, Airport personnel conduct inspections of Airport mobile refuelers and the Gate F Fuel Farm for the following:

Mobile refuelers are inspected for:

1. Filter elements;
2. Pressure gauges; and
3. Fuel meters.

The Gate F Fuel Farm is inspected for:

1. Interior tank condition;
2. Pressure gauges;
3. Filter elements;
4. Line strainers;
5. Filter/separator heaters;
6. Tank vents;
7. Tank high level controls; and
8. Facility condition.

15.5 Additional Inspection and Maintenance

Annual cleaning and testing of fuel storage tanks are conducted by outside contractors. Tanks are inspected for wall thickness, corrosion, and tank integrity.

40 CFR 112.7(i) mandates; "If a field-constructed above ground container undergoes a repair, alteration, reconstruction, or a change in service that might affect the risk of a discharge or failure due to brittle fracture or other catastrophe, or has discharged oil or failed due to brittle fracture failure or other catastrophe, (the Airport) must evaluate the container for risk of discharge due to brittle fracture or other catastrophe, and as necessary, take appropriate action."

15.6 PROACTIVE MEASURES AND RECOMMENDATIONS FOR SPILL PREVENTION AND SAFETY

To comply with the Local, State and Federal regulations cited in this Plan, the Airport and its Tenants will continue to incorporate spill prevention and safety measures into daily operations. Refer to Appendix H for examples of the spill response and safety equipment referenced below, and for a list of equipment vendors. The following are general recommendations:

- Storage locations for oil and/or hazardous materials will be indoors or otherwise protected from the environment, and, when feasible, within secondary containment capable of holding 110% of the volume of the largest container or tank.
- All flammables should be kept in a suitable storage locker or facility.
- Each facility should be equipped with enough spill response resources to respond to likely releases from aircraft maintenance, refueling, and fuel transfer.
- Each of the Airport operated mobile refuelers, as well as each fuel transfer depot, should be outfitted with magnetic catch basin covers, Speedi-dry™, a “pop-up pool” to contain a release of up to 65 gallons, and other approved response equipment.
- Quantities of hazardous materials should be kept to a minimum. Only frequently used hazardous materials should be kept in storage. Expired, obsolete, or otherwise unused hazardous materials should be disposed of properly.
- Empty drums and containers should be properly disposed of and not allowed to accumulate in bulk.
- Refueling and fuel transfer should only occur in areas that are covered by an impervious layer of asphalt or concrete.
- Waste oil storage by the Airport and its Tenants shall comply with Federal, State, and local regulations related to waste accumulation volume and time limits. Waste oil drums shall be clearly labeled, and all manifests kept on file for three years.

Indoor liquid hazardous materials should be stored in a location such that a spill from the largest container or tank will be contained or absorbed. All hazardous materials should be stored in flame retardant storage lockers and transferred to proper dispensing containers prior to use.

- Compressed gases should be stored in locations protected from vehicles traffic, including forklifts, by protective bollards or concrete walls or dikes.

- General waste should be separated from hazardous waste prior to disposal. Hazardous waste, including hazardous waste containers, should not be disposed of in general waste dumpsters.
- Safety Data Sheets (SDS) shall be posted in an area that is obvious to all employees in the case of an emergency (i.e. in area of use). SDSs shall be updated regularly. Emergency eyewash and shower stations shall be located in areas where oil and/or hazardous materials are used.
- Aircraft de-icing should only be performed in the designated area.
- Delivery of fuel from transport vehicles to storage tanks shall be supervised by a properly trained employee or supervisor.
- Transfer of fuel to mobile refuelers or aircraft shall only be conducted by properly trained employees.
- Whenever possible, biodegradable materials should be substituted for hazardous materials.

16.0 REFERENCES

Epsilon Associates, Inc. November 2004. Spill Pollution Control and Countermeasures Plan for Nantucket Memorial Airport, Nantucket, Massachusetts.

Federal Aviation Administration FAR 139 Airport Certification Manual, Barnstable Municipal Airport.

Horsley Witten Group, Inc. July 2003 (Revised). Spill Prevention Control and Countermeasures Plan, Barnstable Municipal Airport.

Massachusetts Department of Environmental Protection. April 3, 2006. Massachusetts Contingency Plan: Massachusetts Department of Environmental Protection, Bureau of Waste Site Cleanup, 310 CMR 40.0000.

Massachusetts Department of Environmental Protection. Massachusetts General Laws: Massachusetts Oil and Hazardous Material Release Prevention and Response Act, Chapter 21E.

Massachusetts Board of Fire Prevention Regulations. June 16, 2003. Massachusetts Comprehensive Fire Safety Code, Tanks and Containers, 527 CMR 9.00.

Massachusetts Department of Environmental Protection. See their homepage at www.state.ma.gov/dep

Massachusetts Department of Environmental Protection. 2000. Massachusetts Hazardous Waste Regulations: Massachusetts Department of Environmental Protection, 310 CMR 30.

U.S. Environmental Protection Agency. July 17, 2002. Environmental Protection Agency Federal Regulations 40 CFR 112.

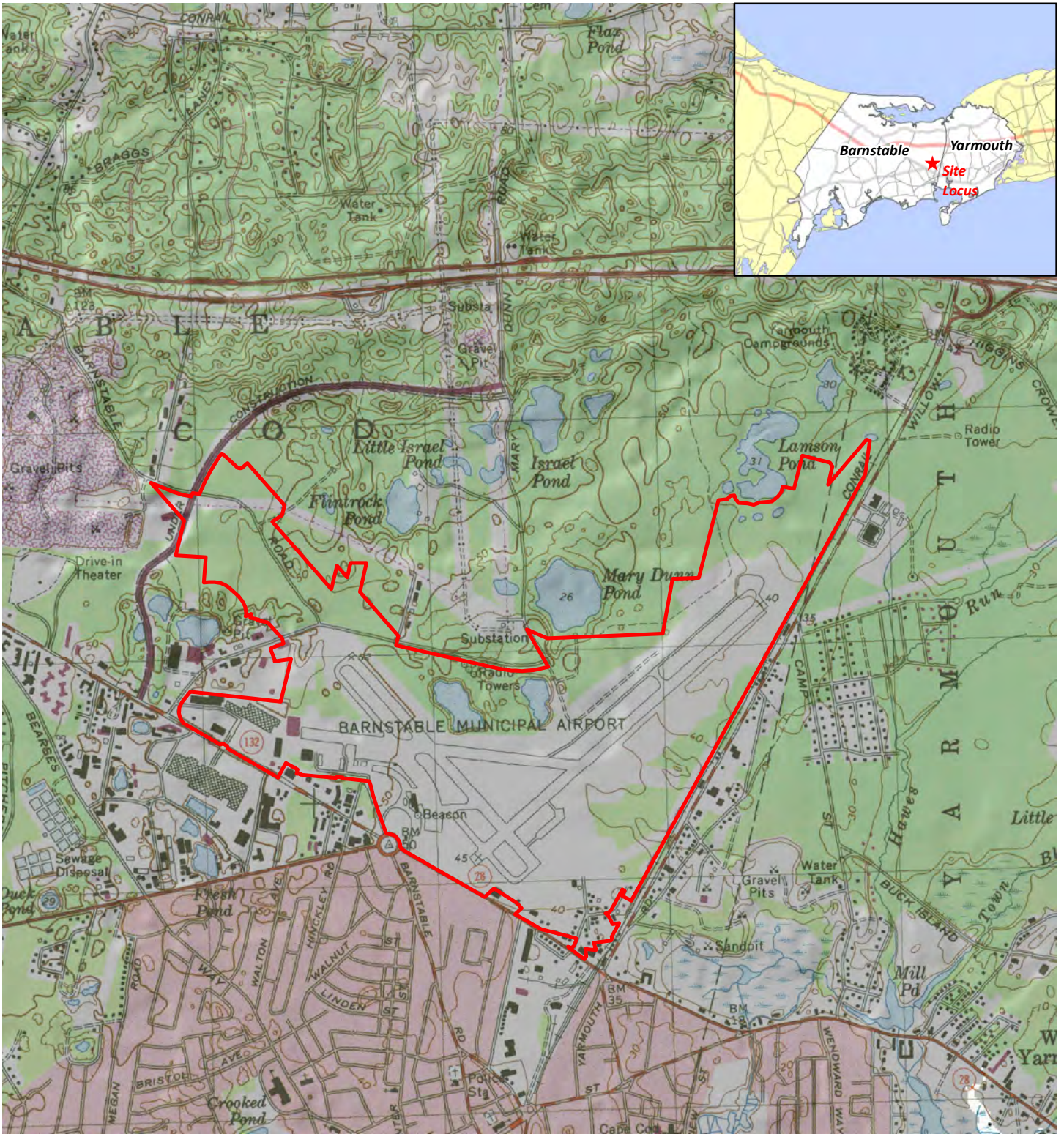
U.S. Environmental Protection Agency, Oil Program. See their homepage at www.epa.gov/oilspill/

FIGURES

Figure 1 – USGS Locus

Figure 2 – Oil and Hazardous Materials Storage Map


Figure 3 – Site Plan



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*2016 NAIP imagery service

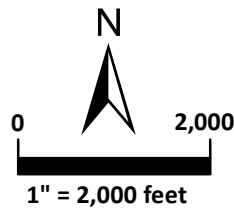
Legend

 Barnstable Municipal Airport Property Boundary

Horsley Witten Group
Sustainable Environmental Solutions
90 Route 8A • Unit 1 • Sandwich, MA 02563
508-833-8600 • horsleywitten.com



USGS Locus
Barnstable Municipal Airport
Hyannis, MA



Date: 11/18/2019

Figure 1



Cape Air
 -500-gal. AST of waste oil
 -100-gal. AST of Avgas
 -55-gal. drums of waste oil
 -55-gal. drum of hydraulic oil
 -55-gal. drums used oil filters
 -55-gal. drums of anti-freeze

Rectrix Aerodrome
 -55-gal. AST of Jet A Fuel
 -55-gal. drum of Reclaimable Jet A Fuel
 -55-gal. drums of waste oil
 -55-gal. drum of waste absorbent
 -12/19 Spill of 1-2 gal. of Jet Fuel

Griffin Avionics
 -55-gal. drums of waste oil
 -55-gal. drum of avgas
 -55-gal. drum used oil filters

Griffin Fuel Island
 - Two 10,000-gal. USTs of Avgas 100 LL Fuel

Hertz
 -10,000-gal. UST of gasoline-
 -250-gal. container of car washer fluid (deicer)

Avis
 -250-gal. container of car washer fluid (deicer)

ARFF/SRE Building
 -150-gal. anti-freeze and 350-gal. waste oil split double walled AST (outside)
 -55-gal. drums of anti-freeze
 -55-gal. drums of waste oil, hydraulic oil, grease, and other oils

Gate F Fuel Farm
 - Three 20,000-gal. ASTs of Jet A fuel
 - One 4,000-gal. AST of gasoline
 - One 4,000-gal. AST of diesel
 - 11/2019 Spill of 51-gal. of Jet A fuel

Allies Air
 -55-gal. drums of waste oil

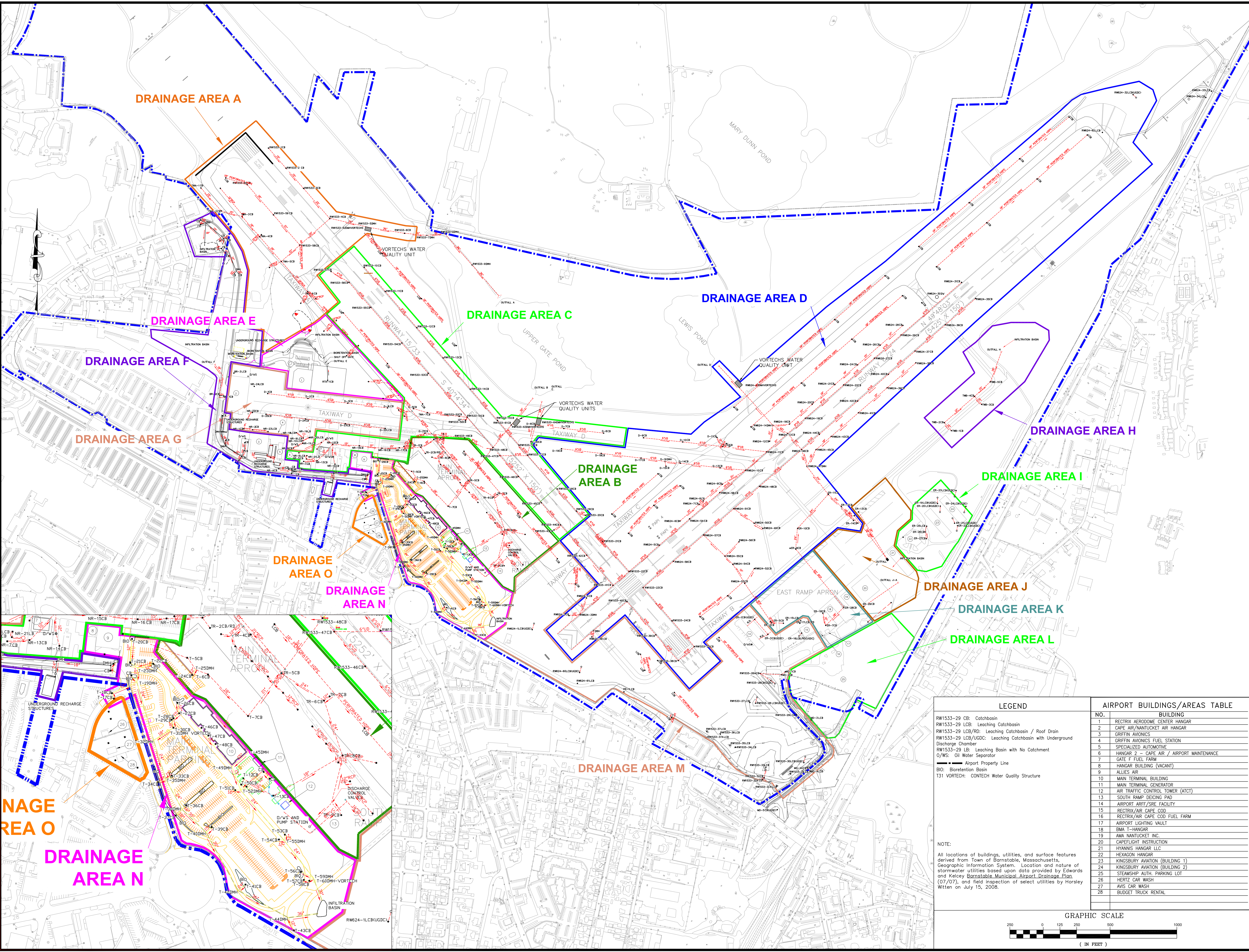
AMA Nantucket Inc.
 -55-gal. drums of waste oil
 -55-gal. drum of mineral spirits

Cape Flight Instruction
 -55-gal. drums of waste oil
 -55-gal. drums of anti-freeze
 -55-gal. drum of used oil filters

Rectrix/Air Cape Cod Gate P Fuel Farm
 - One 10,000-gal. AST of Jet A fuel
 - One 10,000-gal. AST of Avgas 100 LL fuel
 -55-gal. drum of Waste Jet A Fuel
 -55-gal. drum of Avgas
 -55-gal. drum waste absorbent



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Horsley Witten Group
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90 Route 8A
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508-833-6800 voice
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Drawn By: SWTH
Checked By: JEL
Date: 5/26/2021

SITE PLAN
CAPE COD GATEWAY AIRPORT
HYANNIS, MA

Prepared For:
Barnstable Municipal Airport
480 Barnstable Road
Hyannis, MA 02601
(508) 775-2020

Revisions

1	12/27/11	ERK	JEL	Update to Drainage Plan
2	4/12/12	GH	JEL	Update to Drainage Plan
3	4/27/12	GH	JEL	Update to Drainage Plan
4	1/25/13	GH	JEL	Update to Drainage Plan
5	7/29/13	GH	JEL	SWPPP Figure 3
6	5/29/14	GH	JEL	SWPPP Figure 3
7	12/22/15	GH	JEL	SWPPP Figure 3
8	12/22/15	ERK	JEL	SWPPP Figure 3
9	12/22/15	ERK	JEL	Update to Drainage Plan

Project Number: **14105**

Figure: **3**

LEGEND

- RW1533-29 CB: Catchbasin
- RW1533-29 LCB: Leaching Catchbasin / Roof Drain
- RW1533-29 LCB/UGCD: Leaching Catchbasin with Underground Discharge Chamber
- RW1533-29 LB: Leaching Basin with No Catchment
- O/W/S: Oil Water Separator
- Airport Property Line
- BI: Bioretention Basin
- T31 VORTECH: CONTECH Water Quality Structure

NOTE:
All locations of buildings, utilities, and surface features derived from Town of Barnstable, Massachusetts, Geographic Information System. Location and nature of stormwater utilities based upon data provided by Edwards and Kelcey Barnstable Municipal Airport Drainage Plan (07/07), and field inspection of select utilities by Horsley Witten on July 15, 2008.

AIRPORT BUILDINGS/AREAS TABLE

NO.	BUILDING
1	RECTRIX AERODROME CENTER HANGAR
2	CAPE AIR/NANTUCKET AIR HANGAR
3	GRIFFIN AVIONICS
4	GRIFFIN AVIONICS FUEL STATION
5	SPECIALIZED AUTOMOTIVE
6	HANGAR 2 - CAPE AIR / AIRPORT MAINTENANCE
7	GATE F FUEL FARM
8	HANGAR BUILDING (VACANT)
9	ALLIES AIR
10	MAIN TERMINAL BUILDING
11	MAIN TERMINAL GENERATOR
12	AIR TRAFFIC CONTROL TOWER (ATCT)
13	SOUTH RAMP DEICING PAD
14	AIRPORT ART/SRE FACILITY
15	RECTRIX AIR CAPE COO
16	RECTRIX AIR CAPE COO FUEL FARM
17	AIRPORT LIGHTING VAULT
18	BMA T-HANGAR
19	AMA NANTUCKET INC.
20	CAPELIGHT INSTRUCTION
21	HYANNIS HANGAR LLC
22	HEXAGON HANGAR
23	KINGSBURY AVIATION (BUILDING 1)
24	KINGSBURY AVIATION (BUILDING 2)
25	STEAMSHIP AUTH. PARKING LOT
26	HERTZ CAR WASH
27	AVIS CAR WASH
28	BUDGET TRUCK RENTAL

GRAPHIC SCALE

0 125 250 500 1000
(IN FEET)

APPENDIX A

CERTIFICATION OF THE APPLICABILITY OF THE SUBSTANTIAL HARM CRITERIA

**SPILL PREVENTION CONTROL AND COUNTERMEASURES PLAN
BARNSTABLE MUNICIPAL AIRPORT
HYANNIS, MASSACHUSETTS**

CERTIFICATION OF THE APPLICABILITY OF THE SUBSTANTIAL HARM CRITERIA

Federal Regulation 40 CFR 112.20, Appendix C, requires a facility to certify whether or not it is considered to pose a substantial harm. A determination of substantial harm status is based on the criteria below.

Does the facility transfer oil over water to or from vessels and does the facility have a total oil storage capacity greater than or equal to 42,000 gallons?

The facility does not transfer oil over water. The facility does have a total oil storage capacity greater than or equal to 42,000 gallons.

Does the facility have a total oil storage capacity greater than or equal to 1,000,000 gallons and does the facility lack secondary containment that is sufficiently large to contain the capacity of the largest aboveground storage tank plus sufficient freeboard to allow for precipitation within any aboveground storage tank area?

No, the facility does not have a total oil storage capacity greater than or equal to 1,000,000 gallons.

Does the facility have a total oil storage capacity greater than or equal to 1,000,000 gallons and is the facility located at a distance (as calculated using the appropriate formula in Attachment C-III to 40 CFR 112, or a comparable formula) such that a discharge from the facility could cause injury to fish and wildlife and sensitive environments? For further description of fish and wildlife and sensitive environments, see Appendices I, II, and III to DOC/NOAA's "Guidance for Facility and Vessel Response Plans: Fish and Wildlife and Sensitive Environments" (see Appendix E to 40 CFR 112, section 13, for availability) and the applicable Area Contingency Plan.

No, the facility does not have a total storage capacity greater than or equal to 1,000,000 gallons.

Does the facility have a total oil storage capacity greater than or equal to 1,000,000 gallons and is the facility located at a distance (as calculated using the appropriate formula in Attachment C-III to 40 CFR 112, or a comparable formula) such that a discharge from the facility would shut down a public drinking water intake.

No, the facility does not have a total storage capacity greater than or equal to 1,000,000 gallons.

Does the facility have a total oil storage capacity greater than or equal to 1,000,000 gallons and has the facility experienced a reportable spill in an amount greater than or equal to 10,000 gallons within the last 5 years?

No, the facility does not have a total storage capacity greater than or equal to 1,000,000 gallons.

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and that based on my inquiry of those individuals responsible for obtaining this information, I believe that the submitted information is true, accurate, and complete.

Signature: _____

Name: _____

Title: _____

Date: _____

APPENDIX B

RAINWATER INSPECTION FORM

**SPILL PREVENTION CONTROL AND COUNTERMEASURES PLAN
BARNSTABLE MUNICIPAL AIRPORT
HYANNIS, MASSACHUSETTS**

RAINWATER INSPECTION FORM

After rain events, the Barnstable Municipal Airport is required to inspect the secondary containment structure at the Gate F Fuel Farm to ensure that retained rainwater will not cause a discharge as described in 40 CFR§ 112.1(b) upon release. As required by 40 CFR§ 112.8(c)(3)(iii), the Airport must keep adequate records of these inspections and events where drainage of uncontaminated rainwater from secondary containment occurs.

Following a rain event, an Airport staff member will perform an inspection of any standing water within the concrete secondary containment structure and both interior sumps. The inspection will include the collection of a representative rainwater sample in a clear container for visual and olfactory analysis for indications of oil and/or hazardous materials (OHM).

If no visual or olfactory evidence of OHM is observed within the sample, the Airport staff member will record the observations on the inspection form and will proceed with discharging accumulated rainwater from the concrete secondary containment structure and interior sumps. The Airport staff member must observe the entire drainage of accumulated rainwater. While draining is occurring, the Gate F Fuel Farm must not be utilized for fuel sample collection and/or fuel transfers. Upon completion, the Airport staff member **must** close the drain valve. Under no circumstance is the drain valve allowed to remain open after the rainwater discharge. Details for completing the accumulated rainwater discharge is set forth below.

- Complete a full walk around the Gate F Fuel Farm to inspect for any visual signs of a potential leak from the ASTs and confirm that the alarm monitoring system is operating properly. Inspect the concrete secondary containment pad and both interior drainage sumps for visual and olfactory evidence of OHM. Collect a representative sample of accumulated rainwater in a clear container and record the observations on the inspection form. If no visual or olfactory indication of OHM is observed, the accumulated rainwater within the secondary containment is assumed to be free of OHM.
- The drain valve should then be opened, and the Airport staff member will monitor the draining of the secondary containment as the water moves into the adjacent O/WS prior to discharging into the stormwater system.
- Once the draining of the secondary containment is completed, the drain valve is to be closed.

RAINWATER INSPECTION FORM

PERSONNEL COMPLETING INSPECTION:

INSPECTION PERSONNEL:	ORGANIZATION / TITLE:

INSPECTION DATE: _____

INSPECTION TIME: _____

CONFIRM INSPECTION COMPLETED FOR ACTIVE LEAKS / SIGNS OF POTENTIAL LEAKS.

FULL WALK AROUND OF FUEL FARM: _____

ALL SENSORS IN NORMAL ("GREEN") MODE: _____

VISUAL AND OLFACTORY ASSESSMENT OF RAINWATER IN SECONDARY CONTAINMENT STRUCTURES SHOULD BE RECORDED ON THIS RAINWATER INSPECTION REPORTING FORM. ALL RECORDS ARE TO BE MAINTAINED AT THE AIRPORT MANAGER'S OFFICE.

ASSESSMENT SUMMARY:

LOCATION	TIME:	COLOR:	ODOR:	CLARITY:	FLOATING SOLIDS:	SETTLED SOLIDS:	SUSPENDED SOLIDS:	FOAM:	OIL SHEEN:	OTHER INDICATORS
Secondary Containment Concrete Pad										
Interior Sumps										

TIME VALVE OPENED: _____

TIME VALVE CLOSED: _____

RAINWATER INSPECTION FORM IS TO BE STORED IN THE AIRPORT MANAGER'S OFFICE

APPENDIX C

FUEL DELIVERY AND TRANSFER PROCEDURES

**SPILL PREVENTION CONTROL AND COUNTERMEASURES PLAN
BARNSTABLE MUNICIPAL AIRPORT
HYANNIS, MASSACHUSETTS**

FUEL DELIVERY AND TRANSFER PROCEDURES

The following general procedures should be followed during fuel delivery, transfer of fuel, and refueling of aircraft. Refer to the Airport's Fuel Fire Safety Training manual for additional descriptions of fuel transfer procedures.

Vendor Delivery of Fuel

1. The vendor driver shall coordinate delivery time with the appropriate Tenant supervisor and/or HYA personnel.
2. All paperwork associated with the order should be inspected prior to transfer to ensure delivery of proper fuel quantity and type.
3. Appropriately trained tenant and/or HYA personnel shall be present throughout entire fuel transfer.
4. Tenant and/or HYA personnel shall identify the appropriate storage tank for delivery, and identify/inspect all mechanisms or piping associated with the fuel transfer.
5. Tenant and Airport storage tanks should be inspected for capacity prior to fuel transfer.
6. All vehicles in the fuel transfer area shall be turned off, and sources of ignition eliminated.
7. A sample of the vendor fuel, for delivery, should be obtained in a suitable container. The sampled fuel should be inspected for color and odor. Results should be recorded and compared against original order.
8. The delivery vehicle should be parked within the designated fuel delivery area as directed by Airport personnel. Wheels should be chocked to prevent vehicle movement during transfer. Magnetic storm drain covers shall be placed on all catch basins within proximity of the delivery vehicle prior to fuel transfer.
9. A drip pan shall be placed under the fuel rack on the vendor fuel delivery truck.
10. During fuel transfer, at least one attendant shall be present at all times. There shall be no use of automated pumping systems.
11. The delivery vehicle shall be properly grounded and bonded, in accordance with the Airport's Fuel Fire Safety Training Manual.
12. The truck operator shall be responsible for making all connections between the truck and any piping involved in the fuel transfer. Both the operator and tenant or HYA personnel shall inspect transfer piping, prior to fuel transfer.

13. Spill response resources should be readily available, for cleanup or containment of small spills. The tenant or HYA personnel shall be responsible for the proper management of small spills.
14. The truck operator and tenant or HYA personnel shall be aware of all safety and fuel flow control devices, such as pump shut-off and "dead-man" switches.
15. Once fuel transfer has begun, the tenant or HYA personnel shall inspect all fittings, couplings, hoses, and associated transfer materials, for evidence of leaking.
16. In the event of a release, or threat of release, due to a failure in any of the fuel transfer equipment, fuel flow shall cease immediately, and appropriate response actions shall be taken to clean up the release.
17. Fuel transfer shall not occur unless all transfer equipment is being used as intended and approved.
18. Upon completion of fuel transfer, the truck operator shall ensure that all transfer lines are cleared of their contents before disconnect, so as to avoid any releases during disconnect.
19. Tenant or HYA personnel shall be responsible for the proper stowing of all facility transfer lines.
20. Any sample material, or absorbent materials used to clean up a small release shall be properly disposed of by a licensed disposal company. Proper paperwork shall be kept on file, and the Spill Response Coordinator or Program Manager notified.

Transfer of Fuel to Mobile Refuelers

1. Transfer of fuel to mobile refuelers shall be done by appropriately trained tenant and HYA personnel (the operator), only.
2. All fuel flow control devices, such as "dead-man" switches, shall be inspected for proper operation prior to fuel transfer.
3. All vehicles in the fuel transfer area shall be turned off, and sources of ignition eliminated.
4. The Mobile Refueler should be parked within the designated fuel delivery area as directed by Airport personnel. Wheels should be chocked to prevent vehicle movement during transfer. Magnetic storm drain covers shall be placed on all catch basins within proximity of the vehicle prior to fuel transfer.
5. A drip pan shall be placed under the fuel rack on the vehicle.
6. The operator shall ensure that spill response resources to clean up or contain a small spill are readily available.

7. The mobile refueler shall be properly grounded and bonded, in accordance with the Airport's Fuel Fire Safety Training Manual.
8. Fuel transfer equipment, including hose material and couplings, should be of an appropriate material, and shall be inspected by the operator prior to use.
9. Transfer lines should implement dry-disconnect fittings and couplings that prevent the flow of fuel until properly connected to a mated coupling.
10. The operator shall be aware of all safety and fuel flow control devices, such as pump shut-off and "dead-man" switches.
11. The operator shall gauge mobile refueler tank capacity prior to fuel transfer, and monitor tank level during transfer.
12. Once fuel transfer has begun, the operator shall inspect all fittings, couplings, hoses, and associated transfer materials, for evidence of leaking.
13. During fuel transfer, at least one attendant shall be present at all times. There shall be no use of automated pumping systems.
14. In the event of a release, or threat of release, due to a failure in any of the fuel transfer equipment, fuel flow shall cease immediately, and appropriate response actions shall be taken to cleanup the release.
15. Fuel transfer shall not occur unless all transfer equipment is being used as intended and approved.
16. Upon completion of fuel transfer, the operator shall ensure that all transfer lines are cleared of their contents before disconnect, so as to avoid any releases during disconnect.
17. The Operator shall be responsible for the proper stowing of all facility transfer lines.
18. Any absorbent materials used to clean up a small release shall be properly disposed of by a licensed disposal company. Proper paperwork shall be kept on file, and the Spill Response Coordinator or Program Manager notified.

Transfer of Fuel to Aircraft

1. Transfer of fuel from mobile refuelers to aircraft shall be done by appropriately trained tenant and HYA personnel (the operator), only.
2. All fuel flow control devices, such as "dead-man" switches, shall be inspected for proper operation prior to fuel transfer.
3. All vehicles in the fuel transfer area shall be turned off, and sources of ignition eliminated.

4. Wheels should be chocked to prevent vehicle movement during transfer. Magnetic storm drain covers shall be placed on all catch basins within proximity of the vehicle prior to fuel transfer.
5. A drip pan shall be placed under the fuel rack on the vendor fuel delivery truck.
6. All fueling of aircraft shall be completed outside of hangars or maintenance buildings.
7. Personnel shall observe the locations of any stormwater catch basins and avoid refueling at or near such structures.
8. The operator shall ensure that spill response resources to clean up or contain a small spill are readily available.
9. The mobile refueler and aircraft shall be properly grounded and bonded, in accordance with the Airport's Fuel Fire Safety Training Manual.
10. Fuel transfer equipment, including hose material and couplings, should be of an appropriate material, and shall be inspected by the operator prior to use.
11. Fuel transfer lines should be located, or "run-out" so as to avoid being run-over, or otherwise damaged, by vehicle traffic in the area.
12. Transfer lines should implement dry-disconnect fittings and couplings that prevent the flow of fuel until properly connected to a mated coupling.
13. The operator shall be aware of all safety and fuel flow control devices, such as pump shut-off and "dead-man" switches.
14. Before fueling, the operator shall ensure that all related aircraft equipment is prepared to accept transferred fuel.
15. While fuel is being transferred, the operator shall position themselves to visually observe transfer lines for leaks or other failures.
16. During fuel transfer, at least one attendant shall be present at all times. There shall be no use of automated pumping systems.
17. Once fuel transfer has begun, the operator shall inspect all fittings, couplings, hoses, and associated transfer materials, for evidence of leaking.
18. In the event of a release, or threat of release, due to a failure in any of the fuel transfer equipment, fuel flow shall cease immediately, and appropriate response actions shall be taken to clean up the release.
19. Fuel transfer shall not occur unless all transfer equipment is being used as intended and approved.
20. Upon completion of fuel transfer, the operator shall ensure that all transfer lines are cleared of their contents before disconnect, so as to avoid any releases during disconnect.

21. The Operator shall be responsible for the proper stowing of all facility transfer lines.
22. Any absorbent materials used to clean up a small release shall be properly disposed of by a licensed disposal company. Proper paperwork shall be kept on file, and the Spill Response Coordinator or Program Manager notified.

APPENDIX D

MOBILE REFUELERS INSPECTION SHEET

Quarterly & Annual Fuel Check

PAGE 04/09

HVA OPERATIONS

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QUARTERLY, SEMI-ANNUAL & ANNUAL AIRCRAFT FUELING EQUIPMENT CHECKS	STATION	EQUIPMENT ID#	YEAR
--	---------	---------------	------

QUARTERLY CHECKS	1ST QTR	2ND QTR	3RD QTR	4TH QTR
1. VEHICLE INSPECTION				
CONDITION CODE				
CHECKED BY & DATE				
2. PRESSURE CONTROLS				
CONDITION CODE				
RECORD PRIMARY & SECONDARY FUEL PRESSURE SETTINGS (PSI)				
CHECKED BY & DATE				
3. WATER DEFENSE SYSTEM - EXTERNAL CHECK				
CONDITION CODE				
CHECKED BY & DATE				
4. INTERNAL VALVE CHECK				
CONDITION CODE				
CHECKED BY & DATE				

SEMI-ANNUAL FUEL FACILITY CHECKS (ONLY REQUIRED IF USING REUSEABLE COUPLINGS ON FUEL HOSES)					
1. PERIODIC HOSE PRESSURE TEST	ID #	ID #	ID #	ID #	ID #
TEST PRESSURE (PSI)					
CONDITION CODE	NA				
CHECKED BY & DATE					

ANNUAL CHECKS	
1. FILTER ELEMENT CHANGE	CONDITION CODE
CHECKED BY & DATE	
2. FUELING & DIFFERENTIAL PRESSURE GAUGES	CONDITION CODE
CHECKED BY & DATE	
3. MEYER CALIBRATION	CONDITION CODE
CHECKED BY & DATE	
4. WATER DEFENSE SYSTEM INSPECTION & TEST	CONDITION CODE
CHECKED BY & DATE	

REMARKS:

CONDITION CODES: S = SATISFACTORY; C = COMMENT (COMMENT REQUIRED IN REMARKS SECTION); NU = NOT USED; N/A = NOT APPLICABLE
 RETAIN ON FILE FOR 12 MONTHS

Daily Sump LOG TRUCKS.

MONTH _____

YEAR: _____

INSPECTION LOG OF AIRCRAFT FUEL SERVICING EQUIPMENT

		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
TANK	SUMP	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/
FILTER	SUMP	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/

		21	22	23	24	25	26	27	28	29	30	31
TANK	SUMP	/	/	/	/	/	/	/	/	/	/	/
FILTER	SUMP	/	/	/	/	/	/	/	/	/	/	/

TRUCK NO: _____

		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
TANK	SUMP	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/
FILTER	SUMP	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/

		21	22	23	24	25	26	27	28	29	30	31
TANK	SUMP	/	/	/	/	/	/	/	/	/	/	/
FILTER	SUMP	/	/	/	/	/	/	/	/	/	/	/

TRUCK NO: _____

Example:



indicating sumped fuel was
clear and bright done by J.Doe

NOTE Solids 1) clear 2) slight
3) particulate 4) dirty
Water a) bright b) hazy
c) cloudy d) wet

APPENDIX E

RELEASE NOTIFICATION FORM

**SPILL PREVENTION CONTROL AND COUNTERMEASURES PLAN
BARNSTABLE MUNICIPAL AIRPORT
HYANNIS, MASSACHUSETTS**

RELEASE NOTIFICATION FORM

A. Incident Description

Date: _____ Reporter: _____
Time of Incident: _____ Time of Report: _____
Facility Name: _____
Facility Telephone #: _____
Location of Release: _____
Facility Location: _____
Street Address: _____

B. Release Description

Type of material(s) released: _____
Estimated quantity released: _____
Were there injuries to anyone on site?: _____
Did the release impact a catch basin or storm drain?: _____
Describe the ground surface that the release occurred over: _____

Did the release enter or travel along underground utilities (pipes, conduit, etc.)?: _____

How did the release occur? _____

Other details: _____

Are any surface waters impacted, or in danger of being impacted?

C. Spill Response Program Notification Requirements

IN THE EVENT OF ANY RELEASE, NOTIFY:
PROGRAM MANAGER KATIE SERVIS 508-775-2020
SPILL RESPONSE COORDINATOR ROBERT HOLZMAN 508-778-7770
BARNSTABLE MUNICIPAL AIRPORT RESCUE AND FIREFIGHTING 508-778-7770
IF RELEASE IS LOCATED ON WATER DEPT. PROPERTY NORTH OF 15/33, NOTIFY:
SUPT. THOMAS ROONEY 508-364-9359

D. State and Federal Notification Requirements

Does Massachusetts Department of Environmental Protection (DEP) Require Notification?

- A release of ≥ 10 Gallons Gas/Diesel/Oil requires DEP Notification
- A release of an unknown quantity requires DEP notification

If required, notify Massachusetts DEP at 888-304-1133*

Does the USCG/Federal National Response Center (NRC) Require Notification?

- A discharge to navigable waters requires USCG/NRC notification
- A sheen on water surface is considered a harmful quantity

If required, notify USCG/NRC at 800-424-8802*

*** record any instructions/information from DEP or NRC in the space provided below.**

E. Generator Information

Generator/Responsible Party: _____

Street Address: _____

City/Town: _____ State: _____

Contact Person: _____ Title: _____

Contact Telephone Number: _____

F. Documentation of Notification

(record time of agency/contact notification, instructions, reporting number, etc. here)

APPENDIX F

Spill Response Inventory

**SPILL PREVENTION CONTROL AND COUNTERMEASURES PLAN
BARNSTABLE MUNICIPAL AIRPORT
HYANNIS, MASSACHUSETTS**

SPILL RESPONSE RESOURCE INVENTORY

The following items are maintained in a rapid response trailer, located outside the Airport Operations Building. The following quantities were accurate as of January 2020, the date of last inventory. Additional response resources are found on each mobile refueler, and at each fuel transfer depot.

Item	Quantity
Absorbent Spill Pads	200
Speedi-Dry™	3.5 bags
Spaghetti Booms	(2) 10' Booms
Pig Mats™ (for acids)	1 roll
Peat Absorbent	5 bags
Lite-Dri™ Absorbent	7 bags
Sea Booms	2
Oil-only Booms	6 rolls
Booms	2 rolls
Miscellaneous Booms	2 rolls
Kollect-a-Kem Pads™	100
Tear off Roll	(1) 25' Boom
ARG-DRI™ Dikes	2 boxes
Face shields	12
ARG™ Pillows	24
Acid-Resistant PVC gloves	12 pair
Hard Hats	7
Boot covers	60
Tyvek™, x-large coverall	50
Tyvek™, large coverall	50
Tyvek™, medium coverall	50
Vinyl gloves	25
Grate covers	1
Drum patch kit	1
Coal shovel	1
Spade shovel	1
Squeegee	2
Push broom	1
Chocks	1 set
35-Gallon Drum	1

APPENDIX G

FUEL FARM INSPECTION SHEETS

Quarterly Fuel Form Check.

QUARTERLY FUEL FACILITY CHECKS					STATION		FACILITY		QUARTER	YEAR
	ID #	ID #	ID #	ID #	ID #	ID #	ID #	ID #	ID #	ID #
1. EMERGENCY SHUTOFF SYS.										
DATE & CONDITION CODE										
CHECKED BY:										
2. WATER DEFENSE SYSTEMS										
DATE & CONDITION CODE										
CHECKED BY:										
3. TANK HIGH LEVEL CONTROLS										
DATE & CONDITION CODE										
CHECKED BY:										
4. RECLAIM TANK INSPECTION										
DATE & CONDITION CODE										
RECORD INSP. RESULTS ON 103.07										
CHECKED BY:										

SEMI-ANNUAL FUEL FACILITY CHECKS (ONLY REQUIRED IF USING REUSEABLE COUPLINGS ON FUEL HOSES)

	ID #	ID #	ID #	ID #	ID #	ID #	ID #	ID #	ID #	ID #
1. PERIODIC HOSE PRESS. TEST										
TEST PRESSURE (PSI)										
DATE & CONDITION CODE										
CHECKED BY:										

REMARKS:

N/A

CONDITION CODES: S = SATISFACTORY; C = COMMENT (COMMENT REQUIRED IN REMARKS SECTION); NU = NOT USED; N/A = NOT APPLICABLE
 RETAIN ON FILE FOR 12 MONTHS

F&M

ANNUAL FUEL FACILITY CHECKS					STATION		FACILITY		YEAR	
	ID #	ID #	ID #	ID #	ID #	ID #	ID #	ID #	ID #	ID #
1. STORAGE TANK INTERIORS										
DATE & CONDITION CODE										
CHECKED BY:										
2. DIFFERENTIAL PRESS GAUGES										
DATE & CONDITION CODE										
CHECKED BY:										
3. FILTER ELEMENTS										
DATE & CONDITION CODE										
CHECKED BY:										
4. FILTER/SEPARATOR HEATERS										
DATE & CONDITION CODE										
CHECKED BY:										
5. TANK VENTS										
DATE & CONDITION CODE										
CHECKED BY:										
6. CATHODIC PROTECTION										
DATE & CONDITION CODE										
CHECKED BY:										
7. LINE STRAINERS										
DATE & CONDITION CODE										
CHECKED BY:										
8. WATER DEFENSE SYSTEM										
DATE & CONDITION CODE										
CHECKED BY:										
REMARKS:										

CONDITION CODES: S = SATISFACTORY; C = COMMENT (COMMENT REQUIRED IN REMARKS SECTION); NIU = NOT USED; N/A = NOT APPLICABLE
 RETAIN ON FILE FOR 12 MONTHS

QUARTERLY INSPECTION - FUEL STORAGE AREAS

Airport: HYA

Fueling Agent: _____

Date: ___/___/___

Inspector: _____

S - Satisfactory U - Unsatisfactory R - Remark Below	Jet A Section			100LL Section			Other _____		
	S	U	R	S	U	R	S	U	R
Fencing / Locks / Signs									
Piping protected from vehicles									
No Smoking signs posted									
Deadman Controls for loading station									
2 Fire Extinguishers-Inspected/Accessible									
Boldly Marked Emergency Cutoffs-Location									
No Fuel Leaks									
Bonding wire/clips at loading stations/operable									
Piping / Pumps bonded & grounded									
No vegetation or materials to spread fire									
No evidence of Smoking									
Hoses in good condition									
Explosion Proof Electrical Equipment									
Remarks:									

APPENDIX H

SPILL RESPONSE PRODUCTS AND VENDORS

**SPILL PREVENTION CONTROL AND COUNTERMEASURES PLAN
BARNSTABLE MUNICIPAL AIRPORT
HYANNIS, MASSACHUSETTS**

SPILL RESPONSE PRODUCTS AND VENDORS



Storm Drain Hood



Magnetic Storm Drain Cover



Containment Berm



Collapsible Containment Pool



Loose Absorbent



Leak/Spill Containment



Secondary Containment



Portable Spill Kit



Absorbent Boom

Secondary Containment

Vendor Information:

New Pig Corporation
1-800-HOT-HOGS® (468-4647)
www.newpig.com

Arcus Absorbents, Inc.
1-877-227-6727
www.arcusabsorbents.com/

Interstate Products
1-800-474-7294
www.interstateproducts.com

West Coast Spill Supplies
1-888-548-3800
www.spillsupply.com/

SpillKits911
1-800-474-5911
www.spillkits911.com/

Guardian Environmental
1-860-350-2200
www.guardianenvironmental.com

Complete Environmental Products, Inc.
1-800-444-4237
www.cepsorbents.com/

Ben Meadows
1-800-241-6401
www.benmeadows.com