

ATTACHMENT C
2015 MSGP

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ALASKA POLLUTANT DISCHARGE ELIMINATION SYSTEM
MULTI-SECTOR GENERAL PERMIT FOR STORM WATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY (MSGP)

Permit Number: AKR060000

ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Wastewater Discharge Authorization Program
555 Cordova Street
Anchorage, AK 99501

In compliance with the provisions of the Clean Water Act (CWA), 33 U.S.C. §1251 *et seq.*, as amended by the Water Quality Act of 1987, P.L. 100-4, this permit is issued under provisions of Alaska Statutes (AS) 46.03; the Alaska Administrative Code (AAC) as amended; and other applicable State laws and regulations. Operators of storm water discharges associated with industrial activity located in an area identified in Part 1.1 where the Alaska Department of Environmental Conservation (DEC) is the permitting authority are authorized to discharge to waters of the United States in accordance with the eligibility and Notice of Intent (NOI) requirements, effluent limitations, inspection requirements, and other conditions set forth in this permit. This permit is structured as follows:

- General requirements that apply to all facilities are found in Parts 1 through 10, and
- Industry sector-specific requirements are found in Part 11.

The Appendices (A through F) contain additional permit conditions that apply to all operators covered under this permit.

This permit becomes effective on April 1, 2015.

This permit and the authorization to discharge expire at midnight, March 31, 2020.

The applicant shall reapply for a permit reissuance on or before October 3, 2019, 180 days before the expiration of this permit.



Signature

February 19, 2015

Date

Wade Strickland

Printed Name

Program Manager

Title

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

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Appendices

Appendix A – Standard Conditions

Appendix B – Abbreviations and Acronyms

Appendix C – Definitions

Appendix D – Facilities and Activities Covered

Appendix E – Calculating Hardness in Receiving Waters for Hardness Dependent Metals

Appendix F – MSGP Forms

- Notice of Intent (NOI) Form
- Notice of Termination (NOT) Form
- Annual Report Form
- Corrective Action Form
- NOI Modification Form
- MSGP Industrial Discharge Monitoring Report (MDMR)
- No Exposure Certification Form
- Noncompliance Notification Form

SCHEDULE OF SUBMISSIONS

The Schedule of Submissions summarizes some of the required submissions and activities the permittee must complete and/or submit to the Alaska Department of Environmental Conservation (DEC) during the term of this permit. The permittee is responsible for all submissions and activities even if they are not summarized below.

Permit Part	Submittal or Completion	Frequency	Due Date	Submit to ^a
1.3	No Exposure Certification	Once, depending on facility status	Once every five years	Permitting Program
2.1.3, 5.2	Storm Water Pollution Prevention Plan (SWPPP)	Once at beginning of coverage, updated as needed	At filing of NOI	Permitting Program
2.1.5, 2.2	Notice of Intent (NOI)	Once at beginning of coverage	Once per permit cycle	Permitting Program
2.7	NOI Modification	As needed	As needed	Permitting Program
7.2.1.2, 7.2.2.1	Monitoring	Quarterly during first year	30 days after receipt of lab results	Compliance Program
9.3	Noncompliance Notification Form	Upon exceedance of effluent limit	30 days after receipt of lab results	Compliance Program
8.4	Corrective Action Report	Upon exceedance (See Part 8.1 and 8.2)	Submit with Annual Report	Compliance Program
9.2	Annual Report	Annually	45 days after conducting comprehensive inspection	Compliance Program
9.4	Additional Reporting	See Section for details	See Section for details	Compliance Program
10.1	Notice of Termination	Once	At end of permit coverage	Permitting Program
Notes:				
a. See Part 9.6 Addresses for Reports				

Summary of Permit Required On-Site Documentation

Permit Part	Document Name or Title	Frequency	Purpose of Document
1.3	No Exposure Certification	Once every five years	To demonstrate facility has reviewed the permit and facility to determine they do not need to file for permit coverage
2.1.3, 5.2	SWPPP	Developed prior to submitting the NOI. Updated as necessary	To describe the project and the control measures to minimize the discharge of pollutants into waters of the U.S. Documents installation, maintenance, inspections, corrective actions, and reporting.
2.1.5, 2.2	NOI	Once at start of coverage	Applicant request for authorization to discharge under permit coverage
	DEC NOI Reply Letter	Once at start of coverage	To provide permittee with DEC permit tracking number indicating project is covered by MSGP
2.7	NOI Modification	As needed	To modify the original NOI if facility conditions or lead personnel change
5.8.3	Copy of Permit Part 1-10 and Sector specific section	Include in SWPPP	To provide reference during permit period
6.1, 6.3.2	Inspection Reports	Conducted at frequency specified in MSGP and SWPPP	To monitor compliance with SWPPP and MSGP
7.2, 7.2.2.1, 7.2.1.2	Monitoring Reports	Conducted at frequency specified in MSGP	To monitor compliance with MSGP
7.2.2.3, 9.3	Noncompliance Notification	As needed	To report any exceedances found during monitoring
8.4	Corrective Action Report	As needed	To report the corrective actions taken at the facility
9.2	Annual Report	Annually	To report annual results of inspections
9.4	Additional Reporting	As required	To provide additional information
10.1	Notice of Termination	Once	To close coverage by the permit.

1. Coverage under this Permit.

1.1 Permit Area.

This general permit covers waters of the United States (U.S.) located in the State of Alaska, except the Indian Reservation of Metlakatla and the Denali National Park and Preserve.

1.2 Eligibility.

1.2.1 **Facilities Covered.** To be eligible to discharge under this permit, a permittee must (1) have a storm water discharge associated with industrial activity from the permittee's primary industrial activity, as defined in Appendix C, provided their primary industrial activity is included in Appendix D, or (2) be notified by DEC that the permittee is eligible for coverage under Sector AD of this permit.

1.2.2 **Allowable Storm Water Discharges.** Unless otherwise made ineligible under Part 1.2.4, the following discharges are eligible for coverage under this permit:

1.2.2.1 Storm water discharges associated with industrial activity for any primary industrial activities and co-located industrial activities, as defined in Appendix C;

1.2.2.2 Discharges designated by DEC as needing a storm water permit as provided in Sector AD;

1.2.2.3 Discharges that are not otherwise required to obtain APDES permit authorization but are commingled with discharges that are authorized under this permit; and

1.2.2.4 Discharges subject to any of the national storm water-specific effluent limitations guidelines listed in Table 1-1.

*(Table 1-1: Storm Water-Specific Effluent Limitations Guidelines
located on following page.)*

Table 1-1: Storm Water-Specific Effluent Limitations Guidelines

Regulated Discharge	40 CFR Section	MSGP Sector	New Source Performance Standard (NSPS)	New Source Date
Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas	Part 429, Subpart I	A	Yes	1/26/81
Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished product, by-products or waste products (SIC 2874)	Part 418, Subpart A	C	Yes	4/8/74
Runoff from asphalt emulsion facilities	Part 443, Subpart A	D	Yes	7/28/75
Runoff from material storage piles at cement manufacturing facilities	Part 411, Subpart C	E	Yes	2/20/74
Mine dewatering discharges at crushed stone, construction sand and gravel, or industrial sand mining facilities	Part 436, Subparts B, C, and D	J	No	N/A
Runoff from hazardous waste and non-hazardous waste landfills	Part 445, Subparts A and B	K, L	Yes	2/2/00
Runoff from coal storage piles at steam electric generating facilities	Part 423	O	Yes	11/19/82 (10/8/74) ¹
Existing and new primary airports with 1,000 or more annual jet departures that discharge wastewater associated with airfield pavement deicing that contains urea commingled with stormwater	Part 449, Subpart A	S	Yes	6/15/12

1.2.3 **Allowable Non-Storm Water Discharges.** The following are the non-storm water discharges authorized under this permit, provided the non-storm water component of the permittees discharge is in compliance with Part 4.2.10:

- Discharges from fire-fighting activities;
- Fire hydrant flushings;
- Potable water, including water line flushings;
- 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;

¹ NSPS promulgated in 1974 were not removed via the 1982 regulation; therefore wastewaters generated by Part 423-applicable sources that were New Sources under the 1974 regulations are subject to the 1974 NSPS.

- Pavement wash waters where no detergents or hazardous cleaning products are used (e.g., bleach, hydrofluoric acid, muriatic acid, sodium hydroxide, nonylphenols), and the wash waters do not come into contact with oil and grease deposits or any other toxic or hazardous materials (unless cleaned up using dry clean-up methods). The permittee is prohibited from directing any authorized pavement wash waters directly into any surface water or storm drain inlet unless the permittee has implemented appropriate control measures that meet the non-numeric effluent limits in Part 4.2. Where appropriate control measures are not in place, wash water runoff must first undergo treatment prior to discharge such as filtration, detention, or settlement;
- Wheel wash water that does not use detergents;
- Routine external building washdown / power washwater that does not use detergents or hazardous cleaning products, (such as those containing bleach, hydrofluoric acid, muriatic acid, sodium hydroxide, nonylphenols);
- Uncontaminated ground water or spring water;
- Foundation or footing drains where flows are not contaminated with process materials;
- Incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of the facility, but not intentional discharges from the cooling tower (e.g., “piped” cooling tower blowdown or drains);
- 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 (applicable only to Sector A facilities provided the non-stormwater component of the discharge is in compliance with the non-numeric effluent limits requirements in Part 4.2).

1.2.3.1 Also allowed are discharges of storm water listed above in Parts 1.2.2 or authorized non-storm water discharges in Part 1.2.3, commingled with a discharge authorized by a different APDES permit and/or a discharge that does not require APDES permit authorization.

1.2.4 **Limitations on Coverage.**

1.2.4.1 **Discharges Mixed with Non-Storm Water.** Storm water discharges that are mixed with non-storm water, other than those non-storm water discharges listed in Part 1.2.3, are not eligible for coverage under this permit.

- 1.2.4.2 **Discharges Associated with Construction Activity.** Storm water discharges associated with construction activity disturbing one acre or more, or that are part of a larger common plan of development or sale if the larger common plan will ultimately disturb one acre or more, are not eligible for coverage under this permit, unless in conjunction with mining activities or certain oil and gas extraction activities as specified in Sectors G, H, I, and J of this permit.
- 1.2.4.3 **Discharges Currently or Previously Covered by another Permit.** Unless the permittee received written notification from DEC specifically allowing these discharges to be covered under this permit, the permittee is not eligible for coverage under this permit for any of the following:
- Storm water discharges associated with industrial activity that are currently covered under an individual APDES permit or an alternative APDES general permit;
 - Discharges covered within five years prior to the effective date of this permit by an individual permit or alternative general permit where that permit established site-specific numeric water quality-based limitations developed for the storm water component of the discharge; or
 - Discharges from facilities where any APDES permit has been or is in the process of being denied, terminated, or revoked by EPA (this does not apply to the routine reissuance of permits every five years).
- 1.2.4.4 **Discharges Subject to Effluent Limitations Guidelines.** For discharges subject to storm water effluent limitation guidelines under 40 CFR, Subchapter N, only those storm water discharges identified in Table 1-1 are eligible for coverage under this permit.
- 1.2.4.5 **Eligibility for New Dischargers: Based on Water Quality Standards.** A new discharger (as defined in Appendix C), is not eligible for coverage under this permit for discharges that DEC, prior to authorization under this permit, determines will not meet any WQS. Where such a determination is made prior to authorization, DEC may notify the applicant that an individual or other general permit APDES application is necessary in accordance with Part 2.8. However, DEC may authorize coverage under this permit after the applicant has included appropriate controls and implementation procedures designed to ensure the discharge meets WQS. In the absence of information demonstrating otherwise, DEC expects that compliance with the storm water control requirements of this permit, including the requirements applicable to such discharges in Part 4, will meet WQS.

1.2.4.6 **New Discharges to Water Quality Impaired Waters.**² If the permittee is a new discharger they are not eligible for coverage under this permit to discharge to an “impaired water”, as defined in Appendix C unless they:

- Prevent all exposure to storm water of the pollutant(s) for which the waterbody is impaired, and retain documentation of procedures taken to prevent exposure onsite with the SWPPP; or
- Prior to submitting the permittee’s NOI, provide to the Department technical information or other documentation that the pollutant(s) for which the waterbody is impaired is not present at the site, and retain documentation of this finding with their SWPPP; or
- Prior to submitting the permittee’s NOI, provide to the Department data or other technical documentation to support a conclusion that the discharge is not expected to cause or contribute to an exceedance of a water quality standard (WQS), and retain such data onsite with the SWPPP. To do this, the permittee must provide data and other technical information to the Department sufficient to demonstrate:
 - For discharges to waters without an EPA approved or established Total Maximum Daily Load (TMDL), that the discharge of the pollutant for which the water is impaired will meet in-stream water quality criteria at the point of discharge to the waterbody; or
 - For discharges to waters with an EPA approved or established TMDL, that there are sufficient remaining wasteload allocations in an EPA approved or established TMDL to allow the permittees discharge and that existing dischargers to the waterbody are subject to compliance schedules designed to bring the waterbody into attainment with WQS. The permittee must also evaluate the recommendations in the Implementation Section of the EPA approved or established TMDL and incorporate applicable measures into their operations.

A permittee is eligible under Part 1.2.4.6 if they receive an affirmative determination from the Department that their discharge will not contribute to the existing impairment, in which case the permittee must maintain such determination onsite with the SWPPP, or if the Department fails to respond within 30 days of submission of data to the Department.

² The project will be considered to discharge to an impaired water if the first water of the U.S. to which the discharge enters is identified by the Department pursuant to Section 303(d) of the CWA as not meeting a WQS, or is included in an EPA-approved or established total maximum daily load (TMDL). For discharges that enter a storm sewer system prior to discharge, the first water of the U.S. to which the discharge is the waterbody that receives the stormwater discharge from the storm sewer system.

1.3 Conditional Exclusion for No Exposure.

If the permittee is covered by this permit, and becomes eligible for a no exposure exclusion from permitting under 40 CFR 122.26(g), the permittee may file a No Exposure Certification. The permittee is no longer required to have a permit upon submission of a complete and accurate no exposure certification to DEC. If the permittee is no longer required to have permit coverage because of a no exposure exclusion and has submitted a No Exposure Certification form to DEC, they are not required to submit a Notice of Termination (NOT). The permittee must submit a No Exposure Certification to DEC once every five years from the initial date of filing.

Facilities which have multiple industrial sectors covered under one permit can not use the No Exposure Certification form to remove those individual sectors from permit coverage. Upon a thorough evaluation to determine some sectors have no exposure to storm water, those areas must be noted in the facility wide SWPPP and inspected annually during the comprehensive site inspections to ensure no exposure exists. If inspections reveal those individual sectors eligible for coverage under this permit have exposure, the SWPPP must be updated to include those sectors and all permit requirements applied to those areas. The No Exposure Certification for Exclusion applies to an entire facility and not individual outfalls or areas located within the facility covered under a single permit.

2. Authorization under this Permit.

2.1 How to Obtain Authorization.

To obtain authorization under this permit, the permittee must:

- 2.1.1 Be located in the area where DEC is the permitting authority;
- 2.1.2 Meet the Part 1.2 eligibility requirements;
- 2.1.3 Develop a SWPPP according to the requirements in Part 5 of this permit. The permittee must submit a copy of the SWPPP to DEC as specified in Part 9.6;
- 2.1.4 Select, design, install, and implement control measures in accordance with Part 4.2 to meet numeric and non-numeric effluent limits;
- 2.1.5 Submit a complete and accurate Notice of Intent (NOI) either using DEC's electronic Notice of Intent (eNOI) system (accessible at <http://dec.alaska.gov/water/wnpspc/stormwater/APDESeNOI.html>) or using a paper form (included in Appendix F of this permit) and then submitting that paper form to the address listed in Part 2.2.2; and
- 2.1.6 Pay the general permit authorization fee in accordance with 18 AAC 72. Existing permittees when renewing permit coverage do not need to pay two permit authorization fees in one calendar year;

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- 2.1.7 DEC will post on the Internet, at <http://dec.alaska.gov/Applications/Water/WaterPermitSearch/Search.aspx>, all authorizations issued. Late NOIs will be accepted but authorization to discharge will not be retroactive.
- 2.1.8 If the information on the NOI is incorrect or is missing, the NOI will be deemed incomplete and permit authorization will not be granted. A complete NOI shall include the following information, at a minimum:
- 2.1.8.1 The operator information includes: Organization name, contact person, complete mailing address, telephone number and fax number and email address if available;
 - 2.1.8.2 The billing contact information includes: organization name, contact person, complete mailing address, telephone number and fax number and email address if available. If the billing contact information is the same as the operator information, check the box on the NOI indicating that it is the same;
 - 2.1.8.3 The industrial facility information includes: facility name, physical location, the city and zip code, the borough, latitude and longitude, how the latitude and longitude were determined, an estimate of the area of industrial activity exposed to storm water, if the facility storm water discharges have been previously permitted under an APDES permit, and if this is a federal facility;
 - 2.1.8.4 The discharge information includes: does the facility discharge to a municipal separate storm sewer system (MS4), and if so the name of the MS4 operator, the name(s) of the water bodies to which the facility discharges, does the facility discharge to a water body that is impaired or have a TMDL, if it does then is the discharge consistent with the assumptions and requirements of the TMDL, if a new discharge is the discharge to a tier 2 or tier 3 waterbody, and is any storm water discharge subject to federal effluent limitation guideline and sector-specific requirements, and if so which affected MSGP Sector;
 - 2.1.8.5 The additional information includes: the four-digit Standard Industrial Classification (SIC) code or two-letter Activity Code that best represents the products or services rendered by the facility in which it is primarily engaged in and applicable sector and subsectors of industry activity, including co-located industrial activity for which coverage is requested, and is the facility presently inactive or unstaffed and if so for how long;
 - 2.1.8.6 The SWPPP information includes: SWPPP contact name, phone, email, and URL for SWPPP (if applicable) (the SWPPP does not need to be reposted on the internet each time it is updated);
 - 2.1.8.7 The signatory information in compliance with Appendix A, Part 1.12

2.2 How to Submit an NOI.

- 2.2.1 Electronically (strongly encouraged) at <http://dec.alaska.gov/water/wnpspc/stormwater/APDESeNOI.html>. Operators who submit an eNOI must pay the general permit authorization fee during a step in the eNOI process where payment is required.
- 2.2.2 Through use of a paper form (available at the above web site) and then submit that paper form to address in Appendix A, Part 1.1.1.
- 2.2.3 Each operator submitting the NOI via paper form³ must include a check payable to the “State of Alaska” for the amount of the General Permit Authorization Fee, in accordance with 18 AAC 72.

(Submission Deadlines continued on next page.)

³ Note: Electronic submittal of an NOI will likely be processed more quickly and result in faster receipt of an authorization to discharge.

2.3 Submission Deadlines.

Timeframes for discharge authorization are contained in Table 2-1.

Table 2-1: NOI Submittal Deadlines/Discharge Authorization Dates

Category	NOI Submission Deadline	Discharge Authorization Date ¹	Fee
<i>Existing Dischargers</i> – in operation as of September 29, 2013 and authorized for coverage under 2008 MSGP.	Existing Dischargers must submit new NOI and SWPPP no later than one hundred twenty (120) calendar days after the effective date of this permit.	Seven (7) calendar days after DEC posts the NOI. The permittees authorization under the 2008 MSGP is automatically continued until they have been granted coverage under this permit or an alternative permit, or coverage is otherwise terminated.	Existing Dischargers pay annual fee based on invoice from DEC
<i>New Dischargers or New Sources</i> - who commence discharging between September 29, 2013 and one hundred twenty (120) days after the effective date of this permit.	As soon as possible but no later than one hundred twenty (120) calendar days after the effective date of this permit.	Seven (7) calendar days after DEC posts the NOI.	New Discharges pay fee at time of submitting NOI
<i>New Dischargers or New Sources</i> - who commence discharging one hundred twenty (120) calendar days after the effective date of this permit.	A minimum of thirty (30) calendar days prior to commencing discharge.	Seven (7) calendar days after DEC posts the NOI.	New Discharges pay fee at time of submitting NOI
<i>New Owner/Operator of Existing Discharger</i> - transfer of ownership and/or operation of a facility whose discharge is authorized under this permit	New Owner shall submit a new NOI no later than thirty (30) calendar days after the date that the transfer will take place to the new owner/operator.	Seven (7) calendar days after DEC posts the NOI.	New Owner pays fee upon receipt of invoice from DEC
<i>Other Eligible Dischargers</i> - in operation prior to September 29, 2013, but not covered under the 2008 MSGP or another APDES permit.	Immediately, to minimize the time discharges from the facility will continue to be unauthorized.	Seven (7) calendar days after DEC posts the NOI.	
<p>Note:</p> <ol style="list-style-type: none"> Based on a review of the permittees NOI or other information, DEC may delay their authorization for further review, notify the permittee that additional effluent limitations or control measures are necessary, or may deny coverage under this permit and require submission of an application for an individual or other APDES general permit, as detailed in Part 2.8. In these instances, DEC will notify the permittee in writing of the delay, of the need for additional effluent limits or control measures, or of the request for submission of an individual APDES permit application. If the permittee has missed the deadline to submit the NOI, any and all discharges from the industrial activities will continue to be unauthorized under the CWA until they are covered by this or a different APDES permit. DEC may take enforcement action for any unpermitted discharges that occur between the commencement of discharging and discharge authorization. Discharges are not authorized if the NOI is incomplete or inaccurate or if the permittee was never eligible for permit coverage. 			

2.4 Date of Authorization to Begin Discharge.

An operator is authorized to discharge industrial storm water under the terms and conditions of this permit seven (7) calendar days after DEC's acknowledgment of receipt of the operators complete and paid for NOI is posted on DEC's APDES website (<http://dec.alaska.gov/water/wnpssc/stormwater/stormwater.htm>), unless DEC notifies the operator that the authorization is delayed. Once the authorization is granted by the Department the applicant is then considered a permittee covered by this permit.

2.5 Continuation of Expired General Permit.

- 2.5.1 If this permit is not reissued or replaced prior to the expiration date, it will be administratively continued in accordance with 18 AAC 83.155 and remain in force and effect for discharges that were covered prior to expiration. The permittee is required to abide by all limitations, monitoring, and reporting included herein if the permit enters administrative extension until such time a permit is reissued authorizing the discharge or an NOT is submitted by the permittee. If a permittee is 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:
- 2.5.1.1 Authorization for coverage under a reissued permit or a replacement of this permit following a permittee's timely and appropriate submittal of a complete NOI requesting authorization to discharge under the new permit and compliance with the requirements of the new permit;
 - 2.5.1.2 Submittal of a NOT;
 - 2.5.1.3 Issuance or denial of an individual permit for the facility's discharges; or
 - 2.5.1.4 A formal decision by DEC not to reissue this general permit or not cover a particular discharger previously covered by the general permit, at which time DEC will identify a reasonable time period for covered dischargers to seek coverage under an alternative general permit or an individual permit. Coverage under this permit will cease at the end of this time period.
- 2.5.2 Any permittee with a discharge covered under the 2008 MSGP that the Department determines shall transition to a different APDES permit for that discharge that filed a timely and complete NOI and was granted administrative extension of the 2008 MSGP, the administrative extension (i.e., continued permit coverage) from the 2008 MSGP survives the effective date of the 2015 MSGP until the facility receives coverage under the new APDES permit.

2.6 Permit Compliance.

Any noncompliance with any of the requirements of this permit constitutes a violation of the CWA. As detailed in Part 8 (Corrective Actions) of this permit, failure to take any required corrective actions constitute an independent, additional violation of this permit and the CWA. Any actions and time periods specified for remedying noncompliance do not absolve parties of the initial underlying noncompliance. Where corrective action is triggered by an event that does not itself constitute permit noncompliance, such as an exceedance of an applicable benchmark, there is no permit violation provided the permittee takes the required corrective action within the relevant deadlines established in Part 8.3.

2.7 Submittal of Modification to Original NOI.

- 2.7.1 For an existing permittee, if any of the information supplied on the NOI form changes such as name of receiving waterbody, acreage of industrial area exposed to storm water, addition or deletion of industrial sectors, and facility contact information, the permittee must submit an NOI Modification form within thirty (30) calendar days after the change. See Appendix F for the modification form.
- 2.7.2 At facilities where there is a transfer of ownership and/or a new operator takes over operational control at an existing facility the new operator shall submit an NOI no later than thirty (30) calendar days after a change in owner/operator. The previous owner/operator must submit a NOT no later than thirty (30) calendar days after DEC authorization of the new operator. The new operator does not need to pay a permit authorization fee if the facility has paid for the year in which the transfer occurs.

2.8 Alternative Permits.

2.8.1 DEC Requiring Coverage under an Alternative Permit.

DEC may require a permittee to apply for and/or obtain authorization to discharge under an alternative permit, i.e., either an individual APDES permit or an alternative APDES general permit in accordance with 40 CFR 122.64 and 124.5. Any interested person may petition DEC to take action under this paragraph. If DEC requires the permittee to apply for an alternative APDES permit, DEC will notify the permittee in writing that a permit application is required. This notification will include a brief statement of the reasons for this decision and will contain alternative permit application requirements, including deadlines for completing the application.

In addition, if the permittee is an existing discharger authorized to discharge under this permit, the notice will set a deadline to file the permit application, and will include a statement that on the effective date of the individual APDES permit, or the alternative general permit as it applies to the permittee, coverage under this general permit will terminate. DEC may grant additional time to submit the application if the permittee requests it. If the permittee is covered under this permit and fails to submit an alternative APDES permit

application as required by DEC, then the applicability of this permit to the permittee is terminated at the end of the day specified by DEC as the deadline for application submittal. DEC may take appropriate enforcement action for any unpermitted discharge.

2.8.2 Permittee Requesting Coverage under an Alternative Permit.

A permittee may request to be excluded from coverage under this general permit by applying for an individual permit. In such a case, the permittee must submit an individual permit application in accordance with the requirements of 18 AAC 83.305 – 83.385 with reasons supporting the request, to DEC at the address listed in Part 9.6 of this permit. The request may be granted by issuance of an individual permit or authorization of coverage under an alternative general permit if the permittees reasons are adequate to support the request.

When an individual APDES permit is issued to a permittee or a permittee is authorized to discharge under an alternative APDES general permit, the permittees authorization to discharge under this permit is terminated on the effective date of the individual permit or the date of authorization of coverage under the alternative general permit.

3. Compliance with Standards and Limits.

3.1 Requirements for all Facilities.

- 3.1.1 A permittee must select, install, implement and maintain control measures (described in Part 4) at the facility that minimize pollutants in the discharge as necessary to meet WQS (18 AAC 70). A permittee must comply with all permit conditions with respect to installation and maintenance of control measures, inspections, monitoring, corrective actions, reporting and recordkeeping.
- 3.1.2 In general, except in situations explained in part 3.1.3, the storm water controls planned, developed, implemented, maintained, and updated by the permittee that are consistent with the provisions of Parts 3 through 9 and Part 11 are considered to meet the requirements of this permit to ensure that the discharges do not cause or contribute to an excursion above any WQS (18 AAC 70).
- 3.1.3 At any time after authorization, upon a DEC determination that the permittee's storm water discharges will cause, have a reasonable potential to cause, or contribute to an excursion above any WQS, DEC may require the permittee to:
 - 3.1.3.1 Take corrective actions and modify storm water controls in accordance with Part 8 to adequately address the identified water quality concerns;
 - 3.1.3.2 Submit valid and verifiable data and information that are representative of ambient conditions and indicate that the receiving water is attaining WQS; or

3.1.3.3 Minimize discharges of storm water from the facility or activity, implement corrective actions, and submit an individual permit application in accordance with Part 2.8.

3.1.4 All written responses required under Part 3.1 must include a signed certification consistent with Appendix A, Part 1.12.

3.2 Water Quality-Based Effluent Limitations.

3.2.1 Water Quality Standards (WQS).

A permittees discharge must be controlled as necessary to meet a WQS (18 AAC 70) in relation to the pollutants of concern.

DEC expects that compliance with the other conditions in this permit will control discharges as necessary to meet a WQS. If at any time the permittee becomes aware, or DEC determines, that the permittees discharge causes or contributes to an exceedance of a WQS in the receiving water, the permittee must take corrective action as required in Part 8.1, document the corrective actions as required in Parts 8.4 and 5.8, and report the corrective actions to DEC as required in Part 9.2.

Additionally, DEC may impose additional permit stipulations on a site-specific basis, or require the permittee to obtain coverage under an individual permit, if information in a permittees NOI, required reports, or from other sources indicates that their discharges are not controlled as necessary to meet a WQS in the receiving water.

3.2.2 Discharges to Water Quality Impaired Waters.⁴

3.2.2.1 ***Existing Discharge to an Impaired Water with an EPA Approved or Established TMDL.*** If the permittee discharges to an impaired water with an EPA approved or established TMDL, DEC will inform the permittee if any additional limits or controls are necessary for their discharge to be consistent with the assumptions of any available wasteload allocation in the TMDL, or if coverage under an individual permit is necessary in accordance with Part 2.8.1.

⁴ The project will be considered to discharge to an impaired water if the first water of the U.S. to which the discharge enters is identified by the Department pursuant to Section 303(d) of the CWA as not meeting an WQS, or is included in an EPA-approved or established total maximum daily load (TMDL). For discharges that enter a storm sewer system prior to discharge, the first water of the U.S. to which the discharge is the waterbody that receives the stormwater discharge from the storm sewer system.

- 3.2.2.2 ***Existing Discharge to an Impaired Water without an EPA Approved or Established TMDL.*** If the permittee discharges to an impaired water without an EPA approved or established TMDL, they are required to comply with Part 3.2.1 and the monitoring requirement of Part 7.2.3. Note that this provision also applies to situations where DEC determines that the permittees discharge is not controlled as necessary to meet WQS in a downstream water segment, even if their discharge is to a receiving water that is not specifically identified on a Section 303(d) list.
- 3.2.2.3 ***New Discharge to an Impaired Water.*** If a permittees authorization to discharge under this permit relied on Part 1.2.4.6 for a new discharge to an impaired water, the permittee must implement and maintain any control measures or conditions at the facility that enabled the permittee to become eligible under Part 1.2.4.6, and modify such measures or conditions as necessary pursuant to any Part 5 corrective actions. The permittee is also required to comply with Part 3.2.1 and the monitoring requirements of Parts 7.2.3.

4. Control Measures.

A permittee must select, design, install, and implement control measures (including best management practices) to address the selection and design considerations in Part 4.1, meet the non-numeric effluent limits in Part 4.2, and meet limits contained in applicable effluent limitations guidelines in Part 4.3. The selection, design, installation, and implementation of these control measures must be in accordance with good engineering practices and manufacturer's specifications. Note that the permittee may deviate from such manufacturer's specifications where the permittee provides justification for such deviation and includes documentation of their rationale in the part of the SWPPP that describes the permittees control measures, consistent with Part 5.2.5. If the permittee finds that their control measures are not achieving their intended effect of minimizing pollutant discharges, the permittee must modify these control measures in accordance with the corrective action requirements set forth in Part 8. Regulated storm water discharges from the permittees facility include storm water run-on that commingles with storm water discharges associated with industrial activity at the permittees facility.

In the technology-based limits included in Part 4.2 and in Part 11, 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.

4.1 Control Measure Selection and Design Considerations.

A permittee must use the following considerations 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 the storm water discharge;

- Using technologically available and economically practicable and achievable in light of best industry practice;
- 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 the permittees 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.

4.2 Non-Numeric Technology-Based Effluent Limits.

In addition to complying with the non-numeric technology-based effluent limits in Part 11, the permittee must also:

4.2.1 Minimize Exposure.

A permittee must evaluate the facility regarding 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 and minimize exposure by either locating these industrial materials and activities inside or protecting them with storm resistant coverings (although significant enlargement of impervious surface area is not recommended). In minimizing exposure, the permittee 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 that will be decommissioned or will remain unused for extended periods of time;
- 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 washwater, with the exception of discharges from pavement wash water and routine building washdown described in Part 1.2.3 drains to a sanitary sewer, sump, or other proper collection system (i.e., not the storm water drainage system).

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

- 4.2.2 **Good Housekeeping.** A permittee must keep clean all exposed areas that are potential sources of pollutants, including but not limited to: using such measures as sweeping at regular intervals, keeping materials orderly and labeled, and storing materials in appropriate containers.
- 4.2.3 **Maintenance.** A permittee 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. The permittee 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 the permittee finds that their control measures need to be replaced or repaired, the permittee must make the necessary repairs or modifications within 14 days or as expeditiously as practicable.
- 4.2.4 **Spill Prevention and Response Procedures.** A permittee 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, the permittee must implement:
- 4.2.4.1 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;

- 4.2.4.2 Procedures for material storage and handling, including the use of secondary containment and barriers between material storage and traffic areas, or a similarly effective means designed to prevent the discharge of pollutants from these areas;
- 4.2.4.3 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 the permittees storm water pollution prevention team (see Part 5.1.1); and
- 4.2.4.4 Procedures for notification of appropriate facility personnel, emergency response agencies, and regulatory agencies. Where a leak, spill, or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under either 40 CFR Part 110, 40 CFR Part 117, 40 CFR Part 302, AS 75.300 and 18 AAC 75 Article 3 occurs, the permittee must notify the National Response Center (NRC) at (800) 424-8802. During normal business hours call the nearest DEC Area Response Team Office – Southeast (Juneau) 465-5340; Central (Anchorage) 269-3063; or Northern (Fairbanks) 451-2121. Outside of normal business hours, the permittee must call (800) 478-9300 as soon as the permittee has knowledge of the discharge. State or local requirements may necessitate reporting spills or discharges to local emergency response, public health, or drinking water supply agencies. Contact information must be posted, where practicable, in locations that are readily accessible and available.
- 4.2.4.5 The permittee must provide a description of the release, the circumstances leading to the release, and the date of the release to the nearest DEC Area Response Team Office, in accordance to AS 75.300 (See Part 4.2.4.4). The permittee must also implement measures to prevent the reoccurrence of such releases and to respond to such releases.
- 4.2.5 **Erosion and Sediment Controls.** A permittee 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 the permittee must take to meet this limit, the permittee 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, the permittee is encouraged to consult with EPA’s internet-based resources relating to BMPs for erosion and sedimentation, including the sector-specific Industrial Stormwater Fact Sheet Series, (www.epa.gov/npdes/stormwater/msgp), National Menu of Stormwater BMPs (www.epa.gov/npdes/stormwater/menuofbmps), and National Management Measures to Control Nonpoint Source Pollution from Urban Areas (www.epa.gov/owow/nps/urbanmm/index.html), and any similar State or Tribal publications such as the Alaska Storm Water guide (<http://dec.alaska.gov/water/wnpspc/stormwater/Guidance.html>.) and the Best Management Practices Manual for Gravel Quarries found at http://dec.alaska.gov/water/wnpspc/protection_restoration/bestmgmtpractices/Docs/ADECFLyer3.pdf .

- 4.2.6 **Management of Runoff.** A permittee must divert, infiltrate, reuse, contain, or otherwise reduce storm water runoff, to minimize pollutants in their discharges. In selecting, designing, installing, and implementing appropriate control measures, permittees are encouraged to consult with EPA's internet-based resources relating to runoff management, including the sector-specific Industrial Storm Water Fact Sheet Series, (www.epa.gov/npdes/stormwater/msgp), National Menu of Storm Water BMPs (www.epa.gov/npdes/stormwater/menuofbmps), and National Management Measures to Control Nonpoint Source Pollution from Urban Areas (www.epa.gov/owow/nps/urbanmm/index.html), and any similar State or Tribal publications.
- 4.2.7 **Salt Storage Piles or Piles Containing Salt.** A permittee 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. A permittee must also implement appropriate measures (e.g., good housekeeping, diversions, containment) to minimize exposure resulting from adding to or removing materials from the pile.
- 4.2.8 **Sector Specific Technology-Based Effluent Limits.** A permittee must achieve any additional non-numeric limits stipulated in the relevant sector-specific section(s) of Part 11.
- 4.2.9 **Employee Training.** A permittee must train all employees 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), including all members of the permittee's Pollution Prevention Team. 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 shall be conducted at least annually (or more often if employee turnover is high) and documented in the SWPPP.
- 4.2.10 **Non-Storm Water Discharges.** A permittee must eliminate non-storm water discharges not authorized by an APDES permit. See Part 1.2.3 for a list of non-storm water discharges authorized by this permit.
- 4.2.11 **Waste, Garbage and Floatable Debris.** A permittee 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.
- 4.2.12 **Dust Generation and Vehicle Tracking of Industrial Materials.** A permittee must minimize generation of dust and off-site tracking of raw, final, or waste materials. Appropriate BMPs to minimize tracking include the establishment of stabilized access and exit points.

4.3 Numeric Effluent Limitations Based on Effluent Limitations Guidelines.

If the permittee is in an industrial category subject to one of the effluent limitations guidelines identified in Table 7-1 (see Part 7.2.2.1), the permittee must meet the effluent limits referenced in Table 4-1 below:

Table 4-1: Applicable Effluent Limitations Guidelines

Regulated Activity	40 CFR Part/Subpart	Effluent Limit
Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas	Part 429, Subpart I	See Part 11.A.7
Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished product, by-products or waste products (SIC 2874)	Part 418, Subpart A	See Part 11.C.4
Runoff from asphalt emulsion facilities	Part 443, Subpart A	See Part 11.D.4
Runoff from material storage piles at cement manufacturing facilities	Part 411, Subpart C	See Part 11.E.5
Mine dewatering discharges at crushed stone, construction sand and gravel, or industrial sand mining facilities	Part 436, Subparts B, C, or D	See Part 11.J.9
Runoff from hazardous waste landfills	Part 445, Subpart A	See Part 11.K.6
Runoff from non-hazardous waste landfills	Part 445, Subpart B	See Part 11.L.10
Runoff from coal storage piles at steam electric generating facilities	Part 423	See Part 11.O.8
Existing and new primary airports with 1,000 or more annual jet departures that discharge wastewater associated with airfield pavement deicing that contains urea commingled with stormwater	Part 449	See Part 11.S.9

4.4 Plan Approval for Nondomestic Wastewater Treatment Works.

For all new facilities operators who construct, install or operate any part of a nondomestic wastewater treatment works shall submit a copy of the engineering plans to DEC for review at the address in Part 9.6, and pay an engineering plan review fee (see 18 AAC 72.600 and 18 AAC 72.955). Engineering plan approval must be obtained from DEC prior to construction.

Nondomestic wastewater includes storm water runoff. All permanent storm water treatment devices shall receive engineering plan approval per 18 AAC 72.600. (For the purposes of Part 4.4 “permanent storm water treatment device” means a treatment device with a design life longer than two years.)

5. Storm Water Pollution Prevention Plan (SWPPP).

A permittee must prepare a SWPPP for their facility before submitting their Notice of Intent (NOI) for permit coverage. If a permittee prepared a SWPPP for coverage under a previous APDES permit, the permittee must review and update the SWPPP to implement all provisions of this permit prior to submitting their NOI. The SWPPP does not contain effluent limitations; the limitations are contained in Part 4 of the permit, and for some sectors, Parts 11 of the permit. The SWPPP is intended to document the selection, design, and installation of control measures. As distinct from the SWPPP, the additional

documentation requirements (see Part 5.8) are intended to document the implementation (including inspection, maintenance, monitoring, and corrective action) of the permit requirements.

5.1 Storm Water Pollution Prevention Plan (SWPPP).

For coverage under this permit, the SWPPP must contain all of the following elements:

- 5.1.1 Storm water pollution prevention team (see Part 5.2.2);
- 5.1.2 Site description (see Part 5.2.3);
- 5.1.3 Summary of potential pollutant sources (see Part 5.2.4);
- 5.1.4 Description of control measures (see Part 5.2.5);
- 5.1.5 Schedules and procedures (see Part 5.2.6); and
- 5.1.6 Signature requirements (see Part 5.2.7).

Where the SWPPP refers to procedures in other facility documents, such as a Spill Prevention, Control and Countermeasure (SPCC) Plan or an Environmental Management System (EMS) developed for a National Environmental Performance Track facility, copies of the relevant portions of those documents must be kept with the SWPPP.

5.2 Contents of the SWPPP.

5.2.1 Permittee.

Identify the permittee for the facility.

5.2.2 Storm Water Pollution Prevention Team.

Identify the staff members (by name or title) that comprise the facility's storm water pollution prevention team as well as their individual responsibilities. The 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 either an electronic or paper copy of applicable portions of this permit and the SWPPP.

5.2.3 Site Description.

The SWPPP must include the following:

- 5.2.3.1 **Activities at the Facility.** Provide a description of the nature of the industrial activities at the facility.

5.2.3.2 **General location map.** Provide a general location map (e.g., U.S. Geological Survey (USGS) quadrangle map) with enough detail to identify the location of the facility and all receiving waters for the storm water discharges.

5.2.3.3 **Site map.** Provide a map showing:

- the size of the property in acres;
- the location and extent of significant structures and impervious surfaces;
- directions of storm water flow (use arrows);
- locations of all existing structural control measures;
- locations of all receiving waters in the immediate vicinity of the permittees facility, indicating if any of the waters are impaired and, if so, whether the waters have TMDLs established for them;
- locations of all storm water conveyances including ditches, pipes, and swales;
- locations of potential pollutant sources identified under Part 5.2.4.2;
- locations where significant spills or leaks identified under Part 5.2.4.3 have occurred;
- locations of all storm water monitoring points;
- locations of storm water inlets and outfalls, with a unique identification code for each outfall (e.g., Outfall No. 1, No. 2, etc), indicating if permittees are treating one or more outfalls as “substantially identical” under Parts 6.2.3, 5.2.6.2, and 7.1.1, and an approximate outline of the areas draining to each outfall;
- municipal separate storm sewer systems, where the facilities storm water discharges to them;
- locations and descriptions of all non-storm water discharges identified under Part 4.2.10;
- Identify the location of existing public water system (PWS) drinking water protection areas for PWS (e.g. springs, wells, or surface water intakes) that intersect the boundary of the facility;
- 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;
 - transfer areas for substances in bulk; and

- machinery; and
- locations and sources of run-on to the facility from adjacent property that contains significant quantities of pollutants.

5.2.4 Summary of Potential Pollutant Sources.

A permittee must document areas at their 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:

- 5.2.4.1 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).
- 5.2.4.2 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 all significant materials that have been handled, treated, stored, or disposed, and that have been exposed to storm water in the three years prior to the date the permittee prepared or amended the SWPPP.
- 5.2.4.3 Spills and Leaks.** A permittee 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. The permittee must document all significant spills and leaks⁵ of oil or toxic or hazardous pollutants that occurred in the three years prior to the date the permittee prepared the SWPPP for this permit term. Specifically, include spills or leaks that occurred in areas exposed to storm water or that drained to a storm water conveyance. The spill or leak history must be maintained in the SWPPP throughout this permit term. The permit term goes from the permit effective date to the permit expiration date.
- 5.2.4.4 Non-Storm Water Discharges.** A permittee must document that they have evaluated for the presence of non-storm water discharges and that all unauthorized discharges have been eliminated. Documentation of the evaluation must include:
- The date of any evaluation;

⁵ Significant 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 the permittee of the reporting requirements of 40 CFR 110, 40 CFR 117, 40 CFR 302, Alaska Statute 46.04 and Section 18 AAC Chapter 75 (i.e. 18 AAC 75.300) relating to spills or other releases of oils or hazardous substances. (See 4.2.4)

- 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 APDES permit application was submitted for an unauthorized cooling water discharge.

5.2.4.5 ***Salt Storage.*** A permittee must document the location of any storage piles containing salt used for deicing or other commercial or industrial purposes.

5.2.4.6 ***Sampling Data.*** A permittee must summarize all storm water discharge sampling data collected at their facility during the previous permit term.

5.2.5 **Description of Control Measures.**

5.2.5.1 ***Control Measures to Meet Technology-Based and Water Quality-Based Effluent Limits.*** A permittee must document the location and type of control measures installed and implemented at the facility to achieve the non-numeric effluent limits in Part 4.2, and where applicable in Part 11, the effluent limitations guidelines-based limits in Part 4.3, the water quality-based effluent limits in Part 3.2, and describe how the permittee addressed the control measure selection and design considerations in Part 4.1. This documentation must describe how the control measures at the facility address both the pollutant sources identified in Part 5.2.4, and any storm water run-on that commingles with any discharges covered under this permit.

5.2.6 **Schedules and Procedures.**

5.2.6.1 ***Pertaining to Control Measures Used to Comply with the Effluent Limits in Part 4.*** The following must be documented in the SWPPP:

- ***Good Housekeeping*** (See Part 4.2.2) – 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 4.2.3) – 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 4.2.4) – Procedures for preventing and responding to spills and leaks. The permittee 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 APDES permit for the facility, provided that the permittee keeps a copy of that other plan onsite and makes it available for review consistent with Part 5.7; and

- *Employee Training* (Part 4.2.9) – A schedule for all types of necessary training.

5.2.6.2 ***Pertaining to Monitoring and Inspection.*** A permittee must document in the SWPPP procedures for conducting the four types of analytical monitoring specified by this permit, where applicable to the facility, including:

- Benchmark monitoring (see Part 7.2.1);
- Effluent limitations guidelines monitoring (see Part 7.2.2);
- Impaired waters monitoring (see Part 7.2.3); and
- Other monitoring as required by DEC (see Part 7.2.4).

For each type of monitoring, the 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 the facility, including schedule for alternate monitoring periods for climates with irregular storm water runoff (see Part 7.1.6);
- Any numeric control values (benchmarks, effluent limitations guidelines, TMDL-related requirements, or other requirements) 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 7.1.
- If a permittee is invoking the exception for inactive and unstaffed sites for benchmark monitoring, the permittee must include in the SWPPP the information to support this claim as required by Part 7.2.1.6.

A permittee must document the following in the SWPPP if they plan to use the substantially identical outfall exception for quarterly visual assessment requirements in Part 6.2 or benchmark monitoring requirements in Part 7.2.1:

- 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 significant contributors of pollutants to storm water discharges;
- An estimate of the runoff coefficient of the drainage areas (low = under 40%; medium = 40 to 65%; high = above 65%); and
- Why the outfalls are expected to discharge substantially identical effluents.

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

- Routine facility inspections (see Part 6.1);
- Quarterly visual assessment of storm water discharges (see Part 6.2); and
- Comprehensive site inspections (see Part 6.3).

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

- Person(s) or positions of person(s) responsible for inspection;
- Schedules for conducting inspections, including tentative schedule for facilities in climates with irregular storm water runoff discharges (see Part 6.2.3); and
- Specific items to be covered by the inspection, including schedules for specific outfalls.

If the permittee is invoking the exception for inactive and unstaffed sites relating to routine facility inspections and quarterly visual assessments, the permittee must include in the SWPPP the information to support this claim as required by Parts 6.1.3 and 6.2.3.

5.2.7 Signature Requirements.

A permittee must sign and date the SWPPP in accordance with Appendix A, Subsection 1.12, including the date of signature.

5.3 Inspections.

- 5.3.1 The SWPPP must document the procedures for performing facility inspections specified by this permit in Part 6, and where necessary, taking corrective actions, in accordance with Part 8. At a minimum the SWPPP must document the following:
 - 5.3.1.1 Person(s) or position of person(s) responsible for conducting facility inspections;
 - 5.3.1.2 Schedules to be followed for conducting inspections;
 - 5.3.1.3 Any inspection checklist or form that will be used; and
 - 5.3.1.4 How conditions that require corrective action will be addressed.
- 5.3.2 A record of each inspection and of any corrective actions taken in accordance with Parts 6 and 8 must be retained with the SWPPP for at least three (3) years from the date permit coverage expires or is terminated.
- 5.3.3 If a permittee is invoking the exception for inactive and unstaffed sites relating to routine facility inspections and quarterly visual assessments, the permittee must include in the SWPPP the information to support this claim as required by Parts 6.1.3 and 6.2.3.

5.4 Monitoring.

- 5.4.1 The SWPPP must document the procedures for performing facility monitoring specified by this permit in Part 7, and where necessary, taking corrective actions, in accordance with Part 8. At a minimum, the SWPPP must document the following:
 - 5.4.1.1 Person(s) or position of person(s) responsible for conducting facility monitoring;
 - 5.4.1.2 Schedules to be followed for conducting monitoring;
 - 5.4.1.3 Any monitoring checklist or form that will be used; and
 - 5.4.1.4 How conditions that require corrective action will be addressed.
- 5.4.2 A record of each monitoring event and of any corrective actions taken in accordance with Parts 7 and 8 must be retained with the SWPPP for at least three (3) years from the date permit coverage expires or is terminated.

5.5 Documentation of Permit Eligibility Related to a Total Maximum Daily Load.

The SWPPP must include documentation supporting determination of permit eligibility with regards to waters that have an EPA-established or approved TMDL. See Part 3.2.2 for additional information to determine permit eligibility related to a TMDL. The SWPPP must include the following:

- 5.5.1 Identification of whether the discharge is identified, either specifically or generally, in an EPA – established or approved TMDL and any associated allocations, requirements, and assumptions identified for the discharge;
- 5.5.2 Summaries of consultation with state or federal TMDL authorities on consistency of SWPPP conditions with the approved TMDL; and
- 5.5.3 Measures taken by the permittee to ensure that the discharge of pollutants from the facility is consistent with the assumptions and requirements of the EPA – established or approved TMDL, including any specific wasteload or load allocation that has been established that would apply to the discharge.

5.6 Maintaining and Updated SWPPP.

- 5.6.1 A permittee must modify the SWPPP whenever necessary to address any of the triggering conditions for corrective action in Part 8.1 and to ensure that they do not reoccur, or to reflect changes implemented when a review following the triggering conditions in Part 8.2 indicates that changes to the control measures are necessary to meet the effluent limits in this permit. Changes to the SWPPP document must be made in accordance with the corrective action deadlines in Parts 8.3 and 8.4, and must be signed and dated in accordance with Appendix A, Subsection 1.12.
- 5.6.2 A permittee must modify the SWPPP if inspections or investigations by facility staff or by state, federal, local or tribal officials determine that SWPPP modifications are necessary for compliance with this permit.
- 5.6.3 A permittee must modify the SWPPP to reflect any revisions to applicable state, federal, local or tribal law or regulations that affect the control measures implemented at the facility.
- 5.6.4 A permittee must keep a log showing dates, name of person authorizing the change, and a brief summary of changes for all significant SWPPP modifications (e.g. adding a new control measure, changes in facility layout or design, or significant storm events that cause for replacement of control measures).
- 5.6.5 A permittee must amend the SWPPP within thirty (30) calendar days whenever there is a change in design, construction, operation, or maintenance, which has a significant effect on the potential for the discharge of pollutants to waters of the U.S., or if the SWPPP proves to be ineffective in eliminating or significantly minimizing pollutants from sources identified in the SWPPP, or in otherwise achieving the general objectives of controlling pollutants in storm water discharges associated with industrial activity. The SWPPP must be updated at least annually.

5.7 SWPPP Availability.

A permittee must retain a copy of the current SWPPP required by this permit at the facility, and it must be immediately available to DEC or EPA at the time of an onsite inspection or upon request. If the facility is inactive the SWPPP must be retained at a readily available location or the office of the operator. DEC may provide access to portions of the SWPPP to a member of the public upon request. Confidential Business Information (CBI) may be withheld from the public, but may not be withheld from those staff cleared for CBI review within DEC, EPA, USFWS, or NMFS.

DEC encourages permittees to post their SWPPP online and provide the website address on the NOI (the SWPPP does not need to be reposted on the internet each time it is updated).

5.8 Additional Documentation Requirements.

A permittee is required to keep up-to-date copies of the following inspection, monitoring, corrective action, additional documentation, and certification records with the SWPPP:

- 5.8.1 A copy of the NOI submitted to DEC along with any correspondence exchanged between the permittee and DEC specific to coverage under this permit;
- 5.8.2 A copy of the acknowledgment letter the permittee receives from DEC or eNOI system assigning the permittees permit tracking number;
- 5.8.3 A copy of this permit (an electronic copy easily available to SWPPP personnel is also acceptable);
- 5.8.4 Descriptions and dates of any incidences of significant spills, leaks, or other releases that resulted in discharges of pollutants to waters of the U.S., 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 4.2.4);
- 5.8.5 Records of employee training, including date training received (see Part 4.2.9);
- 5.8.6 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 4.2.3);
- 5.8.7 Log of SWPPP modifications;
- 5.8.8 All inspection reports, including the Routine Facility Inspection Reports (see Part 6.1), the Quarterly Visual Assessment Reports (see Part 6.2), and the Comprehensive Site Inspection Reports (see Part 6.3);

- 5.8.9 Description of any deviations from the schedule for visual assessments and/or monitoring, and the reason for the deviations (e.g., adverse weather or it was impracticable to collect samples within the first 30 minutes of discharge from a measurable storm event) (see Parts 6.2.1, 7.1.4, and 7.2.1.2);
- 5.8.10 Description of any corrective action taken at the permittees site shall be listed in a corrective action log, including triggering event and dates when problems were discovered and modifications occurred (see Part 8.4);
- 5.8.11 Documentation of any benchmark exceedances and how they were responded to, including either (1) corrective action taken, (2) a finding that the exceedence was due to natural 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 7.2.1.2;
- 5.8.12 Documentation of any effluent limitation exceedances and how they were responded to, including any corrective action;
- 5.8.13 Documentation to support any determination that pollutants of concern are not expected to be present above natural background levels if the permittee discharges directly to impaired waters, and that such pollutants were not detected in their discharge or were solely attributable to natural background sources (see Part 7.2.3.2); and
- 5.8.14 Documentation to support the permittees claim that the permittees facility has changed its status from active to inactive and unstaffed with respect to the requirements to conduct routine facility inspections (see Part 6.1.3), quarterly visual assessments (see Part 6.2.3), and/or benchmark monitoring (see Part 7.2.1.6).

6. Inspections.

A permittee must conduct the inspections in Parts 6.1, 6.2, and 6.3 at their facility.

6.1 Routine Facility Inspections.

6.1.1 Routine Facility Inspection Procedures.

During normal facility operating hours, the permittee must conduct inspections of areas of the facility covered by the requirements in this permit, including the following:

- Areas where industrial materials or activities are exposed to storm water.
- Areas identified in the SWPPP and those that are potential pollutant sources (see Part 5.1.3).
- Areas where spills and leaks have occurred in the past 3 years.
- Discharge points.
- Control measures used to comply with the effluent limits contained in this permit.

Inspections must be conducted at least quarterly (i.e., once each permit quarter), or in some instances more frequently (e.g., monthly), as appropriate. Increased frequency may be appropriate for some types of equipment, processes and stormwater control measures, or areas of the facility with significant activities and materials exposed to stormwater. At least one of the routine inspections must be conducted during a period when a stormwater discharge is occurring (in arid areas of the state this requirement is to be met as practicable). The permittee must specify the relevant inspection schedules in their SWPPP document as required in Part 5.2.6.

Inspections must be performed by qualified personnel (as defined in Appendix C) with at least one member of the permittee's stormwater pollution prevention team participating. Inspector(s) must consider the results of visual and analytical monitoring (if any) for the past year when planning and conducting inspections.

During the inspection the inspectors must examine or look out for the following:

- Industrial materials, residue or trash that may have or could come into contact with stormwater.
- 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.

During an inspection occurring during a stormwater discharge, control measures implemented to comply with effluent limits must be observed to ensure they are functioning correctly. Discharge points, as defined in Appendix C, must also be observed during this inspection. If such discharge locations are inaccessible, nearby downstream locations must be inspected.

6.1.2 **Routine Facility Inspection Documentation.**

A permittee must document the findings of each routine facility inspection performed and maintain this documentation onsite with the SWPPP as required in Part 5.8. The permittee is not required to submit their routine facility inspection findings to DEC, unless specifically requested to do so. At a minimum, the permittees 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;
- All observations relating to the implementation of control measures at the facility, including:
 - A description of any discharges occurring at the time of the inspection;

- Any previously unidentified discharges of pollutants from the site;
- Any evidence of, or the potential for, pollutants entering the drainage system;
- Observations regarding the physical condition of and around all outfalls including any flow dissipation devices, and evidence of pollutants in discharges and/or the receiving water;
- Any control measures needing maintenance, repairs; or replacement;
- Any additional control measures needed to comply with the permit requirements; and
- Any incidents of noncompliance observed.

The inspection report must be signed and certified in accordance with Appendix A, Subsection 1.12 of the permit.

Any corrective action required as a result of a routine facility inspection must be performed consistent with Part 8 of this permit.

6.1.3 **Exceptions to Routine Facility Inspections.**

Inactive and Unstaffed Sites: The requirement to conduct routine facility inspections on a quarterly basis does not apply at a facility that is inactive and unstaffed, as long as there are no industrial materials or activities exposed to storm water. Such a facility is only required to conduct an annual comprehensive site inspection in accordance with the requirements of Part 6.3. To invoke this exception, the permittee must maintain a statement in the SWPPP pursuant to Part 5.2.6.2 indicating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to precipitation, in accordance with the substantive requirements in 40 CFR 122.26(g)(4)(iii). The statement must be signed and certified in accordance with Appendix A, Subsection 1.12. If circumstances change and industrial materials or activities become exposed to storm water or the facility becomes active and/or staffed, this exception no longer applies and the permittee must immediately resume quarterly facility inspections. If the permittee is not qualified for this exception at the time of authorization under this permit, but during the permit term becomes qualified because their facility is inactive and unstaffed, and there are no industrial materials or activities that are exposed to storm water, then the permittee must include the same signed and certified statement as above and retain it with the facility records pursuant to Part 5.8.

Inactive and unstaffed facilities or those undergoing winter shutdown covered under Sectors G (Metal Mining), H (Coal Mines and Coal Mining-Related Facilities), and J (Non-Metallic Mineral Mining and Dressing), are not required to meet the “no industrial materials or activities exposed to storm water” standard to be eligible for this exception from routine inspections, consistent with the requirements established in Parts 11.G.8.4, 11.H.8.1, and 11.J.8.1.

6.2 Quarterly Visual Assessment of Storm Water Discharges.

6.2.1 Quarterly Visual Assessment Procedures.

Once each calendar quarter for the entire permit term, the permittee must collect a storm water sample from each outfall (except as noted in Part 6.2.3) and conduct a visual assessment of each of these samples. These samples are not required to be collected consistent with 40 CFR Part 136 procedures but should be collected in such a manner that the samples are representative of the storm water discharge. If no discharge occurs during the quarterly visual assessment period, the permittee must still report no discharge for this monitoring period and follow the requirements of Part 7.1.6.

The visual assessment must be made:

- Of a sample in a clean, clear glass, or plastic container, and examined in a well-lit area;
- On samples collected within the first 30 minutes of an actual discharge from a measurable storm event. If it is not possible to collect the sample within the first 30 minutes of discharge, the sample must be collected as soon as practicable after the first 30 minutes and the permittee must document why it was not possible to take samples within the first 30 minutes. In the case of snowmelt, samples must be taken during a period with a measurable discharge from the permittees site; and
- For storm events, on discharges that occur at least 72 hours (3 days) from the previous discharge. The 72-hour (3-day) storm interval does not apply if the permittee documents that less than a 72-hour (3-day) interval is representative for local storm events during the sampling period.

A permittee must visually inspect the sample for the following water quality characteristics:

- Color;
- Odor;
- Clarity (dimished);
- Floating solids;
- Settled solids;
- Suspended solids;
- Foam;
- Oil sheen; and
- Other obvious indicators of storm water pollution.

6.2.2 Quarterly Visual Assessment Documentation.

A permittee must document the results of their visual assessments and maintain this documentation onsite with the SWPPP as required in Part 6.2.3. The permittee is not required

to submit their visual assessment findings to DEC, unless specifically requested to do so. At a minimum, the permittees documentation of the visual assessment must include:

- Sample location(s)
- Sample collection date and time, and visual assessment date and time for each sample;
- Personnel collecting the sample and performing visual assessment, and their signatures;
- Nature of the discharge (i.e., runoff or snowmelt);
- Results of observations of the storm water discharge;
- Probable sources of any observed storm water contamination, and
- If applicable, why it was not possible to take samples within the first 30 minutes.
- Quarterly Visual Assessment Documentation must be signed and certified in accordance with Appendix A, Subsection 1.12 of the permit.

Any corrective action required as a result of a quarterly visual assessment must be performed consistent with Part 8 of this permit.

6.2.3 Exceptions to Quarterly Visual Assessments.

Adverse Weather Conditions: When adverse weather conditions prevent the collection of samples during the quarter, the permittee must take a substitute sample during the next qualifying storm event. Documentation of the rationale for no visual assessment for the quarter must be included with the SWPPP records as described in Part 5.8. Adverse conditions are those that are dangerous or create inaccessibility for personnel, such as local flooding, high winds, or electrical storms, or situations that otherwise make sampling impractical, such as drought or extended frozen conditions.

Climates with Irregular Storm Water Runoff: If the facility is located in an area where limited rainfall occurs during many parts of the year (e.g., arid or semi-arid climate) or in an area where freezing conditions exist that prevent runoff from occurring for extended periods, then the samples for the quarterly visual assessments may be distributed during seasons when precipitation runoff occurs. (See Part 7.1.6)

Areas Subject to Snow: In areas subject to snow, at least one quarterly visual assessment must capture snowmelt discharge, as described in Part 7.1.3, taking into account the exception described above for climates with irregular storm water runoff.

Inactive and Unstaffed Sites: The requirement for a quarterly visual assessment does not apply at a facility that is inactive and unstaffed, as long as there are no industrial materials or activities exposed to storm water. To invoke this exception, the permittee must maintain a statement in the SWPPP as required in Part 5.2.6.2 indicating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to precipitation, in accordance with the substantive requirements in 40 CFR 122.26(g)(4)(iii). The statement must be signed and certified in accordance with Appendix A, Subsection 1.12. If circumstances

change and industrial materials or activities become exposed to storm water or the facility becomes active and/or staffed, this exception no longer applies and the permittee must immediately resume quarterly visual assessments. If the permittee is not qualified for this exception at the time they are authorized under this permit, but during the permit term they become qualified because their facility is inactive and unstaffed, and there are no industrial materials or activities that are exposed to storm water, then the permittee must include the same signed and certified statement as above and retain it with their records pursuant to Part 5.8.

Inactive and unstaffed facilities covered under Sectors G (Metal Mining), H (Coal Mines and Coal Mining-Related Facilities), and J (Non-Metallic Mineral Mining and Dressing), are not required to meet the “no industrial materials or activities exposed to storm water” standard to be eligible for this exception from quarterly visual assessment, consistent with the requirements established in Parts 11.G.8.4, 11.H.8.1, and 11.J.8.1.

Substantially Identical Outfalls: If a permittees facility has two or more outfalls that discharge substantially identical effluents, as documented in Part 5.2.6.2, the permittee may conduct quarterly visual assessments of the discharge at just one of the outfalls and report that the results also apply to the substantially identical outfall(s) provided that the permittee performs visual assessments on a rotating basis of each substantially identical outfall throughout the period of coverage under this permit.

If storm water contamination is identified through visual assessment performed at a substantially identical outfall, the permittee must assess and modify their control measures as appropriate for each outfall represented by the monitored outfall.

6.3 Comprehensive Site Inspections.

6.3.1 Comprehensive Site Inspection Procedures.

A permittee must conduct annual comprehensive site inspections while covered under this permit. Annual, as defined in this Part, means once during each of the following inspection periods beginning with the period the permittee is authorized to discharge under this permit:

Year 1:	Permit Effective Date	–	December 31, 2015
Year 2:	January 1, 2016	–	December 31, 2016
Year 3:	January 1, 2017	–	December 31, 2017
Year 4:	January 1, 2018	–	December 31, 2018
Year 5:	January 1, 2019	–	Permit Expiration Date ¹
Note:			
1. Unless the permit is extended to or past December 31, 2019, in which case, December 31, 2019.			

A permittee is waived from having to perform a comprehensive site inspection for an inspection period, as defined above, if authorization to discharge is obtained less than three months before the end of that inspection period.

Should a permittees coverage be administratively continued after the expiration date of this permit, the permittee must continue to perform these inspections annually until they are no longer covered.

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

The 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 5.2.4) 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 3, and areas where spills and leaks have occurred in the past 3 years. If the permittee has documented in the SWPPP that some industrial sector sites within the facility have no exposure to storm water the comprehensive site inspection should include those sector areas as well to verify no exposure still exists. The inspections must also include a review of monitoring data collected in accordance with Part 7.2. Inspectors must use the results of the past year's visual and 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; and
- Control measures needing replacement, maintenance, or repair.

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.

The annual comprehensive site inspection may also be used as one of the routine inspections, as long as all components of both types of inspections are included.

6.3.2 Comprehensive Site Inspection Documentation.

A permittee must document the findings of each comprehensive site inspection and maintain this documentation onsite with the SWPPP as required in Part 5.8. In addition, the permittee must submit this documentation in an annual report as required in Part 9.2. At a minimum, the

permittees documentation of the comprehensive site inspection must include (see the Annual Reporting Form included as Appendix F):

- The date of the inspection;
- The name(s) and title(s) of the personnel making the inspection;
- Findings from the examination of areas of the facility identified in Part 6.3.1 including inspections of the individual industrial sectors within a facility under a single permit which have been noted as having no exposure in the SWPPP;
- All observations relating to the implementation of the permittees 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 or a certification stating the facility is in compliance with this permit (if there is no noncompliance); and
- A statement, signed and certified in accordance with Appendix A, Subsection 1.12 of the permit.

Any corrective action required as a result of the comprehensive site inspection must be performed consistent with Part 8 of this permit.

7. Monitoring.

A permittee must collect and analyze storm water samples and document monitoring activities consistent with the procedures described in Part 7 and Appendix A, Subsections 3.0, and any additional sector-specific requirements in Part 11. Refer to Part 9 for reporting and recordkeeping requirements.

7.1 Monitoring Procedures.

7.1.1 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 the permittees facility has two or more outfalls that they believe discharge substantially identical effluents, based on the similarities of the general industrial activities and control measures, exposed materials that may significantly contribute pollutants to storm water, and runoff coefficients of their drainage areas, they 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 5.2.6.2, the SWPPP must identify each outfall authorized by this permit and describe the rationale for any substantially identical outfall determinations. The allowance for monitoring only one of the substantially identical outfalls is not applicable to any outfalls with numeric effluent limitations. The permittee is required to monitor each outfall covered by a numeric effluent limit as identified in Part 7.2.2.

7.1.2 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.

7.1.3 Measurable Storm Events.

All required monitoring must be performed on a storm event that results in an actual discharge from the facility (“measurable storm event”) that follows the preceding measurable storm event by at least 72 hours (three days). The 72-hour (three-day) storm interval does not apply if the permittee is able to document that less than a 72-hour (three-day) interval is representative for local storm events during the sampling period. In the case of snowmelt, the monitoring must be performed at a time when a measurable discharge occurs at the facility.

For each monitoring event, except snowmelt monitoring, the permittee must identify the date and duration (in hours) of the rainfall event, rainfall total (in inches) for that rainfall event, and time (in days) since the previous measurable storm event. For snowmelt monitoring, the permittee must identify the date of the sampling event.

7.1.4 Sample Type.

A permittee must take a minimum of one grab sample from a discharge resulting from a measurable storm event as described in Part 7.1.3. Samples must be collected within the first 30 minutes of a discharge produced from a measurable storm event. If it is not possible to collect the sample within the first 30 minutes of discharge, the sample must be collected as soon as practicable after the first 30 minutes and documentation must be kept with the SWPPP explaining why it was not possible to take samples within the first 30 minutes. In the case of snowmelt, samples must be taken during a period with a measurable discharge.

7.1.5 **Adverse Weather Conditions.**

When adverse weather conditions as described in Part 6.2.3 prevent the collection of samples according to the relevant monitoring schedule, the permittee must take a substitute sample during the next qualifying storm event. Adverse weather does not exempt a permittee from having to file a benchmark monitoring report in accordance with their sampling schedule. The permittee must report any failure to monitor as specified in Part 9.1 indicating the basis for not sampling during the usual reporting period.

7.1.6 **Climates with Irregular Storm Water Runoff.**

If a permittees facility is located in areas where limited rainfall occurs during parts of the year (e.g., arid or semi-arid climates) or in areas where freezing conditions exist that prevent runoff from occurring for extended periods, required monitoring events may be distributed during seasons when precipitation occurs, or when snowmelt results in a measurable discharge from the facility. The permittee must still collect the required number of samples.

7.1.7 **Monitoring Periods.**

Monitoring requirements in this permit begin in the first full quarter following either January 1, 2015 or the permittees date of discharge authorization, whichever date comes later. If the permittees monitoring is required on a quarterly basis (e.g., benchmark monitoring), the permittee must monitor at least once in each of the following three-month intervals:

- **Quarter 1:** January 1 - March 31;
- **Quarter 2:** April 1 – June 30;
- **Quarter 3:** July 1 – September 30;
- **Quarter 4:** October 1 – December 31.

For example, if permit coverage was obtained on June 2, 2015, then the permittees first monitoring quarter is July 1 - September 30, 2015. This monitoring schedule may be modified in accordance with Part 7.1.6 if the revised schedule is documented with the SWPPP and provided to DEC with the first monitoring report.

7.1.8 **Monitoring for Allowable Non-Storm Water Discharges.**

The permittee is only required to monitor allowable non-storm water discharges (as delineated in Part 1.2.3) when they are commingled with storm water discharges associated with industrial activity.

7.2 **Required Monitoring.**

This permit includes four types of required analytical monitoring, one or more of which may apply to the permittees discharge:

- Quarterly benchmark monitoring (see Part 7.2.1)
- Annual effluent limitations guidelines monitoring (see Part 7.2.2);

- Impaired waters monitoring (see Part 7.2.3); and
- Other monitoring as required by DEC (see Part 7.2.4).

When more than one type of monitoring for the same parameter at the same outfall applies (e.g., total suspended solids once per year for an effluent limit and once per quarter for benchmark monitoring at a given outfall), the permittee may use a single sample to satisfy both monitoring requirements (i.e., one sample satisfying both the annual effluent limit sample and one of the four quarterly benchmark monitoring samples).

All required monitoring must be conducted in accordance with the procedures described in Appendix A, Subsection 3.0.

7.2.1 **Benchmark Monitoring.**

This permit stipulates pollutant benchmark concentrations that may be applicable to certain sectors / subsectors. Benchmark monitoring data are primarily for the permittees use to determine the overall effectiveness of the permittees control measures and to assist the permittee in knowing when additional corrective action(s) may be necessary to comply with the effluent limitations in Part 4.

The benchmark concentrations are not effluent limitations; a benchmark exceedance, therefore, is not a permit violation. However, if corrective action is required as a result of a benchmark exceedance, failure to conduct required corrective action is a permit violation.

At the permittee's discretion, more than four samples may be taken during separate runoff events and used to determine the average benchmark parameter concentration for facility discharges. These extra samples may be taken in any quarter of the permittees' choice.

7.2.1.1 *Applicability of Benchmark Monitoring.* A permittee must monitor for any benchmark parameters specified for the industrial sector(s), both primary industrial activity and any co-located industrial activities, applicable to the permittees discharge. The industry-specific benchmark concentrations are listed in the sector-specific sections of Part 11. If the facility is in one of the industrial sectors subject to benchmark concentrations that are hardness-dependent, the permittee is required to submit to DEC with their first benchmark report a hardness value, established consistent with the procedures in Appendix E, which is representative of the receiving water.

Samples must be analyzed consistent with 40 CFR Part 136 analytical methods and using test procedures with quantitation limits at or below benchmark values for all benchmark parameters for which the permittee is required to sample.

7.2.1.2 *Benchmark Monitoring Schedule.* Benchmark monitoring must be conducted quarterly, as identified in Part 7.1.7, for the permittees first four full quarters of permit coverage commencing no earlier than March 1, 2015. Facilities in climates with irregular storm water runoff, as described in Part 7.1.6, may modify this quarterly schedule provided that

this revised schedule is reported to DEC when the first benchmark sample is collected and reported, and that this revised schedule is kept with the facility's SWPPP as specified in Part 5.2.6. When conditions prevent the obtaining of four samples in four consecutive quarters, continue monitoring until achieving the four samples required for calculating the benchmark monitoring average.

- 7.2.1.3 **Data Not Exceeding Benchmarks.** After collection of four quarterly samples, if the average of the four monitoring values for any parameter does not exceed the benchmark, the permittee has fulfilled their monitoring requirements for that parameter for the permit term. For averaging purposes, use a value of zero for any individual sample parameter, analyzed using procedures consistent with Part 7.2.1.1, 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.
- 7.2.1.4 **Data Exceeding Benchmarks.** After collection of four quarterly samples, if the average of the four monitoring values for any parameter exceeds the benchmark, the permittee must, in accordance with Part 8.2, review the selection, design, installation, and implementation of their control measures to determine if modifications are necessary to meet the benchmarks in this permit, and either:
- Make the necessary modifications and continue quarterly monitoring until the permittee has completed four additional 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 3 of this permit, in which case the permittee must continue monitoring once per year. The permittee must also document their rationale for concluding that no further pollutant reductions are achievable, and retain all records related to this documentation with their SWPPP. The permittee must also notify DEC of this determination in their next benchmark monitoring report.

In accordance with Part 8.2, the permittee must review its control measures and perform any required corrective action immediately (or document why no corrective action is required), without waiting for the full four quarters of monitoring data, if an exceedance of the four quarter average is mathematically certain. If after modifying the permittees control measures and conducting four additional quarters of monitoring, their average still exceeds the benchmark (or if an exceedance of the benchmark by the four quarter average is mathematically certain prior to conducting the full four additional quarters of monitoring), the permittee must again review its control measures and take one of the two actions above.

7.2.1.5 **Natural Background Pollutant Levels.** Following the first four quarters of benchmark monitoring (or sooner if the exceedance is triggered by less than four quarters of data, see above), if the average concentration of a pollutant exceeds a benchmark value, and the permittee determines that exceedance of the benchmark is attributable solely to the presence of that pollutant in the natural background, the permittee is not required to perform corrective action or additional benchmark monitoring provided that:

- The average concentration of the permittees benchmark monitoring results is less than or equal to the concentration of that pollutant in the natural background;
- The permittee must document and maintain with the SWPPP, as required in Part 5.8, the supporting rationale for concluding that benchmark exceedances are in fact attributable solely to natural background pollutant levels. The permittee must include in their supporting rationale any data previously collected by the permittee or others (including literature studies) that describe the levels of natural background pollutants in their storm water discharge; and
- The permittee must notify DEC on their final quarterly benchmark monitoring report that the benchmark exceedances are attributable solely to natural background pollutant levels.

Natural background pollutants include those substances that are naturally occurring in soils or groundwater. Natural background pollutants do not include legacy pollutants from earlier activity at the facility, or pollutants in run-on from neighboring sources which are not naturally occurring.

7.2.1.6 **Exception for Inactive and Unstaffed Sites⁶.** The requirement for benchmark monitoring does not apply at a facility that is inactive and unstaffed, as long as there are no industrial materials or activities exposed to storm water. To invoke this exception, the permittee must do the following:

- Maintain a statement onsite with the SWPPP stating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to storm water in accordance with the substantive requirements in 40 CFR 122.26(g) and sign and certify the statement in accordance with Appendix A, Subsection 1.12; and
- If circumstances change and industrial materials or activities become exposed to storm water or the facility becomes active and/or staffed, this exception no longer applies and the permittee must immediately begin complying with the applicable benchmark monitoring requirements under Part 7.2 as if they were in their first year of permit coverage. The permittee must indicate in their first benchmark

⁶ This exception has different requirements for Sectors G, H, and J (see Part 11).

monitoring report that their facility has materials or activities exposed to storm water or has become active and/or staffed.

- If the permittee is not qualified for this exception at the time they are authorized under this permit, but during the permit term they become qualified because their facility is inactive and unstaffed, and there are no industrial materials or activities that are exposed to storm water, then the permittee must notify DEC of this change in their next benchmark monitoring report. A permittee may discontinue benchmark monitoring once they have notified DEC, and prepared and signed the certification statement described above concerning their facility's qualification for this special exception.

7.2.2 Effluent Limitations Monitoring.

7.2.2.1 **Monitoring Based on Effluent Limitations Guidelines.** Table 7-1 identifies the storm water discharges subject to effluent limitation guidelines that are authorized for coverage under this permit. Beginning in the first full quarter following January 1, 2015 or the permittees date of discharge authorization, whichever date comes later, the permittee must monitor once per year at each outfall containing the discharges identified in Table 7-1 for the parameters specified in the sector-specific section of Part 11.

Table 7-1: Required Monitoring for Effluent Limits Based on Effluent Limitations Guidelines

Regulated Activity	Effluent Limit	Monitoring Frequency	Sample Type
Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas	See Part 11.A.7	1/year	Grab
Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished product, by-products or waste products (SIC 2874)	See Part 11.C.4	1/year	Grab
Runoff from asphalt emulsion facilities	See Part 11.D.4	1/year	Grab
Runoff from material storage piles at cement manufacturing facilities	See Part 11.E.5	1/year	Grab
Mine dewatering discharges at crushed stone, construction sand and gravel, or industrial sand mining facilities	See Part 11.J.9	1/year	Grab
Runoff from hazardous waste landfills	See Part 11.K.6	1/year	Grab
Runoff from non-hazardous waste landfills	See Part 11.L.10	1/year	Grab
Runoff from coal storage piles at steam electric generating facilities	See Part 11.O.8	1/year	Grab
Existing and new primary airports with 1,000 or more annual jet departures that discharge wastewater associated with airfield pavement deicing that contains urea commingled with stormwater	See Part 11.S.8	1/year	Grab

7.2.2.2 **Substantially Identical Outfalls.** A permittee must monitor each outfall discharging runoff from any regulated activity identified in Table 7-1. The substantially identical outfall monitoring provisions are not available for numeric effluent limits monitoring.

7.2.2.3 **Follow-up Actions if Discharge Exceeds Numeric Effluent Limit.** The permittee must follow-up monitoring within 30 calendar days (or during the next qualifying runoff event, should none occur within 30 days) of implementing corrective action(s) taken pursuant to Part 4 in response to exceedance of a numeric effluent limit contained in this permit. Monitoring must be performed for any pollutant(s) that exceeds the effluent limit. If this follow-up monitoring exceeds the applicable effluent limitation, you must:

- **Submit a Noncompliance Notification Form:** You must submit a Noncompliance Notification Form no later than 30 days after you have received the lab result; and
- **Continue to Monitor:** the permittee must monitor, at least quarterly, until the discharge is in compliance with the effluent limit or until DEC waives the requirement for additional monitoring.

7.2.3 Discharges to Impaired Waters Monitoring.

7.2.3.1 **Permittees Required to Monitor Discharges to Impaired Waters.** If a permittee discharges to an impaired water, the permittee must monitor for all pollutants for which the waterbody is impaired and for which a standard analytical method exists (see 40 CFR Part 136).

If the pollutant for which the waterbody is impaired is suspended solids, turbidity or sediment/sedimentation, the permittee must monitor for Total Suspended Solids (TSS) and turbidity. If the pollutant for which the waterbody is impaired is expressed in the form of an indicator or surrogate pollutant, the permittee must monitor for that indicator or surrogate pollutant. No monitoring is required when a waterbody's biological communities are impaired but no pollutant, including indicator or surrogate pollutants, is specified as causing the impairment, or when a waterbody's impairment is related to hydrologic modifications, impaired hydrology, or other pollutant.

7.2.3.2 *Impaired Waters Monitoring Schedule.*

Discharges to impaired waters without an EPA approved or established TMDL:

Beginning in the first full calendar quarter following January 1, 2015 or the permittees date of discharge authorization, whichever date comes later, the permittee must monitor once per year at each outfall (except substantially identical outfalls) discharging storm water to impaired waters without an EPA approved or established TMDL. This monitoring requirement does not apply after one year if the pollutant for which the waterbody is impaired is not detected above natural background levels in their storm water discharge, and the permittee must document, as required in Part 5.8 (Additional Documentation Requirements), that this pollutant is not expected to be present above natural background levels in the permittees discharge.

If the pollutant for which the water is impaired is not present and not expected to be present in the permittee's discharge, or it is present but the permittee has determined that

its presence is caused solely by natural background sources, they should include a notification to this effect in their first monitoring report, after which they may discontinue annual monitoring. To support a determination that the pollutant's presence is caused solely by natural background sources, the permittee must keep the following documentation with their SWPPP records:

- An explanation of why the permittee believes that the presence of the pollutant causing the impairment in their discharge is not related to the activities at their facility; and
- Data and/or studies that tie the presence of the pollutant causing the impairment in their discharge to natural background sources in the watershed.

Natural background pollutants include those substances that are naturally occurring as a result of native soils, vegetation, wildlife, or groundwater. Natural background pollutants do not include legacy pollutants from earlier activity on the site, or pollutants in run-on from neighboring sources which are not naturally occurring.

Discharges to impaired waters with an EPA approved or established TMDL WLA: For storm water discharges to waters for which there is an EPA approved or established TMDL waste load allocation (WLA), the permittee is not required to monitor for the pollutant for which the TMDL was written unless DEC informs the permittee, upon examination of the applicable TMDL and/or WLA, that they are subject to such a requirement consistent with the assumptions of the applicable TMDL and/or WLA. DEC's notice will include specifications on which pollutant to monitor and the required monitoring frequency during the first year of permit coverage. Following the first year of monitoring:

- If the TMDL pollutant is not detected in any of the permittees first year samples, they may discontinue further sampling, unless the TMDL has specific instructions to the contrary, in which case the permittee must follow those instructions. The permittee must keep records of this finding onsite with their SWPPP.
- If the permittee detects the presence of the pollutant causing the impairment in their storm water discharge for any of the samples collected in the first year, the permittee must continue monitoring annually throughout the term of this permit, unless the TMDL specifies more frequent monitoring, in which case the permittee must follow the TMDL requirements.

7.2.4 **Additional Monitoring Required by DEC.**

DEC may notify the permittee of additional discharge monitoring requirements. Any such notice will briefly state the reasons for the monitoring, locations, and parameters to be monitored, frequency and period of monitoring, sample types, and reporting requirements.

8. Corrective Actions.

8.1 Conditions Requiring Review and Revision to Eliminate Problem.

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

- 8.1.1 An unauthorized release or discharge (e.g., spill, leak, or discharge of non-storm water not authorized by this or another APDES permit) occurs at the permittees facility;
- 8.1.2 A discharge violates a numeric effluent limit;
- 8.1.3 The permittee becomes aware, or DEC determines, that the permittee's control measures are not stringent enough for the discharge to meet a WQS in the receiving water;
- 8.1.4 An inspection or evaluation of the permittees facility by an DEC or EPA official determines that modifications to the control measures are necessary to meet the non-numeric effluent limits in this permit; or
- 8.1.5 The permittee finds in their routine facility inspection, quarterly visual assessment, or comprehensive site inspection that their control measures are not being properly operated and maintained.

8.2 Conditions Requiring Review to Determine if Modifications Are Necessary.

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

- 8.2.1 Construction or a change in design, operation, or maintenance at a permittees facility significantly changes the nature of pollutants discharged in storm water from their facility, or significantly increases the quantity of pollutants discharged; or
- 8.2.2 The average of four quarterly sampling results exceeds an applicable benchmark. If less than four benchmark samples have been taken, but the results are such that an exceedence of the four quarter average is mathematically certain (i.e., if the sum of quarterly sample results to date is more than four times the benchmark level) this is considered a benchmark exceedence, triggering this review.

8.3 Corrective Action Deadlines.

A permittee must document their discovery of any of the conditions listed in Parts 8.1 and 8.2 within 24 hours of making such discovery. Subsequently, within 14 days of such discovery, the permittee 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 8.4. If a permittee determines that changes are necessary following

their review, any modifications to their control measures must be made before the next storm event if possible, or as soon as practicable following that storm event. These time intervals are not grace periods, but are schedules considered reasonable for documenting a permittees 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.

8.4 Corrective Action Report.

- 8.4.1 Within 24 hours of discovery of any condition listed in Parts 8.1 and 8.2, the permittee must document the following information (i.e., questions 3-5 of the Corrective Actions section in the Annual Reporting Form, provided in Appendix F):
 - 8.4.1.1 Identification of the condition triggering the need for corrective action review;
 - 8.4.1.2 Description of the problem identified; and
 - 8.4.1.3 Date the problem was identified.
- 8.4.2 Within 14 days of discovery of any condition listed in Parts 8.1 and 8.2, the permittee must document the following information (i.e., questions 7-11 of the Corrective Actions section in the Annual Reporting Form, provided in Appendix F):
 - 8.4.2.1 Summary of corrective action taken or to be taken (or, for triggering events identified in Part 8.2 where the permittee determines that corrective action is not necessary, the basis for this determination);
 - 8.4.2.2 Notice of whether SWPPP modifications are required as a result of this discovery or corrective action;
 - 8.4.2.3 Date corrective action initiated; and
 - 8.4.2.4 Date corrective action completed or expected to be completed.
- 8.4.3 A permittee must submit this documentation in an annual report as required in Part 9.2 and retain a copy onsite with the SWPPP as required in Part 5.8.

8.5 Effect of Corrective Action.

If the event triggering the review is a permit violation (e.g., non-compliance with an effluent limit), it must be documented using the Noncompliance Notification Form (see <http://dec.alaska.gov/water/Compliance/permittee.html>). Furthermore, correcting it does not remove the original violation. Additionally, failing to take corrective action in accordance with this section is an additional permit violation.

8.6 Substantially Identical Outfalls.

If the event triggering corrective action is linked to an outfall that represents other substantially identical outfalls, the permittees 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.

9. Reporting and Recordkeeping.

9.1 Reporting Monitoring Data to DEC.

All monitoring data collected pursuant to Parts 7.2 and 7.2.2.3 must be submitted to DEC no later than 30 days (email date or postmark date) after the permittee has received the complete laboratory results for all monitored outfalls for the reporting period. Paper reporting forms must be submitted by the deadline to the appropriate address identified in Part 9.6. DEC requires the use of the MSGP discharge monitoring report (MDMR) as provided in Appendix F.

For benchmark monitoring, note that the permittee is required to submit sampling results to DEC no later than 30 days after receiving laboratory results for each quarter that are required to collect benchmark samples, in accordance with Part 7.2.1.2. If a permittee collects multiple samples in a single quarter (e.g., due to adverse weather conditions, climates with irregular storm water runoff, or areas subject to snow), they are required to submit all sampling results to DEC within 30 days of receiving the laboratory results. If no discharge occurs during the benchmark monitoring period, the permittee must still report no discharge for this monitoring period.

9.2 Annual Report.

A permittee must submit an annual report to DEC that includes the findings from their Part 6.3 comprehensive site inspection and any corrective action documentation as required in Part 8.4. If corrective action is not yet completed at the time of submission of this annual report, the permittee must describe the status of any outstanding corrective action(s). In addition to the information required in Parts 8.4 (Corrective Action Report) and 6.3.2 (Comprehensive Site Inspection Documentation), the permittee must include the following information with their annual report:

- Facility name;
- APDES permit tracking number;
- Facility physical address; and
- Contact person name, title, and phone number.

DEC requires the permittee submit this report using the Annual Report provided as Appendix F. The Annual Report may be submitted electronically through the DEC Online Application System (OASys) located at <http://www.dec.alaska.gov/water/oasys/index.html>. By February 15th of the year following the

reporting year, the permittee must submit the annual report to DEC to the address identified in Part 9.6 or via OASys.

9.3 Noncompliance Notification for Numeric Effluent Limits.

If follow-up monitoring pursuant to Part 7.2.2.3 exceeds a numeric effluent limit, the permittee must submit a Noncompliance Notification Form (see <http://dec.alaska.gov/water/Compliance/permittee.html>) to DEC no later than 30 days after they have received their lab results. The permittees report must include the following:

- APDES permit tracking number;
- Facility name, physical address and location;
- Name of receiving water;
- Monitoring data from this and the preceding monitoring event(s);
- An explanation of the situation; what the permittee has done and intend to do (should their corrective actions not yet be complete) to correct the violation; and
- An appropriate contact name and phone number.

9.4 Additional Reporting.

- 9.4.1 A permittee is subject to the standard permit reporting provisions of Appendix A, Subsection 3.0.
- 9.4.2 Where applicable, the permittee must submit, and DEC must receive, the following reports at the appropriate address in Part 9.6. If the facility discharges through an MS4, the permittee must also submit these reports to the MS4 operator (identified pursuant to Part 5.2.3).
- 9.4.2.1 24-hour reporting (see Appendix A, Subsection 3.4) - A permittee must report any noncompliance which may endanger health or the environment. Any information must be provided orally within 24 hours from the time the permittee becomes aware of the circumstances;
- 9.4.2.2 Five (5)-day follow-up reporting to the 24 hour reporting (see Appendix A, Subsection 3.4) - A written submission must also be provided within five days of the time the permittee becomes aware of the circumstances;
- 9.4.2.3 Reportable quantity spills (see Part 4.2.4) - A permittee must provide notification, as required under Part 4.2.4, as soon as they have knowledge of a leak, spill, or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity.
- 9.4.3 Where applicable, the permittee must submit, and DEC must receive, the following reports at the appropriate address in Part 9.6:

- 9.4.3.1 Planned changes (see Appendix A, Subsection 2.1) – A Permittee must give notice to DEC as soon as possible of any planned physical alterations or additions to the permitted facility that qualify the facility as a new source or that could significantly change the nature or significantly increase the quantity of pollutants discharged;
- 9.4.3.2 Anticipated noncompliance (see Appendix A, Subsection 2.2) – A Permittee must give advance notice to DEC of any planned changes in the permitted facility or activity which they anticipate will result in noncompliance with permit requirements;
- 9.4.3.3 Transfer of ownership and/or operation – The new permittee must submit a complete and accurate NOI in accordance with the requirements of Appendix F of this permit and by the deadlines specified in Table 2-1;
- 9.4.3.4 Compliance schedules (see Appendix A, Subsection 2.4) – Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit must be submitted no later than 14 days following each schedule date;
- 9.4.3.5 Other noncompliance (see Appendix A, Subsection 3.5) - A permittee must report all instances of noncompliance not reported in their monitoring report (pursuant to Part 9.1), compliance schedule report, or 24-hour report at the time monitoring reports are submitted; and
- 9.4.3.6 Other information (see Appendix A, Subsection 2.5) – A permittee must promptly submit facts or information if they become aware that they failed to submit relevant facts in their NOI, or that they submitted incorrect information in their NOI or in any report.

9.5 Recordkeeping.

A permittee must retain copies of their SWPPP (including any modifications made during the term of this permit), additional documentation requirements pursuant to Part 5.8 (including documentation related to corrective actions taken pursuant to Part 5), all reports and certifications required by this permit, monitoring data, and records of all data used to complete the NOI to be covered by this permit, for a period of at least 3 years from the date that the permittees coverage under this permit expires or is terminated.

9.6 Addresses for Reports.

Notice of Intent, Notice of Intent modification, Notice of Termination, No Exposure Certificate, and SWPPP's should be submitted using DEC's eNOI system (<http://dec.alaska.gov/water/wnpssc/stormwater/APDESeNOI.html>) or sent to the address in Appendix A, Part 1.1.1.

Paper copies of any reports required in Parts 7 through 9, not otherwise submitted electronically via DEC's eNOI system (<http://dec.alaska.gov/water/wnpssc/stormwater/APDESeNOI.html>) must be sent to the address in Appendix A, Part 1.1.2.

9.7 Request for Submittal of Records.

The Department may request copies of all or a portion of the information collected and maintained in the SWPPP. A permittee must provide a response to written request for records to the Department within thirty (30) calendar days of receipt of a written request.

10. Terminating Coverage.

10.1 Submitting a Notice of Termination (NOT).

To terminate permit coverage, a permittee must submit a complete and accurate NOT using the paper NOT form included in Appendix F of this permit, to the address listed in Part 9.6. A permittees authorization to discharge under this permit terminates at midnight of the day that a valid NOT is signed *(If a permittee submits a NOT without meeting one or more of the conditions identified in Part 10.2, then a permittees NOT is not valid.)* The permittee is responsible for meeting the terms of this permit until their authorization is terminated.

10.2 When to Submit a NOT.

A permittee must submit a NOT within 30 calendar days after one or more of the following conditions have been met:

- 10.2.1 A new owner or operator has taken over responsibility for the facility;
- 10.2.2 The permittee has ceased operations at the facility, there are not or no longer will be discharges of storm water associated with industrial activity from the facility, and has already implemented necessary sediment and erosion controls as required by Part 4.2.5;
- 10.2.3 The permittee is a Sector G, H, or J facility and has met the applicable termination requirements; or
- 10.2.4 The permittee has obtained coverage under an individual or alternative general permit for all discharges required to be covered by an APDES permit, unless DEC has required that they obtain such coverage under authority of Part 2.8.1, in which case coverage under this permit will terminate automatically.

11. Sector-Specific Requirements for Industrial Activity.

11. Subpart S – Sector S – Air Transportation.

A permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of the permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.S.1 Covered Storm Water Discharges.

The requirements in Subpart S apply to storm water discharges associated with industrial activity from Air Transportation facilities identified by the SIC Codes specified under Sector S in Table D-1 of Appendix D of the permit at primary airports.

11.S.2 Limitation on Coverage.

11.S.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.

11.S.2.2 Prohibition of Non-Storm Water Discharges. (See also Part 1.2.4 and Part 11.S.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 APDES permit(s). Note that a discharge resulting from snowmelt is not a dry weather discharge.

11.S.3 Multiple Operators at Air Transportation Facilities

Air transportation facilities often have more than one operator who could discharge stormwater associated with industrial activity. Operators include the airport authority and airport tenants, including air passenger or cargo companies, fixed based operators, and other parties who routinely perform industrial activities on airport property.

11.S.3.1 Permit Coverage/Submittal of NOIs. Where an airport transportation facility has multiple industrial operators that discharge stormwater, each individual operator must obtain coverage under an APDES stormwater permit. To obtain coverage under the MSGP, all such operators must meet the eligibility requirements in Part 1.2 and must submit an NOI, per Part 2.2 (or, if appropriate, a no exposure certification per Part 1.3).

11.S.3.2 *MSGP Implementation Responsibilities for Airport Authority and Tenants.* The airport authority, in collaboration with its tenants, may choose to implement certain MSGP requirements on behalf of its tenants in order to increase efficiency and eliminate redundancy or duplication of effort. Options available to the airport authority and its tenants for implementation of MSGP requirements include:

11.S.3.2.1 The airport authority performs certain activities on behalf of itself and its tenants and reports on its activities;

11.S.3.2.2 Tenants provide the airport authority with relevant inputs about tenants' activities, including deicing chemical usage*, and the airport authority compiles and reports on tenants' and its own activities; or

11.S.3.2.3 Tenants independently perform, document and submit required information on their activities.

**Tenants who report their deicing chemical usage to the airport authority and rely on the airport authority to perform monitoring should not check the glycol and urea use box on their NOI forms.*

11.S.3.3 *SWPPP Requirements.* A SWPPP must be developed for all stormwater discharges associated with industrial activity at the airport before submittal of any NOIs. The airport authority, in collaboration with its tenants, may choose to develop a single comprehensive SWPPP, or they may choose to develop individual SWPPP. The comprehensive SWPPP should be developed collaboratively by the airport authority and tenants. If any operator develops a SWPPP for discharges from its own areas of the airport, that SWPPP must be coordinated and integrated with the comprehensive SWPPP. All operators and their separate SWPPP contributions and compliance responsibilities must be clearly identified in the comprehensive SWPPP, which all operators must sign and certify per Part 5.2.7. As applicable, the comprehensive SWPPP must clearly specify the MSGP requirements to be complied with by:

- The airport authority for itself;
- The airport authority on behalf of its tenants;
- Tenants for themselves.

For each activity that an operator (e.g., the airport authority) conducts on behalf of another operator (e.g., a tenant), the comprehensive SWPPP must describe a process for reporting results to the latter operator and for ensuring appropriate follow-up, if necessary, by all affected operators. This is to ensure all actions are taken to correct any potential deficiencies or permit violations. For example, where the airport authority is conducting monitoring for itself and its tenants, the comprehensive SWPPP must identify how the airport authority will share the monitoring results with its tenants, and then follow-up with its tenants where there are any exceedances of benchmarks, effluent limits, or water quality standards. In turn, the comprehensive SWPPP must describe how the tenants will also follow-up to ensure permit compliance. If the airport authority and its tenants choose to use a comprehensive SWPPP, they have one hundred eighty (180) days after the effective date of this permit to develop a comprehensive SWPPP and file the NOI according to Part 2.1.

11.S.3.4 Duty to Comply. All individual operators are responsible for implementing their assigned portion of the comprehensive SWPPP, and operators must ensure that their individual activities do not render another operator's stormwater controls ineffective. In addition, the standard permit conditions found in Appendix A apply to each individual operator, including 1.2 Duty to Comply (which states, in part, "A permittee [each individual operator] shall comply with all conditions of the permittee's APDES permit."). For multiple operators at an airport this means that each individual operator remains responsible for ensuring all requirements of its own MSGP are met regardless of whether the comprehensive SWPPP allocates the actual implementation of any of those responsibilities to another entity. That is, the failure of the entity allocated responsibility in the SWPPP to implement an MSGP requirement on behalf of other operators does not negate the other operators' ultimate liability.

11.S.4 Additional Technology-Based Effluent Limits.

11.S.4.1 Good Housekeeping Measures. (See also Part 4.2.2) Implement control measures (as described in 11.S.4.1.1 through 11.S.4.1.7—each list is not exclusive) where determined to be practicable and that accommodate considerations of safety, space, operational constraints, and flight considerations.

11.S.4.1.1 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 hangers). Consider the following control measures: 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.

- 11.S.4.1.2 Aircraft, Ground Vehicle and Equipment Cleaning Areas.* Clearly demarcate these areas on the ground using signage or other appropriate means. Minimize the contamination of storm water runoff from cleaning areas.
- 11.S.4.1.3 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: store aircraft and ground vehicles indoors; use drip pans for the collection of fluid leaks; and perimeter drains, dikes or berms surrounding the storage areas.
- 11.S.4.1.4 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: store materials indoors; store waste materials in a centralized location; and install berms/dikes around storage areas.
- 11.S.4.1.5 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: implement spill and overflow practices; use only dry cleanup methods; and collect storm water runoff.
- 11.S.4.1.6 Source Reduction.* Minimize, and where practicable, 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.
- *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. Consider these control measure options: metered application of chemicals; pre-wetting dry chemical constituents prior to application; install a runway ice detection system; implement anti-icing operations as a preventive measure against ice buildup.
 - *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. Evaluate using alternative deicing/anti-icing

agents as well as containment measures for all applied chemicals. Consider these control measure options 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. The evaluations and determinations required by this Part should be carried out by the personnel most familiar with the particular aircraft and flight operations and related systems in question (versus an outside entity such as the airport authority).

11.S.4.1.7 Management of Runoff.

(See also 4.2.6) 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: 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); or 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. Deicing operations should be developed with an emphasis on using a combination of the BMPs listed above to contain, capture, and reuse deicing materials. Used deicing fluid should be recycled whenever practicable.

11.S.4.2 Deicing Season. (See also Part 11.S.7.) The permittee must determine the seasonal timeframe (e.g., December- February, October - March, etc.) during which deicing activities typically occur at the facility. Implementation of control measures, including any BMPs, facility inspections and monitoring must be conducted with particular emphasis throughout the defined deicing season. If the permittee meets the deicing chemical usage thresholds of 100,000 gallons glycol and/or 100 tons of urea, the deicing season they identified is the timeframe during which the permittee must obtain the four required benchmark monitoring event results for deicing-related parameters, i.e., BOD, COD, ammonia and pH.

11.S.5 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 authorization under this permit and develops a SWPPP for discharges from his or her own areas of the airport, prior to authorization, 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.

- 11.S.5.1 Drainage Area Site Map.* (See also Part 5.2.3) The permittee must 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.
- 11.S.5.2 Potential Pollutant Sources.* (See also Part 5.2.4) In the permittees inventory of exposed materials, describe in the 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 the permittee uses deicing chemicals, they 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 the permittees 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.
- 11.S.5.3 Vehicle and Equipment Washwater Requirements.* Attach to or reference in the SWPPP, a copy of the APDES permit issued for vehicle/equipment washwater or, if an APDES 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 the SWPPP. In any case, if the permittee is subject to another permit, describe the control measures for implementing all non-storm water discharge permit conditions or pretreatment requirements in the 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 the SWPPP.
- 11.S.5.4 Documentation of Control Measures Used for Management of Runoff.* Document in the SWPPP the control measures used for collecting or containing contaminated melt water from collection areas used for disposal of contaminated snow.

11.S.6 Additional Inspection Requirements.

11.S.6.1 Inspections. (See also Part 6.1) At a minimum, conduct routine facility inspections at least monthly during the deicing season (e.g., October through April for most airports). If a permittees 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 the permittee to increase inspection frequencies.

11.S.6.2 Comprehensive Site Inspections. (See also Part 6.3) Using only qualified personnel, conduct the 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.

11.S.7 Sector-Specific Benchmarks. (See also Part 7 of the permit.)

Monitor per the requirements in Table 11.S.7-1.

Table 11.S.7-1: Sector – Specific Benchmarks – Sector S

Subsector (Permittees may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
For airports where a single permittee, or a combination of permitted facilities use more than 100,000 gallons of pure glycol in glycol-based deicing fluids and/or 100 tons or more of urea on an average annual basis, monitor the first four parameters in ONLY those outfalls that collect runoff from areas where deicing activities occur (SIC 4512-4581).	Biochemical Oxygen Demand (BOD ₅) ¹	30 mg/L
	Chemical Oxygen Demand (COD) ¹	120 mg/L
	Ammonia ^{1, 2}	2.14 mg/L
	pH ¹	6.5 – 8.5 s.u.
Note: 1. These are deicing-related parameters. Collect the four benchmark samples, and any required follow-up benchmark samples, during the timeframe defined in Part 11.S.4.2 when deicing activities are occurring. 2. If a permittee certifies annually that it does not use airfield deicing products that contain urea, then the permittee does not need to sample for ammonia.		

11.S.8 Sector-Specific Effluent Limitation Guideline.

There shall be no discharge of airfield pavement deicers containing urea, unless there is monitoring. To comply with this limitation, any existing point source must certify annually that it does not use airfield deicing products that contain urea or alternatively, airfield pavement discharges at every discharge point must achieve the numeric limitations for ammonia in Table 11.S.8-1, prior to any dilution or commingling with any non-deicing discharge. The certification statement shall be maintained in the SWPPP and signed in accordance with Appendix A, Part 1.12. Monitor per the requirements in Table 11.S.8-1.

Table 11.S.8-1: Effluent Limitations Based on 40 CFR Part 449 BAT Limitations

Wastestream	Parameter	Daily Maximum
Runoff containing urea from airfield pavement deicing at existing primary airports with 1,000 or more annual non-propeller aircraft ¹ departures.	Ammonia as Nitrogen ²	14.7 mg/l
Note: 1. Annual non-propeller aircraft is the average annual aircraft departures of commercial turbine-engine aircraft that are propelled by jet, i.e., turbojet or turbofan as tabulated by the Federal Aviation Administration. 2. Monitor twice a deicing season during the timeframe defined in Part 11.S.4.2 when deicing activities are occurring.		

11.S.9 Technology Based – Effluent Limits for New Sources with At Least 1,000 Annual Non-Propeller Aircraft Departures.

A new airport with at least 1,000 annual non-propeller aircraft departures must apply for an individual APDES permit.

11. Subpart T – Sector T – Treatment Works.

A permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of the permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.T.1 Covered Storm Water Discharges.

The requirements in Subpart T apply to storm water discharges associated with industrial activity from Treatment Works as identified by the Activity Code specified under Sector T in Table D-1 of Appendix D of the permit.

11.T.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:

11.T.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.

11.T.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.

11.T.3 Limitations on Coverage.

11.T.3.1 Prohibition of Non-Storm Water Discharges. (See also Part 1.2.4) Sanitary and industrial wastewater and equipment and vehicle washwater are not authorized by this permit.

11.T.4 Additional Technology-Based Effluent Limits.

11.T.4.1 Control Measures. (See also the non-numeric effluent limits in Part 4.2) In addition to the other control measures, implement the following, as practicable: 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).

11.T.4.2 Employee Training. (See also Part 4.2.9) 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.

11.T.5 Additional SWPPP Requirements.

11.T.5.1 Site Map. (See also Part 5.2.3) The permittee must document in the 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.

11.T.5.2 Potential Pollutant Sources. (See also Part 5.2.4) Document in the 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.

11.T.5.3 Wastewater and Washwater Requirements. Keep a copy of all the permittees current APDES permits issued for wastewater and industrial, vehicle and equipment washwater discharges or, if an APDES permit has not yet been issued, a copy of the pending application(s) with the SWPPP. If the washwater is handled in another manner, the disposal method must be described and all pertinent documentation must be retained onsite.

11.T.6 Additional Inspection Requirements.

(See also Part 6.1) 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.

11. Subpart U – Sector U – Food and Kindred Products.

A permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of the permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.U.1 Covered Storm Water Discharges.

The requirements in Subpart U apply to storm water discharges associated with industrial activity from Food and Kindred Products facilities as identified by the SIC Codes specified in Table D-1 of Appendix D of the permit.

11.U.2 Limitations on Coverage.

11.U.2.1 Prohibition of Non-Storm Water Discharges. (See also Part 1.2.4) 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.

11.U.3 Additional Technology-Based Limitations.

11.U.3.1 Employee Training. (See also Part 4.2.9) Address pest control in the permittees employee training program.

11.U.4 Additional SWPPP Requirements.

11.U.4.1 Drainage Area Site Map. (See also Part 5.2.3) The permittee must document in the 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.

11.U.4.2 Potential Pollutant Sources. (See also Part 5.2.4) The permittee must document in the 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.

11.U.5 Additional Inspection Requirements.

(See also Part 6.1) 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 all significant materials; storage areas, including associated containment areas; waste management units; vents and stacks emanating from industrial activities; spoiled product and broken product container holding areas; animal holding pens; staging areas; and air pollution control equipment.

11.U.6 Sector-Specific Benchmarks. (See also Part 7 of the permit.)**Table 11.U.6-1: Sector – Specific Benchmarks – Sector U**

Subsector (Permittees may be subject to requirements for more than one Sector / Subsector)	Parameter	Benchmark Monitoring Concentration
Subsector U1. Grain Mill Products (SIC 2041-2048)	Total Suspended Solids (TSS)	100 mg/L
Subsector U2. Fats and Oils Products (SIC 2074-2079)	Biochemical Oxygen Demand (BOD ₅)	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

11. Subpart V – Sector V – Textile Mills, Apparel, and Other Fabric Products.

A permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of the permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.V.1 Covered Storm Water Discharges.

The requirements in Subpart V 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 D-1 of Appendix D of the permit.

11.V.2 Limitations on Coverage.

11.V.2.1 Prohibition of Non-Storm Water Discharges. (See also Part 1.2.4) 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 the permittee has these types of discharges from the facility, the permittee must cover them under a separate APDES permit.

11.V.3 Additional Technology-Based Limitations.

11.V.3.1 Good Housekeeping Measures. (See also Part 4.2.2)

11.V.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. Implement 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.

11.V.3.1.2 Material Handling Areas. Minimize contamination of storm water runoff from material handling operations and areas. Implement the following (or their equivalents), as practicable: use of spill and overflow protection; cover fueling areas; and cover or enclose 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.

11.V.3.1.3 Fueling Areas. Minimize contamination of storm water runoff from fueling areas. Implement the following (or their equivalents), as practicable: cover the fueling area, use of spill and overflow protection, minimize run-on of storm water to the fueling areas, use of dry cleanup methods, and treating and/or recycling storm water runoff collected from the fueling area.

11.V.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. Implement the following (or their equivalents), as practicable: regular cleanup of these areas; include measures for tanks, piping and valves explicitly in the permittees SPCC program; minimize runoff of storm water from adjacent areas; restrict access to the area; insert filters in adjacent catch basins; provide absorbent booms in unbermed fueling areas; use dry cleanup methods; and permanently sealing drains within critical areas that may discharge to a storm drain.

11.V.3.2 Employee Training. (See also Part 4.2.9) As part of the permittees 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.

11.V.4 Additional SWPPP Requirements.

11.V.4.1 Potential Pollutant Sources. (See also Part 5.2.4) The permittee must document in the SWPPP the following additional sources and activities that have potential pollutants associated with them: industry-specific significant 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).

11.V.4.2 Description of Good Housekeeping Measures for Material Storage Areas. The permittee must document in the SWPPP the containment area or enclosure for materials stored outdoors in connection with Part 11.V.3.1.1 above.

11.V.5 Additional Inspection Requirements.

(See also Part 6.1) 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.

11. Subpart W – Sector W – Furniture and Fixtures.

A permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of a permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.W.1 Covered Storm Water Discharges.

The requirements in Subpart W 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 D-1 of Appendix D of the permit.

11.W.2 Additional SWPPP Requirements.

11.W.2.1 Drainage Area Site Map. (See also Part 5.2.3) The permittee must document in the 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.

11. Subpart X – Sector X – Printing and Publishing.

The permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of the permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.X.1 Covered Storm Water Discharges.

The requirements in Subpart X 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 D-1 of Appendix D of the permit.

11.X.2 Additional Technology-Based Effluent Limits.

11.X.2.1 *Good Housekeeping Measures.* (See also Part 4.2.2)

11.X.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. Implement an inventory control plan to prevent excessive purchasing of potentially hazardous substances. In order to minimize storm water exposure materials should be stored indoors or under cover.

11.X.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). Implement the following (or their equivalents), as practicable: use spill and overflow protection, cover fueling areas, and cover or enclose 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.

11.X.2.1.3 Fueling Areas. Minimize contamination of storm water runoff from fueling areas. Implement the following (or their equivalents), as practicable: cover the fueling area, use spill and overflow protection, minimize runoff of storm water to the fueling areas, use dry cleanup methods, and treat or recycle storm water runoff collected from the fueling area.

11.X.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. Implement the following (or their equivalents), as practicable: regularly clean these areas, explicitly address tanks, piping and valves in the SPCC program, minimize storm water runoff from adjacent areas, restrict access to the area, insert filters in adjacent catch basins, provide absorbent booms in unbermed fueling areas, use dry cleanup methods, and permanently seal drains within critical areas that may discharge to a storm drain.

11.X.2.2 Employee Training. (See also Part 4.2.9) As part of the permittees 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.

11.X.3 Additional SWPPP Requirements.

11.X.3.1 Description of Good Housekeeping Measures for Material Storage Areas. In connection with Part 11.X.2.1.1, describe in the SWPPP the containment area or enclosure for materials stored outdoors.

11. Subpart Y – Sector Y – Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries.

A permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of the permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.Y.1 Covered Storm Water Discharges.

The requirements in Subpart Y 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 D-1 of Appendix D of the permit.

11.Y.2 Additional Technology-Based Effluent Limits.

11.Y.2.1 Controls for Rubber Manufacturers. (See also Part 4.2) Minimize the discharge of zinc in a permittees storm water discharges. Parts 11.Y.2.1.1 to 11.Y.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.

11.Y.2.1.1 Zinc Bags. Ensure proper handling and storage of zinc bags at the permittees 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.

11.Y.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.

11.Y.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.

11.Y.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.

11.Y.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.

11.Y.2.2 *Controls for Plastic Products Manufacturers.* Minimize the discharge of plastic resin pellets in the 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.

11.Y.3 Additional SWPPP Requirements.

11.Y.3.1 *Potential Pollutant Sources for Rubber Manufacturers.* (See also Part 5.2.4) The permittee must document in the SWPPP the use of zinc at their facility and the possible pathways through which zinc may be discharged in storm water runoff.

11.Y.4 Sector-Specific Benchmarks. (See also Part 7 of the permit.)

Table 11.Y.4-1: Sector – Specific Benchmarks – Sector Y

Subsector (Permittees may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration																								
Subsector Y1. Rubber Products Manufacturing (SIC 3011, 3021, 3052, 3053, 3061, 3069)	Total Zinc (saltwater) ¹ Total Zinc (freshwater) ²	0.09 mg/L Hardness Dependent																								
<p>Note:</p> <ol style="list-style-type: none"> Saltwater benchmark values apply to storm water discharges into saline waters where indicated. The freshwater benchmark values of some metals are dependent on water hardness. For these parameters, permittees must determine the hardness of the receiving water (see Appendix E, “Calculating Hardness in Receiving Waters for Hardness Dependent Metals,” for methodology), in accordance with Part 7.2.1.1, 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: <table border="1" data-bbox="574 1381 1045 1801"> <thead> <tr> <th>Water Hardness Range</th> <th>Zinc (mg/L)</th> </tr> </thead> <tbody> <tr><td>0 – < 25 mg/L</td><td>0.04</td></tr> <tr><td>25 – < 50 mg/L</td><td>0.05</td></tr> <tr><td>50 – < 75 mg/L</td><td>0.08</td></tr> <tr><td>75 – < 100 mg/L</td><td>0.11</td></tr> <tr><td>100 – < 125 mg/L</td><td>0.13</td></tr> <tr><td>125 – < 150 mg/L</td><td>0.16</td></tr> <tr><td>150 – < 175 mg/L</td><td>0.18</td></tr> <tr><td>175 – < 200 mg/L</td><td>0.20</td></tr> <tr><td>200 – < 225 mg/L</td><td>0.23</td></tr> <tr><td>225 – < 250 mg/L</td><td>0.25</td></tr> <tr><td>250+ mg/L</td><td>0.26</td></tr> </tbody> </table>			Water Hardness Range	Zinc (mg/L)	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
Water Hardness Range	Zinc (mg/L)																									
0 – < 25 mg/L	0.04																									
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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																									

11. Subpart Z – Sector Z – Leather Tanning and Finishing.

A permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of the permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.Z.1 Covered Storm Water Discharges.

The requirements in Subpart Z 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 D-1 of Appendix D of the permit.

11.Z.2 Additional Technology-Based Effluent Limits.

11.Z.2.1 *Good Housekeeping Measures.* (See also Part 4.2.2)

11.Z.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). Use indoor storage or protection with polyethylene wrapping, tarpaulins, roofed storage, etc. Place materials on an impermeable surface and enclose or put berms (or equivalent measures) around the area to prevent storm water run-on and runoff.

11.Z.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.

11.Z.2.1.3 *Buffing and Shaving Areas.* Minimize contamination of storm water runoff with leather dust from buffing and shaving areas. Use dust collection enclosures, preventive inspection and maintenance programs, or other appropriate preventive measures.

11.Z.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, use 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.

11.Z.2.1.5 *Outdoor Storage of Contaminated Equipment.* Minimize contact of storm water with contaminated equipment. Use the following (or their equivalents): covering equipment, diverting drainage to the process sewer, or cleaning thoroughly prior to storage.

11.Z.2.1.6 Waste Management. Minimize contamination of storm water runoff from waste storage areas. Use the following (or their equivalents): covering dumpsters, moving waste management activities indoors, covering waste piles with temporary covering material such as tarpaulins or polyethylene, or minimizing storm water runoff by enclosing the area or building berms around the area.

11.Z.3 Additional SWPPP Requirements.

11.Z.3.1 Drainage Area Site Map. (See also Part 5.2.3) The permittee must document in the 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.

11.Z.3.2 Potential Pollutant Sources. (See also Part 5.2.4) The permittee must document in the 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.

11. Subpart AA – Sector AA – Fabricated Metal Products.

A permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of the permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.AA.1 Covered Storm Water Discharges.

The requirements in Subpart AA 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 D-1 of Appendix D of the permit.

11.AA.2 Additional Technology-Based Effluent Limits.

11.AA.2.1 Good Housekeeping Measures. (See also Part 4.2.2)

11.AA.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.

11.AA.2.1.2 Paints and Painting Equipment. Minimize exposure of paint and painting equipment to storm water.

11.AA.2.2 Spill Prevention and Response Procedures. (See also Part 4.2.4) Ensure that the necessary equipment to implement a cleanup is available to personnel. The following areas should be addressed:

11.AA.2.2.1 Metal Fabricating Areas. Maintain clean, dry, orderly conditions in these areas. Use dry clean-up techniques.

11.AA.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. Implement 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.

11.AA.2.2.3 Metal Working Fluid Storage Areas. Minimize the potential for storm water contamination from storage areas for metal working fluids.

11.AA.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.

11.AA.2.2.5 Lubricating Oil and Hydraulic Fluid Operations. Minimize the potential for storm water contamination from lubricating oil and hydraulic fluid operations. Use appropriate monitoring methods or equipment or other devices to detect and control leaks and overflows. Install perimeter controls such as dikes, curbs, grass filter strips, or equivalent measures, as practicable.

11.AA.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.

11.AA.2.3 Spills and Leaks. (See also Part 5.2.4.3) In the permittees spill prevention and response procedures, required by Part 4.2.4, 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.

11.AA.3 Additional SWPPP Requirements.

11.AA.3.1 Drainage Area Site Map. (See also Part 5.2.3) The permittee must document in the 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.

11.AA.3.2 Potential Pollutant Sources. (See also Part 5.2.4) The permittee must document in the 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.

11.AA.4 Additional Inspection Requirements.

11.AA.4.1 Inspections. (See also Part 6) 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.

11.AA.4.2 *Comprehensive Site Inspections.* (See also Part 6.3) As part of the permittees inspections, 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.

11.AA.5 Sector-Specific Benchmarks. (See also Part 7 of the permit.)

Table 11.AA.5-1: Sector – Specific Benchmarks – Sector AA

Subsector (Permittees may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
Subsector AA1. Fabricated Metal Products, except Coating (SIC 3411-3499; 3911-3915)	Total Aluminum	0.75 mg/L
	Total Iron	1.0 mg/L
	Total Zinc (saltwater) ¹ Total Zinc (freshwater) ²	0.09 mg/L Hardness Dependent
	Nitrate plus Nitrite Nitrogen	0.68 mg/L
Subsector AA2. Fabricated Metal Coating and Engraving (SIC 3479)	Total Zinc (saltwater) ¹ Total Zinc (freshwater) ²	0.09 mg/L Hardness Dependent
	Nitrate plus Nitrite Nitrogen	0.68 mg/L

Note:

1. Saltwater benchmark values apply to storm water discharges into saline waters where indicated.
2. The freshwater benchmark values of some metals are dependent on water hardness. For these parameters, permittees must determine the hardness of the receiving water (see Appendix E, “Calculating Hardness in Receiving Waters for Hardness Dependent Metals,” for methodology), in accordance with Part 7.2.1.1, 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	Zinc (mg/L)
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

11. Subpart AB – Sector AB — Transportation Equipment, Industrial or Commercial Machinery Facilities.

A permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of the permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.AB.1 Covered Storm Water Discharges.

The requirements in Subpart AB 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 D-1 of Appendix D of the permit.

11.AB.2 Additional SWPPP Requirements.

11.AB.2.1 Drainage Area Site Map. (See also Part 5.2.3) Identify in the permittees SWPPP where any of the following may be exposed to precipitation or surface runoff: vents and stacks from metal processing and similar operations.

11. Subpart AC– Sector AC –Electronic and Electrical Equipment and Components, Photographic and Optical Goods.

A Permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of the permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.AC.1 Covered Storm Water Discharges.

The requirements in Subpart AC 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 D-1 of Appendix D of the permit.

11.AC.2 Additional Requirements.

No additional sector-specific requirements apply.

11. Subpart AD – Sector AD – Discharges Designated by the Director as Requiring Permits.

A permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of the permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.AD.1 Covered Discharges.

Sector AD is used to provide permit coverage for facilities designated by the Department.

11.AD.1.1 Eligibility for Permit Coverage. Because this sector is primarily intended for use by discharges designated by the Department as needing a permit (which is an atypical circumstance), the permittee must obtain the Department’s written permission to use this permit prior to submitting an NOI. If a permittee is authorized to use this permit, they will still be required to ensure that their discharges meet the basic eligibility provisions of this permit at Part 1.2.

11.AD.3 Sector-Specific Benchmarks and Effluent Limits. (See also Part 7 of the permit.)

The Department will establish any additional monitoring and reporting requirements for the permittees facility prior to authorizing the permittee to be covered by this permit. Additional monitoring requirements would be based on the nature of activities at the facility and the storm water discharges.

APPENDIX A

STANDARD CONDITIONS

APDES PERMIT

NONDOMESTIC DISCHARGES

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Appendix A of the permit contains standard regulatory language that must be included in all APDES permits. These requirements are based on the regulations and cannot be challenged in the context of an individual APDES permit action. The standard regulatory language covers requirements such as monitoring, recording, reporting requirements, compliance responsibilities, and other general requirements. Appendix A, Standard Conditions is an integral and enforceable part of the permit. Failure to comply with a Standard Condition in this Appendix constitutes a violation of the permit and is subject to enforcement.

1.0 Standard Conditions Applicable to All Permits

1.1 Contact Information and Addresses

1.1.1 Permitting Program

Documents, reports, and plans required under the permit and Appendix A are to be sent to the following address:

State of Alaska Department of Environmental Conservation Division of Water Wastewater Discharge Authorization Program 555 Cordova Street Anchorage, Alaska 99501 Telephone (907) 269-6285 Fax (907) 269-3487 Email: DEC.WQPermit@alaska.gov
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1.1.2 Compliance and Enforcement Program

Documents and reports required under the permit and Appendix A relating to compliance are to be sent to the following address:

State of Alaska Department of Environmental Conservation Division of Water Compliance and Enforcement Program 555 Cordova Street Anchorage, Alaska 99501 Telephone Nationwide (877) 569-4114 Anchorage Area / International (907) 269-4114 Fax (907) 269-4604 Email: dec-wqreporting@alaska.gov
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1.2 Duty to Comply

A permittee shall comply with all conditions of the permittee's APDES permit. Any permit noncompliance constitutes a violation of 33 U.S.C 1251-1387 (Clean Water Act) and state law and is grounds for enforcement action including termination, revocation and reissuance, or modification of a permit, or denial of a permit renewal application. A permittee shall comply with effluent standards or prohibitions established under 33 U.S.C. 1317(a) for toxic pollutants within the time provided in the regulations that establish those effluent standards or prohibitions even if the permit has not yet been modified to incorporate the requirement.

1.3 Duty to Reapply

If a permittee wishes to continue an activity regulated by this permit after its expiration date, the permittee must apply for and obtain a new permit. In accordance with 18 AAC 83.105(b), a permittee with a currently effective permit shall reapply by submitting a new application at least 180 days before the existing permit expires, unless the Department has granted the permittee permission to submit an application on a later date. However, the Department will not grant permission for an application to be submitted after the expiration date of the existing permit.

1.4 Need to Halt or Reduce Activity Not a Defense

In an enforcement action, a permittee may not assert as a defense that compliance with the conditions of the permit would have made it necessary for the permittee to halt or reduce the permitted activity.

1.5 Duty to Mitigate

A 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.

1.6 Proper Operation and Maintenance

1.6.1 A permittee shall at all times properly operate and maintain all facilities and systems of treatment and control and related appurtenances that the permittee installs or uses to achieve compliance with the conditions of the permit. The permittee's duty to operate and maintain properly includes using adequate laboratory controls and appropriate quality assurance procedures. However, a permittee is not required to operate back-up or auxiliary facilities or similar systems that a permittee installs unless operation of those facilities is necessary to achieve compliance with the conditions of the permit.

1.6.2 Operation and maintenance records shall be retained and made available at the site.

1.7 Permit Actions

A permit may be modified, revoked and reissued, or terminated for cause as provided in 18 AAC 83.130. If a permittee files a request to modify, revoke and reissue, or terminate a permit, or gives notice of planned changes or anticipated noncompliance, the filing or notice does not stay any permit condition.

1.8 Property Rights

A permit does not convey any property rights or exclusive privilege.

1.9 Duty to Provide Information

A permittee shall, within a reasonable time, provide to the Department any information that the Department requests to determine whether a permittee is in compliance with the permit, or whether cause exists to modify, revoke and reissue, or terminate the permit. A permittee shall also provide to the Department, upon request, copies of any records the permittee is required to keep under the permit.

1.10 Inspection and Entry

A permittee shall allow the Department, or an authorized representative, including a contractor acting as a representative of the Department, at reasonable times and on presentation of credentials establishing authority and any other documents required by law, to:

- 1.10.1 Enter the premises where a permittee's regulated facility or activity is located or conducted, or where permit conditions require records to be kept;
- 1.10.2 Have access to and copy any records that permit conditions require the permittee to keep;
- 1.10.3 Inspect any facilities, equipment, including monitoring and control equipment, practices, or operations regulated or required under a permit; and
- 1.10.4 Sample or monitor any substances or parameters at any location for the purpose of assuring permit compliance or as otherwise authorized by 33 U.S.C. 1251-1387 (Clean Water Act).

1.11 Monitoring and Records

A permittee must comply with the following monitoring and recordkeeping conditions:

- 1.11.1 Samples and measurements taken for the purpose of monitoring must be representative of the monitored activity.
- 1.11.2 The permittee shall retain records in Alaska of all monitoring information for at least three years, or longer at the Department's request at any time, from the date of the sample, measurement, report, or application. Monitoring records required to be kept include:
 - 1.11.2.1 All calibration and maintenance records,
 - 1.11.2.2 All original strip chart recordings or other forms of data approved by the Department for continuous monitoring instrumentation,
 - 1.11.2.3 All reports required by a permit,
 - 1.11.2.4 Records of all data used to complete the application for a permit,
 - 1.11.2.5 Field logbooks or visual monitoring logbooks,
 - 1.11.2.6 Quality assurance chain of custody forms,
 - 1.11.2.7 Copies of discharge monitoring reports, and
 - 1.11.2.8 A copy of this APDES permit.
- 1.11.3 Records of monitoring information must include:
 - 1.11.3.1 The date, exact place, and time of any sampling or measurement;
 - 1.11.3.2 The name(s) of any individual(s) who performed the sampling or measurement(s);
 - 1.11.3.3 The date(s) and time any analysis was performed;
 - 1.11.3.4 The name(s) of any individual(s) who performed any analysis;
 - 1.11.3.5 Any analytical technique or method used; and
 - 1.11.3.6 The results of the analysis.

1.11.4 Monitoring Procedures

Analyses of pollutants must be conducted using test procedures approved under 40 CFR Part 136, adopted by reference at 18 AAC 83.010, for pollutants with approved test procedures, and using test procedures specified in the permit for pollutants without approved methods.

1.12 Signature Requirement and Penalties

- 1.12.1 Any application, report, or information submitted to the Department in compliance with a permit requirement must be signed and certified in accordance with 18 AAC 83.385. Any person who knowingly makes any false material statement, representation, or certification in any application, record, report, or other document filed or required to be maintained under a permit, or who knowingly falsifies, tampers with, or renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be subject to penalties under 33 U.S.C. 1319(c)(4), AS 12.55.035(c)(1)(B), (c)(2) and (c)(3), and AS 46.03.790(g).
- 1.12.2 In accordance with 18 AAC 83.385, an APDES permit application must be signed as follows:
 - 1.12.2.1 For a corporation, a responsible corporate officer shall sign the application; in this subsection, a responsible corporate officer means:
 - 1.12.2.1.1 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
 - 1.12.2.1.2 The manager of one of more manufacturing, production, or operating facilities, if
 - 1.12.2.1.2.1 The manager is authorized to make management decisions that govern the operation of the regulated facility, including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental statutes and regulations;
 - 1.12.2.1.2.2 The manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and
 - 1.12.2.1.2.3 Authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
 - 1.12.2.2 For a partnership or sole proprietorship, by the general partner or the proprietor, respectively, shall sign the application.
 - 1.12.2.3 For a municipality, state, federal, or other public agency, either a principal executive officer or ranking elected official shall sign the application; in this subsection, a principal executive officer of an agency means:
 - 1.12.2.3.1 The chief executive officer of the agency; or
 - 1.12.2.3.2 A senior executive officer having responsibility for the overall operations of a principal geographic unit or division of the agency.
- 1.12.3 Any report required by an APDES permit, and a submittal with any other information requested by the Department, must be signed by a person described in Appendix A, Part 1.12.2, or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - 1.12.3.1 The authorization is made in writing by a person described in Appendix A, Part 1.12.2;

- 1.12.3.2 The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, including the position of plant manager, operator of a well or a well field, superintendent, or position of equivalent responsibility; or an individual or position having overall responsibility for environmental matters for the company; and
- 1.12.3.3 The written authorization is submitted to the Department to the Permitting Program address in Appendix A, Part 1.1.1.
- 1.12.4 If an authorization under Appendix A, Part 1.12.3 is no longer effective because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Appendix A, Part 1.12.3 must be submitted to the Department before or together with any report, information, or application to be signed by an authorized representative.
- 1.12.5 Any person signing a document under Appendix A, Part 1.12.2 or Part 1.12.3 shall certify as follows:

"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."

1.13 Proprietary or Confidential Information

- 1.13.1 A permit applicant or permittee may assert a claim of confidentiality for proprietary or confidential business information by stamping the words "confidential business information" on each page of a submission containing proprietary or confidential business information. The Department will treat the stamped submissions as confidential if the information satisfies the test in 40 CFR §2.208, adopted by reference at 18 AAC 83.010, and is not otherwise required to be made public by state law.
- 1.13.2 A claim of confidentiality under Appendix A, Part 1.13.1 may not be asserted for the name and address of any permit applicant or permittee, a permit application, a permit, effluent data, sewage sludge data, and information required by APDES or NPDES application forms provided by the Department, whether submitted on the forms themselves or in any attachments used to supply information required by the forms.
- 1.13.3 A permittee's claim of confidentiality authorized under Appendix A, Part 1.13.1 is not waived if the Department provides the proprietary or confidential business information to the EPA or to other agencies participating in the permitting process. The Department will supply any information obtained or used in the administration of the state APDES program to the EPA upon request under 40 CFR §123.41, as revised as of July 1, 2005. When providing information submitted to the Department with a claim of confidentiality to the EPA, the Department will notify the EPA of the confidentiality claim. If the Department provides the EPA information that is not claimed to be confidential, the EPA may make the information available to the public without further notice.

1.14 Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any action or relieve a permittee

from any responsibilities, liabilities, or penalties to which the permittee is or may be subject to under state laws addressing oil and hazardous substances.

1.15 Cultural and Paleontological Resources

If cultural or paleontological resources are discovered because of this disposal activity, work that would disturb such resources is to be stopped, and the Office of History and Archaeology, a Division of Parks and Outdoor Recreation of the Alaska Department of Natural Resources (<http://www.dnr.state.ak.us/parks/oha/>), is to be notified immediately at (907) 269-8721.

1.16 Fee

A permittee must pay the appropriate permit fee described in 18 AAC 72.

1.17 Other Legal Obligations

This permit does not relieve the permittee from the duty to obtain any other necessary permits from the Department or from other local, state, or federal agencies and to comply with the requirements contained in any such permits. All activities conducted and all plan approvals implemented by the permittee pursuant to the terms of this permit shall comply with all applicable local, state, and federal laws and regulations.

2.0 Special Reporting Obligations

2.1 Planned Changes

- 2.1.1 The permittee shall give notice to the Department as soon as possible of any planned physical alteration or addition to the permitted facility if:
 - 2.1.1.1 The alteration or addition may make the facility a “new source” under one or more of the criteria in 18 AAC 83.990(44); or
 - 2.1.1.2 The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged if those pollutants are not subject to effluent limitations in the permit or to notification requirements under 18 AAC 83.610.
- 2.1.2 If the proposed changes are subject to plan review, then the plans must be submitted at least 30 days before implementation of changes (see 18 AAC 15.020 and 18 AAC 72 for plan review requirements). Written approval is not required for an emergency repair or routine maintenance.
- 2.1.3 Written notice must be sent to the Permitting Program address in Appendix A, Part 1.1.1.

2.2 Anticipated Noncompliance

- 2.2.1 A permittee shall give seven days’ notice to the Department before commencing any planned change in the permitted facility or activity that may result in noncompliance with permit requirements.
- 2.2.2 Written notice must be sent to the Compliance and Enforcement Program address in Appendix A, Part 1.1.2.

2.3 Transfers

- 2.3.1 A permittee may not transfer a permit for a facility or activity to any person except after notice to the Department in accordance with 18 AAC 83.150. The Department may modify or revoke and reissue the permit to change the name of the permittee and incorporate such other requirements under 33 U.S.C. 1251-1387 (Clean Water Act) or state law.
- 2.3.2 Written notice must be sent to the Permitting Program address in Appendix A, Part 1.1.1.

2.4 Compliance Schedules

- 2.4.1 A permittee must submit progress or compliance reports on interim and final requirements in any compliance schedule of a permit no later than 14 days following the scheduled date of each requirement.
- 2.4.2 Written notice must be sent to the Compliance and Enforcement Program address in Appendix A, Part 1.1.2.

2.5 Corrective Information

- 2.5.1 If a permittee becomes aware that it failed to submit a relevant fact in a permit application or submitted incorrect information in a permit application or in any report to the Department, the permittee shall promptly submit the relevant fact or the correct information.
- 2.5.2 Information must be sent to the Permitting Program address in Appendix A, Part 1.1.1.

2.6 Bypass of Treatment Facilities

2.6.1 Prohibition of Bypass

Bypass is prohibited. The Department may take enforcement action against a permittee for any bypass, unless:

- 2.6.1.1 The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- 2.6.1.2 There were no feasible alternatives to the bypass, including use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. However, this condition is not satisfied if the permittee, in the exercise of reasonable engineering judgment, should have installed adequate back-up equipment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance; and
- 2.6.1.3 The permittee provides notice to the Department of a bypass event in the manner, as appropriate, under Appendix A, Part 2.6.2.

2.6.2 Notice of bypass

- 2.6.2.1 For an anticipated bypass, the permittee submits notice at least 10 days before the date of the bypass. The Department may approve an anticipated bypass, after considering its adverse effects, if the Department determines that it will meet the conditions of Appendix A, Parts 2.6.1.1 and 2.6.1.2.
- 2.6.2.2 For an unanticipated bypass, the permittee submits 24-hour notice, as required in 18 AAC 83.410(f) and Appendix A, Part 3.4, Twenty-four Hour Reporting.
- 2.6.2.3 Written notice must be sent to the Compliance and Enforcement Program address in Appendix A, Part 1.1.2.

2.6.3 Notwithstanding Appendix A, Part 2.6.1, a permittee may allow a bypass that:

- 2.6.3.1 Does not cause an effluent limitation to be exceeded, and
- 2.6.3.2 Is for essential maintenance to assure efficient operation.

2.7 Upset Conditions

- 2.7.1 In any enforcement action for noncompliance with technology-based permit effluent limitations, a permittee may claim upset as an affirmative defense. A permittee seeking to establish the occurrence of an upset has the burden of proof to show that the requirements of Appendix A, Part 2.7.2 are met.
- 2.7.2 To establish the affirmative defense of upset, the permittee must demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that:
 - 2.7.2.1 An upset occurred and the permittee can identify the cause or causes of the upset;
 - 2.7.2.2 The permitted facility was at the time being properly operated;
 - 2.7.2.3 The permittee submitted 24-hour notice of the upset, as required in 18 AAC 83.410(f) and Appendix A, Part 3.4, Twenty-four Hour Reporting; and
 - 2.7.2.4 The permittee complied with any mitigation measures required under 18 AAC 83.405(e) and Appendix A, Part 1.5, Duty to Mitigate.
- 2.7.3 Any determination made in administrative review of a claim that noncompliance was caused by upset, before an action for noncompliance is commenced, is not final administrative action subject to judicial review.

2.8 Existing Manufacturing, Commercial, Mining, and Silvicultural Discharges

- 2.8.1 In addition to the reporting requirements under 18 AAC 83.410, an existing manufacturing, commercial, mining, and silvicultural discharger shall notify the Department as soon as that discharger knows or has reason to believe that any activity has occurred or will occur that would result in:
 - 2.8.1.1 The discharge, on a routine or frequent basis, of any toxic pollutant that is not limited in the permit, if that discharge will exceed the highest of the following notification levels:
 - 2.8.1.1.1 One hundred micrograms per liter (100 µg/L);
 - 2.8.1.1.2 Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile, 500 micrograms per liter (500 µg/L) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol, and one milligram per liter (1 mg/L) for antimony;
 - 2.8.1.1.3 Five times the maximum concentration value reported for that pollutant in the permit application in accordance with 18 AAC 83.310(c)-(g); or
 - 2.8.1.1.4 The level established by the Department in accordance with 18 AAC 83.445.
 - 2.8.1.2 Any discharge, on a non-routine or infrequent basis, of a toxic pollutant that is not limited in the permit, if that discharge will exceed the highest of the following notification levels:
 - 2.8.1.2.1 Five hundred micrograms per liter (500 µg/L);
 - 2.8.1.2.2 One milligram per liter (1 mg/L) for antimony;

- 2.8.1.2.3 Ten times the maximum concentration value reported for that pollutant in the permit application in accordance with 18 AAC 83.310(c)-(g); or
- 2.8.1.2.4 The level established by the Department in accordance with 18 AAC 83.445.

3.0 Monitoring, Recording, and Reporting Requirements

3.1 Representative Sampling

A permittee must collect effluent samples from the effluent stream after the last treatment unit before discharge into the receiving waters. Samples and measurements must be representative of the volume and nature of the monitored activity or discharge.

3.2 Reporting of Monitoring Results

The permittee shall summarize monitoring results on the annual report form or approved equivalent. The permittee shall submit its annual report at the interval specified in the permit. The permittee shall sign and certify all annual reports and other reports in accordance with the requirements of Appendix A, Part 1.12, Signatory Requirement and Penalties. The permittee shall submit the legible originals of these documents to the ADEC Compliance and Enforcement Program at the address in Appendix A, Part 1.1.2.

3.3 Additional Monitoring by Permittee

If the permittee monitors any pollutant more frequently than the permit requires using test procedures approved in 40 CFR Part 136, adopted by reference at 18 AAC 83.010, or as specified in this permit, the results of that additional monitoring must be included in the calculation and reporting of the data submitted in the DMR or annual report required by Appendix A, Part 3.2. All limitations that require averaging of measurements must be calculated using an arithmetic means unless the Department specifies another method in the permit. Upon request by the Department, the permittee must submit the results of any other sampling and monitoring regardless of the test method used.

3.4 Twenty-four Hour Reporting

A permittee shall report any noncompliance event that may endanger health or the environment as follows:

- 3.4.1 A report must be made:
 - 3.4.1.1 Orally within 24 hours after the permittee becomes aware of the circumstances, and
 - 3.4.1.2 In writing within five days after the permittee becomes aware of the circumstances.
- 3.4.2 A report must include the following information:
 - 3.4.2.1 A description of the noncompliance and its causes, including the estimated volume or weight and specific details of the noncompliance;
 - 3.4.2.2 The period of noncompliance, including exact dates and times;
 - 3.4.2.3 If the noncompliance has not been corrected, a statement regarding the anticipated time the noncompliance is expected to continue; and
 - 3.4.2.4 Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

- 3.4.3 An event that must be reported within 24 hours includes:
 - 3.4.3.1 An unanticipated bypass that exceeds any effluent limitation in the permit (see Appendix A, Part 2.6, Bypass of Treatment Facilities).
 - 3.4.3.2 An upset that exceeds any effluent limitation in the permit (see Appendix A, Part 2.7, Upset Conditions).
 - 3.4.3.3 A violation of a maximum daily discharge limitation for any of the pollutants listed in the permit as requiring 24-hour reporting.
- 3.4.4 The Department may waive the written report on a case-by-case basis for reports under Appendix A, Part 3.4 if the oral report has been received within 24 hours of the permittee becoming aware of the noncompliance event.
- 3.4.5 The permittee may satisfy the written reporting submission requirements of Appendix A, Part 3.4 by submitting the written report via e-mail, if the following conditions are met:
 - 3.4.5.1 The Noncompliance Notification Form or equivalent form is used to report the noncompliance;
 - 3.4.5.2 The written report includes all the information required under Appendix A, Part 3.4.2;
 - 3.4.5.3 The written report is properly certified and signed in accordance with Appendix A, Parts 1.12.3 and 1.12.5.;
 - 3.4.5.4 The written report is scanned as a PDF (portable document format) document and transmitted to the Department as an attachment to the e-mail; and
 - 3.4.5.5 The permittee retains in the facility file the original signed and certified written report and a printed copy of the conveying email.
- 3.4.6 The e-mail and PDF written report will satisfy the written report submission requirements of this permit provided the e-mail is received by the Department within five days after the time the permittee becomes aware of the noncompliance event and the e-mail and written report satisfy the criteria of Part 3.4.5. The e-mail address to report noncompliance is:
dec-wqreporting@alaska.gov

3.5 Other Noncompliance Reporting

A permittee shall report all instances of noncompliance not required to be reported under Appendix A, Parts 2.4 (Compliance Schedules), 3.3 (Additional Monitoring by Permittee), and 3.4 (Twenty-four Hour Reporting) at the time the permittee submits monitoring reports under Appendix A, Part 3.2. (Reporting of Monitoring Results). A report of noncompliance under this part must contain the information listed in Appendix A, Part 3.4.2 and be sent to the Compliance and Enforcement Program address in Appendix A, Part 1.1.2.

4.0 Penalties for Violations of Permit Conditions

Alaska laws allow the State to pursue both civil and criminal actions concurrently. The following is a summary of Alaska law. Permittees should read the applicable statutes for further substantive and procedural details.

4.1 Civil Action

Under AS 46.03.760(e), a person who violates or causes or permits to be violated a regulation, a lawful

order of the Department, or a permit, approval, or acceptance, or term or condition of a permit, approval or acceptance issued under the program authorized by AS 46.03.020 (12) is liable, in a civil action, to the State for a sum to be assessed by the court of not less than \$500 nor more than \$100,000 for the initial violation, nor more than \$10,000 for each day after that on which the violation continues, and that shall reflect, when applicable:

- 4.1.1 Reasonable compensation in the nature of liquated damages for any adverse environmental effects caused by the violation, that shall be determined by the court according to the toxicity, degradability, and dispersal characteristics of the substance discharged, the sensitivity of the receiving environment, and the degree to which the discharge degrades existing environmental quality;
- 4.1.2 Reasonable costs incurred by the State in detection, investigation, and attempted correction of the violation;
- 4.1.3 The economic savings realized by the person in not complying with the requirements for which a violation is charged; and
- 4.1.4 The need for an enhanced civil penalty to deter future noncompliance.

4.2 Injunctive Relief

- 4.2.1 Under AS 46.03.820, the Department can order an activity presenting an imminent or present danger to public health or that would be likely to result in irreversible damage to the environment be discontinued. Upon receipt of such an order, the activity must be immediately discontinued.
- 4.2.2 Under AS 46.03.765, the Department can bring an action in Alaska Superior Court seeking to enjoin ongoing or threatened violations for Department-issued permits and Department statutes and regulations.

4.3 Criminal Action

Under AS 46.03.790(h), a person is guilty of a Class A misdemeanor if the person negligently:

- 4.3.1 Violates a regulation adopted by the Department under AS 46.03.020(12);
- 4.3.2 Violates a permit issued under the program authorized by AS 46.03.020(12);
- 4.3.3 Fails to provide information or provides false information required by a regulation adopted under AS 46.03.020(12);
- 4.3.4 Makes a false statement, representation, or certification in an application, notice, record, report, permit, or other document filed, maintained, or used for purposes of compliance with a permit issued under or a regulation adopted under AS 46.03.020(12); or
- 4.3.5 Renders inaccurate a monitoring device or method required to be maintained by a permit issued or under a regulation adopted under AS 46.03.020(12).

4.4 Other Fines

Upon conviction of a violation of a regulation adopted under AS 46.03.020(12), a defendant who is not an organization may be sentenced to pay a fine of not more than \$10,000 for each separate violation (AS 46.03.790(g)). A defendant that is an organization may be sentenced to pay a fine not exceeding the greater of: (1) \$200,00; (2) three times the pecuniary gain realized by the defendant as a result of the offense; or (3) three times the pecuniary damage or loss caused by the defendant to another, or the property of another, as a result of the offense (AS 12.55.035(c)(B), (c)(2), and (c)(3)).

APPENDIX B

ABBREVIATIONS AND ACRONYMS

Appendix B – Abbreviations and Acronyms

BOD₅ – Biochemical Oxygen Demand (5-day test)

BMP – Best Management Practice

CERCLA – Comprehensive Environmental Response, Compensation and Liability Act

CGP – Construction General Permit

COD – Chemical Oxygen Demand

CWA – Clean Water Act (or the Federal Water Pollution Control Act, 33 U.S.C. §1251 et seq)

CWT – Centralized Waste Treatment

DMR – Discharge Monitoring Report

EPA – U. S. Environmental Protection Agency

ESA – Endangered Species Act

FWS – U. S. Fish and Wildlife Service

LA – Load Allocations

MDMR – MSGP Discharge Monitoring Report

MGD – Million Gallons per Day

MOS – Margin of Safety

MS4 – Municipal Separate Storm Sewer System

MSDS – Material Safety Data Sheet

MSGP – Multi-Sector General Permit

NAICS – North American Industry Classification System

NEPA – National Environmental Policy Act

NHPA – National Historic Preservation Act

NMFS – U. S. National Marine Fisheries Service

NOI – Notice of Intent

NOT – Notice of Termination

NPDES – National Pollutant Discharge Elimination System

NRC – National Response Center
NRHP – National Register of Historic Places
NSPS – New Source Performance Standard
NTU – Nephelometric Turbidity Unit
OMB – U. S. Office of Management and Budget
ORW – Outstanding Resource Water
OSM – U. S. Office of Surface Mining
POTW – Publicly Owned Treatment Works
RCRA – Resource Conservation and Recovery Act
RQ – Reportable Quantity
SARA – Superfund Amendments and Reauthorization Act
SHPO – State Historic Preservation Officer
SIC – Standard Industrial Classification
SMCRA – Surface Mining Control and Reclamation Act
SPCC – Spill Prevention, Control, and Countermeasures
SWPPP – Stormwater Pollution Prevention Plan
THPO – Tribal Historic Preservation Officer
TMDL – Total Maximum Daily Load
TSDf – Treatment, Storage, or Disposal Facility
TSS – Total Suspended Solids
USGS – United States Geological Survey
WLA – Wasteload Allocation
WQS – Water Quality Standard

APPENDIX C

DEFINITIONS

Appendix C – Definitions (for the purposes of this permit).

Action Area – all areas to be affected directly or indirectly by the storm water discharges, allowable non-storm water discharges, and storm water discharge-related activities, and not merely the immediate area involved in these discharges and activities.

Arid Climate – areas where annual rainfall averages from 0 to 10 inches.

Best Management Practices (BMPs) – schedules of activities, practices (and prohibitions of practices), structures, vegetation, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to waters of the United States. 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. See 40 CFR 122.2.

Co-Located Industrial Activities – Any industrial activities, excluding your primary industrial activity(ies), located on-site that are defined by the storm water regulations at 122.26(b)(14)(i)-(ix) and (xi). An activity at a facility is not considered co-located if the activity, when considered separately, does not meet the description of a category of industrial activity covered by the storm water regulations or identified by the SIC code list in Appendix D.

Control Measure – refers to any BMP or other method (including effluent limitations) used to prevent or reduce the discharge of pollutants to waters of the United States.

Director – a Director of the Division of Water within the Department of Environmental Conservation.

Discharge – when used without qualification, means the "discharge of a pollutant." See 40 CFR 122.2.

Discharge of a Pollutant – any addition of any “pollutant” or combination of pollutants to “waters of the United States” from any “point source,” or any addition of any pollutant or combination of pollutants to the waters of the “contiguous zone” or the ocean from any point source other than a vessel or other floating craft which is being used as a means of transportation. This includes additions of pollutants into waters of the United States from: surface runoff which is collected or channeled by man; discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works. See 40 CFR 122.2.

Discharge-Related Activities – activities that cause, contribute to, or result in storm water and allowable non-storm water point source discharges, and measures such as the siting, construction and operation of BMPs to control, reduce, or prevent pollution in the discharges.

Drought-Stricken Area – a period of below average water content in streams, reservoirs, ground-water aquifers, lakes and soils.

EPA Approved or Established Total Maximum Daily Loads (TMDLs) – “EPA Approved TMDLs” are those that are developed by a State and approved by EPA. “EPA Established TMDLs” are those that are developed by EPA.

Existing Discharger – an operator applying for coverage under this permit for discharges authorized previously under an NPDES general or individual permit.

Facility or Activity – any NPDES “point source” (including land or appurtenances thereto) that is subject to regulation under the NPDES program. See 40 CFR 122.2.

Fall Freeze-up –For the purposes of this permit, means for planning purposes in the development of the SWPPP and initial planning of the control measure maintenance the date in the fall that air temperatures will be predominately below freezing. It is the date in the fall that has an 80% probability that a minimum temperature below a threshold of 32.5 degrees Fahrenheit will occur on or after the given date. This date can be found by looking up the “Fall ‘Freeze’ Probabilities” for the weather station closest to the facility on the website www.wrcc.dri.edu/summary/Climsmak.html. NOTE: This estimation of “Fall Freeze-up” is for planning purposes only. During construction and operation the permittee will need to maintain control measures based on actual conditions.

Federal Facility – any buildings, installations, structures, land, public works, equipment, aircraft, vessels, and other vehicles and property, owned by, or constructed or manufactured for the purpose of leasing to, the federal government.

Final Stabilization - For the purposes of this permit, means that:

1. All soil disturbing activities at the site have been completed and either of the two following criteria shall be met:
 - a. a uniform (e.g., evenly distributed, without large bare areas) perennial vegetative cover with a density of 70 percent of the native background vegetative cover for the area has been established on all unpaved areas and areas not covered by permanent structures, or
 - b. equivalent non vegetative permanent stabilization measures have been employed (such as the use of riprap, gabions, porous backfill (ADOT&PF Specification 703-2.10), railroad ballast or subballast, ditch lining (ADOT&PF Specification 610-2.01 with <3% smaller than #200 sieve), geotextiles, or fill material with low erodibility as determined by an engineer familiar with the site and documented in the SWPPP).
2. When background native vegetation will cover less than 100 percent of the ground (e.g., arid areas, beaches), the 70 percent coverage criteria is adjusted as follows: if the native vegetation covers 50 percent of the ground, then 70 percent of 50 percent ($0.70 \times 0.50 = 0.35$) would require 35 percent total cover for final stabilization. On a beach with no natural vegetation, no stabilization is required.

3. In arid and semi-arid areas only, all soil disturbing activities at the site have been completed and both of the following criteria have been met:
 - a. Temporary erosion control measures (e.g., degradable rolled erosion control product) are selected, designed, and installed along with an appropriate seed base to provide erosion control for at least three years without active maintenance by the permittee;
 - b. The temporary erosion control measures are selected, designed, and installed to achieve 70 percent vegetative coverage within three years.

Impaired Water (or “Water Quality Impaired Water” or “Water Quality Limited Segment”) – A water is impaired for purposes of this permit if it has been identified by a State or EPA pursuant to Section 303(d) of the Clean Water Act as not meeting applicable State water quality standards (these waters are called “water quality limited segments” under 40 CFR 30.2(j)). Impaired waters include both waters with approved or established TMDLs, and those for which a TMDL has not yet been approved or established.

Indian Country – (a) all land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and including rights-of-way running through the reservation; (b) all dependent Indian communities within the borders of the United States, whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a State, and (c) all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same. This definition includes all land held in trust for an Indian tribe. (18 U.S.C. 1151)

Industrial Activity – the 10 categories of industrial activities included in the definition of “storm water discharges associated with industrial activity” as defined in 40 CFR 122.26(b)(14)(i)-(ix) and (xi).

Industrial Storm Water – storm water runoff from industrial activity.

Measurable Storm Event - a storm event that results in an actual discharge from the facility that follows the preceding measurable storm event by at least 72 hours (3 days). No specific storm magnitude (i.e., 0.1 inches or greater) is specified, only an event which results in a discharge. For snowmelt, an event which some point in time produces a measurable discharge from the facility.

Minimize – To 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.

Municipal Separate Storm Sewer – a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

- a. Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage,

industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States;

- b. Designed or used for collecting or conveying storm water;
- c. Which is not a combined sewer; and
- d. Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2. See 40 CFR 122.26(b)(4) and (b)(7).

New Discharger – a facility from which there is a discharge, that did not commence the discharge at a particular site prior to August 13, 1979, which is not a new source, and which has never received a finally effective NPDES permit for discharges at that site. See 40 CFR 122.2.

New Source – any building, structure, facility, or installation from which there is or may be a “discharge of pollutants,” the construction of which commenced:

- after promulgation of standards of performance under section 306 of the CWA which are applicable to such source, or
- after proposal of standards of performance in accordance with section 306 of the CWA which are applicable to such source, but only if the standards are promulgated in accordance with section 306 within 120 days of their proposal. See 40 CFR 122.2.

New Source Performance Standards (NSPS) – technology-based standards for facilities that qualify as new sources under 40 CFR 122.2 and 40 CFR 122.29.

No exposure – all industrial materials or activities are protected by a storm-resistant shelter to prevent exposure to rain, snow, snowmelt, and/or runoff. See 40 CFR 122.26(g).

Operator – any entity with a storm water discharge associated with industrial activity that meets either of the following two criteria:

- a. The entity has operational control over industrial activities, including the ability to modify those activities;
- b. The entity has day-to-day operational control of activities at a facility necessary to ensure compliance with the permit (e.g., the entity is authorized to direct workers at a facility to carry out activities required by the permit); or
- c. The entity is either the owner or leasee of a parcel of land which is being used as a Non-Traditional Non-Metallic Mineral Mining facility.

Permittee – Is a person who is authorized to discharge pollutants to waters of the United States in accordance with the conditions and requirements of this permit.

Person – an individual, association, partnership, corporation, municipality, State or Federal agency, or an agent or employee thereof. See 40 CFR 122.2.

Point Source – any discernible, confined, and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel, or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff. See 40 CFR 122.2.

Pollutant – dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal and agricultural waste discharged into water. See 40 CFR 122.2.

Pollutant of Concern – A pollutant which causes or contributes to a violation of a water quality standard, including a pollutant which is identified as causing an impairment in a state's 303(d) list.

Practicable – For the purposes of this permit, means capable of being done after taking into consideration costs, existing technology, standards of construction practice, impacts to water quality, site conditions, and logistics in light of the overall project purpose.

Primary Airport – are publicly owned airports that receive scheduled passenger service and have more than 10,000 passengers boarding each year.

Primary Industrial Activity – includes any activities performed on-site which are (1) identified by the facility's primary SIC code; or (2) included in the narrative descriptions of 122.26(b)(14)(i), (iv), (v), or (vii), and (ix). [For co-located activities covered by multiple SIC codes, it is recommended that the primary industrial determination be based on the value of receipts or revenues or, if such information is not available for a particular facility, the number of employees or production rate for each process may be compared. The operation that generates the most revenue or employs the most personnel is the operation in which the facility is primarily engaged. In situations where the vast majority of on-site activity falls within one SIC code, that activity may be the primary industrial activity.] Narrative descriptions in 40 CFR 122.26(b)(14) identified above include: (i) activities subject to storm water effluent limitations guidelines, new source performance standards, or toxic pollutant effluent standards; (iv) hazardous waste treatment storage, or disposal facilities including those that are operating under interim status or a permit under subtitle C of the Resource Conservation and Recovery Act (RCRA); (v) landfills, land application sites and open dumps that receive or have received industrial wastes; (vii) steam electric power generating facilities; and (ix) sewage treatment works with a design flow of 1.0 mgd or more.

Qualified Personnel – Qualified personnel are those who possess the knowledge and skills to assess conditions and activities that could impact storm water quality at your facility, and who can also evaluate the effectiveness of control measures.

Reportable Quantity Release – a release of a hazardous substance at or above the established legal threshold that requires emergency notification. Refer to 40 CFR Parts 110, 117, and 302 for complete definitions and reportable quantities for which notification is required.

Runoff Coefficient – the fraction of total rainfall that will appear at the conveyance as runoff. See 40 CFR 122.26(b)(11).

Saline Water – salinity equal or exceed 0.5 parts per thousand (by mass).

Semi-Arid Climate – areas where annual rainfall averages from 10 to 20 inches.

Significant Materials – includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under section 101(14) of CERCLA; any chemical the facility is required to report pursuant to section 313 of Title III of SARA; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with storm water discharges. See 40 CFR 122.26(b)(12).

Special Aquatic Sites – sites identified in 40 CFR 230 Subpart E. These are geographic areas, large or small, possessing special ecological characteristics of productivity, habitat, wildlife protection, or other important and easily disrupted ecological values. These areas are generally recognized as significantly influencing or positively contributing to the general overall environmental health or vitality of the entire ecosystem of a region.

Spring Thaw –For the purposes of this permit, means for planning purposes in the development of the SWPPP and initial planning of the control measure maintenance the date in the spring that air temperatures will be predominately above freezing. It is the date in the spring that has a 20% probability that a minimum temperature below a threshold of 32.5 degrees Fahrenheit will occur on or after the given date. This date can be found by looking up the “Spring ‘Freeze’ Probabilities” for the weather station closest to the facility on the website www.wrcc.dri.edu/summary/Climsmak.html NOTE: This estimation of “Spring Thaw” is for planning purposes only. During construction and operation the permittee will need to maintain control measures based on actual conditions.

Storm Water – storm water runoff, snow melt runoff, and surface runoff and drainage. See 40 CFR 122.26(b)(13).

Storm Water Discharges Associated with Construction Activity – a discharge of pollutants in storm water runoff from areas where soil disturbing activities (e.g., clearing, grading, or excavating), construction materials, or equipment storage or maintenance (e.g., fill piles, borrow areas, concrete truck washout, fueling), or other industrial storm water directly related to the construction process (e.g., concrete or asphalt batch plants) are located. See 40 CFR 122.26(b)(14)(x) and 40 CFR 122.26(b)(15).

Storm Water Discharges Associated with Industrial Activity – the 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. The term does not include discharges

from facilities or activities excluded from the NPDES program under Part 122. For the categories of industries identified in this section, 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 waste waters (as defined at part 401 of this chapter); 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. For the purposes of this paragraph, material handling activities include storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final 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. Industrial facilities include those that are federally, State, or municipally owned or operated that meet the description of the facilities listed in 40 CFR 122.26(b)(14). The term also includes those facilities designated under the provisions of 40 CFR 122.26(a)(1)(v). See 40 CFR 122.26(b)(14).

Temporary Stabilization – measures taken to protect soils from erosion by rainfall, snow melt, runoff, or wind, with surface roughening or a surface cover, including, but not limited to, establishment of ground vegetation, application of mulch, surface tackifiers, rolled erosion control products, gravel or paving.

Total Maximum Daily Loads (TMDLs) – A TMDL is a calculation of the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards, and an allocation of that amount to the pollutant's sources. A TMDL includes wasteload allocations (WLAs) for point source discharges; load allocations (LAs) for nonpoint sources and/or natural background, and must include a margin of safety (MOS) and account for seasonal variations. (See Section 303(d) of the Clean Water Act and 40 CFR 130.2 and 130.7).

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

Water Quality Impaired – See ‘Impaired Water’.

Water Quality Standards – For the purposes of this permit, means the Alaska Water Quality Standards (18 AAC 70) as approved by U.S. EPA. As defined in 40 CFR § 131.3 water quality standards are provisions of State or Federal law which consist of a designated use or uses for the waters of the United States and water quality criteria for such waters based upon such uses. Water quality standards are to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act.

Winter Shutdown – The cessation of soil disturbing or soil stabilizing construction activity for the winter. Typically this period is from October/November to April/May and is approximately from fall freeze-up to spring thaw.

“You” and “Your” – as used in this permit are intended to refer to the permittee, the operator, or the discharger as the context indicates and that party’s facility or responsibilities. The use of “you” and “your” refers to a particular facility and not to all facilities operated by a particular entity. For example, “you must submit” means the permittee must submit something for that particular facility. Likewise, “all your discharges” would refer only to discharges at that one facility.

APPENDIX D

ACTIVITIES COVERED

Appendix D – Facilities and Activities Covered

Your permit eligibility is limited to discharges from facilities in the “sectors” of industrial activity summarized in Table D-1. These sector descriptions 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.

Table D-1. Sectors of Industrial Activity Covered by This Permit

Subsector (May be subject to more than one sector/subsector)	SIC Code or Activity Code¹	Activity Represented
SECTOR A: TIMBER PRODUCTS		
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
A5	2499	Wood Products, Not Elsewhere Classified
A5	2441	Nailed and Lock Corner Wood Boxes and Shook
SECTOR B: PAPER AND ALLIED PRODUCTS		
B1	2631	Paperboard Mills
B2	2611	Pulp Mills
	2621	Paper Mills
	2652-2657	Paperboard Containers and Boxes
	2671-2679	Converted Paper and Paperboard Products, Except Containers and Boxes
SECTOR C: CHEMICALS AND ALLIED PRODUCTS		
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
C5	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

Table D-1. Sectors of Industrial Activity Covered by This Permit

Subsector (May be subject to more than one sector/subsector)	SIC Code or Activity Code¹	Activity Represented
SECTOR D: ASPHALT PAVING AND ROOFING MATERIALS AND LUBRICANTS		
D1	2951, 2952	Asphalt Paving and Roofing Materials
D2	2992, 2999	Miscellaneous Products of Petroleum and Coal
SECTOR E: GLASS, CLAY, CEMENT, CONCRETE, AND GYPSUM PRODUCTS		
E1	3251-3259	Structural Clay Products
	3261-3269	Pottery and Related Products
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
SECTOR F: PRIMARY METALS		
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
SECTOR G: METAL MINING (ORE MINING AND DRESSING)		
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
1094, 1099	Miscellaneous Metal Ores	
SECTOR H: COAL MINES AND COAL MINING-RELATED FACILITIES		
H1	1221-1241	Coal Mines and Coal Mining-Related Facilities
SECTOR I: OIL AND GAS EXTRACTION AND REFINING		
I1	1311	Crude Petroleum and Natural Gas
	1321	Natural Gas Liquids
	1381-1389	Oil and Gas Field Services
SECTOR J: MINERAL MINING AND DRESSING		
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
J3	1499	Miscellaneous Nonmetallic Minerals, Except Fuels
	1455, 1459	Clay, Ceramic, and Refractory Materials
	1474-1479	Chemical and Fertilizer Mineral Mining

Table D-1. Sectors of Industrial Activity Covered by This Permit

Subsector (May be subject to more than one sector/subsector)	SIC Code or Activity Code¹	Activity Represented
SECTOR K: HAZARDOUS WASTE TREATMENT, STORAGE, OR DISPOSAL FACILITIES		
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
SECTOR L: LANDFILLS, LAND APPLICATION SITES, AND OPEN DUMPS		
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 Accordance with 40 CFR 258.60
SECTOR M: AUTOMOBILE SALVAGE YARDS		
M1	5015	Automobile Salvage Yards
SECTOR N: SCRAP RECYCLING FACILITIES		
N1	5093	Scrap Recycling and Waste Recycling Facilities except Source-Separated Recycling
N2	5093	Source-separated Recycling Facility
SECTOR O: STEAM ELECTRIC GENERATING FACILITIES		
O1	SE	Steam Electric Generating Facilities, including coal handling sites
SECTOR P: LAND TRANSPORTATION AND WAREHOUSING		
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
SECTOR Q: WATER TRANSPORTATION		
Q1	4412-4499	Water Transportation Facilities
SECTOR R: SHIP AND BOAT BUILDING AND REPAIRING YARDS		
R1	3731, 3732	Ship and Boat Building or Repairing Yards
SECTOR S: AIR TRANSPORTATION FACILITIES		
S1	4512-4581	Air Transportation Facilities
SECTOR T: TREATMENT WORKS		
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
SECTOR U: FOOD AND KINDRED PRODUCTS		
U1	2041-2048	Grain Mill Products
U2	2074-2079	Fats and Oils Products
U3	2011-2015	Meat Products
	2021-2026	Dairy Products

Table D-1. Sectors of Industrial Activity Covered by This Permit

Subsector (May be subject to more than one sector/subsector)	SIC Code or Activity Code¹	Activity Represented
U3	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
SECTOR V: TEXTILE MILLS, APPAREL, AND OTHER FABRIC PRODUCT MANUFACTURING; LEATHER AND LEATHER PRODUCTS		
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)
SECTOR W: FURNITURE AND FIXTURES		
W1	2434	Wood Kitchen Cabinets
	2511-2599	Furniture and Fixtures
SECTOR X: PRINTING AND PUBLISHING		
X1	2711-2796	Printing, Publishing, and Allied Industries
SECTOR Y: RUBBER, MISCELLANEOUS PLASTIC PRODUCTS, AND MISCELLANEOUS MANUFACTURING INDUSTRIES		
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
SECTOR Z: LEATHER TANNING AND FINISHING		
Z1	3111	Leather Tanning and Finishing
SECTOR AA: FABRICATED METAL PRODUCTS		
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
SECTOR AB: TRANSPORTATION EQUIPMENT, INDUSTRIAL OR COMMERCIAL MACHINERY		
AB1	3511-3599 (except 3571-3579)	Industrial and Commercial Machinery, Except Computer and Office Equipment (see Sector AC)

Table D-1. Sectors of Industrial Activity Covered by This Permit

Subsector (May be subject to more than one sector/subsector)	SIC Code or Activity Code¹	Activity Represented
AB1	3711-3799 (except 3731, 3732)	Transportation Equipment Except Ship and Boat Building and Repairing (see Sector R)
SECTOR AC: ELECTRONIC, ELECTRICAL, PHOTOGRAPHIC, AND OPTICAL GOODS		
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
SECTOR AD: NON-CLASSIFIED FACILITIES		
AD1	Other stormwater discharges designated by the Director 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 Director may assign a facility to Sector AD.	
¹ 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 or in paper form from various locations in the document titled <i>Handbook of Standard Industrial Classifications</i> , Office of Management and Budget, 1987.		

Appendix E

Calculating Hardness in Receiving Waters for Hardness Dependent Metals

Appendix E – Calculating Hardness in Receiving Waters for Hardness Dependent Metals

E.1 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, DEC 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 E.1.

Table E.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

E.2 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 DEC so that the Department 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 9.5 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:

$$\frac{mg}{L} CAO_3 = 2.497 \left(Ca \frac{mg}{L} \right) + 4.118 \left(Mg \frac{mg}{L} \right)$$

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 F – MSGP Forms

Notice of Intent (NOI) Form

To obtain coverage under this permit, you must submit a Notice of Intent (NOI). You must submit an NOI using either:

- (1) DEC’s Electronic Notice of Intent (eNOI) system, available at <http://dec.alaska.gov/water/wnpspc/stormwater/APDESeNOI.html>, or
- (2) file a paper copy of the NOI available at: <http://dec.alaska.gov/water/wnpspc/stormwater/Forms.htm>.

Notice of Termination (NOT) Form

To terminate coverage under this permit, you must submit a Notice of Termination (NOT). You must either

- (1) terminate coverage using EPA’s online eNOI system, available at <http://dec.alaska.gov/water/wnpspc/stormwater/APDESeNOI.html> or
- (2) file a paper copy of the NOT, available at: <http://dec.alaska.gov/water/wnpspc/stormwater/Forms.htm>.

Annual Report Form

Available at: <http://dec.alaska.gov/water/wnpspc/stormwater/Forms.htm>.

Corrective Action Form

Available at: <http://dec.alaska.gov/water/wnpspc/stormwater/Forms.htm>.

NOI Modification Form

Available at: <http://dec.alaska.gov/water/wnpspc/stormwater/Forms.htm>.

MSGP Industrial Discharge Monitoring Report (MDMR)

Available at: <http://dec.alaska.gov/water/wnpspc/stormwater/Forms.htm>.

No Exposure Certification Form

Available at: <http://dec.alaska.gov/water/wnpspc/stormwater/Forms.htm>.

Noncompliance Notification Form

Available at <http://dec.alaska.gov/water/wnpspc/stormwater/Forms.htm>.