

- Z. Storm Water Discharges Associated With Industrial Activity From Leather Tanning and Finishing Facilities.
1. Coverage of This Section.
 - a. Discharges Covered Under This Section. The requirements listed under this section apply to storm water discharges from the following activities: leather tanning, currying and finishing (commonly identified by Standard Industrial Classification (SIC) code 3111). Discharges from facilities that make fertilizer solely from leather scraps and leather dust are also covered under this section.
 - b. Co-Located Industrial Activity. When an industrial facility, described by the above coverage provisions of this section, has industrial activities being conducted onsite that meet the description(s) of industrial activities in another section(s), that industrial facility shall comply with any and all applicable monitoring and pollution prevention plan requirements of the other section(s) in addition to all applicable requirements in this section. The monitoring and pollution prevention plan terms and conditions of this multi-sector permit are additive for industrial activities being conducted at the same industrial facility. The operator of the facility shall determine which other monitoring and pollution prevention plan section(s) of this permit (if any) are applicable to the facility.
 2. Special Conditions. There are no special conditions for this section beyond those in *Part II.* of this permit.
 3. Storm Water Pollution Prevention Plan Requirements.
 - a. Contents of Plan. The plan shall include, at a minimum, the following items:
 - 1) Pollution Prevention Team. Each plan shall identify a specific individual or individuals within the facility organization as members of a storm water Pollution Prevention Team that are responsible for developing the storm water pollution prevention plan and assisting the facility or plant manager in its implementation, maintenance, and revision. The plan shall clearly identify the responsibilities of each team member. The activities and responsibilities of the team shall address all aspects of the facility's storm water pollution prevention plan.
 - 2) Description of Potential Pollutant Sources. Each plan shall provide a description of potential sources which may reasonably be expected to add significant amounts of pollutants to storm water discharges or which may result in the discharge of pollutants during dry weather from separate storm sewers draining the facility. Each plan shall identify all activities and significant materials which may potentially be significant pollutant sources or, during periods of dry weather, result in dry weather flows. Each plan shall include, at a minimum:

- a) Drainage.
- (1) A site map indicating an outline of the portions of the drainage area of each storm water outfall that are within the facility boundaries, each existing structural control measure to reduce pollutants in storm water runoff, surface water bodies (including wetlands), locations where significant materials are exposed to precipitation, locations where major spills or leaks identified under paragraph 3.a.(2)(c) (Spills and Leaks) of this section have occurred, and the locations of the following activities where such activities are exposed to precipitation: fueling stations, vehicle and equipment maintenance and/or cleaning areas, loading/unloading areas, locations used for the treatment, storage or disposal of wastes, material storage (including tanks or other vessels used for liquid or waste storage), processing and storage areas for activities associated with beamhouse, tan yard, retan-wet finishing and dry finishing operations, and haul roads, access roads and rail spurs. The site map must also identify the location of all outfalls covered by this permit and include an inventory of the types of discharges contained in each outfall.
 - (2) For each area of the facility that generates storm water discharges associated with industrial activity with a reasonable potential for containing significant amounts of pollutants, a prediction of the direction of flow, and an identification of the types of pollutants which are likely to be present in storm water discharges associated with industrial activity. Factors to consider include the toxicity of a chemical; quantity of chemicals used, produced or discharged; the likelihood of contact with storm water; and history of significant leaks or spills of toxic or hazardous pollutants. Flows with a significant potential for causing erosion shall be identified.
- b) Inventory of Exposed Materials. An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of 3 years prior to the date of the submission of a *Notice of Intent (NOI)* to be covered under this permit and the present; method and location of onsite storage or disposal; materials management practices employed to minimize contact of materials with storm water runoff between the time of 3 years prior to the date of the submission of a *Notice of Intent (NOI)* to be covered under this permit and the present; the location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and a description of any treatment

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the storm water receives. The description must be updated whenever there is a significant change in the types or amounts of materials, or material management practices, that may affect the exposure of materials to storm water.

- c) Spills and Leaks. A list of significant spills and significant leaks of toxic or hazardous pollutants that occurred at areas that are exposed to precipitation or that otherwise drain to a storm water conveyance at the facility after the date of 3 years prior to the date of the submission of a *Notice of Intent (NOI)* to be covered under this permit. Significant spills include but are not limited to, releases of oil or hazardous substances in excess of quantities that are reportable under *Section 311 of the Clean Water Act (CWA)* (see *40 CFR 110.10* and *40 CFR 117.21*) or *Section 102 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)* (see *40 CFR 302.4*). Significant spills may also include releases of oil or hazardous substances that are not in excess of reporting requirements and releases of materials that are not classified as oil or a hazardous substance. Such list shall be updated as appropriate during the term of the permit.
 - d) Sampling Data. A summary of existing discharge sampling data describing pollutants in storm water discharges from the facility, including a summary of sampling data collected during the term of this permit.
 - e) Risk Identification and Summary of Potential Pollutant Sources. A narrative description of potential pollutant sources including but not limited to the following activities: loading and unloading operations; outdoor storage activities, including but not limited to: temporary or permanent storage of fresh and brine cured hides, chemical drums, bags, containers and above ground tanks, leather dust, scraps, trimmings and shavings, spent solvents, extraneous hide substances and hair, and empty chemical containers and bags; floor sweepings and washings; refuse and waste piles and sludge; outdoor manufacturing or processing activities; significant dust or particulate generating processes including buffing; vehicle maintenance, washing and fueling and onsite waste disposal practices. The description shall specifically list any significant potential source of pollutants at the site and for each potential source, any pollutant or pollutant parameter (e.g., biochemical oxygen demand, total suspended solids, chromium, etc.) of concern shall be identified.
- 3) Measures and Controls. Each facility covered by this permit shall develop a description of storm water management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls shall address the following minimum

components, including a schedule for implementing such controls:

- a) Good Housekeeping. Good housekeeping requires the maintenance of areas which may contribute pollutants to storm water discharges in a clean, orderly manner. The following areas must be specifically addressed:
- (1) Storage Areas for Raw, Semiprocessed, or Finished Tannery By-products. Pallets and/or bales of raw, semiprocessed or finished tannery by-products (e.g., splits, trimmings, shavings, etc.) should be stored indoors or protected by polyethylene wrapping, tarpaulins, roofed storage area or other suitable means. Materials should be placed on an impermeable surface, the area should be enclosed or bermed or other equivalent measures should be employed to prevent runoff and runoff of storm water.
 - (2) Material Storage Areas. Label storage units of all materials (e.g., specific chemicals, hazardous materials, spent solvents, waste materials). Maintain such containers and units in good condition. Describe measures that prevent or minimize contact with storm water. The facility must consider indoor storage, installation of berming and diking around the area, and/or other equivalent measures to prevent runoff and runoff of storm water.
 - (3) Buffing/Shaving Areas. The plan must describe measures that prevent or minimize contamination of the storm water runoff with leather dust from buffing/shaving areas. The facility may consider dust collection enclosures, preventive inspection/maintenance programs or other appropriate preventive measures.
 - (4) Receiving, Unloading, and Storage Areas. The plan must describe measures that prevent or minimize contamination of the storm water runoff from receiving, unloading, and storage areas. Exposed receiving, unloading and storage areas for hides and chemical supplies should be protected by a suitable cover, diversion of drainage to the process sewer, grade berming or curbing area to prevent runoff of storm water or other appropriate preventive measures. Materials must be plainly labelled and maintained in good condition.
 - (5) Outdoor Storage of Contaminated Equipment. The plan must describe measures that minimize contact of storm water with contaminated equipment. Equipment should be protected by suitable cover, diversion of drainage to the process sewer, thorough cleaning prior to storage or other appropriate preventive measures.

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- (6) Waste Management. The plan must describe measures that prevent contamination of the storm water runoff from waste storage areas. The facility may consider inspection/maintenance programs or other equivalent measures 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 storm water runoff by enclosing the area or building berms around the area.
- b) Preventive Maintenance. A preventive maintenance program shall involve timely inspection and maintenance of storm water management devices (e.g., cleaning oil/water separators, catch basins) 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, and ensuring appropriate maintenance of such equipment and systems.
- c) Spill Prevention and Response Procedures. Areas where potential spills which can contribute pollutants to storm water discharges can occur, and their accompanying drainage points shall be identified clearly in the storm water pollution prevention plan. Where appropriate, specifying material handling procedures, storage requirements, and use of equipment such as diversion valves in the plan should be considered. Procedures for cleaning up spills shall be identified in the plan and made available to the appropriate personnel. The necessary equipment to implement a clean up should be available to personnel.
- d) Inspections. Qualified facility personnel shall be identified to inspect designated equipment and areas of the facility at least on a quarterly basis. The following areas shall be included in all inspections: leather processing areas, storage areas for chemicals, including but not limited to above ground tanks, fueling areas, vehicle and equipment maintenance areas, material storage areas, loading and unloading areas, waste management areas and other potential sources of pollution for evidence of actual or potential discharges of contaminated storm water. A set of tracking or follow-up procedures shall be used to ensure that appropriate actions are taken in response to the inspections and that the pollution prevention plan is appropriately modified. Records of inspections shall be maintained as part of the pollution prevention plan.
- (1) Frequency of Inspections of BMPs. Qualified personnel are required to conduct quarterly inspections of all *Best Management Practices (BMPs)*. The inspections shall include an assessment of the effectiveness and need for maintenance of storm water roofing and covers, dikes and curbs, discharge diversions, sediment control and

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collection systems and all other *BMPs*.

- (2) Inspection Periods. Quarterly inspections must be made at least once in each of the following designated periods during daylight hours: January through March (storm water runoff or snow melt), April through June (storm water runoff), July through September (storm water runoff), and October through December (snow melt runoff). Records shall be maintained as part of the pollution prevention plan.
- e) Employee Training. Employee training programs shall inform personnel responsible for implementing activities identified in the storm water pollution prevention plan or otherwise responsible for storm water management at all levels of responsibility of the components and goals of the storm water pollution prevention plan. The pollution prevention plan shall identify how often training will take place, but in all cases, training must be held at least annually. Employee training must, at a minimum, address the following areas when applicable to a facility: general good housekeeping practices, spill prevention and control, waste management, inspections, preventive maintenance, detection of non-storm water discharges and other areas.
- f) Recordkeeping and Internal Reporting Procedures. A description of incidents (such as leaks, spills, or other discharges), along with other information describing the quality and quantity of storm water discharges shall be included in the plan required under this part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan. The plan must address spills, monitoring, and *BMP* inspection and maintenance activities. *BMPs* which were ineffective must be reported and the date of their corrective action recorded. Employees must report incidents of leaking fluids to facility management and these reports must be incorporated into the plan.
- g) Non-storm Water Discharges.
 - (1) Certification. The plan shall include a certification that the discharge has been tested or evaluated for the presence of non-storm water discharges. The certification shall include the identification of potential significant sources of non-storm water at the site, a description of the results of any test and/or evaluation for the presence of non-storm water discharges, the evaluation criteria or testing method used, the date of any testing and/or evaluation, and the onsite drainage points that were directly observed during the test. Certifications shall be signed in accordance with Part *VI.G.* of this permit. Such certification may not be feasible if the facility operating the storm

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water discharge associated with industrial activity does not have access to an outfall, manhole, or other point of access to the ultimate conduit which receives the discharge. In such cases, the source identification section of the storm water pollution prevention plan shall indicate why the certification required by this part was not feasible, along with the identification of potential significant sources of non-storm water at the site. A discharger that is unable to provide the certification required by this paragraph must notify the *Executive Secretary* in accordance with paragraph 3.a.(3)(g)(iii) (Failure to Certify) below.

- (2) Exceptions. Except for flows from fire fighting activities, sources of non-storm water listed in *Part II.A.2. (Prohibition of Non-storm Water Discharges)* of this permit that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge.

- (3) Failure to Certify. Any facility that is unable to provide the certification required (testing for non-storm water discharges), must notify the *Executive Secretary* within 180 days after submitting a notice of intent to be covered by this permit. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notification shall describe: the procedure of any test conducted for the presence of non-storm water discharges; the results of such test or other relevant observations; potential sources of non-storm water discharges to the storm sewer; and why adequate tests for such storm sewers were not feasible. Non-storm water discharges to waters of the State which are not authorized by a *UPDES* permit are unlawful and must be terminated.

- h) Sediment and Erosion Control. The plan shall identify areas which, due to topography, activities, or other factors, have a high potential for significant soil erosion, and identify structural, vegetative, and/or stabilization measures to be used to limit erosion.

- i) Management of Runoff. The plan shall contain a narrative consideration of the appropriateness of traditional storm water management practices (practices other than those which control the generation or source(s) of pollutants) used to divert, infiltrate, reuse, or otherwise manage storm water runoff in a manner that reduces pollutants in storm water discharges from the site. The plan shall provide that measures that the permittee determines to be reasonable and appropriate shall be implemented and maintained. The potential of various sources at the facility to contribute pollutants to storm water discharges associated with industrial activity [see paragraph 3.a.(2) of this section (Description of Potential Pollutant Sources)] shall be considered

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when determining reasonable and appropriate measures. Appropriate measures or equivalent measures may include: vegetative swales and practices, reuse of collected storm water (such as for a process or as an irrigation source), inlet controls (such as oil/water separators), snow management activities, infiltration devices, and wet detention/retention devices. In addition, the permittee must describe the storm water pollutant source area or activity (e.g., storage areas, loading and unloading areas, above ground storage of chemicals) to be controlled by each storm water management practice.

The plan must consider management practices, such as berms for uncovered storage areas, uncovered loading and unloading areas, above ground liquid storage and waste management areas. The installation of detention ponds must also be considered.

- 4) Comprehensive Site Compliance Evaluation. Qualified personnel shall conduct site compliance evaluations at appropriate intervals specified in the plan, but in no case less than once a year. Such evaluations shall provide:
- a) Areas contributing to a storm water discharge associated with industrial activity shall be visually inspected for evidence of, or the potential for, pollutants entering the drainage system. Measures to reduce pollutant loadings shall be evaluated to determine whether they are adequate and properly implemented in accordance with the terms of the permit or whether additional control measures are needed. Structural storm water management measures, sediment and erosion control measures, and other structural pollution prevention measures identified in the plan shall be observed to ensure that they are operating correctly. A visual inspection of equipment needed to implement the plan, such as spill response equipment, shall be made.
 - b) Based on the results of the evaluation, the description of potential pollutant sources identified in the plan in accordance with paragraph 3.a.(2) of this section (Description of Potential Pollutant Sources) and pollution prevention measures and controls identified in the plan in accordance with paragraph 3.a.(3) of this section (Measures and Controls) shall be revised as appropriate within 2 weeks of such evaluation and shall provide for implementation of any changes to the plan in a timely manner, but in no case more than 12 weeks after the evaluation.
 - c) A report summarizing the scope of the evaluation, personnel making the evaluation, the date(s) of the evaluation, major observations relating to the implementation of the storm water pollution prevention plan, and actions taken in accordance with paragraph 3.a.(4)(b) (above) of this section shall be

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made and retained as part of the storm water pollution prevention plan for at least 3 years from the date of the evaluation. The report shall identify any incidents of noncompliance. Where a report does not identify any incidents of noncompliance, the report shall contain a certification that the facility is in compliance with the storm water pollution prevention plan and this permit. The report shall be signed in accordance with *Part VI.G.* (Signatory Requirements) of this permit.

- d) The storm water pollution prevention plan must describe the scope and content of comprehensive site inspections that qualified personnel will conduct to; 1) confirm the accuracy of the description of potential pollution sources contained in the plan, 2) determine the effectiveness of the plan, and 3) assess compliance with the terms and conditions of the permit. Comprehensive site compliance evaluations must be conducted at least once a year. The individual or individuals who will conduct the inspections must be identified in the plan and should be members of the pollution prevention team. Evaluation reports must be retained for at least 3 years from the date of the evaluation.
 - e) Where compliance evaluation schedules overlap with inspections required under *3.a.(3)(d)*, the compliance evaluation may be conducted in place of one such inspection.
4. Numeric Effluent Limitations. There are no additional numeric effluent limitations beyond those described in *Part IV.B.* of this permit.
5. Monitoring and Reporting Requirements.
- a. Quarterly Visual Examination of Storm Water Quality. Facilities shall perform and document a visual examination of a storm water discharge associated with industrial activity from each outfall, except discharges exempted below. The examination must be made at least once in each designated period [described in (1) below] during daylight hours unless there is insufficient rainfall or snow melt to produce a runoff event.
 - 1) Visual Monitoring Periods. Examinations shall be conducted in each of the following periods for the purposes of visually inspecting storm water quality associated with storm water runoff or snow melt: January through March; April through June; July through September; and October through December.
 - 2) Sample and Data Collection. Examinations shall be made of samples collected within the first 30 minutes (or as soon thereafter as practical, but not to exceed 1 hour) of when the runoff or snowmelt begins discharging. The examinations shall document observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water

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pollution. The examination must be conducted in a well lit area. No analytical tests are required to be performed on the samples. All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. Where practicable, the same individual should carry out the collection and examination of discharges for entire permit term.

- 3) Visual Storm Water Discharge Examination Reports. Visual examination reports must be maintained onsite in the pollution prevention plan. The report shall include the examination date and time, examination personnel, the nature of the discharge (i.e., runoff or snow melt), visual quality of the storm water discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.
- 4) Representative Discharges. When a facility has two or more outfalls that, based on a consideration of industrial activity, significant materials, and management practices and activities within the area drained by the outfall, the permittee reasonably believes discharge substantially identical effluents, the permittee may collect a sample of effluent of one of such outfalls and report that the observation data also applies to the substantially identical outfall(s) provided that the permittee includes in the storm water pollution prevention plan a description of the location of the outfalls and explains in detail why the outfalls are expected to discharge substantially identical effluents. In addition, for each outfall that the permittee believes is representative, an estimate of the size of the drainage area (in square feet) and an estimate of the runoff coefficient of the drainage area [e.g., low (under 40 percent), medium (40 to 65 percent), or high (above 65 percent)] shall be provided in the plan.
- 5) Adverse Conditions. When a discharger is unable to collect samples over the course of the visual examination period as a result of adverse climatic conditions, the discharger must document the reason for not performing the visual examination and retain this documentation onsite with the records of the visual examination. Adverse weather conditions which may prohibit the collection of samples include weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricanes, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (drought, extended frozen conditions, etc.).
- 6) Inactive and Unstaffed Site. When a discharger is unable to conduct visual storm water examinations at an inactive and unstaffed site, the operator of the facility may exercise a waiver of the monitoring requirement as long as the facility remains inactive and unstaffed. The facility must maintain a certification with the pollution

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prevention plan stating that the site is inactive and unstaffed so that performing visual examinations during a qualifying event is not feasible.