

**MULTI-SECTOR GENERAL PERMIT FOR STORM WATER DISCHARGES  
ASSOCIATED WITH INDUSTRIAL ACTIVITY**

**PERMIT NUMBER MTR000000**

**MONTANA DEPARTMENT  
OF ENVIRONMENTAL QUALITY**

**AUTHORIZATION TO DISCHARGE UNDER  
THE MONTANA POLLUTANT DISCHARGE ELIMINATION SYSTEM**

In compliance with Section 75-5-101 *et seq.*, Montana Codes Annotated (MCA), Administrative Rules of Montana (ARM) 17.30.1301 *et seq.*, and ARM 17.30.1101 *et seq.*, owners and operators (permittees) with authorization under this "*Multi-Sector General Permit for Storm Water Discharges Associated with Industrial Activity*" are permitted to discharge storm water resulting from industrial, mining, and oil and gas activity sites to surface waters in accordance with the conditions set forth in Parts I., II., III., IV., and V. of this General Permit.

This General Permit shall become effective February 1, 2013.

This General Permit and the authorization to discharge shall expire at midnight, January 31, 2018.

FOR THE MONTANA DEPARTMENT OF  
ENVIRONMENTAL QUALITY



Paul Skubinna, Chief  
Water Protection Bureau  
Permitting & Compliance Division

Issuance date: December 6, 2012

1.	COVERAGE UNDER THIS PERMIT.....	6
1.1.	Eligibility .....	6
1.1.1.	Facilities Covered.....	6
1.1.2.	Allowable Storm Water Discharges.....	6
1.1.3.	Allowable Non-Storm Water Discharges.....	6
1.1.4.	Limitations on Coverage.....	6
1.2.	Authorization under This Permit.....	7
1.2.1.	New Authorizations (Not Previously Authorized Under MTR000000 or MTR300000).....	7
1.2.2.	Continuing Authorizations Issued Prior To This Permit’s Effective Date under MTR000000 or MTR300000.....	8
1.2.3.	Continuation of this Permit.....	9
1.3.	Termination of Coverage under This Permit.....	10
1.4.	Transfer of Coverage under This Permit .....	11
1.5.	Conditional Exclusion for No Exposure .....	11
2.	EFFLUENT LIMITATIONS AND MONITORING AND REPORTING REQUIREMENTS .....	12
2.1.	Control Measures.....	12
2.1.1.	Control Measure Selection and Design Considerations.....	12
2.2.	Non-Numeric Technology-Based Effluent Limits – Control Measures.....	13
2.2.1.	Minimize Exposure .....	13
2.2.2.	Good Housekeeping .....	13
2.2.3.	Maintenance.....	13
2.2.4.	Spill Prevention and Response Procedures.....	13
2.2.5.	Erosion and Sediment Controls .....	14
2.2.6.	Management of Runoff .....	14
2.2.7.	Salt Storage Piles or Piles Containing Salt .....	14
2.2.8.	Sector Specific Non-Numeric Effluent Limits.....	14
2.2.9.	Employee Training.....	14
2.2.10.	Non-Storm Water Discharges.....	15
2.2.11.	Waste, Garbage and Floatable Debris.....	15
2.2.12.	Dust Generation and Vehicle Tracking of Industrial Materials .....	15
2.3.	Water Quality-Based Effluent Limitations.....	15
2.3.1.	Water Quality Standards.....	15
2.3.2.	Discharges to Water Quality Impaired Waters .....	15
2.4.	Corrective Actions .....	15
2.4.1.	Conditions Requiring Review and Revision to Eliminate Problem .....	15
2.4.2.	Conditions Requiring Review to Determine if Modifications Are Necessary.....	16
2.4.3.	Corrective Action Deadlines.....	16
2.4.4.	Corrective Action Report.....	16
2.4.5.	Effect of Corrective Action .....	17
2.4.6.	Substantially Identical Outfalls.....	17
2.5.	General Monitoring and Reporting Requirements .....	17
2.5.1.	Monitoring.....	17
2.6.	Additional Industry-Specific Monitoring Requirements (see Part 3.4.) .....	20
2.7.	Inspections .....	20
2.7.1.	Routine Facility Inspections.....	20

2.7.2.	Inspections After Significant Storm Events .....	21
2.7.3.	Annual Comprehensive Site Inspections .....	22
2.8	Additional Industry-Specific Inspection Requirements (see Part 3.4.).....	23
2.9.	Reporting Requirements .....	23
2.9.1.	Discharge Monitoring Reports .....	23
2.9.2.	Notification of Facility Contact Changes .....	24
2.9.3.	Annual Report .....	24
2.10.	Facility Recordkeeping Requirements.....	24
3.	SPECIAL CONDITIONS .....	26
3.1.	Storm Water Pollution Prevention Plan (SWPPP) .....	26
3.1.1.	Storm Water Pollution Prevention Team and SWPPP Administrator .....	26
3.1.2.	Site Description .....	26
3.1.3.	Site Map .....	26
3.1.4.	Summary of Potential Pollutant Sources.....	27
3.1.5.	Description of Control Measures (Best Management Practices).....	28
3.1.6.	Pertaining to Control Measures Used to Comply with the Effluent Limits in Part 2.....	28
3.1.7.	SWPPP Modifications and Updates.....	30
3.1.8.	Additional Industry-Specific SWPPP Requirements (see Part 3.4.).....	30
3.2.	Water Quality Controls for Discharges to Impaired Waterbodies .....	30
3.3.	Consistency with Total Maximum Daily Load (TMDL) Waste Load Allocations .....	30
3.4.	Industrial Sector Specific Requirements .....	31
3.4.1.	Sector A: Timber Products.....	31
3.4.2.	Sector B: Paper and Allied Products .....	34
3.4.3.	Sector C: Chemicals and Allied Products Manufacturing .....	34
3.4.4.	Sector D: Asphalt Paving and Roofing Materials and Lubricant Manufacturing .....	36
3.4.5.	Sector E: Glass, Clay, Cement, Concrete, and Gypsum Products .....	37
3.4.6.	Sector F: Primary Metals .....	38
3.4.7.	Sector G: Metal Mining (Ore Mining and Dressing) .....	41
3.4.8.	Sector H: Coal Mines and Coal-Mining-Related Facilities .....	52
3.4.9.	Sector I: Oil and Gas Extraction and Refining .....	56
3.4.10.	Sector J: Mineral Mining and Dressing .....	57
3.4.11.	Sector K: Hazardous Waste Treatment, Storage, or Disposal Facilities .....	62
3.4.12.	Sector L: Landfills, Land Application Sites, and Open Dumps .....	65
3.4.13.	Sector M: Automobile Salvage Yards .....	68
3.4.14.	Sector N Scrap Recycling and Waste Recycling Facilities .....	70
3.4.15.	Sector O: Steam Electric Generating Facilities .....	76
3.4.16.	Sector P: Land Transportation and Warehousing .....	79
3.4.17.	Sector Q: Water Transportation.....	82
3.4.18.	Sector R: Ship and Boat Building and Repair Yards .....	85
3.4.19.	Sector S: Air Transportation .....	87
3.4.20.	Sector T: Treatment Works .....	92
3.4.21.	Sector U: Food and Kindred Products .....	94
3.4.22.	Sector V: Textile Mills, Apparel, and Other Fabric Product Manufacturing; Leather and Leather Products .....	95
3.4.23.	Sector W: Furniture and Fixtures .....	97
3.4.24.	Sector X: Printing and Publishing.....	97

3.4.25.	Sector Y: Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries.....	99
3.4.26.	Sector Z: Leather Tanning and Finishing.....	101
3.4.27.	Sector AA: Fabricated Metal Products .....	102
3.4.28.	Sector AB: Transportation Equipment, Industrial or Commercial Machinery .....	105
3.4.29.	Sector AC: Electronic and Electrical Equipment and Components, Photographic and Optical Goods.....	105
3.4.30.	Sector AD: Non-Classified Facilities - Storm Water Discharges Designated by the Department as Requiring Permits.....	106
4.	STANDARD CONDITIONS .....	107
4.1.	Duty to Comply.....	107
4.2.	Duty to Reapply.....	107
4.3.	Need to Halt or Reduce Activity Not a Defense .....	107
4.4.	Duty to Mitigate .....	107
4.5.	Proper Operation and Maintenance .....	108
4.6.	Permit Actions.....	108
4.7.	Property Rights.....	108
4.8.	Duty to Provide Information .....	108
4.9.	Inspection and Entry .....	108
4.10.	Monitoring and Records—Representative Sampling.....	108
4.11.	Monitoring and Records—Retention of Records .....	108
4.12.	Monitoring and Records—Records Contents.....	109
4.13.	Monitoring and Records—Test Procedures.....	109
4.14.	Monitoring and Records—Falsification and Tampering.....	109
4.15.	Signatory Requirement .....	109
4.16.	Reporting Requirements—Planned Changes.....	110
4.17.	Reporting Requirements—Anticipated Noncompliance.....	110
4.18.	Reporting Requirements—Transfers.....	110
4.19.	Reporting Requirements—Monitoring Reports.....	111
4.20.	Reporting Requirements—Compliance Schedules .....	111
4.21.	Reporting Requirements—Twenty-four Hour Reporting.....	111
4.22.	Reporting Requirements—Other Noncompliance.....	112
4.23.	Reporting Requirements—Other Information.....	112
4.24.	Bypass.....	112
4.25.	Upset .....	113
4.26.	Fees .....	113
5.	DEFINITIONS AND ABBREVIATIONS .....	115
5.1.	General Definitions and Abbreviations .....	115
5.2.	Specialized Definitions and Abbreviations – Not Applicable .....	119
	Appendix A: Table A, Facilities and Activities.....	120
	Appendix B: Calculating Hardness in Receiving Waters for Hardness Dependent Metals .....	128

Appendix C: Metal Mining ELG Applicability .....131  
Appendix D: Notice of Intent (NOI) Form.....133

# 1. COVERAGE UNDER THIS PERMIT

## 1.1. *Eligibility*

### 1.1.1. Facilities Covered

This Permit applies to all areas of the State of Montana, except for Indian Reservations. This permit applies to “storm water discharge associated with industrial activity” and “storm water discharge associated with mining and oil and gas activity”, as defined in ARM 17.30.1102 (29 & 30) and Section 5 of this permit. For these defined types of storm water discharges, an industrial facility or activity, as listed in Appendix A or notified by the Department as being eligible for coverage under Sector AD of this permit, can be granted authorization to discharge to state surface waters.

### 1.1.2 Allowable Storm Water Discharges

Unless otherwise made ineligible under Part 1.1.4, the following discharges are eligible for coverage under this permit:

- Storm water discharges associated with industrial, mining, or oil and gas activity for any primary industrial activity as listed in Appendix A;
- Discharges designated by the Department as needing a storm water permit as provided in Sector AD; and
- Discharges that are not otherwise required to obtain MPDES permit authorization but are commingled with discharges that are regulated under this permit.

### 1.1.3. Allowable Non-Storm Water Discharges

The following are non-storm water discharges allowed under this permit:

- Uncontaminated condensate from air conditioners, coolers, and other compressors and from the outside storage of refrigerated gases or liquids;
- Irrigation drainage;
- Landscape watering provided all pesticides, herbicides, and fertilizer have been applied in accordance with the approved labeling;
- Pavement wash waters where no detergents are used and no spills or leaks of toxic or hazardous materials have occurred (unless all spilled material has been removed);
- Routine external building wash down that does not use detergents;
- Uncontaminated ground water or spring water;
- Foundation or footing drains where flows are not contaminated with process materials; and
- Incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of your facility, but not intentional discharges from the cooling tower (e.g., “piped” cooling tower blowdown or drains).

### 1.1.4. Limitations on Coverage

The following are not eligible for coverage under this permit:

- Storm water discharges that are mixed with non-storm water, other than those non-storm water discharges listed in Part 1.1.3., are not eligible for coverage under this permit;
- Storm water discharges associated with construction activity (as defined in ARM 17.30.1102(28)) are not eligible for coverage under this permit; and

- Storm water discharges subject to federal effluent limitation guidelines under 40 CFR, Subchapter N, are not eligible for coverage under this permit

## **1.2. Authorization under This Permit**

### **1.2.1. New Authorizations (Not Previously Authorized Under MTR000000 or MTR300000)**

This permit will initiate the use of the Notice of Intent (NOI) system to be used for all new and renewal submittals after the effective date of this permit which pertains to “storm water discharge associated with industrial activity” and “storm water discharge associated with mining and oil and gas activity”. The initial version of the NOI Form is located in Appendix D of this permit.

For new authorizations, the permittee must be implementing the control measures and effluent limits in Part 2 of this permit upon submittal of the NOI Package.

Owners or operators of facility or activity sites that may discharge storm water to state surface waters may obtain first-time coverage under this General Permit by submitting a complete NOI package to the Department at the address given below.

The NOI is a notice of intent that the identified permittee will comply with the conditions of the permit, including those for the permittee’s particular sector or subsector as provided in Part 3.4.

The complete NOI package consists of:

- A completed NOI form using the standard NOI form provided by the Department and signed by the appropriate signatory based on the signatory requirements stated in Part 4.15 of this General Permit;
- A separate Storm Water Pollution Prevention Plan (SWPPP) which has been completed in accordance with the requirements identified in Part 3 of this General Permit and signed by the owner/operator in accordance with the signatory requirements stated in Part 4.15 of this General Permit; and,
- The appropriate NOI fee as required by ARM 17.30.201.

The NOI Package is to be submitted to the following address:

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

#### **1.2.1.1.3. Department Processing of NOI Package**

If the NOI Package is determined to be complete, the Department will issue a Confirmation of Receipt Letter acknowledging the receipt of the complete NOI Package and the confirmation by the permittee that they intend to comply with the permit. The date of receipt by the Department of a complete NOI Package is when authorization under the General Permit becomes effective, providing the General Permit itself is effective on that date.

Incomplete or unsigned NOI submittals are not acceptable, and coverage under the General Permit is not effective until a complete NOI Package is received and the Confirmation of Receipt Letter issued by the Department.

#### **1.2.1.2. Providing MEPA Documentation with New NOI Package**

Pertaining to only those first-time NOIs submitted for new industrial facilities or activities that do not exist and will be constructed and initiating operation, there is additional documentation and requirements in the NOI and SWPPP. For new facilities, there may be the potential for the construction and/or implementation of storm water Control Measures and Best Management Practices (BMPs) which are performed as a result of the regulation of storm water discharges under the General Permit, to have an adverse effect on the following:

- Vegetation and Wildlife Species and Habitats, Including Fisheries and Aquatic Resources;
- Unique, Endangered, Fragile, or Limited Environmental Resources; and
- Historical, Cultural, & Archeological Sites.

Consequently, the NOI filer must evaluate this potential adverse effect by formally requesting information from the following two sources, and including the received documentation with their NOI Form and SWPPP. If there is a potential adverse effect on the aforementioned criteria, then measures must be taken to ensure compliance with the Montana Environmental Policy Act (MEPA), including incorporation of related measures in the SWPPP. This may require the NOI filer to take reasonable measures and work with pertinent regulatory agencies to ensure the potential adverse effect is mitigated.

##### **1.2.1.2.1. Montana Natural Heritage Program and Natural Resource Information System (NRIS)**

NOI filers for new facilities or activities must perform a formal check with the Montana Natural Heritage Program which utilizes NRIS. This checks for unique, endangered, fragile or limited vegetation, wildlife, aquatic species, and associated habitats with respect to the area near a given facility/activity site location. On the website located at <http://mtnhp.org/> the NOI filer can "request information" to perform this check.

##### **1.2.1.2.2. State Historic Preservation Office (SHPO)**

NOI filers for new facilities or activities must also perform a formal check with the SHPO. This checks for potential historical, cultural, and archeological sites with respect to the area near a given facility/activity site location. On the website located at <http://mhs.mt.gov/shpo/> the NOI filer can complete a "file search request form", which will have a minor fee associated with it.

#### **1.2.2. Continuing Authorizations Issued Prior To This Permit's Effective Date under MTR000000 or MTR300000**

##### **1.2.2.1. 2006 MTR000000 Industrial General Permit**

In order to maintain coverage under the General Permit, all existing permitted sources covered under the October 1, 2006 *General Permit for Storm Water Discharges Associated with Industrial Activity* were required to submit a complete "SW-1" application form and an application fee (ARM 17.30.201(6) schedule I.C.) 30 days prior to the September 30, 2011 expiration date of the General Permit. This submittal allowed the Department to provide continued coverage under the conditions of the expired permit until this permit is issued (ARM

17.30.1313). As the Department is converting this reissued permit into a system which uses the "Notice of Intent" system, the Department will also require continuing permittees to submit a NOI using the new NOI Form for this permit prior to the reissued permit's effective date. This NOI submittal will then be processed for authorization under this reissued permit as stated in Part 1.2.1.1.3. of this permit.

All existing permittees applying for renewal of General Permit coverage under this General Permit are required to develop and implement a complete updated SWPPP based on this new General Permit's requirements and organization. All existing permittees are subject to the conditions of this General Permit upon authorization, and must update the SWPPP as soon as possible. No later than August 1, 2013, a copy of this updated SWPPP and all attached information must be submitted to the Department. The Department will not be reviewing this updated SWPPP upon submittal, but we want a copy for our records

Updated SWPPPs must be developed using reasonable land, soil, and water conservation practices and good standard engineering practices. They must include requirements as stated in this General Permit and reflect current site conditions. Prior SWPPPs can be used but will need to be updated to include new requirements and organizational requirements as stated in this General Permit.

#### 1.2.2.2. 2008 MTR300000 Mining and Oil & Gas General Permit

For those permittees with an existing authorization under the January 1, 2008 *General Permit for Storm Water Discharges Associated with Mining and with Oil and Gas Activities*, for renewals the permittee must submit a NOI Form (instead of the SW-1 Form) no later than December 31, 2012 in order to maintain permit coverage.

All existing permittees applying for renewal of General Permit coverage under this General Permit are required to develop and implement a complete updated SWPPP based on this new General Permit's requirements and organization. All existing permittees are subject to the conditions of this General Permit upon authorization, and must update the SWPPP as soon as possible. No later than August 1, 2013, a copy of this updated SWPPP and all attached information must be submitted to the Department. The Department will not be reviewing this updated SWPPP upon submittal, but we want a copy for our records

Updated SWPPPs must be developed using reasonable land, soil, and water conservation practices and good standard engineering practices. They must include requirements as stated in this General Permit and reflect current site conditions. Prior SWPPPs can be used but will need to be updated to include new requirements and organizational requirements as stated in this General Permit.

### 1.2.3. Continuation of this Permit

If this permit is not reissued or replaced prior to the expiration date, this permit will be administratively continued in accordance with ARM 17.30.1313 and remain in force and effect. If you were authorized to discharge under this permit prior to the expiration date, any discharges authorized under this permit will automatically remain covered by this permit until the earliest of:

- Your authorization for coverage under a reissued permit or a replacement of this permit following your timely submittal of a complete NOI for authorization to discharge under the new permit and compliance with the requirements of the new permit; or
- Your submittal of a Notice of Termination; or
- Issuance or denial of an individual permit for the facility's discharges; or

- A formal permit decision by the Department not to reissue this general permit, at which time the Department will identify a reasonable time period for covered dischargers to seek coverage under an alternative general permit or an individual permit.

### **1.3. Termination of Coverage under This Permit**

You must submit a request for termination within 30 days after one or more of the following conditions have been met:

- Through ceased operations of the facility or otherwise, you have ceased any and all regulated storm water discharges to state surface waters and demonstrate to the Department there is no probability of further uncontrolled discharge(s) which may effect state surface waters, and you have already implemented necessary sediment and erosion controls as required by Part 2.2.5;
- You are a Sector G, H, or J facility and you have met the applicable termination requirements in Part 3.4 of this permit; or
- You have obtained coverage under an individual or alternative general permit for all discharges required to be covered by an MPDES permit, in which case coverage under this permit will terminate automatically.

The request for termination must be submitted in writing to the Department and must include the following information:

- The formal facility or site name and location, mailing address of the mining or oil and gas activity site. Where a mailing address for the site is not available, the location of the site must be described by the latitude and longitude of the site (in degrees, minutes, and seconds);
- The name, address, and telephone number of the owner/operator as identified on the application or NOI form;
- The MPDES Permit Authorization Number as stated in the Confirmation of Receipt Letter;
- An indication of the reason for termination based on the three conditions stated above;
- If pertinent as a reason for termination, a detailed explanation and/or documentation which demonstrates and confirms the determination that the regulated storm water discharge has been eliminated; and,
- A certification and signature statement in accordance with the requirements in Part 4.15 of this General Permit.

The request for termination must be sent to the following address:

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

Coverage under the General Permit remains in effect until the Department processes a request for termination or Permit Transfer Notification (see Part 1.4). The permittee is responsible for payment of annual fees for each calendar year in which the source is covered under the General Permit. The permittee is responsible for complying with the terms of this permit until notified by the Department that the authorization is terminated. Failure to submit a request for

termination shall result in accrual of annual permit fees until this has been received by the Department.

Any owner or operator of a facility or site covered under this General Permit may request to be excluded from coverage under this General Permit by applying for an Individual MPDES permit. If a final Individual MPDES permit is issued to an owner/operator otherwise subject to this General Permit, coverage under this General Permit is terminated on the effective date of the Individual MPDES permit.

#### **1.4. *Transfer of Coverage under This Permit***

The Department has a standard Permit Transfer Notification (PTN) form. This form is to be utilized to request a transfer of ownership or change the name (transfer) of the entity that holds an authorization under this General Permit. This form must be submitted at least 30 days prior to the effective date of the proposed transfer and constitutes written notice to the Department under the Montana Water Quality Act that the new owner or operator assumes responsibility and liability for all the terms and conditions in the permit, including permit fees. The Department reserves the right to modify or revoke and reissue the permit and request a new NOI (ARM 17.30.1360(2)). This PTN form may not be used to transfer permit coverage to a new or different site, facility or location, or modify the terms and conditions of the discharge permit. Until a determination is made on the submitted PTN form, the owner or operator of record remains responsible for compliance with the terms of the authorization under this General Permit, including fees and/or violations.

#### **1.5. *Conditional Exclusion for No Exposure***

If you are covered by this permit, and become eligible for a no exposure exclusion from permitting, you may file an Industrial No Exposure Certification Form. You are no longer required to have a permit authorization upon submission of a complete and accurate no exposure certification to the Department, provided this certification is still valid and in effect as these certifications must be submitted to the Department once every five years. The Department performs a completeness check of the submittal, and if complete and the Department concurs with a condition of no-exposure, a confirmation letter is sent out to that effect.

If you are no longer required to have permit coverage because of no-exposure exclusion and have submitted a No Exposure Certification Form to the Department, you are not required to submit a Notice of Termination. You must submit a No Exposure Certification to the Department once every five years. Please refer to the Department's "Industrial No Exposure Certification Form" for further information.

## **2. EFFLUENT LIMITATIONS AND MONITORING AND REPORTING REQUIREMENTS**

Part 2 requirements pertain to all permittees, in addition to the sector-specific requirements found in Part 3.4.

### **2.1. Control Measures**

You must select, design, install, and implement control measures (including Best Management Practices) to address the selection and design considerations in Part 2.1.1 and to meet the non-numeric effluent limits in Part 2.2. The selection, design, installation, and implementation of these control measures must be in accordance with good engineering practices and/or manufacturer's specifications. Note that you may deviate from such manufacturer's specifications where you provide justification for such deviation and include documentation of your rationale in the part of your SWPPP that describes your control measures, consistent with Part 3.1.5. If you find that your control measures are not achieving their intended effect of minimizing pollutant discharges, you must modify these control measures as expeditiously as practicable. In addressing control measures, regulated storm water discharges from your facility include storm water run-on that commingles with storm water discharges associated with industrial activity at your facility.

In the technology-based limits included in Parts 2.1.1. and 2.2., and in Part 3.4, the term "minimize" means reduce and/or eliminate to the extent achievable using control measures (including Best Management Practices) that are technologically available and economically practicable and achievable in light of best industry practice.

#### **2.1.1. Control Measure Selection and Design Considerations**

You must consider the following when selecting and designing control measures:

- preventing storm water from coming into contact with polluting materials is generally more effective, and less costly, than trying to remove pollutants from storm water;
- using control measures in combination is more effective than using control measures in isolation for minimizing pollutants in your storm water discharge;
- assessing the type and quantity of pollutants, including their potential to impact receiving water quality, is critical to designing effective control measures that will achieve the limits in this permit;
- minimizing impervious areas at your facility and infiltrating runoff onsite (including bioretention cells, green roofs, and pervious pavement, among other approaches) can reduce runoff and improve groundwater recharge and stream base flows in local streams, although care must be taken to avoid ground water contamination;
- attenuating flow using open vegetated swales and natural depressions can reduce in-stream impacts of erosive flows;
- conserving and/or restoring of riparian buffers will help protect streams from storm water runoff and improve water quality; and
- Using treatment interceptors (e.g., swirl separators and sand filters) may be appropriate in some instances to minimize the discharge of pollutants.

## **2.2. Non-Numeric Technology-Based Effluent Limits – Control Measures**

### **2.2.1. Minimize Exposure**

You must minimize the exposure of manufacturing, processing, and material storage areas (including loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations) to rain, snow, snowmelt, and runoff by either locating these industrial materials and activities inside or protecting them with storm resistant coverings. In minimizing exposure, you should pay particular attention to the following:

- use grading, berming, or curbing to prevent runoff of contaminated flows and divert run-on away from these areas;
- locate materials, equipment, and activities so that leaks are contained in existing containment and diversion systems (confine the storage of leaky or leak-prone vehicles and equipment awaiting maintenance to protected areas);
- clean up spills and leaks promptly using dry methods (e.g., absorbents) to prevent the discharge of pollutants;
- use drip pans and absorbents under or around leaky vehicles and equipment or store indoors where feasible;
- use spill/overflow protection equipment;
- drain fluids from equipment and vehicles prior to on-site storage or disposal;
- perform all cleaning operations indoors, under cover, or in bermed areas that prevent runoff and run-on and also that capture any overspray; and
- ensure that all wash water drains to a proper collection system (i.e., not the storm water drainage system).

The discharge of vehicle and equipment wash water, including tank cleaning operations, is not authorized by this permit. These wastewaters must be covered under a separate MPDES permit, discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements, or disposed of otherwise in accordance with applicable law.

### **2.2.2. Good Housekeeping**

You must keep clean all exposed areas that are potential sources of pollutants, using such measures as sweeping at regular intervals, keeping materials orderly and labeled, and storing materials in appropriate containers.

### **2.2.3. Maintenance**

You must regularly inspect, test, maintain, and repair all industrial equipment and systems to avoid situations that may result in leaks, spills, and other releases of pollutants in storm water discharged to receiving waters. You must maintain all control measures that are used to achieve the effluent limits required by this permit in effective operating condition. Nonstructural control measures must also be diligently maintained (e.g., spill response supplies available, personnel appropriately trained). If you find that your control measures need to be replaced or repaired, you must make the necessary repairs or modifications as expeditiously as practicable.

### **2.2.4. Spill Prevention and Response Procedures**

You must minimize the potential for leaks, spills and other releases that may be exposed to storm water and develop plans for effective response to such spills if or when they occur. At a minimum, you must implement:

- Procedures for plainly labeling containers (e.g., "Used Oil," "Spent Solvents," "Fertilizers and Pesticides," etc.) that could be susceptible to spillage or leakage to encourage proper handling and facilitate rapid response if spills or leaks occur;
- Preventative measures such as barriers between material storage and traffic areas, secondary containment provisions, and procedures for material storage and handling;
- Procedures for expeditiously stopping, containing, and cleaning up leaks, spills, and other releases. Employees who may cause, detect, or respond to a spill or leak must be trained in these procedures and have necessary spill response equipment available. If possible, one of these individuals should be a member of your storm water pollution prevention team (see Part 3.1.1); and
- Procedures for notification of appropriate facility personnel, emergency response agencies, and regulatory agencies.

### **2.2.5. Erosion and Sediment Controls**

You must stabilize exposed areas and contain runoff using structural and/or non-structural control measures to minimize onsite erosion and sedimentation, and the resulting discharge of pollutants. Among other actions you must take to meet this limit, you must place flow velocity dissipation devices at discharge locations and within outfall channels where necessary to reduce erosion and/or settle out pollutants. In selecting, designing, installing, and implementing appropriate control measures, you are encouraged to consult with available guidance resources relating to BMPs for erosion and sedimentation, including industrial sector-specific information.

### **2.2.6. Management of Runoff**

You must divert, infiltrate, reuse, contain, or otherwise reduce storm water runoff, to minimize pollutants in your discharges. In selecting, designing, installing, and implementing appropriate control measures, you are encouraged to consult with available guidance resources relating to storm water BMPs for runoff management, including industrial sector-specific information.

### **2.2.7. Salt Storage Piles or Piles Containing Salt**

You must enclose or cover storage piles of salt, or piles containing salt, used for deicing or other commercial or industrial purposes, including maintenance of paved surfaces. You must implement appropriate measures (e.g., good housekeeping, diversions, containment) to minimize exposure resulting from adding to or removing materials from the pile. Piles do not need to be enclosed or covered if storm water runoff from the piles is not discharged or if discharges from the piles are authorized under another MPDES permit.

### **2.2.8. Sector Specific Non-Numeric Effluent Limits**

You must achieve any additional non-numeric limits stipulated in the relevant sector-specific section(s) of Part 3.4. of this permit.

### **2.2.9. Employee Training**

As provided for in Part 3.1.1. of this permit, the SWPPP Administrator must ensure all employees receive in-house training, including all members of the pollution prevention team, who work in areas where industrial materials or activities are exposed to storm water, or who are responsible for implementing activities necessary to meet the conditions of this permit (e.g., inspectors, maintenance personnel). Training must cover both the specific control measures used to achieve the effluent limits in this Part, and monitoring, inspection, planning, reporting, and documentation requirements in other parts of this permit. Training must be conducted at

least annually at a minimum and the date of the training and employees in attendance must be documented.

### **2.2.10. Non-Storm Water Discharges**

You must eliminate non-storm water discharges not-allowed by an MPDES permit. See Part 1.1.3. for a list of non-storm water discharges allowed by this permit (with proper MPDES permit authorization as necessary).

### **2.2.11. Waste, Garbage and Floatable Debris**

You must ensure that waste, garbage, and floatable debris are not discharged to receiving waters by keeping exposed areas free of such materials or by intercepting them before they are discharged.

### **2.2.12. Dust Generation and Vehicle Tracking of Industrial Materials**

You must minimize generation of dust and off-site tracking of raw, final, or waste materials.

## **2.3. Water Quality-Based Effluent Limitations**

### **2.3.1. Water Quality Standards**

Your discharge must be controlled as necessary to meet applicable water quality standards. No discharge of storm water associated with industrial, mining, and oil and gas activity shall cause or contribute to a violation of water quality standards.

If at any time you become aware, or the Department determines, that your discharge causes or contributes to an exceedance of applicable water quality standards, you must take corrective action as required in Part 2.4.1., document the corrective actions as required in Parts 2.4.4., 2.9.3., and 2.10.

Additionally, the Department may require you to obtain coverage under an individual permit, if information in your NOI, required reports, or from other sources indicates that your discharges are not controlled as necessary to meet applicable water quality standards.

### **2.3.2. Discharges to Water Quality Impaired Waters**

Discharges to an impaired water must not only ensure compliance with the Water Quality Standards section above, but the Control Measures, BMPs, and SWPPP must be developed and implemented to ensure potential pollutants generated at the site are appropriately addressed through storm water management controls and BMPs at the site for those pollutants of concern for which the impaired water was listed. Refer to Parts 3.2. and 3.3.

## **2.4. Corrective Actions**

### **2.4.1. Conditions Requiring Review and Revision to Eliminate Problem**

If any of the following conditions occur, you must review and revise the selection, design, installation, implementation, and maintenance of your control measures to ensure that the condition is eliminated and will not be repeated in the future:

- an unauthorized release or discharge (e.g., spill, leak, or discharge of non-storm water not authorized by this or another MPDES permit) occurs at your facility;

- you become aware, or the Department determines, that your control measures are not stringent enough for the discharge to meet applicable water quality standards;
- an inspection or evaluation of your facility by a Department representative determines that modifications to the control measures are necessary to meet the non-numeric effluent limits in this permit; or
- you find in your routine facility inspection, significant storm event inspection, or comprehensive site inspection that your control measures are not being properly operated and maintained.

#### **2.4.2. Conditions Requiring Review to Determine if Modifications Are Necessary**

If any of the following conditions occur, you must review the selection, design, installation, implementation, and maintenance of your control measures to determine if modifications are necessary to meet the effluent limits in this permit:

- construction or a change in design, operation, or maintenance at your facility changes the nature of pollutants discharged in storm water from your facility, or increases the quantity of pollutants discharged; or
- the average of 4 quarterly sampling results exceeds an applicable benchmark (see Part 2.5.1.). If less than 4 benchmark samples have been taken, but the results are such that an exceedance of the 4 quarter average is mathematically certain (i.e., if the sum of quarterly sample results to date is more than 4 times the benchmark level) this is considered a benchmark exceedance, triggering this review.

#### **2.4.3. Corrective Action Deadlines**

You must document your discovery of any of the conditions listed in Parts 2.4.1. and 2.4.2. within 24 hours of making such discovery. Subsequently, within 14 days of such discovery, you must document any corrective action(s) to be taken to eliminate or further investigate the deficiency, or if no corrective action is needed, the basis for that determination. Specific documentation required within 24 hours and 14 days is detailed in Part 2.4.4. If you determine that changes are necessary following your review, any modifications to your control measures must be made before the next storm event if possible, or as soon as practicable following that storm event according to the permittee's documentation as required in Part 2.4.4. These time intervals are not grace periods, but are schedules considered reasonable for documenting your findings and for making repairs and improvements. They are included in this permit to ensure that the conditions prompting the need for these repairs and improvements are not allowed to persist indefinitely.

These corrective action requirements and deadlines are different than those for noncompliance or other reporting stated in Part 4 of this permit. The criteria triggering corrective action may or may not trigger the additional reporting requirements in Part 4. Regardless of these potential additional corrective action requirements, permittees must still comply with the standard conditions in Part 4.

#### **2.4.4. Corrective Action Report**

Within 24 hours of discovery of any condition listed in Parts 2.4.1. and 2.4.2., you must document the following information:

- Identification of the condition triggering the need for corrective action review;
- Description of the problem identified; and

- Date the problem was identified.

Within 14 days of discovery of any condition listed in Parts 2.4.1. and 2.4.2., you must document the following information:

- Summary of corrective action taken or to be taken (or, for triggering events identified in Part 2.4.2. where you determine that corrective action is not necessary, the basis for this determination);
- Notice of whether SWPPP modifications are required as a result of this discovery or corrective action;
- Date corrective action initiated; and
- Date corrective action completed or expected to be completed.

You must retain a copy of this Corrective Action Report with the Annual Report required in Part 2.9.3.

#### **2.4.5. Effect of Corrective Action**

If the event triggering the corrective action review is a permit violation, correcting it does not remove the original violation. Additionally, failing to take corrective action in accordance with this section is an additional permit violation. The Department will consider the appropriateness and promptness of corrective action in determining potential enforcement responses to permit violations.

#### **2.4.6. Substantially Identical Outfalls**

If the event triggering corrective action is linked to an outfall that represents other “substantially identical outfalls” (see Part 2.5.1.2.), your review must assess the need for corrective action for each outfall represented by the outfall that triggered the review. Any necessary changes to control measures that affect these other outfalls must also be made before the next storm event if possible, or as soon as practicable following that storm event.

### **2.5. *General Monitoring and Reporting Requirements***

#### **2.5.1. Monitoring**

If monitoring (analytical sampling and testing) of storm water discharges is required for your identified industrial sector or subsector in Part 3.4., you must collect and analyze storm water samples and document monitoring activities consistent with the procedures described in Parts 2.5 and 3.4.

##### **2.5.1.1. Required Benchmark Monitoring**

This permit stipulates pollutant benchmark concentrations that may be applicable to your discharge. The benchmark concentrations are not effluent limitations; a benchmark exceedance, therefore, is not a permit violation. Benchmark monitoring data are primarily for your use to determine the overall effectiveness of your control measures and to assist you in knowing when additional corrective action(s) may be necessary to comply with the effluent limitations in Parts 2 and 3.4.

You must monitor for any benchmark parameters specified for the industrial sector or subsector, based on your primary industrial activity type (i.e. Standard Industrial Classification (SIC) Code) applicable to your discharge. Your industry-specific benchmark concentrations are listed in the sector-specific sections of Part 3.4. If your facility is in one of the industrial sectors subject to

benchmark concentrations that are hardness-dependent, you are required to submit to the Department with your first benchmark report under this permit a hardness value, established consistent with the procedures in Appendix B, which is representative of your receiving water.

Samples must be analyzed using test procedures with quantitation limits at or below benchmark values for all benchmark parameters for which you are required to sample. The "Required Reporting Values" stated in Circular DEQ-7 (Montana Numeric Water Quality Standards) must also be complied with.

Refer to Part 4 for standard conditions related to monitoring which are not specified in Part 2 of this permit.

#### **2.5.1.2. Monitored Outfalls**

Applicable monitoring requirements apply to each outfall authorized by this permit, except as otherwise exempt from monitoring as a "substantially identical outfall." If your facility has two or more outfalls that you believe discharge substantially identical effluents, based on the similarities of the general industrial activities and control measures, exposed materials that may contribute pollutants to storm water, and runoff coefficients of their drainage areas, you may monitor the effluent of just one of the outfalls and report that the results also apply to the substantially identical outfall(s). As required in Part 3.1., your SWPPP must identify each outfall authorized by this permit and describe the rationale for any substantially identical outfall determinations.

For new authorizations under this permit, the permittee must be sure to identify the "substantially identical outfalls", and those other outfalls which will be required to monitor, and specify this on the NOI Form.

#### **2.5.1.3. Commingled Discharges**

If discharges authorized by this permit commingle with discharges not authorized under this permit, any required sampling of the authorized discharges must be performed at a point before they mix with other waste streams, to the extent practicable.

#### **2.5.1.4. Sample Type**

All required monitoring must be performed on a storm event that results in an actual discharge from your site. In the case of snowmelt, the monitoring must be performed at a time when a measurable discharge occurs from your site.

For all discharges, sampling data shall be obtained by collecting a grab sample. The grab sample shall be taken during the first thirty minutes of the discharge. If the collection of a grab sample during the first thirty minutes is impracticable, a sample can be taken during the first hour of the discharge, and the discharger shall submit attached to the Discharge Monitoring Report form a description of why a grab sample during the first thirty (30) minutes was impracticable.

A composite sample may be required or allowed by the Department on a site-by-site basis. If required or allowed, composite samples shall either be flow-weighted or time-weighted. Potential composite samples may be taken with a continuous sampler or as a combination of a minimum of three grab sample aliquots taken in each hour of discharge for the entire discharge or for the first three hours of the discharge, with each aliquot being separated by a minimum period of fifteen (15) minutes.

#### **2.5.1.5. Monitoring Periods**

Quarterly benchmark monitoring requirements in this permit begin in the first full quarter following the effective date of your discharge permit authorization. Permittees must monitor at least once in each of the following 3-month intervals:

January 1 – March 31;  
April 1 – June 30;  
July 1 – September 30; and  
October 1 – December 31.

If more than one sample is collected during one of the three month intervals, an average of the results is to be reported on the DMR forms to represent the quarterly monitoring result.

#### **2.5.1.6. Evaluation of Monitoring Data**

If the average of the four most recent quarterly monitoring values for any parameter exceeds the benchmark, in accordance with Part 2.4.2. you must review the selection, design, installation, and implementation of your control measures to determine if modifications are necessary to meet the effluent limits in this permit, and either:

- Make the necessary modifications until you have completed 4 quarters of monitoring for which the average does not exceed the benchmark; or
- Make a determination that no further pollutant reductions are technologically available and economically practicable and achievable in light of best industry practice to meet the technology-based effluent limits or are necessary to meet the water-quality-based effluent limitations in Part 2 of this permit. You must also document your rationale for concluding that no further pollutant reductions are achievable, and retain all records related to this documentation with your SWPPP.

In accordance with Part 2.4., you must review your control measures and perform any required corrective action immediately (or document why no corrective action is required), without waiting for a full 4 quarters of monitoring data, if an exceedance of the 4 quarter average is mathematically certain. If after modifying your control measures and conducting 4 additional quarters of monitoring, your average still exceeds the benchmark (or if an exceedance of the benchmark by the 4 quarter average is mathematically certain prior to conducting the full 4 additional quarters of monitoring), you must again review your control measures and take one of the two actions above.

For the purposes of averaging benchmark monitoring test results, use a value of zero for any individual sample parameter, analyzed using procedures consistent with Parts 2.5.1.1. and 4.13., which is determined to be less than the method detection limit. For sample values that fall between the method detection level and the quantitation limit (i.e., a confirmed detection but below the level that can be reliably quantified), use a value halfway between zero and the quantitation limit.

#### **2.5.1.7. Naturally Occurring Background Pollutant Levels**

If the average concentration of a pollutant exceeds a benchmark value, and you determine that exceedance of the benchmark is attributable solely to the presence of that pollutant in the “naturally occurring” background, you are not required to perform corrective action provided that:

- The average concentration of your benchmark monitoring results is less than or equal to the concentration of that pollutant in the naturally occurring background; and,
- You document and maintain with your SWPPP, as required in Part 3.1, your supporting rationale for concluding that benchmark exceedances are in fact attributable solely to naturally occurring background pollutant levels. You must include in your supporting rationale any data previously collected by you or others (including literature studies) that describe the levels of naturally occurring background pollutants in your storm water discharge.

Refer to the definition of “naturally occurring” in Part 5 of this permit.

#### **2.5.1.8. Storm/Sampling Event Characterization Requirements**

In addition to the monitoring and records requirements stated in the standard conditions in Part 4 of this permit, the following information shall be recorded and maintained at the permitted facility for all storm water discharges which are sampled:

- Whether the sample was from a rainfall or snowmelt event; and
- For a rainfall event, the estimated duration (in hours) of the event sampled, and measurements or estimates (in inches) of the rainfall event which generated the sampled runoff.

### **2.6. Additional Industry-Specific Monitoring Requirements (see Part 3.4.)**

The common requirements in Part 2.5.1. pertain to all permittees. Refer to Part 3.4. of the permit for your additional industrial sector or subsector-specific requirements pertaining to the monitoring of storm water discharges.

### **2.7. Inspections**

This Part 2.7 contains three types of self-inspections which must be performed. For the purpose of conducting inspections under this permit, “qualified personnel” means a person that has conducted employee training as stated in part 2.2.9., or a person who has the knowledge and skills to assess conditions and activities that could impact storm water quality at the facility, and evaluate the effectiveness of control measures and best management practices required by this permit in order to meet the effluent limitations.

#### **2.7.1. Routine Facility Inspections**

##### **2.7.1.1. Routine Facility Inspection Procedures**

Conduct routine facility inspections of all areas of the facility where industrial materials or activities are exposed to storm water, and of all storm water control measures used to comply with the effluent limits contained in this permit. Routine facility inspections must be conducted at least quarterly (i.e., once each calendar quarter) although in many instances (refer to any specific requirements for your industrial sector in Part 3.4. of this permit), more frequent inspection (e.g., monthly) may be appropriate for some types of equipment, processes, and control measures or areas of the facility with activities and materials exposed to storm water. You must specify the relevant inspection schedules in your SWPPP as required in Part 3.1. These routine inspections must be performed by qualified personnel, and if multiple people are conducting the inspection, at least one person must be a member of your storm water pollution prevention team. At least once each calendar year, the routine facility inspection must be conducted during a period when a storm water discharge is occurring. If the facility typically

does not have a storm water discharge occurring at the outfall, then this inspection must be conducted during a rainfall or snowmelt event (when prominent wet-weather conditions exist at the site). While conducting inspections during wet weather conditions, personnel must also observe for obvious indicators of storm water pollution around the site such as through color, odor, clarity, floating solids, settled solids, suspended solids, foam, and/or oil sheen of the storm water runoff.

#### **2.7.1.2. Routine Facility Inspection Documentation**

You must document the findings of each routine facility inspection performed and maintain this documentation onsite with your SWPPP as required in Part 3.1. You are not required to submit your routine facility inspection findings to the Department, unless specifically requested to do so. At a minimum, your documentation of each routine facility inspection must include:

- The inspection date and time;
- The name(s) and signature(s) of the inspector(s);
- Weather information;
- A description of any discharges occurring at the time of the inspection;
- Any previously unidentified discharges of pollutants from the site;
- Any observations of obvious indicators of storm water pollution;
- Any control measures needing maintenance or repairs;
- Any failed control measures that need replacement;
- Any incidents of noncompliance observed; and
- Any additional control measures needed to comply with the permit requirements.

Any corrective action required as a result of a routine facility inspection must be performed consistent with Part 2.4. of this permit.

Your routine facility inspection may also be used and credited towards one of the significant storm event inspections identified in Part 2.7.2., provided that it meets the criteria for that.

#### **2.7.2. Inspections After Significant Storm Events**

In addition to the routine inspections, you must conduct inspections after significant storm (rainfall or snowmelt) events. The significant storm event inspections must be conducted within 72 hours of the end of a rainfall or snowmelt event or in the timeframe specified in Part 3.4. for your particular sector or subsector if specified. For facilities which are inactive or unstaffed (a statement must be included in the SWPPP documenting this), these inspections must be performed as soon as practicable after a significant rainfall or snowmelt event. These inspections must be for the same criteria, and include the same documentation, as the routine facility inspections in Part 2.7.1. A "significant rainfall event" is a rainfall event over any 24-hour period which results in 0.5 inches or more of measured or otherwise documented rainfall. A "significant snowmelt event" is thawing conditions above freezing which produce a storm water discharge and where visible and discernible erosion of sediment is occurring at the site.

Your significant storm event inspection may also be used and credited towards one of the routine inspections identified in Part 2.7.1. Also, within the same calendar month, only two significant storm event inspections (performed on different days) are minimally required if more than two significant storm events occur (on different days) during that same calendar month.

## **2.7.3. Annual Comprehensive Site Inspections**

### **2.7.3.1. Comprehensive Site Inspection Procedures**

You must conduct annual comprehensive site inspections while you are covered under this permit, based upon the calendar year.

You are waived from having to perform a comprehensive site inspection for a calendar-year inspection period if you obtain authorization to discharge less than three months before the end of that calendar year.

Should your coverage be administratively continued after the expiration date of this permit, you must continue to perform these inspections annually while your permit authorization is administratively extended.

Comprehensive site inspections must be conducted by qualified personnel with at least one member of your storm water pollution prevention team participating in the comprehensive site inspections.

Your comprehensive site inspections must cover all areas of the facility affected by the requirements in this permit, including the areas identified in the SWPPP as potential pollutant sources (see Part 3.1.4.) where industrial materials or activities are exposed to storm water, any areas where control measures are used to comply with the effluent limits in Part 2, and areas where spills and leaks have occurred in the past 3 years. The inspections must also include a review of monitoring data collected in accordance with Part 2.5.1. Inspectors must consider the results of the past year's analytical monitoring when planning and conducting inspections. Inspectors must examine the following:

- Industrial materials, residue, or trash that may have or could come into contact with storm water;
- Leaks or spills from industrial equipment, drums, tanks, and other containers;
- Offsite tracking of industrial or waste materials, or sediment where vehicles enter or exit the site;
- Tracking or blowing of raw, final, or waste materials from areas of no exposure to exposed areas;
- Control measures needing replacement, maintenance, or repair; and,
- Areas of potential noncompliance with this permit.

Storm water control measures required by this permit must be observed to ensure that they are functioning correctly. If discharge locations are inaccessible, nearby downstream locations must be inspected.

Your annual comprehensive site inspection may also be used and credited towards one of the routine inspections identified in Part 2.7.1., as long as all components of both types of inspections are included.

### **2.7.3.2. Comprehensive Site Inspection Documentation**

You must document the findings of each comprehensive site inspection and maintain this documentation onsite with your SWPPP as required in Part 3.1. In addition, you must compile this documentation in an Annual Report as required in Part 2.9.3. At a minimum, your documentation of the comprehensive site inspection must include:

- The date of the inspection;
- The name(s) and title(s) of the personnel making the inspection;
- Results of the review of monitoring data collected in accordance with Part 2.5.1. based on the past year's monitoring data;
- Findings from the examination of areas of your facility identified in Part 2.7.3.1.;
- All observations relating to the implementation of your control measures including:
  - previously unidentified discharges from the site;
  - previously unidentified pollutants in existing discharges;
  - evidence of, or the potential for, pollutants entering the drainage system;
  - evidence of pollutants discharging to receiving waters at all facility outfall(s), and the condition of and around the outfall, including flow dissipation measures to prevent scouring; and
  - additional control measures needed to address any conditions requiring corrective action identified during the inspection.
- Any required revisions to the SWPPP resulting from the inspection;
- Any incidents of noncompliance observed; and
- A statement signed and certified in accordance with Part 4.15 of this permit.

Any corrective action required as a result of the comprehensive site inspection must be performed consistent with Part 2.4. of this permit.

## **2.8 Additional Industry-Specific Inspection Requirements (see Part 3.4.)**

The common requirements in Part 2.7. pertain to all permittees. Refer to Part 3.4. of the permit for your additional industrial sector or subsector-specific requirements pertaining to inspections.

## **2.9. Reporting Requirements**

### **2.9.1. Discharge Monitoring Reports**

#### 2.9.1.1.

In addition to the reporting requirements in Part 4.19 of this permit, for each quarterly sampling event, the permittee shall submit monitoring results obtained during the previous three-month reporting period on a Discharge Monitoring Report (DMR) form(s), to be received by the Department no later than the 28th day of the month following the quarterly reporting period.

DMR forms are provided by the Department. The DMR forms with the required signature shall be completed and submitted for each required discharge sampling location (outfall) for each required monitoring period. The DMR forms shall have all pertinent items completed, and shall comply with the signatory requirements stated in Part 4.15. of this permit.

#### 2.9.1.2.

Unless a Department-approved electronic-reporting option is implemented and to be used instead, for hard-copy DMR submittals, an original copy of the completed DMR form(s), with the required signature page(s) for each form, and all other reports required herein shall be submitted to the Department address below:

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

### 2.9.1.3.

The DMR forms contain a box in the upper right corner that is marked "no discharge". This box should not be checked unless on-site controls for storm water runoff prohibited and resulted in "no discharge" of storm water during times when the facility was in operation or when permittee representatives had access to the site.

## **2.9.2. Notification of Facility Contact Changes**

The permittee shall notify the Department in writing of any change of the designated facility contact person/position, mailing address, and/or telephone number (as originally identified on the General Permit application or NOI form) within 15 calendar days of this change.

## **2.9.3. Annual Report**

An Annual Report shall be completed for each calendar year and retained by the permittee in accordance with Part 2.10. This Annual Report must be completed using a standard Department form. This Annual Report does not need to be submitted to the Department unless specifically requested. This Annual Report is to be completed for all calendar years of active permit coverage. The Annual Report for a given calendar year must be completed by February 1 of the year following that respective calendar year.

You are waived from having to compile and retain an Annual Report for a given calendar year if you obtain authorization to discharge less than three months before the end of that respective calendar year.

This Annual Report shall include the documentation and results obtained through the Comprehensive Site Inspection required in Part 2.7.3., and the Corrective Action Report(s) required through Part 2.4.4.

The Annual Report must identify any incidents of noncompliance. A tracking or follow-up procedure (including a schedule for implementation) shall be used to ensure adequate response and resolution of noncompliance.

Where the Annual Report does not identify any incidents of noncompliance, the Report must contain a certification that the facility is in compliance with the SWPPP and this permit.

The Annual Report and any reports of follow-up actions must be certified and signed in accordance with Part 4.15 of this permit.

## **2.10. Facility Recordkeeping Requirements**

The permittee shall retain the bulleted items in the list below at the facility site at all times during the active permit coverage period authorized under this permit. If no permanent offices/buildings are located at the facility site, copies of these documents shall be retained at the office of the contact person identified in the NOI, and at the office of the primary individual responsible for the implementation of the SWPPP (SWPPP Administrator), and shall be brought to the site at all times with these identified personnel. Should the identity of these responsible

contacts/individuals change during the active permit authorization period, the permittee shall ensure measures are in place to transfer and familiarize replacement personnel with the requirements pertaining to these documents. Additionally, these documents must be retained by the permittee for a period of at least 3 years from the date that your coverage under this permit expires or is terminated.

You are required to keep the following documents and records updated, and they must demonstrate your full compliance with the conditions of this permit:

- A copy of this permit (an electronic copy easily available to the SWPPP Administrator is also acceptable);
- A copy of the Confirmation of Receipt Letter you receive from the Department which assigned your permit authorization tracking number (see Part 1.2.1.1.3.);
- A copy of the NOI (or application) submitted to the Department along with any correspondence exchanged between you and the Department specific to coverage under this permit;
- A copy of the SWPPP and all associated documents, plans, maps, details, and specifications (see Part 3.1.);
- A copy of the Annual Report and the records required to be kept with it (see Part 2.9.3.);
- A copy of all Corrective Action Reports compiled since the last Annual Report (see Part 2.4.4.);
- A copy of all DMRs (see Part 2.9.1);
- A copy of all correspondence notifying the Department of a change in the facility contact person/position (see Part 2.9.2.);
- Descriptions and dates of any incidences of spills, leaks, or other releases that resulted in discharges of pollutants to state surface waters, through storm water or otherwise; the circumstances leading to the release and actions taken in response to the release; and measures taken to prevent the recurrence of such releases (see Part 2.2.4.);
- Records of employee training, including date training received (see Part 2.2.9.);
- Documentation of maintenance and repairs of control measures, including the date(s) of regular maintenance, date(s) of discovery of areas in need of repair/replacement, and for repairs, date(s) that the control measure(s) returned to full function, and the justification for any extended maintenance/repair schedules (see Part 2.2.3.);
- All inspection reports, including the Routine Facility Inspection Reports (see Part 2.7.1.), Significant Storm Event Inspections (see Part 2.7.2.), and the Comprehensive Site Inspection Reports (see Part 2.7.3.);
- Documentation of any benchmark exceedances and how they were responded to, including either (1) corrective action taken, (2) a finding that the exceedance was due to naturally occurring background pollutant levels, or (3) a finding that no further pollutant reductions were technologically available and economically practicable and achievable in light of best industry practice consistent with Part 2.5.1.6.

### **3. SPECIAL CONDITIONS**

#### **3.1. Storm Water Pollution Prevention Plan (SWPPP)**

For new NOIs submitted, you must prepare a SWPPP for your facility before submitting your Notice of Intent (NOI) for permit coverage. If you prepared a SWPPP for coverage under a previous MPDES permit, you must review and update the SWPPP to implement all provisions of this permit (see Part 1). The SWPPP does not contain effluent limitations; the limitations are contained in Part 2 of the permit, with additional sector-specific effluent limitations in Part 3.4. of the permit. The SWPPP is intended to document the selection, design, and installation of control measures. SWPPPs must be developed using reasonable land, soil, and water conservation practices and good standard engineering practices.

##### **3.1.1. Storm Water Pollution Prevention Team and SWPPP Administrator**

You must identify the staff members (by name or title) that comprise the facility's storm water pollution prevention team as well as their individual responsibilities. This team must include, and the SWPPP specify, a "SWPPP Administrator". 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. Your storm water pollution prevention team is responsible for assisting the facility manager in developing and revising the facility's SWPPP as well as maintaining control measures and taking corrective actions where required. Each member of the storm water pollution prevention team must have ready access to this permit and your SWPPP.

##### **3.1.2. Site Description**

Your SWPPP must provide a description of the nature of the industrial activities at your facility.

##### **3.1.3. Site Map**

The SWPPP must include a legible map(s) of sufficient scale which clearly shows current conditions including the following:

- the site boundaries for the facility or activity;
- the location and extent of structures and impervious surfaces;
- directions of storm water flow (use arrows);
- locations of all existing structural storm water control measures;
- locations of all receiving waters in the immediate vicinity of your facility;
- locations of all storm water conveyances including ditches, pipes, and swales;
- locations of potential pollutant sources identified under Part 3.1.4.2.
- locations where spills or leaks identified under Part 3.1.4.3. have occurred;
- locations of all storm water outfall monitoring points;
- locations of storm water inlets and outfalls, with a unique identification code for each outfall (use the same code as on any historical Discharge Monitoring Report forms), indicating if you are treating one or more outfalls as "substantially identical" under Parts 3.1.6.2 and 2.5.1.2., and an approximate outline of the areas draining to each outfall;
- municipal separate storm sewer systems, where your storm water discharges to them;
- locations and descriptions of all non-storm water discharges identified under Part 2.2.10.
- locations and sources of run-on to your site from adjacent property that contains pollutants;
- map scale;

- north arrow;
- 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;
  - liquid storage tanks;
  - processing and storage areas;
  - immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility;
  - major permanent facility structures;
  - transfer areas for substances in bulk; and
  - machinery.

### **3.1.4. Summary of Potential Pollutant Sources**

You must document areas at your facility where industrial materials or activities are exposed to storm water and from which allowable non-storm water discharges are released. Industrial materials or activities include, but are not limited to: material handling equipment or activities; industrial machinery; raw materials; industrial production and processes; and intermediate products, by-products, final products, and waste products. Material handling activities include, but are not limited to: the storage, loading and unloading, transportation, disposal, or conveyance of any raw material, intermediate product, final product or waste product. For each area identified, the description must include:

#### **3.1.4.1. Activities in the area**

A list of the industrial activities exposed to storm water (e.g., material storage; equipment fueling, maintenance, and cleaning; cutting steel beams).

#### **3.1.4.2. Pollutants**

A list of the pollutant(s) or pollutant constituents (e.g., crankcase oil, zinc, sulfuric acid, and cleaning solvents) associated with each identified activity. The pollutant list must include materials that have been handled, treated, stored, or disposed, and that have been exposed to storm water in the 3 years prior to the date you prepare or amend your SWPPP.

#### **3.1.4.3. Spills and Leaks**

You must document where potential spills and leaks could occur that could contribute pollutants to storm water discharges, and the corresponding outfall(s) that would be affected by such spills and leaks. You must document spills and leaks of oil or toxic or hazardous pollutants that actually occurred at exposed areas, or that drained to a storm water conveyance, in the 3 years prior to the date you prepare or amend your SWPPP.

Spills and leaks include, but are not limited to, releases of oil or hazardous substances in excess of quantities that are reportable under CWA Section 311 (see 40 CFR 110.6 and 40 CFR 117.21) or Section 102 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 USC §9602. This permit does not relieve you of the reporting requirements of 40 CFR Part 110, 40 CFR Part 117, and 40 CFR Part 302 relating to spills or other releases of oils or hazardous substances. The discharge of hazardous substances, as defined in ARM 17.30.1304(27), in the storm

water 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 reporting quantities.

#### **3.1.4.4. Non-Storm Water Discharges**

You must document that you have evaluated for the presence of non-storm water discharges and that all discharges not allowed under this permit or through another MPDES permit authorization have been eliminated. Documentation of your evaluation must include:

- The date of any evaluation;
- A description of the evaluation criteria used;
- A list of the outfalls or onsite drainage points that were directly observed during the evaluation;
- The different types of non-storm water discharge(s) and source locations; and
- The action(s) taken, such as a list of control measures used to eliminate unauthorized discharge(s), if any were identified. For example, a floor drain was sealed, a sink drain was re-routed to sanitary, or an MPDES permit application was submitted for an unauthorized cooling water discharge.

#### **3.1.4.5. Salt Storage**

You must document the location of any storage piles containing salt used for deicing or other commercial or industrial purposes.

#### **3.1.4.6. Sampling Data**

A summary of existing storm water quality sampling test results characterizing historical pollutants in storm water discharges.

### **3.1.5. Description of Control Measures (Best Management Practices)**

You must document the location and type of control measures you have installed and implemented at your site to achieve the non-numeric effluent limits in Part 2.2., and where applicable in Part 3.4, the water quality-based effluent limits in Part 2.3., and describe how you addressed the control measure selection and design considerations in Part 2.1.1. This documentation must describe how the control measures at your site address both the pollutant sources identified in Part 3.1.4. and any storm water run-on that commingles with any discharges covered under this permit.

Documentation of control measures must include design and maintenance criteria for permanent and temporary structural control measures (i.e. plans, detail drawings, cross-sections, specifications, narrative description, etc.).

### **3.1.6. Pertaining to Control Measures Used to Comply with the Effluent Limits in Part 2**

The following must be documented in your SWPPP:

- Good Housekeeping (See Part 2.2.2.) – A schedule for regular pickup and disposal of waste materials, along with routine inspections for leaks and conditions of drums, tanks and containers;

- Maintenance (See Part 2.2.3.) – Preventative maintenance procedures, including regular inspections, testing, maintenance, and repair of all industrial equipment and systems, and control measures, to avoid situations that may result in leaks, spills, and other releases, and any back-up practices in place should a runoff event occur while a control measure is off-line;
- Spill Prevention and Response Procedures (See Part 2.2.4.) – Procedures for preventing and responding to spills and leaks. You may reference the existence of other plans for Spill Prevention Control and Countermeasure (SPCC) developed for the facility under Section 311 of the CWA, or BMP programs otherwise required by an MPDES permit for the facility, or other Department spill protocol, provided that you keep a copy of that other plan onsite and make it available for review consistent with Part 2.10.; and
- Employee Training (Part 2.2.9.) – A schedule for all types of necessary training.

### **3.1.6.2. Pertaining to Monitoring and Inspection**

You must document in your SWPPP your procedures for conducting the benchmark analytical monitoring specified by this permit as applicable to your facility.

Your SWPPP must document:

- Locations where samples are collected, including any determination that two or more outfalls are substantially identical;
- Parameters for sampling and the frequency of sampling for each parameter;
- Schedules for monitoring at your facility;
- Any benchmark control values applicable to discharges from each outfall; and
- Procedures (e.g., responsible staff, logistics, laboratory to be used, etc.) for gathering storm event data, as specified in Part 2.5.1.

You must document the following in your SWPPP if you plan to use the substantially identical outfall exception for your benchmark monitoring requirements in Part 2.5.1.:

- Location of each of the substantially identical outfalls;
- Description of the general industrial activities conducted in the drainage area of each outfall;
- Description of the control measures implemented in the drainage area of each outfall;
- Description of the exposed materials located in the drainage area of each outfall that are likely to be contributors of pollutants to storm water discharges;
- An estimate of the runoff coefficient of each of the drainage areas (low = under 40%; medium = 40 to 65%; and high = above 65%); and
- Why the outfalls are expected to discharge substantially identical effluents.

You must document in your SWPPP your procedures for performing, as appropriate, the three types of inspections specified by this permit, including:

- Routine facility inspections (see Part 2.7.1);
- Significant storm event inspections (see Part 2.7.2); and,
- Comprehensive site inspections (see Part 2.7.3).

For each type of inspection performed, your SWPPP must identify:

- Person(s) or positions of person(s) responsible for inspection;
- Schedules for conducting inspections; and

- Specific items to be covered by the inspection, including schedules for specific outfalls.

### **3.1.7. SWPPP Modifications and Updates**

You must modify your SWPPP whenever necessary to address any of the triggering conditions for corrective action in Part 2.4.1. and to ensure that they do not reoccur or to reflect changes implemented when a review following the triggering conditions in Part 2.4.2. indicates that changes to your control measures are necessary to meet the effluent limits in this permit. Changes to your SWPPP document must be made in accordance with the corrective action deadlines in Parts 2.4.3. and 2.4.4., and must be signed and dated in accordance with Part 4.15 of this permit.

The SWPPP must be maintained and kept up-to-date to reflect current site conditions. SWPPP modifications or updates are not required to be submitted to the Department unless specifically requested by the Department (see Part 4.8.).

### **3.1.8. Additional Industry-Specific SWPPP Requirements (see Part 3.4.)**

The common requirements in Part 3.1. pertain to all permittees. Refer to Part 3.4. of the permit for your additional industrial sector or subsector-specific requirements pertaining to the SWPPP.

### **3.2. *Water Quality Controls for Discharges to Impaired Waterbodies***

The permittee's SWPPP must include a section describing how the SWPPP will control storm water discharges which may contain pollutants of concern for which the receiving state surface waters are listed as impaired waterbodies on the State's 303(d) list, and ensure storm water discharges will not cause or contribute to instream exceedences of water quality standards.

This description must specifically identify whether the potential downgradient receiving surface water is listed as an impaired waterbody. In making this determination, the permittee must consider and incorporate potential storm water drainage from the site which will flow into the impaired waterbody through tributaries and subsequent downgradient drainage in the watershed for the impaired waterbody. If this downgradient receiving surface water is listed as impaired, then the permittee must determine and identify whether the specified pollutants of concern for the impaired waterbody match potential pollutants generated at the industrial facility/activity site. If these match, the description must specifically address and identify BMPs which will be used to adequately address the pollutant of concern.

Information and maps (to locate the construction activity site with respect to the downgradient receiving state surface waters) on impaired waterbodies and their pollutants of concern may be obtained through the Department's "Clean Water Act Information Center" (CWAIC) website.

### **3.3. *Consistency with Total Maximum Daily Load (TMDL) Waste Load Allocations***

If a TMDL has been approved for any waterbody into which the permittee discharges storm water, and the TMDL considered and addressed MPDES-regulated storm water discharges, then the Waste Load Allocation (WLA), as applicable, must be incorporated into the discharge permit, as required by 75-5-703, MCA.

The typical default WLA for industrial, mining, or oil and gas activity storm water discharges covered under this General Permit will be to comply with the requirements of this General Permit, including the development and implementation of Control Measures and BMPs, unless otherwise notified by the Department. If EPA has approved the WLA, then this must be

addressed in the SWPPP using the same criteria as stated in Part 3.2., including a list of the pollutants of concern for the impaired waterbody which match potential pollutant sources at your facility/activity, and a list and description of Control Measures and BMPs which address such pollutants to ensure compliance with the WLA.

For storm water discharges to state surface waters which have an EPA-approved TMDL and WLA, you are not required to perform additional monitoring (other than the benchmark monitoring requirements contained in this permit) for the particular pollutant of concern unless the Department notifies you, upon examination of the applicable TMDL and/or WLA, that you are subject to such a requirement consistent with the assumptions of the applicable TMDL and/or WLA. This may include the need to regulate your storm water discharges under an MPDES Individual Permit instead of through a NOI under this General Permit.

### **3.4. Industrial Sector Specific Requirements**

#### **3.4.1. Sector A: Timber Products**

You must comply with Part 3.4 sector-specific requirements associated with your primary industrial activity as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

##### **3.4.1.1. Covered Storm Water Discharges**

The requirements in Subpart 3.4.1. apply to storm water discharges associated with industrial activity from Timber Products facilities as identified by the SIC Codes specified under Sector A in Table A of Appendix A of the permit.

##### **3.4.1.2. Limitation on Coverage**

###### **3.4.1.2.1. Prohibition of Discharges (See also Part 1.1.4)**

Not covered by this permit: storm water discharges from areas which are subject to federal Effluent Limitation Guidelines (including those in 40 CFR, Part 429, Subpart I). These discharges must be covered by a separate individual MPDES permit.

###### **3.4.1.2.2. Allowable Non-Storm Water Discharges**

**(See also Part 1.1.3)**

Also allowed by this permit, provided the non-storm water component of the discharge is in compliance with the requirements in Part 2.2. (Non-Numeric Effluent Limits): discharges from the spray down of lumber and wood product storage yards where no chemical additives are used in the spray-down waters and no chemicals are applied to the wood during storage.

###### **3.4.1.3. Additional Technology-Based Effluent Limits**

###### **3.4.1.3.1. Good Housekeeping (See also Part 2.2.2)**

In areas where storage, loading and unloading, and material handling occur, perform good housekeeping to limit the discharge of wood debris, minimize the leachate generated from decaying wood materials, and minimize the generation of dust.

**3.4.1.4. Additional SWPPP Requirements**

**3.4.1.4.1. Drainage Area Site Map (See also Part 3.1.3.)**

Document in your SWPPP where any of the following may be exposed to precipitation or surface runoff: processing areas, treatment chemical storage areas, treated wood and residue storage areas, dry decking areas, untreated wood and residue storage areas, and treatment equipment storage areas.

**3.4.1.4.2. Inventory of Exposed Materials (See also Part 3.1.4.2)**

Where such information exists, if your facility has used chlorophenolic, creosote, or chromium-copper-arsenic formulations for wood surface protection or preserving, document in your SWPPP the following: areas where contaminated soils, treatment equipment, and stored materials still remain and the management practices employed to minimize the contact of these materials with storm water runoff.

**3.4.1.4.3. Description of Storm Water Management Controls (See also Part 3.1.5)**

Document measures implemented to address the following activities and sources: log, lumber and wood product storage areas; residue storage areas; loading and unloading areas; material handling areas; chemical storage areas; and equipment and vehicle maintenance, storage, and repair areas. If your facility performs wood surface protection and preservation activities, address the specific control measures, including any BMPs, for these activities.

**3.4.1.5. Additional Inspection Requirements**

See also Part 2.7. If your facility performs wood surface protection and preservation activities, inspect processing areas, transport areas, and treated wood storage areas monthly to assess the usefulness of practices to minimize the deposit of treatment chemicals on unprotected soils and in areas that will come in contact with storm water discharges.

**3.4.1.6. Sector-Specific Benchmarks**

Table 3.4.A-1 identifies benchmarks that apply to the specific subsectors of Sector A. These benchmarks apply to your primary industrial activity which describes your site activities.

<b>Table 3.4.A-1</b>		
<b>Subsector</b>	<b>Parameter</b>	<b>Benchmark Monitoring Concentration</b>
<b>Subsector A1. General Sawmills and Planing Mills</b> (SIC 2421)	Chemical Oxygen Demand (COD)	120.0 mg/L
	Total Suspended Solids (TSS)	100 mg/L
	Total Zinc <sup>1</sup>	Hardness Dependent
<b>Subsector A2. Wood Preserving (SIC 2491)</b>	Total Arsenic	0.15 mg/L

	Total Copper <sup>1</sup>	Hardness Dependent
<b>Subsector A3.</b> Log Storage and Handling (SIC 2411)	Total Suspended Solids (TSS)	100 mg/L
<b>Subsector A4.</b> Hardwood Dimension and Flooring Mills; Special Products Sawmills, not elsewhere classified; Millwork, Veneer, Plywood, and Structural Wood; Wood Pallets and Skids; Wood Containers, not elsewhere classified; Wood Buildings and Mobile Homes; Reconstituted Wood Products; and Wood Products Facilities not elsewhere classified (SIC 2426, 2429, 2431-2439 (except 2434), 2441, 2448, 2449, 2451, 2452, 2493, and 2499)	Chemical Oxygen Demand (COD)	120.0 mg/L
	Total Suspended Solids (TSS)	100.0 mg/L

<sup>1</sup> The benchmark values of some metals are dependent on water hardness. For these parameters, permittees must determine the hardness of the receiving water (see Appendix B, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part 2.5.1.1., to identify the applicable 'hardness range' for determining their benchmark value applicable to their facility. The ranges occur in 25 mg/L increments. Hardness Dependent Benchmarks follow in the table below:

Water Hardness Range	Copper (mg/L)	Zinc (mg/L)
0-25 mg/L	0.0038	0.04
25-50 mg/L	0.0056	0.05
50-75 mg/L	0.0090	0.08
75-100 mg/L	0.0123	0.11
100-125 mg/L	0.0156	0.13
125-150 mg/L	0.0189	0.16
150-175 mg/L	0.0221	0.18
175-200 mg/L	0.0253	0.20
200-225 mg/L	0.0285	0.23
225-250 mg/L	0.0316	0.25
250+ mg/L	0.0332	0.26

**3.4.2. Sector B: Paper and Allied Products**

You must comply with Part 3.4 sector-specific requirements associated with your primary industrial activity as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

**3.4.2.1. Covered Storm Water Discharges**

The requirements in Subpart 3.4.2. apply to storm water discharges associated with industrial activity from Paper and Allied Products Manufacturing facilities, as identified by the SIC Codes specified under Sector B in Table A of Appendix A of the permit.

**3.4.2.2. Sector-Specific Benchmarks (See also Part 2.5.1. of the permit)**

Table 3.4.B-1.		
Subsector	Parameter	Benchmark Monitoring Concentration
Subsector B1. Paperboard Mills (SIC Code 2631)	Chemical Oxygen Demand (COD)	120 mg/L

**3.4.3. Sector C: Chemicals and Allied Products Manufacturing**

You must comply with Part 3.4 sector-specific requirements associated with your primary industrial activity as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

**3.4.3.1. Covered Storm Water Discharges**

The requirements in Subpart 3.4.3. apply to storm water discharges associated with industrial activity from Chemical and Allied Products Manufacturing, and Refining facilities, as identified by the SIC Codes specified under Sector C in Table A of Appendix A of the permit.

Not covered by this permit: storm water discharges from areas which are subject to federal Effluent Limitation Guidelines (including those in 40 CFR, Part 418, and Subpart A). These discharges must be covered by a separate MPDES permit.

**3.4.3.2. Limitations on Coverage**

**3.4.3.2.1. Prohibition of Non-Storm Water Discharges (See also Part 1.1.4)**

The following are not covered by this permit: non-storm water discharges containing inks, paints, or substances (hazardous, nonhazardous, etc.) resulting from an onsite spill, including materials collected in drip pans; wash water from material handling and processing areas; and wash water from drum, tank, or container rinsing and cleaning.

**3.4.3.3. Sector-Specific Benchmarks**

Table 3.4.C-1 identifies benchmarks that apply to the specific subsectors of Sector C. These benchmarks apply to your primary industrial activity at the site.

<b>Table 3.4.C-1.</b>		
<b>Subsector</b>	<b>Parameter</b>	<b>Benchmark Monitoring Concentration</b>
<b>Subsector C1.</b> Agricultural Chemicals (SIC 2873-2879)	Nitrate plus Nitrite Nitrogen	0.68 mg/L
	Total Lead <sup>1</sup>	Hardness Dependent
	Total Iron	1.0 mg/L
	Total Zinc <sup>1</sup>	Hardness Dependent
	Phosphorus	2.0 mg/L
<b>Subsector C2.</b> Industrial Inorganic Chemicals (SIC 2812-2819)	Total Aluminum	0.75 mg/ L
	Total Iron	1.0 mg/L
	Nitrate plus Nitrite Nitrogen	0.68 mg/L
<b>Subsector C3.</b> Soaps, Detergents, Cosmetics, and Perfumes (SIC 2841-2844)	Nitrate plus Nitrite Nitrogen	0.68 mg/L
	Total Zinc <sup>1</sup>	Hardness Dependent
<b>Subsector C4.</b> Plastics, Synthetics, and Resins (SIC 2821-2824)	Total Zinc <sup>1</sup>	Hardness Dependent

<sup>1</sup> The benchmark values of some metals are dependent on water hardness. For these parameters, permittees must determine the hardness of the receiving water (see Appendix B, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part 2.5.1.1., to identify the applicable 'hardness range' for determining their benchmark value applicable to their facility. The ranges occur in 25 mg/L increments. Hardness Dependent Benchmarks follow in the table below:

<b>Water Hardness Range</b>	<b>Lead (mg/L)</b>	<b>Zinc (mg/L)</b>
0-25 mg/L	0.014	0.04
25-50 mg/L	0.023	0.05

50-75 mg/L	0.045	0.08
75-100 mg/L	0.069	0.11
100-125 mg/L	0.095	0.13
125-150 mg/L	0.122	0.16
150-175 mg/L	0.151	0.18
175-200 mg/L	0.182	0.20
200-225 mg/L	0.213	0.23
225-250 mg/L	0.246	0.25
250+ mg/L	0.262	0.26

### 3.4.4. Sector D: Asphalt Paving and Roofing Materials and Lubricant Manufacturing

You must comply with Part 3.4 sector-specific requirements associated with your primary industrial activity as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

#### 3.4.4.1. Covered Storm Water Discharges

The requirements in Subpart 3.4.4. apply to storm water discharges associated with industrial activity from Asphalt Paving and Roofing Materials and Lubricant Manufacturing facilities, as identified by the SIC Codes specified under Sector D in Table A of Appendix A of the permit.

Not covered by this permit: storm water discharges from areas which are subject to federal Effluent Limitation Guidelines (including those in 40 CFR, Part 443, and Subpart A). These discharges must be covered by a separate MPDES permit.

#### 3.4.4.2. Limitations on Coverage

The following storm water discharges associated with industrial activity are not authorized by this permit (See also Part 1.1.4):

- Discharges from petroleum refining facilities, including those that manufacture asphalt or asphalt products, that are subject to nationally established effluent limitation guidelines found in 40 CFR Part 419 (Petroleum Refining); or
- Discharges from oil recycling facilities; or
- Discharges associated with fats and oils rendering.

#### 3.4.4.3. Sector-Specific Benchmarks

Table 3.4.D-1 identifies benchmarks that apply to the specific subsectors of Sector D. These benchmarks apply to your primary industrial activity which describes your site activities.

<b>Table 3.4.D-1.</b>		
<b>Subsector</b>	<b>Parameter</b>	<b>Benchmark Monitoring Concentration</b>
Subsector D1. Asphalt Paving and Roofing Materials (SIC 2951, 2952)	Total Suspended Solids (TSS)	100 mg/L

### **3.4.5. Sector E: Glass, Clay, Cement, Concrete, and Gypsum Products**

You must comply with Part 3.4 sector-specific requirements associated with your primary industrial activity as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

#### **3.4.5.1. Covered Storm Water Discharges**

The requirements in Subpart 3.4.5. apply to storm water discharges associated with industrial activity from Glass, Clay, Cement, Concrete, and Gypsum Products facilities, as identified by the SIC Codes specified under Sector E in Table A of Appendix A of the permit.

Not covered by this permit: storm water discharges from areas which are subject to federal Effluent Limitation Guidelines (including those in 40 CFR, Part 411, and Subpart C). These discharges must be covered by a separate MPDES permit.

#### **3.4.5.2. Additional Technology-Based Effluent Limits**

##### **3.4.5.2.1. Good Housekeeping Measures (See also Part 2.2.2.)**

With good housekeeping, prevent or minimize the discharge of spilled cement, aggregate (including sand or gravel), kiln dust, fly ash, settled dust, or other material in storm water from paved portions of the site that are exposed to storm water. Consider sweeping regularly or using other equivalent measures to minimize the presence of these materials. Indicate in your SWPPP the frequency of sweeping or equivalent measures. Determine the frequency based on the amount of industrial activity occurring in the area and the frequency of precipitation, but it must be performed at least once a week if cement, aggregate, kiln dust, fly ash, or settled dust are being handled or processed. You must also prevent the exposure of fine granular solids (cement, fly ash, kiln dust, etc.) to storm water, where practicable, by storing these materials in enclosed silos, hoppers, or buildings, or under other covering.

#### **3.4.5.3. Additional SWPPP Requirements**

##### **3.4.5.3.1. Drainage Area Site Map (See also Part 3.1.3.)**

Document in the SWPPP the locations of the following, as applicable: bughouse or other dust control device; recycle/sedimentation pond, clarifier, or other device used for the treatment of process wastewater; and the areas that drain to the treatment device.

**3.4.5.3.2. Certification (See also Part 3.1.4.4)**

For facilities producing ready-mix concrete, concrete block, brick, or similar products, include in the non-storm water discharge certification a description of measures that ensure that process wastewaters resulting from washing trucks, mixers, transport buckets, forms, or other equipment are discharged in accordance with MPDES requirements or are recycled.

**3.4.5.4. Sector-Specific Benchmarks**

Table 3.4.E-1 identifies benchmarks that apply to the specific subsectors of Sector E. These benchmarks apply to your primary industrial activity which describes your site activities.

<b>Table 3.4.E-1.</b>		
<b>Subsector</b>	<b>Parameter</b>	<b>Benchmark Monitoring Concentration</b>
<b>Subsector E1.</b> Clay Product Manufacturers (SIC 3251-3259, 3261-3269)	Total Aluminum	0.75 mg/L
<b>Subsector E2.</b> Concrete and Gypsum Product Manufacturers (SIC 3271-3275)	Total Suspended Solids (TSS)	100 mg/L
	Total Iron	1.0 mg/L

**3.4.6. Sector F: Primary Metals**

You must comply with Part 3.4 sector-specific requirements associated with your primary industrial activity as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

**3.4.6.1. Covered Storm Water Discharges**

The requirements in Subpart 3.4.6. apply to storm water discharges associated with industrial activity from Primary Metals facilities, as identified by the SIC Codes specified under Sector F in Table A of Appendix A of the permit.

**3.4.6.2. Additional Technology-Based Effluent Limits**

**3.4.6.2.1. Good Housekeeping Measures (See also Part 2.2.2.)**

As part of your good housekeeping program, include a cleaning and maintenance program for all impervious areas of the facility where particulate matter, dust, or debris may accumulate, especially areas where material loading and unloading, storage, handling, and processing occur; and, where practicable, the paving of areas where vehicle traffic or material storage occur but where vegetative or other stabilization methods are not practicable (institute a sweeping program in these areas too). For unstabilized areas where sweeping is not

practicable, consider using storm water management devices such as sediment traps, vegetative buffer strips, filter fabric fence, sediment filtering boom, gravel outlet protection, or other equivalent measures that effectively trap or remove sediment.

**3.4.6.3. Additional SWPPP Requirements**

**3.4.6.3.1. Drainage Area Site Map (See also Part 3.1.3.)**

Identify in the SWPPP where any of the following activities may be exposed to precipitation or surface runoff: storage or disposal of wastes such as spent solvents and baths, sand, slag and dross; liquid storage tanks and drums; processing areas including pollution control equipment (e.g., baghouses); and storage areas of raw material such as coal, coke, scrap, sand, fluxes, refractories, or metal in any form. In addition, indicate where an accumulation of amounts of particulate matter could occur from such sources as furnace or oven emissions, losses from coal and coke handling operations, etc., and could result in a discharge of pollutants to state surface waters.

**3.4.6.3.2. Inventory of Exposed Material (See also Part 3.1.4.2.)**

Include in the inventory of materials handled at the site that potentially may be exposed to precipitation or runoff areas where deposition of particulate matter from process air emissions or losses during material-handling activities are possible.

**3.4.6.4. Additional Inspection Requirements (See also Part 2.7)**

As part of conducting your quarterly routine facility inspections (Part 2.7), address all potential sources of pollutants, including (if applicable) air pollution control equipment (e.g., baghouses, electrostatic precipitators, scrubbers, and cyclones), for any signs of degradation (e.g., leaks, corrosion, or improper operation) that could limit their efficiency and lead to excessive emissions. Consider monitoring air flow at inlets and outlets (or use equivalent measures) to check for leaks (e.g., particulate deposition) or blockage in ducts. Also inspect all process and material handling equipment (e.g., conveyors, cranes, and vehicles) for leaks, drips, or the potential loss of material; and material storage areas (e.g., piles, bins, or hoppers for storing coke, coal, scrap, or slag, as well as chemicals stored in tanks and drums) for signs of material losses due to wind or storm water runoff.

**3.4.6.5. Sector-Specific Benchmarks (See also Part 2.5.1. of the permit)**

<b>Table 3.4.F-1.</b>		
<b>Subsector</b>	<b>Parameter</b>	<b>Benchmark Monitoring Concentration</b>
<b>Subsector F1.</b> Steel Works, Blast Furnaces, and Rolling and Finishing Mills (SIC 3312-3317)	Total Aluminum	0.75 mg/L
	Total Zinc <sup>1</sup>	Hardness Dependent
<b>Subsector F2.</b> Iron and Steel Foundries	Total Aluminum	0.75 mg/L

<b>Subsector</b>	<b>Parameter</b>	<b>Benchmark Monitoring Concentration</b>
(SIC 3321-3325)	Total Suspended Solids (TSS)	100 mg/L
	Total Copper <sup>1</sup>	Hardness Dependent
	Total Iron	1.0 mg/L
	Total Zinc <sup>1</sup>	Hardness Dependent
<b>Subsector F3.</b> Rolling, Drawing, and Extruding of Nonferrous Metals (SIC 3351-3357)	Total Copper <sup>1</sup>	Hardness Dependent
	Total Zinc <sup>1</sup>	Hardness Dependent
<b>Subsector F4.</b> Nonferrous Foundries (SIC 3363-3369)	Total Copper <sup>1</sup>	Hardness Dependent
	Total Zinc <sup>1</sup>	Hardness Dependent

<sup>1</sup> The benchmark values of some metals are dependent on water hardness. For these parameters, permittees must determine the hardness of the receiving water (see Appendix B, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part 2.5.1.1., to identify the applicable 'hardness range' for determining their benchmark value applicable to their facility. The ranges occur in 25 mg/L increments. Hardness Dependent Benchmarks follow in the table below:

<b>Water Hardness Range</b>	<b>Copper (mg/L)</b>	<b>Zinc (mg/L)</b>
0-25 mg/L	0.0038	0.04
25-50 mg/L	0.0056	0.05
50-75 mg/L	0.0090	0.08
75-100 mg/L	0.0123	0.11
100-125 mg/L	0.0156	0.13
125-150 mg/L	0.0189	0.16
150-175 mg/L	0.0221	0.18
175-200 mg/L	0.0253	0.20
200-225 mg/L	0.0285	0.23
225-250 mg/L	0.0316	0.25
250+ mg/L	0.0332	0.26

### **3.4.7. Sector G: Metal Mining (Ore Mining and Dressing)**

You must comply with Part 3.4 sector-specific requirements associated with your primary industrial activity as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

#### **3.4.7.1. Covered Storm Water Discharges**

The requirements in Subpart 3.4.7. apply to storm water discharges associated with industrial activity from Metal Mining facilities, including mines abandoned on federal lands, as identified by the SIC Codes specified under Sector G in Table A of Appendix A. Coverage is required for metal mining facilities 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.

Not covered by this permit: storm water discharges from areas which are subject to federal Effluent Limitation Guidelines (including those in 40 CFR, Part 440). These discharges must be covered by a separate MPDES permit. In order to help determine this, in addition to the criteria stated in Part 3.4.7., refer to Appendix C of this permit.

##### **3.4.7.1.1. Covered Discharges from Inactive Facilities**

All storm water discharges.

##### **3.4.7.1.2. Covered Discharges from Active and Temporarily Inactive Facilities**

Only the storm water discharges from the following areas are covered: waste rock and overburden piles if composed entirely of storm water and not combining with mine drainage; topsoil piles; offsite haul and access roads; onsite haul and access roads constructed of waste rock, overburden, or spent ore if composed entirely of storm water and not combining with mine drainage; onsite haul and access roads not constructed of waste rock, overburden, or 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 and no process fluids are present, if composed entirely of storm water and not combining 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 storm water from industrial area; chemical storage area; 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 requirements prior to December 17, 1990; and partially or inadequately reclaimed areas or areas not released from reclamation requirements.

##### **3.4.7.1.3 Discharges from Exploration and Construction of Metal Mining and/or Ore Dressing Facilities**

These "storm water discharges associated with construction activity" (as defined in ARM 17.30.1102(28)) are not eligible for coverage under this permit.

### **3.4.7.1.4 Covered Discharges from Facilities Undergoing Reclamation**

All storm water discharges.

### **3.4.7.2. Limitations on Coverage**

#### **3.4.7.2.1. Prohibition of Storm Water Discharges**

Storm water discharges not authorized by this permit: discharges from active metal mining facilities that are subject to effluent limitation guidelines for the Ore Mining and Dressing Point Source Category (40 CFR Part 440).

NOTE: Storm water runoff from these sources is subject to 40 CFR Part 440 if they are mixed with other discharges subject to Part 440. In this case, they are not eligible for coverage under this permit. Discharges from overburden/waste rock and overburden/waste rock-related areas are not subject to 40 CFR Part 440 unless they: (1) drains naturally (or is intentionally diverted) to a point source; and (2) combine with "mine drainage" that is otherwise regulated under the Part 440 regulations. For such sources, coverage under this permit would be available if the discharge composed entirely of storm water does not combine with other sources of mine drainage that are not subject to 40 CFR Part 440, and meets the other eligibility criteria contained in Part 1.1. of the permit. Potential permittees bear the initial responsibility for determining if they are eligible for coverage under this permit, or must seek coverage under another MPDES permit.

#### **3.4.7.2.2. Prohibition of Non-Storm Water Discharges**

Not authorized by this permit: adit drainage, and contaminated springs or seeps discharging from waste rock dumps that do not directly result from precipitation events (see also the standard Limitations on Coverage in Part 1.1.4).

### **3.4.7.3. Definitions**

The following definitions are not intended to supersede the definitions of active and inactive mining facilities established by 40 CFR 122.26(b)(14)(iii).

#### **3.4.7.3.1.**

Mining operation - Consists of the active and temporarily inactive phases, and the reclamation phase, but excludes the exploration and construction phases.

#### **3.4.7.3.2.**

Exploration phase - Entails exploration and land disturbance activities to determine the viability of a site. The exploration phase is not considered part of "mining operations."

#### **3.4.7.3.3.**

Construction phase - Includes the building of site access roads and removal of overburden and waste rock to expose mineable minerals. The construction phase is not considered part of "mining operations."

3.4.7.3.4.

Active phase - Activities including the extraction, removal or recovery of metal ore. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of "active mining area" found at 40 CFR 440.132(a). The active phase is considered part of "mining operations."

3.4.7.3.5.

Reclamation phase - Activities undertaken, in compliance with applicable mined land reclamation requirements, following the cessation of the "active phase", intended to return the land to an appropriate post-mining land use in order to meet applicable federal and state reclamation requirements. The reclamation phase is considered part of "mining operations."

3.4.7.3.6.

Active metal mining facility - A place where work or other activity related to the extraction, removal, or recovery of metal ore is being conducted. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of "active mining area" found at 40 CFR 440.132(a).

3.4.7.3.7.

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 agency. An inactive metal mining facility has an identifiable owner / operator. Sites where mining claims are being maintained prior to disturbances associated with the extraction, beneficiation, or processing of mined materials and sites where minimal activities are undertaken for the sole purpose of maintaining a mining claim are not considered either active or inactive mining facilities and do not require an MPDES industrial storm water permit.

3.4.7.3.8.

Temporarily inactive metal mining facility - A site or portion of a site where metal mining and/or milling occurred in the past but currently are not being actively undertaken, and the facility are covered by an active mining permit issued by the applicable state or federal agency.

**3.4.7.4. Additional Technology-Based Effluent Limits**

**3.4.7.4.1. Employee Training. (See also Part 2.2.9)**

Conduct employee training at least annually at active and temporarily inactive sites.

**3.4.7.4.2. Storm Water Controls**

Apart from the control measures you implement to meet your Part 2 effluent limits, consider implementing the following control measures at your site. The potential pollutants identified in Part 3.4.7.5.3. shall determine the priority and appropriateness of the control measures selected.

#### **3.4.7.4.2.1. Storm Water Diversions**

Consider diverting storm water away from potential pollutant sources. The following are some options: 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.

#### **3.4.7.4.2.2. Capping**

When capping is necessary to minimize pollutant discharges in storm water, identify the source being capped and the material used to construct the cap.

#### **3.4.7.4.2.3. Treatment**

If treatment of storm water (e.g., chemical or physical systems, oil and water separators, artificial wetlands) is necessary to protect water quality, describe the type and location of treatment used. Passive and/or active treatment of storm water runoff is encouraged where practicable. Treated runoff may be discharged as a storm water source regulated under this permit provided the discharge is not combined with discharges subject to effluent limitation guidelines for the Ore Mining and Dressing Point Source Category (40 CFR Part 440).

#### **3.4.7.4.3. Certification of Discharge Testing (See also Part 3.1.4.4)**

Test or evaluate all outfalls covered under this permit for the presence of specific mining-related non-storm water discharges such as seeps or adit discharges, or discharges subject to effluent limitations guidelines (e.g., 40 CFR Part 440), such as mine drainage or process water. Alternatively (if applicable), you may keep a certification with your SWPPP consistent with Part 3.4.7.5.6.

#### **3.4.7.5. Additional SWPPP Requirements**

##### **3.4.7.5.1. Nature of Industrial Activities (See also Part 3.1.2.)**

Briefly document in your SWPPP the mining and associated activities that can potentially affect the storm water discharges covered by this permit, including a general description of the location of the site relative to major transportation routes and communities.

##### **3.4.7.5.2. Site Map (See also Part 3.1.3.)**

Document in your SWPPP the locations of the following (as appropriate): mining or milling site boundaries; access and haul roads; outline of the drainage areas of each storm water outfall within the facility with indications of the types of discharges from the drainage areas; location(s) of all permitted discharges covered under an individual MPDES permit, outdoor equipment storage, fueling, and maintenance areas; materials handling areas; outdoor manufacturing, outdoor storage, and material disposal areas; outdoor chemicals and explosives storage areas; overburden, materials, soils, or waste storage areas; location of mine drainage (where water leaves mine) or other process water; tailings piles and ponds (including proposed ones); heap leach pads; off-site points of discharge for mine drainage and process water; surface waters; boundary of tributary areas that are subject to effluent limitations guidelines; and location(s) of reclaimed areas.

### **3.4.7.5.3. Potential Pollutant Sources (See also Part 3.1.4)**

For each area of the mine or mill site where storm water discharges associated with industrial activities occur, identify the types of pollutants (e.g., heavy metals, sediment) likely to be present. 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 storm water; vegetation of site (if any); and history of leaks or spills of toxic or hazardous pollutants. Also include a summary of any existing ore or waste rock or overburden characterization data and test results for potential generation of acid rock. If any new data is acquired due to changes in ore type being mined, update your SWPPP with this information.

### **3.4.7.5.4. Documentation of Control Measures**

Document all control measures that you implement consistent with Part 3.4.7.4.2. If control measures are implemented or planned but are not listed in Part 3.4.7.4.2. (e.g., substituting a less toxic chemical for a more toxic one), include descriptions of them in your SWPPP.

### **3.4.7.5.5. Employee Training**

All employee training(s) must be documented in the SWPPP.

### **3.4.7.5.6. Certification of Permit Coverage for Commingled Non-Storm Water Discharges**

If you are able, consistent with Part 3.4.7.4.3. above, to certify that a particular discharge composed of commingled storm water and non-storm water is covered under a separate MPDES permit, and that permit subjects the non-storm water portion to effluent limitations prior to any commingling, retain such certification with your SWPPP. This certification must identify the non-storm water discharges, the applicable MPDES permit(s), the effluent limitations placed on the non-storm water discharge by the permit(s), and the points at which the limitations are applied.

### **3.4.7.6. Additional Inspection Requirements (See also Part 2.7.)**

Inspect sites at least quarterly unless adverse weather conditions make the site inaccessible. Sites which discharge to waters designated as outstanding waters or waters which are impaired for sediment or nitrogen must be inspected monthly.

### **3.4.7.7. Monitoring and Reporting Requirements (See also Part 2.5.1.)**

#### **3.4.7.7.1. Benchmark Monitoring for Active Copper Ore Mining and Dressing Facilities**

Active copper ore mining and dressing facilities must sample and analyze storm water discharges for the pollutants listed in Table 3.4.G-1.

Table 3.4.G-1		
Subsector	Parameter	Benchmark Monitoring Concentration
<b>Subsector G1.</b> Active Copper Ore Mining and Dressing Facilities (SIC 1021)	Total Suspended Solids (TSS)	100 mg/L
	Nitrate plus Nitrite Nitrogen	0.68 mg/L
	Chemical Oxygen Demand (COD)	120 mg/L

**3.4.7.7.2. Benchmark Monitoring Requirements for Discharges From Waste Rock and Overburden Piles at Active Metal Mining Facilities**

For discharges from waste rock and overburden piles, perform the benchmark monitoring once in the first year for the parameters listed in Table 3.4.G-2, and twice annually in all subsequent years of coverage under this permit for any parameters for which the benchmark has been exceeded. You are also required to conduct analytic monitoring for the parameters listed in Table 3.4.G-3 in accordance with the requirements in Part 3.4.7.7.3. The Department may also notify you that you must perform additional monitoring to accurately characterize the quality and quantity of pollutants discharged from your waste rock and overburden piles.

Table 3.4.G-2.		
Subsector	Parameter	Benchmark Monitoring Concentration
<b>Subsector G2.</b> Iron Ores; Copper Ores; Lead and Zinc Ores; Gold and Silver Ores; Ferroalloy Ores, Except Vanadium; and Miscellaneous Metal Ores (SIC Codes 1011, 1021, 1031, 1041, 1044, 1061, 1081, 1094, 1099)  (Note: when analyzing hardness for a suite of metals, it is more cost effective	Total Suspended Solids (TSS)	100 mg/L
	pH	6.0-9.0 s.u.
	Hardness (as CaCO <sub>3</sub> ; calc. from Ca, Mg) <sup>1</sup>	no benchmark value

<b>Table 3.4.G-2.</b>		
<b>Subsector</b>	<b>Parameter</b>	<b>Benchmark Monitoring Concentration</b>
to add analysis of calcium and magnesium, and have hardness calculated than to require hardness analysis separately)	Total Antimony	0.64 mg/L
	Total Arsenic	0.15 mg/ L
	Total Beryllium	0.13 mg/L
	Total Cadmium <sup>1</sup>	Hardness Dependent
	Total Copper <sup>1</sup>	Hardness Dependent
	Total Iron	1.0 mg/L
	Total Lead <sup>1</sup>	Hardness Dependent
	Total Mercury	0.0014 mg/L
	Total Nickel <sup>1</sup>	Hardness Dependent
	Total Selenium	0.005 mg/L
	Total Silver <sup>1</sup>	Hardness Dependent
	Total Zinc <sup>1</sup>	Hardness Dependent

<sup>1</sup> The benchmark values of some metals are dependent on water hardness. For these parameters, permittees must determine the hardness of the receiving water (see Appendix B, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part 2.5.1.1., to identify the applicable 'hardness range' for determining their benchmark value applicable to their facility. The ranges occur in 25 mg/L increments. Hardness Dependent Benchmarks follow in the table below:

<b>Benchmark Monitoring Concentrations for Hardness-Dependent Metals</b>						
<b>Water Hardness Range</b>	<b>Cadmium (mg/L)</b>	<b>Copper (mg/L)</b>	<b>Lead (mg/L)</b>	<b>Nickel (mg/L)</b>	<b>Silver (mg/L)</b>	<b>Zinc (mg/L)</b>
0-25 mg/L	0.0005	0.0038	0.014	0.15	0.0007	0.04
25-50 mg/L	0.0008	0.0056	0.023	0.20	0.0007	0.05
50-75 mg/L	0.0013	0.0090	0.045	0.32	0.0017	0.08

75-100 mg/L	0.0018	0.0123	0.069	0.42	0.0030	0.11
100-125 mg/L	0.0023	0.0156	0.095	0.52	0.0046	0.13
125-150 mg/L	0.0029	0.0189	0.122	0.61	0.0065	0.16
150-175 mg/L	0.0034	0.0221	0.151	0.71	0.0087	0.18
175-200 mg/L	0.0039	0.0253	0.182	0.80	0.0112	0.20
200-225 mg/L	0.0045	0.0285	0.213	0.89	0.0138	0.23
225-250 mg/L	0.0050	0.0316	0.246	0.98	0.0168	0.25
250+ mg/L	0.0053	0.0332	0.262	1.02	0.0183	0.26

**3.4.7.7.3. Additional Analytic Monitoring Requirements for Discharges From Waste Rock and Overburden Piles at Active Metal Mining Facilities**

In addition to the monitoring required in Part 3.4.7.7.2. for discharges from waste rock and overburden piles, you must also conduct monitoring for additional parameters based on the type of ore you mine at your site. Where a parameter in Table 3.4.G-3 is the same as a pollutant you are required to monitor for in Table 3.4.G-2 (i.e., for all of the metals, you must use the corresponding benchmark in Table 3.4.G-2 and you may use any monitoring results conducted for Part 3.4.7.7.2. to satisfy the monitoring requirement for that parameter for Part 3.4.7.7.3. For radium and uranium, which do not have corresponding benchmarks in Table 3.4.G-2, there are no applicable benchmarks.) The frequency and schedule for monitoring for these additional parameters is the same as that specified in Part 2.5.1.5.

<b>Table 3.4.G-3. Additional Monitoring Requirements for Discharges from Waste Rock and Overburden Piles</b>			
<b>Supplemental Requirements</b>			
<b>Type of Ore Mined</b>	<b>Pollutants of Concern</b>		
	<b>Total Suspended Solids (TSS)</b>	<b>pH</b>	<b>Metals, Total</b>
Tungsten Ore	X	X	Arsenic, Cadmium (H), Copper (H), Lead (H), Zinc (H)
Nickel Ore	X	X	Arsenic, Cadmium (H), Copper (H), Lead (H), Zinc (H)
Aluminum Ore	X	X	Iron
Mercury Ore	X	X	Nickel (H)
Iron Ore	X	X	Iron (Dissolved)

<b>Table 3.4.G-3. Additional Monitoring Requirements for Discharges from Waste Rock and Overburden Piles</b>			
<b>Supplemental Requirements</b>			
<b>Type of Ore Mined</b>	<b>Pollutants of Concern</b>		
	<b>Total Suspended Solids (TSS)</b>	<b>pH</b>	<b>Metals, Total</b>
Platinum Ore			Cadmium (H), Copper (H), Mercury, Lead (H), Zinc (H)
Titanium Ore	X	X	Iron, Nickel (H), Zinc (H)
Vanadium Ore	X	X	Arsenic, Cadmium (H), Copper (H), Lead (H), Zinc (H)
Molybdenum	X	X	Arsenic, Cadmium (H), Copper (H), Lead (H), Mercury, Zinc (H)
Uranium, Radium, and Vanadium Ore	X	X	Chemical Oxygen Demand, Arsenic, Radium (Dissolved and Total), Uranium, Zinc (H)

Note: An "X" indicated for TSS and/or pH means that you are required to monitor for those parameters. (H) indicates that hardness must also be measured when this pollutant is measured.

<b>Table 3.4.G-4. Applicability of the Multi-Sector General Permit to Storm Water Runoff From Active Mining and Dressing Sites, Temporarily Inactive Sites, and Sites Undergoing Reclamation</b>	
<b>Discharge/Source of Discharge</b>	<b>Note/Comment</b>
<b>Piles</b>	
Waste rock/overburden	If composed entirely of storm water and not combining with mine drainage. See note below.
Topsoil	--
<b>Roads constructed of waste rock or spent ore</b>	
Onsite haul roads	If composed entirely of storm water and not combining with mine drainage. See note below.
Offsite haul and access roads	--
<b>Roads not constructed of waste rock or spent ore</b>	

<b>Table 3.4.G-3. Additional Monitoring Requirements for Discharges from Waste Rock and Overburden Piles</b>			
<b>Supplemental Requirements</b>			
<b>Type of Ore Mined</b>	<b>Pollutants of Concern</b>		
	<b>Total Suspended Solids (TSS)</b>	<b>pH</b>	<b>Metals, Total</b>
Onsite haul roads	Except if mine drainage is used for dust control		
Offsite haul and access roads	--		
<b>Milling/concentrating</b>			
Runoff from tailings dams and dikes when constructed of waste rock/tailings	Except if process fluids are present and only if composed entirely of storm water and not combining with mine drainage. See Note below.		
Runoff from tailings dams/dikes when not constructed of waste rock and tailings	Except if process fluids are present		
Concentration building	If storm water only and no contact with piles		
Mill site	If storm water only and no contact with piles		
<b>Ancillary areas</b>			
Office and administrative building and housing	If mixed with storm water from the industrial area		
Chemical storage area	--		
Docking facility	Except if excessive contact with waste product that would otherwise constitute mine drainage		
Explosive storage	--		
Fuel storage (oil tanks/coal piles)	--		
Vehicle and equipment maintenance area/building	--		
Parking areas	But coverage unnecessary if only employee and visitor-type parking		
<b>Power plant</b>			

<b>Table 3.4.G-3. Additional Monitoring Requirements for Discharges from Waste Rock and Overburden Piles</b>			
<b>Supplemental Requirements</b>			
<b>Type of Ore Mined</b>	<b>Pollutants of Concern</b>		
	<b>Total Suspended Solids (TSS)</b>	<b>pH</b>	<b>Metals, Total</b>
Truck wash area		Except when excessive contact with waste product that would otherwise constitute mine drainage	
<b>Reclamation-related areas</b>			
Any disturbed area (unreclaimed)		Only if not in active mining area	
Reclaimed areas released from reclamation requirements prior to Dec. 17, 1990		--	
Partially/inadequately reclaimed areas or areas not released from reclamation requirements		--	

Note: Storm water runoff from these sources is subject to the MPDES program for storm water unless mixed with discharges subject to 40 CFR Part 440 that are regulated by another permit prior to mixing. Non-storm water discharges from these sources are subject to MPDES permitting and may be subject to the effluent limitation guidelines under 40 CFR Part 440. Discharges from overburden/waste rock and overburden/waste rock-related areas are not subject to 40 CFR Part 440 unless: (1) it drains naturally (or is intentionally diverted) to a point source; and (2) combines with "mine drainage" that is otherwise regulated under the Part 440 regulations. For such sources, coverage under this permit would be available if the discharge composed entirely of storm water does not combine with other sources of mine drainage that are not subject to 40 CFR Part 440, as well as meeting other eligibility criteria contained in Part 1.1. of the permit. Permittees bear the initial responsibility for determining the applicable technology-based standard for such discharges.

**3.4.7.8. Termination of Permit Coverage**

**3.4.7.8.1. Termination of Permit Coverage for Sites Reclaimed After December 17, 1990**

A site or a portion of a site that has been released from applicable federal or state reclamation requirements after December 17, 1990, is no longer required to maintain coverage under this permit. If the site or portion of a site reclaimed after December 17, 1990, was not subject to reclamation requirements, the site or portion of the site is no longer required to maintain coverage under this permit if the site or portion of the site has been reclaimed as defined in Part 3.4.7.8.2.

**3.4.7.8.2. Termination of Permit Coverage for Sites Reclaimed Before December 17, 1990**

A site or portion of a site that was released from applicable federal or state reclamation requirements before December 17, 1990, or that was otherwise reclaimed before December 17,

1990, is no longer required to maintain coverage under this permit if the site or portion of the site has been reclaimed. A site or portion of a site is considered to have been reclaimed if: (1) storm water runoff that comes into contact with raw materials, intermediate byproducts, finished products, and waste products does not have the potential to cause or contribute to violations of state water quality standards, (2) soil disturbing activities related to mining at the sites or portion of the site have been completed, (3) the site or portion of the site has been stabilized to minimize soil erosion, and (4) as appropriate depending on location, size, and the potential to contribute pollutants to storm water discharges, the site or portion of the site has been revegetated, will be amenable to natural revegetation, or will be left in a condition consistent with the post-mining land use.

### **3.4.8. Sector H: Coal Mines and Coal-Mining-Related Facilities**

You must comply with Part 3.4 sector-specific requirements associated with your primary industrial activity as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

#### **3.4.8.1. Covered Storm Water Discharges**

The requirements in Subpart 3.4.8. apply to storm water discharges associated with industrial activity from Coal Mines and Coal Mining-Related facilities as identified by the SIC Codes specified under Sector H in Table A of Appendix A.

##### **3.4.8.1.1. Discharges from Exploration and Construction of Coal Mines and Coal-Mining-Related Facilities**

These "storm water discharges associated with construction activity" (as defined in ARM 17.30.1102(28)) are not eligible for coverage under this permit.

#### **3.4.8.2. Limitations on Coverage**

##### **3.4.8.2.1. Prohibition of Non-Storm Water Discharges (See also Part 1.1.4)**

Not covered by this permit: discharges from pollutant seeps or underground drainage from inactive coal mines and 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.

##### **3.4.8.2.2. Discharges Subject to Storm Water Effluent Guidelines. (See also Part 1.1.4.3)**

Not authorized by this permit: storm water discharges subject to an existing effluent limitation guideline at 40 CFR Part 434.

#### **3.4.8.3. Definitions**

The following definitions are not intended to supersede the definitions of active and inactive mining facilities established by 40 CFR 122.26(b)(14)(iii).

##### **3.4.8.3.1.**

Mining operation - Consists of the active and temporarily inactive phases, and the reclamation phase, but excludes the exploration and construction phases.

3.4.8.3.2.

Exploration phase - Entails exploration and land disturbance activities to determine the financial viability of a site. The exploration phase is not considered part of "mining operations."

3.4.8.3.3.

Construction phase - Includes the building of site access roads and removal of overburden and waste rock to expose mineable coal. The construction phase is not considered part of "mining operations."

3.4.8.3.4.

Active phase - Activities including the extraction, removal or recovery of coal. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of "active mining area" found at 40 CFR 434.11(b). The active phase is considered part of "mining operations."

3.4.8.3.5.

Reclamation phase - Activities undertaken, in compliance with applicable mined land reclamation requirements, following the cessation of the "active phase", intended to return the land to an appropriate post-mining land use. The reclamation phase is considered part of "mining operations."

3.4.8.3.6.

Active coal mining facility - A place where work or other activity related to the extraction, removal, or recovery of coal is being conducted. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of "active mining area" found at 40 CFR 434.11(b).

3.4.8.3.7.

Inactive coal mining facility - A site or portion of a site where coal 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 agency. An inactive coal mining facility has an identifiable owner / operator. Sites where mining claims are being maintained prior to disturbances associated with the extraction, beneficiation, or processing of mined materials and sites where minimal activities are undertaken for the sole purpose of maintaining a mining claim are not considered either active or inactive mining facilities and do not require an MPDES industrial storm water permit.

3.4.8.3.8.

Temporarily inactive coal mining facility - A site or portion of a site where coal mining and/or milling 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 agency.

#### **3.4.8.4. Additional Technology-Based Effluent Limits**

##### **3.4.8.4.1. Good Housekeeping Measures. (See also Part 2.2.2)**

As part of your good housekeeping program, consider using sweepers and covered storage, watering haul roads to minimize dust generation, and conserving vegetation (where possible) to minimize erosion.

##### **3.4.8.4.2. Preventive Maintenance. (See also Part 2.2.3)**

Perform inspections or other equivalent measures of storage tanks and pressure lines of fuels, lubricants, hydraulic fluid, and slurry to prevent leaks due to deterioration or faulty connections.

#### **3.4.8.5. Additional SWPPP Requirements**

##### **3.4.8.5.1. Other Applicable Regulations**

Most active coal mining-related areas (SIC Codes 1221-1241) are subject to sediment and erosion control regulations of the U.S. Office of Surface Mining (OSM) that 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 storm water-related pollutant discharges must be addressed and then documented with the SWPPP (directly or by reference).

##### **3.4.8.5.2. Site Map (See also Part 3.1.3.)**

Document in your SWPPP where any of the following may be exposed to precipitation or surface runoff: 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 and structures; and inactive mines and related areas; acidic spoil, refuse, or unreclaimed disturbed areas; and liquid storage tanks containing pollutants such as caustics, hydraulic fluids, and lubricants.

##### **3.4.8.5.3. Potential Pollutant Sources (See also Part 3.1.4)**

Document in your SWPPP the following sources and activities that have potential pollutants associated with them: truck traffic on haul roads and resulting generation of sediment subject to 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.

#### **3.4.8.6. Additional Inspection Requirements**

##### **3.4.8.6.1. Inspections of Active Mining-Related Areas (See also Part 2.7)**

Perform quarterly inspections of active mining areas covered by this permit, corresponding with the inspections as performed by SMCRA inspectors, of all mining-related areas required by SMCRA. Also maintain the records of the SMCRA authority representative.

##### **3.4.8.6.2. Sediment and Erosion Control (See also Part 2.2.5)**

As indicated in Part 3.4.8.5.1., SMCRA requirements regarding sediment and erosion control measures must be complied with for those areas subject to SMCRA authority, including inspection requirements.

**3.4.8.6.3. Comprehensive Site Inspections (See also Part 2.7.3.)**

Your inspection program must include inspections for pollutants entering the drainage system from activities located on or near coal mining-related areas. Among the areas to be inspected are 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 and structures; and inactive mines and related areas.

**3.4.8.7. Sector-Specific Benchmarks (See also Part 2.5.1. of the permit)**

Table 3.4.H-1.		
Subsector	Parameter	Benchmark Monitoring Concentration
Subsector H1. Coal Mines and Related Areas (SIC 1221-1241)	Total Aluminum	0.75 mg/L
	Total Iron	1.0 mg/L
	Total Suspended Solids (TSS)	100 mg/L

**3.4.8.8. Termination of Permit Coverage**

**3.4.8.8.1. Termination of Permit Coverage for Sites Reclaimed After December 17, 1990**

A site or a portion of a site that has been released from applicable state or federal reclamation requirements after December 17, 1990, is no longer required to maintain coverage under this permit. If the site or portion of a site reclaimed after December 17, 1990, was not subject to reclamation requirements, the site or portion of the site is no longer required to maintain coverage under this permit if the site or portion of the site has been reclaimed as defined in Part 3.4.8.8.2.

**3.4.8.8.2. Termination of Permit Coverage for Sites Reclaimed Before December 17, 1990**

A site or portion of a site that was released from applicable state or federal reclamation requirements before December 17, 1990, or that was otherwise reclaimed before December 17, 1990, is no longer required to maintain coverage under this permit if the site or portion of the site has been reclaimed. A site or portion of a site is considered to have been reclaimed if: (1) storm water runoff that comes into contact with raw materials, intermediate byproducts, finished products, and waste products does not have the potential to cause or contribute to violations of state water quality standards, (2) soil disturbing activities related to mining at the sites or portion of the site have been completed, (3) the site or portion of the site has been stabilized to minimize soil erosion, and (4) as appropriate depending on location, size, and the potential to contribute pollutants to storm water discharges, the site or portion of the site has been revegetated, will be amenable to natural revegetation, or will be left in a condition consistent with the post-mining land use.

### **3.4.9. Sector I: Oil and Gas Extraction and Refining**

You must comply with Part 3.4 sector-specific requirements associated with your primary industrial activity as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

#### **3.4.9.1. Covered Storm Water Discharges**

The requirements in Subpart 3.4.9. apply to storm water discharges associated with industrial activity from Oil and Gas Extraction facilities as identified by the SIC Codes specified under Sector I in Table A of Appendix A of the permit.

Discharges of storm water runoff from field activities or operations associated with oil and gas exploration, production, processing, or treatment operations or transmission facilities are exempt from MPDES permit coverage unless, in accordance with ARM 17.30.1106(1)(b), the facility:

- Has had a discharge of storm water resulting in the discharge of a reportable quantity for which notification is or was required pursuant to 40 CFR 110.6, 40 CFR 117.21 or 40 CFR 302.6 at anytime since November 16, 1987; or
- Contributes to a violation of a water quality standard.

#### **3.4.9.2. Limitations on Coverage**

##### **3.4.9.2.1. Storm water Discharges Subject to Effluent Limitation Guidelines (See also Part 1.1.4.3)**

This permit does not authorize storm water discharges from petroleum drilling operations that are subject to nationally established effluent limitation guidelines found at 40 CFR Part 435, respectively.

##### **3.4.9.2.2. Non-Storm Water Discharges**

Discharges of vehicle and equipment washwater, including tank cleaning operations, are not authorized by this permit. Alternatively, washwater discharges must be authorized under a separate MPDES permit, or be discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements.

#### **3.4.9.3. Additional SWPPP Requirements**

##### **3.4.9.3.1. Drainage Area Site Map. (See also Part 3.1.3.)**

Document in your SWPPP where any of the following may be exposed to precipitation or surface runoff: Reportable Quantity (RQ) releases; locations used for the treatment, storage, or disposal of wastes; processing areas and storage areas; chemical mixing 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.

##### **3.4.9.3.2. Potential Pollutant Sources. (See also Part 3.1.4)**

Also document in your SWPPP the following sources and activities that have potential pollutants associated with them: chemical, cement, mud, or gel mixing activities; and, equipment cleaning and rehabilitation activities. In addition, include information about the reportable quantity (RQ)

release that triggered the permit application requirements: the nature of the release (e.g., spill of oil from a drum storage area), 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 of storm water from release (taking into account human health risks, the control of drinking water intakes, and the designated uses of the receiving water).

### **3.4.10. Sector J: Mineral Mining and Dressing**

You must comply with Part 3.4 sector-specific requirements associated with your primary industrial activity as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

#### **3.4.10.1 Covered Storm Water Discharges**

The requirements in Subpart 3.4.10. apply to storm water discharges associated with industrial activity from Active and Inactive Non-Metallic Mineral Mining and Dressing facilities as identified by the SIC Codes specified under Sector J in Table A of Appendix A of the permit.

##### **3.4.10.1.1. Covered Discharges from Inactive Facilities**

All storm water discharges.

##### **3.4.10.1.2. Covered Discharges from Active and Temporarily Inactive Facilities**

All storm water discharges, except for storm water discharges subject to the federal Effluent Limitation Guideline at 40 CFR Part 436.

##### **3.4.10.1.3. Discharges from Exploration and Construction of Non-Metallic Mineral Mining Facilities**

These "storm water discharges associated with construction activity" (as defined in ARM 17.30.1102(28)) are not eligible for coverage under this permit.

##### **3.4.10.1.4. Covered Discharges from Sites Undergoing Reclamation**

All storm water discharges.

#### **3.4.10.2. Limitations on Coverage**

Not covered by this permit: storm water discharges from areas which are subject to federal Effluent Limitation Guidelines (including those in 40 CFR, Part 436, Subparts B, C, and D). These discharges must be covered by a separate MPDES permit.

#### **3.4.10.3. Definitions**

The following definitions are not intended to supersede the definitions of active and inactive mining facilities established by 40 CFR 122.26(b)(14)(iii).

3.4.10.3.1.

Mining operations - Consists of the active and temporarily inactive phases, and the reclamation phase, but excludes the exploration and construction phases.

3.4.10.3.2.

Exploration phase - Entails exploration and land disturbance activities to determine the financial viability of a site. The exploration phase is not considered part of "mining operations."

3.4.10.3.3.

Construction phase - Includes the building of site access roads and removal of overburden and waste rock to expose mineable minerals. The construction phase is not considered part of "mining operations".

3.4.10.3.4.

Active phase - Activities including the extraction, removal or recovery of minerals. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of "active mining area" found at 40 CFR 440.132(a). The active phase is considered part of "mining operations."

3.4.10.3.5.

Reclamation phase - Activities undertaken, in compliance with applicable mined land reclamation requirements, following the cessation of the "active phase", intended to return the land to an appropriate post-mining land use. The reclamation phase is considered part of "mining operations".

NOTE: The following definitions are not intended to supersede the definitions of active and inactive mining facilities established by 40 CFR 122.26(b)(14)(iii).

3.4.10.3.6.

Active Mineral Mining Facility - A place where work or other activity related to the extraction, removal, or recovery of minerals is being conducted. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of "active mining area" found at 40 CFR 440.132(a).

3.4.10.3.7.

Inactive Mineral Mining Facility - A site or portion of a site where mineral 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 agency. An inactive mineral mining facility has an identifiable owner / operator. Sites where mining claims are being maintained prior to disturbances associated with the extraction, beneficiation, or processing of mined materials, and sites where minimal activities are undertaken for the sole purpose of maintaining a mining claim are not considered either active or inactive mining facilities and do not require an MPDES industrial storm water permit.

3.4.10.3.8.

Temporarily Inactive Mineral Mining Facility - A site or portion of a site where metal mining and/or milling 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 agency.

3.4.10.3.9.

Uncontaminated - Free from the presence of pollutants attributable to industrial activity.

**3.4.10.4. Additional Technology-Based Effluent Limits**

**3.4.10.4.1. Employee Training (See also Part 2.2.9)**

Conduct employee training at least annually at active and temporarily inactive sites.

**3.4.10.4.2. Storm water Controls**

Apart from the control measures you implement to meet your Part 2 effluent limits, where necessary to minimize pollutant discharges, implement the following control measures at your site. The potential pollutants identified in Part 3.4.10.4.3. shall determine the priority and appropriateness of the control measures selected.

**3.4.10.4.2.1. Storm Water Diversions**

Consider diverting storm water away from potential pollutant sources. The following are some control measure options: 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.

**3.4.10.4.2.2. Capping**

When capping is necessary to minimize pollutant discharges in storm water, identify the source being capped and the material used to construct the cap.

**3.4.10.4.2.3. Treatment**

If treatment of storm water (e.g., chemical or physical systems, oil and water separators, artificial wetlands) is necessary to protect water quality, describe the type and location of treatment used. Passive and/or active treatment of storm water runoff is encouraged. Treated runoff may be discharged as a storm water source regulated under this permit provided the discharge is not combined with discharges subject to Effluent Limitation Guidelines for the Mineral Mining and Processing Point Source Category (40 CFR Part 436).

**3.4.10.4.3. Certification of Discharge Testing: (See also Part 3.1.4.4)**

Test or evaluate all outfalls covered under this permit for the presence of specific mining-related non-storm water discharges such as discharges subject to Effluent Limitation Guidelines (e.g., 40 CFR Part 436). Alternatively (if applicable), you may keep a certification with your SWPPP.

### **3.4.10.5. Additional SWPPP Requirements**

The requirements in Part 3.4.10.5. are applicable for active mineral mining facilities, temporarily inactive mineral mining facilities, and sites undergoing reclamation. The requirements in Part 3.4.10.5. are not applicable to inactive mineral mining facilities.

#### **3.4.10.5.1. Nature of Industrial Activities. (See also Part 3.1.2.)**

Document in your SWPPP the mining and associated activities that can potentially affect the storm water discharges covered by this permit, including a general description of the location of the site relative to major transportation routes and communities.

#### **3.4.10.5.2. Site Map. (See also Part 3.1.3.)**

Document in your SWPPP the locations of the following (as appropriate): mining or milling site boundaries; access and haul roads; outline of the drainage areas of each storm water outfall within the facility with indications of the types of discharges from the drainage areas; location(s) of all permitted discharges covered under an individual MPDES permit, outdoor equipment storage, fueling, and maintenance areas; materials handling areas; outdoor manufacturing, outdoor storage, and material disposal areas; outdoor chemicals and explosives storage areas; overburden, materials, soils, or waste storage areas; heap leach pads; on-site or off-site points of discharge for wastewaters covered under another MPDES permit (such as mine dewatering subject to federal ELGs); surface waters; boundary of tributary areas that are subject to effluent limitations guidelines; and location(s) of reclaimed areas.

#### **3.4.10.5.3. Potential Pollutant Sources. (See also Part 3.1.4)**

For each area of the mine or mill site where storm water discharges associated with industrial activities occur, document in your SWPPP the types of pollutants (e.g., heavy metals, sediment) likely to be present. For example, phosphate mining facilities will likely need to document pollutants such as selenium, which can be present in their discharges. Consider these factors: the mineralogy of the waste rock (e.g., acid forming); toxicity and quantity of chemicals used, produced, or discharged; the likelihood of contact with storm water; vegetation of site (if any); and history of leaks or spills of toxic or hazardous pollutants. Also include a summary of any existing waste rock or overburden characterization data and test results for potential generation of acid rock drainage.

#### **3.4.10.5.4. Storm Water Controls**

To the extent that you use any of the control measures in Part 3.4.10.4.2., document them in your SWPPP pursuant to Part 3.1.5. If control measures are implemented or planned but are not listed here (e.g., substituting a less toxic chemical for a more toxic one), include descriptions of them in your SWPPP.

#### **3.4.10.5.5. Employee Training**

All employee training(s) conducted in accordance with Part 3.4.10.4.1. must be documented with the SWPPP.

**3.4.10.5.6. Certification of Permit Coverage for Commingled Non-Storm Water Discharges**

If you determine that you are able to certify, consistent with Part 3.4.10.4.3., that a particular discharge composed of commingled storm water and non-storm water is covered under a separate MPDES permit, and that permit subjects the non-storm water portion to effluent limitations prior to any commingling, you must retain such certification with your SWPPP. This certification must identify the non-storm water discharges, the applicable MPDES permit(s), the effluent limitations placed on the non-storm water discharge by the permit(s), and the points at which the limitations are applied.

**3.4.10.6. Additional Inspection Requirements**

Inspect sites at least quarterly unless adverse weather conditions make the site inaccessible. Sites which discharge to waters which are designated as outstanding waters or waters which are impaired for sediment or nitrogen must be inspected monthly. See also Part 2.7.

**3.4.10.7. Sector-Specific Benchmarks**

Table 3.4.J-1 identifies benchmarks that apply to the specific subsectors of Sector J. These benchmarks apply to your primary industrial activity which describes your site activities.

<b>Table 3.4.J-1.</b>		
<b>Subsector</b>	<b>Parameter</b>	<b>Benchmark Monitoring Concentration</b>
<b>Subsector J1.</b> Sand and Gravel Mining (SIC 1442, 1446)	Nitrate plus Nitrite Nitrogen	0.68 mg/L
	Total Suspended Solids (TSS)	100 mg/L
<b>Subsector J2.</b> Dimension and Crushed Stone and Nonmetallic Minerals (except fuels) (SIC 1411, 1422-1429, 1481, 1499)	Total Suspended Solids (TSS)	100 mg/L

**3.4.10.8. Termination of Permit Coverage**

**3.4.10.8.1. Termination of Permit Coverage for Sites Reclaimed After December 17, 1990**

A site or a portion of a site that has been released from applicable state or federal reclamation requirements after December 17, 1990, is no longer required to maintain coverage under this permit. If the site or portion of a site reclaimed after December 17, 1990, was not subject to reclamation requirements, the site or portion of the site is no longer required to maintain coverage under this permit if the site or portion of the site has been reclaimed as defined in Part 3.4.10.8.2.

### **3.4.10.8.2. Termination of Permit Coverage for Sites Reclaimed Before December 17, 1990**

A site or portion of a site that was released from applicable state or federal reclamation requirements before December 17, 1990, or that was otherwise reclaimed before December 17, 1990, is no longer required to maintain coverage under this permit if the site or portion of the site has been reclaimed. A site or portion of a site is considered to have been reclaimed if: (1) storm water runoff that comes into contact with raw materials, intermediate byproducts, finished products, and waste products does not have the potential to cause or contribute to violations of state water quality standards, (2) soil disturbing activities related to mining at the sites or portion of the site have been completed, (3) the site or portion of the site has been stabilized to minimize soil erosion, and (4) as appropriate depending on location, size, and the potential to contribute pollutants to storm water discharges, the site or portion of the site has been revegetated, will be amenable to natural revegetation, or will be left in a condition consistent with the post-mining land use.

### **3.4.11. Sector K: Hazardous Waste Treatment, Storage, or Disposal Facilities**

You must comply with Part 3.4 sector-specific requirements associated with your primary industrial activity as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

#### **3.4.11.1. Covered Storm Water Discharges**

The requirements in Subpart 3.4.11. apply to storm water discharges associated with industrial activity from Hazardous Waste Treatment, Storage, or Disposal facilities (TSDFs) as identified by the Activity Code specified under Sector K in Table A of Appendix A of the permit.

Not covered by this permit: storm water discharges from areas which are subject to federal Effluent Limitation Guidelines (including those in 40 CFR, Part 445, Subparts A and B). These discharges must be covered by a separate MPDES permit.

#### **3.4.11.2. Industrial Activities Covered by Sector K**

This permit authorizes storm water discharges associated with industrial activity from facilities that treat, store, or dispose of hazardous wastes, including those that are operating under interim status or a permit under subtitle C of RCRA.

Disposal facilities that have been properly closed and capped, and have no materials exposed to storm water, are considered inactive and do not require permits.

#### **3.4.11.3. Limitations on Coverage**

##### **3.4.11.3.1. Prohibition of Non-Storm Water Discharges. (See also Part 1.1.4)**

The following are not authorized by this permit: leachate, gas collection condensate, drained free liquids, contaminated ground water, laboratory-derived wastewater, and contact washwater from washing truck and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility.

#### **3.4.11.4. Definitions**

##### 3.4.11.4.1.

Contaminated storm water - storm water that comes into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater as defined in Part 3.4.11.4.5. Some specific areas of a landfill that may produce contaminated storm water 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.

##### 3.4.11.4.2.

Drained free liquids - aqueous wastes drained from waste containers (e.g., drums) prior to landfilling.

##### 3.4.11.4.3.

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

##### 3.4.11.4.4.

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 storm water, 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 storm water, and contact washwater from washing truck, equipment, and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility.

##### 3.4.11.4.5.

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

##### 3.4.11.4.6.

Non-contaminated storm water - storm water that does not come into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater as defined in Part 3.4.11.4.4. Non-contaminated storm water includes storm water that flows off the cap, cover, intermediate cover, daily cover, and/or final cover of the landfill.

#### **3.4.11.5. Sector-Specific Benchmarks**

Table 3.4.K-1 identifies benchmarks that apply to the specific subsectors of Sector K. These benchmarks apply to your primary industrial activity which describes your site activities.

<b>Table 3.4.K-1.</b>		
<b>Subsector</b>	<b>Parameter</b>	<b>Benchmark Monitoring Concentration</b>
<b>Subsector K1. ALL - Industrial Activity Code "HZ".</b> Benchmarks only applicable to discharges not subject to effluent limitations in 40 CFR Part 445 Subpart A and B.	Ammonia	2.14 mg/L
	Total Magnesium	0.064 mg/L
	Chemical Oxygen Demand (COD)	120 mg/L
	Total Arsenic	0.15 mg/L
	Total Cadmium <sup>1</sup>	Hardness Dependent
	Total Cyanide	0.022 mg/ L
	Total Lead <sup>1</sup>	Hardness Dependent
	Total Mercury	0.0014 mg/ L
	Total Selenium	0.005 mg/L
	Total Silver <sup>1</sup>	Hardness Dependent

<sup>1</sup> The benchmark values of some metals are dependent on water hardness. For these parameters, permittees must determine the hardness of the receiving water (see Appendix B, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part 2.5.1.1., to identify the applicable 'hardness range' for determining their benchmark value applicable to their facility. The ranges occur in 25 mg/L increments. Hardness Dependent Benchmarks follow in the table below:

<b>Water Hardness Range</b>	<b>Cadmium (mg/L)</b>	<b>Lead (mg/L)</b>	<b>Silver (mg/L)</b>
0-25 mg/L	0.0005	0.014	0.0007
25-50 mg/L	0.0008	0.023	0.0007
50-75 mg/L	0.0013	0.045	0.0017
75-100 mg/L	0.0018	0.069	0.0030
100-125 mg/L	0.0023	0.095	0.0046

125-150 mg/L	0.0029	0.122	0.0065
150-175 mg/L	0.0034	0.151	0.0087
175-200 mg/L	0.0039	0.182	0.0112
200-225 mg/L	0.0045	0.213	0.0138
225-250 mg/L	0.0050	0.246	0.0168
250+ mg/L	0.0053	0.262	0.0183

### **3.4.12. Sector L: Landfills, Land Application Sites, and Open Dumps**

You must comply with Part 3.4 sector-specific requirements associated with your primary industrial activity as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

#### **3.4.12.1. Covered Storm Water Discharges**

The requirements in Subpart 3.4.12. apply to storm water discharges associated with industrial activity from Landfills and Land Application Sites and Open Dumps as identified by the Activity Code specified under Sector L in Table A of Appendix A of the permit.

Not covered by this permit: storm water discharges from areas which are subject to federal Effluent Limitation Guidelines (including those in 40 CFR, Part 445, Subpart A and B). These discharges must be covered by a separate MPDES permit.

#### **3.4.12.2. Industrial Activities Covered by Sector L**

This permit may authorize storm water 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. This permit does not cover discharges from landfills that receive only municipal wastes.

#### **3.4.12.3. Limitations on Coverage**

##### **3.4.12.3.1. Prohibition of Non-Storm Water Discharges. (See also Part 1.1.4)**

The following discharges are not authorized by this permit: leachate, gas collection condensate, drained free liquids, contaminated ground water, laboratory wastewater, and contact washwater from washing truck and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility.

#### **3.4.12.4. Definitions**

##### **3.4.12.4.1**

Contaminated storm water - storm water that comes into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater. Some areas of a landfill that may produce contaminated storm water 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.

3.4.12.4.2.

Drained free liquids - aqueous wastes drained from waste containers (e.g., drums) prior to landfilling.

3.4.12.4.3.

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 storm water, 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 storm water; and contact washwater from washing truck, equipment, and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility.

3.4.12.4.4.

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

3.4.12.4.5.

Non-contaminated storm water - storm water that does not come into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater. Non-contaminated storm water includes storm water that flows off the cap, cover, intermediate cover, daily cover, and/or final cover of the landfill.

**3.4.12.5. Additional Technology-Based Effluent Limits**

**3.4.12.5.1. Preventive Maintenance Program. (See also Part 2.2.3)**

As part of your preventive maintenance program, maintain the following: all elements of leachate collection and treatment systems, to prevent commingling of leachate with storm water; the integrity and effectiveness of any intermediate or final cover (including repairing the cover as necessary), to minimize the effects of settlement, sinking, and erosion.

**3.4.12.5.2. Erosion and Sedimentation Control. (See also Part 2.2.5)**

Provide temporary stabilization (e.g., temporary seeding, mulching, and placing geotextiles on the inactive portions of stockpiles) for the following: materials stockpiled for daily, intermediate, and final cover; inactive areas of the landfill or open dump; landfills or open dump areas that have gotten final covers but where vegetation has yet to establish itself; and land application sites where waste application has been completed but final vegetation has not yet been established.

**3.4.12.5.3. Unauthorized Discharge Test Certification. (See also Part 3.1.4.4)**

The discharge test and certification must also be conducted for the presence of leachate and vehicle washwater.

### **3.4.12.6. Additional SWPPP Requirements**

#### **3.4.12.6.1. Drainage Area Site Map. (See also Part 3.1.3.)**

Document in your SWPPP where any of the following may be exposed to precipitation or surface runoff: active and closed landfill cells or trenches, active and closed land application areas, locations where open dumping is occurring or has occurred, locations of any known leachate springs or other areas where uncontrolled leachate may commingle with runoff, and leachate collection and handling systems.

#### **3.4.12.6.2. Summary of Potential Pollutant Sources. (See also Part 3.1.4)**

Document in your SWPPP the following sources and activities that have potential pollutants associated with them: fertilizer, herbicide, and pesticide application; earth and soil moving; waste hauling and loading or unloading; outdoor storage of 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.

### **3.4.12.7. Additional Inspection Requirements (See also Part 2.7)**

#### **3.4.12.7.1. Inspections of Active Sites**

Except in arid and semi-arid climates, inspect operating landfills, open dumps, and land application sites at least once every 7 days. Focus on areas of landfills that have not yet been finally stabilized; active land application areas, areas used for storage of material and wastes that are exposed to precipitation, stabilization, and structural control measures; leachate collection and treatment systems; and locations where equipment and waste trucks enter and exit the site. Ensure that sediment and erosion control measures are operating properly. For stabilized sites and areas where land application has been completed, or where the climate is arid or semi-arid, conduct inspections at least once every month.

#### **3.4.12.7.2. Inspections of Inactive Sites**

Inspect inactive landfills, open dumps, and land application sites at least quarterly. Qualified personnel must inspect landfill (or open dump) stabilization and structural erosion control measures, leachate collection and treatment systems, and all closed land application areas.

### **3.4.12.8. Additional Documentation Requirements**

#### **3.4.12.8.1. Recordkeeping and Internal Reporting**

Keep records with your SWPPP of 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.

### **3.4.12.9. Sector-Specific Benchmarks**

Table 3.4.L-1 identifies benchmarks that apply to the specific subsectors of Sector L. These benchmarks apply to your primary industrial activity which describes your site activities.

<b>Table 3.4.L-1.</b>		
<b>Subsector</b>	<b>Parameter</b>	<b>Benchmark Monitoring Concentration<sup>1</sup></b>
<b>Subsector L1.</b> All Landfill, Land Application Sites and Open Dumps (Industrial Activity Code "LF")	Total Suspended Solids (TSS)	100 mg/L
<b>Subsector L2.</b> All Landfill, Land Application Sites and Open Dumps, except Municipal Solid Waste Landfill (MSWLF) Areas Closed in Accordance with 40 CFR 258.60 (Industrial Activity Code "LF")	Total Iron	1.0 mg/L

<sup>1</sup>Benchmark monitoring required only for discharges not subject to effluent limitations in 40 CFR Part 445 Subpart B.

### **3.4.13. Sector M: Automobile Salvage Yards**

You must comply with Part 3.4 sector-specific requirements associated with your primary industrial activity as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

#### **3.4.13.1. Covered Storm Water Discharges**

The requirements in Subpart 3.4.13. apply to storm water discharges associated with industrial activity from Automobile Salvage Yards as identified by the SIC Code specified under Sector M in Table A of Appendix A of this permit.

#### **3.4.13.2. Additional Technology-Based Effluent Limits**

##### **3.4.13.2.1. Spill and Leak Prevention Procedures. (See also Part 2.2.4)**

Drain vehicles intended to be dismantled of all fluids upon arrival at the site (or as soon thereafter as feasible), or employ some other equivalent means to prevent spills and leaks.

##### **3.4.13.2.2. Employee Training. (See also Part 2.2.9)**

If applicable to your facility, address the following areas (at a minimum) in your employee training program: proper handling (collection, storage, and disposal) of oil, used mineral spirits, anti-freeze, mercury switches, and solvents.

##### **3.4.13.2.3. Management of Runoff. (See also Part 2.2.6)**

Consider the following management practices: berms or drainage ditches on the property line (to help prevent run-on from neighboring properties); berms for uncovered outdoor storage of oily parts, engine blocks, and above-ground liquid storage; installation of detention ponds; and installation of filtering devices and oil and water separators.

**3.4.13.3. Additional SWPPP Requirements**

**3.4.13.3.1. Drainage Area Site Map. (See also Part 3.1.3.)**

Identify locations used for dismantling, storage, and maintenance of used motor vehicle parts. Also identify where any of the following may be exposed to precipitation or surface runoff: dismantling areas, parts (e.g., engine blocks, tires, hub caps, batteries, hoods, mufflers) storage areas, and liquid storage tanks and drums for fuel and other fluids.

**3.4.13.3.2. Potential Pollutant Sources. (See also Part 3.1.4)**

Assess the potential for the following to contribute pollutants to storm water discharges: vehicle storage areas, dismantling areas, parts storage areas (e.g., engine blocks, tires, hub caps, batteries, hoods, mufflers), and fueling stations.

**3.4.13.4. Additional Inspection Requirements. (See also Part 2.7)**

Immediately (or as soon thereafter as feasible) inspect vehicles arriving at the site for leaks. Inspect quarterly for signs of leakage all equipment containing oily parts, hydraulic fluids, any other types of fluids, or mercury switches. Also, inspect quarterly for signs of leakage all vessels and areas where hazardous materials and general automotive fluids are stored, including, but not limited to, mercury switches, brake fluid, transmission fluid, radiator water, and antifreeze.

**3.4.13.5. Sector-Specific Benchmarks. (See also Part 2.5.1.)**

Table 3.4.M-1.		
Subsector	Parameter	Benchmark Monitoring Concentration
Subsector M1. Automobile Salvage Yards (SIC 5015)	Total Suspended Solids (TSS)	100 mg/L
	Total Aluminum	0.75 mg/L
	Total Iron	1.0 mg/L
	Total Lead <sup>1</sup>	Hardness Dependent

<sup>1</sup> The benchmark values of some metals are dependent on water hardness. For these parameters, permittees must determine the hardness of the receiving water (see Appendix B, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part 2.5.1.1., to identify the applicable 'hardness range' for determining their benchmark value applicable to their facility. The ranges occur in 25 mg/L increments. Hardness Dependent Benchmarks follow in the table below:

<b>Water Hardness Range</b>	<b>Lead (mg/L)</b>
0-25 mg/L	0.014
25-50 mg/L	0.023
50-75 mg/L	0.045
75-100 mg/L	0.069
100-125 mg/L	0.095
125-150 mg/L	0.122
150-175 mg/L	0.151
175-200 mg/L	0.182
200-225 mg/L	0.213
225-250 mg/L	0.246
250+ mg/L	0.262

### **3.4.14. Sector N Scrap Recycling and Waste Recycling Facilities**

You must comply with Part 3.4 sector-specific requirements associated with your primary industrial activity as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

#### **3.4.14.1. Covered Storm Water Discharges**

The requirements in Subpart 3.4.14. apply to storm water discharges associated with industrial activity from Scrap Recycling and Waste Recycling facilities as identified by the SIC Code specified under Sector N in Table A of Appendix A of the permit.

#### **3.4.14.2. Limitation on Coverage**

Separate permit requirements have been established for recycling facilities that only receive source-separated recyclable materials primarily from non-industrial and residential sources (i.e., common consumer products including paper, newspaper, glass, cardboard, plastic containers, and aluminum and tin cans). This includes recycling facilities commonly referred to as material recovery facilities (MRF).

#### **3.4.14.3. Prohibition of Non-Storm Water Discharges. (See also Part 1.1.4)**

Non-storm water discharges from turnings containment areas are not covered by this permit (see also Part 3.4.14.4.2.3.). Discharges from containment areas in the absence of a storm event are prohibited unless covered by a separate MPDES permit.

#### **3.4.14.4. Additional Technology-Based Effluent Limits**

##### **3.4.14.4.1. Scrap and Waste Recycling Facilities (Non-Source Separated, Nonliquid Recyclable Materials)**

Requirements for facilities that receive, process, and do wholesale distribution of nonliquid recyclable wastes (e.g., ferrous and nonferrous metals, plastics, glass, cardboard, and paper). These facilities may receive both nonrecyclable and recyclable materials. This section is not intended for those facilities that accept recyclables only from primarily non-industrial and residential sources.

###### **3.4.14.4.1.1. Inbound Recyclable and Waste Material Control Program**

Minimize the chance of accepting materials that could be sources of pollutants by conducting inspections of inbound recyclables and waste materials. Following are some control measure options: (a) provide information and education to suppliers of scrap and recyclable waste materials on draining and properly disposing of residual fluids (e.g., from vehicles and equipment engines, radiators and transmissions, oil filled transformers, and individual containers or drums) and removal of mercury switches from vehicles before delivery to your facility; (b) establish procedures to minimize the potential of any residual fluids from coming into contact with precipitation or runoff; (c) establish 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 provisions in Part 3.4.14.4.1.6.); (d) provide training targeted for those personnel engaged in the inspection and acceptance of inbound recyclable materials; and (e) establish procedures to ensure that liquid wastes, including used oil, are stored in materially compatible and non-leaking containers and are disposed of or recycled in accordance with the Resource Conservation and Recovery Act (RCRA).

###### **3.4.14.4.1.2. Scrap and Waste Material Stockpiles and Storage (Outdoor)**

Minimize contact of storm water runoff with stockpiled materials, processed materials, and nonrecyclable wastes. Following are some control measure options: (a) permanent or semi-permanent covers; (b) sediment traps, vegetated swales and strips, catch basin filters, and sand filters to facilitate settling or filtering of pollutants; (c) dikes, berms, containment trenches, culverts, and surface grading to divert runoff from storage areas; (d) silt fencing; and (e) oil and water separators, sumps, and dry absorbents for areas where potential sources of residual fluids are stockpiled (e.g., automobile engine storage areas).

###### **3.4.14.4.1.3. Stockpiling of Turnings Exposed to Cutting Fluids (Outdoor Storage)**

Minimize contact of surface runoff with residual cutting fluids by: (a) storing all turnings exposed to cutting fluids under some form of permanent or semi-permanent cover, or (b) establishing dedicated containment areas for all turnings that have been exposed to cutting fluids. Any containment areas must be constructed of concrete, asphalt, or other equivalent types of impermeable material and include a barrier (e.g., berms, curbing, elevated pads) to prevent contact with storm water run-on. Storm water runoff from these areas can be discharged, provided that any runoff is first collected and treated by an oil and water separator or its equivalent. You must regularly maintain the oil and water separator (or its equivalent) and properly dispose of or recycle collected residual fluids.

#### **3.4.14.4.1.4. Scrap and Waste Material Stockpiles and Storage (Covered or Indoor Storage)**

Minimize contact of residual liquids and particulate matter from materials stored indoors or under cover with surface runoff. Following are some control measure options: (a) good housekeeping measures, including the use of dry absorbents or wet vacuuming to contain, dispose of, or recycle residual liquids originating from recyclable containers, or mercury spill kits for spills from storage of mercury switches; (b) not allowing washwater from tipping floors or other processing areas to discharge to the storm sewer system; and (c) disconnecting or sealing off all floor drains connected to the storm sewer system.

#### **3.4.14.4.1.5. Scrap and Recyclable Waste Processing Areas**

Minimize surface runoff from coming in contact with scrap processing equipment. Pay attention to operations that generate visible amounts of particulate residue (e.g., shredding) to minimize the contact of accumulated particulate matter and residual fluids with runoff (i.e., through good housekeeping, preventive maintenance, etc.). Following are some control measure options: (a) regularly inspect equipment for spills or leaks and malfunctioning, worn, or corroded parts or equipment; (b) establish a preventive maintenance program for processing equipment; (c) use dry-absorbents or other cleanup practices to collect and dispose of or recycle spilled or leaking fluids or use mercury spill kits for spills from storage of mercury switches; (d) on unattended hydraulic reservoirs over 150 gallons in capacity, install protection devices such as low-level alarms or equivalent devices, or secondary containment that can hold the entire volume of the reservoir; (e) containment or diversion structures such as dikes, berms, culverts, trenches, elevated concrete pads, and grading to minimize contact of storm water runoff with outdoor processing equipment or stored materials; (f) oil and water separators or sumps; (g) permanent or semi-permanent covers in processing areas where there are residual fluids and grease; (h) retention or detention ponds or basins; sediment traps, and vegetated swales or strips (for pollutant settling and filtration); (i) catch basin filters or sand filters.

#### **3.4.14.4.1.6. Scrap Lead-Acid Battery Program**

Properly handle, store, and dispose of scrap lead-acid batteries. Following are some control measure options (a) segregate scrap lead-acid batteries from other scrap materials; (b) properly handle, store, and dispose of cracked or broken batteries; (c) collect and dispose of leaking lead-acid battery fluid; (d) minimize or eliminate (if possible) exposure of scrap lead-acid batteries to precipitation or runoff; and (e) provide employee training for the management of scrap batteries.

#### **3.4.14.4.1.7. Spill Prevention and Response Procedures. (See also Part 2.2.4)**

Install alarms and/or pump shutoff 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. Use a mercury spill kit for any release of mercury from switches, anti-lock brake systems, and switch storage areas.

#### **3.4.14.4.1.8. Supplier Notification Program**

As appropriate, notify major suppliers which scrap materials will not be accepted at the facility or will be accepted only under certain conditions.

#### **3.4.14.4.2. Waste Recycling Facilities (Liquid Recyclable Materials)**

##### **3.4.14.4.2.1. Waste Material Storage (Indoor)**

Minimize or eliminate contact between residual liquids from waste materials stored indoors and from surface runoff. The plan may refer to applicable portions of other existing plans, such as Spill Prevention, Control, and Countermeasure (SPCC) plans required under 40 CFR Part 112. Following are some control measure options (a) procedures for material handling (including labeling and marking); (b) clean up spills and leaks with dry absorbent materials, a wet vacuum system; (c) appropriate containment structures (trenching, curbing, gutters, etc.); and (d) 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 or sanitary sewer system, or otherwise disposed of properly. These discharges may require coverage under a separate MPDES wastewater permit or industrial user permit under the pretreatment program.

##### **3.4.14.4.2.2. Waste Material Storage (Outdoor)**

Minimize contact between stored residual liquids and precipitation or runoff. The plan may refer to applicable portions of other existing plans, such as SPCC plans. Discharges of precipitation from containment areas containing used oil must also be in accordance with applicable federal and state requirements. Following are some control measure options (a) appropriate containment structures (e.g., dikes, berms, curbing, pits) to store the volume of the largest tank, with sufficient extra capacity for precipitation; (b) drainage control and other diversionary structures; (c) corrosion protection and/or leak detection systems for storage tanks; and (d) dry-absorbent materials or a wet vacuum system to collect spills.

##### **3.4.14.4.2.3. Trucks and Rail Car Waste Transfer Areas**

Minimize pollutants in discharges from truck and rail car loading and unloading areas. Include measures to clean up minor spills and leaks resulting from the transfer of liquid wastes. Following are two control measure options: (a) containment and diversionary structures to minimize contact with precipitation or runoff, and (b) dry clean-up methods, wet vacuuming, roof coverings, or runoff controls.

#### **3.4.14.4.3. Recycling Facilities (Source-Separated Materials)**

The following identifies considerations for facilities that receive only source-separated recyclables, primarily from non-industrial and residential sources.

##### **3.4.14.4.3.1. Inbound Recyclable Material Control**

Minimize the chance of accepting nonrecyclables (e.g., hazardous materials) that could be a source of pollutants by conducting inspections of inbound materials. Following are some control measure options: (a) providing information and education measures to inform suppliers of recyclables about acceptable and non-acceptable materials, (b) training drivers responsible for pickup of recycled material, (c) clearly marking public drop-off containers regarding which materials can be accepted, (d) rejecting nonrecyclable wastes or household hazardous wastes at the source, and (e) establishing procedures for handling and disposal of nonrecyclable material.

#### **3.4.14.4.3.2. Outdoor Storage**

Minimize exposure of recyclables to precipitation and runoff. Use good housekeeping measures to prevent accumulation of particulate matter and fluids, particularly in high traffic areas.

Following are some control measure options (a) provide totally enclosed drop-off containers for the public; (b) install a sump and pump with each container pit and treat or discharge collected fluids to a sanitary sewer system; (c) provide dikes and curbs for secondary containment (e.g., around bales of recyclable waste paper); (d) divert surface water runoff away from outside material storage areas; (e) provide covers over containment bins, dumpsters, and roll-off boxes; and (f) store the equivalent of one day's volume of recyclable material indoors.

#### **3.4.14.4.3.3. Indoor Storage and Material Processing**

Minimize the release of pollutants from indoor storage and processing areas. Following are some control measure options (a) schedule routine good housekeeping measures for all storage and processing areas, (b) prohibit tipping floor washwater from draining to the storm sewer system, and (c) provide employee training on pollution prevention practices.

#### **3.4.14.4.3.4. Vehicle and Equipment Maintenance**

Following are some control measure options for areas where vehicle and equipment maintenance occur outdoors (a) prohibit vehicle and equipment washwater from discharging to the storm sewer system, (b) minimize or eliminate outdoor maintenance areas whenever possible, (c) establish spill prevention and clean-up procedures in fueling areas, (d) avoid topping off fuel tanks, (e) divert runoff from fueling areas, (f) store lubricants and hydraulic fluids indoors, and (g) provide employee training on proper handling and storage of hydraulic fluids and lubricants.

#### **3.4.14.5. Additional SWPPP Requirements**

##### **3.4.14.5.1. Drainage Area Site Map. (See also Part 3.1.3.)**

Document in your SWPPP the locations of any of the following activities or sources that may be exposed to precipitation or surface runoff: scrap and waste material storage, outdoor scrap and waste processing equipment; and containment areas for turnings exposed to cutting fluids.

##### **3.4.14.5.2. Maintenance Schedules/Procedures for Collection, Handling, and Disposal or Recycling of Residual Fluids at Scrap and Waste Recycling Facilities**

If you are subject to Part 3.4.14.4.1.3., your SWPPP must identify any applicable maintenance schedule and the procedures to collect, handle, and dispose of or recycle residual fluids.

#### **3.4.14.6. Additional Inspection Requirements**

##### **3.4.14.6.1. Inspections for Waste Recycling Facilities**

The inspections must be performed quarterly, pursuant to Part 2.7, and include, at a minimum, all areas where waste is generated, received, stored, treated, or disposed of and that are exposed to either precipitation or storm water runoff.

**3.4.14.7. Sector-Specific Benchmarks (See also Part 2.5.1. of the permit)**

<b>Subsector</b>	<b>Parameter</b>	<b>Benchmark Monitoring Concentration</b>
Subsector N1. Scrap Recycling and Waste Recycling Facilities except Source-Separated Recycling (SIC 5093)	Chemical Oxygen Demand (COD)	120 mg/L
	Total Suspended Solids (TSS)	100 mg/L
	Total Recoverable Aluminum	0.75 mg/L
	Total Recoverable Copper <sup>1</sup>	Hardness Dependent
	Total Recoverable Iron	1.0 mg/L
	Total Recoverable Lead <sup>1</sup>	Hardness Dependent
	Total Recoverable Zinc <sup>1</sup>	Hardness Dependent

<sup>1</sup> The benchmark values of some metals are dependent on water hardness. For these parameters, permittees must determine the hardness of the receiving water (see Appendix B, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part 2.5.1.1., to identify the applicable 'hardness range' for determining their benchmark value applicable to their facility. The ranges occur in 25 mg/L increments. Hardness Dependent Benchmarks follow in the table below:

<b>Water Hardness Range</b>	<b>Copper (mg/L)</b>	<b>Lead (mg/L)</b>	<b>Zinc (mg/L)</b>
0-25 mg/L	0.0038	0.014	0.04
25-50 mg/L	0.0056	0.023	0.05
50-75 mg/L	0.0090	0.045	0.08
75-100 mg/L	0.0123	0.069	0.11
100-125 mg/L	0.0156	0.095	0.13
125-150 mg/L	0.0189	0.122	0.16
150-175 mg/L	0.0221	0.151	0.18

175-200 mg/L	0.0253	0.182	0.20
200-225 mg/L	0.0285	0.213	0.23
225-250 mg/L	0.0316	0.246	0.25
250+ mg/L	0.0332	0.262	0.26

**3.4.15. Sector O: Steam Electric Generating Facilities**

You must comply with Part 3.4 sector-specific requirements associated with your primary industrial activity as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

**3.4.15.1. Covered Storm Water Discharges**

The requirements in Subpart 3.4.15. apply to storm water discharges associated with industrial activity from Steam Electric Power Generating Facilities as identified by the Activity Code specified under Sector O in Table A of Appendix A.

Not covered by this permit: storm water discharges from areas which are subject to federal Effluent Limitation Guidelines (including those in 40 CFR, Part 423). These discharges must be covered by a separate MPDES permit.

**3.4.15.2. Industrial Activities Covered by Sector O**

This permit authorizes storm water discharges from the following industrial activities at Sector O facilities:

3.4.15.2.1

steam electric power generation using coal, natural gas, oil, nuclear energy, etc., to produce a steam source, including coal handling areas (except storm water runoff from coal storage piles); and,

3.4.15.2.2.

dual fuel facilities that could employ a steam boiler.

**3.4.15.3. Limitations on Coverage**

**3.4.15.3.1. Prohibition of Non-Storm Water Discharges**

Non-storm water discharges subject to effluent limitations guidelines are not covered by this permit.

**3.4.15.3.2. Prohibition of Storm water Discharges**

Storm water discharges from the following are not covered by this permit:

3.4.15.3.2.1.

ancillary facilities (e.g., fleet centers and substations) that are not contiguous to a stream electric power generating facility;

3.4.15.3.2.2.

gas turbine facilities (providing the facility is not a dual-fuel facility that includes a steam boiler), and combined-cycle facilities where no supplemental fuel oil is burned (and the facility is not a dual-fuel facility that includes a steam boiler); and

3.4.15.3.2.3.

cogeneration (combined heat and power) facilities utilizing a gas turbine.

**3.4.15.4 Additional Technology-Based Effluent Limits**

The following good housekeeping measures are required in addition to Part 2.2.2:

**3.4.15.4.1. Fugitive Dust Emissions**

Minimize fugitive dust emissions from coal handling areas. To minimize the tracking of coal dust offsite, consider procedures such as installing specially designed tires or washing vehicles in a designated area before they leave the site and controlling the wash water.

**3.4.15.4.2. Delivery Vehicles**

Minimize contamination of storm water runoff from delivery vehicles arriving at the plant site. Consider 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.

**3.4.15.4.3. Fuel Oil Unloading Areas**

Minimize contamination of precipitation or surface runoff from fuel oil unloading areas. Consider 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 devices (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).

**3.4.15.4.4. Chemical Loading and Unloading**

Minimize contamination of precipitation or surface runoff from chemical loading and unloading areas. Consider using containment curbs at chemical loading and unloading areas to contain spills, 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 loading and unloading in covered areas and storing chemicals indoors.

**3.4.15.4.5. Miscellaneous Loading and Unloading Areas**

Minimize contamination of precipitation or surface runoff from loading and unloading areas. Consider covering the loading area; grading, berming, or curbing around the loading area to

divert run-on; locating the loading and unloading equipment and vehicles so that leaks are contained in existing containment and flow diversion systems; or equivalent procedures.

#### **3.4.15.4.6. Liquid Storage Tanks**

Minimize contamination of surface runoff from above-ground liquid storage tanks. Consider protective guards around tanks, containment curbs, spill and overflow protection, dry cleanup methods, or equivalent measures.

#### **3.4.15.4.7. Large Bulk Fuel Storage Tanks**

Minimize contamination of surface runoff from large bulk fuel storage tanks. Consider containment berms (or their equivalent). You must also comply with applicable state and federal laws, including Spill Prevention, Control and Countermeasure (SPCC) Plan requirements.

#### **3.4.15.4.8. Spill Reduction Measures**

Minimize the potential for an oil or chemical spill, or reference the appropriate part of your SPCC plan. Visually inspect as part of your routine facility inspection the structural integrity of all above-ground tanks, pipelines, pumps, and related equipment that may be exposed to storm water, and make any necessary repairs immediately.

#### **3.4.15.4.9. Oil-Bearing Equipment in Switchyards**

Minimize contamination of surface runoff from oil-bearing equipment in switchyard areas. Consider using level grades and gravel surfaces to retard flows and limit the spread of spills, or collecting runoff in perimeter ditches.

#### **3.4.15.4.10. Residue-Hauling Vehicles**

Inspect all residue-hauling vehicles for proper covering over the load, adequate gate sealing, and overall integrity of the container body. Repair vehicles without load covering or adequate gate sealing, or with leaking containers or beds.

#### **3.4.15.4.11. Ash Loading Areas**

Reduce or control the tracking of ash and residue from ash loading areas. Clear the ash building floor and immediately adjacent roadways of spillage, debris, and excess water before departure of each loaded vehicle.

#### **3.4.15.4.12. Areas Adjacent to Disposal Ponds or Landfills**

Minimize contamination of surface runoff from areas adjacent to disposal ponds or landfills. 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.

#### **3.4.15.4.13. Landfills, Scrap Yards, Surface Impoundments, Open Dumps, General Refuse Sites**

Minimize the potential for contamination of runoff from these areas.

**3.4.15.5. Additional SWPPP Requirements**

**3.4.15.5.1. Drainage Area Site Map. (See also Part 3.1.3.)**

Document in your SWPPP the locations of any of the following activities or sources that may be exposed to precipitation or surface runoff: storage tanks, scrap yards, and general refuse areas; short- and long-term storage of general materials (including but not limited to supplies, construction materials, paint equipment, oils, fuels, used and unused solvents, cleaning materials, paint, water treatment chemicals, fertilizer, and pesticides); landfills and construction sites; and stock pile areas (e.g., coal or limestone piles).

**3.4.15.5.2. Documentation of Good Housekeeping Measures**

You must document in your SWPPP the good housekeeping measures implemented to meet the effluent limits in Part 3.4.15.4.

**3.4.15.6. Additional Inspection Requirements**

**3.4.15.6.1. Comprehensive Site Compliance Inspection. (See also Part 2.7.3.)**

As part of your inspection, inspect the following areas monthly: coal handling areas, loading or 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.

**3.4.15.7. Sector-Specific Benchmarks**

Table 3.4.O-1 identifies benchmarks that apply to the specific subsectors of Sector O. These benchmarks apply to your primary industrial activity which describes your site activities.

<b>Table 3.4.O-1.</b>		
<b>Subsector</b>	<b>Parameter</b>	<b>Benchmark Monitoring Concentration</b>
Subsector O1. Steam Electric Generating Facilities (Industrial Activity Code "SE")	Total Iron	1.0 mg/L

**3.4.16. Sector P: Land Transportation and Warehousing**

You must comply with Part 3.4 sector-specific requirements associated with your primary industrial activity as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

### **3.4.16.1. Covered Storm Water Discharges**

The requirements in Subpart 3.4.16. apply to storm water discharges associated with industrial activity from Land Transportation and Warehousing facilities as identified by the SIC Codes specified under Sector P in Table A of Appendix A of the permit.

### **3.4.16.2. Limitation on Coverage**

#### **3.4.16.2.1. Prohibited Discharges (see also Part 1.1.4)**

This permit does not authorize the discharge of vehicle/equipment/surface washwater, including tank cleaning operations. Such discharges must be authorized under a separate MPDES permit, discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements, or recycled on-site.

### **3.4.16.3. Additional Technology-Based Effluent Limits**

#### **3.4.16.3.1. Good Housekeeping Measures. (See also Part 2.2.2)**

In addition to the Good Housekeeping requirements in Part 2.2.2, you must do the following. Recommended control measures are discussed as indicated:

##### **3.4.16.3.1.1. Vehicle and Equipment Storage Areas**

Minimize the potential for storm water exposure to leaky or leak-prone vehicles/equipment awaiting maintenance. Consider the following (or other equivalent measures): use of drip pans under vehicles/equipment, indoor storage of vehicles and equipment, installation of berms or dikes, use of absorbents, roofing or covering storage areas, and cleaning pavement surfaces to remove oil and grease.

##### **3.4.16.3.1.2. Fueling Areas**

Minimize contamination of storm water runoff from fueling areas. Consider the following (or other equivalent measures): Covering the fueling area; using spill/overflow protection and cleanup equipment; minimizing storm water run-on/runoff to the fueling area; using dry cleanup methods; and treating and/or recycling collected storm water runoff.

##### **3.4.16.3.1.3. Material Storage Areas**

Maintain all material storage vessels (e.g., for used oil/oil filters, spent solvents, paint wastes, hydraulic fluids) to prevent contamination of storm water and plainly label them (e.g., "Used Oil," "Spent Solvents," etc.). Consider the following (or other equivalent measures): storing the materials indoors; installing berms/dikes around the areas; minimizing runoff of storm water to the areas; using dry cleanup methods; and treating and/or recycling collected storm water runoff.

##### **3.4.16.3.1.4. Vehicle and Equipment Cleaning Areas**

Minimize contamination of storm water runoff from all areas used for vehicle/equipment cleaning. Consider the following (or other equivalent measures): performing all cleaning operations indoors; covering the cleaning operation, ensuring that all washwater drains to a proper collection system (i.e., not the storm water drainage system); treating and/or recycling collected washwater, or other equivalent measures.

**3.4.16.3.1.5. Vehicle and Equipment Maintenance Areas**

Minimize contamination of storm water runoff from all areas used for vehicle/equipment maintenance. Consider the following (or other equivalent measures): performing maintenance activities indoors; using drip pans; keeping an organized inventory of materials used in the shop; draining all parts of fluid prior to disposal; prohibiting wet clean up practices if these practices would result in the discharge of pollutants to storm water drainage systems; using dry cleanup methods; treating and/or recycling collected storm water runoff, minimizing run on/runoff of storm water to maintenance areas.

**3.4.16.3.1.6. Locomotive Sanding (Loading Sand for Traction) Areas**

Consider the following (or other equivalent measures): covering sanding areas; minimizing storm water run on/runoff; or appropriate sediment removal practices to minimize the offsite transport of sanding material by storm water.

**3.4.16.3.2. Employee Training (See also Part 2.2.9)**

Train personnel at least once a year and address the following activities, as applicable: used oil and spent solvent management; fueling procedures; general good housekeeping practices; proper painting procedures; and used battery management.

**3.4.16.4. Additional SWPPP Requirements****3.4.16.4.1. Drainage Area Site Map (See also Part 3.1.3.)**

Identify in the SWPPP the following areas of the facility and indicate whether activities occurring there may be exposed to precipitation/surface runoff: Fueling stations; vehicle/equipment maintenance or cleaning areas; storage areas for vehicle/equipment with actual or potential fluid leaks; loading/unloading areas; areas where treatment, storage or disposal of wastes occur; liquid storage tanks; processing areas; and storage areas.

**3.4.16.4.2. Potential Pollutant Sources (See also Part 3.1.4)**

Assess the potential for the following activities and facility areas to contribute pollutants to storm water discharges: Onsite waste storage or disposal; dirt/gravel parking areas for vehicles awaiting maintenance; illicit plumbing connections between shop floor drains and the storm water conveyance system(s); and fueling areas. Describe these activities in the SWPPP.

**3.4.16.4.3. Description of Good Housekeeping Measures**

You must document in your SWPPP the good housekeeping measures you implement consistent with Part 3.4.16.3.

**3.4.16.4.4. Vehicle and Equipment Washwater Requirements**

If applicable, attach to or reference in your SWPPP, a copy of the MPDES permit issued for vehicle/equipment washwater or, if an MPDES permit has not been issued, a copy of the pending application. If an industrial user permit is issued under a local pretreatment program, attach a copy to your SWPPP. In any case, implement all non-storm water discharge permit conditions or pretreatment conditions in your SWPPP. If washwater is handled in another manner (e.g., hauled offsite), describe the disposal method and attach all pertinent documentation/information (e.g., frequency, volume, destination, etc.) in the plan.

#### **3.4.16.4.5. Additional Inspection Requirements (See also Part 2.7)**

Inspect all the following areas/activities: storage areas for vehicles/equipment awaiting maintenance, fueling areas, indoor and outdoor vehicle/equipment maintenance areas, material storage areas, vehicle/equipment cleaning areas and loading/unloading areas.

#### **3.4.17. Sector Q: Water Transportation**

You must comply with Part 3.4 sector-specific requirements associated with your primary industrial activity as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

##### **3.4.17.1. Covered Storm Water Discharges**

The requirements in Subpart 3.4.17. apply to storm water discharges associated with industrial activity from Water Transportation facilities as identified by the SIC Codes specified under Sector Q in Table A of Appendix A of the permit.

##### **3.4.17.2. Limitations on Coverage**

###### **3.4.17.2.1. Prohibition of Non-Storm Water Discharges. (See also Part 1.1.4)**

Not covered by this permit: bilge and ballast water, sanitary wastes, pressure wash water, and cooling water originating from vessels.

##### **3.4.17.3. Additional Technology-Based Effluent Limits**

###### **3.4.17.3.1. Good Housekeeping Measures**

You must implement the following good housekeeping measures in addition to the requirements of Part 2.2.2:

###### **3.4.17.3.1.1. Pressure Washing Area**

If pressure washing is used to remove marine growth from vessels, the discharge water must be permitted by a separate MPDES permit. Collect or contain the discharges from the pressure washing area so that they are not co-mingled with storm water discharges authorized by this permit.

###### **3.4.17.3.1.2. Blasting and Painting Area**

Minimize the potential for spent abrasives, paint chips, and overspray to discharge into receiving waters or the storm sewer systems. Consider containing all blasting and painting activities or use other measures to minimize the discharge of contaminants (e.g., hanging plastic barriers or tarpaulins during blasting or painting operations to contain debris). When necessary, regularly clean storm water conveyances of deposits of abrasive blasting debris and paint chips.

###### **3.4.17.3.1.3. Material Storage Areas**

Store and plainly label all containerized materials (e.g., fuels, paints, solvents, waste oil, antifreeze, batteries) in a protected, secure location away from drains. Minimize the contamination of precipitation or surface runoff from the storage areas. Specify which materials are stored indoors, and consider containment or enclosure for those stored outdoors. If abrasive

blasting is performed, discuss 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.

#### **3.4.17.3.1.4. Engine Maintenance and Repair Areas**

Minimize the contamination of precipitation or surface runoff 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 and/or recycling storm water runoff collected from the maintenance area.

#### **3.4.17.3.1.5. Material Handling Area**

Minimize the contamination of precipitation or surface runoff 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 and overflow protection, mixing paints and solvents in a designated area (preferably indoors or under a shed), and minimizing runoff of storm water to material handling areas.

#### **3.4.17.3.1.6. Drydock Activities**

Routinely maintain and clean the drydock to minimize pollutants in storm water runoff. Address the cleaning of accessible areas of the drydock prior to flooding, and final cleanup following removal of the vessel and raising the dock. Include procedures for cleaning up oil, grease, and fuel spills occurring on the drydock. Consider the following (or their equivalents): sweeping rather than hosing off debris and spent blasting material from accessible areas of the drydock prior to flooding and making absorbent materials and oil containment booms readily available to clean up or contain any spills.

#### **3.4.17.3.2. Employee Training. (See also Part 2.2.9)**

As part of your employee training program, address, at a minimum, the following activities (as applicable): 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 management.

#### **3.4.17.3.3. Preventive Maintenance. (See also Part 2.2.3)**

As part of your preventive maintenance program, perform timely inspection and maintenance of storm water management devices (e.g., cleaning oil and 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.

#### **3.4.17.4. Additional SWPPP Requirements**

##### **3.4.17.4.1. Drainage Area Site Map. (See also Part 3.1.3.)**

Document in your SWPPP where any of the following may be exposed to precipitation or surface runoff: fueling; engine maintenance and repair; vessel maintenance and repair;

pressure washing; painting; sanding; blasting; welding; metal fabrication; loading and 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).

**3.4.17.4.2. Summary of Potential Pollutant Sources. (See also Part 3.1.4)**

Document in the SWPPP the following additional sources and activities that have potential pollutants associated with them: outdoor manufacturing or processing activities (e.g., welding, metal fabricating) and dust or particulate generating processes (e.g., abrasive blasting, sanding, and painting.)

**3.4.17.5. Additional Inspection Requirements (See also Part 2.7)**

Include the following in all quarterly routine facility inspections: pressure washing area; blasting, sanding, and painting areas; material storage areas; engine maintenance and repair areas; material handling areas; drydock area; and general yard area.

**3.4.17.6. Sector-Specific Benchmarks (See also Part 2.5.1.)**

**Table 3.4.Q-1.**

<b>Subsector</b>	<b>Parameter</b>	<b>Benchmark Monitoring Concentration</b>
<b>Subsector Q1. Water Transportation Facilities (SIC 4412-4499)</b>	Total Aluminum	0.75 mg/L
	Total Iron	1.0 mg/L
	Total Lead <sup>1</sup>	Hardness Dependent
	Total Zinc <sup>1</sup>	Hardness Dependent

<sup>1</sup> The benchmark values of some metals are dependent on water hardness. For these parameters, permittees must determine the hardness of the receiving water (see Appendix B, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part 2.5.1.1., to identify the applicable 'hardness range' for determining their benchmark value applicable to their facility. The ranges occur in 25 mg/L increments. Hardness Dependent Benchmarks follow in the table below:

<b>Water Hardness Range</b>	<b>Lead (mg/L)</b>	<b>Zinc (mg/L)</b>
0-25 mg/L	0.014	0.04
25-50 mg/L	0.023	0.05

50-75 mg/L	0.045	0.08
75-100 mg/L	0.069	0.11
100-125 mg/L	0.095	0.13
125-150 mg/L	0.122	0.16
150-175 mg/L	0.151	0.18
175-200 mg/L	0.182	0.20
200-225 mg/L	0.213	0.23
225-250 mg/L	0.246	0.25
250+ mg/L	0.262	0.26

### **3.4.18. Sector R: Ship and Boat Building and Repair Yards**

You must comply with Part 3.4 sector-specific requirements associated with your primary industrial activity as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

#### **3.4.18.1. Covered Storm Water Discharges**

The requirements in Subpart 3.4.18. apply to storm water discharges associated with industrial activity from Ship and Boat Building and Repair Yards as identified by the SIC Codes specified under Sector R in Table A of Appendix A of the permit.

#### **3.4.18.2. Limitations on Coverage**

##### **3.4.18.2.1. Prohibition of Non-Storm Water Discharges. (See also Part 1.1.4)**

Discharges containing bilge and ballast water, sanitary wastes, pressure wash water, and cooling water originating from vessels are not covered by this permit.

#### **3.4.18.3. Additional Technology-Based Effluent Limits**

##### **3.4.18.3.1. Good Housekeeping Measures. (See also Part 2.2.2)**

###### **3.4.18.3.1.1. Pressure Washing Area**

If pressure washing is used to remove marine growth from vessels, the discharged water must be permitted as a process wastewater by a separate MPDES permit.

###### **3.4.18.3.1.2. Blasting and Painting Area**

Minimize the potential for spent abrasives, paint chips, and overspray to discharging into the receiving water or the storm sewer systems. Consider containing all blasting and painting activities, or use other measures to prevent the discharge of the contaminants (e.g., hanging plastic barriers or tarpaulins during blasting or painting operations to contain debris). When

necessary, regularly clean storm water conveyances of deposits of abrasive blasting debris and paint chips.

#### **3.4.18.3.1.3. Material Storage Areas**

Store and plainly label all containerized materials (e.g., fuels, paints, solvents, waste oil, antifreeze, batteries) in a protected, secure location away from drains. Minimize the contamination of precipitation or surface runoff from the storage areas. If abrasive blasting is performed, discuss 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.

#### **3.4.18.3.1.4. Engine Maintenance and Repair Areas**

Minimize the contamination of precipitation or surface runoff 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 and/or recycling storm water runoff collected from the maintenance area.

#### **3.4.18.3.1.5. Material Handling Area**

Minimize the contamination of precipitation or surface runoff 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 and overflow protection, mixing paints and solvents in a designated area (preferably indoors or under a shed), and minimizing storm water run-on to material handling areas.

#### **3.4.18.3.1.6. Drydock Activities**

Routinely maintain and clean the drydock to minimize pollutants in storm water runoff. Clean accessible areas of the drydock 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 drydock. Consider the following (or their equivalents): sweeping rather than hosing off debris and spent blasting material from accessible areas of the drydock prior to flooding, and having absorbent materials and oil containment booms readily available to clean up and contain any spills.

#### **3.4.18.3.2. Employee Training. (See also Part 2.2.9)**

As part of your employee training program, address, at a minimum, the following activities (as applicable): 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 management.

#### **3.4.18.3.3. Preventive Maintenance. (See also Part 2.2.3)**

As part of your preventive maintenance program, perform timely inspection and maintenance of storm water management devices (e.g., cleaning oil and 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.

#### **3.4.18.4. Additional SWPPP Requirements**

##### **3.4.18.4.1. Drainage Area Site Map. (See also Part 3.1.3.)**

Document in your SWPPP where any of the following may be exposed to precipitation or surface runoff: fueling; engine maintenance or repair; vessel maintenance or repair; pressure washing; painting; sanding; blasting; welding; metal fabrication; loading and unloading areas; treatment, storage, and waste disposal areas; liquid storage tanks; liquid storage areas (e.g., paint, solvents, resins); and material storage areas (e.g., blasting media, aluminum, steel, scrap iron).

##### **3.4.18.4.2. Potential Pollutant Sources. (See also Part 3.1.4)**

Document in your SWPPP 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 dust or particulate generating processes (e.g., abrasive blasting, sanding, and painting).

##### **3.4.18.4.3. Documentation of Good Housekeeping Measures**

Document in your SWPPP any good housekeeping measures implemented to meet the effluent limits in Part 3.4.18.3.

##### **3.4.18.4.3.1. Blasting and Painting Areas**

Document in the SWPPP any standard operating practices relating to blasting and painting (e.g., prohibiting uncontained blasting and painting over open water or prohibiting blasting and painting during windy conditions, which can render containment ineffective).

##### **3.4.18.4.3.2. Storage Areas**

Specify in your SWPPP which materials are stored indoors, and consider containment or enclosure for those stored outdoors.

##### **3.4.18.5. Additional Inspection Requirements (See also Part 2.7)**

Include the following in all quarterly routine facility inspections: pressure washing area; blasting, sanding, and painting areas; material storage areas; engine maintenance and repair areas; material handling areas; drydock area; and general yard area.

#### **3.4.19. Sector S: Air Transportation**

You must comply with Part 3.4 sector-specific requirements associated with your primary industrial activity as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

### **3.4.19.1. Covered Storm Water Discharges**

The requirements in Subpart 3.4.19. apply to storm water discharges associated with industrial activity from Air Transportation facilities identified by the SIC Codes specified under Sector S in Table A of Appendix A of the permit.

For facilities in Sector S which perform no "deicing" (as described in Part 3.4.19.2.1.) at any time, those requirements stated in Subpart 3.4.19., which in whole or in part, apply strictly to "deicing" are not applicable and do not supersede other requirements in this permit.

### **3.4.19.2. Limitation on Coverage**

#### **3.4.19.2.1. Limitations on Coverage**

This permit authorizes storm water discharges from only those portions of the air transportation facility that are involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling and lubrication), equipment cleaning operations or deicing operations.

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.

#### **3.4.19.2.2. Prohibition of Non-Storm Water Discharges (See also Part 1.1.4 and Part 3.4.19.3.)**

This permit does not authorize the discharge of aircraft, ground vehicle, runway and equipment washwaters; nor the dry weather discharge of deicing chemicals. Such discharges must be covered by separate MPDES permit(s). Note that a discharge resulting from snowmelt is not a dry weather discharge.

### **3.4.19.3. Additional Technology-Based Effluent Limits**

#### **3.4.19.3.1. Good Housekeeping Measures (See also Part 2.2.2)**

##### **3.4.19.3.1.1. Aircraft, Ground Vehicle and Equipment Maintenance Areas**

Minimize the contamination of storm water runoff from all areas used for aircraft, ground vehicle and equipment maintenance (including the maintenance conducted on the terminal apron and in dedicated hangars). Consider the following practices (or their equivalents): performing maintenance activities indoors; maintaining an organized inventory of material used in the maintenance areas; draining all parts of fluids prior to disposal; prohibiting the practice of hosing down the apron or hanger floor; using dry cleanup methods; and collecting the storm water runoff from the maintenance area and providing treatment or recycling.

##### **3.4.19.3.1.2. Aircraft, Ground Vehicle and Equipment Cleaning Areas. (See also Part 3.4.19.3.1.6.)**

Clearly demarcate these areas on the ground using signage or other appropriate means. Minimize the contamination of storm water runoff from cleaning areas.

##### **3.4.19.3.1.3. Aircraft, Ground Vehicle and Equipment Storage Areas**

Store all aircraft, ground vehicles and equipment awaiting maintenance in designated areas only and minimize the contamination of storm water runoff from these storage areas. Consider the

following control measures, including any BMPs (or their equivalents): storing aircraft and ground vehicles indoors; using drip pans for the collection of fluid leaks; and perimeter drains, dikes or berms surrounding the storage areas.

#### **3.4.19.3.1.4. Material Storage Areas**

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 storm water. Also plainly label the vessels (e.g., "used oil," "Contaminated Jet A," etc.). Minimize contamination of precipitation/runoff from these areas. Consider the following control measures (or their equivalents): storing materials indoors; storing waste materials in a centralized location; and installing berms/dikes around storage areas.

#### **3.4.19.3.1.5. Airport Fuel System and Fueling Areas**

Minimize the discharge of fuel to the storm sewer/surface waters resulting from fuel servicing activities or other operations conducted in support of the airport fuel system. Consider the following control measures (or their equivalents): implementing spill and overflow practices (e.g., placing absorptive materials beneath aircraft during fueling operations); using only dry cleanup methods; and collecting storm water runoff.

#### **3.4.19.3.1.6. Source Reduction**

Minimize, and where feasible eliminate, the use of urea and glycol-based deicing chemicals, in order to reduce the aggregate amount of deicing chemicals used and/or lessen the environmental impact. Chemical options to replace ethylene glycol, propylene glycol and urea include: potassium acetate; magnesium acetate; calcium acetate; and anhydrous sodium acetate.

##### **3.4.19.3.1.6.1. Runway Deicing Operation**

Minimize contamination of storm water runoff from runways as a result of deicing operations. Evaluate whether over-application of deicing chemicals occurs by analyzing application rates, and adjust as necessary, consistent with considerations of flight safety. Also consider these control measure options (or their equivalents): metered application of chemicals; pre-wetting dry chemical constituents prior to application; installing a runway ice detection system; implementing anti-icing operations as a preventive measure against ice buildup.

##### **3.4.19.3.1.6.2. Aircraft Deicing Operations**

Minimize contamination of storm water runoff from aircraft deicing operations. Determine whether excessive application of deicing chemicals occurs and adjust as necessary, consistent with considerations of flight safety. This evaluation should be carried out by the personnel most familiar with the particular aircraft and flight operations in question (versus an outside entity such as the airport authority). Consider using alternative deicing/anti-icing agents as well as containment measures for all applied chemicals. Also consider these control measure options (or their equivalents) for reducing deicing fluid use: forced-air deicing systems, computer-controlled fixed-gantry systems, infrared technology, hot water, varying glycol content to air temperature, enclosed-basket deicing trucks, mechanical methods, solar radiation, hangar storage, aircraft covers, and thermal blankets for MD-80s and DC-9s. Also consider using ice-detection systems and airport traffic flow strategies and departure slot allocation systems.

#### **3.4.19.3.1.7. Management of Runoff (See also 2.2.6)**

Where deicing operations occur, implement a program to control or manage contaminated runoff to minimize the amount of pollutants being discharged from the site. Consider these control measure options (or their equivalents): a dedicated deicing facility with a runoff collection/ recovery system; using vacuum/collection trucks; storing contaminated storm water/deicing fluids in tanks and releasing controlled amounts to a publicly owned treatment works; collecting contaminated runoff in a wet pond for biochemical decomposition (be aware of attracting wildlife that may prove hazardous to flight operations); and directing 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 storm water contamination. Used deicing fluid should be recycled whenever possible.

#### **3.4.19.4. Additional SWPPP Requirements**

An airport authority and tenants of the airport are encouraged to work in partnership in the development of a SWPPP. If an airport tenant obtains storm water discharge regulation under this permit and develops a SWPPP for discharges from his own areas of the airport, prior to permit coverage, that SWPPP must be coordinated and integrated with the SWPPP 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 storm water discharges associated with industrial activity.

##### **3.4.19.4.1. Drainage Area Site Map (See also Part 3.1.3.)**

Document in the SWPPP the following areas of the facility and indicate whether activities occurring there may be exposed to precipitation/surface runoff: aircraft and runway deicing operations; fueling stations; aircraft, ground vehicle and equipment maintenance/cleaning areas; storage areas for aircraft, ground vehicles and equipment awaiting maintenance.

##### **3.4.19.4.2. Potential Pollutant Sources (See also Part 3.1.4)**

In your inventory of exposed materials, describe in your SWPPP the potential for the following activities and facility areas to contribute pollutants to storm water discharges: aircraft, runway, ground vehicle and equipment maintenance and cleaning; aircraft and runway deicing operations (including apron and centralized aircraft deicing stations, runways, taxiways and ramps). If you use deicing chemicals, you must 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 your 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 must provide the above information to the airport authority for inclusion with any comprehensive airport SWPPPs.

##### **3.4.19.4.3. Vehicle and Equipment Washwater Requirements**

Attach to or reference in your SWPPP, a copy of the MPDES permit issued for vehicle/equipment washwater or, if an MPDES permit has not been issued, a copy of the pending application. If an industrial user permit is issued under a local pretreatment program, include a copy in your SWPPP. In any case, if you are subject to another permit, describe your

control measures for implementing all non-storm water discharge permit conditions or pretreatment requirements in your SWPPP. If washwater is handled in another manner (e.g., hauled offsite, retained onsite), describe the disposal method and attach all pertinent documentation/information (e.g., frequency, volume, destination, etc.) in your SWPPP.

**3.4.19.4.4. Documentation of Control Measures Used for Management of Runoff**

Document in your SWPPP the control measures used for collecting or containing contaminated melt water from collection areas used for disposal of contaminated snow.

**3.4.19.5. Additional Inspection Requirements**

**3.4.19.5.1. Inspections (See also Part 2.7)**

At a minimum conduct routine facility inspections at least monthly during the deicing season (e.g., October through April for most mid-latitude airports). If your facility needs to deice before or after this period, expand the monthly inspections to include all months during which deicing chemicals may be used. The Department may specifically require you to increase inspection frequencies.

**3.4.19.5.2. Comprehensive Site Inspections (See also Part 2.7.3.)**

Using only qualified personnel, conduct your annual site inspection during periods of actual deicing operations, if possible. If not practicable during active deicing because of weather, conduct the inspection during the season when deicing operations occur and the materials and equipment for deicing are in place.

**3.4.19.6. Sector-Specific Benchmarks (See also Part 2.5.1. of the permit)**

Monitor per the requirements in Table 3.4.S-1.

<b>Subsector</b>	<b>Parameter</b>	<b>Benchmark Monitoring Concentration</b>
Storm water discharges from airports (SIC Code 4581) with over 50,000 flight operations per year (includes both takeoffs and landings) and which have storm water discharges from areas where aircraft or airport deicing (preventing the accumulation of or removing frost, snow, or ice) operations occur (including runways, taxiways, ramps, and dedicated deicing stations). Collect the samples during, or as close as possible to, periods when deicing activities are occurring, as weather and temperature conditions allow.	Total Suspended Solids	100 mg/L
	Chemical Oxygen Demand (COD)	120 mg/L
	Ammonia as N (if urea is used as a deicing material)	2.14 mg/L
	pH	6.0 - 9.0 s.u.

<b>Table 3.4.S-1.</b>		
<b>Subsector</b>	<b>Parameter</b>	<b>Benchmark Monitoring Concentration</b>

**3.4.20. Sector T: Treatment Works**

You must comply with Part 3.4 sector-specific requirements associated with your primary industrial activity as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

**3.4.20.1. Covered Storm Water Discharges**

The requirements in Subpart 3.4.20. apply to storm water discharges associated with industrial activity from Treatment Works as identified by the Activity Code specified under Sector T in Table A of Appendix A of the permit.

**3.4.20.2. Industrial Activities Covered by Sector T**

The requirements listed under this part apply to all existing point source storm water discharges associated with the following activities:

**3.4.20.2.1.**

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; that are located within the confines of a facility with a design flow of 1.0 million gallons per day (MGD) or more; or are required to have an approved pretreatment program under 40 CFR Part 403.

**3.4.20.2.2.**

The following are 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 CWA.

**3.4.20.3. Limitations on Coverage****3.4.20.3.1. Prohibition of Non-Storm Water Discharges (See also Part 1.1.4)**

Sanitary and industrial wastewater and equipment and vehicle washwater are not authorized by this permit.

**3.4.20.4. Additional Technology-Based Effluent Limits****3.4.20.4.1. Control Measures (See also the non-numeric effluent limits in Part 2.2)**

In addition to the other control measures, consider the following: routing storm water to the treatment works; or covering exposed materials (i.e., from the following areas: grit, screenings, and other solids handling, storage, or disposal areas; sludge drying beds; dried sludge piles; compost piles; and septage or hauled waste receiving station).

**3.4.20.4.2. Employee Training (See also Part 2.2.9)**

At a minimum, training must address the following areas 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.

**3.4.20.5. Additional SWPPP Requirements****3.4.20.5.1. Site Map (See also Part 3.1.3.)**

Document in your SWPPP where any of the following may be exposed to precipitation or surface runoff: 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.

**3.4.20.5.2. Potential Pollutant Sources (See also Part 3.1.4)**

Document in your SWPPP the following additional sources and activities that have potential pollutants associated with them, 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.

**3.4.20.5.3. Wastewater and Washwater Requirements**

Keep a copy of all your current MPDES permits issued for wastewater and industrial, vehicle and equipment washwater discharges or, if an MPDES permit has not yet been issued, a copy of the pending application(s) with your SWPPP. If the washwater is handled in another manner, the disposal method must be described and all pertinent documentation must be retained onsite.

**3.4.20.6. Additional Inspection Requirements (See also Part 2.7)**

Include the following areas in all inspections: access roads and rail lines; grit, screenings, and other solids handling, storage, or disposal areas; sludge drying beds; dried sludge piles; compost piles; and septage or hauled waste receiving station.

### **3.4.21. Sector U: Food and Kindred Products**

You must comply with Part 3.4 sector-specific requirements associated with your primary industrial activity as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

#### **3.4.21.1. Covered Storm Water Discharges**

The requirements in Subpart 3.4.21. apply to storm water discharges associated with industrial activity from Food and Kindred Products facilities as identified by the SIC Codes specified in Table A of Appendix A of the permit.

#### **3.4.21.2. Limitations on Coverage**

##### **3.4.21.2.1. Prohibition of Non-Storm Water Discharges (See also Part 1.1.4)**

The following discharges are not authorized by this permit: discharges containing boiler blowdown, cooling tower overflow and blowdown, ammonia refrigeration purging, and vehicle washing and clean-out operations.

#### **3.4.21.3. Additional Technology-Based Limitations**

##### **3.4.21.3.1. Employee Training (See also Part 2.2.9)**

Address pest control in your employee training program.

#### **3.4.21.4. Additional SWPPP Requirements**

##### **3.4.21.4.1. Drainage Area Site Map (See also Part 3.1.3.)**

Document in your SWPPP the locations of the following activities if they are exposed to precipitation or runoff: vents and stacks from cooking, drying, and similar operations; dry product vacuum transfer lines; animal holding pens; spoiled product; and broken product container storage areas.

##### **3.4.21.4.2. Potential Pollutant Sources (See also Part 3.1.4)**

Document in your SWPPP, in addition to food and kindred products processing-related industrial activities, application and storage of pest control chemicals (e.g., rodenticides, insecticides, fungicides) used on plant grounds.

##### **3.4.21.5. Additional Inspection Requirements (See also Part 2.7)**

Inspect on a quarterly basis, at a minimum, the following areas where the potential for exposure to storm water exists: loading and unloading areas for 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.

**3.4.21.6. Sector-Specific Benchmarks (See also Part 2.5.1.)**

<b>Table 3.4.U-1.</b>		
<b>Subsector (You may be subject to requirements for more than one Sector / Subsector)</b>	<b>Parameter</b>	<b>Benchmark Monitoring Concentration</b>
<b>Subsector U1.</b> Grain Mill Products (SIC 2041-2048)	Total Suspended Solids (TSS)	100 mg/L
<b>Subsector U2.</b> Fats and Oils Products (SIC 2074-2079)	Biochemical Oxygen Demand (BOD <sub>5</sub> )	30 mg/L
	Chemical Oxygen Demand (COD)	120 mg/L
	Nitrate plus Nitrite Nitrogen	0.68 mg/L
	Total Suspended Solids (TSS)	100 mg/L

**3.4.22. Sector V: Textile Mills, Apparel, and Other Fabric Product Manufacturing; Leather and Leather Products**

You must comply with Part 3.4 sector-specific requirements associated with your primary industrial activity as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

**3.4.22.1. Covered Storm Water Discharges**

The requirements in Subpart 3.4.22. apply to storm water discharges associated with industrial activity from Textile Mills, Apparel, and Other Fabric Product manufacturing as identified by the SIC Codes specified under Sector V in Table A of Appendix A of the permit.

**3.4.22.2. Limitations on Coverage****3.4.22.2.1. Prohibition of Non-Storm Water Discharges (See also Part 1.1.4)**

The following are not authorized by this permit: discharges of wastewater (e.g., wastewater resulting from wet processing or from any processes relating to the production process), reused or recycled water, and waters used in cooling towers. If you have these types of discharges from your facility, you must cover them under a separate MPDES permit.

### **3.4.22.3. Additional Technology-Based Limitations**

#### **3.4.22.3.1. Good Housekeeping Measures (See also Part 2.2.2)**

##### **3.4.22.3.1.1. Material Storage Areas**

Plainly label and store all containerized materials (e.g., fuels, petroleum products, solvents, and dyes) in a protected area, away from drains. Minimize contamination of the storm water runoff from such storage areas. Also consider an inventory control plan to prevent excessive purchasing of potentially hazardous substances. For storing empty chemical drums or containers, ensure that the drums and containers are clean (consider triple-rinsing) and that there is no contact of residuals with precipitation or runoff. Collect and dispose of washwater from these cleanings properly.

##### **3.4.22.3.1.2. Material Handling Areas**

Minimize contamination of storm water runoff from material handling operations and areas. Consider the following (or their equivalents): use of spill and overflow protection; covering fueling areas; and covering or enclosing areas where the transfer of material may occur. When applicable, address the replacement or repair of leaking connections, valves, transfer lines, and pipes that may carry chemicals, dyes, or wastewater.

##### **3.4.22.3.1.3. Fueling Areas**

Minimize contamination of storm water runoff from fueling areas. Consider the following (or their equivalents): covering the fueling area, using spill and overflow protection, minimizing run-on of storm water to the fueling areas, using dry cleanup methods, and treating and/or recycling storm water runoff collected from the fueling area.

##### **3.4.22.3.1.4. Above-Ground Storage Tank Area**

Minimize contamination of the storm water runoff from above-ground storage tank areas, including the associated piping and valves. Consider the following (or their equivalents): regular cleanup of these areas; including measures for tanks, piping and valves explicitly in your SPCC program; minimizing runoff of storm water from adjacent areas; restricting access to the area; inserting 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.

#### **3.4.22.3.2. Employee Training. (See also Part 2.2.9)**

As part of your employee training program, address, at a minimum, the following activities (as applicable): use of reused and recycled waters, solvents management, proper disposal of dyes, proper disposal of petroleum products and spent lubricants, spill prevention and control, fueling procedures, and general good housekeeping practices.

### **3.4.22.4. Additional SWPPP Requirements**

#### **3.4.22.4.1. Potential Pollutant Sources. (See also Part 3.1.4)**

Document in your SWPPP the following additional sources and activities that have potential pollutants associated with them: industry-specific materials and industrial activities (e.g., backwinding, beaming, bleaching, backing bonding, carbonizing, carding, cut and sew 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).

#### **3.4.22.4.2. Description of Good Housekeeping Measures for Material Storage Areas**

Document in the SWPPP your containment area or enclosure for materials stored outdoors in connection with Part 3.4.22.3.1.1. above.

#### **3.4.22.5. Additional Inspection Requirements (See also Part 2.7)**

Inspect, at least monthly, the following activities and areas (at a minimum): transfer and transmission lines, spill prevention, good housekeeping practices, management of process waste products, and all structural and nonstructural management practices.

### **3.4.23. Sector W: Furniture and Fixtures**

You must comply with Part 3.4 sector-specific requirements associated with your primary industrial activity as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

#### **3.4.23.1. Covered Storm Water Discharges**

The requirements in Subpart 3.4.23. apply to storm water discharges associated with industrial activity from Furniture and Fixtures facilities as identified by the SIC Codes specified under Sector W in Table A of Appendix A of the permit.

#### **3.4.23.2. Additional SWPPP Requirements**

##### **3.4.23.2.1. Drainage Area Site Map (See also Part 3.1.3.)**

Document in your SWPPP where any of the following may be exposed to precipitation or surface runoff: material storage (including tanks or other vessels used for liquid or waste storage) areas; outdoor material processing areas; areas where wastes are treated, stored, or disposed of; access roads; and rail spurs.

### **3.4.24. Sector X: Printing and Publishing**

You must comply with Part 3.4 sector-specific requirements associated with your primary industrial activity as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

#### **3.4.24.1. Covered Storm Water Discharges**

The requirements in Subpart 3.4.24. apply to storm water discharges associated with industrial activity from Printing and Publishing facilities as identified by the SIC Codes specified under Sector X in Table A of Appendix A of the permit.

### **3.4.24.2. Additional Technology-Based Effluent Limits**

#### **3.4.24.2.1. Good Housekeeping Measures (See also Part 2.2.2)**

##### **3.4.24.2.1.1. Material Storage Areas**

Plainly label and store all containerized materials (e.g., skids, pallets, solvents, bulk inks, hazardous waste, empty drums, portable and mobile containers of plant debris, wood crates, steel racks, and fuel oil) in a protected area, away from drains. Minimize contamination of the storm water runoff from such storage areas. Also consider an inventory control plan to prevent excessive purchasing of potentially hazardous substances.

##### **3.4.24.2.1.2. Material Handling Area**

Minimize contamination of storm water runoff from material handling operations and areas (e.g., blanket wash, mixing solvents, loading and unloading materials). Consider the following (or their equivalents): using spill and overflow protection, covering fueling areas, and covering or enclosing areas where the transfer of materials may occur. When applicable, address the replacement or repair of leaking connections, valves, transfer lines, and pipes that may carry chemicals or wastewater.

##### **3.4.24.2.1.3. Fueling Areas**

Minimize contamination of storm water runoff from fueling areas. Consider the following (or their equivalents): covering the fueling area, using spill and overflow protection, minimizing runoff of storm water to the fueling areas, using dry cleanup methods, and treating and/or recycling storm water runoff collected from the fueling area.

##### **3.4.24.2.1.4. Above Ground Storage Tank Area**

Minimize contamination of the storm water runoff from above-ground storage tank areas, including the associated piping and valves. Consider the following (or their equivalents): regularly cleaning these areas, explicitly addressing tanks, piping and valves in the SPCC program, minimizing storm water runoff from adjacent areas, restricting access to the area, inserting 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.

#### **3.4.24.2.2. Employee Training. (See also Part 2.2.9)**

As part of your employee training program, address, at a minimum, the following activities (as applicable): spent solvent management, spill prevention and control, used oil management, fueling procedures, and general good housekeeping practices.

### **3.4.24.3. Additional SWPPP Requirements**

#### **3.4.24.3.1. Description of Good Housekeeping Measures for Material Storage Areas**

In connection with Part 3.4.24.2.1.1., describe in the SWPPP the containment area or enclosure for materials stored outdoors.

### **3.4.25. Sector Y: Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries**

You must comply with Part 3.4 sector-specific requirements associated with your primary industrial activity as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

#### **3.4.25.1. Covered Storm Water Discharges**

The requirements in Subpart 3.4.25. apply to storm water discharges associated with industrial activity from Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries facilities as identified by the SIC Codes specified under Sector Y in Table A of Appendix A of the permit.

#### **3.4.25.2. Additional Technology-Based Effluent Limits**

##### **3.4.25.2.1. Controls for Rubber Manufacturers (See also Part 2.2)**

Minimize the discharge of zinc in your storm water discharges. Parts 3.4.25.2.1.1. 3.4.25.2.1.5. give possible sources of zinc to be reviewed and list some specific control measures to be considered for implementation (or their equivalents). Following are some general control measure options to consider: using chemicals purchased in pre-weighed, sealed polyethylene bags; storing in-use materials in sealable containers, ensuring an airspace between the container and the cover to minimize "puffing" losses when the container is opened, and using automatic dispensing and weighing equipment.

##### **3.4.25.2.1.1. Zinc Bags**

Ensure proper handling and storage of zinc bags at your facility. Following are some control measure options: employee training on the handling and storage of zinc bags, indoor storage of zinc bags, cleanup of zinc spills without washing the zinc into the storm drain, and the use of 2,500-pound sacks of zinc rather than 50- to 100-pound sacks.

##### **3.4.25.2.1.2. Dumpsters**

Minimize discharges of zinc from dumpsters. Following are some control measure options: covering the dumpster, moving the dumpster indoors, or providing a lining for the dumpster.

##### **3.4.25.2.1.3. Dust Collectors and Baghouses**

Minimize contributions of zinc to storm water from dust collectors and baghouses. Replace or repair, as appropriate, improperly operating dust collectors and baghouses.

##### **3.4.25.2.1.4. Grinding Operations**

Minimize contamination of storm water as a result of dust generation from rubber grinding operations. One control measure option is to install a dust collection system.

##### **3.4.25.2.1.5. Zinc Stearate Coating Operations**

Minimize the potential for storm water contamination from drips and spills of zinc stearate slurry that may be released to the storm drain. One control measure option is to use alternative compounds to zinc stearate.

**3.4.25.2.2. Controls for Plastic Products Manufacturers**

Minimize the discharge of plastic resin pellets in your storm water discharges. Control measures to be considered for implementation (or their equivalents) include minimizing spills, cleaning up of spills promptly and thoroughly, sweeping thoroughly, pellet capturing, employee education, and disposal precautions.

**3.4.25.3. Additional SWPPP Requirements**

**3.4.25.3.1. Potential Pollutant Sources for Rubber Manufacturers (See also Part 3.1.4)**

Document in your SWPPP the use of zinc at your facility and the possible pathways through which zinc may be discharged in storm water runoff.

**3.4.25.4. Sector-Specific Benchmarks (See also Part 2.5.1.)**

<b>Table 3.4.Y-1.</b>		
<b>Subsector</b>	<b>Parameter</b>	<b>Benchmark Monitoring Concentration</b>
Subsector Y1. Rubber Products Manufacturing (SIC 3011, 3021, 3052, 3053, 3061, 3069)	Total Zinc <sup>1</sup>	Hardness Dependent

<sup>1</sup> The benchmark values of some metals are dependent on water hardness. For these parameters, permittees must determine the hardness of the receiving water (see Appendix B, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part 2.5.1.1., to identify the applicable 'hardness range' for determining their benchmark value applicable to their facility. The ranges occur in 25 mg/L increments. Hardness Dependent Benchmarks follow in the table below:

<b>Water Hardness Range</b>	<b>Zinc (mg/L)</b>
0-25 mg/L	0.04
25-50 mg/L	0.05
50-75 mg/L	0.08
75-100 mg/L	0.11
100-125 mg/L	0.13
125-150 mg/L	0.16

150-175 mg/L	0.18
175-200 mg/L	0.20
200-225 mg/L	0.23
225-250 mg/L	0.25
250+ mg/L	0.26

### **3.4.26. Sector Z: Leather Tanning and Finishing**

You must comply with Part 3.4 sector-specific requirements associated with your primary industrial activity as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

#### **3.4.26.1. Covered Storm Water Discharges**

The requirements in Subpart 3.4.26. apply to storm water discharges associated with industrial activity from Leather Tanning and Finishing facilities as identified by the SIC Code specified under Sector Z in Table A of Appendix A of the permit.

#### **3.4.26.2. Additional Technology-Based Effluent Limits**

##### **3.4.26.2.1. Good Housekeeping Measures (See also Part 2.2.2)**

###### **3.4.26.2.1.1. Storage Areas for Raw, Semiprocessed, or Finished Tannery By-products**

Minimize contamination of storm water runoff from pallets and bales of raw, semiprocessed, or finished tannery by-products (e.g., splits, trimmings, shavings). Consider indoor storage or protection with polyethylene wrapping, tarpaulins, roofed storage, etc. Consider placing materials on an impermeable surface and enclosing or putting berms (or equivalent measures) around the area to prevent storm water run-on and runoff.

###### **3.4.26.2.1.2. Material Storage Areas**

Label storage containers of all materials (e.g., specific chemicals, hazardous materials, spent solvents, waste materials) minimize contact of such materials with storm water.

###### **3.4.26.2.1.3. Buffing and Shaving Areas**

Minimize contamination of storm water runoff with leather dust from buffing and shaving areas. Consider dust collection enclosures, preventive inspection and maintenance programs, or other appropriate preventive measures.

###### **3.4.26.2.1.4. Receiving, Unloading, and Storage Areas**

Minimize contamination of storm water runoff from receiving, unloading, and storage areas. If these areas are exposed, consider the following (or their equivalents): covering all hides and chemical supplies, diverting drainage to the process sewer, or grade berming or curbing the area to prevent storm water runoff.

#### **3.4.26.2.1.5. Outdoor Storage of Contaminated Equipment**

Minimize contact of storm water with contaminated equipment. Consider the following (or their equivalents): covering equipment, diverting drainage to the process sewer, and cleaning thoroughly prior to storage.

#### **3.4.26.2.1.6. Waste Management**

Minimize contamination of storm water runoff from waste storage areas. Consider the following (or their equivalents): 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.

#### **3.4.26.3. Additional SWPPP Requirements**

##### **3.4.26.3.1. Drainage Area Site Map (See also Part 3.1.3.)**

Identify in your SWPPP where any of the following may be exposed to precipitation or surface runoff: processing and storage areas of the beamhouse, tanyard, and re-tan wet finishing and dry finishing operations.

##### **3.4.26.3.2. Potential Pollutant Sources (See also Part 3.1.4)**

Document in your SWPPP the following sources and activities that have potential pollutants associated with them (as appropriate): temporary or permanent storage of fresh and brine-cured hides; extraneous hide substances and hair; leather dust, scraps, trimmings, and shavings.

#### **3.4.27. Sector AA: Fabricated Metal Products**

You must comply with Part 3.4 sector-specific requirements associated with your primary industrial activity as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

##### **3.4.27.1. Covered Storm Water Discharges**

The requirements in Subpart 3.4.27. apply to storm water discharges associated with industrial activity from Fabricated Metal Products facilities as identified by the SIC Codes specified under Sector AA in Table A of Appendix A of the permit.

##### **3.4.27.2. Additional Technology-Based Effluent Limits**

###### **3.4.27.2.1. Good Housekeeping Measures (See also Part 2.2.2)**

###### **3.4.27.2.1.1. Raw Steel Handling Storage**

Minimize the generation of and/or recover and properly manage scrap metals, fines, and iron dust. Include measures for containing materials within storage handling areas.

###### **3.4.27.2.1.2. Paints and Painting Equipment**

Minimize exposure of paint and painting equipment to storm water.

**3.4.27.2.2. Spill Prevention and Response Procedures (See also Part 2.2.4)**

Ensure that the necessary equipment to implement a cleanup is available to personnel. The following areas should be addressed:

**3.4.27.2.2.1. Metal Fabricating Areas**

Maintain clean, dry, orderly conditions in these areas. Consider using dry clean-up techniques.

**3.4.27.2.2.2. Storage Areas for Raw Metal**

Keep these areas free of conditions that could cause, or impede appropriate and timely response to, spills or leakage of materials. Consider the following (or their equivalents): maintaining storage areas so that there is easy access in the event of a spill, and labeling stored materials to aid in identifying spill contents.

**3.4.27.2.2.3. Metal Working Fluid Storage Areas**

Minimize the potential for storm water contamination from storage areas for metal working fluids.

**3.4.27.2.2.4. Cleaners and Rinse Water**

Control and clean up spills of solvents and other liquid cleaners, control sand buildup and disbursement from sand-blasting operations, and prevent exposure of recyclable wastes. Substitute environmentally benign cleaners when possible.

**3.4.27.2.2.5. Lubricating Oil and Hydraulic Fluid Operations**

Minimize the potential for storm water contamination from lubricating oil and hydraulic fluid operations. Consider using monitoring equipment or other devices to detect and control leaks and overflows. Consider installing perimeter controls such as dikes, curbs, grass filter strips, or equivalent measures.

**3.4.27.2.2.6. Chemical Storage Areas**

Minimize storm water contamination and accidental spillage in chemical storage areas. Include a program to inspect containers and identify proper disposal methods.

**3.4.27.2.3. Spills and Leaks (See also Part 3.1.4.3)**

In your spill prevention and response procedures, required by Part 2.2.4, pay attention to the following materials (at a minimum): chromium, toluene, pickle liquor, sulfuric acid, zinc and other water priority chemicals, and hazardous chemicals and wastes.

**3.4.27.3. Additional SWPPP Requirements****3.4.27.3.1. Drainage Area Site Map (See also Part 3.1.3.)**

Document in your SWPPP where any of the following may be exposed to precipitation or surface runoff: raw metal storage areas; finished metal storage areas; scrap disposal collection sites; equipment storage areas; retention and detention basins; temporary and permanent diversion dikes or berms; right-of-way or perimeter diversion devices; sediment traps and

barriers; processing areas, including outside painting areas; wood preparation; recycling; and raw material storage.

**3.4.27.3.2. Potential Pollutant Sources (See also Part 3.1.4)**

Document in your SWPPP the following additional sources and activities that have potential pollutants associated with them: loading and unloading operations for paints, chemicals, and raw materials; outdoor storage activities for raw materials, paints, empty containers, corn cobs, chemicals, and scrap metals; outdoor manufacturing or processing activities such as grinding, cutting, degreasing, buffing, and brazing; onsite waste disposal practices for spent solvents, sludge, pickling baths, shavings, ingot pieces, and refuse and waste piles.

**3.4.27.4. Additional Inspection Requirements**

**3.4.27.4.1. Inspections (See also Part 2.7)**

At a minimum, include the following areas in all inspections: raw metal storage areas, finished product storage areas, material and chemical storage areas, recycling areas, loading and unloading areas, equipment storage areas, paint areas, and vehicle fueling and maintenance areas.

**3.4.27.4.2. Comprehensive Site Inspections (See also Part 2.7.3.)**

As part of your inspection, also inspect areas associated with the storage of raw metals, spent solvents and chemicals storage areas, outdoor paint areas, and drainage from roof. Potential pollutants include chromium, zinc, lubricating oil, solvents, aluminum, oil and grease, methyl ethyl ketone, steel, and related materials.

**3.4.27.5. Sector-Specific Benchmarks (See also Part 2.5.1.)**

<b>Subsector</b>	<b>Parameter</b>	<b>Benchmark Monitoring Concentration</b>
<b>Subsector AA1.</b> Fabricated Metal Products, except Coating (SIC 3411-3499; 3911-3915)	Total Aluminum	0.75 mg/L
	Total Iron	1.0 mg/L
	Total Zinc <sup>1</sup>	Hardness Dependent
	Nitrate plus Nitrite Nitrogen	0.68 mg/L
<b>Subsector AA2.</b> Fabricated Metal Coating and Engraving (SIC 3479)	Total Zinc <sup>1</sup>	Hardness Dependent
	Nitrate plus Nitrite Nitrogen	0.68 mg/L

<sup>1</sup> The benchmark values of some metals are dependent on water hardness. For these parameters, permittees must determine the hardness of the receiving water (see Appendix B, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part 2.5.1.1., to identify the applicable 'hardness range' for determining their benchmark value applicable to their facility. The ranges occur in 25 mg/L increments. Hardness Dependent Benchmarks follow in the table below:

<b>Water Hardness Range</b>	<b>Zinc (mg/L)</b>
0-25 mg/L	0.04
25-50 mg/L	0.05
50-75 mg/L	0.08
75-100 mg/L	0.11
100-125 mg/L	0.13
125-150 mg/L	0.16
150-175 mg/L	0.18
175-200 mg/L	0.20
200-225 mg/L	0.23
225-250 mg/L	0.25
250+ mg/L	0.26

**3.4.28. Sector AB: Transportation Equipment, Industrial or Commercial Machinery**

You must comply with Part 3.4 sector-specific requirements associated with your primary industrial activity as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

**3.4.28.1. Covered Storm Water Discharges**

The requirements in Subpart 3.4.28. apply to storm water discharges associated with industrial activity from Transportation Equipment, Industrial or Commercial Machinery facilities as identified by the SIC Codes specified under Sector AB in Table A of Appendix A of the permit.

**3.4.28.2. Additional SWPPP Requirements**

**3.4.28.2.1. Drainage Area Site Map (See also Part 3.1.3.)**

Identify in your SWPPP where any of the following may be exposed to precipitation or surface runoff: vents and stacks from metal processing and similar operations

**3.4.29. Sector AC: Electronic and Electrical Equipment and Components, Photographic and Optical Goods**

You must comply with Part 3.4 sector-specific requirements associated with your primary industrial activity as defined in Appendix A. The sector-specific requirements apply to those

areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

#### **3.4.29.1. Covered Storm Water Discharges**

The requirements in Subpart 3.4.29. apply to storm water discharges associated with industrial activity from facilities that manufacture Electronic and Electrical Equipment and Components, Photographic and Optical goods as identified by the SIC Codes specified in Table A of Appendix A of the permit.

#### **3.4.29.2. Additional Requirements**

No additional sector-specific requirements apply.

### **3.4.30. Sector AD: Non-Classified Facilities - Storm Water Discharges Designated by the Department as Requiring Permits**

You must comply with Part 3.4 sector-specific requirements associated with your primary industrial activity as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

#### **3.4.30.1. Covered Storm Water Discharges**

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

##### **3.4.30.1.1. Eligibility for Permit Coverage**

Because this sector is primarily intended for use by discharges designated by the Department as needing a storm water permit (which is an atypical circumstance), and your facility may or may not normally be discharging storm water 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 permit at Part 1.1.

##### **3.4.30.2. Sector-Specific Benchmarks and Effluent Limits (See also Part 2.5.1. of the permit)**

The Department will establish any additional monitoring and reporting requirements for your facility prior to authorizing you to be covered by this permit. Additional monitoring requirements would be based on the nature of activities at your facility and your storm water discharges.

## **4. STANDARD CONDITIONS**

*This section includes the standard conditions that must be included in all MPDES permits.*

The permittee shall meet the following standard conditions of MPDES permits.

### **4.1. Duty to Comply**

The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Montana Water Quality Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

The permittee shall comply with effluent standards or prohibitions established under ARM 17.30.1206 for toxic pollutants and with standards for sewage sludge use or disposal established under section 405(d) of the Clean Water Act within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if the permit has not yet been modified to incorporate the requirement.

The Montana Water Quality Act at MCA 75-5-631 provides that in an action initiated by the Department to collect civil penalties against a person who is found to have violated a permit condition, the person is subject to a civil penalty not to exceed \$25,000. Each day of violation constitutes a separate violation.

MCA 75-5-632 provides that any person who willfully or negligently violates a prohibition or permit condition is subject, upon conviction, to criminal penalties not to exceed \$25,000 per day or one year in prison, or both, for the first conviction, and \$50,000 per day of violation or by imprisonment for not more than two years, or both, for subsequent convictions.

MCA 75-5-611(9)(a) also provides for administrative penalties not to exceed \$10,000 for each day of violation and up to a maximum not to exceed \$100,000 for any related series of violations.

### **4.2. Duty to Reapply**

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must first apply for and obtain a new permit. In accordance with ARM 17.30.1322(4), the application must be submitted at least 30 days before the expiration date of this permit.

### **4.3. Need to Halt or Reduce Activity Not a Defense**

It may not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

### **4.4. Duty to Mitigate**

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

#### **4.5. Proper Operation and Maintenance**

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems that are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

#### **4.6. Permit Actions**

This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

#### **4.7. Property Rights**

The issuance of this permit does not convey any property rights of any sort, or any exclusive privilege.

#### **4.8. Duty to Provide Information**

The permittee shall furnish to the Department, within a reasonable time, any information that the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the Department, upon request, copies of records required to be kept by this permit.

#### **4.9. Inspection and Entry**

The permittee shall allow the head of the Department, or an authorized representative upon the presentation of credentials and other documents as may be required by law, to:

- Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- Sample or monitor at reasonable times, for the purpose of assuring permit compliance or as otherwise authorized by the Montana Water Quality Act, any substances or parameters at any location.

#### **4.10. Monitoring and Records—Representative Sampling**

Samples and measurements taken for the purpose of monitoring must be representative of the monitored activity.

#### **4.11. Monitoring and Records—Retention of Records**

The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring

instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least three years from the date of the sample, measurement, report or application.

#### **4.12. Monitoring and Records—Records Contents**

Records of monitoring information must include:

- the date, exact place, and time of sampling or measurements;
- the individual(s) who performed the sampling or measurements;
- the date(s) analyses were performed;
- the individual(s) who performed the analyses;
- the analytical techniques or methods used; and
- the results of such analyses.

#### **4.13. Monitoring and Records—Test Procedures**

Monitoring must be conducted according to test procedures approved under Title 40 of the Code of Federal Regulations (40 CFR) Part 136, unless other test procedures have been specified in this permit.

#### **4.14. Monitoring and Records—Falsification and Tampering**

The Montana Water Quality Act at MCA 75-5-633 provides that any person who falsifies, tampers with, or knowingly renders inaccurate, any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$25,000, or by imprisonment for not more than six months, or by both.

#### **4.15. Signatory Requirement**

All applications, reports or information submitted to the Department shall be signed and certified. (See ARM 17.30.1323.)

In accordance with ARM 17.30.1323, all permit applications must be signed as follows:

- *For a corporation:* By a responsible corporate officer, which means
  - A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation; or
  - The manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- *For a partnership or sole proprietorship:* By a general partner or the proprietor, respectively.
- *For a municipality, state, federal, or other public agency:* By either a principal executive officer or ranking elected official. A principal executive office of a federal agency includes:
  - The chief executive officer of the agency; or
  - A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

**Authorized representatives.** All reports required by the permit and other information requested by the Department shall be signed by a person described above or by a duly authorized representative of that person. A person is considered a duly authorized representative only if:

The authorization is made in writing by a person described above;

The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters (a duly authorized representative may thus be either a named individual or an individual occupying a named position); and

The written authorization is submitted to the Department.

**Changes to authorization.** If an authorization is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements above must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.

**Certification.** Any person signing a document under this section shall make the following certification:

*"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."*

#### **4.16. Reporting Requirements—Planned Changes**

The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

- The alteration or addition to the permitted facility may meet one of the criteria for determining whether a facility is a new source under ARM 17.30.1340(2); or
- The alteration or addition could significantly change the nature or increase the quantity of pollutant discharged. This notification applies to pollutants that are subject neither to effluent limitations in the permit, nor to notification requirements under ARM 17.30.1343(1)(a).

#### **4.17. Reporting Requirements—Anticipated Noncompliance**

The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity that may result in noncompliance with permit requirements.

#### **4.18. Reporting Requirements—Transfers**

This permit is not transferable to any person except after notice to the Department. The Department may require modification or revocation and reissuance of the permit to change the

name of the permittee and incorporate such other requirements as may be necessary under the Montana Water Quality Act. (See ARM 17.30.1360; in some cases, modification or revocation and reissuance is mandatory.)

In accordance with ARM 17.30.1360(2), this permit may be automatically transferred to a new permittee if:

- The current permittee notifies the Department at least 30 days in advance of the proposed transfer date;
- The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them;
- The Department does not notify the existing permittee and the proposed new permittee of an intent to revoke or modify and reissue the permit. A modification may also be a minor modification under ARM 17.30.1362. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned above.

#### **4.19. Reporting Requirements—Monitoring Reports**

Monitoring results shall be reported at the intervals specified elsewhere in this permit.

- Monitoring results must be reported on a Discharge Monitoring Report (DMR) form.
- If the permittee monitors any pollutant more frequently than required by this permit, using test procedures approved under 40 CFR Part 136 or as specified in this permit, the results of this monitoring must be included in the calculation and reporting of the data submitted in the Discharge Monitoring Report.
- Calculations for all limitations that require averaging of measurements must use an arithmetic mean unless otherwise specified by the Department in the permit.

#### **4.20. Reporting Requirements—Compliance Schedules**

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

#### **4.21. Reporting Requirements—Twenty-four Hour Reporting**

The permittee shall report any noncompliance that might endanger health or the environment. Any information must be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within five days of the time that the permittee becomes aware of the circumstances. The written submission shall contain:

- A description of the noncompliance and its cause;
- The period of noncompliance, including exact dates and times;
- The estimated time noncompliance is expected to continue if it has not been corrected; and
- Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

The following are included as information that must be reported within 24 hours under this provision:

- Any unanticipated bypass that exceeds any effluent limitation in the permit of this permit (see ARM 17.30.1342(7) and "Bypass" below);
- Any upset that exceeds any effluent limitation in the permit (see "Upset" below) and;
- Violation of a maximum daily discharge limitation for any of the pollutants listed by the Department in this permit to be reported within 24 hours (see ARM 17.30.1344 and 40 CFR 122.44(g)).

**Oral notification.** The report shall be made orally to the Water Protection Bureau at (406) 444-3080 or the Office of Disaster and Emergency Services at (406) 324-4777.

**Waiver of written notification requirement.** The Department may waive the written report on a case-by-case basis if the oral report has been received within 24 hours by the Water Protection Bureau, by phone, (406) 444-3080. Written reports shall be submitted to the following address:

Montana Department of Environmental Quality  
Water Protection Bureau  
PO Box 200901  
Helena, Montana 59620-0901

#### **4.22. Reporting Requirements—Other Noncompliance**

Instances of noncompliance not required to be reported within 24 hours shall be reported at the time monitoring reports are submitted. The reports shall contain the information listed above for written submissions under "Reporting Requirements—Twenty-four Hour Reporting."

#### **4.23. Reporting Requirements—Other Information**

Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or any report to the Department, it shall promptly submit such facts or information.

#### **4.24. Bypass**

**Definitions.** ARM 17.30.1304(11) defines *bypass* as the intentional diversion of waste streams from any portion of a treatment facility. ARM 17.30.1304(53) defines *severe property damage* as substantial physical damage to property, damage to the treatment facilities that causes them to become inoperable, or substantial and permanent damage to natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

**Bypass Not Exceeding Limitations.** The permittee may allow any bypass to occur that does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions under "Notice" and "Prohibition of Bypass" below.

**Notice. Anticipated Bypass:** If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten (10) days before the date of the bypass.

**Unanticipated Bypass.** The permittee shall submit notice of an unanticipated bypass as required under "Reporting Requirements—Twenty-four Hour Reporting" above.

**Prohibition of Bypass.** Bypass is prohibited and the Department may take enforcement action against a permittee for a bypass, unless:

- The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance; and
- The permittee submitted notices as required under "Notice" above.

The Department may approve an anticipated bypass, after considering its adverse effects, if the Department determines that it will meet these three conditions.

#### **4.25. Upset**

**Definition.** ARM 17.30.1304(63) defines *upset* as an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit 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.

**Effect of an upset.** An upset constitutes an affirmative defense to an action brought for noncompliance with technology based permit effluent limitations if the requirements outlined below under "Conditions Necessary for Demonstration of an Upset" below 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.

**Conditions Necessary for a Demonstration of Upset.** A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

- An upset occurred and that the permittee can identify the cause(s) of the upset;
- The permitted facility was at the time being properly operated;
- The permittee submitted notice of the upset as required under "Reporting Requirements—Twenty-four Hour Reporting" above and
- The permittee complied with any remedial measures required under "Duty to Mitigate" above.

**Burden of proof.** In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

#### **4.26. Fees**

The permittee is required to submit payment of an annual fee as set forth in ARM 17.30.201. If the permittee fails to pay the annual fee within 90 days after the due date for the payment, the Department may:

- Impose additional fee assessment(s) computed at the rate established under ARM 17.30.201; and
- Suspend the processing of the application for a permit or authorization or, if the nonpayment involves an annual permit fee, suspend the permit, certificate or authorization for which the fee is required. The Department may lift suspension at any time up to one year after the suspension occurs if the holder has paid all outstanding fees, including all penalties, assessments and interest imposed under this section. Suspensions are limited to one year, after which the permit will be terminated.

## 5. DEFINITIONS AND ABBREVIATIONS

The following definitions and abbreviations apply to terms used in this permit:

### 5.1. *General Definitions and Abbreviations*

"Act" means the Montana Water Quality Act, Title 75, chapter 5, MCA.

"Best Management Practices" ("BMPs") means schedule of activities, prohibition of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of state surface waters. 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.

"Board" means the Montana Board of Environmental Review established by 2-15-3502, MCA.

"CFR" means the Code of Federal Regulations.

"Clean Water Act" means the federal legislation at 33 USC 1251, et seq.

"Coal pile runoff" means the runoff from or through any coal storage pile.

"Department" means the Montana Department of Environmental Quality (MDEQ). Established by 2-15-3501, MCA.

"Discharge monitoring report (DMR)" means the Department uniform form for the reporting of self-monitoring results by permittees.

"EPA" or "USEPA" means the United States Environmental Protection Agency.

"Facility or activity" means any MPDES point source or any other facility or activity (including land or appurtenances thereto) that is subject to regulation under the MPDES program.

"Flow-weighted composite sample" means a composite sample consisting of a mixture of aliquots collected at a constant time interval, where the volume of each aliquot is proportional to the flow rate of the discharge.

"General permit" means an MPDES permit issued under ARM 17.30.1341 authorizing a category of discharges under the Act within a geographical area.

"Grab Sample" for monitoring requirements is defined as a single "dip and take" sample collected at a representative point in the discharge stream.

"Landfill" means an area of land or an excavation in which wastes are placed for permanent disposal, and which is not a land application unit, surface impoundment, injection well, or waste pile.

"Land application unit" means an area where wastes are applied onto or incorporated into the soil surface (excluding manure spreading operations) for treatment or disposal.

"Montana pollutant discharge elimination system (MPDES)" means the system developed by the Board and Department for issuing permits for the discharge of pollutants from point sources into state surface waters. The MPDES is specifically designed to be compatible with the federal MPDES program established and administered by the EPA.

"Naturally occurring" means conditions or material present from runoff or percolation over which man has no control or from developed land where all reasonable land, soil and water conservation practices have been applied. Conditions resulting from the reasonable operation of dams in existence as of July 1, 1971, are natural.

"Outfall" means the place where a point source discharges effluent into the receiving water. For each outfall, there typically is at least one monitoring location. Although the monitoring location might or might not be at the actual point of discharge, samples taken at the monitoring location should be representative of the discharge.

"Owner or operator" is defined at 75-5-103, MCA.

"Permit" means an authorization or license issued by EPA or an "approved state" to implement the requirements of this rule and 40 CFR Parts 123 and 124. "Permit" includes an NPDES general permit (ARM 17.30.1341). Permit does not include any permit that has not yet been the subject of final agency action, such as a "draft permit" or a "proposed permit".

"Point source" means a discernible, confined, and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, or vessel or other floating craft, from which pollutants are or may be discharged.

"Pollutant" means dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural wastes discharged into water. The terms "sewage," "industrial waste," and "other wastes" as defined in 75-5-103, MCA, are interpreted as having the same meaning as pollutant.

"Process Wastewater" means any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product.

"Regional Administrator" is the administrator of the EPA Region with jurisdiction over federal water pollution control activities in the State of Montana.

"Runoff coefficient" means the fraction of total rainfall that will appear at the conveyance as runoff.

"Severe property damage" means substantial physical damage to property, damage to treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

"Site" means the land or water area where any facility or activity is physically located or conducted, including adjacent land used in connection with the facility or activity.

"State waters" is defined at 75-5-103, MCA.

"Storm water" means storm water runoff from precipitation, snowmelt runoff, and surface runoff and drainage.

"Storm water discharge associated with industrial activity" means 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.

(a) For the categories of industries identified in this definition, the term includes, but is not limited to, storm water discharges from industrial plant yards; immediate access roads and rail lines used or traveled 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 wastewaters (as defined in this subchapter); 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 final products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to storm water.

(b) For the categories of industries identified in (e)(ix) of this definition, the term includes only storm water discharges from all the areas (except access roads and rail lines) that are listed in the previous sentence where material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, or industrial machinery are exposed to storm water.

(c) For the purposes of this definition, material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, finished product, by-product, or waste product. The term excludes areas located on plant lands separate from the plant's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with storm water drained from the above described areas.

(d) Industrial facilities (including industrial facilities that are federally, state, or municipally owned or operated that meet the description of the facilities listed in (e)(i) through (ix) and (30)) include those facilities designated under the provisions of ARM 17.30.1105(1)(f).

(e) The following categories of facilities are considered to be engaging in "industrial activity" for the purposes of this definition:

(i) facilities subject to storm water effluent limitations guidelines, new source performance standards, or toxic pollutant effluent standards under 40 CFR subchapter N (except facilities with toxic pollutant effluent standards that are exempted under category (e)(ix) of this definition);

(ii) facilities classified as standard industrial classifications 24 (except 2434), 26 (except 265 and 267), 28 (except 283), 29, 311, 32 (except 323), 33, 3441, 373;

(iii) hazardous waste treatment, storage, and disposal facilities, including those that are operating under interim status or a permit under subtitle C of the federal Resource Conservation and Recovery Act (RCRA);

(iv) landfills, land application sites, and open dumps that receive or have received any industrial wastes (waste that is received from any of the facilities described under this definition, or under the definitions of "storm water discharge associated with mining and oil and gas activities," and "storm water discharge

associated with construction activity" that will result in construction-related disturbance of five acres or more of total land area) including those that are subject to regulation under subtitle D of RCRA;

(v) facilities involved in the recycling of materials, including metal scrapyards, battery reclaimers, salvage yards, and automobile junkyards including, but not limited to, those classified as standard industrial classification 5015 and 5093;

(vi) steam electric power generating facilities, including coal handling sites;

(vii) transportation facilities classified as standard industrial classifications 40, 41, 42 (except 4221-25), 43, 44, 45, and 5171, which have vehicle maintenance shops, equipment cleaning operations, or airport deicing operations. Only those portions of a facility that are involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication), equipment cleaning operations, airport deicing operations, or that are otherwise identified under this definition are associated with industrial activity;

(viii) treatment works treating domestic sewage or any other sewage sludge or wastewater treatment device or system, which is used in the storage, treatment, recycling, or reclamation of municipal or domestic sewage, including land dedicated to the disposal of sewage sludge that is located within the confines of the facility, and which has a design flow of 1.0 mgd or more or is required to have an approved pretreatment program under 40 CFR Part 403. Not included are farm lands, domestic gardens, and lands used for sludge management where sludge is beneficially reused and that are not physically located in the confines of the facility, and areas that are in compliance with section 405 of the federal Clean Water Act; and

(ix) facilities under standard industrial classifications 20, 21, 22, 23, 2434, 25, 265, 267, 27, 283, 285, 30, 31 (except 311), 323, 34 (except 3441), 35, 36, 37 (except 373), 38, 39, and 4221-25, (and which are not otherwise included within (e)(i) through (e)(viii) of this definition).

"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. Such facilities include active and inactive mining operations (except for areas of coal mining operations no longer meeting the definition of a reclamation area under 40 CFR 434.11(1) because the performance bond issued to the facility by the appropriate SMCRA authority has been released, and except for areas of non-coal mining operations that have been released from applicable state or federal reclamation requirements after December 17, 1990); and oil and gas exploration, production, processing, or treatment operations; and transmission facilities. "Inactive mining operations" are mining sites that are not being actively mined but that have an identifiable owner/operator, but do not include sites where mining claims are being maintained prior to disturbances associated with the extraction, beneficiation, or processing of mined materials, nor sites where minimal activities are undertaken for the sole purpose of maintaining a mining claim.

"Storm Water Pollution Prevention Plan (SWPPP)" means a document developed to help identify sources of pollution potentially affecting the quality of storm water discharges associated with a facility or activity, and to ensure implementation of measures to minimize and control pollutants in storm water discharges associated with a facility or activity. The Department determines specific requirements and information to be included in a SWPPP based on the type and characteristics of a facility or activity, and on the respective MPDES permit requirements.

"Surface waters" means any waters on the earth's surface, including but not limited to streams, lakes, ponds, and reservoirs; and irrigation and drainage systems. Water bodies used solely for treating, transporting, or impounding pollutants shall not be considered surface water.

"Time-weighted composite sample" means a composite sample consisting of a mixture of equal volume aliquots collected at a constant time interval.

"Total maximum daily load" or "TMDL" is defined at 75-5-103, MCA.

"TSS" means the pollutant parameter total suspended solids.

"Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit 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.

"Waste load allocation" means the portion of a receiving water's loading capacity that is allocated to one of its existing or future point sources.

"Waste pile" means any non-containerized accumulation of solid, nonflowing waste that is used for treatment or storage.

## **5.2 Specialized Definitions and Abbreviations – Not Applicable**

## Appendix A: Table A, Facilities and Activities

Your potential permit eligibility is limited to discharges from facilities in the “sectors” of industrial activity summarized in Table A. However, this General Permit does not provide permit coverage for industrial facilities or activities in the Table A whose storm water discharges are subject to federal Effluent Limitation Guidelines. The sector descriptions in Table A are based on Standard Industrial Classification (SIC) Codes and Industrial Activity Codes. References to “sectors” in this permit (e.g., sector-specific monitoring requirements) refer to these groupings.

<b>Table A. Sectors of Industrial Activity</b>		
<b>Subsector</b>	<b>SIC Code or Activity Code<sup>1</sup></b>	<b>Activity Represented</b>
<b>SECTOR A: TIMBER PRODUCTS</b>		
A1	2421	General Sawmills and Planing Mills
A2	2491	Wood Preserving
A3	2411	Log Storage and Handling
A4	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	Wood Pallets and Skids
	2449	Wood Containers, Not Elsewhere Classified
	2451, 2452	Wood Buildings and Mobile Homes
	2493	Reconstituted Wood Products
	2499	Wood Products, Not Elsewhere Classified
A5	2441	Nailed and Lock Corner Wood Boxes and Shook
<b>SECTOR B: PAPER AND ALLIED PRODUCTS</b>		
B1	2631	Paperboard Mills
B2	2611	Pulp Mills
	2621	Paper Mills

<b>Table A. Sectors of Industrial Activity</b>		
<b>Subsector</b>	<b>SIC Code or Activity Code<sup>1</sup></b>	<b>Activity Represented</b>
	2652-2657	Paperboard Containers and Boxes
	2671-2679	Converted Paper and Paperboard Products, Except Containers and Boxes
<b>SECTOR C: CHEMICALS AND ALLIED PRODUCTS</b>		
C1	2873-2879	Agricultural Chemicals
C2	2812-2819	Industrial Inorganic Chemicals
C3	2841-2844	Soaps, Detergents, and Cleaning Preparations; Perfumes, Cosmetics, and Other Toilet Preparations
C4	2821-2824	Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers Except Glass
C5	2833-2836	Medicinal Chemicals and Botanical Products; Pharmaceutical Preparations; in vitro and in vivo Diagnostic Substances; and Biological Products, Except Diagnostic Substances
	2851	Paints, Varnishes, Lacquers, Enamels, and Allied Products
	2861-2869	Industrial Organic Chemicals
	2891-2899	Miscellaneous Chemical Products
	3952 (limited to list of inks and paints)	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
	2911	Petroleum Refining
<b>SECTOR D: ASPHALT PAVING AND ROOFING MATERIALS AND LUBRICANTS</b>		
D1	2951, 2952	Asphalt Paving and Roofing Materials
D2	2992, 2999	Miscellaneous Products of Petroleum and Coal
<b>SECTOR E: GLASS, CLAY, CEMENT, CONCRETE, AND GYPSUM PRODUCTS</b>		
E1	3251-3259	Structural Clay Products
	3261-3269	Pottery and Related Products

**Table A. Sectors of Industrial Activity**

Subsector	SIC Code or Activity Code <sup>1</sup>	Activity Represented
E2	3271-3275	Concrete, Gypsum, and Plaster Products
E3	3211	Flat Glass
	3221, 3229	Glass and Glassware, Pressed or Blown
	3231	Glass Products Made of Purchased Glass
	3241	Hydraulic Cement
	3281	Cut Stone and Stone Products
	3291-3299	Abrasive, Asbestos, and Miscellaneous Nonmetallic Mineral Products
<b>SECTOR F: PRIMARY METALS</b>		
F1	3312-3317	Steel Works, Blast Furnaces, and Rolling and Finishing Mills
F2	3321-3325	Iron and Steel Foundries
F3	3351-3357	Rolling, Drawing, and Extruding of Nonferrous Metals
F4	3363-3369	Nonferrous Foundries (Castings)
F5	3331-3339	Primary Smelting and Refining of Nonferrous Metals
	3341	Secondary Smelting and Refining of Nonferrous Metals
	3398, 3399	Miscellaneous Primary Metal Products
<b>SECTOR G: METAL MINING (ORE MINING AND DRESSING)</b>		
G1	1021	Copper Ore and Mining Dressing Facilities
G2	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

<b>Table A. Sectors of Industrial Activity</b>		
<b>Subsector</b>	<b>SIC Code or Activity Code<sup>1</sup></b>	<b>Activity Represented</b>
	1094, 1099	Miscellaneous Metal Ores
<b>SECTOR H: COAL MINES AND COAL MINING-RELATED FACILITIES</b>		
H1	1221-1241	Coal Mines and Coal Mining-Related Facilities
<b>SECTOR I: OIL AND GAS EXTRACTION AND REFINING</b>		
I1	1311	Crude Petroleum and Natural Gas
	1321	Natural Gas Liquids
	1381-1389	Oil and Gas Field Services
<b>SECTOR J: MINERAL MINING AND DRESSING</b>		
J1	1442	Construction Sand and Gravel
	1446	Industrial Sand
J2	1411	Dimension Stone
	1422-1429	Crushed and Broken Stone, Including Rip Rap
	1481	Nonmetallic Minerals Services, Except Fuels
	1499	Miscellaneous Nonmetallic Minerals, Except Fuels
J3	1455, 1459	Clay, Ceramic, and Refractory Materials
	1474-1479	Chemical and Fertilizer Mineral Mining
<b>SECTOR K: HAZARDOUS WASTE TREATMENT, STORAGE, OR DISPOSAL FACILITIES</b>		
K1	HZ	Hazardous Waste Treatment, Storage, or Disposal Facilities, including those that are operating under interim status or a permit under subtitle C of RCRA
<b>SECTOR L: LANDFILLS, LAND APPLICATION SITES, AND OPEN DUMPS</b>		
L1	LF	All Landfill, Land Application Sites and Open Dumps
L2	LF	All Landfill, Land Application Sites and Open Dumps, except Municipal Solid Waste Landfill (MSWLF) Areas Closed in

<b>Table A. Sectors of Industrial Activity</b>		
<b>Subsector</b>	<b>SIC Code or Activity Code<sup>1</sup></b>	<b>Activity Represented</b>
		Accordance with 40 CFR 258.60
<b>SECTOR M: AUTOMOBILE SALVAGE YARDS</b>		
M1	5015	Automobile Salvage Yards
<b>SECTOR N: SCRAP RECYCLING FACILITIES</b>		
N1	5093	Scrap Recycling and Waste Recycling Facilities except Source-Separated Recycling
N2	5093	Source-separated Recycling Facility
<b>SECTOR O: STEAM ELECTRIC GENERATING FACILITIES</b>		
O1	SE	Steam Electric Generating Facilities, including coal handling sites
<b>SECTOR P: LAND TRANSPORTATION AND WAREHOUSING</b>		
P1	4011, 4013	Railroad Transportation
	4111-4173	Local and Highway Passenger Transportation
	4212-4231	Motor Freight Transportation and Warehousing
	4311	United States Postal Service
	5171	Petroleum Bulk Stations and Terminals
<b>SECTOR Q: WATER TRANSPORTATION</b>		
Q1	4412-4499	Water Transportation Facilities
<b>SECTOR R: SHIP AND BOAT BUILDING AND REPAIRING YARDS</b>		
R1	3731, 3732	Ship and Boat Building or Repairing Yards
<b>SECTOR S: AIR TRANSPORTATION FACILITIES</b>		
S1	4512-4581	Air Transportation Facilities
<b>SECTOR T: TREATMENT WORKS</b>		

<b>Table A. Sectors of Industrial Activity</b>		
<b>Subsector</b>	<b>SIC Code or Activity Code<sup>1</sup></b>	<b>Activity Represented</b>
T1	TW	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 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 included are farm lands, domestic gardens or lands used for sludge management where sludge is beneficially reused and which are not physically located in the confines of the facility, or areas that are in compliance with section 405 of the CWA
<b>SECTOR U: FOOD AND KINDRED PRODUCTS</b>		
U1	2041-2048	Grain Mill Products
U2	2074-2079	Fats and Oils Products
U3	2011-2015	Meat Products
	2021-2026	Dairy Products
	2032-2038	Canned, Frozen, and Preserved Fruits, Vegetables, and Food Specialties
	2051-2053	Bakery Products
	2061-2068	Sugar and Confectionery Products
	2082-2087	Beverages
	2091-2099	Miscellaneous Food Preparations and Kindred Products
	2111-2141	Tobacco Products
<b>SECTOR V: TEXTILE MILLS, APPAREL, AND OTHER FABRIC PRODUCT MANUFACTURING; LEATHER AND LEATHER PRODUCTS</b>		
V1	2211-2299	Textile Mill Products
	2311-2399	Apparel and Other Finished Products Made from Fabrics and Similar Materials
	3131-3199	Leather and Leather Products (note: see Sector Z1 for Leather Tanning and Finishing)

<b>Table A. Sectors of Industrial Activity</b>		
<b>Subsector</b>	<b>SIC Code or Activity Code<sup>1</sup></b>	<b>Activity Represented</b>
<b>SECTOR W: FURNITURE AND FIXTURES</b>		
W1	2434	Wood Kitchen Cabinets
	2511-2599	Furniture and Fixtures
<b>SECTOR X: PRINTING AND PUBLISHING</b>		
X1	2711-2796	Printing, Publishing, and Allied Industries
<b>SECTOR Y: RUBBER, MISCELLANEOUS PLASTIC PRODUCTS, AND MISCELLANEOUS MANUFACTURING INDUSTRIES</b>		
Y1	3011	Tires and Inner Tubes
	3021	Rubber and Plastics Footwear
	3052, 3053	Gaskets, Packing and Sealing Devices, and Rubber and Plastic Hoses and Belting
	3061, 3069	Fabricated Rubber Products, Not Elsewhere Classified
Y2	3081-3089	Miscellaneous Plastics Products
	3931	Musical Instruments
	3942-3949	Dolls, Toys, Games, and Sporting and Athletic Goods
	3951-3955 (except 3952 – see Sector C)	Pens, Pencils, and Other Artists' Materials
	3961, 3965	Costume Jewelry, Costume Novelties, Buttons, and Miscellaneous Notions, Except Precious Metal
	3991-3999	Miscellaneous Manufacturing Industries
<b>SECTOR Z: LEATHER TANNING AND FINISHING</b>		
Z1	3111	Leather Tanning and Finishing
<b>SECTOR AA: FABRICATED METAL PRODUCTS</b>		

<b>Table A. Sectors of Industrial Activity</b>		
<b>Subsector</b>	<b>SIC Code or Activity Code<sup>1</sup></b>	<b>Activity Represented</b>
AA1	3411-3499 (except 3479)	Fabricated Metal Products, Except Machinery and Transportation Equipment, and Coating, Engraving, and Allied Services.
	3911-3915	Jewelry, Silverware, and Plated Ware
AA2	3479	Fabricated Metal Coating and Engraving
<b>SECTOR AB: TRANSPORTATION EQUIPMENT, INDUSTRIAL OR COMMERCIAL MACHINERY</b>		
AB1	3511-3599 (except 3571-3579)	Industrial and Commercial Machinery, Except Computer and Office Equipment (see Sector AC)
	3711-3799 (except 3731, 3732)	Transportation Equipment Except Ship and Boat Building and Repairing (see Sector R)
<b>SECTOR AC: ELECTRONIC, ELECTRICAL, PHOTOGRAPHIC, AND OPTICAL GOODS</b>		
AC1	3571-3579	Computer and Office Equipment
	3812-3873	Measuring, Analyzing, and Controlling Instruments; Photographic and Optical Goods, Watches, and Clocks
	3612-3699	Electronic and Electrical Equipment and Components, Except Computer Equipment
<b>SECTOR AD: NON-CLASSIFIED FACILITIES</b>		
AD1	Other stormwater discharges designated by the Department as needing a permit (see 40 CFR 122.26(a)(9)(i)(C) & (D)) or any facility discharging stormwater associated with industrial activity not described by any of Sectors A-AC. NOTE: Facilities may not elect to be covered under Sector AD. Only the Department may assign a facility to Sector AD.	

<sup>1</sup> A complete list of SIC Codes (and conversions from the newer North American Industry Classification System" (NAICS)) can be obtained from the Internet at [www.census.gov/epcd/www/naics.html](http://www.census.gov/epcd/www/naics.html) or in paper form from various locations in the document titled *Handbook of Standard Industrial Classifications*, Office of Management and Budget, 1987.

## Appendix B: Calculating Hardness in Receiving Waters for Hardness Dependent Metals

(This EPA document is to be referenced for use in calculating hardness for monitoring purposes in this permit)

### Overview

EPA adjusted the benchmarks for six hardness-dependent metals (i.e., cadmium, copper, lead, nickel, silver, and zinc) to further ensure compliance with water quality standards and provide additional protection for endangered species and their critical habitat. For any sectors required to conduct benchmark samples for a hardness-dependent metal, EPA includes 'hardness ranges' from which benchmark values are determined. To determine which hardness range to use, you must collect data on the hardness of your receiving water(s). Once the site-specific hardness data have been collected, the corresponding benchmark value for each metal is determined by comparing where the hardness data fall within 25 mg/L ranges, as shown in Table 1.

**Table 1. Hardness Ranges to Be Used to Determine Benchmark Values for Cadmium, Copper, Lead, Nickel, Silver, and Zinc.**

All Units mg/L	Benchmark Values (mg/L, total)					
	Cadmium	Copper	Lead	Nickel	Silver	Zinc
0-25 mg/L	0.0005	0.0038	0.014	0.15	0.0007	0.04
25-50 mg/L	0.0008	0.0056	0.023	0.20	0.0007	0.05
50-75 mg/L	0.0013	0.0090	0.045	0.32	0.0017	0.08
75-100 mg/L	0.0018	0.0123	0.069	0.42	0.0030	0.11
100-125 mg/L	0.0023	0.0156	0.095	0.52	0.0046	0.13
125-150 mg/L	0.0029	0.0189	0.122	0.61	0.0065	0.16
150-175 mg/L	0.0034	0.0221	0.151	0.71	0.0087	0.18
175-200 mg/L	0.0039	0.0253	0.182	0.80	0.0112	0.20
200-225 mg/L	0.0045	0.0285	0.213	0.89	0.0138	0.23
225-250 mg/L	0.0050	0.0316	0.246	0.98	0.0168	0.25
250+ mg/L	0.0053	0.0332	0.262	1.02	0.0183	0.26

## **How to Determine Hardness for Hardness-Dependent Parameters.**

You may select one of three methods to determine hardness, including; individual grab sampling, grab sampling by a group of operators which discharge to the same receiving water, or using third-party data. Regardless of the method used, you are responsible for documenting the procedures used for determining hardness values. Once the hardness value is established, you are required to include this information in your first benchmark report submitted to EPA so that the Agency can make appropriate comparisons between your benchmark monitoring results and the corresponding benchmark. You must retain all report and monitoring data in accordance with Part 7.5 of the permit. The three method options for determining hardness are detailed in the following sections.

### *(1) Permittee Samples for Receiving Stream Hardness*

This method involves collecting samples in the receiving water and submitting these to a laboratory for analysis. If you elect to sample your receiving water(s) and submit samples for analysis, hardness must be determined from the closest intermittent or perennial stream downstream of your point of discharge. The sample can be collected during either dry or wet weather. Collection of the sample during wet weather is more representative of conditions during stormwater discharges; however, collection of in-stream samples during wet weather events may be impracticable or present safety issues.

Hardness must be sampled and analyzed using approved methods as described in 40 CFR Part 136 (Guidelines Establishing Test Procedures for the Analysis of Pollutants).

### *(2) Group Monitoring for Receiving Stream Hardness*

You can be part of a group of permittees discharging to the same receiving waters and collect samples that are representative of the hardness values for all members of the group. In this scenario, hardness of the receiving water must be determined using 40 CFR Part 136 procedures and the results shared by group members. To use the same results, hardness measurements must be taken on a stream reach within a reasonable distance of the discharge points of each of the group members.

### *(3) Collection of Third-Party Hardness Data*

You can submit receiving stream hardness data collected by a third party provided the results are collected consistent with the approved 40 CFR Part 136 methods. These data may come from a local water utility, previously conducted stream reports, TMDLs, peer reviewed

literature, other government publications, or data previously collected by the permittee. Data should be less than 10 years old.

Water quality data for many of the nation's surface waters are available on-line or by contacting EPA or a state environmental agency. EPA's data system STORET, short for STORage and RETrieval, is a repository for receiving water quality, biological, and physical data and is used by state environmental agencies, EPA and other federal agencies, universities, private citizens, and many others. Similarly, state environmental agencies and the U.S. Geological Service (USGS) also have water quality data available that, in some instances, can be accessed online. "Legacy STORET" codes for hardness include: 259 hardness, carbonate; 260 hardness, noncarbonated; and 261 calcium + magnesium, while more recent, "Modern STORET" data codes include: 00900 hardness, 00901 carbonate hardness, and 00902 noncarbonate hardness; or the discrete measurements of calcium (00915) and magnesium (00925) can be used to calculate hardness. Hardness data historically has been reported as "carbonate," "noncarbonate," or "Ca + Mg." If these are unavailable, then individual results for calcium (Ca) and magnesium (Mg) may be used to calculate hardness using the following equation:

$$\text{mg/L CaCO}_3 = 2.497 (\text{Ca mg/L}) + 4.118 (\text{Mg mg/L})$$

When interpreting the data for carbonate and non-carbonate hardness, note that total hardness is equivalent to the sum of carbonate and noncarbonate hardness if both forms are reported. If only carbonate hardness is reported, it is more than likely that noncarbonate hardness is absent and the total hardness is equivalent to the available carbonate hardness.

## Appendix C: Metal Mining ELG Applicability

EPA REGION 8 - MAY 18, 1993

Applicability of 40 CFR Part 440 Effluent Limitations Guidelines to Discharges from Active Ore (Metal) Mining and Dressing Sites		
Discharge/Source of Discharge	Applicable ELG, if any (see key)	Note/comment
Land application area run-off	MD	PW – if Process fluids present
Crusher Area	MD	PW – if Process fluids present
Piles (seepage and/or runoff)		
Spent ore	MD	PW – if Process fluids present
Surge/Ore	MD	PW – if Process fluids present
Waste rock/overburden	MD	
Topsoil	SW	
Drainage		
Pit drainage (unpumped)	MD	
Pit drainage (removed by pumping)	MD	
Mine water from underground mines (unpumped), adit discharges	MD	
Mine water from underground mines (pumped)	MD	
Seeps/French drains	MD	PW – if Process fluids present
Roads constructed of waste rock or spent ore		
On-site haul roads	MD	
Off-site haul/access roads	SW	(if off Active Area)
Roads not constructed of waste rock or spent ore		
On-site haul roads	SW	MD – if dust control with MD water
Off-site haul/access roads	SW	
Milling/concentrating		
Tailings impoundment/pile	PW	
Run-off/seepage from tailings dams/dikes when constructed of waste rock/tailings	MD	PW – if Process fluids present
Run-off/seepage from tailings dams/dikes when not constructed of waste rock/tailings	SW	PW – if Process fluids present
Heap leach pile runoff/seepage	PW	

**Appendix C - continued**

Applicability of 40 CFR Part 440 Effluent Limitations Guidelines to Discharges from Active Ore (Metal) Mining and Dressing Sites		
Discharge/Source of Discharge	Applicable ELG, if any (see key)	Note/comment
Pregnant pond (barren and surge ponds also)	PW	
Polishing pond	PW	
Concentration building	SW	If storm water only, and no contact with piles
Concentrate pile (product storage)	PW	
Mill site	SW	Same as concentration bldg.
<b>Ancillary areas</b>		
Office/administrative building and housing	UC	Unless mixed with SW from industrial area, then SW
Chemical storage area	SW	
Docking facility	SW	Excessive contact with waste product could constitute MD
Explosive storage	SW	
Fuel storage (oil tanks/coal piles)	SW	
Vehicle/equipment maintenance area/building	SW	
Parking lots	SW	UC if only employee and visitor type parking
Power plant	SW	
Truck wash area	SW	Excessive contact with waste product could constitute MD
<b>Reclamation-related areas</b>		
Any disturbed area (unreclaimed)	MD	SW if inactive area
Reclaimed areas released from reclamation bonds after Dec. 17 1990	UC	
Reclaimed areas released from reclamation bonds prior to Dec. 17 1990	SW	
Partially/inadequately reclaimed areas or areas not released from reclamation bond	SW	
<b>KEY:</b> UC – Unclassified; Not Subject to Storm Water Program or 40 CFR Part 440 Effluent Limitations Guidelines (ELG) MD – Subject to 40 CFR Part 440 ELG for mine drainage PW – Subject to 40 CFR Part 440 ELG for mill discharge or process (including zero discharge ELG). SW – Subject to Storm Water Program, but not subject to 40 CFR Part 440 ELG		

## Appendix D: Notice of Intent (NOI) Form

For the most current version of the NOI Form, please refer to Department website located at:  
<http://www.deq.mt.gov>