AB. Storm Water Discharges Associated With Industrial Activity From Facilities That Manufacture Transportation Equipment, Industrial, or Commercial Machinery.

1. Coverage of This Section.

   a. Discharges Covered Under This Section. The requirements listed under this section apply to storm water discharges associated with transportation equipment, industrial or commercial machinery manufacturing facilities (commonly described by SIC Major Group 35 except SIC 357, and SIC Major Group 37, except SIC 373). Common activities include: industrial plant yards; material handling sites; refuse sites; sites used for application or disposal of process wastewaters; sites used for storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas for raw material 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.

   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 sections(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. Prohibition of Non-storm Water Discharges. There are no additional requirements other than those in *Part II.A.* of the 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 discharges 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. Each plan shall include, at a minimum:

         a) Drainage.

(1) A site map indicating the pattern of storm water drainage, existing structural control measures to reduce pollutants in storm water runoff, surface water bodies, locations where significant materials are exposed to precipitation, and locations where major spills or leaks identified under paragraph *3.a.2).c)* (Spills and Leaks) of this section have occurred since 3 years prior to the date of the submission of a *Notice of Intent (NOI)* to be covered under this permit. The map must also indicate the locations of all industrial activities that are exposed to precipitation, including, but not limited to: loading/unloading areas; waste treatment; storage and disposal locations; liquid storage tanks; vents and stacks from metal processing and similar operations; significant dust or particulate generating areas; and any other processing and storage areas exposed to storm water. The map must indicate the outfall locations and the types of discharges contained in the drainage areas of the outfalls.

(2) For each area of the facility that generates storm water discharges associated with industrial activity with a reasonable potential for contacting 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 must be identified. Factors to consider include the toxicity of chemical; quantity of chemicals used, produced or discharged; the likelihood of contact with storm water; and history of significant leaks or spills of toxic 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 the storm water receives.

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 CWA* (*see 40 CFR 110.10 and 117.21*) or *Section 102* of the *Comprehensive Environmental Response, Compensation and Liability Act* (*CERLA*) (see *40 CFR 302.4*). Significant spills may also

include releases of oil or hazardous substances that are not excess of reporting requirements and releases of materials that are not classified as oil or 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 the potential pollutant sources from the following activities: loading and unloading operations; outdoor storage activities; significant dust or particulate generating processing activities; and onsite waste disposal. 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, etc.) of concern shall be identified.

3) Measures and Controls. Each facility covered by this permit shall develop and implement 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. Areas where good housekeeping practices should be implemented are storage areas for raw materials, waste materials and finished products; loading/unloading areas; and waste disposal areas for hazardous and nonhazardous wastes. Examples of good housekeeping measures include sweeping; labeling drums containing hazardous materials; and preventive monitoring practices (e.g., routine observation of manufacturing processes) or equivalent measures.

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. Areas to be identified should include loading/unloading areas, outdoor storage areas, and waste management areas exposed to storm water. 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 on a periodic basis. At a minimum, the following areas, where the potential for expose to storm water exists, must be inspected on a regularly scheduled basis: loading and unloading areas for all significant materials; storage areas, including associated containment areas; waste management units; and vents and stacks from industrial activities. For any problems identified during inspections, the plan shall be revised to include measures to address these problems. A set of tracking or follow-up procedures shall be used to ensure that appropriate actions are taken in response to inspections. Records of inspections shall be maintained.

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. Training should address topics such as spill response, good housekeeping, material management practices, unloading/loading practices, outdoor storage areas, waste management practices, proper handling procedures of hazardous waste, and improper connections to the storm sewer. At a minimum, this training should be provided annually. The pollution prevention plan shall identify frequencies and approximate dates for such training.

f) Recordkeeping and Internal Reporting Procedures. A description of incidents (such as 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. Ineffective *BMP*s should be reported and the date of their corrective actions noted.

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 as identified in *Part II.A.2.* of this permit. 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 storm 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).(4)* (below).

(2) Exceptions. Except for flows from fire fighting activities, sources of non-storm water listed in *Part II.A.* (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) Copies of Other Permits. If the facility discharges wastewater, other than storm water via an existing *UPDES* permit authorizing the discharge must be attached to the plan. Similarly, if the facility submitted an application for a *UPDES* permit for non-storm water discharges, but has not yet received that permit, a copy of the permit application must be attached. Upon issuance or reissuance of a *UPDES* permit, the facility must modify its plan to include a copy of that permit. For facilities that discharge wastewater, other than solely domestic wastewater, to a Publicly Owned Treatment Works (POTW), the facility must notify the POTW of its discharge. Proof of this notification should be attached to the plan in the form of either: 1) a copy of the permit issued by the treatment plant to the facility or; 2) a copy of a notification letter to the POTW. Notification should identify, in general, the types of wastewater discharged to the POTW, including any storm water discharges. In any of these cases, specific permit conditions must be considered in the plan.

(4) Failure to Certify. Any facility that is unable to provide the certification required (testing for non-storm water discharges), must notify the *Executive Secretary* by October 1, 1998, or, for facilities which begin to discharge storm water associated with industrial activity after January 1, 1998, 180 days after submitting and *NOI* to be covered by this permit. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notification 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 sources(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 the measures that the permittee determines to be reasonable and appropriate which 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 when determining reasonable and appropriate measures. Appropriate 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, wet detention/retention devices. In addition, the permittee must describe the storm water pollutant source area or activity (storage areas, loading/unloading) to be controlled by each storm water management practice.

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) of this section and pollution prevention measures and controls identified in the plan in accordance with paragraph *3.a.3)* (Measures and Controls) of this section 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 inspection, the date(s) of the inspection, 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 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) 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 requirements beyond those listed in *Part IV.B.* of this permit.

5. Monitoring and reporting Requirements.

a. Monitoring Requirements:

1) 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 *a)* below] during daylight hours unless there is insufficient rainfall or snow melt to produce a runoff event.

a) 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 snowmelt: January through March; April through June; July through September; and October through December.

b) 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 one 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 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 will carry out the collection and examination of discharges for the life of the permit.

c) Adverse Conditions. When a discharger is unable to collect samples over the course of the visual examination period as a result of adverse climatic condition, 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, hurricane, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (drought, extended frozen conditions, etc.).

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

e) 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.

f) Representative Discharge. 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 examination 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 explaining 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.