



## Archived Publication

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The Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity (2000 MSGP), issued in October 2000, expired at midnight on October 30, 2005. A new permit, the 2008 Multi-Sector General Permit (2008 MSGP) was issued on September 29, 2008. Visit [www.epa.gov/npdes/stormwater/msgp](http://www.epa.gov/npdes/stormwater/msgp) to view the final 2008 MSGP and supporting documents.



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

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

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

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

### **Table of Contents**

1. Coverage Under This Permit
  - 1.1 Permit Area
  - 1.2 Eligibility
  - 1.3 How to Obtain Authorization Under This Permit
  - 1.4 Terminating Coverage
  - 1.5 Conditional Exclusion for No Exposure
2. Notice of Intent Requirements
  - 2.1 Notice of Intent (NOI) Deadlines
  - 2.2 Contents of Notice of Intent (NOI)
  - 2.3 Use of NOI Form
  - 2.4 Where to Submit
  - 2.5 Additional Notification
3. Special Conditions
  - 3.1 Hazardous Substances or Oil
  - 3.2 Additional Requirements for Salt Storage
  - 3.3 Discharge Compliance With Water Quality Standards
4. Storm Water Pollution Prevention Plans
  - 4.1 Storm Water Pollution Prevention Plan Requirements
  - 4.2 Contents of Plan
  - 4.3 Maintenance
  - 4.4 Non-Storm Water Discharges

- 4.5 Documentation of Permit Eligibility Related to Endangered Species
- 4.6 Documentation of Permit Eligibility Related to Historic Places
- 4.7 Copy of Permit Requirements
- 4.8 Applicable State, Tribal or Local Plans
- 4.9 Comprehensive Site Compliance Evaluation
- 4.10 Maintaining Updated SWPPP
- 4.11 Signature, Plan Review and Making Plans Available
- 4.12 Additional Requirements for Storm Water Discharges Associated With Industrial Activity From Facilities Subject to EPCRA Section 313 Reporting Requirements
5. Monitoring Requirements and Numeric Limitations
  - 5.1 Types of Monitoring Requirements and Limitations
  - 5.2 Monitoring Instructions
  - 5.3 General Monitoring Waivers
  - 5.4 Monitoring Required by the Director
  - 5.5 Reporting Monitoring Results
6. Sector-Specific Requirements for Industrial Activity
  - 6.A Sector A—Timber Products
  - 6.B Sector B—Paper and Allied Products Manufacturing
  - 6.C Sector C—Chemical and Allied Products Manufacturing
  - 6.D Sector D—Asphalt Paving and Roofing Materials and Lubricant Manufacturers
  - 6.E Sector D—Glass, Clay, Cement, Concrete, and Gypsum Products
  - 6.F Sector F—Primary Metals
  - 6.G Sector G—Metal Mining (Ore Mining and Dressing)
  - 6.H Sector H—Coal Mines and Coal Mining Related Facilities
  - 6.I Sector I—Oil and Gas Extraction and Refining
  - 6.J Sector J—Mineral Mining and Dressing
  - 6.K Sector K—Hazardous Waste Treatment, Storage or Disposal Facilities
  - 6.L Sector L—Landfills, Land Application Sites and Open Dumps
  - 6.M Sector M—Automobile Salvage Yards
  - 6.N Sector N—Scrap Recycling and Waste Recycling Facilities
  - 6.O Sector O—Steam Electric Generating Facilities
  - 6.P Sector P—Land Transportation and Warehousing
  - 6.Q Sector Q—Water Transportation
  - 6.R Sector R—Ship and Boat Building or Repair Yards
  - 6.S Sector S—Air Transportation
  - 6.T Sector T—Treatment Works
  - 6.U Sector U—Food and Kindred Products
  - 6.V Sector V—Textile Mills, Apparel and Other Fabric Products
  - 6.W Sector W—Furniture and Fixtures
  - 6.X Sector X—Printing and Publishing
  - 6.Y Sector Y—Rubber, Miscellaneous Plastic Products and Miscellaneous Manufacturing Industries
  - 6.Z Sector Z—Leather Tanning and Finishing
  - 6.AA Sector AA—Fabricated Metal Products

- 6.AB Sector AB—Transportation Equipment, Industrial or Commercial Machinery
- 6.AC Sector AC—Electronic, Electrical Equipment and Components, Photographic and Optical Goods
- 6.AD Storm Water Discharges Designated By the Director As Requiring Permits
7. Reporting
  - 7.1 Reporting Results of Monitoring
  - 7.2 Additional Reporting for Dischargers to a Large or Medium Municipal Separate Storm Sewer System
  - 7.3 Miscellaneous Reports
8. Retention of Records
  - 8.1 Documents
  - 8.2 Accessibility
  - 8.3 Addresses
  - 8.4 State, Tribal, and Other Agencies
9. Standard Permit Conditions
  - 9.1 Duty to Comply
  - 9.2 Continuation of the Expired General Permit
  - 9.3 Need to Halt or Reduce Activity Not a Defense
  - 9.4 Duty to Mitigate
  - 9.5 Duty to Provide Information
  - 9.6 Other Information
  - 9.7 Signatory Requirements
  - 9.8 Penalties for Falsification of Reports
  - 9.9 Oil and Hazardous Substance Liability
  - 9.10 Property Rights
  - 9.11 Severability
  - 9.12 Requiring Coverage Under an Individual Permit or an Alternative General Permit
  - 9.13 State/Tribal Environmental Laws
  - 9.14 Proper Operation and Maintenance
  - 9.15 Inspection and Entry
  - 9.16 Monitoring and Records
  - 9.17 Permit Actions
10. Reopener Clause
  - 10.1 Water Quality Protection
  - 10.2 Procedures for Modification or Revocation
11. Transfer or Termination of Coverage
  - 11.1 Transfer of Permit Coverage
  - 11.2 Notice of Termination (NOT)
  - 11.3 Addresses
  - 11.4 Facilities Eligible for “No Exposure” Exemption for Storm Water Permitting
12. Definitions
13. Permit Conditions Applicable to Specific State, Indian Country Lands, or Territories
- Addendum A—Endangered Species Guidance
- Addendum B—Historic Properties Guidance
- Addendum C—New Source Environmental Assessments
- Addendum D—Notice of Intent Form
- Addendum E—Notice of Termination Form
- Addendum F—No Exposure Certification Form

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

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

## 1. Coverage Under This Permit

### 1.1 Permit Area

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

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

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

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

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

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

Permit No.	Areas of coverage/where EPA is permitting authority
CTR05*##I .....	Indian country lands within the State of Connecticut.
MAR05*### .....	Commonwealth of Massachusetts, except Indian country lands.
MAR05*##I .....	Indian country lands within the Commonwealth of Massachusetts.
MER05*### .....	State of Maine, except Indian country lands.
MER05*##I .....	Indian country lands within the State of Maine.
NHR05*### .....	State of New Hampshire.
RIR05*##I .....	Indian country lands within the State of Rhode Island.
VTR05*##F .....	Federal Facilities in the State of Vermont.

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

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

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

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

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

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

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

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

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

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

Coverage Not Available.

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

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

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

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

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

Coverage Not Available.

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

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

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

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

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

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

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

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

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

## 1.2 Eligibility

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

### 1.2.1 Facilities Covered

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

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

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

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

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

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

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

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

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

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

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

## 1.2.2 Discharges Covered

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

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

Pollution Prevention Plan (see Part 4.2.2.3.7);

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

**1.2.2.1.3** Discharges subject to an effluent guideline listed in Table 1–2 that also meet all other eligibility requirements of the permit. Interim coverage is also available for discharges subject to a new storm water effluent limitation guideline promulgated after the effective date of this permit.

Discharges subject to a New Source Performance Standard (NSPS) effluent guideline must also meet the requirements of Part 1.2.4.;

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

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

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

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

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

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

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

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

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

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

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

**1.2.2.2.11** Incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of your facility, but NOT intentional discharges from the cooling tower (e.g., "piped" cooling tower blowdown or drains).

## 1.2.3 Limitations on Coverage

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1.2.3.7.2 Addendum B of this permit provides guidance and references to

assist you with determining your permit eligibility concerning this provision.

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

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

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

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

## 1.2.4 Discharges Subject to New Source Performance Standards (NSPS)<sup>1 2</sup>

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

1.2.4.1.1 Documentation from EPA of "No Significant Impact" or

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

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

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

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

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

grounds for termination of permit coverage.

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

## 1.3 How To Obtain Authorization Under This Permit

### 1.3.1 Basic Eligibility

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

1.3.1.1 Meet the Part 1.2 eligibility requirements; and

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

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

### 1.3.2 Effective Date of Permit Coverage

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

## 1.4 Terminating Coverage

### 1.4.1 Submitting a Notice of Termination

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

### 1.4.2 When to Submit an NOT

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

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

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

### 1.4.3 Discharges After the NOT Is Submitted

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

## 1.5 Conditional Exclusion for No Exposure

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

## 2. Notice of Intent Requirements

### 2.1 Notice of Intent (NOI) Deadlines

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

TABLE 2.-1—DEADLINES FOR NOI SUBMITTAL

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

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

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

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

### 2.1.1 Submitting a Late NOI

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

### 2.1.2 Interim Permit Coverage for 1995 MSGP Permittees

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

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

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

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

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

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

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

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

## 2.2 Contents of Notice of Intent (NOI)

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

### 2.2.1 Permit Selection

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

### 2.2.2 Owner/Operator Information

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

### 2.2.3 Facility Information

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

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

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

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

2.2.3.5 The name of the receiving water(s);

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

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

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

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

#### 2.2.4 Eligibility Screening

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

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

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

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

#### 2.3 Use of NOI Form

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

**Note:** If EPA notifies dischargers (either directly, by public notice, or by making information available on the Internet) of other NOI form options that become available at a later date (e.g., electronic submission of forms), you may take advantage of those options to satisfy the NOI use and submittal requirements of Part 2.

#### 2.4 Where To Submit

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

#### 2.5 Additional Notification

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

#### 3. Special Conditions

##### 3.1 Hazardous Substances or Oil

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

##### 3.1.1 Single Releases and Spills

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

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

3.1.1.2 You must modify your Storm Water Pollution Prevention Plan required under Part 4 within 14 calendar days of knowledge of the release to: provide a description of the release, the circumstances leading to the release, and the date of the release. In addition, you must review your plan to identify measures to prevent the reoccurrence of such releases and to respond to such releases, and you must modify your plan where appropriate.

##### 3.1.2 Anticipated Discharges

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

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

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

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

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

#### 3.2 Additional Requirements for Salt Storage

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

#### 3.3 Discharge Compliance With Water Quality Standards

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

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

#### **4. Storm Water Pollution Prevention Plans**

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

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

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

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

#### **4.2 Contents of Plan**

##### **4.2.4.2.1 Pollution Prevention Team**

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

##### **4.2.2 Site Description**

Your SWPPP must include the following:

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

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

##### **4.2.2.3 A legible site map identifying the following:**

- 4.2.2.3.1 Directions of storm water flow (e.g. use arrows to show which ways storm water will flow);
- 4.2.2.3.2 Locations of all existing structural BMPs;
- 4.2.2.3.3 Locations of all surface water bodies;
- 4.2.2.3.4 Locations of potential pollutant sources identified under 4.2.4 and where significant materials are exposed to precipitation;
- 4.2.2.3.5 Locations where major spills or leaks identified under 4.2.5 have occurred;
- 4.2.2.3.6 Locations of the following activities where such activities are exposed to precipitation: fueling stations, vehicle and equipment maintenance and/or cleaning areas, loading/unloading areas, locations used for the treatment, storage or disposal of wastes, and liquid storage tanks;
- 4.2.2.3.7 Locations of storm water outfalls and an approximate outline of the area draining to each outfall;
- 4.2.2.3.8 Location and description of non-storm water discharges;
- 4.2.2.3.9 Locations of the following activities where such activities are exposed to precipitation: processing and storage areas; access roads, rail cars and tracks; the location of transfer of substance in bulk; and machinery;
- 4.2.2.3.10 Location and source of runoff from adjacent property containing significant quantities of pollutants of concern to the facility (an evaluation of how the quality of the storm water running onto your facility impacts your storm water discharges may be included).

##### **4.2.3 Receiving Waters and Wetlands**

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

##### **4.2.4 Summary of Potential Pollutant Sources**

You must identify each separate area at your facility where industrial materials or activities are exposed to storm water. Industrial materials or activities include, but are not limited to, material handling equipment or activities, industrial machinery, raw materials, intermediate products, by-products, final products, or waste products. Material handling activities include the storage, loading and

unloading, transportation, or conveyance of any raw material, intermediate product, final product or waste product. For each, separate area identified, the description must include:

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

##### **4.2.5 Spills and Leaks**

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

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

##### **4.2.6 Sampling Data**

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

##### **4.2.7 Storm Water Controls**

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

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

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

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

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

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

4.2.7.2.1 *Non-Structural BMPs.*

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

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

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

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

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

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

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

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

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

4.2.7.2.2 *Structural BMPs.*

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

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

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

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

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

### 4.3 Maintenance

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

### 4.4 Non-Storm Water Discharges

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

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

4.4.1.1.1 The date of any testing and/or evaluation;

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

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

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

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

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

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

4.4.1.3 If you are unable to provide the certification required (testing for non-storm water discharges), you must notify the Director 180 days after submitting an NOI to be covered by this permit. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notification must describe:

4.4.1.3.1 Reason(s) why certification was not possible;

4.4.1.3.2 The procedure of any test attempted;

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

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

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

#### 4.4.2 Allowable Non-Storm Water Discharges

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

4.4.2.1.1 Identification of each allowable non-storm water source;

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

4.4.2.1.3 Descriptions of appropriate BMPs for each source.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### 4.7 Copy of Permit Requirements

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

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

### 4.8 Applicable State, Tribal or Local Plans

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



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

#### **4.9 Comprehensive Site Compliance Evaluation**

##### **4.9.1 Frequency and Inspectors**

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

##### **4.9.2 Scope of the Compliance Evaluation**

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

##### **4.9.3 Follow-Up Actions**

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

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

##### **4.9.4 Compliance Evaluation Report**

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

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

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

##### **4.10 Maintaining Updated SWPPP**

You must amend the Storm Water Pollution Prevention Plan whenever:

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

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

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

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

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

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

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

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

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

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

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



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

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

## 5.1 Types of Monitoring Requirements and Limitations

### 5.1.1 Quarterly Visual Monitoring

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

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

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

5.1.1.2 Your visual examinations must be made of samples collected within the first 30 minutes (or as soon thereafter as practical, but not to exceed 1 hour) of when the runoff or snowmelt begins discharging from your facility. The examination must document observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution. The examination must be conducted in a well lit area. No analytical tests are required to be performed on the samples. All such samples must be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. The 72-hour storm interval is waived when the preceding measurable storm did not yield a measurable discharge, or if you are able to document that less than a 72-hour interval is representative for local storm events during the sampling period. Where practicable, the same individual should carry out the collection and examination of discharges for the entire permit term. If no qualifying storm event resulted in runoff from the facility during a monitoring quarter, you are excused from visual monitoring for that quarter provided you document in your monitoring records that no qualifying storm event occurred that resulted in storm water runoff during that quarter. You must sign and certify the documentation in accordance with Part 9.7.

5.1.1.3 You must maintain your visual examination reports onsite with the Storm Water Pollution Prevention Plan. The report must include the examination date and time, examination personnel, the nature of the discharge (i.e., runoff or snow melt), visual quality of the storm water discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other

obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### 5.1.3 Coal Pile Runoff

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

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

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

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

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

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

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

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

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

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

### 5.2 Monitoring Instructions

#### 5.2.1 Monitoring Periods

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

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

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

#### 5.2.2 Collection and Analysis of Samples

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

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

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

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

#### 5.2.3 Storm Event Data

Along with the results of your monitoring, you must provide the date and duration (in hours) of the storm event(s) samples; rainfall measurements or estimates (in inches) of the storm event that generated the sampled runoff; the duration between the storm event samples and the end of the previous measurable (greater than 0.1 inch rainfall) storm event; and an estimate of

the total volume (in gallons) of the discharge samples.

#### 5.2.4 Representative Outfalls—Essential Identical Discharges

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

### 5.3 General Monitoring Waivers

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

#### 5.3.1 Adverse Climatic Conditions Waiver

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

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

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

5.3.2.1 You make a certification for a given outfall, or on a pollutant-by-pollutant basis in lieu of monitoring required under Part 5.1.2, that material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, industrial machinery or operations, or significant materials from past industrial activity that are located in areas of the facility within the drainage area of the outfall are not presently exposed to storm water and are not expected to be exposed to storm water for the certification period; and

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

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

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

### 5.4 Monitoring Required by the Director

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

### 5.5 Reporting Monitoring Results

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

## 6. Sector-Specific Requirements for Industrial Activity

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

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

### 6.A Sector A—Timber Products

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

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

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

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

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

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

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

6.A.2.4 Wood preserving;

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

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

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

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

6.A.3.2 *Authorized Non-Storm Water Discharges.* (See also Part 1.2.3.1) Also authorized by this permit, provided the non-storm water component of the discharge is in compliance with SWPPP requirements in Part 4.2.7 (Controls): discharges from the spray down of lumber and wood product storage yards where no chemical additives are used in the spray down waters and no chemicals are applied to the wood during storage.

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

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

6.A.4.1 *Drainage Area Site Map.* (See also Part 4.2.2.3) Also identify where any of the following may be exposed to precipitation/surface runoff: processing areas; treatment chemical storage areas; treated wood and residue storage areas; wet decking areas; dry decking areas; untreated wood and residue storage areas; and treatment equipment storage areas.

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

6.A.4.3 *Description of Storm Water Management Controls.* (See also Part 4.2.7). Describe and implement measures to address the following activities/sources: log, lumber and wood product storage areas; residue storage areas; loading and unloading areas; material handling areas; chemical storage areas; and equipment/vehicle maintenance, storage and repair areas. If your facility performs wood surface protection/preservation activities, address the specific BMPs for these activities.

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

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

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