Instructions for
Form NOI-SWI - Notice of Intent for Multi-Sector Storm Water Discharges Associated with Industrial Activity (MTR000000)

IMPORTANT: Your NOI-SWI Form will not be considered complete unless you answer every question on this form. If an item does not apply to you, enter "NA" (not applicable) to show that you considered the question. Responses must be self-explanatory and must not refer exclusively to attached maps, plans, or documents. The appropriate fees must accompany this NOI-SWI Form. Do not submit these items separately. Please type or print legibly; NOI-SWI Forms that are not legible or are not complete are not acceptable.

Forms and additional information on storm water discharges are available from the Water Protection Bureau at (406) 444-3080 or on the DEQ website at: http://www.deq.mt.gov.

Overview: "Storm water discharge associated with industrial activity" is a discharge from any conveyance that is used for collecting and conveying storm water and that is directly related to manufacturing, processing or raw materials storage areas at an industrial plant. "Storm water discharge associated with mining and oil and gas activity" means the same as the definition for "storm water discharges associated with industrial activity" except that the term pertains only to discharges from facilities classified as standard industrial classifications 10 through 14 (mineral industry) that discharge storm water contaminated by contact with or that has come into contact with, any overburden, raw material, intermediate products, finished products, byproducts, or waste products located on the site of such operations. These are abbreviated definitions.

Please review Part I of the General Permit for all eligibility requirements for coverage.

A Notice of Intent (NOI) process is used for an owner or operator to obtain authorization to discharge under this permit. Through the submittal of a NOI, the owner or operator acknowledges eligibility for coverage under this permit and agrees to comply with the effluent limits and conditions of this permit. The complete NOI Package is submitted to:

Montana Department of Environmental Quality
Water Protection Bureau
P.O. Box 200901
Helena, MT 59620-0901

The complete NOI-SWI Package consists of:

- A completed NOI-SWI form, including all required attachments, using the standard NOI-SWI form provided by the Department;
- A separate SWPPP, including all associated maps, diagrams, details, and plans, and any additional requirements for the permittee's particular sector or subsector;
- A copy of the consultation letter from the Montana Sage Grouse Habitat Conservation Program (if applicable); and
- The appropriate "application fee" for the NOI-SWI.

Upon receipt of the NOI-SWI Package by the Department, it is stamped with the date of receipt. The Department then performs a check to ensure the NOI-SWI Form is complete, a signed SWPPP is attached, and the required fee is submitted. If the NOI-SWI Package is determined to be complete, an authorization letter is issued to the permittee. If the NOI-SWI Package is incomplete, the Department provides notification as to what the deficiencies are, and General Permit authorization does not become effective under this permit until the deficiencies are addressed and the Department subsequently receives the complete NOI-SWI Package.

Coverage does not relieve the permittee from any other statute, regulation, permits, or other regulatory requirements for activities occurring within their area and not associated with permitted storm water discharges associated with industrial activity.

INSTRUCTIONS FOR NOI SECTIONS

Section A – NOI Status

Check the appropriate box. For resubmitted, renewal, and modification status provide the 9-digit authorization number (beginning with MTR00) assigned to your permitted industrial activity.

New: Use only if no prior NOI submitted for this facility/operation.

Renewal: Use only if renewing an authorization.

Modification: Use only if this facility/operation has General Permit coverage and the authorization needs to be updated.

Resubmitted: Use only if **requested** by DEQ to resubmit NOI and/or SWPPP.

Section B – Applicant (Owner/Operator) Information

An "owner or operator" is a person who **owns, leases, operates, controls, or supervises** the industrial activity. The owner or operator can be identified as an organization or business name. The owner or operator acknowledges eligibility for coverage under this General Permit and agrees to comply with the effluent limits and conditions of this permit.

Section C – Operation or Facility Information

Enter the legal or official name and complete street address. If the street address is not available, include the nearest intersection or other identifying information. Provide the latitude and longitude for the location of the approximate center point of the industrial activity site. It is preferred the latitude and longitude location be specified in decimal degrees, accurate to the fourth decimal place. If the preferred decimal degrees are not used, then the latitude and longitude must be provided in degrees, minutes, and seconds, accurate to the nearest second.

Indicate if any industrial activity covered under this NOI will occur on Indian Reservations. This Permit applies to all areas of the State of Montana, except for Indian Reservations. Please contact EPA for industrial activity within Indian Reservations.

Those facilities/operations with periodic changes in the contact person may provide the contact person position instead of a person's name.

Provide a reliable estimate of the total acreage of the facility/operation or activity site. In estimating the size of the regulated area, be sure to include all areas on the facility/operation or activity site which fall under the definition for "storm water discharge associated with industrial activity" and/or "storm water discharge associated with mining and oil and gas activity".

The permittee must identify the SWPPP Administrator and the requested contact information. The SWPPP Administrator is the lead responsible person for ensuring the development, implementation, and maintenance of the SWPPP, and will serve as the primary contact person regarding the SWPPP. The SWPPP Administrator must be knowledgeable and skilled within the following concepts to serve their role and perform requirements of the SWPPP:

- MPDES permitting requirements to include, but not limited to, applicability, application procedures, SWPPP elements, standard conditions, and termination conditions;
- Local permitting requirements;
- Sage Grouse requirements based on location of the project;
- Onsite knowledge of the facility, its day-to-day operations including all industrial materials and activities, and the overall site layout including location of storm water outfalls;
- Knowledge of potential pollutants generated from the facility's industrial materials and activities;
- Knowledge of storm water pollution prevention principles and practices including the minimum requirements for control measures as outlined in part 2.1 and 2.2 of this permit and industry specific control measures in part 3.4 of this permit;
- An overview of what is in the SWPPP and access to the SWPPP and site map;
- The location of all controls on the site required by this permit;
- Knowledge of the appropriate selection, installation, function, and maintenance/repairs of all controls on site to evaluate effective operating condition in accordance with any developed and/or manufacturers plans and specifications;
- Ability to develop, document, and maintain all SWPPP elements, including the site map(s) required by this permit, into a single cohesive and comprehensive facility-specific plan; and
- Implementation skills for all permit requirements for inspections, corrective actions, and required recordkeeping to include when and how to conduct inspections, record applicable findings, initiate corrective actions (at a minimum), and when appropriate, report violations and/or noncompliance.

The SWPPP Administrator must meet the duly authorized representative requirements as defined by Part 4.18 of this permit to sign inspection reports and other reports. Check the box to delegate the SWPPP Administrator as a Duly Authorized Representative.

Standard Industrial Classification (SIC) Codes: Select at least one SIC code that best reflects the type of industrial activity or description of the nature of the business applicable to General Permit coverage. SIC codes can be obtained at http://www.census.gov/epcd/www/naics.html or http://www.osha.gov/pls/imis/sicsearch.html.

First column- Provide a brief narrative description of the nature of the business.

Second column- List in descending order of significance, the four-digit SIC codes. that best describes your facility/operation in terms of the principal products or services you produce or provide.

Third column- Based on the Primary SIC code you provided, go to Table 3.4 starting on page 37 of the General Permit and determine which Industrial Sector / Subsector Category your facility/operation is assigned. This will be a short alphanumeric description such as N1 or AA2. Indicate only one subsector in the space provided. Be sure to indicate the "subsector" if the "sector" is subdivided into subsectors. This subsector item will be used to determine what set of requirements in Part 3.4. of the General Permit you are subject to including benchmark monitoring requirements, the benchmark values, and other additional effluent limits, SWPPP requirements, inspection requirements, etc. for your identified Industrial Subsector.

Fourth Column- Indicate "Yes" or "No" for respective benchmark monitoring required for your Industrial Sector / Subsector Category in Part 3.4 of the General Permit.

Section D – Existing or Pending Permits, Certifications, or Approvals

Provide a list of permits, certifications, and/or approvals from state or federal regulatory agencies regarding the industrial activity.

Local Sediment and Erosion Control Requirements: Verify if the industrial activity is proposed within a regulated Municipal Separate Storm Sewer System (MS4) to include:
The Cities of Billings, Bozeman, Butte, Helena, Great Falls, Missoula, and Kalispell;
Yellowstone, Cascade, and Missoula Counties; and
Others - Malmstrom Air Force Base, University of Montana-Missoula, Montana State University, and the Montana Department of Transportation (as applicable).
If the industrial activity is located within a regulated MS4, verify contact and incorporate any additional MS4 requirements into the Storm Water Pollution Prevention Plan (SWPPP).

Sage Grouse Habitat: Visit https://sagegrouse.mt.gov/ and review the Sage Grouse Core Areas and General Habitat Map to determine whether your activity would occur in sage grouse habitats designated as a core area, general habitat, or a connectivity area. Industrial activities within sage grouse habitat must be submitted to the Montana Sage Grouse Habitat Conservation Program (the Program), through their website, for consultation. Any recommendations and mitigations determined by the Program are provided in a consultation letter. If the project is outside of sage grouse habitat, no consultation is required.

Section E – Facility Storm Water Discharge Information

Review allowable storm water discharges in Part 1.1.2 and the allowable non-storm water discharges in Part 1.1.3.

An outfall location is considered to be a discrete channel, conveyance, structure, or flow path from which storm water discharge leaves the boundary of the facility or site. "Surface waters" is any waters on the earth's surface including, but not limited to, streams, lakes, ponds, reservoirs,

or other surface water including ephemeral and intermittent drainage ways and irrigation systems. Identify the receiving surface water and the latitude and longitude of the outfall using decimal degrees.

Provide the following information in the table:

- All outfalls and/or potential outfalls must be identified by the permittee.
- Outfall number assignment starts with 001. If the outfall is not discrete or well defined, the relative outfall location may be assigned to the relative flow path or drainage area.
- If the immediate receiving surface water is unnamed, provide the latitude and longitude of the immediate receiving surface water and indicate the closest named surface water that the unnamed receiving waterbody flows into (i.e. unnamed tributary to Rock Creek or unnamed drainage to Clear Creek). This naming process will provide better clarification.
- For existing permittees, ensure outfall numbers used are consistent with those identified in the past for the same outfall.
- Indicate "Yes" or "No" for respective benchmark monitoring required for your Industrial Sector / Subsector Category in Part 3.4 of the General Permit. Refer to Section C.
- Indicate "Yes" or "No" for substantially identical outfall (SIO). See Part 2.4.2 of the General Permit for more information. As required in Part 3.1 of the General Permit, the permittee's SWPPP must identify each outfall authorized by this permit and describe the rationale for any substantially identical outfall determinations. DEQ will review and approve the identified SIOs in the authorization letter.

Waterbodies with Impairments: Identify if storm water discharges from the industrial activity will discharge to impaired waterbodies.

Information on impaired waterbodies may be obtained from the Department or from the Montana DEQ Clean Water Act Information Center website at http://svc.mt.gov/deq/dst/#/app/cwaic. An interactive map is located at: http://deq.mt.gov/Water/WQPB/CWAIC. Compare pollutant(s) of impairment to identified potential pollutant sources from your industrial activities.

Storm Water Discharge Monitoring Certification: For clarification, this section is essentially asking for an indication of whether the proposed regulated storm water discharges may be contaminated by, or be commingling with, some wastewater or pollutant streams which would disqualify eligibility for coverage under the General Permit. In order to be eligible for coverage under the General Permit the applicant must certify that the proposed regulated storm water discharges have been tested or evaluated for the presence of non-storm water discharges by checking "Yes" and explaining the basis for this. The "evaluation" may be conducted by either using knowledge of the facility and related pollutants/discharges, or by the sampling and analytical testing of the proposed regulated storm water discharges. Describe the basis for this evaluation in the provided space. If your evaluation and certification of no non-storm water discharges is based on analytical test results, you must provide these analytical tests results. Describe any non-storm water discharges in the provided space. Review the General Permit for allowable storm water discharges in Part 1.1.2 and the allowable non-storm water discharges in Part 1.1.3.

Section F – Facility or Operation Description

Provide a narrative description of the nature of the industrial activities at the permittee's facility/operation. Include a detailed description of the procedures, methods, process flows, equipment and materials, and relative timeframes (including seasonal periods of inactivity) of activities and operations that contribute to the nature of the permittee's industrial facility. Identify potential pollutant sources within the detailed description of the nature of the industrial activities which may reasonably be expected to affect the quality of storm water discharges at this site. *Examples of potential pollutant sources include, but are not limited to, immediate access roads or rail lines used or created by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; materials handling sites; refuse sites; sites used for residual treatment, storage, or disposal; sites used for the application or disposal of process wastewaters; shipping and receiving areas; manufacturing buildings; storage areas for raw materials and intermediate and final products; loading or unloading of dry bulk materials or liquids, outdoor storage of materials, and waste management practices; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to storm water.*

Section G – Supplemental Information

Provide any supplemental information regarding your industrial activity, as needed, for other sections within this NOI-SWI Form or for the permitting process. Use this space to provide additional information explaining the basis for a proposed modification being submitted

Section F- Fees

Check the fee amount based on the acreage provided in Section C and attach the appropriate fee.

Section I – Attachments

Attach a topographic map of the area extending to at least one mile beyond property boundaries. The map must show the outline of the facility/operation and identify and label the location of each of its proposed outfalls. Include all surface waters, including springs and ephemeral drainages, in the map area. Identify impaired receiving waters. Delineate sage grouse habitat (if applicable).

Attach the SWPPP (Part 3.1) and site map (Part 3.1.5) developed and signed (Part 4.18) per requirements of the General Permit.

Upon the permittee's convenience and discretion, the permittee may voluntarily provide a where the SWPPP can be found, and voluntarily maintain the current SWPPP at this URL. SWPPP availability through a URL is not a permitting requirement. This voluntary option is a means of further engaging the public in the permittee's storm water pollution prevention efforts.

Section J – New Source

This section must be completed if your facility or operation does not yet exist and will be constructed and initiating operation.

Contact the Montana Natural Heritage Program (MNHP), http://mtnhp.org/, and request a project review for the proposed industrial activity. Then describe the potential impacts of the proposed operation or facility on unique ecological resources, species of special concern, including vegetation, wildlife, fish or aquatic resources, or habitat. Attach analysis from NRIS and any applicable maps or additional documentation.

Contact the Montana State Historic Preservation Office (SHPO), http://mhs.mt.gov/shpo/, and request a project review for the proposed industrial activity. Then describe the potential impact of the proposed activity on any historical, cultural, or archeological resources. Attach analysis from SHPO and any applicable maps or additional documentation.

Section K – Certification

The NOI Form certification must be completed by the applicant (owner/operator) responsible for the authorization as identified in Section C, and as described in ARM 17.30.1323 and Part 4.18 of the MSGP.