STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

PAUL R. LEPAGE
GOVERNOR

PAUL MERCER
COMMISSIONER

May 4, 2016

Mr. Stephen E. Nolf
Service Manager
Morris Yachts LLC
27 Ramp Road
Mt. Desert, ME. 04605
e-mail: snolf@morrisyachts.com

RE: Multi-Sector General Permit For Stormwater Associated With An Industrial Activity MER05C212 – Morris Yachts, LLC

Dear Mr. Nolf:

Enclosed, please find a Department Order granting coverage under the Multi-Sector General Permit For Stormwater Associated With An Industrial Activity (MSGP), which was issued by the Department on April 26, 2011, for a five year term.

A copy of the final April 26, 2011, MSGP is attached to this Department Order. Please read the permit and its attached conditions carefully. You must follow the conditions in the order to satisfy the requirements of law.

Any interested person aggrieved by a Department determination made pursuant to applicable regulations, may appeal the decision following the procedures described in the attached DEP FACT SHEET entitled "*Appealing a Commissioner's Licensing Decision.*"

If you have any questions regarding the matter, please feel free to call me at 287-7693.

Sincerely,

Gregg Wood
Division of Water Quality Management
Bureau of Water Quality

Enc.
cc: Jana Wood, DEP/EMRO
Lori Mitchell, DEP/CMRO
Kurt Yuengling, DEP/CMRO
Olga Vergara, USEPA
Sandy Mojica, USEPA
Marelyn Vega, USEPA

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
17 STATE HOUSE STATION
AUGUSTA, ME 04333

DEPARTMENT ORDER

IN THE MATTER OF

MORRIS YACHTS, LLC	)	MULTI-SECTOR GENERAL
MT. DESERT, HANCOCK COUNTY, MAINE	)	PERMIT FOR STORMWATER
MER05C212	)	DISCHARGES ASSOCIATED
14 HARBOR DRIVE	)	WITH AN INDUSTRIAL
APPROVAL	)	ACTIVITY
	)	**GENERAL PERMIT COVERAGE**

The Department of Environmental Protection (Department) has considered the Notice of Intent submitted by MORRIS YACHTS, LLC, with supportive data, agency review comments and other related materials on file for coverage under the Multi-Sector General Permit For Stormwater Associated With An Industrial Activity (MSGP) #MER050000, issued by the Department on April 26, 2011, and FINDS THE FOLLOWING FACTS.

The permittee has agreed to comply with all terms and conditions of the MSGP. Operated in accordance with MSGP #MER050000, the discharges identified by the permittee will not have a significant adverse effect on water quality or cause or contribute to the violation of the water quality standards of the receiving water.

THEREFORE, the Department GRANTS MORRIS YACHTS LLC, coverage under MSGP #MER050000 subject to the terms and conditions therein.

DONE AND DATED AT AUGUSTA, MAINE, THIS 10th DAY OF May, 2016.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: Michael Kelus
for Paul Mercer, Commissioner

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

The Original Notice of Intent was received by the Department on May 3, 2016.
The Original Notice of Intent was accepted by the Department on May 3, 2016.

Date filed with Board of Environmental Protection: _____

Filed
MAY 10 2016
State of Maine
Board of Environmental Protection

This Order prepared by GREGG WOOD, BUREAU OF WATER QUALITY
MER05C212 5/3/16

STATE OF MAINE

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Maine Pollutant Discharge Elimination System
Multi-Sector General Permit
Stormwater Discharge Associated
With Industrial Activity

Bureau of Land and Water Quality April 26, 2011
Waste Discharge License # W-008227-5Y-B-R

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Part I. GENERAL COVERAGE UNDER THIS PERMIT

A. Permit Coverage. This Multi-Sector General Permit (MSGP), hereinafter described as the General Permit, authorizes the direct discharge or point source discharge of stormwater associated with industrial activity to waters of the State other than groundwater or to a MS4 that discharges to waters of the State, provided that the discharge meets the requirements of this General Permit and applicable provisions of Maine's waste discharge and water classification statutes and rules.

This General Permit is effective April 26, 2011, and authorization to discharge under this General Permit expires April 25, 2016. The Department intends subsequent re-issuance of this Multi-Sector General Permit. This General Permit applies State-wide. This General Permit replaces Maine's MSGP for Industrial Activity issued October 11, 2005.

B. Eligibility. Except for stormwater discharges identified under Part (I)(E) Limitations on Coverage, this permit may cover the following new and existing discharges composed entirely of stormwater.

1. Stormwater discharges associated with industrial activity, as defined in this General Permit, from the "Sectors" of industry activity based on Standard Industrial Classification (SIC) codes or Industrial Activity Codes as described in Table 2, and that are specifically identified by outfall or discharge location in the Stormwater Pollution Prevention Plan (SWPPP). References to "Sectors" in this General Permit (e.g., Sector-specific monitoring requirements,) refer to Sectors of industrial activity listed in Table 2 and Appendices A-AD.

2. Discharges designated by the Department as requiring permit coverage pursuant to 40 CFR 122.26 (a)(1)(v). These discharges are described in Appendix AD of this General Permit.

3. Stormwater discharges associated with industrial activity from facilities with existing effluent guideline limitations for stormwater under 40 CFR Subchapter N. The following activities are eligible for coverage under this General Permit:

   a. Runoff from material storage piles at cement manufacturing facilities [40 CFR Part 411 Subpart C (established February 23, 1977)];
   b. Contaminated runoff from phosphate fertilizer manufacturing facilities [40 CFR Part 418 Subpart A (established April 8, 1974)];
   c. Coal pile runoff at steam electric generating facilities [40 CFR Part 423 (established November 19, 1982)];
   d. Discharges from spray down or intentional wetting of logs at wet deck areas [40 CFR Part 429 Subpart I (established January 26, 1981)]; provided additional BMPs, such as a water use

management plan approved by the Department, is implemented for those facilities discharging to Class AA, A, GPA and to waters having a drainage area of less than 10 square miles as defined by Maine's Water Classification Program, 38 M.R.S.A. §§ 464(4), 465, and 465-A;

e. Mine dewatering discharges at crushed stone mines [40 CFR Part 436, Subpart B];
f. Mine dewatering discharges at construction sand and gravel mines [40 CFR Part 436, Subpart C];
g. Mine dewatering discharges at industrial sand mines [40 CFR Part 436, Subpart D];
h. Runoff from asphalt emulsion facilities [40 CFR Part 443, Subpart A (established July 24, 1975)]; and
i. Runoff from landfills [40 CFR Part 445, Subpart A and B (established February 2, 2000)].

C. Multiple Sector-Specific Industrial Activities. If a facility is engaged in more than one Sector-specific industrial activity as described in Table 2 and Appendices A-AD, the facility's owner or operator shall comply with the Sector-specific requirements and conditions applicable to each industrial activity. Sector-specific requirements are applied only to those areas of the facility where each industrial activity occurs. Sector-specific monitoring requirements and effluent limitations are applied outfall by outfall.

Where stormwater from multiple industrial activities mixes and is discharged in a single outfall, the monitoring requirements and effluent limitations are additional. The facility's owner or operator is required to monitor the discharge for all requirements of all applicable Sectors of industrial activity which occur in the outfall's drainage area. Where more than one effluent limitation for a specific parameter applies to a discharge, compliance with the more restrictive limitation is required

If the facility's owner or operator complies with all requirements applicable to each Sector-specific industrial activity, the discharges from these multiple Sector-specific activities are authorized under this General Permit.

D. Allowable Non-Stormwater Discharges. This permit authorizes the following non-stormwater discharges provided that they do not cause or contribute to a violation of water quality standards as determined by the Department. Appropriate BMPs for these discharges must be addressed in the SWPPP to ensure limited impact on receiving waterbodies.

1. Discharges from fire fighting activities;
2. External building wash-down that does not use detergents;
3. Lawn watering;
4. Uncontaminated groundwater;
5. Uncontaminated springs;
6. Air conditioning condensate;

7. Irrigation drainage;
8. Uncontaminated foundation or footing drains where flows are not contaminated with process materials such as solvents, or in contact with soils where spills or leaks of toxic or hazardous materials have occurred;
9. Incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of a facility, but not intentional discharges from a cooling tower (e.g., "piped" cooling tower blow-down or drains);
10. Uncontaminated utility vault dewatering; and
11. Hydrostatic test water that does not contain any treatment chemicals and is not contaminated with process chemicals.

If any of the above non-stormwater discharges are present and may reasonably be expected to mix with stormwater discharges from an industrial activity, these conditions must be specifically identified and addressed in the facility's SWPPP.

E. Limitations on Coverage: The following stormwater discharges are not authorized by this permit. If any of the following discharges or types of discharges mixes with an authorized stormwater discharge associated with industrial activity, the entire discharge is not eligible for coverage under this General Permit and not authorized by this General Permit.

1. Stormwater discharges associated with industrial activity that is mixed with other discharges, unless the other discharge is authorized by a different Maine Pollutant Discharge Elimination System (MEPDES) permit; or the other discharge is identified in Part I(B)(3) of this permit;

2. Stormwater discharges associated with industrial activity which require an individual waste discharge permit or require coverage under an alternative general permit. The Department may require any person with a discharge authorized by this General Permit to apply for and obtain an individual permit. Any interested person may petition the Department to take action under this paragraph. Examples of when an individual waste discharge permit may be required are specified in rule;

3. A waste discharge permit may be required for activities such as combined sewer overflows (CSO(s)), spray irrigation, process water treatment systems, metallic mine drainage, and other discharges not covered by this General Permit;

4. Stormwater discharges which the Department has found to be, or may reasonably be expected to be, contributing to a violation of a water quality standard or is a significant contributor of pollutants. This limitation on coverage does not apply if the permittee demonstrates participation and compliance with the implementation of a Department Approved Watershed Management Plan to restore water quality to the impaired waterbody. Proof of participation in the implementation of a Watershed Management Plan is required with the Notice of Intent (NOI) submittal.

NOTE: Part IX(H) of this General Permit, defines a Department Approved Watershed Management Plan as it pertains to the requirements of this General Permit.

5. Stormwater discharges associated with industrial activity from facilities where any MEPDES permit has been denied or is in the process of being denied, terminated, or revoked by the Department (other than in a replacement permit issuance process), except that the Department may allow coverage under this General Permit if ownership or operation of the facility has changed to a different owner or operator and new circumstances at the facility justify allowing coverage;

6. Stormwater discharges associated with construction activity disturbing one (1) acre or more, and where stormwater runoff discharges to the waters of the State, unless in conjunction with mining activities;

7. New stormwater discharges that do not meet the applicable stormwater standards for stormwater quality as set forth in 06-096 CMR 500 Stormwater Management. Changes in or expansion of a facility covered by this General Permit which result in one (1) acre or more of disturbed area or five (5) acres or more of developed area will require that the facility meet the applicable stormwater standards of 06-096 CMR 500;

8. Stormwater discharges associated with industrial activity that may adversely affect a listed or a proposed to be listed, endangered or threatened species or its critical habitat; and

F. Authorization. Coverage under this General Permit, or an individual waste discharge permit or alternative general permit, is required if a facility has a stormwater discharge associated with an industrial activity. An owner or operator of a stormwater discharge associated with industrial activity seeking coverage under this General Permit shall submit a NOI form to the Department by one of the following accepted methods: e-mail, US Postal Service (USPS), or by hand delivery, in accordance with the requirements of Part IV of this General Permit. Upon review of the NOI, the Department may accept or reject the authorization to discharge pursuant to the terms and conditions of this General Permit. If the NOI is denied, the owner or operator shall resubmit any Department–requested information or submit an application for an individual or an alternative general permit. The Department may deny coverage under this permit at any time and require submittal of an application for an individual or an alternative general permit.

1. Granting Authorization to Existing Facilities. A permittee discharging stormwater associated with industrial activity authorized under Maine's October 11, 2005, MSGP shall submit a completed NOI by no later than May 25, 2011. Unless notified by the Department to the contrary, a person who submits a NOI is authorized to discharge under the terms and conditions of this General Permit. A permittee shall modify the facility's SWPPP to comply with the terms and conditions of this General Permit.

2. Granting Authorization to New Facilities. A stormwater discharge associated with industrial activity not authorized under Maine's October 11, 2005, MSGP shall submit a completed NOI no later than thirty (30) days after written notification by the Department. Unless notified by the Department to the contrary, a person who submits a NOI is authorized to discharge under the terms and conditions of this General Permit.

G. Public Posting of NOIs. The Department shall post a list of all NOIs at: http://www.maine.gov/dep/blwq/docstand/stormwater/multisector/lists.htm.

H. No Exposure Certification. Existing facilities that certified "no exposure" under Maine's October 11, 2005, MSGP shall submit a new Maine Multi-Sector No Exposure Certification if still applicable on Department form DEPLW0968 for the Department's review and approval by no later than May 17, 2011. A facility qualifies for "no exposure" when all industrial activities and materials are protected by a storm resistant shelter designed to prevent exposure to stormwater, and the discharge satisfies the conditions at 40 CFR §122.26(g) and Appendix AE of this General Permit. Terminating a No Exposure Certification is addressed in Appendix AE.

I. New Ownership of a Permitted Facility. If ownership of facility authorized under this General Permit changes, the new owner or operator shall submit a new NOI to gain authorization to discharge under this General Permit.

J. Termination of Coverage. An owner or operator of a facility shall notify the Department, on Department form DEPLW0967, when the discharge(s) of stormwater associated with industrial activity no longer occurs at the facility, or if ownership of the facility or industrial activity changes. Upon verification of the status of the facility by the Department, coverage under this General Permit is then terminated. If a facility has a corporate name change but no change in owner, operator or activity, the facility must notify the Department of the name change but is not required to file a notice of termination (NOT).

K. Authority for General Permit. A permit is required for the direct or indirect discharge of pollutants to the waters of the State. A general permit may be issued for point source stormwater discharges. A discharger of stormwater associated with industrial activity who fails to obtain coverage under this General Permit, an individual MEPDES permit or an alternative general permit and discharges stormwater to waters of the State or to a Municipal Separate Storm Sewer System (MS4) is in violation of Maine's waste discharge and water quality laws and the Clean Water Act, and is subject to penalties under 38 M.R.S.A. § 349 and Section 309 of the Clean Water Act. A permittee under this General Permit who violates the terms and conditions of this General Permit is subject to enforcement by the Department for violation of this General Permit. Nothing in this General Permit is intended to limit the Department's authority under the waste discharge and water classification statutes or rules.

Part II. LIMITATIONS ON DISCHARGES TO IMPAIRED WATERS

A. New Discharges to Impaired Waters. A *new* discharge or discharger is not eligible for coverage under this General Permit to discharge to an "impaired water" as defined in Part IX(M) unless:

1. All exposure of the pollutant(s) for which the waterbody is impaired is prevented, and procedures to prevent exposure are documented and retained on site with the SWPPP; or

2. Documentation proving that the pollutant(s) for which the waterbody is impaired is not present in the facility's discharge(s), or treatment of the pollutant is provided for in compliance with 06-096 CMR 500, and these findings are retained in the facility's SWPPP.

B. Existing Discharges to Impaired Waters. Discharges to impaired waters authorized under the 2005 MSGP must file a NOI under this General Permit and comply with Part VI(D) and (E) for monitoring and corrective actions. If a TMDL or the 303d list is modified after the effective date of this General Permit, the Department will notify the permittee of the change(s) and any additional monitoring requirements. The 303d and TMDL lists are available at: http://www.maine.gov/dep/blwq/docmonitoring/305b/index.htm

C. Watershed Management Plan Compliance. Participation in and compliance with the implementation of a Department Approved Watershed Management Plan as defined for this General Permit, that has a means of funding that is in effect meets the requirements of Part II of this General Permit. A copy of the agreement stating participation of the permittee in the Watershed Management Plan is required upon submittal of the NOI or upon the Department's approval of the Watershed Management Plan. If a Watershed Management Plan is approved after a NOI is filed with the Department, a permittee must submit to the Department a copy of the agreement documenting participation in the implementation of the Watershed Management Plan to meet the impaired waters monitoring requirements under this General Permit.

Part III. PERMIT CONDITIONS

A. Stormwater Pollution Prevention Plan (SWPPP). Development of a SWPPP, as described in Part V of this General Permit, is required before submitting a NOI for authorization to discharge stormwater associated with industrial activity under this General Permit. If a facility has been implementing a SWPPP under Maine's 2005 MSGP, the owner or operator shall review and update the SWPPP to implement all provisions of this General Permit prior to submitting a NOI. A copy of the SWPPP must be kept on site at all times to maintain permit coverage and to remain compliant with the MSGP.

B. Monitoring Requirements. The owner or operator of the stormwater discharge associated with industrial activity shall comply with the monitoring

requirements and Sector-specific numeric limitations of Parts VI and VII of this General Permit.

C. Numeric Effluent Limitations Based on Effluent Guidelines. Discharges from regulated activities subject to the effluent guidelines listed in Table 1 below are eligible for coverage under this General Permit provided the facility's activity(ies) match the listed activity or SIC code(s) and meet effluent limitation guidelines established in federal regulations and Part VII of this General Permit. A regulated activity must meet the effluent limits and comply with the Sector requirements as noted in their corresponding Sector-specific Appendix.

Table 1: Effluent Guidelines Applicable To Eligible Discharges For General Permit Coverage

Regulated Activity	New Source performance standards included in effluent guidelines	Sectors affected	SIC or Activity Codes
Runoff from material storage piles at cement manufacturing facilities (40 CFR Part 411 Subpart C [established February 23, 1977])	Yes	E	3241
Contaminated runoff from phosphate fertilizer manufacturing facilities (40 CFR Part 418 Subpart A [established April 8, 1974])	Yes	C	2874
Coal pile runoff at steam electric generating facilities (40 CFR Part 423 [established November 19, 1982])	Yes	O	SE
Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas (40 CFR Part 429, Subpart 1 [established January 26, 1981])	Yes	A	2411
Mine dewatering discharges at crushed stone mines (40 CFR part 436, Subpart B)	No	J	1422-1429
Mine dewatering discharges at construction sand and gravel mines (40 CFR part 436, Subpart C)	No	J	1442
Mine dewatering discharges at industrial sand mines (40 CFR part 436, Subpart D)	No	J	1446
Runoff from asphalt emulsion facilities (40 CFR part 443, Subpart A [established July 24, 1975])	Yes	D	2951, 2952
Runoff from landfills (40 CFR Part 445, Subpart A and B [established February 2, 2000])	Yes	K & L	HZ, LF

D. Reporting. The minimum reporting requirements and deadlines for this General Permit are listed in this section.

1. Annual Report. If the Department's Industrial Stormwater inspector finds deficiencies in the development or implementation of any portion of the SWPPP, (including but not limited to a SWPPP that fails to identify an industrial activity, a discharge, or the permittee fails to conduct required

monitoring or implement a BMP set forth in the SWPPP) the permittee shall submit an updated SWPPP within thirty (30) days of written notice, and submit annual reports for the next three consecutive permit years, including subsequent permit reissuance. Annual reports must be submitted on Department form DEPLW1201 for the Department's review and approval. This annual report must summarize the function of all BMPs, results of visual, benchmark, numeric and impaired waters monitoring, location of significant spills, quarterly site inspections, annual non-stormwater discharge certification results, and all implemented or planned corrective actions. The annual report must be submitted to the Department by May 9th of each permit year. An electronic version of this form is available at:
http://www.maine.gov/dep/blwq/docstand/stormwater/multisector.htm#form

2. Numeric Effluent Limitation Monitoring. Sectors C, D, E, K, L & O are subject to quarterly monitoring requirements. Numeric Monitoring schedules for Sectors A, B, & J are activity dependent and are outlined in each Sector. All monitoring results must be recorded in the SWPPP. If the average of the two quarterly monitoring samples exceeds the numeric limit for any parameter, the permittee shall submit the results to the Department within 14 days of receiving the results. Additional numeric monitoring and reporting requirements are outlined in Part VI(F).

3. Impaired Waters and Benchmark Monitoring. Impaired Waters and Benchmark Monitoring requirements are outlined in Part VI(D), (E) and (G) respectively. A summary of these results must be maintained in the SWPPP. Benchmark Monitoring is required for Sectors A, B & N. Each Sector may be subject to separate or additional monitoring requirements.

4. Visual Monitoring of Stormwater Discharges. All facilities must perform visual monitoring of stormwater discharges in accordance with Part VI of this General Permit, and maintain visual monitoring data in the SWPPP.

E. Retention of Records. In addition to the requirements of Part VIII(L)(2) of this General Permit, the permittee shall retain copies of the SWPPP, all reports and certifications required by this General Permit, and records of all data used to complete the Notice of Intent to be covered by this General Permit, for a period of at least three (3) years from the date that the facility's coverage under this General Permit expires or is terminated. The Department may extend the time of record retention at any time.

F. Accessibility. The permittee shall make a copy of the SWPPP, including all monitoring, reporting, and Notice of Intent available to the public, if requested to do so in writing.

Part IV. NOTICE OF INTENT REQUIREMENTS

A. Notice of Intent (NOI). By submitting a NOI, the applicant agrees to comply with the terms and conditions of this General Permit. A NOI must be submitted to the Department with the appropriate fee. Failure to submit proper payment will result in rejection of the NOI as incomplete.

B. Processing of NOI. Prior to authorization of a stormwater discharge associated with industrial activity, a NOI must be reviewed and approved by the Department. The NOI is deemed approved thirty (30) calendar days after the Department receives the notification, unless the Department approves or denies the NOI prior to that date. If the applicant does not receive correspondence from the Department within the thirty (30) day period after the NOI submission, the applicant is authorized to carry out the activity. For existing permittees coverage under the 2005 MSGP is administratively continued, until coverage is granted under this General Permit, an alternative general permit, an individual permit or if coverage is otherwise terminated.

C. NOI Submission. A person shall file the NOI on Department form DEPLW0953. A person shall sign the NOI in accordance with Part VIII(E). The NOI must contain all information listed in the General Permit. The NOI must be sent to the address indicated on the NOI form. A copy the initial NOI form shall be provided by the applicant to municipal office, town, or city, or the county commissioner in the case of an unorganized territory in which the discharge will occur at the time it is submitted to the department. Permittees covered under Maine's 2005 MSGP have the option of submitting a NOI electronically to the Department, these NOI renewals may be submitted electronically to 2011renewal.DEP@maine.gov.

D. NOI Contents.

1. Site identification number (beginning with MER05) assigned to facility under Maine's 2005 General Permit, if any;
2. The facility's legal business name and charter number if applicable (State of Maine) to determine Title, Right and Interest in the property/business; owner's or operator's/contact's name, address, telephone number;
3. Facility/Site information including facility name, address and location, including the latitude and longitude of the facility if known;
4. The name of the receiving water(s), (if known), or if the discharge is through a municipal separate storm sewer system (MS4), the name of the owner or operator of the MS4 and the ultimate receiving water(s), if known;
5. The SIC or Activity Code(s) that best represents the industrial activity conducted at the facility;
6. An identification of the applicable Sector(s); and

7. Additional information required by the Department as part of the NOI, to determine whether or not to authorize the discharge under this General Permit.

E. Where to Submit. A completed and signed NOI, in accordance with Part VIII(E), must be submitted with the appropriate fee to:

Maine Department of Environmental Protection
Municipal and Industrial Stormwater Coordinator
17 State House Station
Augusta ME 04333-0017

F. Deficient NOI. If any portion of the NOI does not meet one or more of the minimum requirements of this part, the applicant will be notified of the deficiency within the 30-day review period. It is the responsibility of the applicant to make all required changes and resubmit the NOI. The review period will begin when the revised NOI is received by the Department.

Part V. STORMWATER POLLUTION PREVENTION PLAN REQUIREMENTS

A. Stormwater Pollution Prevention Plan (SWPPP) Preparation. Each facility seeking coverage under this General Permit must prepare a SWPPP as described in Part III(A) prior to submitting a NOI for permit coverage. The SWPPP must be prepared in accordance with good engineering practices and identify potential pollutant sources which may reasonably be expected to affect the quality of stormwater discharges associated with industrial activity from the facility. The SWPPP must describe and ensure the implementation and maintenance of Best Management Practices (BMPs) and Control Measures as identified in this Part. Implementation of the SWPPP must reduce or eliminate polluted stormwater discharges associated with industrial activity, and assure compliance with this General Permit.

B. Control Measures. The permittee shall select, design, install and implement control measures (including BMPs) to address potential pollutant sources and any discharge(s) associated with industrial activity. Control measures must be evaluated in conjunction with monitoring to meet the terms and conditions of this General Permit. The selection of these control measures must be in accordance with good engineering practices, and the requirements of each Sector. (See Appendix A–AD.) The SWPPP must fully describe these control measures, including their implementation and maintenance schedules.

C. Non-Numeric Technology Based Effluent Limits. When developing control measures the following must be performed as applicable using the best practicable technology, best available technology, best control technology (BPT/BAT/BCT). The below listed Best Management Practices are considered limits of this General Permit which must be met for compliance. Additional Non-Numeric Technology Based Effluent Limits may also be

required as noted in the Sector specific requirements in Appendices A–AD. The methods utilized to meet these limits must be documented in the SWPPP:

1. The permittee shall minimize exposure of the manufacturing process, and material or product storage areas to stormwater (where practicable) by locating industrial activities and materials inside or by protecting them with storm resistant coverings. By eliminating the exposure of the manufacturing process, and material or product storage areas as required by Appendix AE, the facility may qualify for No Exposure Certification. The Department also encourages methods and designs which minimize or mitigate impervious area and reduce runoff.

2. The permittee shall perform good housekeeping procedures, and keep all exposed areas that are potential sources of pollutants clean and orderly. Implement at regular intervals, measures such as sweeping impervious areas, proper labeling of containers, and the storage of liquids within proper secondary containment.

3. The permittee shall regularly inspect, test, maintain and repair all industrial equipment, systems and BMPs to prevent situations that may result in leaks, spills or other releases of pollutants. If the permittee or Department inspector finds that a structural control measure(s) must be repaired or modified to ensure proper function, the permittee shall make the required repairs or modifications as quickly as possible, but no later than twelve (12) weeks from discovery unless otherwise authorized by the Department. Temporary control measures must be in place during this time to reduce or prevent discharges of pollutants. If a non-structural control measure is found to be deficient, the correction of the deficiency for that control measure must be initiated within five (5) days and completed no later than thirty (30) days from discovery. (See Part V(E).)

D. <u>SWPPP Contents.</u> The SWPPP must contain the following components:

1. Pollution Prevention Team. The SWPPP must identify the individual(s) (by name or title) whom comprise the facility's stormwater Pollution Prevention Team. The Pollution Prevention Team is responsible for assisting the facility/plant manager in developing, implementing, maintaining and revising the facility's SWPPP. Responsibilities of each team member must be listed.

2. Site Description. The SWPPP must include a narrative site description of the activities conducted at the site.

3. Site Map. The site map must include:

   a. Approximate drainage boundaries including directions of stormwater flow and outfall locations (use arrows to show flow path);

   b. Boundary of impervious surfaces;

c. Locations of all existing structural BMPs to reduce pollutants in stormwater runoff;

d. Locations of all surface waters including wetlands and streams;

e. Locations of potential pollutant sources identified under Part V(D)(4) below;

f. Locations where major spills or leaks identified under Part V(D)(5) have occurred within the past three years. For the purpose of the site map, mark only areas of frequent spills (greater than three occurrences per year) or large spills (greater than 10 gallons). ALL locations of fuel spills must be documented within the SWPPP;

g. Locations of the following activities exposed to stormwater: fueling stations, vehicle and equipment maintenance, storage and cleaning areas; loading or unloading areas; locations used for the treatment, storage or disposal of wastes; liquid storage tanks; material processing, transfer or storage areas; access roads, rail cars or tracks;

h. Locations of stormwater conveyance systems including swales, ditches, culverts, subsurface stormwater infrastructure, outfalls, including boat ramps, and an approximate outline of the area draining to each outfall;

i. Location and description of non-stormwater discharges (e.g., wastewater licensed outfall);

j. Location and source of run-on from adjacent property that contains either significant quantities of pollutants or volume to the facility; and

k. The name of the nearest receiving water(s), including intermittent streams and wetland(s) that may receive discharges from the facility. An unnamed stream or wetland must be designated as such. The status of the receiving water in terms of water quality classification must also be noted. Contact a regional Stormwater Inspector for assistance if you are not aware of the classification status of the water body to which the facility discharges.

4. Summary of Potential Pollutant Sources. The permittee shall identify each separate area where industrial materials or activities are exposed, or have the potential to be exposed to stormwater. Industrial materials or activities include, but are not limited to, material handling equipment or activities; industrial machinery; cleaning, fueling and maintenance of vehicles; equipment storage; and, storage of raw materials, intermediate products, by-products, final products, or waste products. Material handling activities include the storage, loading or unloading, transportation, or movement of any raw material, intermediate product, final product or

waste product. If applicable, include an evaluation of how the quality and quantity of the stormwater flowing onto the facility from adjacent properties impacts the stormwater discharges from the permitted facility. For each separate area identified, the description must include:

a. Industrial activities area. A list of the activities (e.g., material storage, loading, access areas, equipment fueling and cleaning, cutting, grinding, or processing). Each drainage area must be described and include a prediction of the direction of flow and an estimate of the types of pollutants which may be present in the stormwater discharge. The flow of stormwater across the site must be clearly depicted on the site map;

b. Pollutants. A list of the associated pollutant(s) or pollutant parameter(s) (e.g., crankcase oil, iron, biochemical oxygen demand, pH, sediment, etc.) for each activity. The pollutant list must include all significant materials that have been handled, treated, stored or disposed of in a manner that may allow exposure to stormwater three (3) years prior to review of or development of the SWPPP; and

c. Method of on-site storage or disposal. A storage practice or disposal method must be detailed for all raw materials, intermediate materials, final products and waste materials. Waste materials must be handled in accordance with Maine's Solid Waste Management Rules.

5. Potential for Spills and Leaks. The permittee shall clearly identify areas where potential spills and leaks, may occur, along with the accompanying drainage points, and provide a list of spills and leaks that occurred during the three (3) year period prior to submitting a NOI or latest revision of the SWPPP for any area exposed to precipitation or area which drains to a stormwater conveyance.

   Spills and leaks include, but are not limited to, releases of oil or hazardous substances in excess of quantities that are reportable under Clean Water Act (CWA) §311 (See 40 CFR 110 and 40 CFR 117.21), section 102 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) or 38 M.R.S.A. §§ 543, 550 and 1318-B. Unlicensed discharges of oil and hazardous matter are prohibited (See 38 M.R.S.A. §§ 543 & 1317-A). These discharges must be removed to the Commissioner's satisfaction (See 38 M.R.S.A. §§ 1318-B, 548, 568). Hazardous matter discharges must be reported (See 38 M.R.S.A. §§ 1318-B). Oil and hazardous matter have "safe harbor" incentives for reporting (See 38 M.R.S.A. §§ 550 & 1318).

6. Wastewater/Process Water Containment. The location of all wastewater or process water containment tanks must be clearly noted in the SWPPP

and on the site map. Any stationary above ground tank, container, or container storage area used for the storage of wastewater or process water that has the potential to discharge to surface waters or a stormwater conveyance during a malfunction must be held in a secondary containment device capable of containing 100% of the contents of the tank, plus precipitation. The containment devices must meet all Federal and State rules for primary and secondary containment. Secondary containment may be waived if the tank is equipped with a level sensor and alarm to signal an overflow or leak and the facility has a contingency plan in place to remove excess liquid to a second containment structure or off site treatment facility to prevent exposure to stormwater. The containment structures must be visually inspected for signs of deterioration at least once per year. The contingency plan and tank inspection procedure must be documented in the SWPPP. (See CMR 06-096 520 for definitions.)

7. Sampling Data. All stormwater sampling data, including visual monitoring results collected during the term of this General Permit must be maintained in the SWPPP.

8. Stormwater Controls. Describe the type and location of existing non-structural and structural BMPs selected for each area where industrial materials or activities are exposed to stormwater. All the areas identified in Part V(D)(4) and (5) must have a BMP(s) identified for the area's discharges. For areas where BMPs are not currently in place, describe appropriate BMPs to control pollutants in stormwater discharges. The SWPPP must include an implementation schedule for all proposed BMPs. Refer to individual Sector(s) for additional requirements or guidelines for new BMP installations. Selection of all BMPs must take into account:

   - The quantity and nature of the pollutants, and their potential to impact the water quality of receiving waters;
   - Opportunities to combine the dual purposes of water quality protection and local flood control benefits (including physical impacts of high flows on streams such as bank erosion, impairment of aquatic habitat, etc.); and
   - Opportunities to offset stormwater and temperature impacts from impervious areas on dry weather flows and low flow situations to streams.

9. BMP Types Considered. (See Part V(C) Non-Numeric Technology Based Effluent Limits.) The permittee shall describe how each BMP is currently implemented, or will be implemented. The following types of structural, and non-structural BMPs must be considered for implementation at the facility. This requirement may have been fulfilled with the area-specific BMPs identified under Part V(D)(8), 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 the permittee, agent or Department stormwater inspector determines that any of these BMPs are not appropriate or are inadequate to reduce or eliminate pollutants, an explanation of this determination along with corrective actions must be documented in the SWPPP. The BMP examples listed below are not intended to be a comprehensive list. The permittee is encouraged to keep abreast of new BMPs or new applications of existing BMPs to find the most cost effective means of permit compliance for the facility. If BMPs are planned at the facility which are not listed previously in the SWPPP (e.g., replacing a chemical with a less toxic alternative, adopting a new or innovative BMP, etc.), include an implementation timeline within this section of the SWPPP.

a. Non-Structural BMPs.

Good Housekeeping: The permittee shall keep all exposed areas free of materials which could contribute pollutants to stormwater discharges by performing good housekeeping measures such as sweeping, and proper material containment. Measures must include compliance with the Non-Numeric Technology Based Effluent limits noted in Part V(C) and the individual Sector requirements in Appendices A-AD.

Minimizing Exposure: Where practicable industrial materials and activities should be protected by a storm resistant shelter to prevent exposure to stormwater, or located in an area that does not discharge to a surface water or a MS4.

Preventive Maintenance: The permittee shall implement a preventive maintenance program which includes the timely inspection and maintenance of stormwater 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.

Spill Prevention and Response Procedures: The permittee shall describe spill prevention and clean up procedures for spills or leaks. These procedures, and the necessary spill response equipment, must be made available to employees who may cause or encounter a spill or leak. Where appropriate, the permittee shall explain existing or planned material handling procedures, storage requirements, secondary containment, and equipment (e.g., diversion valves) in the SWPPP which are intended to minimize spills or leaks at the facility. Unlicensed discharges of oil and hazardous matter are prohibited (See 38 M.R.S.A. §§ 543 & 1317-A). These discharges must be removed to the Commissioner's satisfaction (See 38 M.R.S.A. §§ 1318-B, 548, 568). Hazardous matter discharges must be reported (See 38 M.R.S.A. §§ 1318-B).

Oil and hazardous matter have "safe harbor" incentives for reporting (See 38 M.R.S.A. §§ 550 & 1318).

- Procedures to properly label all storage containers.
- Preventative measures such as barriers between material storage and traffic areas, secondary containment provisions and procedures for material storage and handling.
- Procedures for quick response to stop leaks, spills and other releases. Employees who may cause, detect or respond to a spill situation shall be properly trained. The training must be documented in the SWPPP.
- Procedures to notify trained facility personnel, emergency response and regulatory agencies in the event of a spill or release. Documentation of spills and releases must be included in the facility SWPPP.

Employee Training: The permittee shall describe the annual stormwater employee training program for the facility. The description must include the topics to be covered, (such as spill response, good housekeeping and material management practices). The permittee shall provide employee training for all employees who work in areas where industrial materials or activities are exposed to stormwater, and for employees who are responsible for implementing activities identified in the SWPPP (e.g., inspectors, spill responders and maintenance staff). The employee training must address the components and goals of the SWPPP.

b. Structural BMPs.

Sediment and Erosion Control: The permittee shall identify areas at the facility which, due to topography, land disturbance or other factors, have a potential for soil erosion. The permittee shall describe and implement structural, vegetative, or stabilization BMPs to manage runoff and limit erosion and sediment transport and the resulting discharge of pollutants.

Stormwater Velocity Control: The permittee shall install stormwater velocity dissipation controls where appropriate.

NOTE: This Permit requires compliance with Maine's Erosion and Sedimentation Control Law. Installation of Structural BMPs may require a separate permit pursuant to the Natural Resources Protection Act, Maine Stormwater Management or the Site Location of Development Act.

Stormwater structural devices: The permittee shall describe the stormwater management practices (permanent structural BMPs other than those which control the generation or source(s) of pollutants) that currently exist or are planned for the facility.

These types of BMPs typically are used to divert, filter, reuse, or otherwise reduce pollutants in stormwater discharges from the site.

10. Other Controls. No solid materials, including floatable debris, may be discharged to waters of the State, except as authorized by a permit issued under section 404 of the Clean Water Act. Off-site vehicle tracking, or blowing, of raw, final, waste materials or sediments, and the generation of dust, must be minimized and documented in the SWPPP.

E. Maintenance. All BMPs identified in the SWPPP must be maintained in effective operating condition. If site inspections 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 stormwater controls. If maintenance prior to the next anticipated storm event is impracticable, maintenance must be scheduled and implemented as soon as practicable, but not later than twelve (12) weeks from the date of discovery unless authorized by the Department. The maintenance schedule and reason for delay must be documented in the SWPPP. The Department will take into account the size and cost of the project, the need to obtain supplies, construction timeframes, weather, the amount of pollution discharged and the condition of receiving waters in determining if a delay is acceptable. In the case of non-structural BMPs, the effectiveness of the BMP must be maintained by appropriate means (e.g., available spill response supplies, training, etc.). Maintenance and BMP follow up actions must comply with Part V(I)(3) of this General Permit.

F. Allowable Non-Stormwater Discharges. Allowable non-stormwater discharges are listed in Parts I(D) and (E). Except for flows from fire fighting activities, the permittee shall identify all sources of allowable non-stormwater discharge(s) in the SWPPP and include:

- Identification of each allowable non-stormwater source;
- The location where it is likely to be discharged; and
- Descriptions of appropriate BMPs for each source.

If mist blown from cooling towers is listed as an allowable non-stormwater discharge, the permittee shall specifically evaluate the potential for the discharge(s) to be contaminated by chemicals used in the cooling tower and determine that the levels of such chemicals would not cause or contribute to a violation of an applicable water quality standard.

G. Applicable State or Local Plans. The SWPPP must be consistent and updated with applicable state or local stormwater, waste disposal, sanitary sewer or septic system regulations to the extent these apply to the facility and are more stringent than the requirements of this General Permit.

H. Monitoring Frequency and Procedure Documentation. The SWPPP must document the procedures for conducting the three types of analytical

monitoring (Benchmark, Numeric, and Impaired Waters) and Visual Monitoring where applicable. These procedures are outlined in Part VI of this General Permit. SWPPP documentation must include the following:

1. Location of sample collection (outfall designation).
2. Sampling parameters and sampling frequency for each parameter including the benchmark or limit associated with that parameter.
3. Monitoring schedule including monitoring exceptions, adverse weather conditions and waivers.

I. Site Compliance Evaluations and Follow-up Corrective Actions. This General Permit requires the completion of quarterly site inspections or Site Compliance Evaluations. The SWPPP must include procedures for conducting and documenting the evaluations as required by this part.

1. Frequency of Inspections. The permittee shall conduct Site Compliance Evaluations a minimum of four (4) times a year, one of which must be conducted within 24 hours of a qualifying storm event. These inspections must be evenly spaced with a minimum of sixty (60) days between inspections. Inspections must be done by qualified personnel as defined by the permittee. Qualified personnel may be either a facility employee or agent provided the inspector can accurately assess facility conditions that may impact stormwater discharges and BMP effectiveness. These inspections may be conducted in conjunction with Part (VI)(B), Quarterly Visual Monitoring, or be conducted separately. If the permittee decides to conduct more frequent inspections, the SWPPP must specify the frequency of inspections.

2. Scope of the Site Compliance Evaluation. The evaluation/inspection must include all areas where industrial materials or activities are exposed to stormwater, as identified in Part V(D)(4), and all associated stormwater conveyances and areas where spills and leaks have occurred within the past three (3) years. Inspectors shall evaluate and document:

   a. Industrial materials, residue, or trash on the ground that could contaminate stormwater;
   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, blowing or whirling of raw, final, or waste materials and the evidence of, or the potential for, pollutants to contact stormwater;
   e. Stormwater BMPs identified in the SWPPP must be inspected and evaluated to ensure that they are operating correctly. Inspect

stormwater conveyances and outfalls for erosion, integrity and potential pollutants. Where discharge locations or outfalls are inaccessible, nearby downstream locations must be inspected if possible; and

f. The once per year Non-Stormwater Discharge Certification may be incorporated into one of the four Site Compliance Evaluations.

3. Site Compliance Evaluation Follow-up Actions. Based on the results of the Site Compliance Evaluation, the permittee shall:

a. Complete a Site Compliance Evaluation Report. This report summarizes the scope of the inspection as noted in Part V(I)(2) above. The permittee shall prepare a Site Compliance Evaluation Report upon completing the inspection. This report must include the name(s) or position(s) of personnel performing the inspection, the date(s) of the evaluation, and major observations relating to the implementation of the SWPPP. The inspection report(s) must identify any incidents of non-compliance and proposed or implemented follow-up action(s). 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 SWPPP and this General Permit. The Department has prepared a guidance checklist that may be used or modified for reporting.

b. Develop a Corrective Action Report (CAR). A Corrective Action Report is a description of actions, BMPs, site modifications or behaviors necessary to meet the terms and conditions of this General Permit. Two types of CARs may be generated.

c. Structural BMP Corrective Action Report. This CAR includes modification(s) or addition(s) and implementation of a structural BMP(s). If a noted deficiency is related to a structural BMP excluding routine maintenance, the permittee shall notify the regional stormwater inspector within fourteen (14) business days by phone, email or USPS. Notwithstanding the timeframes described above, the Department reserves the right to take enforcement actions for unpermitted discharges.

Note: If temporary stabilization measures are needed in emergency situations, a permittee may begin installation provided the addition of the BMP or stabilization measure is not in violation of State or Federal laws. The Department should be contacted with in 24 hours in these situations.

d. Non-Structural BMP Corrective Action Report. This CAR notes the addition or modification of a non-structural BMP(s) which must be developed, implemented and kept with the SWPPP.

e. Content of a Corrective Action Report. All CARs must contain at a minimum the initial inspection date, a summary of the deficiency and corrective action(s) planned or implemented including temporary measures. The date the corrective action(s) was initiated, completed or expected to be completed.

Inspection reports and follow-up CARs must be signed by the permittee in accordance with Part VIII(G).

f. SWPPP Modification and Timeline for Completion of Corrective Actions. Modify the SWPPP as necessary (e.g., to show additional controls on the site map) as required by Part V(D)(3) and revise the description of controls as required by Part V(D)(8) to include additional or modified BMPs to correct problems identified in the Site Compliance Evaluation and Corrective Action Report. The permittee shall complete revisions to the SWPPP within thirty (30) calendar days following the inspection, and initiate changes to non-structural BMPs within five (5) business days. If existing structural BMPs require modification or if additional structural BMPs are necessary, implementation must be completed before the next anticipated storm event to the extent practicable, but not more than twelve (12) weeks after discovery of the deficiency unless otherwise authorized by the Department. Temporary BMPs must be utilized during the design and construction phase of new structural BMPs. These temporary BMPs must be implemented as soon as practicable after the Site Compliance Evaluation is complete. The permittee shall retain a record of actions taken in accordance with Part V(I) of this General Permit as part of the SWPPP for at least three (3) years from the date that permit coverage expires or is terminated.

J. <u>SWPPP Documentation Requirements.</u> The permittee shall keep the following inspection, monitoring and certification records on site with the facility's SWPPP. The complete and up-to-date records which demonstrate full compliance with the conditions of this General Permit include:

1. A copy of the NOI submitted to the Department along with any correspondence exchanged between the permittee and the Department specific to coverage of this General Permit.

2. A copy of the Department's acknowledgement letter assigning the facility Permit ID number, and discharge authorization.

3. A copy of the General Permit, (electronic is acceptable), which can be made available to SWPPP team members.

4. Dates and descriptions of spills, leaks, or other releases that resulted in discharges of pollutants to waters of the State through stormwater or

otherwise; the circumstances leading to the release and actions taken in response to the release; and, the measures taken to prevent the recurrence of such releases.

5. Records of annual employee training, including topics covered, training date(s), and printed names and signatures of participating employees.

6. Documentation of maintenance and repairs of stormwater control measures, including dates of regular maintenance, discovery dates of areas in need of repair or replacement; repair date when control measure(s) returned to full function; and, the justification for any extended maintenance or repair schedules.

7. Documentation of inspections and monitoring data.

8. Description of any deviations from monitoring schedules.

9. Corrective Action Reports and summary of completed actions taken at the site, including event(s) and date(s) when problems were discovered and modifications occurred.

10. Documentation of monitoring exceedances and the facility's response including corrective actions; additional monitoring; documentation indicating the benchmark exceedance was due to natural background pollutant levels; or a finding of no further pollutant reductions were technologically, or economically, practicable, and achievable in light of best industry practice.

11. Documentation to support any determination that pollutants of concern are not expected to be present above natural background levels if the permittee discharges directly to impaired waters, and that such pollutants were not detected in the discharge or were solely attributable to natural background sources.

12. Documentation of the annual non-stormwater discharge certification.

K. Requirement to Maintain Updated SWPPP. The permittee shall amend the SWPPP within thirty (30) days of completion of any of the following:

1. A change in design, construction, operation, or maintenance at the facility that has a significant effect on the discharge or potential for discharge of pollutants from the facility including the addition or reduction of industrial activity;

2. Monitoring, inspections, or investigations by the permittee or by local, State, or Federal officials which determine the SWPPP is ineffective in eliminating or significantly minimizing pollutants from sources identified under Part V(D)(4), or is otherwise not achieving the general objectives of controlling pollutants in discharge(s) from the facility;

3. A release of hazardous substances and oil (see 38 M.R.S.A. § 543, 550 and 1318-B); and

4. A discharge authorized under this General Permit that is determined by Department notification to cause or have the reasonable potential to cause or contribute to the violation of an applicable water quality standard. The SWPPP must document actions necessary to ensure future discharge(s) do not cause or contribute to the violation of a water quality standard.

L. Department Review. Department staff may notify the permittee at any time that a SWPPP does not meet one or more of the minimum requirements of this General Permit.

M. Signature, SWPPP Review and SWPPP Availability. The SWPPP must be signed in accordance with Part VIII(E), and a working copy retained at the facility covered by this General Permit. (See Part III(E) for records retention requirements.) The permittee shall only submit a copy of the SWPPP to the Department upon written notification. Upon the Department's request, the SWPPP must be submitted electronically via e-mail or saved to a compact disc and mailed or hand delivered to the Department.

N. Additional Requirements for SARA Title III Facilities. Potential pollutant sources for which the permittee has reporting requirements under EPCRA 313 must be identified in the summary of potential pollutant sources as per Part V(D)(4). Note this additional requirement only applies to the permittee if the permittee is subject to reporting requirements under EPCRA 313.

O. Salt Storage Pile Requirements. Salt storage pile(s) used for deicing or commercial or industrial purposes located at the facility, must be enclosed or covered to prevent exposure to precipitation, with exception of adding or removing materials from the pile, and for sand/salt storage piles at municipal public works facilities. See 06-096 CMR 574, and 38 M.R.S.A. §413(2-D) for additional requirements.

Part VI. MONITORING REQUIREMENTS

A. Monitoring Requirements and Limitations. The monitoring requirements and numeric limitations applicable to a facility depend on the types of industrial activities conducted. The permittee shall review Parts III (Permit Conditions), VI (Monitoring Requirements) and VII (Sector Specific Requirements) of this General Permit to determine which monitoring requirements and numeric limitations apply to the industrial activity or activities at the facility.

1. Sector-specific monitoring requirements. Sector-specific monitoring requirements and limitations are applied outfall by outfall at facilities with multiple Sector-specific industrial activities. Where stormwater from multiple Sector-specific industrial mixes, the monitoring requirements and limitations are additional.

2. Approved watershed management plans. Participation in the implementation of a Department Approved Watershed Management Plan for discharges to impaired waters fulfills the requirement of Part VI.

B. Quarterly Visual Monitoring. All permittees covered under this General Permit, regardless of the facility's Sector of industrial activity are required to conduct quarterly visual monitoring. Visual monitoring requirements are waived if the facility is conducting Benchmark, Impaired Waters sampling and analysis, or Numeric Monitoring for Total Suspended Solids (TSS). Visual Monitoring must be resumed if Benchmark Monitoring, Numeric Monitoring or Impaired Waters sampling is ceased.

1. Visual Monitoring Documentation. The permittee shall perform and document a visual examination of a stormwater discharge associated with industrial activity from each outfall (except representative outfalls) on a quarterly basis. The visual examination must be made during daylight hours and normal operations. If no qualifying storm event occurs during an inspection cycle, or adverse weather prevents collecting a sample, the permittee shall document this in the SWPPP, and is excused from visual monitoring for that quarter. Visual monitoring must be performed during the next qualifying storm event. The permittee shall sign and certify the documentation in accordance with Part VIII (E). The visual monitoring event must be performed and documented according to procedures outlined in document DEPLW0768, Visual Monitoring of Stormwater Discharges Associated with Industrial Activity, available at:
http://www.maine.gov/dep/blwq/docstand/stormwater/multisector.htm#form

2. Qualifying storm event and visual examination procedures. A qualifying storm event is either precipitation, ice or snow melt that produces a measureable discharge at an outfall that occurs at least 72 hours from a previous qualifying storm event. A grab Sample must be collected within the first 60 minutes, but not more than 2.25 hours from the time stormwater begins to discharge from an outfall. The examination must document observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of stormwater pollution. The sample examination must be conducted in a well lit area. Laboratory analytical testing is not required for visual samples. The 72-hour storm interval is waived if the permittee can document that less than a 72-hour interval is representative for local storm events during the sampling period. The same individual should perform visual monitoring for the entire permit term.

C. Coal Pile Runoff Monitoring (Piles greater than 30 cubic yards). Monitoring must be conducted quarterly during a qualifying storm event. Discharges from coal piles are subject to numeric limits for total suspended solids (TSS)

not to exceed 50mg/L and pH 6.0-9.0 s.u. See Part VI(F) for additional requirements if TSS or pH exceeds the numeric the limit.

1. The permittee shall comply with the limitations and monitoring requirements as referenced in Part I(B)(3)(c) for all discharges containing coal pile runoff, regardless of the facility's Sector of industrial activity.

2. The permittee shall not dilute coal pile runoff with stormwater or other flows in order to meet this limitation.

3. The permittee shall collect a grab sample at the point of discharge and analyze the sample(s) for pH and TSS. Sampling results must be retained and reported in accordance with Part III(D).

D. Impaired Waters Monitoring and Corrective Actions.

1. Monitoring for existing discharges to impaired waters without an EPA approved or established Total Maximum Daily Load (TMDL). Upon submittal of a NOI, the permittee is required to indicate if the discharge will be to an impaired waterbody as listed on the 303d list and defined in this General Permit. If the Department determines that the facility is contributing to the impaired status, or additional data is needed to determine if the stormwater discharge is contributing to the waterbody's impairment, the permittee shall follow the monitoring requirements below. The Department will notify the permittee in writing of any additional monitoring requirements under this part. If the permittee does not receive notice from the Department to commence monitoring, no additional monitoring is required under this section.

   If notified by the Department, the permittee shall monitor during a qualifying storm event. Monitoring must be conducted quarterly at each outfall (except for representative outfalls) according to the instructions in Part VI(E)(1-5) below. The permittee shall calculate the average of each parameter from the quarterly samples to determine the average monitoring value for each parameter.

   a. Monitoring may be reduced to twice per calendar year if the average of the first year's monitoring values indicate that the pollutant(s) for which the water body is impaired is not detected above natural background pollutant levels. Natural background pollutant levels include those substances that naturally occur in soil and groundwater, but do not include legacy or historical pollutants from earlier site activities or pollutants from neighboring sources which are not naturally occurring. In permit years three and four, the monitoring may be reduced to once per year if the average monitoring value for each parameter did not exceed natural background levels in permit year two (2) from the permittee's stormwater discharge.

b. If the pollutant of concern is detected, but at levels consistent with natural background pollutant levels, the permittee shall keep the following documentation of this discharge with the facility's SWPPP.

i) An explanation of why the presence of the pollutant causing the impairment is detected at the outfall;

ii) An explanation why the pollutant is not related to the activities at the facility; and

iii) Data or studies which link the presence of the pollutant causing the impairment to what can be considered natural background sources in the watershed.

c. If the presence of the pollutant causing the impairment is shown to be related to the facility and not due to natural background pollutant levels, the permittee shall determine the source of the pollutant. The permittee shall develop and implement a corrective action plan to reduce or eliminate the presence of the pollutant(s) in the stormwater discharge. This plan must be incorporated into the facility's SWPPP, and submitted to the Department within the first quarter of the second permit year, or the first quarter of the second year after submittal of the NOI. Sampling for the pollutant(s) must continue quarterly until the pollutant is no longer present or a determination on the discharge is made by the Department.

2. Monitoring and corrective actions for discharges to impaired waters ***with*** an EPA approved or established TMDL. No additional monitoring is required unless specified in the TMDL or requested by the Department.

If monitoring is required by the Department, and the results indicate the pollutant(s) that the TMDL addresses is present in the stormwater discharge in a quantity above the allowable allocation, the permittee shall develop and implement BMPs to meet the requirements of the TMDL. A corrective action plan must be developed and incorporated into the facility's SWPPP.

E. Monitoring Procedures for Discharges to Impaired Waters. The following applies only to facilities that have received notice from the Department that impaired waters monitoring is required. The notice will include the Department's decision, and reason for additional monitoring.

1. If a facility discharges to an impaired waterbody, the permittee shall perform quarterly monitoring at each outfall (except representative outfalls) that discharges to the impaired water for all pollutants for which the waterbody is impaired and for which a standard analytical method exists. (See 40 CFR part 136 for a list of approved methods.)

2. If the pollutants for which the waterbody is impaired are suspended solids, turbidity or sediments, the permittee shall monitor for Total Suspended Solids (TSS).

3. If the pollutant for the impaired waterbody is an indicator or surrogate pollutant, the permittee shall monitor for that indicator or surrogate pollutant.

4. If the impairment is due to impervious cover within the watershed, the facility shall calculate the amount of impervious area(s) discharging to the impaired waterbody and document this in the SWPPP. Additional monitoring and corrective actions may be required by the Department upon review of the results of the calculation, the facility's SWPPP and existing BMPs.

5. No monitoring is required when a waterbody's biological communities are impaired and the Department has not specified an indicator or surrogate as causing the impairment, or when a waterbody's impairment is related to hydrologic modifications. If the biological community is impaired and an indicator or surrogate is noted, the permittee shall monitor for the indicator or surrogate.

F. Numeric Effluent Limitation Monitoring. Sectors A, B[1], C, D, E, J, K, L & O have discharges subject to numeric effluent limitations that are authorized for coverage under this General Permit. The permittee shall collect two quarterly samples, and calculate the average of each parameter from the quarterly samples to determine an average monitoring value for each parameter. If the **average** of the first two quarterly samples for any parameter does not exceed the effluent limitation, the effluent monitoring requirements are fulfilled for the **permit year.** Results that do not exceed the numeric limitation must be recorded in the Facility's SWPPP. If the **average** of the two quarterly samples exceeds the numeric effluent limitation for any parameter, the permittee shall submit results to the Department within 14 days of receiving the monitoring results. Additional monitoring requirements are outlined in each Sector when numeric limitations have been exceeded. Facilities are required to monitor such discharges to evaluate compliance with numerical effluent limits. (See also Part III C, Table 1 and Sector-specific requirements.)

Numeric monitoring for Sectors: C, D, E, K, L, & O must be conducted quarterly during a qualifying storm event as described in Part VI(B)(2). Numeric monitoring for Sectors A, B and J are activity dependent non-stormwater discharges and are outlined in each Sector.

G. Benchmark Monitoring Requirements. Benchmark concentrations are not numeric effluent limitations and exceeding the benchmark is not a permit violation. Benchmark monitoring data is primarily used to determine the

[1] Sector B is only required to conduct numeric monitoring if conducting wet decking operations.

overall effectiveness of stormwater control measures, and to determine when additional corrective action(s) are required. Sectors A, B & N must perform quarterly benchmark monitoring from each outfall (except representative outfalls) that produces a stormwater discharge associated with an industrial activity.

Benchmark monitoring must be conducted during a qualifying storm event as defined in this General Permit. A grab sample must be collected between 60 minutes but not more than 2.25 hours from the time stormwater begins to discharge from an outfall. A grab sample(s) must be collected during daylight and normal operating hours. Department guidance and assistance is available for proper sampling techniques. Results must be summarized and reported in the Facility's SWPPP. Appropriate corrective actions must be initiated according to Part VI(G)(2) below if there is an exceedance.

Benchmark monitoring is not required if the facility is in compliance with and can demonstrate participation in the implementation of a Department Approved Watershed Management Plan. Benchmark Monitoring is not required from any outfalls subject to Impaired Waters sampling and analysis, or Numeric Monitoring for Total Suspended Solids (TSS). Benchmark Monitoring must be resumed if Numeric Monitoring or Impaired Waters sampling is ceased.

1. Collect a minimum of four (4) quarterly samples. The permittee shall calculate the average of each parameter from the quarterly samples to determine an average monitoring value for each parameter. If the average of the four (4) monitoring values of the quarterly samples for any parameter does ***not exceed*** the benchmark, the monitoring requirements are fulfilled for that parameter, for the **permit term**. Samples must be analyzed using procedures consistent with methods listed in 40 CFR Part 136. The use of an alternate method or benchmark parameter may be proposed by the permittee to the Department in writing. The Department will approve or deny the use of alternate methods or parameters on a case-by-case basis.

2. After collecting four (4) quarterly samples, if the average of the four (4) monitoring values of the quarterly samples of any parameter ***exceeds*** the benchmark, the permittee shall review the selection, design, and implementation of control measures and complete a corrective action report. Upon making any necessary modifications, the permittee shall continue quarterly monitoring for any parameter that has exceeded its benchmark four additional quarters.

3. If the average monitoring values of the subsequent quarterly samples of any parameter continues to exceed the benchmark, the permittee shall select, install and implement control measures including BMPs to address the selection and design considerations to meet the benchmark; or

4. Make the determination that no further pollutant reductions are technologically available, economically practicable and achievable in light of best industry practice to meet the technology based effluent limits in which case the permittee shall continue monitoring once per year. The rationale for this determination must be documented in the SWPPP.

H. Monitoring Schedule. Visual monitoring, Coal pile monitoring, Impaired waters monitoring, Numeric monitoring for Sectors: C, D, E, K, L, & O and Benchmark monitoring requirements begin the first full quarter following the date of discharge authorization and must be conducted on a quarterly basis. The permittee shall monitor at least once in each of the following three (3) month intervals listed below. Numeric Monitoring schedules for Sectors A, B (for wet decking operations) and J are outlined in each Sector.

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

For example, if the applicant obtains coverage on May 1, 2011; the first monitoring period is July 1- September 30, 2011.

I. Representative Outfalls. "Representative outfalls" means two or more outfalls within a single drainage area that discharge substantially identical effluents, have like industrial activities and significant materials or practices occurring within the outfalls' designated drainage area. If the facility contains representative outfalls, the permittee may test the effluent of one of the outfalls during a given sampling period provided that subsequent samples are taken from a different outfall within the representative outfalls' drainage area. The permittee will not be required to monitor more than one representative outfall within a designated drainage area per monitoring event. For this to be permissible, the SWPPP must include the permittee's narrative and include the following: locations of the outfalls and associated drainage area; why the outfalls are expected to discharge substantially identical effluents; and, estimates of the size of the drainage area (in square feet) for each outfall(s).

J. Monitoring Exceptions. If limited rainfall or frozen conditions prevent the discharge from an outfall, the permittee is excused from monitoring for that monitoring quarter. The altered schedule must be fully documented in the SWPPP.

K. Adverse Weather Conditions. Adverse weather conditions are those which are dangerous or create inaccessibility for personnel and may include such things as local flooding, high winds, electrical storms, drought, excessive rain, frozen conditions and icing. If adverse weather conditions prevent the collection of samples these conditions must be documented in the SWPPP.

Part VII. SECTOR-SPECIFIC REQUIREMENTS FOR INDUSTRIAL ACTIVITY

A. Sector Specific Requirements. The permittee shall comply with additional requirements of this part. Sector-specific requirements are in addition to the "basic" requirements specified in Parts I-VI and the General Permit Requirements in Part VIII of this General Permit. Sector specific requirements may be found in Appendices A-AD. No Exposure requirements may be found in Appendix AE.

Part VIII. GENERAL REQUIREMENTS

A. Duty to Comply. The permittee shall comply with all conditions of this General Permit. Any non-compliance may constitute a violation of Maine's water quality laws, General Laws, and the federal Clean Water Act and opens up the discharger to penalties under 38 M.R.S.A. § 349, and § 309 of the Clean Water Act and is grounds for enforcement action. Enforcement action may include termination of authorization to discharge under the General Permit, and thus requiring that certain actions be taken in order to continue coverage, denial of permit re-authorization, instituting penalties, or other actions deemed applicable by the Department and other federal and local agencies.

1. The permittee shall comply with effluent standards or prohibitions established under section 307(a) of the Clean Water Act, and 38 M.R.S.A., § 420 or Chapter 530.5 for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the General Permit has not yet been modified to incorporate the requirement.

2. Any person who violates any provision of the laws administered by the Department, including without limitation, a violation of the terms of any order, rule, license, permit, approval or decision of the Board or Commissioner is subject to the penalties set forth in 38 M.R.S.A.§ 349.

B. Continuation of the Expired General Permit. An expired General Permit continues in force and effect until a new General Permit is reissued.

C. Duty to Reapply. If the permittee wishes to continue an activity regulated by this General Permit after the expiration and reissuance of this General Permit, the permittee shall apply for and obtain coverage under a new permit.

D. Other applicable conditions. The conditions in 06-096 CMR 523(2) also apply to discharges pursuant to this General Permit and are incorporated herein as if fully set forth. These conditions address areas such as: duty to comply; need to reduce or halt activity not a defense; duty to mitigate; permit actions; property rights; duty to provide information; and, inspection and entry.

E. Signatory Requirements. All Notices of Intent, SWPPPs, reports, certifications or information either submitted to the Department, or that this

General Permit requires to be maintained by the permittee, shall be signed and certified in accordance with 06-096 CMR 521(5).

F. Oil and Hazardous Substance Liability. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the CWA. 38 M.R.S.A. § 543, 550, and 1318-B.

G. Release in Excess of Reportable Quantities. If a release in excess of reportable quantities occurs, the permittee shall notify the Department immediately. This permit does not relieve the permittee of the reporting requirements of 40 CFR 117, 40 CFR 302 and 38 M.R.S.A. § 543, 550 and 1318-B. The discharge of hazardous substances in the stormwater discharge(s) from a facility shall be minimized in accordance with the applicable SWPPP for the facility, and in no case, during any 24-hour period, shall the discharge(s) contain a hazardous substance equal to or in excess of reportable quantities.

H. Severability. The conditions of this General Permit are severable, and if any provision of this General Permit, or the application of any provision of this General Permit to any circumstance, is held invalid, the application of such provision to other circumstances and the remainder of this General Permit shall not be affected thereby.

I. Transfer of Permit. This General Permit is not transferable to any person.

J. State Laws. Nothing in this General Permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable Maine State law.

K. Proper Operations and Maintenance. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this General Permit and with the requirements of the SWPPP. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the operations of backup or auxiliary facilities or similar systems, installed by a permittee only when necessary to achieve compliance with the conditions of the General Permit.

L. Monitoring and Records.

1. Samples and measurements taken for the purpose of monitoring shall be representative of the volume and nature of the discharge over the sampling and reporting period.

2. The permittee shall retain records of all monitoring information including all calibration, maintenance records and all original strip chart recordings from continuous monitoring instrumentation, copies of all reports required by this General Permit, and records of all data used to complete the NOI for this General Permit, for a period of at least three (3) years from the date that the facility's coverage under this General Permit expires or is terminated. This retention period may be extended by request of the Department at any time.

3. Records of monitoring information shall include:

   a. The date, exact place, and time of sampling or measurements;
   b. The individual(s) who performed the sampling or measurements;
   c. The date(s) analyses were performed;
   d. The individual(s) who performed the analyses;
   e. The analytical techniques or methods used; and,
   f. The results of such analyses.

4. Monitoring must be conducted according to test procedures approved under 40 CFR 136 and applicable Maine regulations, unless other test procedures have been specified in this General Permit.

M. Bypass of Stormwater Control Facilities. Bypass means the intentional diversion of stormwater from any portion of the stormwater collection and treatment system. The permittee may allow any bypass to occur which does not cause effluent benchmark or numeric limitations (as noted by Sector) to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the notice provisions below.

1. Anticipated Bypass. If the permittee knows in advance of the need for a bypass which may exceed benchmark or numeric limitations, he or she shall notify this Department in writing at least ten days prior to the date of the bypass. Such notice shall include the anticipated quantity and the anticipated effect of the bypass.

2. Unanticipated Bypass. Unanticipated bypass of stormwater control structures is prohibited unless one of the conditions in Part VIII(M)(3) of this section is met. The permittee shall submit notice of an unanticipated bypass. Any information regarding the unanticipated bypass shall be provided orally within 24 hours from the time the permittee became aware of the circumstances. A written submission shall also be provided within five (5) days of the time the permittee became aware of the bypass. The written submission shall contain a description of the bypass and its cause; the period of the bypass, including exact dates and times, and if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate and prevent reoccurrence of the bypass.

3. Prohibition of Bypass. Bypass is prohibited and enforcement action against the permittee may be taken for the bypass unless:

   a. The bypass was unavoidable to prevent loss of life, personal injury or severe property damage; and

   b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated waste, or maintenance during normal periods of equipment downtime. This condition is not satisfied if the permittee should, in the exercise of reasonable engineering judgment, have installed adequate backup equipment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance.

   c. The Department may approve an anticipated by-pass after considering its adverse effects, if the Department determines that proper notification was made as determined in paragraph VIII(M)(1), and it will meet the two conditions of paragraph VIII(M)(3) above.[2]

N. Upset Conditions.

1. Definition. Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

2. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based effluent limitations if the requirements of Part VIII(N)(3) of this General Permit are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

3. Conditions necessary for a demonstration of upset. A permittee whom wishes to establish an affirmative defense of an upset shall demonstrate, through properly signed, current operating logs, or other relevant evidence, that:

   a. An upset occurred and the permittee can identify the specific cause(s) of the upset;
   b. The permitted facility was at the time being properly operated; and
   c. The permittee submitted notice of the upset within 24 hours;[3]

[2] See 06-096 CMR 523(2)(m)

[3] See 06-096 CMR 523(2)(n)

d. The permittee complied with any remedial measures required[4].

4. The permittee must provide the burden of proof during enforcement proceedings involving occurrence of an upset.

O. Inspection and Entry. Employees and agents of the Department may enter any property at reasonable hours in order to determine compliance.

P. Reopener. This General Permit may be modified or reopened as provided in 38 M.R.S.A. § 414-A (5).

Q. Requiring an Individual Permit or an Alternative General Permit.

1. The Department may require any owner(s) or operator(s) authorized to discharge stormwater under this General Permit to apply for and obtain either an individual MEPDES permit or an alternative general permit. Any interested person may petition the Department to take action under this paragraph.

2. Any owner(s) or operator(s) authorized to discharge stormwater by this General Permit may request to be excluded from coverage of this General Permit by applying for an individual permit. The request may be granted by issuance of an individual permit.

3. If a facility requests or is required to obtain coverage under an individual permit, then authorization to discharge stormwater under this General Permit shall automatically be terminated on the date of issuance of the individual permit. Until such time as an alternative permit is issued, the existing General Permit remains fully in force.

R. Availability of Reports. Except for data determined to be confidential under Part VIII(S) below, all reports prepared in accordance with the terms of this General Permit shall be available for public inspection at the DEP at 28 Tyson Drive, Augusta Maine. As required by the CWA, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in penalties including the possibility of fine and imprisonment.

S. Confidentiality of Information. Any information submitted to the Department pursuant to these regulations may be claimed as confidential by the submittee. Any such claim must be asserted at the time of the submission in the manner prescribed on the application form or instructions or, in the case of other submissions, by stamping the words "confidential business information" on each page containing such information. If no claim is made at the time of submission, the Department may make the information available to the public without further notice.

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[4] Ibid

A claim of confidentiality will be denied unless the Department determines that the information may be withheld in accordance with 38 M.RS.A. 414 (6), Confidentiality of records, and 38 M.R.S.A. 401 et. seq., Freedom of Access.

T. Right to Appeal. All final license or permit decisions made by the commissioner may be appealed to the Board of Environmental Protection pursuant to Title 38, § 341-D (4) or a judicial appeal may be filed.

U. Notice Required. Prior to discharging under the terms of a General Permit, a person shall file with the Department an initial Notice of Intent (NOI) for coverage on a form provided by the Department for the specific discharge category. A check for the appropriate fee amount must accompany each NOI in order for the application for coverage under the General Permit to be considered complete.

V. Effective Date of Coverage. The Department must notify an applicant for coverage under this General Permit within 30 days of receipt of each complete NOI as to whether or not coverage for the specific discharge is accepted. If the Department does not notify the applicant within 30 days, the NOI is deemed to be accepted and coverage is granted. In the event coverage is not granted, the Department shall notify the applicant of the reasons for not granting coverage. Discharges not acceptable for General Permit coverage may apply for issuance of an individual discharge permit.

W. Continuing Coverage. Coverage under an existing General Permit will be continued upon payment of an applicable annual fee, provided there are no changes in the discharge as described in the NOI. If changes occur or are proposed, the person having filed the NOI shall notify the Department, as specified in the General Permit. Persons wishing to continue coverage are required to so notify the Department.

X. Transfers of Ownership. This General Permit is not transferable. In the event that the ownership of a facility or discharge is transferred to a new owner(s) or operator(s), coverage under this General Permit may be obtained by the new owner by filing a new Notice of Intent form with the Department. The former owner shall also file a Notice of Termination.

Y. General Restrictions. A discharge covered by a General Permit may not:

1. Contain any pollutant, including toxic substances, in quantities or concentrations which may cause or contribute to any adverse impact on the receiving water;
2. Be to a receiving water which is not meeting its classification standard for any characteristic which may be affected by the discharge; or,
3. Impart color, taste, turbidity, radioactivity, settleable materials, floating substances, or other properties that cause the receiving water to be unsuitable for the designated uses ascribed to its classification.

Z. Sampling and Test Procedures. Where a General Permit requires sampling and testing of an effluent of other waste stream, all samples and measurements shall be representative of the volume and nature or the activity being monitored. The sampling, preservation, handling and analytical methods used must conform with Standard Methods for the Examination of Water and Waste Water, American Public Health Association, Washington D.C., latest approved edition or methods referenced in 40 CFR Part 136. However, different but equivalent methods are allowable if they receive prior written approval from the Department.

AA. Monitoring Requirements. The Department may require additional monitoring of an individual discharge as may be reasonably necessary in order to characterize the nature, volume or other attributes of that discharge or its sources.

AB. Removed Substances. Solids, sludges, filter backwash or other pollutants removed or resulting from the treatment of wastewaters must be disposed of in a manner approved by the Department.

Part IX. DEFINITIONS

The following terms have the following meanings as used in this General Permit. These definitions are intended to be consistent with the definitions at 38 MRSA §§ 361-A and 466, 06-096 CMR 520 and 521(9)(b), and 40 CFR §§ 122.2 and 122.26(b).

A Anticipated Bypass. "Anticipated Bypass" means a bypass of stormwater control structure(s) including operational or structural best management practice(s), which is planned or scheduled due to maintenance, repair or other known reason. Provisions must be developed to protect the receiving water from pollutants during an anticipated bypass of a stormwater control.

B Best Available Technology (BAT). "Best Available Technology" or "BAT" means the technology-based standard established by the Clean Water Act as the most appropriate means available on a national basis for controlling the direct discharge of toxic and nonconventional pollutants. In general, BAT effluent limitations guidelines represent the best existing performance of treatment technologies that are economically achievable.

C Best Control Technology (BCT). "Best Control Technology" or "BCT" means a technology-based standard established by EPA for the discharge from existing conventional pollutants including Biological Oxygen Demand (BOD), Total Suspended Solids (TSS), fecal coliform, pH, oil and grease. The BCT is established in light of a two-part "cost reasonableness" test which compares the cost for an industry to reduce its pollutant discharge with the cost to treat for similar levels of reduction of a pollutant loading. The second test examines the cost-effectiveness of additional industrial treatment beyond

BPT. EPA must find limits which are reasonable under both tests before establishing them as BCT.

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

E Best Practicable Control Technology (BPT). "Best Practicable Control Technology" or "BPT" means the first level of technology-based standards established by the Clean Water Act to control the discharge of pollutants. BPT effluent limitation guidelines are generally based on the average of best existing performance by plants within an industrial category or subcategory.

F Control Measure. "Control Measure" means BMP or other method (including effluent limitations) used to prevent or reduce the discharge of pollutants to waters of the States.

G Department. "Department" means the State of Maine Department of Environmental Protection.

H Department Approved Watershed Management Plan. "Department Approved Watershed Management Plan" means, for the purpose of this General Permit, the implementation of a Plan approved by the Department that has a means of funding that is in effect to meet all of the following requirements:

1. The Management Plan must adequately assess the watershed for pollutants and activities contributing to the waterbody's impairment.
2. The causes found to be contributing to the water quality impairment must be adequately addressed via structural or operational Best Management Practices in the watershed. The Management Plan will be reviewed by Department staff to determine the ability of the Management Plan to improve water quality based on the known pollutants and causes of impairment and for compliance with any approved TMDLs.
3. The Plan must include a schedule of implementation and a monitoring component to assess the progress of the watershed in attaining the goals of the Management Plan.

The Long Creek Watershed Management Plan in the municipalities of South Portland, Portland, Westbrook and Scarborough is a Department Approved Watershed Management Plan.

I Discharge. "Discharge" means any spilling, leaking, pumping, pouring, emptying, disposing or other addition of any pollutant to waters of the State.

J Facility. "Facility" means a location where stormwater discharges associated with industrial activity occur including but not limited to, buildings, storage areas, travel ways and processing areas.

K Facility Associated with Industrial Activity. "Facility Associated with Industrial Activity" means the point source discharge which is directly related to manufacturing, processing, or raw material storage areas described in Appendices A-AD. This includes, but is not limited to, stormwater discharges associated with industrial activity.

L Infiltration. "Infiltration" means any process specifically used to meet all or part of the stormwater standards of this General Permit by actively directing all or part of the stormwater into the soil. Infiltration is the process by which runoff percolates through the unsaturated overburden and fractured bedrock to the water table. For this General Permit, infiltration does not include:

1. Incidental wetting of soil in ditches, detention basins or the equivalent;
2. Wetting of underdrained basins, dry swales, or similar filtration systems; or
3. Wetting buffers meeting department requirements for stormwater control.

M Impaired Waters. "Impaired Waters" means for the purposes of this General Permit, any water body listed on the 303d list of Maine's Integrated Water Quality Monitoring and Assessment Report.

N Municipal Separate Storm Sewer System ("MS4"). "Municipal Separate Storm Sewer System" or "MS4" means conveyances for stormwater, including, but not limited to, roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, human-made channels or storm drains (other than publicly owned treatment works and combined sewers) owned or operated by any municipality, sewer or sewage district, Maine Department of Transportation, Maine Turnpike Authority, State agency or Federal agency or other public entity that discharges directly to waters of the State other than groundwater.

O No Exposure. "No Exposure" means that industrial activities are protected by a storm resistant shelter to prevent exposure to stormwater including rain, snow, snowmelt, run-on and runoff.

P Non-Numeric Technology Based Effluent Limitations. "Non-Numeric Technology Based Effluent Limits" means Best Management Practices approved and required by the Department that are designed and installed according to Best Practical Technology and Best Available Technology. This technology limits or eliminates pollutants generated on-site by industrial activities from coming into contact with waters of the State. Non-Numeric Technology Based Effluent limits are assigned by industrial activity and are described in the appropriate Sector specific Appendix.

Q Notice of Intent ("NOI"). "Notice of Intent" or "NOI" means a notification of intent to seek coverage under this General Permit made by the applicant to the Department on a form provided by the Department.

R Notice of Termination ("NOT"). "Notice of Termination" or "NOT" means a notification to end coverage under this General Permit on a form provided by the Department.

S Outfall. "Outfall" means any direct discharge of stormwater from an area of industrial activity to waters of the State or to a MS4.

T Owner or Operator. "Owner or Operator" means the owner or operator of any "facility or activity" subject to regulation under the NPDES program. In the case of a publicly owned facility or activity, the owner shall be included as a licensee in any permit issued under the State NPDES program.

U Permittee. "Permittee" means the person that is covered under this General Permit for discharge of stormwater associated with industrial activity.

V Person. "Person" means an individual, firm, corporation, municipality, quasi-municipal corporation, (such as a watershed district), state agency, federal agency or other legal entity.

W Point Source. "Point Source" or "direct discharge" means a discharge from any discrete, confined or discernible conveyance, including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel, or other floating craft from which pollutants are or may be discharged. This does not include discharges to buffers designed and maintained in accordance with Chapter 500 Appendix F.

X Qualifying Storm Event. "Qualifying Storm Event" means a storm event that is either precipitation, ice or snow melt that produces a measureable discharge at an outfall that occurs at least 72 hours from a previous measureable storm event.

Y Stormwater. "Stormwater" means precipitation including runoff from rain, snow melt or ice melt that flows across the surface as sheet flow, shallow concentrated flow or in drainage ways. "Stormwater" means the same as Storm Water.

Z Stormwater Discharge Associated with Industrial Activity. "Stormwater Discharge Associated with Industrial Activity" means the discharge from any conveyance which is used for collecting and conveying stormwater and which is directly related to manufacturing, processing or raw materials storage areas at an industrial plant or facility. The term does not include discharges from facilities or activities excluded from the MEPDES program under 38 MRSA 413. For the categories of industries identified in Table 2 and Appendices A –

AD, the term includes, but is not limited to, point sources stormwater discharges from the following areas: industrial plant yards; immediate access roads and rail lines used or travelled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process waste waters (as defined at Chapter 525); sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials, and intermediate and finished products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to storm water.

AA Surface Water. "Surface Water" means for purposes of this General Permit, any river, stream, brook, freshwater wetland, coastal wetland, lake, pond or ocean including the marginal and high seas.

BB Unanticipated Bypass. "Unanticipated Bypass" means for purposes of this General Permit, an unanticipated bypass of stormwater discharge from the site that was originally intended to go through a structural control device to remove pollutants associated with an industrial activity from that stormwater discharge. An unanticipated bypass may include the over topping or complete bypass of a stormwater pond or structural stormwater collection system. All unanticipated bypasses must be reported to the Department according to Part VIII(M)(2) of the General Permit.

Table 2. Sectors of Industrial Activity Covered By this General Permit	
SIC Code or Activity Code	**Activity Represented**
SECTOR A: TIMBER PRODUCTS	
2411	Log Storage and Handling (Wet deck storage areas only authorized if no chemical additives are used in the spray water or applied to the logs)
2421	General Sawmills and Planning Mills
2426	Hardwood Dimension and Flooring Mills
2429	Special Product Sawmills, Not Elsewhere Classified
2431-2439 (except 2434)	Millwork, Veneer, Plywood, and Structural Wood (see Sector W)
2448, 2449	Wood Containers
2451, 2452	Wood Buildings and Mobile Homes
2491	Wood Preserving
2493	Reconstituted Wood Products
2499	Wood Products, Not Elsewhere Classified
SECTOR B: PAPER AND ALLIED PRODUCTS	
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
SECTOR C: CHEMICAL AND ALLIED PRODUCTS	
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	Complete list can be found in Sector C specific requirements
SECTOR D: ASPHALT PAVING AND ROOFING MATERIALS AND LUBRICANTS	
2951,2952	Asphalt Paving and Roofing Materials
2992,2999	Miscellaneous Products of Petroleum and Coal
SECTOR E: GLASS, CEMENT, CLAY, CONCRETE, STONE,AND GYPSUM PRODUCTS	
3211	Flat Glass

Table 2. Sectors of Industrial Activity Covered By this General Permit	
SIC Code or Activity Code	**Activity Represented**
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
3281	Cut Stone and Cut Stone Products
3291-3299	Abrasive, Asbestos, and Miscellaneous Nonmetallic Mineral Products
SECTOR F: PRIMARY METALS	
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
3363-3369	Nonferrous Foundries (Castings)
3398,3399	Miscellaneous Primary Metal Products
SECTOR G: METAL MINING (ORE MINING AND DRESSING)	
1011	Iron Ores
1021	Copper Ores
1031	Lead and Zinc Ores
1041,1044	Gold and Silver Ores
1061	Ferroalloy Ores, Except Vanadium
1081	Metal Mining Services
1094,1099	Miscellaneous Metal Ores
SECTOR H: COAL MINES AND COAL MINING RELATED FACILITIES	
1221-1241	Coal Mines and Coal Mining-Related Facilities
SECTOR I: OIL AND GAS EXTRACTION AND REFINING	
1311	Crude Petroleum and Natural Gas
1321	Natural Gas Liquids
1381-1389	Oil and Gas Field Services
2911	Petroleum Refineries
SECTOR J: MINERAL MINING AND DRESSING	
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

Table 2. Sectors of Industrial Activity Covered By this General Permit	
SIC Code or Activity Code	**Activity Represented**
SECTOR K: HAZARDOUS WASTE TREATMENT, STORAGE, OR DISPOSAL FACILITIES	
HZ	Hazardous Waste Treatment Storage or Disposal
SECTOR L: LANDFILLS AND LAND APPLICATION SITES	
LF	Landfills, Land Application Sites , and Open Dumps
SECTOR M: AUTOMOBILE SALVAGE YARDS	
5015	Automobile Salvage Yards
SECTOR N: SCRAP RECYCLING FACILITIES	
5093	Scrap Recycling Facilities
SECTOR O: STEAM ELECTRIC GENERATING FACILITIES	
SE	Steam Electric Generating Facilities
SECTOR P: LAND TRANSPORTATION AND WAREHOUSING	
4011,4013	Railroad Transportation
4111-4173	Local and Highway Passenger Transportation
4212-4231	Motor Freight Transportation and Warehousing
4311	United States Postal Service
5171	Petroleum Bulk Stations and Terminals
SECTOR Q: WATER TRANSPORTATION	
4412-4499	Water Transportation
SECTOR R: SHIP AND BOAT BUILDING OR REPAIRING YARDS	
3731, 3732	Ship and Boat Building or Repairing Yards
SECTOR S: AIR TRANSPORTATION	
4512-4581	Air Transportation Facilities
SECTOR T: TREATMENT WORKS	
TW	Treatment Works
SECTOR U: FOOD AND KINDRED PRODUCTS	
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
SECTOR V: TEXTILE MILLS, APPAREL, AND OTHER FABRIC PRODUCT MANUFACTURING, LEATHER AND LEATHER PRODUCTS	
2211-2299	Textile Mill Products

Table 2. Sectors of Industrial Activity Covered By this General Permit	
SIC Code or Activity Code	**Activity Represented**
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)
SECTOR W: FURNITURE AND FIXTURES	
2434	Wood Kitchen Cabinets
2511-2599	Furniture and Fixtures
SECTOR X: PRINTING AND PUBLISHING	
2711-2796	Printing, Publishing, and Allied Industries
SECTOR Y: RUBBER, MISCELLANEOUS PLASTIC PRODUCTS, AND MISCELLANEOUS MANUFACTURING INDUSTRIES	
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)	Pens, Pencils, and Other Artists' Materials
3961, 3965	Costume Jewelry, Costume Novelties, Buttons, and Miscellaneous Notions, Except Precious Metal
3991-3999	Miscellaneous Manufacturing Industries
SECTOR Z: LEATHER TANNING AND FINISHING	
3111	Leather Tanning and Finishing
SECTOR AA: FABRICATED METAL PRODUCTS	
3411-3499	Fabricated Metal Products, Except Machinery and Transportation Equipment
3911-3915	Jewelry, Silverware, and Plated Ware
SECTOR AB: TRANSPORTATION EQUIPMENT, INDUSTRIAL OR COMMERCIAL MACHINERY	
3511-3599 (except 3571-3579)	Industrial and Commercial Machinery (except Computer and Office Equipment) (see Sector AC)
3711-3799 (except 3731, 3732)	Transportation Equipment (except Ship and Boat Building and Repairing) (see Sector R)
SECTOR AC: ELECTRONIC, ELECTRICAL, PHOTOGRAPHIC, AND OPTICAL GOODS	
3571-3579	Computer and Office Equipment

Table 2. Sectors of Industrial Activity Covered By this General Permit

SIC Code or Activity Code	Activity Represented
3612-3699	Electronic, Electrical Equipment and Components, except Computer Equipment
3812	Measuring, Analyzing and Controlling Instrument; Photographic and Optical Goods

SECTOR AD: STORMWATER DISCHARGES DESIGNATED BY THE DEPARTMENT

The Sector AD is used to provide permit coverage for facilities designated by the Department as needing a stormwater permit, and any discharges of stormwater associated with industrial activity that do not meet the description of an industrial activity covered by Sectors A-AC.

Eligibility for Permit Coverage. Because this Sector is primarily intended for use by discharges designated by the Department as needing a stormwater permit (which is an atypical circumstance), and the facility may or may not normally be discharging stormwater associated with industrial activity, you must obtain the Department's written permission to use this permit prior to submitting an NOI. If you are authorized to use this permit, you will still be required to ensure that your discharges meet the basic eligibility provisions of this General Permit.

A complete list of SIC codes can be obtained from the internet at http://www.osha.gov/pls/imis/sic_manual.html or in paper from various locations in the document titled: "Handbook of Standard industrial Classifications", Office of Management and Budget, 1987.

Appendix A

Sector A - Timber Products

A. Covered Stormwater Discharges. The requirements for Sector A apply to stormwater discharges associated with Timber Products facilities as identified by the SIC Codes specified below.

SECTOR A: TIMBER PRODUCTS	
2411	Log Storage and Handling (Wet deck storage areas only authorized if no chemical additives are used in the spray water or applied to 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. Limitations on Coverage. This General Permit does not authorize stormwater discharges from material or storage areas where there may be contact with sprayed chemical formulations to provide wood surface protection. These discharges must be covered by a separate MEPDES permit.

C. Authorized Non-Stormwater Discharges. This permit authorizes the intentional wetting of logs at wet deck storage areas where no chemical additives are used in the spray down waters and no chemicals are applied to the wood prior to or during storage. The non-stormwater component of the discharge must be compliant with Part V(D)(8) of the General Permit and numeric effluent limitations for this Sector.

D. Additional SWPPP Requirements and Non-Numeric Technology Based Effluent Limits.

1. Site Map. (See also Part V(D)(3).) The permittee shall identify areas where any of the following may be exposed to stormwater: processing areas; equipment used for chemical treatment and chemical storage areas; treated wood and residue storage areas; wet decking areas; dry decking areas; untreated wood and residue storage areas.

2. Potential Pollutant Sources and Exposed Materials. (See also Part V(D)(4).) If the facility has used chlorophenolic, creosote or chromium-copper-arsenic formulations for wood surface protection or preserving, the following must also be identified in the SWPPP: areas where contaminated soils, treatment equipment and stored materials are located, and the BMPs identified and implemented to minimize the contact of these areas and materials with stormwater.

3. Stormwater Management Controls. (See also Part V(D)(8) and (9).) The permittee shall describe and implement measures to address the following activities or pollutant sources from: log, lumber and wood product storage areas; residue storage areas; loading and unloading areas; material handling areas; chemical storage areas; wood surface preservation and, equipment or vehicle maintenance, storage and repair areas.

4. Monthly Inspections. (See also Part V (I)(1-3).) If the facility performs wood surface protection or preservation activities, the permittee shall inspect all processing areas, transport areas and treated wood storage areas on a monthly basis to assess the effectiveness of practices implemented to minimize the accumulation of treatment chemicals in soils and stormwater discharges.

5. Good Housekeeping. Good housekeeping includes removal of yard debris and accumulated wood waste and sediments to limit the discharge of woody debris, minimize leachate generated from decaying wood materials and minimize the generation of dust from log storage and handling areas, including all wet decking areas. This must be performed twice per calendar year unless the facility has an approved log yard maintenance plan. When there is an exceedance of the benchmark for TSS as noted in Part E(1) of this Appendix, from an outfall that drains any log storage or handling area, removal of yard debris must be completed within twelve (12) weeks of the exceedance unless otherwise authorized by the Department. The entire storage and handling area ***does not*** need to be cleaned of accumulated material at one time, provided housekeeping procedures are adequate to meet benchmark values. Yard waste must be handled and disposed of in accordance with the Maine Solid Waste Management Rules. The permittee shall document a schedule of the implemented good housekeeping measures at the facility.

6. Material Containment. Use containment devices to prevent the tracking, blowing or drifting of sawdust, bark or wood chips to surface waters. Containment devices may include but are not limited to, wooden, concrete or metal barriers or structures to prevent tracking, blowing or drifting of material. Chipping and shredding activities should be performed in a designated, screened area designed to prevent tracking, blowing or drifting of the wood products to surface waters. Screening may consist of netting, fencing, or other containment device used to capture wind blown particles associated with the chipping or shredding activity. If stormwater associated with the material containment area(s) drains to a waste treatment or process sewer system, only screening to prevent tracking, blowing or drifting of the material to stormwater conveyances or surface waters must be utilized.

7. Water Usage Plan. Facilities conducting log watering activities must develop and implement a water usage plan which minimizes the amount of water utilized in the wet decking process. This plan must outline routine inspections and maintenance of BMPs and control measures. Water discharged from the wet decking process must be contained to the maximum extent practicable using the

best practicable and best available technology (BPT/BAT). This must be included in the facility's SWPPP.

E. Monitoring and Reporting Requirements. (See also Part VI.)

1. Benchmark Monitoring Requirements. These Benchmark parameters apply to primary and secondary industrial activities, as well as any multiple sector specific industrial activity. Quarterly samples must be collected as described in Part VI of this general permit. Quarterly samples must be collected during a qualifying storm event. The permittee shall collect a grab sample from each outfall (except representative outfalls) that produces a stormwater discharge associated with an industrial activity. The permittee shall conduct benchmark monitoring for:

   a. TSS – 100 mg/L
   b. pH – 6-9 s.u.

   The permittee shall calculate the average of each parameter from the quarterly samples to determine an average monitoring value for each parameter. If the **average** of the four (4) monitoring values of the quarterly samples for any parameter does ***not exceed*** the benchmark, the monitoring requirements are fulfilled for that parameter, **for the permit term**. If the average of the four (4) monitoring values of the quarterly samples of any parameter ***exceeds*** the benchmark, the permittee shall review the selection, design, and implementation of control measures and complete a corrective action report. Upon making any necessary modifications, the permittee shall continue quarterly monitoring for four additional quarters. Additional monitoring or corrective actions may be required by the Department based on a review of benchmark or visual monitoring results.

   Additional monitoring associated with Wood Preserving (SIC 2491). Facilities which perform wood preserving or protection activities must also perform quarterly benchmark monitoring for Arsenic and Copper.

   a. Arsenic – 0.15 mg/L
   b. Copper (hardness dependent)

Water Hardness Range	Copper (mg/L)
0-25 mg/L	.0038
26-50 mg/L	.0056
51-75 mg/L	.0090
76-100 mg/L	.0123
101-125 mg/L	.0156
126-150 mg/L	.0189
151-175 mg/L	.0221
176-200 mg/L	.0253
201-225 mg/L	.0285
226-250 mg/L	.0316
251+ mg/L	.0332

2. Numeric Monitoring Requirements. The requirements must be performed only during log watering operations. Samples must be collected from the point of discharge from this activity. If the facility has a control measure such as a detention pond or log watering pond that recycles spray water, and the treatment pond does not produce a measurable discharge, no sampling is required. If this activity produces a measurable discharge, the permittee shall collect at least two (2) samples separated by at least 30 days and analyze the samples for pH and woody debris. If the average of the two (2) samples for pH is between 6.0 and 9.0 s.u. monitoring requirements for pH are fulfilled for the permit year. No debris greater than one inch in diameter may be discharged. If the average of the two (2) pH samples exceeds the numeric limit, or if woody debris is discharged, the permittee shall review the selection, design and implementation of control measures, complete a corrective action report and notify the Department within 14 days of the exceedance. Upon making any necessary modifications, the permittee shall collect and analyze two (2) additional samples for any parameter that exceeded the numeric effluent limitation. Additional monitoring may be required.

SECTOR A: TIMBER PRODUCTS- SECTOR SPECIFIC NUMERIC LIMITATIONS			
SIC Code	**Regulated Activity**	**Parameter**	**Numeric Limitation****
2411	Wet Decking Discharges at Log Storage and Handling Facilities	pH Debris (woody material such as bark, twigs, branches, heartwood, or sapwood)	6.0-9.0 s.u. No debris that can pass through a (1”) diameter round opening

3. Visual Monitoring Requirements. Visual monitoring must be conducted quarterly during a qualifying storm event. Collect a grab sample for visual monitoring analysis from each outfall that has an associated industrial activity within the outfall’s drainage area. The outfall(s) must be sampled quarterly unless the facility has representative outfalls.

   Visual monitoring requirements are waived if the facility is in compliance with and can demonstrate participation in the implementation of an established Department Approved Watershed Management Plan; or if the facility is conducting Benchmark, Impaired Waters sampling and analysis, or Numeric Monitoring for Total Suspended Solids (TSS). Visual monitoring is only waived for the outfall(s) associated with Numeric Monitoring. The permittee shall conduct quarterly visual monitoring at outfalls that do not require Numeric Monitoring.

   Visual monitoring must be resumed if Benchmark Monitoring, Numeric Monitoring or Impaired Waters sampling is ceased.

Appendix B

Sector B - Paper and Allied Products Manufacturing.

A. Covered Stormwater Discharges. The requirements for Sector B apply to stormwater discharges associated with Paper and Allied Products Manufacturing facilities as identified by the SIC Codes below.

SECTOR B: PAPER AND ALLIED PRODUCTS	
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. Authorized Non-Stormwater Discharges. This permit authorizes the intentional wetting of logs at wet deck storage areas where no chemical additives are used in the spray down waters and no chemicals are applied to the wood prior to or during storage. The non-stormwater component of the discharge must be compliant with Part V(D)(8) of the General Permit and numeric effluent limitations for this sector.

C. Additional SWPPP Requirements and Non-Numeric Technology Based Effluent Limits.

1. Site Map. (See also Part V(D)(3).) The permittee shall identify areas where any of the following may be exposed to stormwater: processing areas; equipment used for chemical treatment and chemical storage areas; wood and residue storage areas; wet decking areas; dry decking areas.

2. Potential Pollutant Sources and Exposed Materials. (See also Part V(D)(4).) If the facility uses alternative fuel sources e.g., hog fuel or shredded materials these must be identified in the SWPPP. The permittee shall identify and implement BMPs to minimize the contact of these materials with stormwater.

3. Stormwater Management Controls. (See also Part V(D)(8) and (9).) The permittee shall describe and implement measures to address the following activities or pollutant sources from: log and wood product storage areas; residue storage areas; loading and unloading areas; material handling areas; chemical storage areas; fueling and fuel storage areas and, equipment or vehicle maintenance, storage and repair areas.

4. Good Housekeeping. Good housekeeping includes removal of yard debris and accumulated wood waste and sediments to limit the discharge of woody debris, minimize leachate generated from decaying wood materials and minimize the generation of dust from log storage and handling areas, including all wet decking areas. This must be performed twice per calendar year. Unless the facility has an approved log yard maintenance plan. When there is an exceedance of the benchmark for either TSS or COD as noted in Part D(1) of this Appendix, from an outfall that drains any log storage or handling area, removal of yard debris must

be completed within twelve (12) weeks of the exceedance unless otherwise authorized by the Department. The entire storage and handling area ***does not*** need to be cleaned of accumulated material at one time, provided housekeeping procedures are adequate to meet benchmark values. Yard waste must be handled and disposed of in accordance with the Maine Solid Waste Management Rules. The permittee shall document a schedule of the implemented good housekeeping measures at the facility.

5. Material containment. Use containment devices to prevent the tracking, blowing or drifting of sawdust, bark or wood chips to surface waters. Containment devices may include but are not limited to, wooden, concrete or metal barriers or structures to prevent tracking, blowing or drifting of material. Chipping and shredding activities should be performed in a designated, screened area to prevent wind blown tracking of the wood products to surface waters. Screening may consist of netting, fencing, or other screen used to capture windblown particulate matter associated with the chipping or shredding activity. If stormwater associated with the material containment area drains to a waste treatment or process sewer system, only screening to prevent wind blown tracking of the material to surface waters or stormwater conveyance system must be utilized.

6. Water Usage Plan. Facilities conducting log watering activities must develop and implement a water usage plan which minimizes the amount of water utilized in the wet decking process. This plan must outline routine inspections and maintenance of BMPs and control measures. Water discharged from the wet decking process must be contained to the maximum extent practicable using the best practicable and best available technology (BPT/BAT). This must be included in the facility's SWPPP.

D. Monitoring and Reporting Requirements. (See also Part VI.)

1. Benchmark Monitoring Requirements: These benchmark parameters apply to primary and secondary industrial activities, as well as any multiple sector specific industrial activity. Quarterly samples must be collected as described in Part VI of this General Permit during a qualifying storm event. The permittee shall collect a grab sample from each outfall (except representative outfalls) that produces a stormwater discharge associated with an industrial activity except facilities covered under SIC codes 2671-2679. Conduct benchmark monitoring for:

   a. TSS – 100 mg/L or COD – 120 mg/L
   b. pH – 6-9 s.u.

   The permittee shall calculate the average of each parameter from the quarterly samples to determine an average monitoring value for each parameter. If the average of the four (4) monitoring values of the quarterly samples for any parameter does ***not exceed*** the benchmark, the monitoring requirements are fulfilled for that parameter, for the **permit term**. If the average of the four (4) monitoring values of the quarterly samples of any parameter ***exceeds*** the benchmark, the permittee shall review the selection, design, and implementation of control measures and complete a corrective action report. Upon making any

necessary modifications, the permittee shall continue quarterly monitoring for four additional quarters. Additional monitoring or corrective actions may be required by the Department based on a review of Benchmark or Visual Monitoring results.

2. Numeric Monitoring Requirements. The requirements must be performed only during log watering operations. Samples must be collected at the point of discharge from this activity. If the facility has a control measure such as a detention pond or log watering pond that recycles spray water, and the treatment pond does not produce a measurable discharge no sampling is required. If this activity produces a measurable discharge, the permittee shall collect at least two (2) samples separated by at least 30 days and analyze the samples for pH and woody debris. If the average of the two (2) samples for pH is between 6.0-9.0 s.u. monitoring requirements for pH are fulfilled for the permit year. No debris greater than one (1) inch in diameter may be discharged. If the average of the two (2) pH samples exceeds the numeric limit, or if woody debris is discharged the permittee shall review the selection, design and implementation of control measures, complete a corrective action report and notify the Department within 14 days of the exceedance. Upon making any necessary modifications, the permittee shall collect and analyze two (2) additional samples for any parameter that exceeded the numeric effluent limitation. Additional monitoring may be required.

SECTOR B: Paper and Allied Products Manufacturing **SECTOR SPECIFIC NUMERIC LIMITATIONS**		
Regulated Activity	**Parameter**	**Numeric Limitation**
Wet Decking Discharges at Log Storage and Handling Locations	pH Debris (woody material such as bark, twigs, branches, heartwood, or sapwood)	6.0 - 9.0 s.u. No debris that can pass through a (1”) diameter round opening

3. Visual Monitoring Requirements. (See also VI.) Visual monitoring must be conducted quarterly during a qualifying storm event. Collect a grab sample for visual monitoring analysis from each outfall that has an associated industrial activity within the outfall’s drainage area. The outfall(s) must be sampled quarterly unless the facility has representative outfalls.

   Visual monitoring requirements are waived if the facility is in compliance with and can demonstrate participation in the implementation of an established Department Approved Watershed Management Plan; or if the facility is conducting Benchmark, Impaired Waters sampling and analysis, or Numeric Monitoring for Total Suspended Solids (TSS). Visual monitoring is only waived for the outfall(s) associated with Numeric Monitoring. The permittee shall conduct quarterly Visual Monitoring at outfalls that do not require Numeric Monitoring.

   Visual monitoring must be resumed if Numeric Monitoring or Impaired Waters sampling is ceased.

Appendix C

Sector C - Chemical and Allied Products Manufacturing.

A. Covered Stormwater Discharges. The requirements for Sector C apply to stormwater discharges associated with Chemical and Allied Products Manufacturing facilities as identified by the SIC Codes specified below.

SECTOR C: CHEMICAL AND ALLIED PRODUCTS	
2812-2819	Industrial Inorganic Chemicals
2821-2824	Plastic 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. Limitations on Coverage. This General Permit does not authorize: non-stormwater discharges containing inks, paints or substances (hazardous, nonhazardous, etc.) resulting from an onsite spill, including materials collected in drip pans; washwater from material handling and processing areas; and washwater from drum, tank or container rinsing and cleaning processes.

C. Additional SWPPP Requirements and Non-Numeric Technology Based Effluent Limits.

1. Site Map. (See also Part V(D)(3).) Identify where any of the following may be exposed to stormwater: processing and storage areas; access roads, railcars and tracks; areas where substances are transferred in bulk; and operating machinery.

2. Potential Pollutant Sources and Exposed Materials. (See also Part V(D)(4).) Describe the following sources and activities that have potential pollutants associated with them: loading, unloading and transfer of chemicals; outdoor storage of salt, pallets, coal, drums, containers, fuels, fueling stations; vehicle and equipment maintenance or cleaning areas; areas where the treatment, storage or disposal (on or off-site) of waste or wastewater occur; storage tanks and other containers; processing and storage areas; access roads, railcars and tracks; areas where the transfer of substances in bulk occurs; and areas where machinery operates.

3. Inspections. (See also Part V(I).) As part of the facility maintenance program, the following areas must be inspected and documented monthly: material storage and handling areas; liquid storage tanks; hoppers or silos; vehicle and equipment maintenance; cleaning and fueling areas; material handling vehicles; and, equipment and processing areas.

4. Good Housekeeping. (See also Part V(D)(9)(a).) Perform good housekeeping including supervised loading, unloading and transfer of bulk chemicals and inspections for spills and leaks; routinely inspect the condition of all drums, tanks and containers for potential leaks. The permittee shall prevent the exposure of fine granular solids to stormwater, by storing these materials in a covered structure such as silos, hoppers or buildings. The SWPPP must document a schedule of the implemented good housekeeping measures at the facility SWPPP.

5. Material containment. Any outside material storage piles must be contained by structural means and include daily pile maintenance. Containment may include wooden, concrete or metal barriers to prevent tracking and drifting of material.

D. Monitoring and Reporting Requirements. (See also Part VI.)

1. Numeric Effluent Monitoring. The permittee shall collect at least two (2) quarterly samples and analyze the sample for total phosphorus and fluoride. If the average of the two (2) samples for either parameter does not exceed the effluent limitation the monitoring requirements are fulfilled for that parameter for the permit year. If the average of the two (2) samples exceeds the effluent limitation for either parameter the permittee shall review the selection, design and implementation of control measures, complete a corrective action report and notify the Department within 14 days of receiving the monitoring results. Upon making any necessary modifications, the permittee shall collect and analyze two additional samples for the parameter that exceeded the effluent limitation. Additional monitoring may be required.

   If the values of the first three years of numeric effluent limit monitoring does not exceed the numeric limitation for any parameter, numeric monitoring may be reduced to once a year for the remainder of the permit term.

SECTOR C: CHEMICAL AND ALLIED PRODUCTS- SECTOR SPECIFIC NUMERIC LIMITATIONS			
SIC Code	**Regulated Activity**	**Parameter**	**Numeric Limitation**
2874	Stormwater from Phosphate fertilizer Manufacturing facilities that during manufacturing or processing, comes into contact with any raw materials, intermediate products, finished product, by-product or waste product	Total Phosphorus (as P) Fluoride	105.0 mg/L, daily max 35 mg/L, 30-day avg. 75.0 mg/L, daily max 25.0 mg/L, 30-day avg.

2. Visual monitoring Requirements. (See also VI(C).) Visual monitoring must be conducted quarterly during a qualifying storm event. Collect a grab sample for

visual monitoring analysis from each outfall that has an industrial activity within the outfall's drainage area. The outfall(s) must be sampled quarterly unless the facility has representative outfalls.

Visual monitoring requirements are waived if the facility is in compliance with and can demonstrate participation in the implementation of an established Department Approved Watershed Management Plan; or if the facility is conducting Benchmark, Impaired Waters sampling and analysis, or Numeric Monitoring for Total Suspended Solids (TSS). Visual monitoring is only waived for the outfall(s) associated with Numeric Monitoring. The permittee shall conduct quarterly Visual Monitoring at outfalls that do not require Numeric Monitoring.

Visual monitoring must be resumed if Numeric Monitoring or Impaired Waters sampling is ceased.

Appendix D

Sector D - Asphalt Paving and Roofing Materials and Lubricant Manufacturers.

A. Covered Stormwater Discharges. The requirements for Sector D apply to stormwater discharges associated with Asphalt Paving and Roofing Materials and Lubricant Manufacturers facilities as identified by the SIC Codes specified below.

SECTOR D: ASPHALT PAVING AND ROOFING MATERIALS AND LUBRICANTS	
2951, 2952	Asphalt Paving and Roofing Materials
2992, 2999	Miscellaneous Products of Petroleum and Coal

B. Limitations on Coverage. This General Permit does not authorize discharges associated with fats and oils rendering; discharges from oil recycling facilities; discharges associated with detergents, petroleum or non-petroleum products applied to dump bodies to prevent asphalt from sticking; and vehicle wash water.

C. Additional SWPPP Requirements and Non-Numeric Technology Based Effluent Limits.

1. Inspections. (See also Part V(I).) Inspect the following areas monthly: material storage and handling areas; liquid storage tanks and associated valves including secondary containment structures; hoppers or silos; vehicle and equipment maintenance; cleaning and fueling areas; material handling vehicles; and, equipment and processing areas. Ensure that vehicle and equipment wash water does not come in contact with surface water. Appropriate actions must be taken as a response to inspections and follow up procedures must be documented in the SWPPP.

2. Good Housekeeping. Perform frequent inspection and management of all material storage piles. This includes removal and sweeping of accumulated or spilled materials, and removal of accumulated gravel or other material in travel ways and stormwater conveyances. The SWPPP must document a schedule of the implemented good housekeeping measures at the facility.

3. Material Containment. Aggregate and other storage piles must be contained by structural means or by daily pile maintenance. Containment may include wooden, concrete or metal barriers to prevent tracking or drifting of material.

D. Numeric Monitoring Requirements. Only discharges from areas where asphalt paving and roofing emulsions are produced are subject to numeric monitoring requirements. (See Also Part VI.) The permittee shall collect at least two (2) quarterly samples and analyze the sample for TSS, oil and grease and pH. If the **average** of the two (2) samples for any parameter does not exceed the numeric effluent limitation, the monitoring requirements are fulfilled for those parameters for the permit year. If the average of the two (2) samples exceeds the effluent limitation for any parameter the permittee shall review the selection, design and implementation

of control measures, complete a corrective action report and notify the Department within 14 days of receiving the monitoring results. Upon making any necessary modifications, the permittee shall collect and analyze two additional samples for any parameter that exceeded the effluent limitation*. Additional monitoring may be required. *Example: If a facility collects two quarterly samples for numeric monitoring and analyzes each sample for TSS, Oil and Grease, and pH and the average of the two samples for TSS and pH meets the numeric limit, and Oil and Grease exceeds the numeric limit subsequent numeric monitoring must only be conducted for Oil and Grease.

If the values of the first three years of numeric effluent limit monitoring does not exceed the numeric limitation for any parameter, numeric monitoring may be reduced to once a year for the remainder of the permit term.

SECTOR D: ASPHALT PAVING AND ROOFING MATERIALS AND LUBRICANTS-SECTOR SPECIFIC NUMERIC LIMITATIONS			
SIC Code	**Regulated Activity**	**Parameter**	**Numeric Limitation**
2951, 2952	Discharges from areas where production of asphalt paving and roofing emulsions occurs	TSS	100.0 mg/L daily max
		Oil and Grease	15.0 mg/L daily max
		pH	6.0-9.0 s.u.

E. Visual Monitoring Requirements. (See also Part VI.) Visual monitoring must be conducted quarterly during a qualifying storm event. Collect a grab sample for visual monitoring analysis from each outfall that has an associated industrial activity within the outfall's drainage area. The outfall(s) must be sampled quarterly unless the facility has representative outfalls.

Visual monitoring requirements are waived if the facility is in compliance with and can demonstrate participation in the implementation of an established Department Approved Watershed Management Plan; or if the facility is conducting Benchmark, Impaired Waters sampling and analysis, or Numeric Monitoring for Total Suspended Solids (TSS). Visual monitoring is only waived for the outfall(s) associated with Numeric Monitoring. The permittee shall conduct quarterly visual monitoring at outfalls that do not require Numeric Monitoring.

Visual monitoring must be resumed if Numeric Monitoring or Impaired Waters sampling is ceased.

Appendix E

Sector E - Stone, Glass, Clay, Cement, Concrete, and Gypsum Products

A. Covered Stormwater Discharges. The requirements for Sector E apply to stormwater discharges associated with Glass, Cement, Clay, Concrete, Gypsum, Cut Stone, Abrasive, Asbestos and miscellaneous Products facilities as identified by the SIC Codes specified below.

SECTOR E: GLASS, CLAY, CEMENT, CONCRETE, AND GYPSUM PRODUCTS	
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
3171-3275	Concrete, Gypsum and Plaster Products
3281	Cut Stone and Stone Products
3291-3299	Abrasive, Asbestos, and Miscellaneous Nonmetallic Mineral Products

B. Limitations on Coverage. This General Permit does not authorize discharges associated with equipment or vehicle wash-out and wash water or process water associated with cutting stone.

C. Additional SWPPP Requirements and Non-Numeric Technology Based Effluent Limits.

1. Site Map. (See also Part V(D)(3).) Identify the locations of the following, as applicable: bag house or other dust control device; recycle/sedimentation pond, clarifier or other device used for the treatment of process wastewater; the areas that drain to the treatment device and associated outfall(s).

2. Inspections. (See also Part V(I).) Conduct and document weekly inspections of all active material storage piles, processing equipment and processing areas. Implement measures such as sweeping or removing accumulated or spilled dust, granular solids or gravel from travel ways and stormwater conveyances. Conduct and document monthly inspections for liquid storage tanks; hoppers or silos; vehicle and equipment maintenance; cleaning and fueling areas; material handling vehicles.

3. Good Housekeeping. (See also Part V(D)(9)(a).) Implement measures to prevent or minimize the discharge of spilled cement; aggregate (including sand or gravel); kiln dust; fly ash; settled dust; or other significant materials.

   Non-structural measures. If cement dust, kiln dust, fly ash or settled solids are generated or processed at the facility, the permittee shall sweep product and material storage areas weekly from all paved areas. Where practicable, the permittee shall prevent the exposure or processing of fine granular solids from coming in contact with stormwater, by storing or processing these materials in

covered silos, hoppers, buildings or other control structures. The permittee shall document a schedule of the implemented Good Housekeeping measures at the facility in the SWPPP.

D. Certification. (See also Part V(I)(2)(f) and Part I(E).) Facilities must include a description of measures that ensure that all process waste water resulting from truck washing, mixers, transport buckets, molds or forms, wet saws or other equipment are discharged or recycled in accordance with MEPDES requirements. This information must be stated in the non-stormwater discharge certification.

E. Numeric Monitoring Requirements. Numeric monitoring must be performed only at facilities that manufacture cement. (See Also Part VI.) The permittee shall collect at least two (2) quarterly samples and analyze the sample for TSS, and pH. If the **average** of the two (2) samples for either parameter does not exceed the numeric effluent limitation, the monitoring requirements are fulfilled for those parameters for the permit year. If the average of either of the two (2) samples exceeds the numeric effluent limitation for any parameter the permittee shall review the selection, design and implementation of control measures, complete a corrective action report and notify the Department within 14 days of receiving the monitoring results. Upon making any necessary modifications, the permittee shall collect and analyze two additional samples for any parameter that exceeded the effluent limitation. Additional monitoring may be required.

If the values of the first three years of numeric effluent limit monitoring do not exceed the numeric limitation for any parameter, numeric monitoring may be reduced to once a year for the remainder of the permit term.

SECTOR E: GLASS, CLAY, CEMENT, CONCRETE AND GYPSUM PRODUCTS-SECTOR SPECIFIC NUMERIC LIMITATIONS		
Regulated Activity	**Parameter**	**Numeric Limitation**
Discharges from material storage piles at cement manufacturing facilities, including raw & waste materials, intermediate products, finished products, used or derived from manufacturing cement.	TSS pH	50.0 mg/L daily max 6.0-9.0 s.u.

F. Visual Monitoring Requirements. (See also Part VI.) Visual monitoring must be conducted quarterly during a qualifying storm event. Collect a grab sample for visual monitoring analysis from each outfall that has an associated industrial activity within the outfall's drainage area. The outfall(s) must be sampled quarterly unless the facility has representative outfalls.

Visual monitoring requirements are waived if the facility is in compliance with and can demonstrate participation in the implementation of an established Department Approved Watershed Management Plan; or if the facility is conducting Benchmark, Impaired Waters sampling and analysis, or Numeric Monitoring for Total Suspended Solids (TSS). Visual monitoring is only waived for the outfall(s) associated with Numeric Monitoring. The permittee shall conduct quarterly visual monitoring at outfalls that do not require Numeric Monitoring.

Visual monitoring must be resumed if Numeric Monitoring or Impaired Waters sampling is ceased.

Appendix F

Sector F - Primary Metals

A. Covered Stormwater Discharges. The requirements for Sector F apply to stormwater discharges from Primary Metals facilities as identified by the SIC Codes specified below.

SECTOR F: PRIMARY METALS	
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 on Nonferrous Metals
3351-3357	Rolling, Drawing, and Extruding of Nonferrous Metals
3363-3369	Nonferrous Foundries (Castings)
3398, 3399	Miscellaneous Primary Metal Products

B. Additional SWPPP Requirements and Non-Numeric Technology Based Effluent Limits.

1. Site Map. (See also Part V(D)(3).) Identify where all of the following activities may be exposed to stormwater: storage or disposal of wastes such as spent solvents or baths, sand, slag or dross; liquid storage tanks or drums; processing areas including pollution control equipment (e.g., baghouses); and, raw material storage areas such as coal, coke, scrap, sand, fluxes, refractories or metal in any form. In addition, indicate where an accumulation of significant amounts of particulate matter could occur from such sources as furnace or oven emissions, losses from coal or coke handling operations, etc., and which process or material storage procedure could result in a discharge of pollutants to waters of the State.

2. Potential Pollutant Inventory of Exposed Material. (See also Part V(D)(4).) The inventory must include exposed materials handled at the site that potentially may be exposed to stormwater. Particulate matter from process air emissions or losses during material handling activities must be documented and evaluated.

3. Inspections. (See also Part V(I).) Routine quarterly inspections must address all potential sources of pollutants, including (if applicable) air pollution control equipment (e.g., bag-houses and electrostatic precipitators, scrubbers and cyclones). The inspector shall look for any signs of degradation (e.g., leaks, corrosion or improper operation) that could limit the efficiency of the air pollution control equipment and lead to excessive or fugitive emissions. To reduce the potential for fugitive emissions consider monitoring air flow at inlets and outlets Inspections. (See also Part V(I).) Routine quarterly inspections must address all potential sources of pollutants, including (if applicable) air pollution control equipment (e.g., bag-houses and electrostatic precipitators, scrubbers and cyclones). The permittee appointed inspector shall look for any signs of degradation (e.g., leaks, corrosion or improper operation) that could limit the efficiency of the air pollution control equipment and lead to excessive or fugitive

emissions. To reduce the potential for fugitive emissions consider monitoring air flow at inlets and outlets or use equivalent measures to check for leaks resulting from particulate deposition or from blockage in ducting systems. Also inspect all process and material handling equipment such as conveyors, cranes and vehicles for leaks, drips or the potential loss of material as well as material storage areas including piles, bins or hoppers used for the storage of coke, coal, scrap or slag. Chemicals stored in tanks and drums shall be inspected for signs of material losses caused by wind or stormwater runoff.

4. Good Housekeeping Measures. (See also Part V(D)(9)(a).) Perform good housekeeping including cleaning all impervious areas where particulate matter, dust or debris may accumulate. The permittee shall address material loading and unloading; material storage, handling and processing; and, paved areas where vehicle traffic or material is stored. These areas must be inspected weekly and sweeping must be conducted if there is a visible amount of material on the impervious surface. For unpaved areas where sweeping is not an effective housekeeping measures, the permittee shall implement measures such as sediment traps, vegetative buffer strips, filter fabric fencing, sediment filtering booms, gravel outlet protection or other equivalent measures effectively which trap or remove sediment and prevent the discharge of pollutants to a surface water.

C. Visual Monitoring Requirements. (See also Part VI.) Visual monitoring must be conducted quarterly during a qualifying storm event. Collect a grab sample for visual monitoring analysis from each outfall that has an associated industrial activity within the outfall's drainage area. The outfall(s) must be sampled quarterly unless the facility has representative outfalls.

Visual monitoring requirements are waived if the facility is in compliance with and can demonstrate participation in the implementation of an established Department Approved Watershed Management Plan; or if the facility is conducting Benchmark, Impaired Waters sampling and analysis, or Numeric Monitoring for Total Suspended Solids (TSS). Visual monitoring is only waived for the outfall(s) associated with Numeric Monitoring. The permittee shall conduct quarterly visual monitoring at outfalls that do not require Numeric Monitoring.

Visual monitoring must be resumed if Benchmark Monitoring, Numeric Monitoring or Impaired Waters sampling is ceased.

Appendix G

Sector G - Metal Mining (Ore Mining and Dressing)

A. Covered Stormwater Discharges. The requirements for Sector G apply to stormwater discharges from active, temporarily inactive and inactive metal mining and ore dressing facilities, including mines abandoned on Federal Lands, as identified by the SIC Codes specified below. Coverage is required for facilities that discharge stormwater contaminated by contact with or that have come into contact with any overburden, raw material, intermediate product, finished product, by-product, or waste product located on the site of the operation.

SECTOR G: METAL MINING (ORE MINING AND DRESSING)	
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

1. Covered Discharges from Inactive Facilities: All stormwater discharges.

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

B. Limitations on Coverage. This General Permit does not authorize stormwater discharges from active metal mining facilities which are subject to effluent limitation guidelines for the Ore Mining and Dressing Point Source Category (40 CFR Part 440), adit drainage and contaminated springs or seeps. (See Part I(E).)

Note: discharges that come in contact with overburden or waste rock are subject to 40 CFR Part 440, providing the discharges drain to a point source (either naturally or as a result of intentional diversion) and they combine with "mine drainage" that is otherwise regulated under the Part 440 regulations. Discharges from overburden or waste rock can be covered under this permit if they are composed entirely of stormwater, and do not combine with sources of mine drainage that are subject to 40 CFR Part 440, and meet other eligibility criteria contained in Part I(B)(3).

C. Definitions. The following definitions are not intended to supersede or affect the definitions of active and inactive mining facilities in 06-096 CMR 200.

1. Mining Operation. Typically consists of three phases, any one of which individually qualifies as a "mining activity." The phases are the exploration and construction phase, the active phase, and the reclamation phase.

2. Exploration and Construction Phase. Entails exploration and land disturbance activities to determine the financial viability of a site. Construction includes the building of site access roads and removal of overburden and waste rock to expose mineable minerals.

3. Active Phase. Activities including each step from extraction through the production of a salable product.

4. Reclamation Phase. Activities intended to return the land to its pre-mining use.

5. Active Metal Mining Facility. A place where work or other activity related to the extraction, removal or recovery of metal ore is conducted. For surface mining operations, this active metal mining facility definition does not include any land where grading has returned the earth to a desired contour and reclamation has commenced.

6. Inactive Metal Mining Facility. A site or portion of a site where metal mining and/or milling occurred in the past, but is not an active facility as defined above, and where the inactive portion is not covered by an active mining permit issued by the applicable State or Federal government agency.

7. Temporarily Inactive Metal Mining Facility. A site or portion of a site where metal mining and/or milling occurred in the past but is currently inactive, and the facility is covered by an active mining permit issued by the applicable State or Federal government agency.

D. Clearing, Grading and Excavation Activities. Clearing, grading and excavation activities conducted as part of the exploration and construction phase of a mining

operation may be covered under this General Permit provided that the activities meet the requirements of Maine's Construction General Permit (MCGP).

E. Cessation of Earth Disturbing Activities. If the exploration phase involves clearing, grading and excavation activities and no further mining activities will occur at the site, the permittee shall comply with the requirements for terminating the Construction General Permit, (i.e., stabilize and revegetate the disturbed land), the permittee shall submit a Notice of Termination, etc. If active mining activities will continue, the permittee shall apply for coverage under this General Permit for associated stormwater discharges and be prepared to implement any new requirements prior to beginning of the active phase. Although recommended that the permittee terminates coverage under the Construction General Permit, it is not mandatory. If the permittee does not to terminate the construction General Permit, he/she will be responsible for complying with all permit conditions of the construction permit, in addition to those of this General Permit.

F. Additional SWPPP Requirements and Non-Numeric Technology Based Effluent Limits.

1. Site Map. (See also Part V(D)(3).) The permittee shall identify the following: mining or milling site boundaries; access and haul roads; drainage boundary areas of each stormwater outfall and the types of discharges from the drainage areas; equipment storage, fueling and maintenance areas; materials handling areas; outdoor manufacturing, storage or material disposal areas; chemicals and explosives storage areas; overburden, materials, soils or waste storage areas; location of where water leaves mine or other process water; existing and proposed tailings piles, ponds; heap leach pads; off-site points of discharge for process water; surface waters; and, boundary of tributary areas that are subject to effluent limitations guidelines in 40 CFR Part 440.

2. Potential Pollutant Sources and Exposed Materials. (See Part V(D)(4).) For each area of the mine or mill site where stormwater discharges associated with industrial activities occur, the permittee shall identify the types of pollutants (e.g., heavy metals or sediment) likely to be present in significant amounts. Consider these factors: the mineralogy of the ore and waste rock (e.g., acid forming); toxicity and quantity of chemicals used, produced or discharged; the likelihood of contact with stormwater; vegetation of site (if any); and, any history of leaks or spills of toxic or hazardous pollutants. Also include a summary of any existing ore, waste rock or overburden characterization data and test results for the potential generation of acid rock. If any new data is acquired due to changes in ore type being mined, the SWPPP must be updated with characterization and acid rock data.

3. Stormwater Management Controls. (See also Part V(D)(8).) The permittee shall consider each of the following BMPs. The potential pollutants identified in this Appendix shall determine the priority and appropriateness of the BMPs selected. If the permittee determines that one or more of these BMPs are not appropriate for the facility, the permittee is to explain why they are not appropriate. If BMPs are

implemented or planned but are not listed here (e.g., substituting a less toxic chemical for a more toxic one), include descriptions of the Best Management Practices in the SWPPP.

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

b. Sediment and Erosion Control. (See also Part V(D)(9)(b).) For active and temporarily inactive sites consider a range of erosion controls within the broad categories of: flow diversion (e.g., swales); stabilization (e.g., temporary or permanent seeding); and, structural controls (e.g., sediment traps, dikes, silt fences).

c. Capping. When capping is a necessary BMP to minimize pollutant discharges in stormwater, identify the source being capped as well as the material used to construct the cap.

d. Treatment. Active and inactive mining sites must protect water quality using BMPs. Describe the type and location of Stormwater treatment. Treatment may consist of chemical or physical systems, oil water separators, or artificial wetlands.

4. Inspections. (See also Part V(I).) Active mining sites must be inspected monthly. Temporarily inactive sites must be inspected quarterly unless adverse weather conditions make the site inaccessible. Inactive mining sites must be inspected annually. If annual site inspections are not be practical due to inaccessibility such as the access road being impassable by vehicular means, the Department will permit inspections to be conducted once every 3 years. The SWPPP must include documentation as to why annual inspections are not possible.

G. Certification of Discharge Testing. (See also Part V(I)(1)(f) and Part I(F).) Testing is required to evaluate the presence of specific mining-related non-stormwater discharges such as seeps or adit discharges. If applicable, the permittee may certify in the SWPPP that a particular discharge comprised of commingled stormwater and non-stormwater is covered under a separate MEPDES permit. In doing so, the permit subjects the non-stormwater portion to effluent limitations prior to any commingling. This certification shall identify the non-stormwater discharges, the applicable MEPDES permit(s), the effluent limitations placed on the non-stormwater discharge by the permit(s), and the points at which the limitations are applied.

H. Visual Monitoring Requirements. (See also Part VI.) Visual monitoring must be conducted quarterly during a qualifying storm event. Collect a grab sample for visual monitoring analysis from each outfall that has an associated industrial activity within the outfall's drainage area. The outfall(s) must be sampled quarterly unless the facility has representative outfalls.

Visual monitoring requirements are waived if the facility is in compliance with and can demonstrate participation in the implementation of an established Department Approved Watershed Management Plan; or if the facility is conducting Benchmark, Impaired Waters sampling and analysis, or Numeric Monitoring for Total Suspended Solids (TSS). Visual monitoring is only waived for the outfall(s) associated with Numeric Monitoring. The permittee shall conduct quarterly visual monitoring at outfalls that do not require Numeric Monitoring.

Visual monitoring must be resumed if Benchmark Monitoring, Numeric Monitoring or Impaired Waters sampling is ceased.

Appendix H

Sector H - Coal Mines and Coal Mining Related Facilities.

A. Covered Stormwater Discharges. The requirements for Sector H apply to stormwater discharges from Coal Mines and Coal Mining Related facilities as identified by the SIC Codes specified below.

SECTOR H: COAL MINES AND COAL MINING RELATED FACILITIES	
1221-1241	Coal Mines and Coal Mining-Related Facilities

B. Limitations on Coverage. (See also Part I (E-F.) This General Permit does not authorize discharges from pollutant seeps or underground drainage from inactive coal mines; refuse disposal areas that do not result from precipitation events; and, discharges from floor drains in maintenance buildings and other similar drains in mining and preparation plant areas.

C. Authorized Non-Stormwater Discharges. Discharges Subject to Stormwater Effluent Guidelines. See Part I (B)(3)(c) for guidelines on stormwater discharges associated with coal pile runoff.

D. Additional SWPPP Requirements and Non-Numeric Technology Based Effluent Limits.

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

2. Site Map. (See Part V(D)(3).) The permittee must indentify any areas containing acidic spoil, refuse or unclaimed disturbed areas and liquid storage tanks containing caustics, hydraulic fluids and lubricants on the site drainage map. This applies to all mining related activities as described in this Appendix.

3. Potential Pollutant Sources and Exposed Materials. (See Part V(D)(4).) The permittee shall describe the following material and product sources and activities that may contain potential pollutants: truck traffic on haul roads resulting in the generation of sediment runoff and dust generation; fuel or other liquid storage; pressure lines containing slurry, hydraulic fluid or other potential harmful liquids; and, loading or temporary storage of acidic refuse or spoil.

4. Stormwater Management Controls. (See Part V(9)(b).) As indicated in F(1) of this Appendix, SMCRA requires that sediment and erosion control measures are in place. Sediment and erosion control measures are primary requirements of the SWPPP for mining-related areas subject to SMCRA authority. Most active coal mining-related areas (SIC Codes 1221-1241) are subject to sediment and erosion

control regulations promulgated by the U.S. Office of Surface Mining (OSM). OSM enforces the Surface Mining Control and Reclamation Act (SMCRA). OSM has granted authority to most coal producing states to implement SMCRA through State SMCRA regulations. All SMCRA requirements regarding control of stormwater-related pollutant discharges must be addressed in the SWPPP either directly or by reference.

5. Inspections of Active Mining-Related Areas and Inactive Areas under SMCRA Bond Authority. (See also Part V(I).) Quarterly inspections of areas covered by this permit corresponding with the inspections as performed by SMCRA inspectors of all mining-related areas are required by SMCRA. The permittee also maintains the records created by the SMCRA authority representative. The following areas must be inspected: haul and access roads; railroad spurs, sliding and internal hauling lines; conveyor belts, chutes and aerial tramways; equipment storage and maintenance yards; coal handling buildings / structures; and, inactive mines and related areas.

6. Good Housekeeping. (See also Part V(D)(9)(a).) Implement measures to minimize dust generation by using sweepers; covering storage piles; watering haul roads and, conserving vegetation wherever possible to minimize erosion.

7. Preventive Maintenance. (See also Part V(D)(9)(a).) Inspections of fuel, lubricant, hydraulic fluid and slurry storage tanks must be performed to prevent leaks due to deterioration or faulty connections. Other equivalent measures such as tank and line testing may be performed as a supplement to visual inspection methods.

E. Monitoring and Reporting Requirements. (See Also Part VI.)

1. Numeric Monitoring Requirements must be performed if 30 cubic yards or more of coal is stored onsite. Samples must be collected at the point of discharge from material storage. The permittee shall collect at least two (2) samples and analyze the sample for TSS and pH. If the average of the two samples for either parameter does not exceed the effluent limitation, the monitoring requirements are fulfilled for that parameter for the permit year. If the average of the two samples exceeds the effluent limitations for either parameter, the permittee shall review the selection, design and implementation of control measures, complete a corrective action report and notify the Department within 14 days of exceedance. Upon making any necessary modifications, the permittee shall collect and analyze two additional samples for the parameter that exceeded the effluent limitation. Additional monitoring may be required.

If the values of the first three years of numeric effluent limit monitoring does not exceed the numeric limitation for any parameter, numeric monitoring may be reduced to once a year for the remainder of the permit term.

NUMERIC LIMITATIONS FOR COAL PILE RUNOFF		
Parameter	**Limit**	**Sample Type**
Total Suspended Solids (TSS)	50 mg/L, max	Grab
pH	6.0-9.0 min. and max	Grab

2. Visual Monitoring Requirements. Visual monitoring must be conducted quarterly during a qualifying storm event. Collect a grab sample for visual monitoring analysis from each outfall that has an associated industrial activity within the outfall's drainage area. The outfall(s) must be sampled quarterly unless the facility has representative outfalls.

   Visual monitoring requirements are waived if the facility is in compliance with and can demonstrate participation in the implementation of an established Department Approved Watershed Management Plan; or if the facility is conducting Benchmark, Impaired Waters sampling and analysis, or Numeric Monitoring for Total Suspended Solids (TSS). Visual monitoring is only waived for the outfall(s) associated with Numeric Monitoring. The permittee shall conduct quarterly visual monitoring at outfalls that do not require Numeric Monitoring.

   Visual monitoring must be resumed if Benchmark Monitoring, Numeric Monitoring or Impaired Waters sampling is ceased.

Appendix I

Sector I - Oil and Gas Extraction and Refining

A. Covered Stormwater Discharges. The requirements in for Sector I apply to stormwater discharges from Oil and Gas Extraction and Refining facilities as identified by the SIC Codes specified below.

SECTOR I: OIL AND GAS EXTRACTION AND REFINING	
1311	Crude Petroleum and Natural Gas
1321	Natural Gas Liquids
1381-1389	Oil and Gas Field Services
2911	Petroleum Refineries

B. Limitations on Coverage. (See also Part I(E).) This General Permit does not authorize contaminated stormwater discharges from petroleum refining or drilling operations that are subject to guidelines found at 40 CFR Parts 419 and 435, respectively. Most contaminated discharges at petroleum refining and drilling facilities are subject to these effluent guidelines and are not eligible for coverage by this permit. The following non-stormwater discharges are not authorized by this permit: vehicle and equipment wash water and tank cleaning operations.

C. Clearing, Grading and Excavation Activities. Clearing, grading and excavation activities conducted as part of the exploration and construction phase may be covered under this General Permit provided that the activities meet the requirements of Maine's Construction General Permit (MCGP), this includes an Erosion and Sediment Control Plan which must be submitted to the Department for review and approval.

D. Additional SWPPP Requirements and Non-Numeric Technology Based Effluent Limits.

1. Site Map. Identify where any of the following may be exposed to stormwater: Reportable Quantity (RQ) releases; locations used for the treatment, storage or disposal of wastes; processing areas and storage areas; chemical mixing areas; construction and drilling areas; all areas subject to the effluent guidelines requirements for "No Discharge" in accordance with 40 CFR 435.32; and, the structural controls to achieve compliance with the "No Discharge" requirements.

2. Potential Pollutant Sources and Exposed Materials. The permittee shall describe the following sources and activities that have potential pollutants associated with them: chemical, cement, mud or gel mixing activities; drilling or mining activities; and, equipment cleaning and rehabilitation activities. In addition, include information about the RQ release that triggered the permit application requirements including; the nature of release (e.g., spill of oil from a drum storage area); the amount of oil or hazardous substance released; amount of substance recovered; date of the release; cause of the release (e.g., poor handling techniques and lack of containment in the area); areas affected by the release (i.e., land and

water); procedure to clean up release; actions or procedures implemented to prevent or improve response to a release; and, remaining potential contamination sources of stormwater from release. The permittee shall take into account human health risks, the control of drinking water intakes and the designed uses of the receiving water in the RQ release report.

3. Stormwater Management. The site description must include the nature of the exploration activity; estimates of the total site area and disturbed areas impacted by exploration activity; an estimate of the runoff coefficient of the site; a site drainage map, including approximate slopes; and, the name of all receiving waters. All sediment and erosion control measures must be inspected once every seven (7) days. The permittee shall describe and implement vegetative practices designed to preserve existing vegetation (where attainable) and re-vegetate open areas as soon as practicable after grade drilling. Consider the following equivalent measures: temporary or permanent seeding; mulching, sod stabilization, vegetative buffer strips; and, tree protection practices. The implementation of re-vegetative measures in disturbed areas must begin within 14 days of activity or as soon as the growing season will permit.

4. Inspections. Inspect all equipment weekly and areas addressed in the SWPPP every 6 months for active sites. Routinely (but not less than monthly) inspect equipment and vehicles which store, mix (including all on and offsite mixing tanks) or transport chemicals or hazardous materials, including those transporting supplies to oil field activities. Temporarily or permanently inactive oil and gas extraction facilities that are unstaffed must perform the inspections at least annually.

5. Good Housekeeping Measures. Perform frequent inspections of all control measures and remove accumulated materials from travel ways and stormwater conveyances.

6. Vehicle and Equipment Storage Areas. Inspect Vehicles and equipment to ensure they are properly maintained and operating effectively. Any designated vehicle and equipment maintenance area must be identified on the site map. The permittee shall describe and implement measures to eliminate or minimize contaminants. A spill kit, drip pans and other measures must be located on any active site.

7. Material and Chemical Storage Areas. Maintain material and chemical storage areas in good condition to prevent contamination of stormwater. Plainly label all hazardous materials.

E. Visual Monitoring Requirements. (See also Part VI.) Visual monitoring must be conducted quarterly during a qualifying storm event. Collect a grab sample for visual monitoring analysis from each outfall that has an associated industrial activity within the outfall's drainage area. The outfall(s) must be sampled quarterly unless the facility has representative outfalls.

Visual monitoring requirements are waived if the facility is in compliance with and can demonstrate participation in the implementation of an established Department Approved Watershed Management Plan; or if the facility is conducting Benchmark, Impaired Waters sampling and analysis, or Numeric Monitoring for Total Suspended Solids (TSS). Visual monitoring is only waived for the outfall(s) associated with Numeric Monitoring. The permittee shall conduct quarterly visual monitoring at outfalls that do not require Numeric Monitoring.

Visual monitoring must be resumed if Benchmark Monitoring, Numeric Monitoring or Impaired Waters sampling is ceased.

Appendix J

Sector J - Mineral Mining and Dressing.

A. Covered Stormwater Discharges. The requirements for Sector J apply to stormwater discharges from active and inactive mineral mining and dressing facilities as identified by the SIC Codes specified below.

SECTOR J: MINERAL MINING AND DRESSING	
1411	Dimension Stone
1422, 1429	Crushed and Broken Stone, Including Riprap
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. Limitations of Coverage. (See also Part I(E).) The only non-stormwater discharge covered under this General Permit is mine dewatering discharges composed entirely of stormwater or uncontaminated ground water seepage from construction sand and gravel activities and industrial sand, and crushed stone mining facilities. Other stormwater discharges subject to an existing effluent limitation guideline contained in 40 CFR Part 436 are not authorized by this General Permit.

C. Definitions. The following definitions are not intended to supersede the definitions of active and inactive mining facilities established in 06-096 CMR 200.

1. Mining Operation. This typically consists of three-phases, any one of which individually qualifies as a "mining activity." The phases are the exploration and construction phase, the active phase, and the reclamation phase.

2. Exploration and Construction Phase. This entails exploration and land disturbance activities to determine the financial viability of a site. Construction includes the building of site access roads and the removal of overburden and waste rock to expose mineable minerals.

3. Active Phase. This includes activities associated with each step from extraction through production of a salable product.

4. Reclamation phase. This includes activities intended to return the land to a pre-mined state.

5. Active Mineral Mining Facility. A location where work or other activity related to the extraction, removal or recovery of minerals is conducted.

6. Inactive Mineral Mining Facility. A site or portion of a site where mineral mining or dressing occurred in the past but is not an active facility as defined above, and where the inactive portion is not covered by an active permit issued by the applicable State or Federal government agency.

7. Temporarily Inactive Mineral Mining Facility. A site or portion of a site where mineral mining and/or dressing occurred in the past but currently are not being actively undertaken, and the facility is covered by an active mining permit issued by the applicable State or Federal government agency.

8. Clearing, Grading and Excavation Activities. Clearing, grading and excavation activities conducted as part of the exploration and construction phase of a mineral mining operation may be covered under this General Permit provided that the activities meet the requirements of Maine's Construction General Permit (MCGP). This includes the submittal of an erosion and sedimentation control plan for review and approval.

D. Cessation of Exploration and Construction Activities. If the exploration phase of clearing, grading and excavation activities are completed and no further mining activities will occur at the site, the permittee shall comply with the requirements for terminating permit coverage, by stabilizing and revegetating the disturbed land, and by submitting a Notice of Termination. If active mining operations will continue, the permittee shall remain covered under this General Permit for the stormwater discharges unless the pit and all associated activities are internally drained. If the pit and all associated activities are internally drained, no permit coverage is required under this General Permit and the permittee shall submit a Notice of Termination to the Department.

E. Additional SWPPP Requirements and Non-Numeric Technology Based Effluent Limits.

1. Inspections. (See also Part V(I).) The permittee shall conduct quarterly visual inspections of all BMPs at active mining facilities. At temporarily or permanently inactive facilities, annual inspections must be performed. The inspection program shall include: an assessment of the integrity of stormwater discharge diversions, conveyance systems, sediment control and collection systems and containment structures; inspections to determine if soil erosion has occurred at, or as a result of failed structural or vegetative BMPs, serrated slopes and benched slopes. The permittee shall conduct inspections of material handling and storage areas and other potential sources of pollutants for evidence of actual or potential discharges of contaminated stormwater.

2. Good Housekeeping. Perform frequent inspections of all control measures and remove accumulated materials in travel ways and stormwater conveyances. Good housekeeping procedures must be documented in the facility's SWPPP.

3. Material containment: Aggregate and other material storage piles must be contained to designated areas by structural means or by daily pile maintenance. Structural containment may include earthen berms, wood, concrete or metal barriers to prevent drifting and tracking of the material.

F. Numeric Monitoring Requirements. These requirements for non-stormwater discharges must be performed during mine dewatering activities. Samples must be collected from the point of discharge for this activity. If mine dewatering activities

are separated by seven (7) days or greater, the permittee shall collect at least two (2) samples and analyze the sample for TSS and pH. The permittee shall calculate the average for TSS and pH to determine an average monitoring value for each parameter. If the **average** of the two (2) samples for either parameter does ***not exceed*** the numeric effluent limitation, the monitoring requirements are **fulfilled for the permit year.** If the average of the two (2) samples ***exceeds*** the numeric effluent limitation for either parameter, the permittee shall review the selection, design and implementation of control measures, complete a corrective action report and notify the Department within 14 days of receiving the monitoring results. Upon making any necessary modifications, the permittee shall collect and analyze two (2) additional samples for any parameter that exceeded the numeric limit. Additional monitoring may be required. If a facility is required to conduct analytical monitoring for TSS and pH under 06-096 CMR 378, or other Department license and the numeric limitation is at least as strict as the numeric monitoring in this General Permit those parameters are waived.

If the values of the first three years of numeric effluent limit monitoring does not exceed the numeric limitation for any parameter, numeric monitoring may be reduced to once a year for the remainder of the permit term.

SECTOR J: MINERAL MINING AND DRESSING SECTOR-SPECIFIC NUMERIC LIMITATIONS		
Regulated Activity	**Parameter**	**Numeric Limitation**
Mine Dewatering Activities from Crushed and Broken Stone Facilities (SIC 1422-1429)	TSS pH	100.0 mg/L, daily max 6.0-9.0
Mine Dewatering Activities from Sand and Gravel Mining Facilities (SIC 1442, 1446)	TSS pH	45 mg/L daily max 6.0-9.0 s.u.

G. Visual Monitoring Requirements. (See also VI.) Visual monitoring must be conducted quarterly during a qualifying storm event. Collect a grab sample for visual monitoring analysis from each outfall that has an associated industrial activity within the outfall's drainage area. The outfall(s) must be sampled quarterly unless the facility has representative outfalls

Visual monitoring requirements are waived if the facility is in compliance with and can demonstrate participation in the implementation of an established Department Approved Watershed Management Plan; or if the facility is conducting Benchmark, Impaired Waters sampling and analysis, or Numeric Monitoring for Total Suspended Solids (TSS). Visual monitoring is only waived for the outfall(s) associated with Numeric Monitoring. The permittee shall conduct quarterly visual monitoring at outfalls that do not require Numeric Monitoring.

Visual monitoring must be resumed if Numeric Monitoring or Impaired Waters sampling is ceased.

Appendix K

Sector K - Hazardous Waste Treatment, Storage or Disposal Facilities.

A. Covered Stormwater Discharges. The requirements for Sector K apply to stormwater discharges from Hazardous Waste Treatment, Storage or Disposal facilities as identified by the Activity Code specified below, including those that are operating under interim status or a permit under Subtitle C of RCRA.

SECTOR K: HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES	
HZ	Hazardous Waste Treatment, Storage or Disposal

B. Limitations on Coverage. This General Permit does not authorize stormwater discharges from: leachate, gas collection condensate, drained free liquids, contaminated ground water, laboratory-derived wastewater and wash water from truck and railcar washing and surface areas which have come in direct contact with solid waste at the facility.

C. Definitions.

1. Contaminated Stormwater. Stormwater which comes in direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater. Some specific areas of a landfill that may produce contaminated stormwater include (but are not limited to): the open face of an active landfill with exposed waste (no cover added); the areas around wastewater treatment operations; trucks, equipment or machinery that has been in direct contact with the waste; and, waste dumping areas.

2. Drained Free Liquids. Aqueous wastes drained from waste containers (e.g., drums, etc.) prior to landfilling.

3. Land Treatment Facility. A facility or part of a facility at which hazardous waste is applied onto or incorporated into the soil surface. If the waste remains after site closure, the facility is considered a disposal facility.

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

5. Landfill Wastewater. As defined in 40 CFR Part 445 (Landfills Point Source Category) all wastewater associated with, or produced by, landfilling activities except for sanitary wastewater, non-contaminated stormwater, contaminated groundwater, and wastewater from recovery pumping wells. Landfill wastewater includes, but is not limited to, leachate, gas collection condensate, drained free liquids, laboratory derived wastewater, contaminated stormwater and contact wash water from washing truck, equipment, and railcar exteriors and surface areas which have come in direct contact with solid waste at the landfill facility.

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

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

8. Pile. Any non-containerized accumulation of solid, non-flowing hazardous waste.

9. Surface Impoundment. A surface impoundment is a natural topographic depression, man-made excavation, or diked area formed of earthen materials. A surface impoundment may be lined with manmade materials designed to hold an accumulation of liquid waste or waste containing free liquids. Injection wells are not considered surface impoundments. Examples of surface impoundments include: holding, storage and settling ponds and aeration pits, ponds and lagoons.

D. Additional SWPPP Requirements and Non-Numeric Technology Based Effluent Limits.

1. Site Map. Identify where any of the following may be exposed to stormwater: locations where open dumping is occurring or has occurred, locations of hazardous waste containment or treatment areas, locations of any known leachate springs or other areas where uncontrolled leachate may commingle with runoff, leachate collection and handling systems, and areas where construction of new containment areas is being performed or anticipated in the coming year.

2. Potential Pollutant Sources and Exposed Materials. The permittee shall describe the following sources and activities that have potential pollutants associated with them: fertilizer, herbicide and pesticide application; earth moving (including construction activities); waste hauling and loading and unloading; outdoor storage of significant materials including daily, interim and final cover material stockpiles as well as temporary waste storage areas; exposure of active and inactive landfill and land application areas; uncontrolled leachate flows; and. failure or leaks from leachate collection and treatment systems.

3. Stormwater Management Control. Provide temporary stabilization which may include temporary seeding, mulching and geotextile placement on inactive portions of stockpiled materials consisting of daily, intermediate and final cover. For inactive areas of the landfill or open dump that have final covers but where vegetation has failed to established, the permittee must establish final vegetative cover.

4. Inspections. (Also see Part V(I).) Inspections of active sites Operating landfills, open dumps and land application sites must be inspected at least once every seven (7) days. Focus on areas of landfills which have not yet been finally stabilized; active land application areas; areas used for storage of material or wastes exposed to stormwater, stabilization, and structural control measures; leachate collection and treatment systems; and locations where equipment and waste trucks enter or

exit the site. Inspect the erosion and sediment control measures for effective operation. Conduct monthly inspections of stabilized sites and areas where land application has been completed.

Inspections of Inactive Sites. (Also see Part V(I).) Inspect inactive landfills, open dumps, and land application sites on a quarterly basis. Qualified personnel shall inspect landfill or open dump stabilization, structural erosion control measures, and leachate collection and treatment systems, associated with closed land application areas.

5. Preventative Maintenance Program. This program includes: the inspection and maintenance of all containers used for outdoor chemical or significant materials storage to prevent leakage; inspect and maintain all elements of leachate collection and treatment systems to prevent the commingling of leachate with stormwater; and, ascertain that the integrity and effectiveness of any intermediate or final cover is maintained. This includes repairing the cover as necessary to minimize the effects of settlement, sinking and erosion.

6. Good Housekeeping. Perform good housekeeping including frequent management of all material handling or waste storage areas. This includes the removal of accumulated waste or other material located in travel ways and stormwater conveyances. Good housekeeping procedures must be included in the facility's SWPPP.

7. Material containment. All material storage piles must be contained to designated areas by structural means or by daily pile maintenance. Structural containment may include wooden, concrete or metal barriers to prevent drifting and tracking of the contained material.

8. Recordkeeping and Internal Reporting. Implement a tracking system for the types of wastes disposed of in each cell or trench of a landfill or open dump. For land application sites, track the types and quantities of wastes applied in specific areas.

9. Non-Stormwater Discharge Test Certification. The discharge test certification must be conducted for the presence of leachate and vehicle wash water. This test must be performed annually.

E. <u>Monitoring and Reporting Requirements. (See also Part VI.)</u>

1. Numeric Monitoring. Numeric Monitoring must be performed quarterly unless otherwise instructed by the Department. The permittee shall collect at least two (2) samples and analyze the sample for the parameters listed below. If the average of the two (2) samples for any parameter does not exceed the numeric effluent limitation the monitoring requirements are fulfilled for that parameter for the permit year. If the average of the two (2) samples exceeds the effluent limitation for any parameter the permittee shall review the selection, design and implementation of control measures, complete a corrective action report and notify the Department within 14 days of the exceedance. Upon making any necessary modifications, the permittee shall collect and analyze two additional

samples for the parameter that exceeded the effluent limitation. Additional monitoring may be required.

SECTOR K: HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILTIES SECTOR-SPECIFIC NUMERIC EFFLUENT LIMITATIONS			
Activity Code	**Regulated Activity** (Discharges may be subject to requirements for more than one sector/subsector)	**Parameter**	**Numeric Limitation***
HZ	ALL – Industrial Activity Code "HZ" Subject to the Provisions of 40 CFR Part 445 Subpart A	BOD_5	220mg/L, daily max 56 mg/L, monthly avg. max.
		TSS	88 mg/L, daily max 27 mg/L, monthly avg. max.
		Ammonia	10 mg/L, daily max 4.9 mg/L, monthly avg. max.
		Alpha Terpineol	0.024 mg/L, daily max 0.019 mg/L, monthly avg. max.
		Aniline	0.024 mg/L, daily max 0.015 mg/L, monthly avg. max.
		Benzoic Acid	0.119 mg/L, daily max 0.073 mg/L, monthly avg. max.
		Naphthalene	0.059 mg/L, daily max 0.022 mg/L, monthly avg. max.
		p-Cresol	0.024 mg/L, daily max 0.015 mg/L, monthly avg. max.
		Phenol	0.048 mg/L, daily max 0.029 mg/L, monthly avg. max.
		Pyridine	0.072 mg/L, daily max 0.025 mg/L, monthly avg. max.
		Arsenic (Total)	1.1 mg/L, daily max 0.46 mg/L, monthly avg. max.
		Chromium (Total)	1.1 mg/L daily max 0.46 mg/L, monthly avg. max.
		Zinc (Total)	0.535 mg/L, daily max 0.296 mg/L, monthly avg. max.
		pH	Within 6.0-9.0 s.u.

*These numeric limitations apply to contaminated stormwater discharges from hazardous waste landfills subject to the provisions of RCRA Subtitle C at 40 CFR Parts 264 (Subpart N) and 265 (Subpart N) except for any of the facilities described below:

(a) Landfills operated in conjunction with other industrial or commercial operations when the landfill only receives wastes generated by the industrial or commercial operation directly associated with the landfill;

(b) Landfills operated in conjunction with other industrial or commercial operations when the landfill receives wastes generated by the industrial or commercial operation directly associated with the landfill and also receives other wastes provided the other wastes received for disposal are generated by a facility that is subject to the same provisions in 40 CFR Subchapter N as the industrial or commercial operation of the other wastes received are of similar nature to the wastes generated by the industrial or commercial operation;

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

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

2. Visual Monitoring Requirements. Visual monitoring must be conducted quarterly during a qualifying storm event. Collect a grab sample for visual monitoring analysis from each outfall that has an associated industrial activity within the outfall's drainage area. The outfall(s) must be sampled quarterly unless the facility has representative outfalls.

   Visual monitoring requirements are waived if the facility is in compliance with and can demonstrate participation in the implementation of an established Department Approved Watershed Management Plan; or if the facility is conducting Benchmark, Impaired Waters sampling and analysis, or Numeric Monitoring for Total Suspended Solids (TSS). Visual monitoring is only waived for the outfall(s) associated with Numeric Monitoring. The permittee shall conduct quarterly visual monitoring at outfalls that do not require Numeric Monitoring.

Visual monitoring must be resumed if Benchmark Monitoring, Numeric Monitoring or Impaired Waters sampling is ceased.

Appendix L

Sector L - Landfills, Land Application Sites and Open Dumps

A Covered Stormwater Discharges. The requirements for Sector L apply to stormwater discharges associated with industrial activity from Landfills and Land Application Sites and Open Dumps as identified by the Activity Codes specified below. This permit may authorize stormwater discharges for Sector L facilities associated with waste disposal at landfills, land application sites and open dumps that receive or have received industrial waste, including sites subject to regulation under Subtitle D of RCRA. Stormwater discharges associated with new cell construction are also covered for Sector L facilities provided that the new construction areas are addressed in the facility's SWPPP.

SECTOR L: LANDFILLS AND LAND APPLICATION SITES	
LF	Landfills, Land Application Sites, and Open Dumps

B Limitations on Coverage. (See also Part I(E).) This General Permit does not authorize the following discharges: leachate, gas collection condensate, drained free liquids, contaminated ground water, laboratory wastewater, and contact wash water from washing truck and railcar exteriors and surface areas which have come in direct contact with solid waste at the landfill facility.

C Definitions.

1. Contaminated Stormwater. Stormwater which comes in direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater. Some specific areas of a landfill that may produce contaminated stormwater include (but are not limited to): the open face of an active landfill with exposed waste (no cover added); the areas around wastewater treatment operations; trucks, equipment or machinery that has been in direct contact with the waste; and, waste dumping areas.

2. Drained Free Liquids. Aqueous wastes drained from waste containers (e.g., drums, etc.) prior to land filling.

3. Landfill Wastewater. As defined in 40 CFR Part 445 (Landfills Point Source Category) is all wastewater associated with or produced by landfilling activities except for sanitary wastewater, non-contaminated stormwater, contaminated groundwater, and wastewater from recovery pumping wells. Landfill process wastewater includes, but is not limited to, leachate, gas collection condensate, drained free liquids, laboratory derived wastewater, contaminated stormwater and contact wash water from trucks, equipment and railcar exteriors and surface areas which have come in direct contact with solid waste at the landfill facility.

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

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

D <u>Additional SWPPP Requirements and Non-Numeric Technology Based Effluent Limits.</u>

1. Site Map. Identify where any of the following may be exposed to stormwater: locations where open dumping is occurring or has occurred, locations of waste handling, containment or treatment areas, locations of any known seeps or other areas where uncontrolled leachate may commingle with runoff, leachate collection and handling systems, and areas where construction of new containment areas is being performed or anticipated in the coming year.

2. Potential Pollutant Sources and Exposed Materials. The permittee shall describe the following sources and activities that have potential pollutants associated with them: fertilizer, herbicide and pesticide application; earth moving (including construction activities); waste hauling and loading and unloading; outdoor storage of significant materials including daily, interim, and final cover material stockpiles as well as temporary waste storage areas; exposure of active and inactive landfill and land application areas; uncontrolled leachate flows; and failure or leaks from leachate collection and treatment systems.

3. Stormwater Management Control. Provide temporary stabilization which may include temporary seeding, mulching and geotextile placement on inactive portions of stockpiled materials consisting of daily, intermediate and final cover. For inactive areas of the landfill or open dump that have final covers but where vegetation has failed to established, the permittee must establish final vegetative cover.

4. Inspections. Inspections of active sites (Also see Part V(I).) operating landfills, open dumps and land application sites must be inspected at least once every seven (7) days. Focus on areas of landfills that have not been closed out with final cover; active land application areas; areas used for stockpiling of soil for cover and liner material, or wastes exposed to stormwater, stabilization, and structural control measures; leachate collection and treatment systems; and locations where equipment and waste trucks enter or exit the site. Inspect the erosion and sediment control measures for effective operation. Conduct monthly inspections of stabilized sites and areas where land application has been completed.

   Inspections of Inactive Sites. (Also see Part V(I).) Inspect inactive landfills, open dumps, and land application sites on a quarterly basis. Qualified personnel shall inspect landfill or open dump stabilization, structural erosion control measures, and leachate collection and treatment systems, associated with closed land application areas.

5. Preventative Maintenance Program. This program includes: the inspection and maintenance of all containers used for outdoor chemical or significant materials storage to prevent leakage; inspect and maintain all elements of leachate collection and treatment systems to prevent the commingling of leachate with stormwater; and, ascertain that the integrity and effectiveness of any intermediate or final cover is maintained. This includes repairing the cover as necessary to minimize the effects of settlement, sinking and erosion.

6. Good Housekeeping. Perform good housekeeping including frequent management of all material handling or waste storage areas. This includes the removal of accumulated waste or other material located in travel ways and stormwater conveyances. Good housekeeping procedures must be included in the facility's SWPPP.

7. Material containment. All material storage piles must be contained to designated areas by structural means or by daily pile maintenance. Structural containment may include wooden, concrete or metal barriers to prevent drifting and tracking of the contained material.

8. Recordkeeping and Internal Reporting. Implement a tracking system for the types of wastes disposed of in each cell or trench of a landfill or open dump. For land application sites, track the types and quantities of wastes applied in specific areas.

9. Non-Stormwater Discharge Test Certification. The discharge test certification must be conducted for the presence of leachate and vehicle wash water. This test must be performed annually. A description of the preventative measures used to insure that process waste water resulting from truck or equipment washing is discharged in accordance with MEPDES requirements must be included in the non-stormwater discharge certification statement. A copy of the manifest for trucking of waste water off site or a waste acceptance letter from the receiving treatment facility is acceptable if wastewater is hauled off site for disposal or treatment. If the process waste water is to be recycled on site, a description of the process must be included in the SWPPP.

E <u>Monitoring and Reporting requirements. (Also see Part VI.)</u>

1. Numeric Monitoring. Numeric Monitoring must be performed quarterly unless otherwise instructed by the Department. The permittee shall collect at least two (2) samples and analyze the sample for the parameters listed below. If the average of the two (2) samples for any parameter does not exceed the numeric effluent limitation the monitoring requirements are fulfilled for that parameter for the permit year. If the average of the two (2) samples exceeds the effluent limitation for any parameter the permittee shall review the selection, design and implementation of control measures, complete a corrective action report and notify the Department within 14 days of the exceedance. Upon making any necessary modifications, the permittee shall collect and analyze two additional samples for the parameter that exceeded the effluent limitation. Additional monitoring may be required.

SECTOR L: LANDFILLS AND LAND APPLICATION SITES- SECTOR SPECIFIC NUMERIC LIMITATIONS			
Activity Code	**Industrial Activity (Discharge may be subject to requirements for more than one sector/subsector)**	**Parameter**	**Numeric Limitation***
LF	All Landfills which are Subject to the Requirements of 40 CFR Part 445 Subpart B	BOD_5	140 mg/L, daily max 37 mg/L, monthly avg. max.
		TSS	88 mg/L, daily max 27 mg/L, monthly avg. max.
		Ammonia	10 mg/L, daily max. 4.9 mg/L, monthly avg. max.
		Alpha Terpineol	0.033 mg/L, daily max. 0.016 mg/L, monthly avg. max.
		Benzoic Acid	0.12 mg/L, daily max. 0.071 mg/L, monthly avg. max.
		p-Cresol	0.025 mg/L, daily max. 0.014 mg/L, monthly avg. max.
		Phenol	0.026 mg/L, daily max. 0.015 mg/L, monthly avg. max.
		Zinc (Total)	0.20 mg/L, daily max 0.11 mg/L, monthly avg. max.
		pH	Within the range of 6-9 pH units

*As set forth at 40 CFR Part 445 Subpart B, these numeric limitations apply to contaminated storm water discharges from MSWLFs which have not been closed in accordance with 40 CFR 258.60, and contaminated storm water discharges from those landfills which are subject to the provisions of 40 CFR Part 257 except for discharges from any of facilities described in (a) through (d) below:

(a) Landfills operated in conjunction with other industrial or commercial operations when the landfill only receives wastes generated by the industrial or commercial operation directly associated with the landfill;

(b) Landfills operated in conjunction with other industrial or commercial operations when the landfill receives wastes generated by the industrial or commercial operation directly associated with the landfill and also receives other wastes provided the other wastes received for disposal are generated by a facility that is subject to the same provisions in 40 CFR Subchapter N as the industrial or commercial operation or the other wastes received are of similar nature to the wastes generated by the industrial or commercial operation;

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

commingles the wastewater from its landfill only with wastewater from other landfills; or

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

2. Visual Monitoring Requirements. Visual monitoring must be conducted quarterly during a qualifying storm event. Collect a grab sample for visual monitoring analysis from each outfall that has an associated industrial activity within the outfall's drainage area. The outfall(s) must be sampled quarterly unless the facility has representative outfalls.

   Visual monitoring requirements are waived if the facility is in compliance with and can demonstrate participation in the implementation of an established Department Approved Watershed Management Plan; or if the facility is conducting Benchmark, Impaired Waters sampling and analysis, or Numeric Monitoring for Total Suspended Solids (TSS). Visual monitoring is only waived for the outfall(s) associated with Numeric Monitoring. The permittee shall conduct quarterly visual monitoring at outfalls that do not require Numeric Monitoring.

   Visual monitoring must be resumed if Benchmark Monitoring, Numeric Monitoring or Impaired Waters sampling is ceased.

Appendix M

Sector M - Automobile Salvage Yards

A. Covered Stormwater Discharges. The requirements for Sector M apply to stormwater discharges associated with industrial activity from Automobile Salvage Yards as identified by the SIC Code specified below. Sector M permittees may be engaged in dismantling or wrecking used motor vehicles for parts recycling and for the resale of the parts or vehicles for scrap.

SECTOR M: AUTOMOBILE SALVAGE YARDS	
5015	Automobile Salvage Yards

B. Additional SWPPP Requirements and Non-Numeric Technology Based Effluent Limits.

1. Site Map. (See also Part V(D)(3).) Identify all outfalls and areas where concentrated flow from industrial activity leaves the site. Identify areas of industrial activity including, but not limited to, vehicle or parts dismantling, vehicle storage, vehicle crushing and vehicle or parts maintenance. Also identify where any of the following may be exposed to stormwater: dismantling areas; parts (e.g., engine blocks, tires, hub caps, batteries, hoods, transmissions, and mufflers) storage areas; and, liquid storage tanks and drums for fuel and other fluids.

2. Potential Pollutant Sources and Exposed Materials. (See also Part V(D)(4).) Assess and describe the following pollutant-associated activities and areas which may impact stormwater: vehicle storage areas; dismantling areas; vehicle crushing; parts storage area(s) (e.g., engine blocks, tires, hub caps, batteries, hoods, mufflers, etc); fueling location(s); fuel and fluid removal from vehicles scheduled crushing or dismantling; and fluid storage.

3. Stormwater Management Controls. (See also Part V(D)(8) and (9).) Implement the following best management practices to control stormwater such as berms or drainage swales on the upslope property line to reduce run-on from adjacent properties. Where possible store oily parts inside vehicles or buildings; minimize uncovered outdoor storage of oily parts (e.g., engine blocks) and install berms around above-ground liquid storage containers greater than 55 gallons. Install filtering devices such as an oil water separator and utilize drip pans, absorbent pads and booms. Whenever possible conduct vehicle maintenance inside storm resistant buildings. Each facility must have a spill kit that includes: absorbent material, absorbent pads, sausage booms, and personal protective safety equipment. This should include eye protection, rubber gloves, six millimeter "contractor" bags, duct tape and the DEP Emergency Spill Response Number 800-482-0777. Depending on the facility, additional BMPs may be necessary to reduce pollutants.

4. Inspections. (See also Part V(I).) Vehicles must be inspected for leaks upon arrival. All equipment containing oily parts, hydraulic fluids or any other types of

fluids must be inspected monthly. Inspect all fluid containers and containment areas monthly for signs of spills and leaks. All inspections must be documented in the SWPPP. If leaks are observed throughout the year the location and response action must be summarized in the annual report.

Mercury switches must be removed from vehicles upon delivery to the yard or as soon thereafter as practicable. The switches must be stored in a covered Universal Hazardous Waste bucket and be located in an area designated as a "Universal Hazardous Storage Area." A Maine Motor Vehicle Mercury Switch Log-Sheet must be kept onsite in the designated Universal Hazardous Waste area.

C. Visual Monitoring Requirements. (See also Part VI.) Visual monitoring must be conducted quarterly during a qualifying storm event. Collect a grab sample for visual monitoring analysis from each outfall that has an associated industrial activity within the outfall's drainage area. The outfall(s) must be sampled quarterly unless the facility has representative outfalls.

Visual monitoring requirements are waived if the facility is in compliance with and can demonstrate participation in the implementation of an established Department Approved Watershed Management Plan; or if the facility is conducting Benchmark, Impaired Waters sampling and analysis, or Numeric Monitoring for Total Suspended Solids (TSS). Visual monitoring is only waived for the outfall(s) associated with Numeric Monitoring. The permittee shall conduct quarterly visual monitoring at outfalls that do not require Numeric Monitoring.

Visual monitoring must be resumed if Benchmark Monitoring, Numeric Monitoring or Impaired Waters sampling is ceased.

Appendix N

Sector N - Scrap Recycling and Waste Recycling Facilities

A. Covered Stormwater Discharges. The requirements for Sector N apply to stormwater discharges associated with industrial activity from Scrap Recycling and Waste Recycling facilities as identified by the SIC Codes specified below.

SECTOR N: SCRAP RECYCLING FACILITIES	
5093	Scrap Recycling Facilities

B. Alternative Permit Coverage Requirements. Separate permit requirements are established for recycling facilities that only receive and transfer source-separated recyclable materials from non-industrial and residential sources. The source-separated materials include: common consumer products including paper, newspaper, glass, cardboard, plastic containers, aluminum and tin cans. These facilities do not require permit coverage under this General Permit unless the facility processes these materials on site. Recycling facilities commonly referred to as material recovery facilities (MRF) have separate permit requirements.

C. Limitations on Coverage. (See also Part I(E).) This General Permit does not authorize non-stormwater discharges from turnings containment areas. Discharges from turnings containment areas are prohibited unless covered by a separate MEPDES permit.

D. Additional SWPPP Requirement and Non-Numeric Technology Based Effluent Limit.

1. Site Map. (See also Part V(D)(3).) The permittee shall document the locations of any of the following activities or sources that may be exposed to stormwater: scrap and waste material storage, outdoor scrap and waste processing equipment; and containment areas for turnings exposed to cutting fluids.

2. Quarterly Inspections. (See also Part V (I).) Inspections must be conducted on a quarterly basis. Inspections must include all areas such as where waste is stored generated, received, treated or disposed.

3. Scrap and Waste Recycling Facilities (Non-Source Separated, Non-Liquid Recyclable Materials). The following requirements are for facilities that receive process waste and conduct wholesale distribution of non-liquid recyclable wastes including ferrous and nonferrous metals, plastics, glass, cardboard and paper. This type of facility may receive both non recyclable and recyclable materials. This sector is not intended for those facilities that only accept, sort and transfer recyclables from non-industrial and residential sources.

4. Each facility must have a spill kit that includes: absorbent material, absorbent pads, sausage booms, and personal protective safety equipment. This should include eye protection, rubber gloves, six millimeter “contractor” bags, duct tape

and the DEP Emergency Spill Response Number 800-482-0777. Depending on the facility, additional BMPs may be necessary to reduce pollutants.

Since there are a variety of scrap and waste recycling facilities which conduct various activities, please refer to the below listed facility type and activity for guidance.

Inbound Recyclable and Waste Material Control Program. The permittee shall notify major suppliers of which scrap materials will not be accepted at the facility or materials which are only accepted under certain conditions. The facility must minimize the chance of accepting materials that are considered source-pollutants by conducting inspections of all inbound recyclables and waste materials. BMP options to consider: provide educational information to scrap and recyclable waste materials suppliers on how to drain and properly dispose of residual fluids from vehicles, equipment, engines, radiators, transmissions, oil-filled transformers and individual containers or drums; or have a procedure to properly drain and dispose of fluids if fluid removal did not occur prior to delivery of fluid containing materials to the facility. The site owner or operator shall implement procedures to minimize residual fluids from coming into contact with stormwater, and develop procedures for accepting scrap lead-acid batteries. Additional requirements for the handling, storage and disposal or recycling of batteries are contained in the scrap lead-acid battery program discussed later in this sector. The owner or operator must provide employee targeted-training to all employees who engage in the inspection and acceptance of inbound recyclable materials and, liquid wastes, including used oil. These liquids must be stored in material-compatible, non-leaking containers and disposed or recycled in accordance with RCRA.

Outdoor Scrap and Waste Material Stockpiles or Storage. The facility must minimize stormwater contact with stockpiled materials, processed materials and non-recyclable wastes. Implement the following BMPs where applicable: ensure scrap or waste materials are not leaking fluids and are free of residual materials, provide permanent or semi-permanent covers or store materials on an impervious surface such as asphalt or concrete; utilize sediment traps, vegetated swales and buffer strips, catch basin filters and sand filters to facilitate settling or filtering of pollutants; divert stormwater away from storage areas via dikes, berms, containment trenches, culverts and surface grading; install oil water separators, sumps and apply absorbents booms for areas where potential sources of residual fluids are stockpiled (e.g., automobile engine storage areas).

Outdoor Stockpiling of Turnings Exposed to Cutting Fluids. The facility must develop procedures to minimize contact of stormwater with residual cutting fluids. BMP options that are used singularly or in combination may include: screening, pressing or draining residual fluids from turnings; store all turnings exposed to cutting fluids under some form of permanent or semi-permanent cover. Stormwater discharges from these areas are permitted provided the discharge is first treated by an oil water separator or its equivalent. Identify procedures to collect, handle, dispose or recycle residual fluids which may be present; establish

dedicated containment areas for all turnings that have been exposed to cutting fluids. Stormwater runoff from these areas can be discharged provided: the containment areas are constructed of either concrete, asphalt or other equivalent types of impervious material; a barrier around the perimeter of the containment area is constructed (e.g., berms, curbing, elevated pads, etc.) to prevent contact with stormwater run-on; a drainage collection system is constructed for discharges generated from containment areas; the permittee has a schedule to maintain the oil water separators (or its equivalent); and, the permittee identifies procedures for properly disposing or recycling collected residual fluids.

Covered or Indoor Storage of Scrap and Waste Material Stockpiles/Storage. The facility must minimize contact of stormwater with residual liquids and particulate matter from materials stored indoors or under cover. BMP options include: good housekeeping measures including the use of absorbent materials or wet vacuuming to contain, dispose or recycle residual liquids originating from recyclable containers; maintain a "dry" shop, this General Permit does not authorize discharges from wash-water or other indoor processing areas to a surface water or a storm sewer system. All floor drains must be connected to an approved holding tank or a POTW. If the floor drains are connected to a sanitary sewer, a copy of the agreement with the POTW for any required pre-treatment agreement must be maintained in the SWPPP.

Scrap and Recyclable Waste Processing Areas. The permittee shall minimize the contact of stormwater with onsite scrap processing equipment. Activities that generate visible amounts of particulate residue, such as shredding must minimize the contact of stormwater with accumulated particulate matter and residual fluids by employing good housekeeping and preventative maintenance activities. BMP options include: locating these operations on a concrete or asphalt pad and conducting regular clean-up or collection of visible particulate matter; conducting regular equipment inspections for spills, leaks, and for malfunctioning, worn or corroded parts or equipment; establishing a preventive maintenance program for processing equipment; using absorbent materials, drip pans or practices to collect leaking or spilled fluids. Install protection devices such as, low-level alarms or other equivalent devices, or install secondary containment capable of containing the entire reservoir of any unattended hydraulic reservoirs over 150 gallons. Install diversion structures such as dikes, berms, culverts, trenches, elevated concrete pads, or conduct grading to minimize contact of stormwater with outdoor processing equipment or stored materials. Install oil water separators or sumps; install permanent or semi-permanent covers in processing areas where there are residual fluids and grease; create retention or detention ponds or basins; sediment traps, vegetated swales or vegetated buffer strips (for pollutant settling and filtration); and, install catch basin filters or sand filters.

Scrap Lead-Acid Battery Programs. The facility must properly handle, store and dispose of scrap lead-acid batteries. BMP options include the: a) segregation of scrap lead-acid batteries from other scrap materials; b) proper handling, storage and disposal of cracked or broken batteries; c) collection, containment and

disposal of leaking lead-acid battery fluid; d) minimize or eliminate (if possible) exposure of scrap lead-acid batteries to stormwater; and, e) implement employee training for the handling, storage and management of scrap batteries.

Spill Prevention and Response Procedures. The facility must minimize stormwater contamination at loading or unloading areas, and from equipment or container failures. BMP options include: developing prevention and response measures for areas that are potential sources of fluid leaks or spills; immediate containment and clean up of spills and leaks. If malfunctioning equipment is responsible for the spill or leak, repairs must be conducted immediately; implement measures including the use of drip pans and absorbent materials. Place drip pans or equivalent measures under leaking stationary equipment until the leak is repaired. The facility must have an adequate supply of well maintained drip pans and absorbent materials onsite. Used absorbent materials must be properly disposed of; store drums containing liquids indoors, in a bermed area, in overpack containers or spill pallets, or in other containment devices. Install overfill prevention devices on fuel pumps or tanks. Install alarms or pump shut off systems on outdoor equipment with hydraulic reservoirs exceeding 150 gallons in the event of a line break. Alternatively, a secondary containment system capable of holding the entire contents of the reservoir plus room for precipitation can be used.

Waste Recycling Facilities (Liquid Recyclable Materials). Indoor Waste Material Storage. Minimize or eliminate contact between residual liquids from waste materials stored indoors and stormwater in the event of a spill or accidental release. The plan may refer to applicable portions of other existing plans such as SPCC plans required under 40 CFR Part 112. BMP options include establishing: procedures for material handling (including labeling and marking); cleaning up spills and leaks with absorbent materials or a wet vacuum system; implementing appropriate containment structures (trenching, curbing, gutters, etc.); and, installing a drainage system, including appurtenances (e.g., pumps or ejectors, manually operated valves), to handle discharges from diked or bermed areas. Drainage should be discharged to an appropriate treatment facility, sanitary sewer system, or otherwise disposed of properly. These discharges may require coverage under a separate MEPDES wastewater permit or industrial user permit under the pretreatment program.

Outdoor Waste Material Storage. The permittee shall minimize contact between stored residual liquids and stormwater. The plan may refer to applicable portions of other existing plans such as SPCC plans required under 40 CFR Part 112. Discharges from containment areas containing used oil must be in accordance with applicable sections of 40 CFR Part 112 and the terms of this General Permit. BMP options include: a) installing appropriate containment structures (e.g., dikes, berms, curbing, pits) to store the volume of the largest tank with sufficient extra capacity for precipitation; installing drainage control and other diversionary structures; provide corrosion protection and leak detection systems for storage tanks; and, use absorbent materials or a wet vacuum system to collect spills.

Trucks and Rail Car Waste Transfer Areas. Minimize pollutants in discharges from truck and rail car loading or unloading areas. Include written measures to clean up minor spills and leaks resulting from the transfer of liquid wastes. BMP options include containment and diversionary structures to minimize contact with stormwater including dry clean-up methods, wet vacuuming, installing roof coverings, and implementing runoff controls.

E. Recycling Facilities (Source Separated Materials)**.** The following identifies requirements for facilities that receive only source-separated recyclables from non-industrial and residential sources that conduct processing activities. Inbound Recyclable Material Control. Minimize the chance of accepting non-recyclables (e.g., hazardous materials) which could be a significant source of pollutants by conducting inspections of inbound materials.

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

Indoor Storage and Material Processing. Minimize the release of pollutants from indoor storage and processing areas. BMP options: schedule routine good housekeeping measures and inspections for all storage and processing areas; prohibit tipping floor wash water from draining to the storm sewer system; and, provide affected employees training on pollution prevention practices.

Vehicle and Equipment Maintenance Areas. Prohibit vehicle and equipment wash water from discharging to the storm sewer system; minimize or eliminate outdoor maintenance areas whenever possible; establish spill prevention and clean-up procedures in fueling areas; avoid topping off fuel tanks; divert runoff from fueling areas; store lubricants and hydraulic fluids indoors; and, provide employee training on proper handling, and storage of fluids and lubricants.

F. Monitoring and Reporting Requirements. (See also Part VI.)

1. Benchmark Monitoring Requirements: These benchmark parameters apply to scrap metal recycling facilities. Facilities which process paper, cardboard, plastic or other household or non-industrial recyclables are not required to perform the above Benchmark monitoring. Samples must be collected as described in Part VI of this General Permit during a qualifying rain event. Additional monitoring or corrective actions may be required by the Department based on review of Benchmark and Visual Monitoring results.

TSS – 100 mg/L
Total Petroleum Hydrocarbons – 100 mg/L
pH – 6.0-9.0 units

2. Visual Monitoring Requirements. Visual monitoring must be conducted quarterly during a qualifying storm event. Collect a grab sample for visual monitoring analysis from each outfall that has an associated industrial activity within the outfall's drainage area. The outfall(s) must be sampled quarterly unless the facility has representative outfalls.

   Visual monitoring requirements are waived if the facility is in compliance with and can demonstrate participation in the implementation of an established Department Approved Watershed Management Plan; or if the facility is conducting Benchmark, Impaired Waters sampling and analysis, or Numeric Monitoring for Total Suspended Solids (TSS). Visual monitoring is only waived for the outfall(s) associated with Numeric Monitoring. The permittee shall conduct quarterly Visual Monitoring at outfalls that do not require Numeric Monitoring.

   Visual monitoring must be resumed if Benchmark Monitoring, Numeric Monitoring or Impaired Waters sampling is ceased.

Appendix O

Sector O - Steam Electric Generating Facilities

A. Covered Stormwater Discharges. The requirements for Sector O apply to stormwater discharges associated with Steam Electric Generating facilities as identified by the Activity Code specified below.

SECTOR O: STEAM ELECTRIC GENERATING FACILITIES	
SE	Steam Electric Generating Facilities

B. Limitations on Coverage. This General Permit does not authorize stormwater discharges from: steam electric power generation using coal, natural gas, oil, or nuclear energy, to produce a steam source, including coal handling areas; coal pile runoff, including effluent limitations established by 40 CFR Part 423; and, dual fuel co-generation facilities.

Stormwater discharges from ancillary facilities including gas turbine stations and substations that are not contiguous to a steam electric power generating facility; and heat capture co-generation facilities are not covered by this permit.

C. Additional SWPPP Requirements and Non-Numeric Technology Based Effluent Limits.

1. Site Map. (See also Part V(D)(3).) The permittee must identify any areas where any of the following may be exposed to stormwater: storage tanks, scrap yards, general refuse areas; landfills, construction sites; stock pile areas (e.g., coal or limestone piles), short and long term storage of general materials. Materials are, but not limited to: supplies, construction materials, paint equipment, oils, fuels, used and unused solvents, cleaning materials, paint, water treatment chemicals, fertilizer and pesticides).

2. Monthly Inspections. (Also see Part V(I).) The monthly inspection must include an evaluation of the following: coal handling areas, loading and unloading areas, switchyards, fueling areas, bulk storage areas, ash handling areas, areas adjacent to disposal ponds and landfills, maintenance areas, liquid storage tanks, and, long term and short term material storage areas.

3. Fugitive Dust Emissions. Describe and implement measures to prevent or minimize fugitive dust emissions from coal handling areas. Consider such procedures to minimize the tracking of coal dust offsite as installing specially designed tires on handling vehicles, or washing vehicles in a designated area before leaving the handling area.

4. Delivery Vehicles. Describe and implement measures to prevent or minimize contamination of stormwater runoff from delivery vehicles arriving at the plant site. Consider the following: procedures to inspect delivery vehicles arriving at

the plant site and ensure overall integrity of the body or container; and, procedures to deal with leakage or spillage from vehicles or containers.

5. Fuel Oil Unloading Areas. Describe and implement measures to prevent or minimize contamination of stormwater from fuel oil unloading areas. Consider, at a minimum (or their equivalents): using containment curbs in unloading areas; having personnel familiar with spill prevention and response procedures present during deliveries to ensure that any leaks or spills are immediately contained and cleaned up; and, using spill and overflow protection (e.g., drip pans, drip diapers or other containment devices placed beneath fuel oil connectors to contain potential spillage during deliveries or from leaks at the connectors).

6. Chemical Loading or Unloading. Describe and implement measures to prevent or minimize contamination of stormwater from chemical loading or unloading areas. Consider, at a minimum (or their equivalents): using containment curbs at chemical loading or unloading areas to contain spill; having personnel familiar with spill prevention and response procedures present during deliveries to ensure that any leaks and spills are immediately contained and cleaned up; and load or unload in covered areas and store chemicals indoors.

7. Miscellaneous Loading or Unloading Areas. Describe and implement measures to prevent or minimize contamination of stormwater from loading or unloading areas. Consider, at a minimum (or their equivalents): covering the loading area; grading, berming, or curbing around the loading area to divert stormwater run-on; or, locating the loading or unloading equipment and vehicles so leaks are contained in existing containment and flow diversion systems.

8. Liquid Storage Tanks. Describe and implement measures to prevent or minimize contamination of surface runoff from above ground liquid storage tanks. Consider using, at a minimum (or their equivalents): protective guards around tank; containment curbs; spill and overflow protection; and, dry cleanup methods.

9. Large Bulk Fuel Storage Tanks. Describe and implement measures to prevent or minimize contamination of surface runoff from large bulk fuel storage tanks. Consider, at a minimum, using containment berms (or its equivalent). The permittee is required to also comply with other applicable local, State and Federal laws, including Spill Prevention Control and Countermeasures (SPCC).

10. Spill Reduction Measures. Describe and implement measures to reduce the potential for an oil or chemical spill or reference the appropriate Part of the SPCC plan. On a monthly basis, visually inspect the structural integrity of all above ground tanks, pipelines, pumps and other related equipment. Any necessary repairs must be made immediately.

11. Oil Bearing Equipment in Switchyards. Describe and implement measures to prevent or minimize contamination of surface runoff from oil bearing equipment in switchyard areas. Consider using level grades and gravel surfaces to impede flows and limit the spread of spills or collecting runoff in perimeter ditches.

12. Residue Hauling Vehicles. Inspect all residue hauling vehicles for proper covering over the load, adequate gate sealing and overall integrity of the container body. Vehicles without load covering or adequate gate sealing, or with leaking containers or beds must be repaired as soon as practicable.

13. Ash Loading Areas. Describe and implement procedures to reduce or control the tracking of ash/residue from ash loading areas. Where practicable, clear the ash building floor and immediately adjacent roadways of any spillage, debris and excess water prior to each vehicle departing the ash loading areas.

14. Areas Adjacent to Disposal Ponds or Landfills. Describe and implement measures to prevent or minimize contamination of surface runoff from areas adjacent to disposal ponds or landfills. Develop procedures to reduce ash residue that may be tracked on to access roads traveled by residue handling vehicles, and reduce ash residue on exit roads leading into and out of residue handling areas.

15. Landfills, Scrap yards, Surface Impoundments, Open Dumps, General Refuse Sites. Address these areas in the SWPPP and include appropriate BMPs as referred to in Part V.

16. Vehicle Maintenance Activities. For vehicle maintenance activities performed on the plant site, use the applicable BMPs outlined in this Appendix.

17. Material Storage Areas. Describe and implement measures to prevent or minimize contamination of stormwater runoff from material storage areas (including areas used for temporary storage of miscellaneous products and construction materials stored in lay-down areas). Consider using (or their equivalents): flat yard grades; collecting runoff in graded swales or ditches; erosion protection measures at steep outfall sites (e.g., concrete chutes, riprap, stilling basins); covering lay-down areas; storing materials indoors; and, covering materials temporarily with polyethylene, polyurethane, polypropylene or hypalon. Stormwater run-on may be minimized by constructing an enclosure or building a berm around the area.

D. <u>Monitoring and Reporting Requirements. (See also Part VI.)</u>

1. Numeric Monitoring. The permittee shall collect at least two (2) quarterly samples and analyze the sample for TSS, and pH. If the **average** of the two (2) samples for either parameter does not exceed the numeric effluent limitation, the monitoring requirements are fulfilled for those parameters for the permit year. If the average of the two (2) samples exceeds the effluent limitation for any parameter the permittee shall review the selection, design and implementation of control measures, complete a corrective action report and notify the Department within 14 days of receiving the monitoring results. Upon making any necessary modifications, the permittee shall collect and analyze two additional samples for

any parameter that exceeded the effluent limitation. Additional monitoring may be required.

If the values of the first three years of numeric effluent limit monitoring does not exceed the numeric limitation for any parameter, numeric monitoring may be reduced to once a year for the remainder of the permit term.

NUMERIC LIMITATIONS FOR COAL PILE RUNOFF			
Parameter	Limit	Monitoring Frequency	Sample Type
Total Suspended Solids (TSS)	50 mg/L, max	1/quarter	Grab.
pH	6.0-9.0 min. and max	1/quarter	Grab.

Note: If your facility is designed, constructed, and operated to treat the volume of coal pile runoff that is associated with a 25-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.

2. Visual Monitoring Requirements. Visual monitoring must be conducted quarterly during a qualifying storm event. Collect a grab sample for visual monitoring analysis from each outfall that has an associated industrial activity within the outfall's drainage area. The outfall(s) must be sampled quarterly unless the facility has representative outfalls.

   Visual monitoring requirements are waived if the facility is in compliance with and can demonstrate participation in the implementation of an established Department Approved Watershed Management Plan; or if the facility is conducting Benchmark, Impaired Waters sampling and analysis, or Numeric Monitoring for Total Suspended Solids (TSS). Visual monitoring is only waived for the outfall(s) associated with Numeric Monitoring. The permittee shall conduct quarterly visual monitoring at outfalls that do not require Numeric Monitoring.

   Visual monitoring must be resumed if Benchmark Monitoring, Numeric Monitoring or Impaired Waters sampling is ceased.

Appendix P

Sector P - Land Transportation and Warehousing.

A. Covered Stormwater Discharges. The requirements for Sector P apply to stormwater discharges associated with industrial activity from Land Transportation and Warehousing facilities as identified by the SIC Codes specified below.

SECTOR P: LAND TRANSPORTATION AND WAREHOUSING	
4011, 4013	Railroad Transportation
4111-4173	Local and Highway Passenger Transportation
4212-4231	Motor Freight Transportation and Warehousing
4311	United States Parcel Service
5171	Petroleum Bulk Stations and Terminals

B. Limitations on Coverage. (See also Part I(E).) This General Permit does not authorize the discharges associated with equipment or vehicle wash water. A copy of the MEPDES permit issued for vehicle or equipment wash water (or a copy of the pending application) must be attached or referenced in the SWPPP. If an industrial user permit is issued under a pretreatment program, attach a copy to the SWPPP.

If wash water is handled in another manner (e.g., hauled offsite), describe the disposal method and attach all pertinent waste manifests and documentation and any other information (e.g., frequency, volume, destination, etc.) in the plan.

C. Additional SWPPP Requirements and Non-Numeric Technology Based Effluent Limits.

1. Site Map. (See also Part V(D)(3).) Identify the locations of any of the following activities or sources: fueling stations; vehicle and equipment maintenance or cleaning areas; vehicle, equipment, and material storage areas; loading and unloading areas; areas where treatment, storage or disposal of wastes occur; and liquid storage tanks.

2. Potential Pollutant Sources and Exposed Materials. (See also Part V(D)(4).) Describe and assess the potential for the following to contribute pollutants to stormwater: onsite fluid and waste fluid storage or disposal; parking areas for vehicles awaiting maintenance; activities associated with mechanical repairs; grinding, painting or fabrication; used battery storage and fueling areas.

3. Inspections. (See also Part V(I).) The permittee shall inspect storage areas for vehicles and equipment awaiting maintenance; fueling areas; indoor and outdoor vehicle or equipment maintenance areas; material storage areas; vehicle or equipment cleaning areas; vents and stacks associated grinding, sanding or painting; and loading and unloading areas.

4. Good Housekeeping Measures. (See also Part V(D)(9)(a).) Perform good housekeeping which includes the following areas and activities:

Vehicle and Equipment Storage Areas. Leaky or leak-prone vehicles or equipment awaiting maintenance must be confined to designated areas. Use drip pans or absorbent pads under leaking vehicles and equipment. Store vehicles and equipment scheduled for maintenance inside or under cover if possible, or on an impervious surface such as concrete or asphalt if stored outside.

Fueling Areas. Prevent or minimize stormwater contamination from fueling areas by immediately cleaning up drips and spills with absorbent pads or dry absorbent materials. The facility must have a spill kit on site. Consider covering the fueling area with an overhang or extended roof area.

Vehicle and Equipment Cleaning Areas. The discharge of vehicle or equipment wash water is not authorized under this General Permit. Consider performing all washing or cleaning operations indoors in a dedicated wash bay where the wash water is either pumped to a holding tank or sent to the sanitary sewer. The latter may require a pre-treatment agreement with the POTW. Outdoor washing is allowed if there is no discharge to a stormwater conveyance or a surface water, and there is no engine washing or the use of acids bases or degreasers.

Vehicle and Equipment Maintenance Areas. Implement measures to prevent or minimize contamination of stormwater with fluids, grease, or particulate matter from grinding or sanding. Consider performing maintenance activities indoors and use drip pans or other absorbent materials for drips and spills. Maintain an organized inventory of materials used in the shop; drain all parts of fluid prior to disposal. Maintain a dry indoor maintenance shop and prohibit wet clean up practices.

Locomotive Sanding (Loading Sand for Traction) Areas. Implement measures to prevent the discharge of traction sand, measures may include: covering sanding areas; minimizing stormwater run on and runoff. The permittee shall implement appropriate sediment removal practices to minimize the offsite transport of sanding material.

Material Storage Areas. Maintain all liquid material storage vessels free of debris or residue for products and waste products to prevent contamination of stormwater. Plainly label all waste product containers (e.g., “Used Oil,” “Spent Solvents,” etc.). Consider storing the materials indoors with proper secondary containment. Barrels stored outside must residue free and stored on pallets while awaiting transport for indoor use or for proper disposal. Outdoor storage of barrels must be inspected weekly for spills or leaks.

5. Employee Training. (See also Part V(D)(9)(a).) Provide annual training to address, as applicable: spill response and safety procedures, used oil and spent solvent storage and management; fueling procedures; general good housekeeping practices for painting, grinding, sanding and metal or fiberglass fabrication, and welding; and, used battery storage, containment and management.

D. Visual Monitoring Requirements. (See also Part VI.) Visual monitoring must be conducted quarterly during a qualifying storm event. Collect a grab sample for visual monitoring analysis from each outfall that has an associated industrial activity within the outfall's drainage area. The outfall(s) must be sampled quarterly unless the facility has representative outfalls.

Visual monitoring requirements are waived if the facility is in compliance with and can demonstrate participation in the implementation of an established Department Approved Watershed Management Plan; or if the facility is conducting Benchmark, Impaired Waters sampling and analysis, or Numeric Monitoring for Total Suspended Solids (TSS). Visual monitoring is only waived for the outfall(s) associated with Numeric Monitoring. The permittee shall conduct quarterly visual monitoring at outfalls that do not require Numeric Monitoring.

Visual monitoring must be resumed if Benchmark Monitoring, Numeric Monitoring or Impaired Waters sampling is ceased.

Appendix Q

Sector Q - Water Transportation.

A. Covered Stormwater Discharges. The requirements for Sector Q apply to stormwater discharges associated with industrial activity from Water Transportation as identified by the Activity Codes specified below.

SECTOR Q: Water Transportation	
4412-4499	Water Transportation

B. Limitations on Coverage. (See also Part I(E).) This General Permit does not authorize the following: discharges containing bilge and ballast water; sanitary wastes; pressure wash water; and, cooling water originating from vessels. An Antifouling Paint Contaminated Vessel Wash Water General Permit is required for discharges of bottom wash water which contains Antifouling Paints (AFP).

C. Additional SWPPP Requirements and Non-Numeric Technology Based Effluent Limits.

1. Site Map. (See also Part V(D)(3).) Identify areas where the following may be exposed to precipitation/surface runoff: fueling; engine maintenance or repair; vessel maintenance or repair; pressure washing; painting; sanding; blasting; welding; metal fabrication; loading or unloading areas; locations used for the treatment, storage or disposal of wastes; liquid storage tanks; liquid storage areas (e.g., paint, solvents, resins); and, material storage areas (e.g., blasting media, aluminum, steel, scrap iron).

2. Potential Pollutant Sources and Exposed Materials (See also Part V(D)(4).) Describe the following additional sources and activities that have potential pollutants associated with them (if applicable): outdoor manufacturing or processing activities (e.g., welding, metal fabricating); and; significant dust or particulate generating processes (e.g., abrasive blasting, grinding, sanding, scraping).

3. Good Housekeeping Measures. (See also Part V(D)(9)(a).)

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

   Blasting and Painting Area. If applicable, implement and describe measures to prevent spent abrasives, paint chips and over spray from discharging into the receiving water or the storm sewer systems. Consider containing all blasting or painting activities or use other measures to prevent the discharge of contaminants (e.g., hanging plastic barriers or tarpaulins during blasting or painting operations to contain debris). Where necessary, regularly clean stormwater conveyances of deposits of abrasive blasting debris and paint chips. Provide written details in the

SWPPP outlining any standard operating practices relating to blasting, sanding, grinding, scraping or painting that will occur (e.g., prohibiting these activities over open water, and prohibit these activities during windy conditions which can render containment ineffective).

Engine Maintenance and Repair Areas. If applicable, implement and describe measures to prevent or minimize the contamination of stormwater from all areas used for engine maintenance and repair. Consider the following (or their equivalents): performing all maintenance activities indoors; maintaining an organized inventory of materials used in the shop; draining all parts of fluid prior to disposal; keeping a dry shop using dry cleanup methods such as sweeping and prohibiting the practice of hosing down the shop floor; and, treating or recycling stormwater runoff collected from the maintenance area.

Material Handling Area. If applicable, implement and describe measures to prevent or minimize the contamination of stormwater from material handling operations and areas (e.g., fueling, paint and solvent mixing, disposal of process wastewater streams from vessels). Consider the following (or their equivalents): covering fueling areas; using spill overflow protection and not letting customers conduct fueling operations; mixing paints and solvents in a designated area (preferably indoors or under a shed); and, minimizing stormwater run-on to material handling areas.

Dry-dock Activities. If applicable, describe the procedures for routinely maintaining or cleaning the dry-dock to prevent or minimize pollutants in stormwater. Address the cleaning of accessible areas of the dry-dock prior to flooding, and final cleanup following removal of the vessel and raising the dock. Include procedures for cleaning up oil, grease or fuel spills occurring on the dry-dock. Consider the following (or their equivalents): sweeping rather than hosing off debris or spent blasting material from accessible areas of the dry-dock prior to flooding, and having absorbent materials and oil containment booms readily available to contain or cleanup any spills.

General Yard Area. Implement and describe a schedule for routine yard maintenance and cleanup. Regularly remove from the general yard area scrap metal, wood, plastic, miscellaneous trash, paper, glass, industrial scrap, insulation, welding rods, and packaging.

4. Monthly Inspections. (See also Part V(I).) If the following activities occur at the facility these activity areas must be inspected monthly during periods of operation: pressure washing area; blasting, grinding, scraping, sanding and painting areas; material storage areas; engine maintenance or repair areas; material handling areas; dry-dock area; and, general yard area.

5. Stormwater Management Controls. (See also Part V(D)(9)(a).) Timely inspections and maintenance of stormwater management devices must be performed to remain compliant in the preventive maintenance program. As part of the preventive maintenance program, perform timely inspection and

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

6. Material Containment. Store and plainly label all containerized materials (e.g., fuels, paints, solvents, waste fluids, antifreeze, batteries) in a protected, secure location away from drains. Implement and describe measures to prevent or minimize the contamination of stormwater from the storage areas. Specify which materials are stored indoors and consider containment or enclosure for those stored outdoors. If abrasive blasting or grinding is performed, document the storage and disposal of spent abrasive materials generated at the facility. Consider implementing an inventory control plan to limit the presence of potentially hazardous materials onsite. Proper approved containment and storage must be used for all wash water and other wastewater collection. (See also Part V(D)(6).)

7. Employee Training. (See also Part V(D)(9)(a).) At a minimum, the employee training program must include (as applicable) the following topics: used oil management; spent solvent management; disposal of spent abrasives; disposal of vessel wastewaters; Grinding, blasting, scraping, sanding and painting; spill prevention and control; fueling procedures; general good housekeeping practices; and, used battery storage, disposal and management.

D. Visual Monitoring Requirements. (See also Part VI.) Visual monitoring must be conducted quarterly during a qualifying storm event. Collect a grab sample for visual monitoring analysis from each outfall that has an associated industrial activity within the outfall's drainage area. The outfall(s) must be sampled quarterly unless the facility has representative outfalls.

Visual monitoring requirements are waived if the facility is in compliance with and can demonstrate participation in the implementation of an established Department Approved Watershed Management Plan; or if the facility is conducting Benchmark, Impaired Waters sampling and analysis, or Numeric Monitoring for Total Suspended Solids (TSS). Visual monitoring is only waived for the outfall(s) associated with Numeric Monitoring. The permittee shall conduct quarterly visual monitoring at outfalls that do not require Numeric Monitoring.

Visual monitoring must be resumed if Benchmark Monitoring, Numeric Monitoring or Impaired Waters sampling is ceased.

Appendix R

Sector R - Ship and Boat Building or Repair Yards.

A. Covered Stormwater Discharges. The requirements for Sector R apply to stormwater discharges associated with industrial activity from Ship and Boat Building or Repair Yards as identified by the Activity Codes specified below.

SECTOR R: SHIP AND BOAT BUILDING OR REPAIRING YARDS	
3731, 3732	Ship and Boat Building or Repairing Yards

B. Limitations on Coverage. (See also Part I(E).) This General Permit does not authorize the following: discharges containing bilge and ballast water; sanitary wastes; pressure wash water; and, cooling water originating from vessels. An Antifouling Paint Contaminated Vessel Wash Water General Permit is required for discharges of bottom wash water which contains Antifouling Paints (AFP).

C. Additional SWPPP Requirements and Non-Numeric Technology Based Effluent Limits.

1. Site Map. (See also Part V(D)(3).) Identify areas where the following may be exposed to stormwater: fueling; engine maintenance or repair; vessel maintenance or repair; pressure washing; painting; sanding; grinding, blasting; welding; metal fabrication; loading or unloading areas; locations used for the treatment, storage or disposal of wastes; liquid storage tanks; liquid storage areas (e.g., paint, solvents, resins); and, material storage areas (e.g., blasting media, aluminum, steel, scrap iron).

2. Potential Pollutant Sources and Exposed Materials (See also Part V(D)(4).) Describe the following additional sources and activities that have potential pollutants associated with them (if applicable): outdoor manufacturing or processing activities (e.g., welding, metal fabricating, repairs and maintenance); and; significant dust or particulate generating processes (e.g., abrasive blasting, grinding, scraping or sanding).

3. Good Housekeeping Measures. (See also Part V(D)(9)(a).)

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

   Blasting and Painting Area. Implement and describe measures to prevent spent abrasives, paint chips and over spray from discharging into the receiving water or the storm sewer systems. Consider containing all blasting or painting activities or use other measures to prevent the discharge of contaminants (e.g., hanging plastic barriers or tarpaulins during blasting or painting operations to contain debris). Where necessary, regularly clean stormwater conveyances of deposits of abrasive blasting debris and paint chips. Provide written details in the SWPPP outlining

any standard operating practices relating to blasting/painting that will occur (e.g., prohibiting uncontained blasting or painting over open water, or prohibiting blasting and painting during windy conditions which can render containment ineffective).

Engine Maintenance and Repair Areas. Implement and describe measures to prevent or minimize the contamination of stormwater from all areas used for engine maintenance and repair. Consider the following (or their equivalents): performing all maintenance activities indoors; maintaining an organized inventory of materials used in the shop; draining all parts of fluid prior to disposal; prohibiting the practice of hosing down the shop floor; using dry cleanup methods; and, treating or recycling stormwater collected from the maintenance area.

Material Handling Area. Implement and describe measures to prevent or minimize the contamination of stormwater from material handling operations and areas (e.g., fueling, paint and solvent mixing, disposal of process wastewater streams from vessels). Consider the following (or their equivalents): covering fueling areas; using spill or overflow protection; mixing paints and solvents in a designated area (preferably indoors or under a shed); and, minimizing stormwater run-on to material handling areas.

Dry-dock Activities. Describe the procedures for routinely maintaining or cleaning the dry-dock to prevent or minimize pollutants in stormwater runoff. Address the cleaning of accessible areas of the dry-dock prior to flooding, and final cleanup following removal of the vessel and raising the dock. Include procedures for cleaning up oil, grease or fuel spills occurring on the dry-dock. Consider the following (or their equivalents): sweeping rather than hosing off debris or spent blasting material from accessible areas of the dry-dock prior to flooding, and having absorbent materials and oil containment booms readily available to contain/cleanup any spills.

General Yard Area. Implement and describe a schedule for routine yard maintenance and cleanup. Regularly remove from the general yard area scrap metal, wood, plastic, miscellaneous trash, paper, glass, industrial scrap, insulation, welding rods, and packaging.

4. Monthly Inspections. (See also Part V(I).) Inspect the following areas on a monthly basis: pressure washing area; blasting, grinding, scraping, sanding and painting areas; material storage areas; engine maintenance or repair areas; material handling areas; dry-dock area; and, general yard area.

5. Stormwater Management Controls. (See also Part V(D)(9)(a).) Timely inspections and maintenance of stormwater management devices must be performed to remain compliant in the preventive maintenance program. As part of the preventive maintenance program, perform timely inspection and maintenance of stormwater management devices (e.g., cleaning oil water

separators and sediment traps to ensure that spent abrasives, paint chips and solids will be intercepted and retained prior to entering the storm drainage system) as well as inspecting and testing facility equipment and systems to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters.

6. Material Containment. Store and plainly label all containerized materials (e.g., fuels, paints, solvents, waste oil, antifreeze, batteries) in a protected, secure location away from drains. Implement and describe measures to prevent or minimize the contamination of stormwater from the storage areas. Specify which materials are stored indoors and consider containment or enclosure for those stored outdoors. If abrasive blasting, or grinding is performed, discus the storage and disposal of spent abrasive materials generated at the facility. Consider implementing an inventory control plan to limit the presence of potentially hazardous materials onsite. Proper approved containment and storage must be used for all wash water and other wastewater collection. (See also Part V(D)(6).)

7. Employee Training. (See also Part V(D)(9)(a).) At a minimum, the employee training program must include (as applicable) the following topics: used oil management; spent solvent management; disposal of spent abrasives; disposal of vessel wastewaters; spill prevention and control; fueling procedures; general good housekeeping practices; painting and blasting procedures; and, used battery storage, containment and management.

D. Visual Monitoring Requirements. (See also Part VI.) Visual monitoring must be conducted quarterly during a qualifying storm event. Collect a grab sample for visual monitoring analysis from each outfall that has an associated industrial activity within the outfall's drainage area. The outfall(s) must be sampled quarterly unless the facility has representative outfalls.

Visual monitoring requirements are waived if the facility is in compliance with and can demonstrate participation in the implementation of an established Department Approved Watershed Management Plan; or if the facility is conducting Benchmark, Impaired Waters sampling and analysis, or Numeric Monitoring for Total Suspended Solids (TSS). Visual monitoring is only waived for the outfall(s) associated with Numeric Monitoring. The permittee shall conduct quarterly visual monitoring at outfalls that do not require Numeric Monitoring.

Visual monitoring must be resumed if Benchmark Monitoring, Numeric Monitoring or Impaired Waters sampling is ceased.

Appendix S

Sector S - Air Transportation

A. Covered Stormwater Discharges. The requirements for Sector S apply to stormwater discharges associated with industrial activity from Air Transportation facilities as identified by the SIC Codes specified below.

SECTOR S: AIR TRANSPORTATION	
4512-4581	Air Transportation Facilities

B. Limitations on Coverage. (See also Part I(E).) This General Permit does not authorize the following discharges: aircraft, ground vehicle, runway and equipment wash waters; and dry weather discharges of deicing chemicals **unless** the facility performs deicing in a location that includes a deicing recovery system. These discharges must be covered by a separate MEPDES permit.

Only those portions of the facility that are involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling and lubrication), equipment cleaning operations or deicing operations are addressed in this Appendix.

C. Special Conditions.

Hazardous Substances or Oil. Each individual permittee is required to report spills equal to or exceeding the reportable quantity (RQ) levels specified at 40 CFR 110, 117 and 302. See also 38 M.R.S.A. § 543, 550 and 1318-B. If an airport authority is the sole permittee, then the sum total of all spills at the airport must be assessed against the RQ. If the airport authority is a co-permittee with other operators at the airport, such as numerous different airlines, the assessed amount must be the summation of spills by each co-permittee. If separate, distinct individual permittees exist at the airport, then the amount spilled by each separate permittee shall be the assessed amount for the RQ determination.

D. Additional SWPPP Requirements and Non-Numeric Technology Based Effluent Limits.

If an airport's tenant has a SWPPP for discharges from their own areas of the airport, that SWPPP must be integrated with the plan for the entire airport. Tenants of the airport facility include air passenger or cargo companies, fixed based operators and other parties who have contracts with the airport authority to conduct business operations on airport property and whose operations result in stormwater discharges associated with industrial activity.

1. Site Map. (See also Part V(D)(3).) The permittee shall identify areas where any of the following may be exposed to stormwater: aircraft and runway deicing operations; fueling stations; aircraft, ground vehicle, equipment maintenance and cleaning areas; and, storage areas for aircraft, ground vehicles and equipment awaiting maintenance.

2. Potential Pollutant Sources and Exposed Materials. (See also Part V(D)(4).) The permittee must describe the following activities: aircraft, runway, ground vehicle, equipment maintenance and cleaning; aircraft and runway deicing operations. These areas may include apron and centralized aircraft deicing stations, runways, taxiways and ramps.

   If the permittee uses deicing chemicals, the permittee shall maintain a record of the types (including the Material Safety Data Sheets [MSDS]) used and the monthly quantities, either as measured or, in the absence of metering, as estimated to the best of the facility's owner(s) or operator(s) knowledge. This includes all deicing chemicals, not just glycols and urea (e.g., potassium acetate), because large quantities of these other chemicals can still have an adverse impact on receiving waters. Tenants or other fixed-based operations that conduct deicing operations shall provide the above information to the airport authority for inclusion in any comprehensive airport SWPPPs.

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

   Runway Deicing Operation. Evaluate, at a minimum, whether over-application of deicing chemicals occurs by analyzing application rates and adjusting as necessary, consistent with considerations of flight safety. Also consider these BMP options (or their equivalents): metered application of chemicals; pre-wetting dry chemical constituents prior to application; installing a runway ice detection system; and, implementing anti-icing operations as a preventive measure against ice buildup.

   Aircraft Deicing Operations. Determine whether excessive application of deicing chemicals occurs and adjust as necessary, consistent with considerations of flight safety. This evaluation must be carried out by the aircraft pilot. Consider using alternative deicing/anti-icing agents as well as containment measures for all applied chemicals. The permittee may consider BMP options (or their equivalents) for reducing deicing fluid use. Also consider using ice-detection systems and airport traffic flow strategies and departure slot allocation systems.

   Management of deicing. Where deicing operations occur, describe and implement a program to control or manage contaminated runoff to reduce the amount of pollutants being discharged from the activity. Consider these BMP options or equivalents: a dedicated deicing facility with a runoff collection and recovery system; use vacuum collection trucks; store contaminated stormwater or deicing fluids in tanks and release controlled amounts to a publicly owned treatment works; collect contaminated runoff in a wet pond for biochemical decomposition (be aware of attracting wildlife that may prove hazardous to flight operations); and, direct runoff into vegetative swales or other infiltration measures. Also consider recovering deicing materials when these materials are applied during non-precipitation events (e.g., covering storm sewer inlets, using booms, installing absorptive interceptors in the drains, etc.) to prevent these

materials from later becoming a source of stormwater contamination. Used deicing fluid should be recycled whenever possible.

Source Reduction. Consider alternatives to the use of urea and glycol-based deicing chemicals to reduce the aggregate amount of deicing chemicals used and/or decrease environmental impact. Chemical options to replace ethylene glycol, propylene glycol and urea include: potassium acetate; magnesium acetate; calcium acetate; and, anhydrous sodium acetate.

3. Good Housekeeping Measures. (See also Part V(D)(9)(a).) Describe and implement measures to prevent or minimize the contamination of stormwater from all areas used for aircraft, ground vehicle and equipment maintenance (including the maintenance conducted on the terminal apron and in dedicated hangers). Consider the following practices or equivalents: perform maintenance activities indoors; maintain an organized inventory of material used in the maintenance areas; drain all parts of fluids prior to disposal; prevent the practice of hosing down the apron or hanger floor; use dry cleanup methods; and collect the or treat stormwater from the maintenance area.

    a. Aircraft, Ground Vehicle and Equipment Cleaning Areas. Clean equipment only in the designated areas identified in the SWPPP and site map. Describe and implement measures that prevent or minimize the contamination of stormwater from cleaning areas.

    b. Aircraft, Ground Vehicle and Equipment Storage Areas. Store all aircraft, ground vehicles and equipment awaiting maintenance in designated areas. Consider the following BMPs or equivalents: store aircraft and ground vehicles indoors; using drip pans for the collection of fluid leaks; and, perimeter drains, dikes or berms surrounding the storage areas.

4. Inspections. Specify the frequency of inspections in the SWPPP. During the deicing season, inspections must be conducted monthly for all areas and equipment used in the deicing operations. This includes all months during which deicing chemicals are used. The Department may specifically require the permittee to increase inspections and SWPPP reevaluations as necessary.

   The permittee shall conduct one of the quarterly Site Compliance Evaluations (See also Part V(I).) during a qualifying rain event during the deicing season or within 30 days after deicing operations have ceased.

5. Material Containment. Maintain the vessels of stored materials (e.g., used oils, hydraulic fluids, spent solvents, and waste aircraft fuel) in good condition, to prevent or minimize contamination of stormwater. Also plainly label the vessels (e.g., “used oil,” “Contaminated Jet A,” etc.). Describe and implement measures that prevent or minimize contamination of stormwater from these areas. Consider the following BMPs or equivalents: store materials indoors; store waste materials in a centralized location; and, install berms or dikes around storage areas.

Airport Fuel System and Fueling Areas. Describe and implement measures to prevent or minimize the discharge of fuel to the storm sewer or surface waters resulting from fuel servicing activities or other operations conducted in support of the airport fuel system. Consider the following BMPs or equivalents: implement spill and overflow practices (e.g., placing absorptive materials beneath aircraft during fueling operations); using dry cleanup methods; and, collect contaminated stormwater.

E. Visual Monitoring Requirements. (See also Part VI.) Visual monitoring must be conducted quarterly during a qualifying storm event. Collect a grab sample for visual monitoring analysis from each outfall that has an associated industrial activity within the outfall's drainage area. The outfall(s) must be sampled quarterly unless the facility has representative outfalls.

Visual monitoring requirements are waived if the facility is in compliance with and can demonstrate participation in the implementation of an established Department Approved Watershed Management Plan; or if the facility is conducting Benchmark, Impaired Waters sampling and analysis, or Numeric Monitoring for Total Suspended Solids (TSS). Visual monitoring is only waived for the outfall(s) associated with Numeric Monitoring. The permittee shall conduct quarterly visual monitoring at outfalls that do not require Numeric Monitoring.

Visual monitoring must be resumed if Benchmark Monitoring, Numeric Monitoring or Impaired Waters sampling is ceased.

Appendix T

Sector T - Treatment Works.

A. Covered Stormwater Discharges. The requirements for Sector T apply to stormwater discharges associated with Treatment Works facilities as identified by the Activity Code specified below.

SECTOR T: TREATMENT WORKS	
TW	Treatment Works

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

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

Not required to have permit coverage: farm lands; domestic gardens or lands used for sludge management where sludge is beneficially reused and which are not physically located within the facility; or areas that are in compliance with Section 405 of the Clean Water Act.

C. Limitations on coverage. (See also Part I(E).) This General Permit does not authorize the following: sanitary and industrial wastewater; and equipment or vehicle wash water.

Wastewater and Wash Water Requirements. (See also Part I(E)(3).) If the facility has a MEPDES permit for: wastewater, industrial process water, vehicle and equipment wash water discharges, these permits must be referenced in the facility's SWPPP. If the wash water is handled in another manner, describe the disposal method and include documentation in the SWPPP.

D. Additional SWPPP Requirements and Non-Numeric Technology Based Effluent Limits.

1. Site Map. (See also Part V(D)(3).) The permittee shall identify areas where any of the following may be exposed to stormwater: grit, screenings and other solids handling, storage or disposal areas; sludge drying beds; dried sludge piles; compost piles; septage or hauled waste receiving station; and, storage areas for process chemicals, petroleum products, solvents, fertilizers, herbicides and pesticides.

2. Potential Pollutant Sources and Exposed Materials. (See also Part V(D)(4).) The permittee must describe the following potential pollutant sources and activities as applicable: grit, screenings and other solids handling, storage or disposal areas; sludge drying beds; dried sludge piles; compost piles; septage or hauled waste receiving station; and, access roads and rail lines.

3. Stormwater Management Controls. (See also Part V(D)(8) and (9).) In addition to the other BMPs considered, consider routing stormwater to the treatment works or covering exposed materials from the following areas: grit, screenings and other solids handling, storage or disposal areas; sludge drying beds; dried sludge piles; compost piles; septage; or, hauled waste receiving station.

4. Inspections. (See also Part V(I).) Include the following areas in all inspections: access roads, rail lines; grit, screenings and other solids handling, storage or disposal areas; sludge drying beds; dried sludge piles; compost piles; septage; or, hauled waste receiving station areas.

5. Employee Training. (See also Part V(D)(9)(a).) At a minimum, the training of employees must address the following topics when applicable to a facility: petroleum product management; process chemical management; spill prevention and controls; fueling procedures; general good housekeeping practices; and, proper procedures for using fertilizer, herbicides and pesticides.

E. Visual Monitoring Requirements. (See also Part VI.) Visual monitoring must be conducted quarterly during a qualifying storm event. Collect a grab sample for visual monitoring analysis from each outfall that has an associated industrial activity within the outfall's drainage area. The outfall(s) must be sampled quarterly unless the facility has representative outfalls.

Visual monitoring requirements are waived if the facility is in compliance with and can demonstrate participation in the implementation of an established Department Approved Watershed Management Plan; or if the facility is conducting Benchmark, Impaired Waters sampling and analysis, or Numeric Monitoring for Total Suspended Solids (TSS). Visual monitoring is only waived for the outfall(s) associated with Numeric Monitoring. The permittee shall conduct quarterly visual monitoring at outfalls that do not require Numeric Monitoring.

Visual monitoring must be resumed if Benchmark Monitoring, Numeric Monitoring or Impaired Waters sampling is ceased.

Appendix U

Sector U - Food and Kindred Products

A. Covered Stormwater Discharges. The requirements for Sector U apply to stormwater discharges associated with Food and Kindred Products facilities as identified by the SIC Codes specified below. Including material handling sites; refuse sites; sites used for storage and maintenance of material handling equipment; manufacturing buildings; and, storage areas for raw material and intermediate and finished products. This includes historical site industrial activity areas and locations where significant materials remain on the property. "Material handling activities" include the storage, loading or unloading, transportation or conveyance of any raw material, intermediate product, finished product, by-product or waste product;

SECTOR U: FOOD AND KINDRED PRODUCTS	
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 Confectionary Products
2074-2079	Fats and Oils
2082-2087	Beverages
2091-2099	Miscellaneous Food Preparations and Kindred Products
2111-2141	Tobacco Products

B. Limitations on Coverage. (See also Part I(E).) This General Permit does not authorize the following discharges from; boiler blow-down, cooling tower overflow and blow-down, ammonia refrigeration purging and vehicle washing or clean-out operations, and sites used for application or disposal of process wastewaters or residential wastewater treatment, storage, or disposal. Concentrated Animal Feeding Areas (CAFOs) are not covered under this permit.

C. Additional SWPPP Requirements and Non-Numeric Technology Based Effluent Limits.

1. Site Map. (See also Part V(D)(3).) The permittee shall identify areas where any of the following may be exposed to stormwater: vents or stacks from cooking, drying and similar operations; dry product vacuum transfer lines; animal holding pens; spoiled product; and, broken product container storage areas.

2. Potential Pollutant Sources and Exposed Material. (See also Part V(D)(4).) If the facility uses, has used, applies or stores pest-control chemicals including rodenticides, insecticides, fungicides, etc. these chemicals and processes must be identified in the SWPPP.

3. Inspections. (See also Part V(I).) The permittee must regularly inspections the following areas: loading and unloading areas for all significant materials; storage areas including associated containment areas; waste management units; vents and

stacks emanating from industrial activities; spoiled product and broken product container holding areas; animal holding pens; staging areas; and, air pollution control equipment.

4. Good Housekeeping. Good housekeeping practices include maintaining all material storage areas, minimizing dust and debris from vent and stack areas and making certain that spoiled product and broken product containers or holding areas are properly contained and not discharging to a surface water or a stormwater conveyance system; and that offsite tracking of material is minimized.

5. Employee Training. (See also Part V(D)(9)(a).) The permittee shall address pest control in the training program. As applicable to the facility and with regards to federal and state regulations, and as further required by the facility's employee training program, the training program shall address concerns mandated by good manufacturing processes, and the amended FIRFA to include an Integrated Pest Management Plan (IPM). The training will also address spill response and use of the SWPPP.

D. Visual Monitoring Requirements. (See also Part VI.) Visual monitoring must be conducted quarterly during a qualifying storm event. Collect a grab sample for visual monitoring analysis from each outfall that has an associated industrial activity within the outfall's drainage area. The outfall(s) must be sampled quarterly unless the facility has representative outfalls.

Visual monitoring requirements are waived if the facility is in compliance with and can demonstrate participation in the implementation of an established Department Approved Watershed Management Plan; or if the facility is conducting Benchmark, Impaired Waters sampling and analysis, or Numeric Monitoring for Total Suspended Solids (TSS). Visual monitoring is only waived for the outfall(s) associated with Numeric Monitoring. The permittee shall conduct quarterly visual monitoring at outfalls that do not require Numeric Monitoring.

Visual monitoring must be resumed if Benchmark Monitoring, Numeric Monitoring or Impaired Waters sampling is ceased.

Appendix V

Sector V - Textile Mills, Apparel and Other Fabric Products

A. Covered Stormwater Discharges. The requirements for Sector V apply to stormwater discharges associated with Textile Mills, Apparel, and Other Fabric Product Manufacturing facilities as identified by the SIC Code specified below.

SECTOR V: TEXTILE MILLS, APPAREL, AND OTHER FABRIC PRODUCT MANUFACTURING, LEATHER AND LEATHER PRODUCTS	
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. Limitations on Coverage. (See also Part I(E).) This General Permit does not authorize the non-stormwater discharges from the following: discharges of wastewater (e.g., wastewater resulting from wet processing or from any processes relating to the production process); and, reused or recycled water; and waters used in cooling towers.

C. Additional SWPPP Requirements and Non-Numeric Technology Based Effluent Limits.

1. Potential Pollutant Sources and Exposed Materials. (See also Part V(D)(4).) As applicable to the facility, describe the following potential pollutant sources: back-winding; beaming; bleaching; backing bonding; carbonizing; carding; cutting and sewing operations; desizing; drawing; dyeing; locking; fulling; knitting; mercerizing; opening; packing; plying; scouring; slashing; spinning; synthetic-felt processing; textile waste processing; tufting; turning; weaving; web forming; winging; yarn spinning; and, yarn texturing.

2. Material Containment. Plainly label and store all containerized materials (e.g., fuels, petroleum products, solvents, dyes, etc.) in a protected area away from drains. Describe and implement measures aimed at preventing or minimizing contamination of stormwater runoff from storage areas and include a description of the containment area or enclosure used for those materials stored outdoors. Also consider an inventory control plan to prevent purchases of potentially hazardous substances. When storing empty chemical drums or containers, ensure the drums or containers are clean and there is no contact of residuals with precipitation. Consider triple-rinsing the drums and containers. Properly collect and dispose of wash water from the drum and container triple rinsings.

3. Stormwater Management Controls.

   Material Handling Area. The following must be considered: use of spill or overflow protection; covering fueling areas; and, covering or enclosing areas where the transfer of material may occur. Address the replacement or repair of leaking connections, valves, transfer lines and pipes used to carry or transport chemicals, dyes or wastewater.

   Fueling Areas. The following must be considered: covering the fueling area, using spill and overflow protection, minimizing run-on of stormwater to the fueling areas, using dry cleanup methods, and, treating and or recycling stormwater runoff collected from the fueling area.

   Above Ground Storage Tank Area. The following must be considered: regular cleanup of above ground storage tank areas; preparation of the spill prevention control and countermeasure program; provide spill and overflow protection; minimizing runoff of stormwater from adjacent areas; restricting access to the area; insertion of filters in adjacent catch basins; providing absorbent booms in unbermed fueling areas; using dry cleanup methods; and, permanently sealing drains within critical areas that may discharge to a storm drain.

4. Monthly Inspections. (See also Part V(I)(1-3).) Minimally, conduct monthly inspections of transfer and transmission lines; fueling areas; catch basins; processing areas, material containment, and all BMPs.

5. Employee Training. (See also Part V(D)(9)(a).) Additional employee training shall include: use of reused recycling waters; solvents management; proper disposal of dyes; proper disposal of petroleum products and spent lubricants; spill prevention and control; fueling procedures; and, good housekeeping practices.

D. Visual Monitoring Requirements. (See also Part VI.) Visual monitoring must be conducted quarterly during a qualifying storm event. Collect a grab sample for visual monitoring analysis from each outfall that has an associated industrial activity within the outfall's drainage area. The outfall(s) must be sampled quarterly unless the facility has representative outfalls.

   Visual monitoring requirements are waived if the facility is in compliance with and can demonstrate participation in the implementation of an established Department Approved Watershed Management Plan; or if the facility is conducting Benchmark, Impaired Waters sampling and analysis, or Numeric Monitoring for Total Suspended Solids (TSS). Visual monitoring is only waived for the outfall(s) associated with Numeric Monitoring. The permittee shall conduct quarterly visual monitoring at outfalls that do not require Numeric Monitoring.

   Visual monitoring must be resumed if Benchmark Monitoring, Numeric Monitoring or Impaired Waters sampling is ceased.

Appendix W

Sector W - Furniture and Fixtures

A. Covered Stormwater Discharges. The requirements for Sector W apply to stormwater discharges associated with Furniture and Fixtures and Wood Kitchen Cabinets as identified by the SIC Codes specified below.

SECTOR W: FURNITURE AND FIXTURES	
2434	Wood Kitchen Cabinets
2511-2599	Furniture and Fixtures

B. Limitations on Coverage. This General Permit does not authorize stormwater discharges from sawdust piles or other residual wood byproducts or from dust collecting systems that may malfunction and discharge sawdust onto roofing systems or other material or storage areas where there may be contact with sprayed chemical formulations to provide wood surface protection or between phases of furniture finishing or refinishing. These discharges must be covered by a separate MEPDES permit.

C. Additional SWPPP Requirements and Non-numeric Technology Based Effluent Limits.

1. Site Map. (See also Part V(D)(3).) The permittee shall identify areas where any of the following may be exposed to stormwater: material storage (including tanks or other vessels used for liquid or waste storage) areas; outdoor material processing areas including dust collection systems; and areas where wastes are treated, stored or disposed; access roads; and, rail spurs.

2. Potential Pollutant Sources and Exposed Materials. (See also Part V(D)(4).) If the facility stores wood products or has the potential to generate sawdust or other fines particles, these must be identified in the SWPPP. The permittee shall identify and implement BMPs to minimize the contact of these materials with stormwater.

3. Stormwater Management Controls. (See also Part V(D)(8) and (9).) The permittee shall describe and implement measures to address the following activities or pollutant sources from: raw wood and wood product storage areas; residue storage areas; dust collection systems; loading and unloading areas; material handling areas; chemical storage areas; fueling and fuel storage areas and, equipment or vehicle maintenance, storage and repair areas.

4. Good Housekeeping. Good housekeeping includes removal of yard debris and accumulated wood waste and sediments to limit the discharge of woody debris, minimize leachate generated from decaying wood materials and minimize the generation of sawdust from dust colleting systems and all product handling areas.

The permittee shall document a schedule of the implemented good housekeeping measures at the facility.

5. Material containment. Use containment devices to prevent the tracking, blowing or drifting of sawdust, fines and furniture sanding debris to surface waters. Containment devices may include but are not limited to, wooden, concrete or metal barriers or structures to prevent tracking, blowing or drifting of material. Sanding activities should be performed in a designated, screened area to prevent wind blown tracking of the sawdust and sanding fines to surface waters. Screening may consist of netting, fencing, or other screen used to capture windblown particulate matter associated with the sanding or finishing or refinishing activity. If stormwater associated with the material containment area drains to a waste treatment or process sewer system, only screening to prevent wind blown tracking of the material to surface waters or stormwater conveyance system must be utilized.

D. Visual Monitoring Requirements. (See also Part VI.) Visual monitoring must be conducted quarterly during a qualifying storm event. Collect a grab sample for visual monitoring analysis from each outfall that has an associated industrial activity within the outfall's drainage area. The outfall(s) must be sampled quarterly unless the facility has representative outfalls.

Visual monitoring requirements are waived if the facility is in compliance with and can demonstrate participation in the implementation of an established Department Approved Watershed Management Plan; or if the facility is conducting Benchmark, Impaired Waters sampling and analysis, or Numeric Monitoring for Total Suspended Solids (TSS). Visual monitoring is only waived for the outfall(s) associated with Numeric Monitoring. The permittee shall conduct quarterly visual monitoring at outfalls that do not require Numeric Monitoring.

Visual monitoring must be resumed if Benchmark Monitoring, Numeric Monitoring or Impaired Waters sampling is ceased.

Appendix X

Sector X - Printing and Publishing

A Covered Stormwater Discharges. The requirements in Sector X apply to stormwater discharges associated with Printing and Publishing facilities as identified by the SIC Codes specified below.

SECTOR X: PRINTING AND PUBLISHING	
2711-2796	Printing, Publishing and Allied Industries

B. Limitations on Coverage. (See also Part 1(E).) This General Permit does not authorize the non stormwater discharge of blanket wash.

C. Additional SWPPP Requirements and Non-numeric Technology Based Effluent Limits.

1. Site Map. (See also Part V(D)(3).) The permittee shall identify areas where any of the following may be exposed to stormwater: above ground storage tanks, and, drums and barrels that are permanently stored outside.

2. Potential Pollutant Sources and Exposed Materials. (See also Part V(D)(4).) As applicable to the facility, describe the following pollutant sources including: loading and unloading operations; outdoor storage activities; significant dust or particulate generating processes; and, onsite waste disposal practices (e.g., blanket wash). Also identify the pollutant or pollutant parameter (e.g., oil and grease, scrap metal, etc.) associated with each potential pollutant source.

3. Material Containment. Label and store all containerized materials including skids, pallets, solvents, bulk inks, and hazardous waste, empty drums, portable or mobile containers of plant debris, wood crates, steel racks, fuel oil, in a protected area, away from storm drains. Provide a narrative of the implementation measures aimed at preventing or minimizing contamination of stormwater runoff from such storage areas. Include a description of the containment area or enclosure for those materials that are stored outdoors. Also consider developing an inventory control plan to prevent the practice of purchasing potentially hazardous substances.

4. Stormwater Management Controls. The permittee shall prevent and minimize potential pollutants which may mix with stormwater from loading and unloading of materials. The following BMPs must be considered: use of spill or overflow protection; covering fueling areas; and, covering or enclosing areas where the transfer of materials may occur. Where applicable, address the replacement or repair of leaking connections, valves, transfer lines and pipes that may carry or transport chemicals or wastewater. Other areas which must be considered are:

Fueling Areas. Provide a narrative for implemented measures that prevent or minimize contamination of stormwater from fueling areas. Consider the following (or equivalent measures): covering the fueling area, using spill and overflow protection, minimizing stormwater run-on to the fueling areas, using dry cleanup methods, and treating or recycling stormwater collected from the fueling area.

Above Ground Storage Tank Area. Provide a narrative for implemented measures that prevent or minimize contamination of the stormwater from above ground storage tank areas, including the associated piping and valves. Consider the following (or equivalent measures): regular cleanup of these areas; preparation of the spill prevention control and countermeasure program; provide spill and overflow protection; minimizing runoff of stormwater from adjacent areas; restricting access to the area; inserting filters in adjacent catch basins; providing absorbent booms in non-bermed fueling areas; using dry cleanup methods; and, permanently sealing drains within critical areas that may discharge to a storm drain.

5. Employee Training. (See also Part V(D)(9)(a).) As applicable, the employee training program, must address, at a minimum, the following activities: spent solvent management, control measures implemented at the facility to eliminate the contact of stormwater with blanket wash or other solvent mixing processes; spill prevention and control; used oil management; fueling procedures; and, general good housekeeping practices.

D. Visual Monitoring Requirements. (See also Part VI.) Visual monitoring must be conducted quarterly during a qualifying storm event. Collect a grab sample for visual monitoring analysis from each outfall that has an associated industrial activity within the outfall's drainage area. The outfall(s) must be sampled quarterly unless the facility has representative outfalls.

Visual monitoring requirements are waived if the facility is in compliance with and can demonstrate participation in the implementation of an established Department Approved Watershed Management Plan; or if the facility is conducting Benchmark, Impaired Waters sampling and analysis, or Numeric Monitoring for Total Suspended Solids (TSS). Visual monitoring is only waived for the outfall(s) associated with Numeric Monitoring. The permittee shall conduct quarterly visual monitoring at outfalls that do not require Numeric Monitoring.

Visual monitoring must be resumed if Benchmark Monitoring, Numeric Monitoring or Impaired Waters sampling is ceased.

Appendix Y

Sector Y - Rubber, Miscellaneous Plastic Products and Miscellaneous Manufacturing Industries

A. Covered Stormwater Discharges. The requirements for Sector Y apply to stormwater discharges associated with Rubber, Miscellaneous Plastic Products and Miscellaneous Manufacturing facilities as identified by the SIC Codes specified below.

SECTOR Y: RUBBER, MISCELLANEOUS PLASTIC PRODUCTS, AND MISCELLANEOUS MANUFACTURING INDUSTRIES	
3011	Tires and Inner Tubes
3021	Rubber and Plastics Footwear
3052, 3053	Gaskets, Packing, and Sealing Devices and Rubber and Plastic 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, see Sector C)	Pens, Pencils, and Other Artist's Materials
3961, 3965	Costume Jewelry, Costume Novelties, Buttons, and Miscellaneous Notions, Except Precious Metal
3991-3999	Miscellaneous Manufacturing Industries

B. Additional SWPPP Requirements and Non-numeric Technology Based Effluent Limits.

1. Potential Pollutant Sources and Exposed Materials. (See also Part V(D)(4).) If Zinc is used at the facility, the permittee shall identify and describe these areas, including associated BMPs in the facility's SWPPP and identify the areas on the site map.

2. Good Housekeeping. Perform good housekeeping including a review of the handling and storage practices of zinc bags at the facility. The following are BMP options which must be considered: training of employees on the handling and storage of zinc bags; provide indoor storage of zinc bags; perform cleanup of zinc spills without washing the zinc into the storm drain; and, avoid the use of large sacks of zinc, and consider using smaller more manageable sized packages. Other BMP options which must be considered are: using chemicals which are purchased in pre-weighed, sealed polyethylene bags; storing materials which are in use in sealable containers; ensuring airspace between the container and the cover to minimize "puffing" loss when the container is opened; and, using automatic dispensing and weighing equipment. To reduce discharges of zinc from onsite dumpsters consider covering dumpster(s), moving dumpster(s) indoors, or install dumpster(s) liners.

Malfunctioning Dust Collectors or Baghouses: The permittee shall properly maintain baghouses to reduce or eliminate discharges of pollutants to stormwater, and review the potential for baghouses and dust collectors to be a possible source of zinc in stormwater runoff. Replace or repair improperly operating baghouses and dust collectors.

Grinding Operations. Review dust generation from rubber grinding operations and, as appropriate, install a dust collection system.

Zinc Stearate Coating Operations. Develop BMPs to eliminate discharge of zinc stearate to stormwater. Provide a detailed narrative for measures aimed at preventing or cleaning up drips or spills of zinc stearate slurry that may be released to the storm drain. A discharge of zinc stearate is not authorized by this General Permit. A sound BMP option would consist of using alternate compounds to zinc stearate.

Controls for Plastic Products Manufacturers. Provide a narrative of implemented control mechanisms targeted to minimize the discharge of plastic resin pellets. The following BMPs should be considered for implementation (or equivalents measures include): minimize spills; prompt and thorough cleanup of spills; thoroughly sweep; capture pellets; and, employee awareness training and disposal precautions.

C. Visual Monitoring Requirements. (See also Part VI.) Visual monitoring requirements are waived if the facility is in compliance with and can demonstrate participation in the implementation of an established Department Approved Watershed Management Plan; or if the facility is conducting Benchmark, Impaired Waters sampling and analysis, or Numeric Monitoring for Total Suspended Solids (TSS). Visual monitoring is only waived for the outfall(s) associated with Numeric Monitoring.

The permittee shall conduct quarterly visual monitoring at outfalls that do not require Numeric Monitoring. Collect a grab sample for visual monitoring analysis from each outfall that has an associated industrial activity within the outfall's drainage area. The outfall(s) must be sampled quarterly unless the facility has representative outfalls.

Visual monitoring must be resumed if Benchmark Monitoring, Numeric Monitoring or Impaired Waters sampling is ceased.

Appendix Z

Sector Z - Leather Tanning and Finishing.

A. Covered Stormwater Discharges. The requirements for Sector Z apply to stormwater discharges associated with Leather Tanning and Finishing facilities as identified by the SIC Codes specified below.

SECTOR Z: LEATHER TANNING AND FINISHING	
3111	Leather Tanning and Finishing

B. Additional SWPPP Requirements and Non-Numeric Technology Based Effluent Limits.

1. Site Map. (See also Part V(D)(3).) The permittee shall identify areas where any of the following may be exposed to stormwater: processing and storage areas of the beam-house, tan-yard, and re-tan wet finishing and dry finishing operations; and, haul roads, access roads and rail spurs.

2. Potential Pollutant Sources and Exposed Materials. (See also Part V(D)(4).) As appropriate to the facility, describe potential pollutant(s) associated with the following activities and sources: temporary or permanent storage of fresh and brine cured hides; extraneous hide substances and hair; leather dust, scraps, trimmings and shavings; chemical drums, bags, containers and above ground tanks; empty chemical containers and bags; spent solvents; floor sweepings or washings; refuse, waste piles and sludge; and, significant dust or particulate generating processes such as buffing.

3. Material Containment. Label all chemicals containers including hazardous materials, spent solvents, and waste materials. Describe and implement measures to prevent or minimize contact with stormwater. The following areas must be addressed as applicable:

   Storage Areas for Raw, Semi-processed or Finished Tannery By-products. The following should be stored indoors or protected by polyethylene wrapping, tarpaulins, roofed storage, or other protective shelter: pallets or bales of raw, semi-processed or finished tannery byproducts including splits, trimmings, and shavings. Consider placing materials on impermeable surfaces, and enclosing or constructing berms around the storage area to prevent stormwater run-on or runoff.

   Buffing and Shaving Areas. Provide a narrative of implemented control measures targeted to minimize or prevent the contamination of stormwater runoff with leather dust from buffing or shaving areas. Consider dust collection enclosures or devices, conducting preventive inspection or maintenance programs or other appropriate material collection and containment measures.

Receiving, Unloading, and Storage Areas. Provide a narrative of implemented control measures targeted to minimize or prevent the contamination of stormwater runoff from receiving, unloading, and storage areas. If storage areas are exposed consider covering all hides and chemical supplies; diverting drainage to the process sewer; or, grade berming or curbing area to prevent runoff of stormwater.

Outdoor Storage of Contaminated Equipment. Provide a narrative of implemented control measures targeted to minimize or prevent the contamination of stormwater with contaminated equipment. Consider covering equipment; diverting drainage to the process sewer; and, cleaning the equipment thoroughly prior to storage.

Waste Management. Provide a narrative of implemented control measures targeted to minimize or prevent the contamination of stormwater runoff from waste storage areas. The following shall be consider: inspection or maintenance programs for leaking containers or spills; covering dumpsters; moving waste management activities indoors; covering waste piles with temporary covering material such as tarpaulins or polyethylene; and, minimizing stormwater runoff by enclosing the area or building berms around the area.

C. Visual Monitoring Requirements. (See also part VI.) Visual monitoring must be conducted quarterly during a qualifying storm event. Collect a grab sample for visual monitoring analysis from each outfall that has an associated industrial activity within the outfall's drainage area. The outfall(s) must be sampled quarterly unless the facility has representative outfalls.

Visual monitoring requirements are waived if the facility is in compliance with and can demonstrate participation in the implementation of an established Department Approved Watershed Management Plan; or if the facility is conducting Benchmark, Impaired Waters sampling and analysis, or Numeric Monitoring for Total Suspended Solids (TSS). Visual monitoring is only waived for the outfall(s) associated with Numeric Monitoring. The permittee shall conduct quarterly visual monitoring at outfalls that do not require Numeric Monitoring.

Visual monitoring must be resumed if Benchmark Monitoring, Numeric Monitoring or Impaired Waters sampling is ceased.

Appendix AA

Sector AA - Fabricated Metal Products.

A. Covered Stormwater Discharges. The requirements for Sector AA apply to stormwater discharges associated with industrial activity from Fabricated Metal Products facilities as identified by the SIC Codes specified below.

SECTOR AA: FABRICATED METAL PRODUCTS	
3144-3499	Fabricated Metal Products, Except Machinery and Transportation Equipment
3911-3915	Jewelry, Silverware, and Plated Ware

B. Additional SWPPP Requirements and Non-Numeric Technology Based Effluent Limits.

1. Site Map. (See also Part V(D)(3).) The permittee shall identify areas where any of the following may be exposed to stormwater: raw metal storage areas; finished metal storage areas; scrap disposal collection sites; equipment storage areas; retention and detention basins; temporary or permanent diversion dikes or berms; right-of-way or perimeter diversion devices; sediment traps and other barriers; processing areas including outside painting areas; wood preparation; recycling; and, raw material storage.

2. Potential Pollutant Sources and Exposed Materials. (See also Part V(D)(4).) The permittee shall describe the following activities and potential pollutant sources: loading and unloading operations for paints, chemicals and raw materials; outdoor storage activities for raw materials, paints, empty containers, chemicals, and scrap metals; outdoor manufacturing or processing activities such as grinding, cutting, degreasing, buffing, brazing, etc; and, onsite waste disposal practices for spent solvents, sludge, pickling baths, shavings, ingots pieces, refuse and waste piles.

3. Good Housekeeping Measures. Perform good housekeeping including implementation measures aimed at controlling and recovering scrap metals, metal-fines and iron dust. Include measures for containing materials within storage handling areas, as well as preventing the exposure of recyclable wastes. Also provide a narrative of the implementation measures aimed at preventing or minimizing the exposure of paint, paint chips and painting equipment to stormwater. If sandblasting operations are conducted at the facility, provide operating procedures that control blast media buildup and prevent the dispersion of blast media. Substitute hazardous chemicals used in the painting process with environmentally-friendly cleaners wherever possible. If lubricating oils or hydraulic fluids are used at the facility, consider monitoring equipment or other devices to detect and control leaks and overflows. The installation of perimeter controls such as dikes, curbs, grass filter strips or other equivalent measures must be considered in the areas where fluids and oils are used and applied.

4. Spill Prevention and Response Procedures. For each of the areas below the permittee shall provide a narrative of the implementation measures utilized for preventing spills and leaks; quick and effective remedial clean up of spills and leaks; and, provide employees with hands-on training related to cleanup techniques and procedures. In addition to the narratives required for each area, necessary cleanup equipment must be available to personnel in the below listed facility areas:

    - Metal Fabricating Areas
    - Storage Areas for Raw Metal
    - Receiving, Unloading, and Storage Areas
    - Chemical Storage Areas
    - Storage of Equipment and Equipment Storage Area
    - Metal Working Fluid Storage Areas
    - Cleaners and Rinse Water

    When compiling the list of past spills and leaks, pay particular attention to the following metals, chemicals and compounds: chromium, toluene, pickle liquor, sulfuric acid, zinc and other water priority chemicals, hazardous chemicals and associated waste streams.

C. Visual Monitoring Requirements. (See also Part VI.) Visual monitoring must be conducted quarterly during a qualifying storm event. Collect a grab sample for visual monitoring analysis from each outfall that has an associated industrial activity within the outfall's drainage area. The outfall(s) must be sampled quarterly unless the facility has representative outfalls.

Visual monitoring requirements are waived if the facility is in compliance with and can demonstrate participation in the implementation of an established Department Approved Watershed Management Plan; or if the facility is conducting Benchmark, Impaired Waters sampling and analysis, or Numeric Monitoring for Total Suspended Solids (TSS). Visual monitoring is only waived for the outfall(s) associated with Numeric Monitoring. The permittee shall conduct quarterly visual monitoring at outfalls that do not require numeric monitoring.

Visual monitoring must be resumed if Benchmark Monitoring, Numeric Monitoring or Impaired Waters sampling is ceased.

Appendix AB

Sector AB - Transportation Equipment, Industrial or Commercial Machinery

A. Covered Stormwater Discharges. The requirements for Sector AB apply to stormwater discharges associated with Transportation Equipment, Industrial or Commercial Machinery facilities as identified by the SIC Codes specified below.

SECTOR AB: TRANSPORTATION EQUIPMENT, INDUSTRIAL OR COMMERCIAL MACHINERY	
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. Limitations on Coverage. (See also Part I(E).) This General Permit does not authorize the discharges associated with equipment or vehicle wash water. A copy of the MEPDES permit issued for vehicle or equipment wastewater (or a copy of the pending application) must be attached or referenced in the SWPPP. If an industrial user permit is issued under a pretreatment program, attach a copy or reference in the SWPPP.

C. Additional SWPPP Requirements and Non-Numeric Technology Based Effluent Limits.

1. Site Map. (See also Part V(D)(3).) The permittee shall identify areas where any of the following may be exposed to stormwater: all vents and stacks associated with metal processing and similar operations.

2. Potential Pollutant Sources and Exposed Materials. (See also Part V(D)(4).) Describe and assess the potential for the following to contribute pollutants to stormwater: onsite fluid and waste fluid storage or disposal; parking areas for vehicles awaiting maintenance; activities associated with mechanical repairs; metal or fiberglass processing, grinding, painting or fabrication; used battery storage and fueling areas.

3. Inspections. (See also Part V(I).) The permittee shall inspect storage areas for vehicles and equipment awaiting maintenance; fueling areas; indoor and outdoor vehicle or equipment maintenance areas; material storage areas; vehicle or equipment cleaning areas; vents and stacks associated with metal or fiberglass processing, grinding, sanding or painting; and loading and unloading areas.

4. Good Housekeeping Measures. (See also Part V(D)(9)(a).) Perform good housekeeping which includes the following areas and activities:

Vehicle and Equipment Storage Areas. Leaky or leak-prone vehicles or equipment awaiting maintenance must be confined to designated areas. Use drip pans or absorbent pads under leaking vehicles and equipment. Store vehicles and equipment scheduled for maintenance inside or under cover if possible, or on an impervious surface such as concrete or asphalt if stored outside.

Fueling Areas. Prevent or minimize stormwater contamination from fueling areas by immediately cleaning up drips and spills with absorbent pads or dry absorbent materials. The facility must have a spill kit on site. Consider covering the fueling area with an overhang or extended roof area.

Vehicle and Equipment Cleaning Areas. The discharge of vehicle or equipment wash water is not authorized under this General Permit. Consider performing all washing or cleaning operations indoors in a dedicated wash bay where the wash water is either pumped to a holding tank or sent to the sanitary sewer. The latter may require a pre-treatment agreement with the POTW. Outdoor washing is allowed if there is no discharge to a stormwater conveyance or a surface water, and there is no engine washing or the use of acids bases or degreasers.

Vehicle and Equipment Maintenance Areas. Implement measures to prevent or minimize contamination of stormwater with fluids, grease, or particulate matter from grinding or sanding. Consider performing maintenance activities indoors and use drip pans or other absorbent materials for drips and spills. Maintain an organized inventory of materials used in the shop; drain all parts of fluid prior to disposal. Maintain a dry indoor maintenance shop and prohibit wet clean up practices.

Material Storage Areas. Maintain all liquid material storage vessels free of debris or residue for products and waste products to prevent contamination of stormwater. Plainly label all waste product containers (e.g., "Used Oil," "Spent Solvents," etc.). Consider storing the materials indoors with proper secondary containment. Barrels stored outside must residue free and stored on pallets while awaiting transport for indoor use or for proper disposal. Outdoor storage of barrels must be inspected weekly for spills or leaks.

5. Employee Training. (See also Part V(D)(9)(a).) Provide annual training to address, as applicable: spill response and safety procedures, used oil and spent solvent storage and management; fueling procedures; general good housekeeping practices for painting, grinding, sanding and metal or fiberglass fabrication, and welding; and, used battery storage, containment and management.

D. Visual Monitoring Requirements. (See also Part VI.) Visual monitoring must be conducted quarterly during a qualifying storm event. Collect a grab sample for visual monitoring analysis from each outfall that has an associated industrial activity within the outfall's drainage area. The outfall(s) must be sampled quarterly unless the facility has representative outfalls.

Visual monitoring requirements are waived if the facility is in compliance with and can demonstrate participation in the implementation of an established Department Approved Watershed Management Plan; or if the facility is conducting Benchmark, Impaired Waters sampling and analysis, or Numeric Monitoring for Total Suspended Solids (TSS). Visual monitoring is only waived for the outfall(s) associated with numeric monitoring. The permittee shall conduct quarterly visual monitoring at outfalls that do not require numeric monitoring.

Visual monitoring must be resumed if Benchmark Monitoring, Numeric Monitoring or Impaired Waters sampling is ceased.

Appendix AC

Sector AC - Electronic, Electrical Equipment and Components, Photographic and Optical Goods

A. Covered Stormwater Discharges. The requirements for Sector AC apply to stormwater discharges associated with Electronic, Electrical Equipment and Components and Photographic and Optical Products facilities as identified by the SIC Codes specified below.

SECTOR AC: ELECTRONIC, ELECTRICAL, PHOTOGRAPHIC, AND OPTICAL GOODS	
3571-3579	Computer and Office Equipment
3612-3699	Electronic, Electrical Equipment and Components, except Computer Equipment
3812	Measuring, Analyzing and Controlling Instruments, Photographic and Optical Goods

B. Visual Monitoring Requirements. (See also Part VI.) Visual monitoring must be conducted quarterly during a qualifying storm event. Collect a grab sample for visual monitoring analysis from each outfall that has an associated industrial activity within the outfall's drainage area. The outfall(s) must be sampled quarterly unless the facility has representative outfalls.

Visual monitoring requirements are waived if the facility is in compliance with and can demonstrate participation in the implementation of an established Department Approved Watershed Management Plan; or if the facility is conducting Benchmark, Impaired Waters sampling and analysis, or Numeric Monitoring for Total Suspended Solids (TSS). Visual monitoring is only waived for the outfall(s) associated with Numeric Monitoring. The permittee shall conduct quarterly visual monitoring at outfalls that do not require Numeric Monitoring.

Visual monitoring must be resumed if Benchmark Monitoring, Numeric Monitoring or Impaired Waters sampling is ceased.

Appendix AD

Sector AD - Stormwater Discharges Designated By the Department Requiring Permits.

A. Covered Stormwater Discharges. Sector AD is reserved for facilities that do not meet the descriptive requirements of an established industrial activity presently covered by Sectors A - AC and those which are designated by the Department as necessitating a stormwater permit for industrial stormwater discharges. This reserved Sector could allow for almost any type of stormwater discharge, as deemed required by the Department. A permittee must be assigned to Sector AD by the Department and may NOT choose sector AD when filing a Notice of Intent (NOI) or describing the activities conducted at the facility.

B. Eligibility for Permit Coverage. Because this Sector only pertains to discharges designated by the Department as necessitating a stormwater permit due to atypical circumstances presented by the facility which may effect stormwater quality or the facility's industrial activities were inadvertently left out of Sectors A-AC, and further, the facility may not normally be discharging stormwater associated with industrial activity, the permittee is required to obtain the Department's written permission to use this reserved permit prior to submitting a Notice of Intent. If the permittee is authorized to use this permit, the permittee will be required to ensure that the discharges meet the basic eligibility provisions of this permit in Part I (B).

C. Stormwater Pollution Prevention Plan (SWPPP) Requirements. (See also Part V.) The Department will establish any additional SWPPP requirements for the facility at the time of accepting the Notice of Intent to be covered by this reserved permit. Additional requirements are based on the nature of activities at the facility and the stormwater discharges.

D. Monitoring and Reporting Requirements. (See also Part VI and Part V(I).) The Department will establish any additional monitoring, inspection and reporting requirements at acceptance of the Notice of Intent. Additional permit requirements would be based on the nature of industrial activities at the facility and the stormwater discharges.

DEP INFORMATION SHEET

Appealing a Department Licensing Decision

Dated: March 2012 **Contact: (207) 287-2811**

SUMMARY

There are two methods available to an aggrieved person seeking to appeal a licensing decision made by the Department of Environmental Protection's ("DEP") Commissioner: (1) in an administrative process before the Board of Environmental Protection ("Board"); or (2) in a judicial process before Maine's Superior Court. An aggrieved person seeking review of a licensing decision over which the Board had original jurisdiction may seek judicial review in Maine's Superior Court.

A judicial appeal of final action by the Commissioner or the Board regarding an application for an expedited wind energy development (35-A M.R.S.A. § 3451(4)) or a general permit for an offshore wind energy demonstration project (38 M.R.S.A. § 480-HH(1) or a general permit for a tidal energy demonstration project (38 M.R.S.A. § 636-A) must be taken to the Supreme Judicial Court sitting as the Law Court.

This INFORMATION SHEET, in conjunction with a review of the statutory and regulatory provisions referred to herein, can help a person to understand his or her rights and obligations in filing an administrative or judicial appeal.

I. ADMINISTRATIVE APPEALS TO THE BOARD

LEGAL REFERENCES

The laws concerning the DEP's *Organization and Powers*, 38 M.R.S.A. §§ 341-D(4) & 346, the *Maine Administrative Procedure Act*, 5 M.R.S.A. § 11001, and the DEP's *Rules Concerning the Processing of Applications and Other Administrative Matters* ("Chapter 2"), 06-096 CMR 2 (April 1, 2003).

HOW LONG YOU HAVE TO SUBMIT AN APPEAL TO THE BOARD

The Board must receive a written appeal within 30 days of the date on which the Commissioner's decision was filed with the Board. Appeals filed after 30 calendar days of the date on which the Commissioner's decision was filed with the Board will be rejected.

HOW TO SUBMIT AN APPEAL TO THE BOARD

Signed original appeal documents must be sent to: Chair, Board of Environmental Protection, c/o Department of Environmental Protection, 17 State House Station, Augusta, ME 04333-0017; faxes are acceptable for purposes of meeting the deadline when followed by the Board's receipt of mailed original documents within five (5) working days. Receipt on a particular day must be by 5:00 PM at DEP's offices in Augusta; materials received after 5:00 PM are not considered received until the following day. The person appealing a licensing decision must also send the DEP's Commissioner a copy of the appeal documents and if the person appealing is not the applicant in the license proceeding at issue the applicant must also be sent a copy of the appeal documents. All of the information listed in the next section must be submitted at the time the appeal is filed. Only the extraordinary circumstances described at the end of that section will justify evidence not in the DEP's record at the time of decision being added to the record for consideration by the Board as part of an appeal.

WHAT YOUR APPEAL PAPERWORK MUST CONTAIN

Appeal materials must contain the following information at the time submitted:

1. *Aggrieved Status.* The appeal must explain how the person filing the appeal has standing to maintain an appeal. This requires an explanation of how the person filing the appeal may suffer a particularized injury as a result of the Commissioner's decision.
2. *The findings, conclusions or conditions objected to or believed to be in error.* Specific references and facts regarding the appellant's issues with the decision must be provided in the notice of appeal.
3. *The basis of the objections or challenge.* If possible, specific regulations, statutes or other facts should be referenced. This may include citing omissions of relevant requirements, and errors believed to have been made in interpretations, conclusions, and relevant requirements.
4. *The remedy sought.* This can range from reversal of the Commissioner's decision on the license or permit to changes in specific permit conditions.
5. *All the matters to be contested.* The Board will limit its consideration to those arguments specifically raised in the written notice of appeal.
6. *Request for hearing.* The Board will hear presentations on appeals at its regularly scheduled meetings, unless a public hearing on the appeal is requested and granted. A request for public hearing on an appeal must be filed as part of the notice of appeal.
7. *New or additional evidence to be offered.* The Board may allow new or additional evidence, referred to as supplemental evidence, to be considered by the Board in an appeal only when the evidence is relevant and material and that the person seeking to add information to the record can show due diligence in bringing the evidence to the DEP's attention at the earliest possible time in the licensing process <u>or</u> that the evidence itself is newly discovered and could not have been presented earlier in the process. Specific requirements for additional evidence are found in Chapter 2.

OTHER CONSIDERATIONS IN APPEALING A DECISION TO THE BOARD

1. *Be familiar with all relevant material in the DEP record.* A license application file is public information, subject to any applicable statutory exceptions, made easily accessible by DEP. Upon request, the DEP will make the material available during normal working hours, provide space to review the file, and provide opportunity for photocopying materials. There is a charge for copies or copying services.
2. *Be familiar with the regulations and laws under which the application was processed, and the procedural rules governing your appeal.* DEP staff will provide this information on request and answer questions regarding applicable requirements.
3. *The filing of an appeal does not operate as a stay to any decision.* If a license has been granted and it has been appealed the license normally remains in effect pending the processing of the appeal. A license holder may proceed with a project pending the outcome of an appeal but the license holder runs the risk of the decision being reversed or modified as a result of the appeal.

WHAT TO EXPECT ONCE YOU FILE A TIMELY APPEAL WITH THE BOARD

The Board will formally acknowledge receipt of an appeal, including the name of the DEP project manager assigned to the specific appeal. The notice of appeal, any materials accepted by the Board Chair as supplementary evidence, and any materials submitted in response to the appeal will be sent to Board members with a recommendation from DEP staff. Persons filing appeals and interested persons are notified in advance of the date set for Board consideration of an appeal or request for public hearing. With or without holding a public hearing, the Board may affirm, amend, or reverse a Commissioner decision or remand the matter to the Commissioner for further proceedings. The Board will notify the appellant, a license holder, and interested persons of its decision.

II. JUDICIAL APPEALS

Maine law generally allows aggrieved persons to appeal final Commissioner or Board licensing decisions to Maine's Superior Court, see 38 M.R.S.A. § 346(1); 06-096 CMR 2; 5 M.R.S.A. § 11001; & M.R. Civ. P 80C. A party's appeal must be filed with the Superior Court within 30 days of receipt of notice of the Board's or the Commissioner's decision. For any other person, an appeal must be filed within 40 days of the date the decision was rendered. Failure to file a timely appeal will result in the Board's or the Commissioner's decision becoming final.

An appeal to court of a license decision regarding an expedited wind energy development, a general permit for an offshore wind energy demonstration project, or a general permit for a tidal energy demonstration project may only be taken directly to the Maine Supreme Judicial Court. See 38 M.R.S.A. § 346(4).

Maine's Administrative Procedure Act, DEP statutes governing a particular matter, and the Maine Rules of Civil Procedure must be consulted for the substantive and procedural details applicable to judicial appeals.

ADDITIONAL INFORMATION

If you have questions or need additional information on the appeal process, for administrative appeals contact the Board's Executive Analyst at (207) 287-2452 or for judicial appeals contact the court clerk's office in which your appeal will be filed.

Note: The DEP provides this INFORMATION SHEET for general guidance only; it is not intended for use as a legal reference. Maine law governs an appellant's rights.