RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF WATER RESOURCES
235 Promenade Street, Providence, Rhode Island 02908

December 3, 2018

RE: Draft Multi-Sector General Permit Public Notice

Dear Interested Party,

The Office of Water Resources, Rhode Island Pollutant Discharge Elimination System (RIPDES) Program's files indicate that you are interested in receiving information regarding the RIPDES Industrial Stormwater Program.

As a delegated State by EPA, RIDEM last issued a statewide Multi-Sector General Permit (MSGP) on August 15, 2013 ("2013 MSGP"), to cover all storm water discharges associated with industrial activity, excluding discharges from construction sites. This General Permit expired August 14, 2018.

At this time, the Department is proposing to reissue the Draft MSGP, which will replace the 2013 MSGP. Copies of the Public Notice, Factsheet, and Draft MSGP may be obtained from:

http://www.dem.ri.gov/programs/water/permits/ripdes/

In addition, the DEM has scheduled two (2) informational workshops to discuss the draft MSGP for Wednesday, December 12, 2018 at 5:00 PM and Tuesday, December 18, 2018 at 10:00 AM in Room 300 at the DEM's Providence Offices, 235 Promenade Street, Providence, Rhode Island. If you intend to attend one of the informational workshops, please notify Margarita Chatterton via e-mail at: margarita.chatterton@dem.ri.gov.

If you have any questions regarding the MSGP please do not hesitate to contact Margarita Chatterton of the RIPDES staff at (401) 222-4700 extension 7605.

Multi-Sector General Permit
Rhode Island Pollutant Discharge Elimination System
Storm Water Discharge Associated
with Industrial Activity

(excluding Construction Activity)

Effective Date:
_____, 2019

RIR500000

Valid ONLY in accordance with Part I.C.

Expiration Date:
_____, 2024

Rhode Island Department of Environmental Management
Office of Water Resources
Permitting Section
RIPDES Program

MULTI-SECTOR GENERAL PERMIT
RHODE ISLAND POLLUTANT DISCHARGE ELIMINATION SYSTEM
STORM WATER DISCHARGE ASSOCIATED WITH INDUSTRIAL ACTIVITY
(Revised 12/2018)

PLEASE READ THIS PERMIT CAREFULLY!

To require coverage under this permit, two conditions must be met. The first is that the facility must meet at least one of the conditions in the definition of "storm water discharge associated with industrial activity" (see Title 250 RICR-150-10-1 Rule 31.b.15.). The second is that the discharge of storm water associated with industrial activity must be a point source (see Title 250 RICR-150-10-1 Rule 3 for the definition of a point source), which discharges directly to a surface water body and/or a municipal separate storm sewer system. If both of these conditions are met, then the facility needs to seek coverage under this permit or an individual or alternative general permit. "Point source" means 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, or vessel, or other floating craft, from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture.

I. GENERAL COVERAGE UNDER THIS PERMIT

I.A. Permit Coverage. This permit applies to all areas of the State of Rhode Island.

I.B. Eligibility

I.B.1. Allowable Storm Water Discharges. Except storm water discharges identified under Part I.B.3., this permit may cover the following all new and existing discharges composed entirely of storm water:

I.B.1.a. Discharges associated with industrial activity, as defined in Title 250 RICR-150-10-1 Rule 31(b)(15)(i-ix and xi), from the "sectors" of industry based on Standard Industrial Classification (SIC) codes and Industrial Activity Codes as described in Table B-1 of Appendix B of this permit, and that are specifically identified by outfall or discharge location in the Storm Water Management Plan. References to "sectors" in this permit (e.g., sector-specific monitoring requirements, etc.) refer to sectors listed in the above referenced Table B-1 of Appendix B.

Co-located Activities. If the facility has co-located industrial activities on-site that are described in a sector(s) other than the primary sector, the operator of the facility must comply with all other applicable sector-specific conditions found in Part VIII for the co-located industrial activities. The extra sector-specific requirements are applied only to those areas of the facility where the extra-sector activities occur. 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, and identified by this permit's SIC code list.

If runoff from co-located activities commingles, the operator of the facility must monitor the discharge as per the requirements of all applicable sectors (regardless of the actual location of the discharge). If the operator of the facility complies with all applicable requirements from all applicable sections of Part VIII for the co-located industrial activities, the discharges from these co-located activities are authorized by this permit.

I.B.1.b. Discharges designated by the Director as needing a stormwater permit as provided in Sector AD.

I.B.1.c. Discharges that are not otherwise required to obtain RIPDES permit authorization but are commingled with discharges that are authorized under this permit.

I.B.1.d. Discharges from facilities subject to any of the national stormwater-specific effluent limitations guidelines listed in Table I-1.

Table I-1. Stormwater-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]
Runoff containing urea from airfield pavement deicing at existing and new primary airports with 1,000 or more annual non-propeller aircraft departures	Part 449	S	Yes	6/15/12

I.B.2. Allowable Non-Storm Water Discharges. Below in Part I.B.2.a. are the only non-stormwater discharges authorized under this permit for all sectors provided that all discharges comply with the effluent limits set forth in Parts II. and VIII. Also allowed for all sectors are discharges of stormwater listed above in Part I.B.1. or authorized non-stormwater discharges in Part I.B.2. mixed with a discharge authorized by a different RIPDES permit and/or a discharge that does not require RIPDES permit authorization. All other non-stormwater discharges requiring RIPDES permit coverage except those specifically listed in Part I.B.2. are not authorized by this permit. If non-stormwater discharges requiring RIPDES permit coverage other than those specifically authorized in Part I.B.2., including sector-specific non-stormwater discharges that are listed in Part VIII. as prohibited (a non-exclusive list provided to raise

[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.

awareness of contaminants or sources of contaminants characteristic of certain sectors), will be discharged, such non-stormwater discharges are not authorized by this permit and must either be eliminated or covered under another RIPDES permit

I.B.2.a. Allowable non-storm water discharges under this permit are limited to the following discharges from:

- firefighting activities;
- fire hydrant flushings;
- routine external building washdown/ power wash water that does not use detergents or hazardous cleaning products (such as those containing bleach, hydrofluoric acid, muriatic acid, sodium hydroxide, nonylphenols);
- lawn watering;
- uncontaminated ground water; springs;
- air conditioning condensate;
- potable waterline flushings; irrigation drainage;
- foundation or footing drains where flows are not contaminated with process materials, such as solvents, or contaminated by contact with soils, where spills or leaks of toxic or hazardous materials has occurred;
- water sprayed for dust control or at a truck load wet-down station
- 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);
- uncontaminated utility vault dewatering; dechlorinated water line testing water; hydrostatic test water that does not contain any treatment chemicals and is not contaminated with process chemicals;
- discharges from washing of vehicles provided: chemicals, soaps, detergents, hazardous cleaning products (such as those containing bleach, hydrofluoric acid, muriatic acid, sodium hydroxide, nonylphenols), steam, or heated water are not used; cleaning is restricted to the outside of the vehicle (e.g., no engines, transmissions, undercarriages, or truckbeds); or washing is not used to remove accumulated industrial materials, paint residues, heavy metals or any other potentially hazardous materials from surfaces; and
- discharges from washing of marine vessels provided chemicals, soaps, detergents, hazardous cleaning products (such as those containing bleach, hydrofluoric acid, muriatic acid, sodium hydroxide, nonylphenols), steam, or heated water are not used and the washing is not used to remove topside or bottom paint; marine growth, or other potentially hazardous materials from vessels.

If any of these discharges may reasonably be expected to be present and to be mixed with storm water discharges, they must be specifically identified and addressed in the facility's Storm Water Management Plan. (SWMP)

I.B.3. Limitations on Coverage. The following storm water discharges are not authorized by this permit:

I.B.3.a. Storm Water discharges associated with industrial activity mixed with other discharges, unless the other discharge is authorized by a different RIPDES permit; the other discharge does not

require a RIPDES permit authorization; and/or the other discharge is identified in Part I.B.2. of this permit;

I.B.3.b. Storm water discharges associated with industrial activity from facilities with existing effluent guideline limitations for storm water under 40 CFR Subchapter N, except the stormwater discharges identified in Table I-1 that also meet all other eligibility requirements and the Director determines the storm water discharge is eligible for coverage under this permit;

I.B.3.c. Stormwater discharges associated with industrial activity with an existing individual permit or an alternative general permit for storm water discharge(s) or which are issued a permit in accordance with Part X.T. of this permit;

I.B.3.d. Storm water discharges previously covered by an individual permit or an alternative general permit that has expired or been terminated at the request of the permittee where:

I.B.3.d.1. the previous permit contained numeric limitations developed for the storm water component of the discharge, which are more stringent than the numeric effluent guidelines required by this permit, for the purpose of this paragraph benchmarks are not considered effluent limitations

I.B.3.d.2. any specific BMPs for storm water required under the previous permit are not included in the SWMP required under Part V. of this permit; or

I.B.3.d.3. the previous permit contained additional chemical analysis of parameters for monitoring of significant materials exposed to storm water, that are not required by this permit, and the significant materials remain at the facility.

I.B.3.e. Storm water discharges that the Director of the Department of Environmental Management has found to be or may reasonably be expected to be contributing to a violation of water quality standards;

I.B.3.f. Storm water discharges associated with industrial activity from facilities where any RIPDES permit has been or is in the process of being denied, terminated, or revoked by the Director (other than in a replacement permit issuance process). Upon request, the Director may waive this exclusion if operator of the facility has since passed to a different owner/operator and new circumstances at the facility justify a waiver;

I.B.3.g. Storm water discharges associated with construction activity including, but not limited to; clearing, grading, excavation, and filling; where total land disturbance is equal to or greater than one (1) acre, and where storm water runoff discharges into the waters of the State;

I.B.3.h. Storm water discharges associated with industrial activity that may adversely affect a listed, or a proposed to be listed, endangered or threatened species or its critical habitat;

I.B.3.i. Discharges prohibited under Title 250 RICR-150-10-1 Rule 6;

I.B.3.j. Storm water associated with industrial activity discharging into any water for which a Total Maximum Daily Load (TMDL) has been either established or approved by the EPA or a water quality determination has been made by the Department, unless the storm water discharges are consistent with that TMDL or the provisions of the water quality determination;

I.B.3.k. New Discharges to Water Quality Impaired Waters. If the permittee is a new discharger the permittee is not eligible for coverage under this permit to discharge to an "impaired water", as defined in Appendix A unless the permittee:

I.B.3.k.1. prevents all exposure to stormwater of the pollutant(s) for which the waterbody is impaired, and retains documentation of procedures taken to prevent exposure onsite with the SWMP; or

I.B.3.k.2. documents that the pollutant(s) for which the waterbody is impaired is not present at the site or is not present at levels above natural background, and retains documentation of this finding with the SWMP; or

I.B.3.k.3. at the time of submitting the NOI, provides to the RIPDES Program data to support a showing that the discharge is not expected to cause or contribute to an exceedance of a water quality standard, and retain such data onsite with the SWMP. To do this, the permittee must provide data and other technical information to the Department sufficient to demonstrate:

I.B.3.k.3.i. For discharges to waters without an EPA approved or established TMDL or other water quality determination made by the Department, 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

I.B.3.k.3.ii. For discharges to waters with an EPA approved or established TMDL or waters with other water quality determination made by the Department, that there are sufficient remaining wasteload allocations in an EPA approved or established TMDL or other water quality determination to allow the facility's discharge and that existing dischargers to the waterbody are subject to compliance schedules designed to bring the waterbody into attainment with water quality standards.

The permittee is eligible under Part I.B.3.k.3. if the permittee documents that the discharge will not contribute to the existing impairment, in which case the permittee must maintain such documentation onsite with the SWMP and submit with the NOI a copy of the documents.

I.B.3.l. Storm water associated with industrial activity subject to Tier 3 Anti-Degradation Water Quality Standards;

I.B.3.m. Storm water associated with industrial activity from facilities where any planned physical alterations, operational changes or additions to the permitted facility qualify the facility as a new source or could significantly change the nature or significantly increase the quantity of pollutants discharged, unless authorization is obtained in the same manner as a new discharge;

I.B.3.n. Storm water discharges associated with industrial activity from facilities engaged in marine wrecking ships for scrap, marine salvaging and ship dismantling as identified in the Standard Industrial Classification Code 4499.

I.C. Authorization.

I.C.1. How to Obtain Authorization.

I.C.1.a. To be covered under this general permit, owners or operators of storm water discharges associated with industrial activity must:

I.C.1.a.1 Submit to the Director a standardized Notice of Intent (NOI) form. All NOIs must be submitted to the Director by hard copy, unless an electronic reporting tool becomes available during the period covered under this permit. Upon review of the NOI, the Director may deny coverage under this permit at any time and require submittal of an application for an individual or an alternative general permit.

I.C.1.a.2 Meet the Eligibility requirements of Part I.B. of this permit.

I.C.1.a.3. Select, design, install, and implement control measures in accordance with Parts II.A. and II.B. to meet numeric and non-numeric effluent limits.

I.C.1.a.4. Develop or update, as applicable, a Stormwater Management Plan (SWMP) according to the requirements of Part V. of this permit.

I.C.1.b. To be covered under this permit, the permittee must submit to the Director a complete and accurate NOI by the deadline applicable to the facility presented in Part I.C.2. The NOI certifies to the Department that you are eligible for coverage according to Part I.B. of this permit and provides information on the industrial activities and related discharges.

The permittee must complete the development of a SWMP or update the facility's existing SWMP consistent with Parts V and VIII, prior to submitting the NOI for coverage under this permit. If the permittee chooses to post the SWMP on the Internet per Part V.H., the permittee must include the URL on the NOI form and this URL must directly link to the SWMP (not just the corporate or facility homepage). If the permittee does not post the SWMP online, the permittee must electronically submit the SWMP as part of the NOI.

I.C.2. Deadlines for Requesting Authorization.

I.C.2.a. Facilities discharging storm water associated with industrial activity which were authorized under the previous general permit issued on August 15, 2013, that intend to obtain coverage under this general permit; shall submit an NOI within ninety (90) days of the effective date of this permit.

I.C.2.b. Facilities with discharges of storm water associated with industrial activity which commence after the effective date of this permit, the NOI must be submitted sixty (60) days prior to the commencement of such discharge.

I.C.2.c. Facilities with discharges of storm water associated with industrial activity which commenced after August 14, 2018 and before the effective date of this permit, the NOI must be submitted within sixty (60) days of the effective date of this permit.

I.C.2.d. Facilities with discharges of storm water associated with industrial activity which commenced before August 14, 2018 and were not authorized under the previous MSGP, the NOI must be submitted immediately.

I.C.3. Granting of Authorization.

I.C.3.a. Existing Discharges. Facilities discharging storm water associated with industrial activity, which were authorized under the previous general permit issued on August 15, 2013 and have submitted a complete NOI within ninety (90) days of the effective date of this permit, shall be automatically granted authorization to discharge upon departmental receipt of a complete NOI. Unless notified by the Director to the contrary, owners or operators who submit such notification are authorized to discharge under the terms and conditions of this permit.

I.C.3.b. New Discharges. For facilities which commence to discharge storm water associated with industrial activity after August 14, 2018, authorization will be granted sixty (60) days after the submittal of a complete NOI, unless otherwise notified by the Director in writing. Regardless of whether the NOI was actually reviewed by this department, or it became approved because of this department's failure to act within sixty (60) days, the permittee is still responsible for upholding all permit conditions and any other applicable state or Federal regulations. The permittee must immediately begin complying with the applicable benchmark monitoring requirements under Part VI.B. as if the permittee was in the first year of permit coverage.

I.C.3.c. Other Existing Discharges. For facilities discharging storm water associated with industrial activity, which commenced discharges before August 14, 2018 and were not authorized under the previous general permit issued in August 15, 2013 or did not submit a timely application in accordance to Part I.C.3.a., authorization will be granted sixty (60) days after the submittal of a complete NOI, unless otherwise notified by the Director in writing. Regardless of whether the NOI was actually reviewed by this department, or it became approved because of this department's failure to act within sixty (60) days, the permittee is still responsible for upholding all permit

conditions and any other applicable state or Federal regulations.

I.C.4. Continuation of this Permit. If this permit is not re-issued or replaced prior to the expiration date, it will be administratively continued in accordance to Title 250 RICR-150-10-1 Rule 13 and remain fully effective and enforceable. If the stormwater discharges from the facility were authorized to discharge under this permit prior to the expiration date, any discharges authorized under this permit will automatically remain covered by this permit until the earliest of:

I.C.4.a. The authorization for coverage under a reissued permit or a replacement of this permit following the 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; or

I.C.4.b. The submittal of a Notice of Termination; or

I.C.4.c. Issuance or denial of an individual permit for the facility's discharges; or

I.C.4.d. A formal permit decision by the Director not to reissue this general permit, at which time the Director 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.

I.D. Termination of Coverage.

I.D.1. To terminate permit coverage owners and/or operators of facilities must submit to the Director a complete Notice of Termination (NOT) when discharge(s) of storm water associated with industrial activity no longer occurs at the facility or the discharges are authorized under an individual or alternative general permit for all discharges required to be covered by a RIPDES permit. At that point, coverage under this permit is terminated. At a minimum, the following information is required in the NOT to terminate coverage under this permit:

- Owner's name, mailing address, and telephone number;
- Operator's name, mailing address, and telephone number;
- Name and location of the facility;
- RIPDES storm water permit number; and
- Certification that storm water discharge associated with industrial activity no longer takes place on-site or the discharges are authorized under a RIPDES individual or alternative general permit.

I.D.2. The permittee must submit a Notice of Termination within 30 days after one or more of the following conditions have been met:

- A new owner or operator has taken over responsibility for the facility; or
- Operations have ceased at the facility, there are not or no longer will be discharges of stormwater associated with industrial activity from the facility, and you have already implemented necessary sediment and erosion controls as required by Part II.A.2.e.;
- You are a Sector G, H, or J facility and you have met the applicable termination requirements; or
- The permittee has obtained coverage under an individual or alternative general permit for all discharges required to be covered by a RIPDES permit, unless the Director has required that the permittee obtains such coverage under authority of Part I.F.1., in which case coverage under this permit will terminate automatically.

I.D.3. The permittee must submit the NOT to the Director by hard copy, unless an electronic reporting tool

becomes available during the period covered under the permittee's permit coverage.

I.E. Conditional Exclusion for No Exposure. Facilities where industrial materials and activities are protected by a storm-resistant shelter to prevent exposure to rain, snow, snowmelt, and/or runoff, and the discharges satisfy the conditions of Title 250 RICR-150-10-1 Rule 31(h)(1) through (h)(4), may be exempted from the requirement for a RIPDES permit if the permittee submits a complete and accurate RIPDES "No Exposure" certification to the Department. The permittee is no longer required to have a permit upon submission of a complete and accurate No Exposure Certification (NEC) to the Department. If the permittee is no longer required to have permit coverage because of a no exposure exclusion and the permittee has submitted a NEC form to the Department, the permittee must also submit a NOT. The permittee must submit a No Exposure Certification form to the DEM once every five years. The permittee must submit the NEC to the Director by hard copy, unless an electronic reporting tool is available. If, at any time, the industrial activity is modified such that materials are exposed to stormwater, the facility must submit a permit application and comply with all pertinent sections of this general permit.

I.F. No Discharge Notice of Non-Applicability. Operators of facilities engineered and constructed to have contained the maximum historic precipitation event; located in basins or other physical locations so that there will be no discharge of industrial stormwater to waters of the State; or facilities with industrial stormwater that discharges to a Combined Sewer Overflow (CSO) system, may claim no discharge. Operators of facilities with No Discharge must submit a RIPDES No Discharge Certification (NDC) to the Director by hard copy, unless an electronic reporting tool is available.

I.G. Alternative Permits.

I.G.1. Requiring Coverage under an Alternative Permit. The Director may require the permittee to apply for and/or obtain authorization to discharge under either an individual RIPDES permit or an alternative RIPDES general permit in accordance with Title 250 RICR-150-10-1 Rule 24 and Rule 23. Any interested person may petition the Department to take action under this paragraph. If the Director requires the permittee to apply for an individual RIPDES permit, the Department 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 provide application information. 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 RIPDES permit, or the alternative general permit as it applies to the facility, coverage under this general permit will terminate. The Director 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 individual RIPDES permit application as required by the Department, then the applicability of this permit to the permittee is terminated at the end of the day specified by the Department as the deadline for application submittal. The Department may take appropriate enforcement action for any unpermitted discharge.

I.G.2. Permittee Requesting Permit Coverage under an Alternative Permit. The 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 40 CFR 122.26(c)(1)(ii), with reasons supporting the request, to the Department. The request may be granted by issuance of an individual permit or authorization of coverage under an alternative general permit if the reasons are adequate to support the request.

When an individual RIPDES permit is issued to the permittee or the permittee is authorized to discharge under an alternative RIPDES general permit, the 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.

I.H. Severability. Invalidation of a portion of this permit does not necessarily render the whole permit invalid. The Department's intent is that the permit is to remain in effect to the extent possible; in the event that any part of this permit is invalidated, the Department will advise the regulated community as to the effect of such invalidation.

I.I. Transfer of Permits. Owners and/or operators of facilities proposing transfer of a permit must notify the

Department in writing by certified mail of such proposed action. All transfers must meet the requirements of Title 250 RICR-150-10-1 Rule 22.

I.J. Failure to Notify. Owners or operators, who fail to notify the Director of their intent to be covered under a general permit and discharge storm water associated with industrial activity to waters of the State or to a separate storm sewer system without a RIPDES permit, are in violation of Chapter 46-12 of the Rhode Island General Laws and the Clean Water Act and may be subject to legal enforcement action for any unpermitted discharges.

II. CONTROL MEASURES AND EFFLUENT LIMITS.

In the technology-based limits included in Parts II.A. and VIII, 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. The term "infeasible" means not technologically possible or not economically practicable and achievable in light of best industry practices.

II.A. Control Measures. The permittee must select, design, install, and implement control measures (including best management practices) to minimize pollutant discharges that address the selection and design considerations in Part II.A.1., meet the non-numeric effluent limits in Part II.A.2., and meet limits contained in applicable effluent limitations guidelines in Part II.A.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 a justification can be provided for such deviation and include documentation of this rationale in the part of the SWMP that describes control measures, consistent with Part V.F.5. If the permittee finds that the control measures are not achieving their intended effect of minimizing pollutant discharges to meet applicable water quality standards or any of the other non-numeric effluent limits in this permit, the permittee must modify these control measures per the corrective action requirements in Part III. Regulated stormwater discharges from the facility include stormwater run-on that commingles with stormwater discharges associated with industrial activity at the facility.

II.A.1. Control Measure Selection and Design Considerations. The permittee must consider the following when selecting and designing control measures:

- preventing stormwater from coming into contact with polluting materials is generally more effective, and less costly, than trying to remove pollutants from stormwater;
- using control measures in combination is more effective than using control measures in isolation for minimizing pollutants in the stormwater discharge;
- assessing the type and quantity of pollutants, including their potential to impact receiving water quality, is critical to designing effective control measures that will achieve the limits in this permit;
- minimizing impervious areas at the 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 stormwater 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.

II.A.2. Non-Numeric Technology-Based Effluent Limits (BPT/BAT/BCT). The permittee must comply with the

following non-numeric effluent limits (except where otherwise specified in Part VIII.) as well as any sector-specific non-numeric effluent limits in Part VIII.

II.A.2.a. Minimize Exposure**.** The permittee must minimize the exposure of manufacturing, processing, and material storage areas (including loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations) to rain, snow, snowmelt, and runoff in order to minimize pollutant discharges, 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). Unless infeasible, the permittee must also:

- 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;
- Store leaky vehicles and equipment indoors or, if stored outdoors, use drip pans and absorbents;
- Use spill/overflow protection equipment;
- Drain fluids from equipment and vehicles that will be decommissioned, and, for any equipment and vehicles that will remain unused for extended periods of time, inspect at least monthly for leaks;
- Perform all vehicle and/or equipment 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 drains to a proper collection system (i.e., not the stormwater 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 RIPDES permit, discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements, or disposed of otherwise in accordance with applicable law.

Note: Industrial materials do not need to be enclosed or covered if stormwater runoff from affected areas does not discharge pollutants to receiving waters or if discharges are authorized under another RIPDES permit.

II.A.2.b. Good Housekeeping. The permittee must keep clean all exposed areas that are potential sources of pollutants. The permittee must perform good housekeeping measures in order to minimize pollutant discharges, including but not limited to, the following:

- Sweep or vacuum at regular intervals;
- Store materials in appropriate containers;
- Keep all dumpster lids closed when not in use. For dumpsters and roll off boxes that do not have lids and could leak, ensure that discharges have a control (e.g., secondary containment, treatment). Consistent with Part I.B.2. above, this permit does not authorize dry weather discharges from dumpsters or roll off boxes;
- Minimize the potential for waste, garbage and floatable debris to be discharged by keeping

exposed areas free of such materials, or by intercepting them before they are discharged.

II.A.2.c. Maintenance. The 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 stormwater 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, as well as all industrial equipment and systems, in order to minimize pollutant discharges. This includes:

- Performing inspections and preventive maintenance of stormwater drainage, source controls, treatment systems, and plant equipment and systems that could fail and result in contamination of stormwater.

- Diligently maintaining nonstructural control measures (e.g., keep spill response supplies available, personnel appropriately trained).

- Inspecting and maintaining baghouses at least quarterly to prevent the escape of dust from the system and immediately removing any accumulated dust at the base of the exterior baghouse. *

- Cleaning catch basins when the depth of debris reaches two-thirds (2/3) of the sump depth and keeping the debris surface at least six inches below the lowest outlet pipe. *

If the permittee finds that the control measures are in need of routine maintenance, the permittee must conduct the necessary maintenance immediately in order to minimize pollutant discharges. If the permittee finds that the control measures need to be repaired or replaced, the permittee must immediately take all reasonable steps to prevent or minimize the discharge of pollutants until the final repair or replacement is implemented, including cleaning up any contaminated surfaces so that the material will not be discharged during subsequent storm events. Final repairs/replacement of stormwater controls should be completed as soon as feasible but must be no later than the timeframe established in Part III.C. for corrective actions, i.e., within 14 days or, if that is infeasible, no longer than 45 days. If a control measure was never installed, was installed incorrectly or not in accordance with Parts II. and VIII., or is not being properly operated or maintained, you must conduct corrective action as specified in Part III.

Note: In this context, the term "immediately" requires you to, on the same day you identify that a control measure needs to be maintained, take all reasonable steps to minimize or prevent the discharge of pollutants until a permanent solution is installed and made operational. However, if a problem is identified at a time in the work day when it is too late to take action, the initiation of action must begin no later than the following work day

II.A.2.d. Spill Prevention and Response Procedures. The permittee must minimize the potential for leaks, spills and other releases that may be exposed to stormwater and develop plans for effective response to such spills if or when they occur. At a minimum, the permittee must:

- 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;

- Implement 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;

- Implement procedures and develop training 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 stormwater pollution prevention team (see Part V.F.1.);

- Keep spill kits on-site, located near areas where spills may occur or where a rapid response can be made; and

- Notify appropriate facility personnel, emergency response agencies, and regulatory agencies. Where a leak, spill, or other release containing a hazardous substance or oil requires the activation of the facility's response plan, the permittee must notify the Department and take appropriate action to stop or minimize a release of Hazardous Material posing an Imminent Hazard and/or any on-going spill of Hazardous Material at the time of discovery. Local requirements may necessitate reporting spills or discharges to local emergency response, public health, or drinking water supply agencies. Contact information must be in locations that are readily accessible and available. Measures for cleaning up hazardous material spills or leaks must be consistent with applicable RCRA regulations at 40 CFR Part 264 and 40 CFR Part 265.

II.A.2.e. Erosion and Sediment Controls. The 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 minimize channel and streambank erosion and scour in the immediate vicinity of discharge points. The permittee must also use structural and non-structural control measures to minimize the discharge of sediment. The permittee must identify the polymers and/or chemicals used as part of the controls and their purpose in the facility's SWMP.

II.A.2.f. Management of Runoff. The permittee must divert, infiltrate, reuse, contain, or otherwise reduce stormwater runoff, to minimize pollutants in the discharges. In selecting, designing, installing, and implementing appropriate control measures, the permittee is encouraged to consult the DEM's and EPA's internet-based resources relating to runoff management, including the RI Design and Installation Standards Manual (www.dem.ri.gov/pubs/regs/regs/water/swmanual.pdf) and the sector-specific Industrial Stormwater Fact Sheets (https://www.epa.gov/npdes/industrial-stormwater-fact-sheet-series)

II.A.2.g. Salt Storage Piles or Piles Containing Salt. The 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. The permittee must implement appropriate measures (e.g., good housekeeping, diversions, containment) to minimize exposure resulting from adding to or removing materials from the pile. Piles do not need to be enclosed or covered if stormwater runoff from the piles is not discharged or if discharges from the piles are authorized under another RIPDES permit. In accordance with Title 250 RICR-150-05-3 Rule 8.6, new facilities or new locations for the temporary or permanent storage of road salt or salt/sand mixtures is prohibited where the groundwater is classified GAA or GA unless the storage is within a weatherproof structure if the pile is larger than 100 cubic yards, otherwise a secured, durable, waterproof covering is sufficient; on an impermeable base; and runoff from the operational area around the salt or salt/sand storage is controlled by best management practices.

II.A.2.h. Sector Specific Non-Numeric Effluent Limits. The permittee must achieve any additional non-numeric limits stipulated in the relevant sector-specific section(s) of Part VIII.

II.A.2.i. Employee Training. The permittee must train all employees who work in areas where industrial materials or activities are exposed to stormwater, 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 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 must be conducted at least annually (or more often if employee turnover is high). Training must ensure that the following personnel understand the requirements of this permit

and their specific responsibilities with respect to those requirements:

- Personnel who are responsible for the design, installation, maintenance, and/or repair of controls (including pollution prevention measures);
- Personnel responsible for the storage and handling of chemicals and materials that could become contaminants in stormwater discharges;
- Personnel who are responsible for conducting and documenting inspections and monitoring as required in Parts IV. and VI.; and
- Personnel who are responsible for taking and documenting corrective actions as required in Part III.

Personnel must be trained in at least the following if related to the scope of their job duties (e.g., only personnel responsible for conducting inspections need to understand how to conduct inspections):

- An overview of what is in the SWMP;
- Spill response procedures, good housekeeping, maintenance requirements, and material management practices;
- The location of all controls on the site required by this permit, and how they are to be maintained;
- The proper procedures to follow with respect to the permit's pollution prevention requirements; and
- When and how to conduct inspections, record applicable findings, and take corrective actions

II.A.2.j. Non-Stormwater Discharges. The permittee must evaluate for the presence of non-stormwater discharges. Any non-stormwater discharges not explicitly authorized in Part I.B.2. or covered by a RIPDES permit must be eliminated. If not covered under a separate RIPDES permit, wastewater, wash water and any other unauthorized non-stormwater must be discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements, or otherwise disposed of appropriately.

II.A.2.k. Dust Generation and Vehicle Tracking of Industrial Materials. The permittee must minimize generation of dust and off-site tracking of raw, final, or waste materials.

II.A.3. Numeric Effluent Limitations Based on Effluent Limitations Guidelines. If the facility is in an industrial category subject to one of the effluent limitations guidelines identified in Table VI-1 (see Part VI.A.2.a.), the permittee must meet the effluent limits referenced in Table II-1. below:

Table II-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 VIII.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 VIII.C.4.
Runoff from asphalt emulsion facilities	Part 443, Subpart A	See Part VIII.D.4.
Runoff from material storage piles at cement manufacturing facilities	Part 411, Subpart C	See Part VIII.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 VIII.J.9.
Runoff from hazardous waste landfills	Part 445, Subpart A	See Part VIII.K.6.
Runoff from non-hazardous waste landfills	Part 445, Subpart B	See Part VIII.L.10.
Runoff from coal storage piles at steam electric generating facilities	Part 423	See Part VIII.O.8.
Runoff containing urea from airfield pavement deicing at existing and new primary airports with 1,000 or more annual non-propeller aircraft departures	Part 449	See Part VIII.S.8.

II.B. Water Quality-Based Effluent Limitations

II.B.1. Water Quality Standards. Discharges must be controlled as necessary to meet applicable water quality standards. RIPDES expects that compliance with the other conditions in this permit will control discharges as necessary to meet applicable water quality standards. If at any time the permittee becomes aware, or the Director determines, that the discharge causes or contributes to an exceedance of applicable water quality standards, the permittee must take corrective action as required in Part III.B., document the corrective actions as required in Parts III.B.4. and VII.D., and report the corrective actions to RIPDES as required in Part VII.B.

Additionally, the Director may impose additional water quality-based limitations on a site-specific basis, or require the permittee to obtain coverage under an individual permit, if information in the NOI, required reports, or from other sources indicates that the discharges are not controlled as necessary to meet applicable water quality standards. This provision also applies to situations where the Department determines that the discharge is not controlled as necessary to meet water quality standards in a downstream water segment, even if the discharge is to a receiving water that is not specifically identified on a Section 303(d) list.

II.B.2. Discharges to Water Quality Impaired Waters. If a facility discharges to a waterbody which is water quality impaired, the permittee must implement control measures as follows:

II.B.2.a. If the facility discharges to a waterbody which is water quality impaired due to: bacteria/pathogens (Enterococcus or Fecal Coliform), Aluminum, Lead, Cadmium, Zinc, Copper, Iron, Turbidity, Total Suspended Solids, Chloride, Dissolved Oxygen, Total Nitrogen, Total Phosphorous, and/or Total Organic Carbon; the permittee must implement the following operational and structural source controls:

- Sweep impervious surfaces (i.e., roads, parking lots) at a minimum frequency of once per quarter. The permittee must increase the sweeping frequency and use more efficient sweeping technologies when necessary;

- Keep all exposed areas free of solid waste, garbage, and floatable debris. Solid waste, garbage and floatable debris must be stored and disposed of in such way that prevents exposure;

- Implement other pollution prevention and stormwater BMPs as appropriate; and

In addition to the above control measures, if the facility discharges to a waterbody which is water quality impaired due to bacteria/pathogens (Enterococcus or Fecal Coliform), the permittee must also implement the following additional source controls:

- Use all known, available and reasonable methods to prevent rodents, birds, and other animals from feeding/nesting/roosting at the facility;

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- Install structural source control BMPs to address on-site activities and sources that could cause bacterial/pathogen contamination (e.g., dumspsters, compost piles, food waste and animal products).

- Inspect catch basins and other stormwater BMPs once per quarter and perform at least one annual dry weather inspection of the stormwater system to identify and eliminate sewer cross-connections.

II.B.2.c. Existing Discharges to Impaired Waters with an EPA approved or established TMDL or other water quality determination made by the Department. If the facility discharges to an impaired water with an EPA approved or established TMDL or other water quality determination made by the Department., the Department will inform the permittee if any additional limits or controls are necessary for the discharge to be consistent with the assumptions of any available wasteload allocation in the TMDL or the provisions of other water quality determination, or if coverage under an individual permit is necessary in accordance with Part I.G.

II.B.2.d. New Discharge to an Impaired Water. If the authorization to discharge under this permit relied on Part I.B.3.k. for a new discharge to an impaired water, the permittee must implement and maintain any control measures or conditions on the site that enabled the facility to become eligible under Part I.B.3.k., and modify such measures or conditions as necessary pursuant to Part III. corrective actions.

II.B.3. Tier 2 Antidegradation Requirements for New or Increased Dischargers. If the permittee is a new discharger, or an existing discharger required to notify the Department of an increased discharge consistent with Part VII.D. (i.e., a "planned changes" report), and the facility discharges directly to waters designated by the State as Tier 2 or Tier 2.5 for antidegradation purposes under 40 CFR 131.12(a), the Director may notify the permittee that additional analyses, control measures, or other permit conditions are necessary to comply with the applicable antidegradation requirements, or notify the permittee that an individual permit application is necessary in accordance with Part I.G.1.

III. CORRECTIVE ACTIONS

III.A. Corrective Actions Based on Exceedance of Benchmark(s)

III.A.1. Level One Corrective Actions - Operational Source Control BMPs. Following the completion of the first benchmark(s) monitoring year if the average of the required 4 benchmark monitoring results exceeds an applicable benchmark value, and the permittee determines that exceedance of the benchmark is not attributable solely to the presence of that pollutant in the natural background, the permittee must complete Level One Corrective Actions for each parameter exceeded in accordance with the following:

III.A.1.a. Within 14 days of receipt of sampling results that indicate a benchmark exceedance:

III.A.1.a.1. Review the SWMP and ensure that it fully complies with Parts II. and VIII. of this permit.

III.A.1.a.2. Conduct an inspection to investigate the cause of the exceedance and to evaluate industrial pollutant sources at the facility that are or may be related to the Benchmark exceedance(s).

III.A.1.a.3. Make appropriate revisions to the SWMP and implement additional Operational Source Control BMPs with the goal of achieving the applicable benchmark value(s) in future discharges.

III.A.1.b. Summarize the Level One Corrective Actions in the Annual Report, include detailed description of the SWMP revisions, any alterations or modifications to the existing BMPs, and any additional BMPs for each Benchmark Exceedance.

III.A.2. Level Two Corrective Actions – Structural Source Control BMPs. Following the completion of the second year of benchmark(s) monitoring if the average of the required 4 benchmark(s) monitoring results exceeds an applicable benchmark the permittee must complete Level 2 Corrective Action for each parameter exceeded in accordance with the following:

III.A.2.a. Review the SWMP and ensure that it fully complies with Parts II. and VIII. of this permit.

III.A.2.b. Make appropriate revisions to the SWMP to include additional Structural Source Control BMPs with the goal of achieving the applicable benchmark value(s) in future discharges.

III.A.2.c. Fully implement the SWMP and Structural Source Control BMPs as soon as possible but no later than six months following the second benchmark monitoring year.

III.A.2.c.1. If installation of Structural Source Control BMPs within six months is not feasible, the permittee may request an extension for the construction of the Structural Source Control BMPs.

III.A.2.c.2. If the permittee determines that installation of Structural Source Control BMPs is not necessary to prevent future benchmark exceedance(s), the permittee may request a waiver from this requirement by submitting to the Director a detailed explanation and technical basis for the request, no later than 30 days following the end of the second benchmark monitoring year.

III.A.2.c.3. The Director will approve or deny the extension or waiver request within 60 days of receipt of a complete request.

III.A.2.d. For benchmark monitoring conducted prior to the full implementation and construction of Structural Source Control BMPs associated with Level 2 corrective actions, benchmark exceedances (for the same parameter) do not count towards additional Level 2 Corrective Actions.

III.A.2.e. Summarize the Level 2 Corrective Actions in the Annual Report, include a detailed description of the SWMP revisions, any alterations or modifications to the existing BMPs, and any additional BMPs for each Benchmark Exceedance.

III.A.3. Level Three Corrective Actions – Treatment BMPs. If the average of the 4 benchmark(s) monitoring results, conducted after level 2 corrective actions have been fully implemented and completed, exceeds an applicable benchmark the permittee must complete Level Three Corrective Actions for each parameter exceeded, in accordance with the following:

III.A.3.a. Review the SWMP and ensure that it fully complies with Parts II. and VIII. of this permit.

III.A.3.b. Within 90 days following the monitoring year that triggered Level Three Corrective Actions and prior to the construction of treatment BMPs, unless a waiver from this requirement is granted in accordance with Parts III.A.3.c.2. and III.A.3.c.3., the permittee must submit a Level Three Corrective Action Report that includes one or more of the following demonstrations:

III.A.3.b.1. Industrial Activity Demonstration. This demonstration must include the following, as applicable:

III.A.3.b.1.i. A description of the industrial pollutant sources and corresponding industrial pollutants that are or may be related to the Benchmark exceedance(s);

III.A.3.b.1.ii. An evaluation of all pollutant sources associated with industrial activity that are or may be related to the Benchmark exceedance(s);

III.A.3.b.1.iii. A description of how monitoring, assessment or evaluation information was (or will be) used to determine whether existing treatment BMPs will be modified/enhanced, or if new/additional treatment BMPs will be installed.

III.A.3.b.1.iv. A description and evaluation of the proposed modifications/enhancements to existing treatment BMPs or new/additional treatment BMPs as applicable, which must include at a minimum: a summary of the treatment alternatives considered and why the proposed option was selected; basic design data, including characterization of stormwater influent, and sizing calculations of the treatment units; a description of the treatment process and operation, including a flow diagram; and the expected removal efficiency and stormwater discharge reductions;

III.A.3.b.1.v A schedule for the completion of all proposed modifications/enhancements to existing treatment BMPs and/or installation of additional treatment BMPs; and

III.A.3.b.1.vi. Operation and Maintenance Plan (O&M Plan) of all proposed treatment BMPs. The O&M Plan must be included in the SWMP within 30 days of completion of construction of the treatment BMPs;

III.A.3.b.2. Non-Industrial Pollutant Source Demonstration. This demonstration must include the following, as applicable:

III.A.3.b.2.i. A statement that the permittee has determined that the exceedance of the Benchmark is attributable solely to the presence of non-industrial pollutant sources. (The pollutant may also be present due to industrial activities, in which case the permittee must demonstrate that the pollutant contribution from the industrial activities by itself does not result in a Benchmark exceedance.) The sources shall be identified as either run-on from adjacent properties, aerial deposition, or as generated by on-site non-industrial sources;

III.A.3.b.2.ii. A statement that the permittee has identified and evaluated all potential pollutant sources that may have commingled with storm water associated with the permittee's industrial activity and may be contributing to the Benchmark exceedance;

III.A.3.b.2.iii. A description of any on-site industrial pollutant sources and corresponding industrial pollutants that are contributing to the Benchmark exceedance;

III.A.3.b.2.iv. An assessment of the relative contributions of the pollutant from (1) storm water run-on to the facility from adjacent properties or non-industrial portions of the permittee's property or from aerial deposition and (2) the storm water associated with the facility's industrial activity;

III.A.3.b.2.v. A summary of all existing BMPs for that parameter; and

III.A.3.b.2.vi. An evaluation of all on-site/off-site analytical monitoring data demonstrating that the Benchmark exceedances are caused by pollutants in storm water run-on to

the facility from adjacent properties, non-industrial portions of the permittee's property or from aerial deposition.

III.A.3.c. Make appropriate revisions to the SWMP to include modifications/alterations to the existing treatment BMPs and/or installation of additional Treatment BMPs with the goal of achieving the applicable benchmark value(s) in future discharges. Fully implement the SWMP and modifications/enhancements of existing BMPs and/or construction of additional Treatment BMPs as necessary, as soon as possible but no later than six months following the Level 3 benchmark monitoring year, unless:

III.A.3.c.1. Installation of Treatment BMPs within six months is not feasible, in which case the permittee may request an extension for the construction of the Treatment Control BMPs.

III.A.3.c.2. The permittee determines that modifications/alteration of existing treatment BMPs or installation of Treatment BMPs is not feasible or necessary to prevent future benchmark exceedance(s), in which case the permittee may request a waiver from this requirement by submitting to the Director a detailed explanation and technical basis for the request, no later than 30 days following the end of the level 3 benchmark monitoring year.

III.A.3.c.3. The Director will approve or deny the extension or waiver request within 60 days of receipt of a complete request. If the waiver is approved the permittee will not be required to submit a Level Three Corrective Action Report under Part III.A.3.b.

III.A.3.d. Summarize the Level Three Corrective Actions in the Annual Report, include information on how monitoring, assessment or evaluation information was (or will be) used to determine whether existing treatment BMPs will be modified/enhanced, or if new/additional treatment BMPs will be installed.

III.B. Corrective Actions Requiring SWMP Review

III.B.1. The permittee must review and revise the SWMP to ensure effluent limits are met, when any of the following conditions occur or are detected during an inspection, monitoring or other means, or the Department, EPA or the operator of the MS4 through which the permittee discharges informs the permittee that any of the following conditions have occurred,, the permittee must review and revise, as appropriate, the SWMP (e.g., sources of pollution, spill and leak procedures, non-stormwater discharges, selection, design, installation and implementation of your control measures) so that this permit's effluent limits are met and pollutant discharges are minimized:

III.B.1.a. A discharge violates a numeric effluent limit;

III.B.1.b. The permittee becomes aware, or the Director determines, that the control measures are not stringent enough for the discharge to meet applicable water quality standards or the non-numeric effluent limits in this permit;

III.B.1.c. A required control measure was never installed, was installed incorrectly, or not in accordance with Parts II. and/or VIII., or is not being properly operated or maintained; or

III.B.1.d. Whenever a visual assessment shows evidence of stormwater pollution (e.g., color, odor, floating solids, settled solids, suspended solids, foam).

III.B.2 The permittee must review the SWMP (e.g., sources of pollution, spill and leak procedures, non-stormwater discharges, selection, design, installation and implementation of the control measures) to determine if modifications are necessary to meet the effluent limits in this permit if construction or a change in design, operation, or maintenance at the facility that significantly changes the nature of pollutants discharged in stormwater from the facility, or significantly increases the quantity of pollutants discharged.

III.B.3. Deadlines

III.B.3.a. Immediate Actions The permittee must document the discovery of any of the conditions listed in Parts III.B.1. and III.B.2. within 24 hours of making such discovery. If corrective action is needed, the permittee must immediately take all reasonable steps necessary to minimize or prevent the discharge of pollutants until a permanent solution is installed and made operational, including cleaning up any contaminated surfaces so that the material will not discharge in subsequent storm events.

Note: In this context, the term "immediately" requires you to, on the same day a condition requiring corrective action is found, take all reasonable steps to minimize or prevent the discharge of pollutants until a permanent solution is installed and made operational. However, if a problem is identified at a time in the work day when it is too late to initiate corrective action, the initiation of corrective action must begin no later than the following work day

III.B.3.b. Subsequent Actions. If the permittee determines that additional actions are necessary beyond those implemented pursuant to Part III.B.3.a., the permittee must complete the corrective actions (e.g., install a new or modified control and make it operational, complete the repair) before the next storm event if possible, and within 14 calendar days from the time of discovery of the corrective action condition. If it is infeasible to complete the corrective action within 14 calendar days, the permittee must document why it is infeasible to complete the corrective action within the 14-day timeframe. The permittee must also identify the schedule for completing the work, which must be done as soon as practicable after the 14-day timeframe but no longer than 45 days after discovery.

Where the corrective actions result in changes to any of the controls or procedures documented in the SWMP, the permittee must modify the SWMP accordingly within14 calendar days of completing corrective action work.

These time intervals are not grace periods, but are schedules considered reasonable for documenting the 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.

III.B.4. The permittee must document the existence of any of the conditions listed in Parts III.B.1. and III.B.2. within 24 hours of becoming aware of such condition. Include the following information in your documentation:

- Description of the condition triggering the need for corrective action review. For any spills or leaks, the following information must be included: a description of the incident including material, date/time, amount, location, and reason for spill, and any leaks, spills or other releases that resulted in discharges of pollutants to waters of the State;

- Date the problem was identified; and

- Description of immediate actions taken pursuant to Part III.B.3.a. to minimize or prevent the discharge of pollutants. For any spills or leaks, include response actions, the date/time clean-up completed, notifications made, and staff involved. Also include any measures taken to prevent the reoccurrence of such releases (see Part II.A.2.d.).

Within 14 days of discovery of any condition listed in Part III.B., the permittee must document the following information:

- The corrective actions taken or to be taken as a result of the conditions listed in Part III.B.1. or III.B.2. (or, for triggering events in Part III.B.2. where you determine that corrective action is not necessary, the basis for this determination);

- Notice of whether SWMP modifications are required as a result of this discovery or corrective action;

- Date when corrective action was initiated; and

- Date corrective action was completed (or is expected to be completed). If applicable, document why it is infeasible to complete the necessary installations or repairs within the 14-day timeframe and document your schedule for installing the controls and making them operational as soon as practicable after the 14-day timeframe (but no longer than 45 days after discovery.

The permittee must submit this documentation in an annual report as required in Part VII.B. and retain a copy onsite with the SWMP as required in Part V.I.

III.C. Effect of Corrective Action. If the event triggering the review is a permit violation (e.g., non-compliance with an effluent limit), correcting it does not remove the original violation. Additionally, failing to take corrective action in accordance with this section is an additional permit violation. The Director will consider the appropriateness and promptness of corrective action in determining enforcement responses to permit violations.

III.D. Substantially Identical Outfalls. If the event triggering corrective action is linked to an outfall that represents other substantially identical outfalls, the permittee's review must assess the need for corrective action for each outfall represented by the outfall that triggered the review or corrective action. 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.

IV. INSPECTIONS

The inspections in Parts IV.A. and IV.B. must be conducted at the facility.

IV.A. Routine Facility Inspections.

IV.A.1. Routine Facility Inspection Procedures. During normal facility operating hours you must conduct inspections of areas of the facility covered by the requirements in this permit, including, but not limited to, the following:

- Areas of the facility where industrial materials or activities are exposed to stormwater;

- Areas identified in the SWMP and those that are potential pollutant sources (see Part V.F.4.);

- Areas where spills and leaks have occurred in the past 3 years; and

- Stormwater control measures used to comply with the effluent limits contained in this permit.

Routine facility inspections must be conducted at least quarterly (i.e., once each calendar quarter) although in many instances, more frequent inspection (e.g., monthly) may be appropriate for some types of equipment, processes, and control measures or areas of the facility with significant activities and materials exposed to stormwater. The permittee must specify the relevant inspection schedules in the SWMP document as required in Part V.F.6.

These routine inspections must be performed by qualified personnel (as defined in Appendix A), with at least one member of the facility's stormwater pollution prevention team participating. At least once each calendar year, the routine facility inspection must be conducted during a period when a stormwater discharge is occurring. Inspectors must consider the results of visual and analytical monitoring (if any) for the past year when planning and conducting inspections.

During the inspection you 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 event or discharge, control measures implemented to comply with effluent limits must be observed to ensure they are functioning correctly. Discharge points, as defined in Appendix A, must also be observed during this inspection. If such discharge locations are inaccessible, nearby downstream locations must be inspected.

IV.A.2. Routine Facility Inspection Documentation. The findings of each routine facility inspection must be documented and this documentation must be maintained onsite with the SWMP as required in Part V.I. The routine facility inspection findings are not to be submitted to the Department, unless specifically requested to do so. At a minimum, the documentation of each routine facility inspection must include the following information:

- 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 from and/or pollutants at 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 incidents of noncompliance observed; and
- Any additional control measures needed to comply with the permit requirements.

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

If the permittee performed a discharge visual assessment required in Part IV.B. during your facility inspection, the permittee may include the results of the assessment with the report required in Part IV.A.2., as long as all components of both types of inspections are included in the report.

IV.A.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 stormwater. Such a facility is only required to conduct an annual inspection in accordance with the requirements of Part IV.A. To invoke this exception, you must indicate that your facility is inactive and unstaffed on your NOI. If you are already covered under the permit and your facility has changed from active to inactive and unstaffed, you must modify and re-

certify your NOI. You must also submit a statement to the Department indicating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to stormwater, in accordance with the substantive requirements in 40 CFR 122.26(g)(4)(iii). The statement must be signed and certified in accordance with Part X.G. A copy of the statement must be maintained with the facility's SWMP in accordance with Part V.F.6.b. If circumstances change and industrial materials or activities become exposed to stormwater or the facility becomes active and/or staffed, this exception no longer applies and quarterly facility inspections must immediately resume. If the permittee is not qualified for this exception at the time the permittee is authorized under this permit, but during the permit term the permittee becomes qualified because the facility is inactive and unstaffed, and there are no industrial materials or activities that are exposed to stormwater, then the permittee must include the same signed and certified statement as above and retain it with the records pursuant to Part V.I.

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 stormwater" standard to be eligible for this exception from routine inspections, consistent with the requirements established in Parts VIII.G.8.d, VIII.H.8.a, and VIII.J.8.a.

IV.B. Quarterly Visual Assessment of Stormwater Discharges.

IV.B.1. Quarterly Visual Assessment Procedures. Once each quarter for the entire permit term, a stormwater sample from each outfall must be collected (except as noted in Part IV.B.3.) and a visual assessment of each of these samples must be conducted. 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 stormwater discharge.

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 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 reason why it was not possible to take samples within the first 30 minutes must be documented. In the case of snowmelt, samples must be taken during a period with a measurable discharge from the 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 it is documented that less than a 72-hour (3-day) interval is representative for local storm events during the sampling period.

The sample must be visually inspected for the following water quality characteristics:

- Color;
- Odor;
- Clarity;
- Floating solids;
- Settled solids;
- Suspended solids;
- Foam;

- Oil sheen; and
- Other obvious indicators of stormwater pollution.

Whenever the visual assessment shows evidence of stormwater pollution, the permittee must initiate the corrective action procedures in Part III. of this permit

IV.B.2. Quarterly Visual Assessment Documentation. The results of the visual assessments must be documented and maintained onsite with the SWMP as required in Part V.I. The permittee is not required to submit the visual assessment findings to the Department, unless specifically requested to do so. At a minimum, the 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 stormwater discharge;
- Probable sources of any observed stormwater contamination;
- If applicable, why it was not possible to take samples within the first 30 minutes.

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

IV.B.3. Exceptions to Quarterly Visual Assessments

Adverse Weather Conditions. When adverse weather conditions prevent the collection of samples during the quarter, a substitute sample must be collected during the next qualifying storm event. Documentation of the rationale for no visual assessment for the quarter must be included with the SWMP records as described in Part V.I. 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 Stormwater Runoff. If the facility is located in an area where freezing conditions may occur 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.

Areas Subject to Snow. In areas subject to snow, at least one quarterly visual assessment must capture snowmelt discharge, as described in Part VI.A.3., taking into account the exception described above for climates with irregular stormwater 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 stormwater. To invoke this exception, a statement must be maintained in the facility's SWMP as required in Part V.F.6.b, 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 Title 250 RICR-150-10-1 Rule 31(h). The statement must be signed and certified in accordance with Part X.G. If circumstances change and industrial materials or activities become exposed to stormwater or the facility becomes active and/or staffed, this exception no longer applies and the quarterly visual assessments must be immediately resumed. If the permittee is not qualified for this exception at the time the permittee is authorized under this permit, but during the permit term the permittee becomes qualified because the facility is inactive and unstaffed, and there are no

industrial materials or activities that are exposed to stormwater, then the permittee must include the same signed and certified statement as above and retain it with the records pursuant to Part V.I.

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 stormwater" standard to be eligible for this exception from quarterly visual assessment, consistent with the requirements established in Parts VIII.G.8.d, VIII.H.8.a, and VIII.J.8.a.

Substantially identical outfalls. If the facility has two or more outfalls that are believed to discharge substantially identical effluents, as documented in Part V.F.6.b., quarterly visual assessments of the discharge may be conducted 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 the facility's coverage under this permit. If stormwater contamination is identified through visual assessment performed at a substantially identical outfall, the permittee must assess and modify the control measures as appropriate for each outfall represented by the monitored outfall.

V. **STORM WATER MANAGEMENT PLAN REQUIREMENTS**

V.A. A Storm Water Management Plan (SWMP) shall be developed for each facility prior to submission of the Notice of Intent (NOI) to be covered by this permit. If the permittee prepared a SWMP for coverage under a previous RIPDES permit, the permittee must review and update the SWMP to implement all provisions of this permit prior to submitting the NOI. The SWMP shall be prepared in accordance with good engineering practices and identify potential sources of pollutants, which may reasonably be expected to affect the quality of storm water discharges associated with industrial activity from the facility. In addition, the Plan shall describe and ensure the implementation of Best Management Practices (BMPs), which are to be used to reduce or eliminate the pollutants in storm water discharges associated with industrial activity at the facility and to assure compliance with the terms and conditions of this permit.. The SWMP is intended to document the selection, design, and installation of control measures that are used to meet this MSGP's effluent limits. As distinct from the SWMP, the additional documentation requirements (see Part V.I.) are intended to document the implementation (including inspection, maintenance, monitoring, and corrective action) of the permit requirements.

V.B. The Plan shall be signed by the owner and operator in accordance with Part X.G. of this permit and retained on-site. Permittees with storm water discharges covered by this permit shall make plans available upon request to the Director or in the case of a storm water discharge associated with industrial activity, which discharges through a municipal separate storm sewer system (MS4) with a RIPDES storm water permit, to the wastewater authority having jurisdiction for the MS4 or sewerage system.

V.C. If the Plan is reviewed by the Director, he or she may notify the permittee at any time that the Plan does not meet one or more of the minimum requirements of this part. After such notification from the Director, the permittee shall make changes to the Plan and shall submit to the Director a written certification that the requested changes have been made. Unless otherwise provided by the Director, the permittee shall have thirty (30) days after such notification to make the necessary changes.

V.D. The permittee shall immediately amend the Plan 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 the waters of the State; a release of reportable quantities of hazardous substances and oil; or if the SWMP proves to be ineffective in achieving the general objectives of controlling pollutants in storm water discharges associated with industrial activity. Changes must be noted and submitted to this department within thirty (30) days of the date of the amendments.

V.E. The SWMP for the facility must be prepared before submitting the Notice of Intent for permit coverage. The SWMP must contain all of the following information:

V.E.1. Stormwater pollution prevention team (see Part V.F.1.);

V.E.2. Site description (see Part V.F.2.);

V.E.3. Receiving Waters and Wetlands (see Part V.F.3.);

V.E.4. Summary of potential pollutant sources (see Part V.F.4.);

V.E.5. Description of control measures (see Part V.F.5.);

V.E.6. Schedules and procedures (see Part V.F.6.);

V.E.7. Permit Eligibility Related to Endangered Species (see Part V.F.7.);

V.E.8. Compliance assurance with the terms and conditions of this permit;

V.E.9. Signature requirements (see Part V.F.10.)

V.F. Contents of the SWMP. The SWMP must include the following:

V.F.1. Pollution Prevention Team. The SWMP must identify the staff individual(s) (by name or title) that comprise the facility's storm water Pollution Prevention Team as well as their individual responsibilities. The Pollution Prevention Team is responsible for overseeing development of the SWMP, any modifications to it, and for implementing and maintaining control measures and taking corrective actions when required. Each member of the stormwater pollution prevention team must have ready access to either an electronic or paper copy of applicable portions of this permit, the most updated copy of your SWMP, other relevant documents or information that must be kept with the SWMP.

V.F.2. Site Description. The SWMP must include the following:

V.F.2.a. Activities at Facility. Provide a description of the nature of the industrial activities at the facility;

V.F.2.b. General Location Map. Provide a topographic map showing the general location of the facility with enough detail to identify the location of the facility and the receiving waters within one mile of the facility;

V.F.2.c. A legible site map with a suitable scale such as 1″=40′, 1″=50′, or 1″=100′ that supports easy identification of items V.F.2.c.1 through V.F.2.c.14 (If the drainage area(s) is/are very large, the on-site map scale must be no smaller than 1″=100′). At a minimum the site map must include but not be limited to the following:

V.F.2.c.1 boundaries of the property and the size of the property in acres;

V.F.2.c.2. directions of storm water flow (e.g, use arrows to show which ways storm water will flow);

V.F.2.c.3. locations of all surface water bodies, including wetlands, in the immediate vicinity of the facility indicating if any of the waters are impaired and, if so, whether the waters have TMDLs established on them or other water quality determination;

V.F.2.c.4. the location and extent of significant structures and delineation of impervious surfaces;

V.F.2.c.5. locations of all stormwater control measures;

V.F.2.c.6. location of stormwater conveyances including ditches, pipes, and swales;

V.F.2.c.7. locations of storm water inlets and outfalls, with a unique identification code for each

outfall (e.g., Outfall 001, 002) indicating if one or more outfalls are being treated as "substantially identical" under Parts III.D., IV.B.3., V.F.6.b.1., and VI.A.1., identify if outfall will be used as a stormwater monitoring point;, and an approximate outline of the area draining to each outfall;

V.F.2.c.8. if applicable, locations of all municipal separate storm sewers (MS4s), where stormwater from the facility discharges to the MS4;

V.F.2.c.9. locations of potential pollutant sources identified under Part V.F.4. and locations where significant materials are exposed to precipitation;

V.F.2.c.10. locations where major spills or leaks identified under Part V.F.4. have occurred;

V.F.2.c.11. location and description of non-storm water discharges;

V.F.2.c.12. 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; 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; the location of transfer of substance in bulk; and machinery; and

V.F.2.c.13. location and source of runoff from adjacent property containing significant quantities of pollutants of concern to the facility (an evaluation of how the quality of the storm water running onto the facility impacts the storm water discharges may be included).

V.F.2.d. An estimate of the overall runoff coefficient.

V.F.3. Receiving Waters an Wetlands. The name of the nearest receiving water(s), including intermittent streams, the areal extent and description of wetland that may receive discharges from the facility, impairments and a list of pollutants causing impairments if applicable.

V.F.4. Summary of Potential Pollutant Sources

The permittee must identify each separate area at the facility where industrial materials or activities are exposed to storm water and from which allowable non-stormwater discharges are released. Industrial materials or activities include, but are not limited to, material handling equipment or activities; industrial machinery; storage, cleaning, fueling and maintenance of vehicles and equipment storage; and raw materials, intermediate products, by-products, final products, or waste products. Material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product or waste product. For each, separate area identified, the description must include:

V.F.4.a. Activities in Area. A list of the activities (e.g., material storage, loading, access areas equipment fueling and cleaning, cutting steal beams);

V.F.4.b. Pollutants. A list of the associated pollutant(s) or pollutant parameter(s) (e.g., crankcase oil, iron, biochemical oxygen demand, pH, etc.) associated with each activity. The pollutant list must include all significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of five (5) years before being covered under this permit and the present;

V.F.4.c. Method of on-site storage or disposal;

V.F.4.d. For each area of the facility that generates storm water discharges associated with industrial activity with a reasonable potential for containing significant amounts of pollutants, a prediction of the direction of flow and an estimate of the types of pollutants, which are likely to be present in the

storm water discharge.

V.F.4.e. Spills and Leaks. The permittee must clearly identify areas where potential spills and leaks, which can contribute pollutants to storm water discharges, can occur, and their accompanying drainage points. For areas that are exposed to precipitation or that otherwise drain to a storm water conveyance at the facility to be covered under this permit, the permittee must provide a list of significant spills and leaks of toxic or hazardous pollutants that occurred during the five (5) year period prior to the date of the submission of a Notice of Intent (NOI). The list must be updated if significant spills or leaks occur in exposed areas of the facility during the time the permittee are covered by the permit.

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 §311 (see 40 CFR 110.10 and 40 CFR 117.21) or section 102 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). Significant spills may also include releases of oil or hazardous substances that are not in excess of reporting requirements.

V.F.4.f. Non-Stormwater Discharges.

V.F.4.f.1. Documentation of Unauthorized Non-Stormwater Discharges. The permittee must document that the facility has been evaluated for the presence of non-stormwater discharges and that all unauthorized discharges have been eliminated. Documentation of the evaluation must be signed and include:

V.F.4.f.1.i. The date of any testing and/or evaluation;

V.F.4.f.1.ii. Identification of potential significant sources of non-storm water at the site;

V.F.4.f.1.iii. A description of the results of any test and/or evaluation for the presence of non-storm water discharges;

V.F.4.f.1.iv. A description of the evaluation criteria or testing method used;

V.F.4.f.1.v. A list of the outfalls or onsite drainage points that were directly observed during the test; and

V.F.4.f.1.vi. The action(s) taken, such as a list of control measures used to eliminate unauthorized discharge(s), or documentation that a separate RIPDES permit was obtained. For example, a floor drain was sealed, a sink drain was re-routed to sanitary, or a RIPDES permit application was submitted for an unauthorized cooling water discharge

V.F.4.f.2. Allowable Non-Storm Water Discharges

V.F.4.f.2.i. Certain sources of non-storm water are allowable under this permit (see I.B.2 - Allowable Non-Storm Water Discharges). In order for these discharges to be allowed, the SWMP must include:

- identification of each allowable non-storm water source;
- the location where it is likely to be discharged; and
- descriptions of appropriate BMPs for each source.

V.F.4.f.2.ii. Except for flows from fire fighting activities, the permittee must identify in the SWMP all sources of allowable non-storm water that are discharged under the authority of this permit.

V.F.4.f.2.iii. If the permittee includes mist blown from cooling towers amongst the allowable non-storm water discharges, the permittee must specifically evaluate the potential for the discharges to be contaminated by chemicals used in the cooling tower and determine that the levels of such chemicals in the discharges would not cause or contribute to a violation of an applicable water quality standard after implementation of the BMPs the permittee has selected to control such discharges.

V.F.4.g. Salt Storage. The permittee must document the location of any storage piles containing salt and used for deicing or other commercial or industrial purposes.

V.F.4.h. Sampling Data. The permittee must provide a summary of existing storm water discharge sampling data taken at the facility. All storm water sampling data collected during the term of this permit must also be summarized and included in this part of the SWMP.

V.F.5. Description of Control Measures to Meet Technology-Based and Water Quality-Based Effluent Limits. The permittee must document the location and type of control measures that have been chosen and/or designed to achieve: the non-numeric effluent limits in Part II.A.2., applicable effluent limits in Part VIII., the numeric effluent limitations guidelines-based limits in Part II.A.3., and the water quality-based effluent limits in Part II.B. Regarding the stormwater control measures, the permittee must also document as appropriate describe how the control measure selection and design addresses considerations in Part II.A.1. This documentation must describe how the control measures at the facility address both the pollutant sources identified in Part V.F.4., and any stormwater run-on that commingles with any discharges covered under this permit.

V.F.6. Schedules and Procedures

V.F.6.a. Pertaining to Control Measures Used to Comply with the Effluent Limits in Part II.A.2.. The following must be documented in the SWMP:

- Good Housekeeping (See Part II.A.2.b.) – 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 II.A.2.c.) – 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 II.A.2.d.) – 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 a RIPDES 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 V.H.;

- Erosion and Sediment Control (Part II.A.2.e.) – If polymers and/or other chemical treatments are used as part of the erosion and sediment controls, the permittee must identify the polymers and/or chemicals used and the purpose; and

- Employee Training (Part II.A.2.i.) – The elements of the employee training plan shall include all, but not be limited to, the requirements set forth in Part II.A.2.i. and also the following:

    - The content of the training; The frequency/schedule of training for employees who have duties in areas of industrial activities subject to this permit;

    - A log of the dates on which specific employees received training.

V.F.6.b. Pertaining to Monitoring and Inspections.

V.F.6.b.1. The permittee must document in the SWMP the procedures for conducting the four types of analytical monitoring specified by this permit, where applicable to the facility, including:

- Benchmark monitoring (see Part VI.B.1.);
- Effluent limitations guidelines monitoring (see Part VI.B.2.);
- Impaired waters monitoring (see Part VI.B.3.); and
- Other monitoring as required by the Director (see Part VI.B.4.).

For each type of monitoring, the SWMP 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 stormwater runoff (see Part VI.A.6.);
- Any numeric control values (benchmarks, receiving water hardness, effluent limitations guidelines, TMDL-related requirements, other water quality determination 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 VI.A.

If the permittee is invoking the exception for inactive and unstaffed sites for benchmark monitoring, the permittee must include in the SWMP the information to support this claim as required by Part VI.B.1.f.

The permittee must document the following in the SWMP if the permittee plans to use the substantially identical outfall exception for the quarterly visual assessment requirements in Part IV.B.3. or the benchmark monitoring requirements in Part VI.B.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 stormwater 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.

V.F.6.b.2. The permittee must document in the SWMP the procedures for performing, as appropriate, the two types of inspections specified by this permit, including:

- Routine facility inspections (see Part IV.A.); and

- Quarterly visual assessment of stormwater discharges (see Part IV.B.).

For each type of inspection performed, the SWMP 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 stormwater runoff discharges (see Part IV.B.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 SWMP the information to support this claim as required by Parts IV.A.3. and IV.B.3.

V.F.7. Permit Eligibility Related to Endangered Species. The permittee must identify in the SWMP if the facility is located within or has a discharge that potentially affect, a listed or proposed to be listed endangered or threatened species or its critical habitat (this information can be found by going to: http://www.rigis.org/datasets/natural-heritage-areas. If the Department makes a determination that the discharge may adversely affect a listed or proposed to be listed endangered or threatened species or its critical habitat, the discharge cannot be authorized under this permit and the permittee must submit an application for an individual RIPDES permit that would require appropriate storm water controls or the permittee must eliminate the discharge.

V.F.8. Applicable State or Local Plans. The SWMP must be consistent (and updated as necessary to remain consistent) with applicable State and/or local storm water, waste disposal, sanitary sewer or septic system regulations to the extent these apply to the facility and are more stringent than the requirements of this permit.

V.F.9. Copy of Permit Requirements. The permittee must include a copy of this permit in the SWMP.

V.F.10. Signature Requirements. The permittee must sign the SWMP in accordance with Part X.G., and retain the plan on-site at the facility covered by this permit (see Part VII.E. for records retention requirements).

V.G. Maintaining an Updated SWMP. The permittee must modify the SWMP whenever necessary to address any of the triggering conditions for corrective action in Part III.A. and to ensure that they do not reoccur, or to reflect changes implemented when a review following the triggering conditions in Part III.B. indicates that changes to the control measures are necessary to meet the effluent limits in this permit. Changes to the SWMP document must be made in accordance with the corrective action deadlines in Part III. and must be signed and dated in accordance with Part X.G. Changes must be noted and submitted to this department within thirty (30) days of the date of the amendments.

V.H. SWMP Availability. The permittee must retain a complete copy of the current SWMP required by this permit at the facility in any accessible format. A complete SWMP includes any documents incorporated by reference and all documentation supporting permit eligibility pursuant to Part I.B. of this permit, as well as the signed and dated certification page. Regardless of the format, the SWMP must be immediately available to facility employees, EPA, RIDEM, and the operator of an MS4 into which the permittee discharges at the time of an onsite inspection. The current SWMP must also be made available to the public (except any confidential business information (CBI) or restricted information [as defined in Appendix A]), but the permittee must clearly identify those portions of the SWMP that are being withheld from public access; to do so, the permittee must comply with one of the following options:

V.H.1. If the permittee provides a URL in the NOI where the SWMP can be found, and the permittee maintains the current SWMP at this URL, the permittee will have complied with the public availability requirements. To remain current, the permittee must post any SWMP modifications,

records and other reporting elements required for the previous year at the same URL as the main body of the SWMP. The SWMP update shall be no later than 45 days after conducting the final routine facility inspection for the year required in Part IV.A. If the permittee did not provide a SWMP URL in the NOI, the permittee may reopen the NOI at any time subsequent to the original NOI submittal to add a URL where the current SWMP can be found. The permittee is not required to post any confidential business CBI or restricted information (as defined in Appendix A) (such information may be redacted), but the permittee must clearly identify those portions of the SWMP that are being withheld from public access. CBI may not be withheld from those staff cleared for CBI review within RIDEM or EPA.

V.H.2. If the permittee uploads a copy of the current SWMP in the NOI, the permittee will have complied with the public availability requirements. To remain current, the permittee must electronically submit to NeT any SWMP modifications, records and other reporting elements required for the previous year. The SWMP update shall be no later than 45 days after conducting the final routine facility inspection for the year required in Part IV.A. If the permittee did not electronically submit a copy of the SWMP in the NOI, the permittee may reopen the NOI at any time subsequent to the original NOI submittal to electronically submit a current SWMP. The permittee is not required to post any confidential business CBI or restricted information (as defined in Appendix A) (such information may be redacted), but the permittee must clearly identify those portions of the SWMP that are being withheld from public access. CBI may not be withheld from those staff cleared for CBI review within RIDEM or EPA.

V.I. Additional Documentation Requirements. The permittee is required to keep the following inspection, monitoring, and certification records with the SWMP that together keep the records complete and up-to-date, and demonstrate full compliance with the conditions of this permit:

- A copy of the NOI submitted to the Department along with any correspondence exchanged between the permittee and RIDEM specific to coverage under this permit;
- If issued by the Department, a copy of the acknowledgment letter the permittee receives, assigning the RIPDES permit number;
- A copy of this permit (an electronic copy easily available to SWMP personnel is also acceptable);
- Descriptions and dates of any incidences of significant spills, leaks, or other releases that resulted in discharges of pollutants to waters of the State, through stormwater 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 II.A.2.d.);
- Records of employee training, including date training received (see Part II.A.2.i.);
- 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 II.A.2.c.);
- All inspection reports, including the Routine Facility Inspection Reports (see Part IV.A.), the Quarterly Visual Assessment Reports (see Part IV.B.);
- 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 a measurable storm event) (see Parts IV.B.1., VI.A.4., and VI.B.1.b.);
- Description of any corrective action taken at the facility, including triggering event and dates when problems were discovered and modifications occurred;
- Documentation of any benchmark exceedances and how they were responded to, including either (1) corrective action(s) taken, (2) a finding that the exceedance 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 VI.B.1.d.;

- Documentation to support any determination that pollutants of concern are not expected to be present above natural background levels if the facility discharges directly to impaired waters, and that such pollutants were not detected in the facility's discharge or were solely attributable to natural background sources (see Part VI.B.3.); and

- Documentation to support the claim that the facility has changed its status from active to inactive and unstaffed with respect to the requirements to conduct routine facility inspections (see Part IV.A.3.), quarterly visual assessments (see Part IV.B.3.), and/or benchmark monitoring (see Part VI.B.1.).

VI. MONITORING REQUIREMENTS

The permittee must collect and analyze stormwater samples and document monitoring activities consistent with the procedures described in Part VI. and Parts X.G. and X.O., and any additional sector-specific in Part VIII. Refer to Part VII. for reporting and recordkeeping requirements.

VI.A. Monitoring Procedures

VI.A.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 facility has two or more outfalls that the permittee believes discharge substantially identical effluents, based on the similarities of the general industrial activities and control measures, exposed materials that may significantly contribute pollutants to stormwater, and runoff coefficients of their drainage areas, the permittee 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 V.F.6.b., the SWMP 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 VI.B.2.

VI.A.2. Comingled 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.

VI.A.3. Measurable Storm Events. All required monitoring must be performed on a storm event that results in an actual discharge from the site ("measurable storm event") that follows the preceding measurable storm event by at least 72 hours (3 days). The 72-hour (3-day) storm interval does not apply if the permittee is able to document that less than a 72-hour (3-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 site.

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. Each monitoring event must be conducted during a measurable storm event that follows the preceding monitoring event by at least thirty (30) days.

VI.A.4. Sample Type. The permittee must take a minimum of one grab sample from a discharge resulting from a measurable storm event as described in Part VI.A.3. Samples must be collected within the first 30 minutes of a measurable storm event. If it is not possible to collect the sample within the first 30 minutes of a measurable storm event, the sample must be collected as soon as practicable after the first 30 minutes and documentation must be kept with the SWMP 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.

VI.A.5. Adverse Weather Conditions. When adverse weather conditions as described in Part IV.B.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 the permittee from having to file a benchmark monitoring report in accordance with the facility's sampling schedule. The permittee must report any failure to monitor as specified in Parts VI.B. and VII.A. indicating the basis for not sampling during the usual reporting period.

VI.A.6. Climates with Irregular Stormwater Runoff. If the facility is located in an area 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 site. The permittee must still collect the required number of samples.

VI.A.7. Monitoring Periods. Monitoring requirements in this permit begin in the first six-month monitoring interval following either the effective date of the permit or the date of discharge authorization, whichever date comes later. For example, if the permittee obtains permit coverage on June 2, 2019, then the first monitoring interval is July 1 - December 31, 2019. This monitoring schedule may be modified in accordance with Part VI.A.6. if the revised schedule is documented with the SWMP and provided to RIDEM with the first monitoring report. If the facility's monitoring is required twice per 6-month interval (e.g., benchmark monitoring), the permittee must monitor at least twice in each of the 6-month intervals (January 1 – June 30, July 1 – December 31) for a minimum of one year. Each monitoring event must be conducted during a measurable storm event that follows the preceding monitoring event by at least thirty (30) days.

For example, if the permittee obtains permit coverage on June 2, 2019, then the first monitoring interval is July 1 - December 31, 2019. This monitoring schedule may be modified in accordance with Part VI.A.6. if the revised schedule is documented with the SWMP and provided to RIDEM with the first monitoring report.

VI.A.8. Monitoring for Allowable Non-Stormwater Discharges. The permittee is only required to monitor allowable non-stormwater discharges (as delineated in Part I.B.2.) when they are commingled with stormwater discharges associated with industrial activity.

VI.B. Required Monitoring. This permit includes four types of required analytical monitoring, one or more of which may apply to the discharge:

- Benchmark monitoring (Part VI.B.1.);;
- Annual effluent limitations guidelines monitoring (see Part VI.B.2.);
- Impaired waters monitoring (see Part VI.B.3.); and
- Other monitoring as required by RIDEM (see Part VI.B.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 six-month interval for benchmark monitoring at a given outfall), the permittee may use a single sample to satisfy both monitoring requirements.

All required monitoring must be conducted in accordance with the procedures described in Part X.O.4.

VI.B.1. Benchmark Monitoring. This permit stipulates pollutant benchmark concentrations that may be applicable to the discharge. The benchmark concentrations are not effluent limitations; a benchmark exceedance, therefore, is not a permit violation. Benchmark monitoring data are primarily for the permittee's use to determine the overall effectiveness of the 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 II.

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.

VI.B.1.a. Applicability of Benchmark Monitoring.

VI.B.1.a.1 Permittees must monitor for the parameters listed in Table VI-1.

Table VI-1. Benchmarks and Sampling Requirements Applicable to All Facilities	
Parameter	**Benchmark Monitoring Concentration**
Total Suspended Solids (TSS)	100 mg/L
Oil & Grease (O&G)	15mg/L

VI.B.1.a.2. In addition to the benchmark monitoring requirements listed in Table VI-1. Permittees must monitor any benchmark parameters specified for the industrial sector(s), both primary industrial activity and any co-located industrial activities, applicable to the discharge. The facility's industry-specific benchmark concentrations are listed in the sector-specific sections of Part VIII. 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 RIDEM with the first benchmark report a hardness value, established consistent with the procedures in Appendix D, which is representative of the facility's receiving water.

VI.B.1.b. Benchmark Monitoring Schedule**.** Benchmark monitoring must be conducted twice within the January 1-June 30 period and twice within the July 1-December 31 period, as identified in Part VI.A.7., for the first year of permit coverage commencing no earlier than the effective date of the permit. Each monitoring event must be conducted during a measurable storm event that follows the preceding monitoring event by at least thirty (30) days. If benchmarks are exceeded after one year(4 benchmark monitoring events) of benchmark monitoring, the permittee must complete 4 additional semiannual monitoring in accordance with Part VI.B.1.d.

VI.B.1.c. Data not exceeding benchmarks. After completion of a year of collection of samples, if the average of the 4 monitoring values for any parameter does not exceed the benchmark, the permittee has fulfilled the 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 VI.B.1.a., which is determined to be less than the method detection limit.

VI.B.1.d. Data exceeding benchmarks. After collection of one year of samples, if the average of the 4 monitoring values for any parameter exceeds the benchmark value, the permittee must implement corrective actions, in accordance with Part III.A., unless the permittee determines that exceedance of the benchmark is attributable solely to the presence of that pollutant in the natural background in accordance with Part VI.B.1.e. If the permittee determines that exceedance of the benchmark is attributable solely to the presence of that pollutant in the natural background in accordance to VI.B.1.e., in which case the permittee must continue monitoring once per year.

VI.B.1.e. Natural background pollutant levels: Following the first 4 semiannual intervals of benchmark monitoring, 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:

VI.B.1.e.1 The average concentration of the benchmark monitoring results is less than or equal to the concentration of that pollutant in the natural background;

VI.B.1.e.2 The permittee documents and maintains with the SWMP, as required in Part V.I., the supporting rationale for concluding that benchmark exceedances are in fact attributable solely to natural background pollutant levels. The permittee must include in the supporting rationale:

VI.B.1.e.2.i. A statement that the permittee has determined that the Benchmark exceedance is attributable solely to the presence of the pollutant in the natural background. (The pollutant may also be present due to industrial activities, in which case the permittee must demonstrate that the pollutant contribution from the industrial activities by itself does not result in a Benchmark exceedance);

VI.B.1.e.2.ii. A summary of all data previously collected by the permittee, or other identified data collectors, that describes the levels of natural background pollutants in the facility's storm water discharge; and

VI.B.1.e.2.iii. A summary of any research and published literature that relates the pollutants evaluated at the facility as part of the Natural Background Source Demonstration.

VI.B.1.e.3. The permittee submits to the DEM on the final semiannual benchmark monitoring report the supporting rationale indicating that the benchmark exceedances are attributable solely to natural background pollutant levels.

For the purposes of this permit 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 on the site, or pollutants in run-on from neighboring sources which are not naturally occurring.

VI.B.1.f. Exception for Inactive and Unstaffed Sites. 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 stormwater. To invoke this exception, the permittee must do the following:

- Maintain a statement onsite with the SWMP stating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to stormwater in accordance with the substantive requirements in 40 CFR 122.26(g) and sign and certify the statement in accordance with Part X.G.; and

- If circumstances change and industrial materials or activities become exposed to stormwater 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 VI.B. as if the permittee was in the first year of permit coverage. The permittee must indicate in the first benchmark monitoring report that the facility has materials or activities exposed to stormwater or has become active and/or staffed.

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

Note: This exception has different requirements for Sectors G, H, and J (see Part VIII.).

VI.B.2. <u>Effluent Limitations Monitoring</u>

VI.B.2.a. Monitoring Based on Effluent Limitations Guidelines. Table VI-2 identifies the stormwater discharges subject to effluent limitation guidelines that are authorized for coverage under this permit. Beginning in the first full quarter following the effective date of the permit, or the date of discharge authorization, whichever date comes later, the permittee must monitor once per year at each outfall containing the discharges identified in Table VI-2 for the parameters specified in the sector-specific section of Part VIII.

Table VI-2. 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 VIII.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 VIII.C.4.	1/year	Grab
Runoff from asphalt emulsion facilities	See Part VIII.D.4.	1/year	Grab
Runoff from material storage piles at cement manufacturing facilities	See Part VIII.E.5.	1/year	Grab
Mine dewatering discharges at crushed stone, construction sand and gravel, or industrial sand mining facilities	See Part VIII.J.9.	1/year	Grab
Runoff from hazardous waste landfills	See Part VIII.K.6.	1/year	Grab
Runoff from non-hazardous waste landfills	See Part VIII.L.10.	1/year	Grab
Runoff from coal storage piles at steam electric generating facilities	See Part VIII.O.8.	1/year	Grab
Runoff containing urea from airfield pavement deicing at existing and new primary airports with 1,000 or more annual non-propeller aircraft departures	See Part VIII.S.8.	1/year	Grab

VI.B.2.b. Substantially Identical Outfalls. The permittee must monitor each outfall discharging runoff from any regulated activity identified in Table VI-1. The substantially identical outfall monitoring provisions are not available for numeric effluent limits monitoring.

VI.B.3. Discharges to Impaired Waters Monitoring. Permittees will be subject to the requirements of VI.B.3.b.i. and VI.B.3.b.ii. if TMDLs have not been completed for all of the listed impairments.

VI.B.3.a. Permittees Required to Monitor Discharges to Impaired Waters. If the facility 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 water is impaired is not present in the first year and not expected to be present in the discharge, or it is present but the permittee has determined that its presence is caused solely by natural background sources, the permittee should include a notification to this effect in the monitoring report following the first year of sampling, after which the permittee 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 the SWMP records, in accordance to Part V.I.:

- An explanation of why the permittee believes that the presence of the pollutant causing the impairment in the discharge is not related to the activities at the facility; and

- Data and/or studies that tie the presence of the pollutant causing the impairment in the discharge to natural background sources in the watershed.

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 on the site, or pollutants in run-on from neighboring sources which are not naturally occurring.

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). 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 temperature.

VI.B.3.b. Impaired Waters Monitoring Schedule

VI.B.3.b.1. Discharges to impaired waters without an EPA approved or established TMDL or other water quality determination: Beginning in the first full six-month interval following the effective date of the permit (as described in Part VI.A.7.) or the date of discharge authorization, whichever date comes later, the permittee must monitor twice within the period of January 1-June 30 and twice within the period of July 1-December 31 for the pollutant causing the impairment. The permittee must conduct monitoring at each outfall (except substantially identical outfalls) discharging stormwater to impaired waters without an EPA approved or established TMDL or other water quality determination.

VI.B.3.b.2. Discharges to impaired waters with an EPA approved or established TMDL or other water quality determination: For stormwater discharges to waters for which there is an EPA approved or established TMDL or other water quality determination, the permittee must monitor twice within the period of January 1-June 30 and twice within the period of July 1-December 31 for the pollutant for which the TMDL was written or the other water quality determination was made, unless the Director informs the permittee otherwise. Following the first year of monitoring:

- If the TMDL or other water quality determination pollutant is not detected in any of the first year samples, the permittee may discontinue further sampling, unless the TMDL or other water quality determination 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 the SWMP.

- If the permittee detects the presence of the pollutant causing the impairment in the stormwater discharge for any of the samples collected in the first year, the permittee must continue monitoring throughout the term of this permit, unless the TMDL or other water quality determination has specific instructions to the contrary, in which case the permittee must follow those instructions.

VI.B.4. Additional Monitoring Required by the Director. The Director 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.

VI.C. Follow-up Actions if Discharge Exceeds Numeric Effluent Limit. The permittee must conduct 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 III. in response to an 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, the permittee must comply with both Parts VI.C.1. and VI.C.2.

VI.C.1. Submit an Exceedance Report. The permittee must submit an Exceedance Report consistent with Part VII.C.

VI.C.2. Continue to Monitor. The permittee must continue to monitor, at least quarterly, until the discharge is in compliance with the effluent limit or until the Department waives the requirement for additional monitoring

VII. REPORTING AND RECORDKEEPING

VII.A. Electronic Reporting Requirement. The permittee must submit all NOIs, NOTs, NOEs, NDCs, Annual Reports, to the Director by hard copy, unless an electronic reporting tool becomes available. Discharge Monitoring Reports (DMRs), must be reported electronically using NeTDMR.

VII.B. Submitting Information. Most information required to be submitted by this permit shall be submitted via NeT, per Part VII.A. NeT allows the permittee to both prepare and submit required information using specific forms, found in the permit's appendices. To access NeT, go to:

https://epanet.zendesk.com/hc/en-us/sections/115003867248-How-To-

Information required to be submitted to the Department via NeT includes:

- Notice of Intent (Part I.C.);
- No Exposure Certification (Part I.D.);
- No Discharge Certification (Part I.E.);
- Notice of Termination (Part I.F.); and
- Annual Reports (Part VII.D.)

VII.C Reporting Monitoring Data. All monitoring data collected pursuant to Parts VI.B. and VI.C. must be submitted electronically using the NetDMR system available at: *www.epa.gov/netdmr*, no later than 15 days after the last day of the monitoring period, in accordance with Part VI.B.1.b. If the permittee collects multiple samples in a single six-month period (e.g., due to adverse weather conditions, climates with irregular stormwater runoff, or areas subject to snow), the permittee is required to submit all sampling results no later than 15 days after the last day of the monitoring period. The permittee's monitoring requirements (i.e., parameters required to be monitored and sample frequency) will be prepopulated on the permittee's electronic Discharge Monitoring Report (DMR) form based on the information the permittee reported on the NOI form through NeT.

VII.D. Annual Report

The permittee must submit an Annual Report electronically using NeT, per Part VII.B., by January 30th for each year of permit coverage containing information generated from the past calendar year. The Annual Report must include the findings from Part IV.A. routine facility inspections and any corrective action documentation as required in Parts III.A. and III.B.. If corrective action(s) 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 III.A. and III.B. and IV.C.2. (Routine Facility Inspection Documentation), the permittee must include the following information with the annual report:

- Facility name
- RIPDES permit number

- Facility physical address
- Contact person name, title, and phone number.
- A summary of your past year's routine facility inspection documentation required (Part IV.A.2.);
- A summary of your past year's quarterly visual assessment documentation (see Part IV.B.2. of the permit);
- A summary of your past year's benchmarks monitoring, that includes monitoring dates and benchmark(s) exceedances;
- A summary of your past year's corrective action(s) documentation (see Parts III.A. and III.B.). If corrective action is not yet completed at the time of submission of your annual report, you must describe the status of any outstanding corrective action(s). Also describe any incidents of noncompliance in the past year, or if none, provide a statement that you are in compliance with the permit.

VII.E. Exceedance Report for Numeric Effluent Limits

If follow-up monitoring pursuant to Part VI.C. exceeds a numeric effluet limit, the permittee must submit an Exceedance Report to the Department no later than 30 days after receipt of the lab results. The report must include the following:

- RIPDES permit 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 intends to do (should the corrective actions not yet be complete) to correct the violation; and
- An appropriate contact name and phone number.

VII.F. Additional Reporting

In addition to the reporting requirements stipulated in Part VII., the permittee is also subject to the standard permit reporting provisions.

Where applicable, the permittee must submit the following reports to the Department at the address listed in Part VII.F. If the facility discharges through an MS4, the permittee must also submit these reports to the MS4 operator (identified pursuant to Part V.F.2.).

24-hour reporting - The 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;

- 5-day follow-up reporting to the 24-hour reporting - A written submission must also be provided within five days of the time the permittee becomes aware of the circumstances;
- Reportable quantity spills (see Part II.A.2.d.) - The permittee must provide notification, as required under Part II.A.2.d., as soon as the permittee has 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

- Where applicable, the permittee must submit the following reports to the Department at the address specified in Part VII.F.:

- Planned changes – The permittee must give notice to the Department as soon as possible of any planned physical alterations, operational changes 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. All stormwater controls must be constructed and implemented prior to initiation of discharges from any of the changes described above. These discharges must meet all the requirements under this permit. Applications for these discharges must be submitted and will be authorized in accordance to Part I.C. Once discharges from any of the changes described above occur the permittee must immediately begin complying with the applicable benchmark monitoring requirements under Part VI.B. as if the permittee was in the first year of permit coverage.;

- Anticipated noncompliance) – The permittee must give advance notice to the Department of any planned changes in the permitted facility or activity which the permittee anticipates will result in noncompliance with permit requirements;

- Transfer of ownership and/or operation – The permittee must submit a complete and accurate NOI in accordance with the requirements of Appendix C of this permit and by the deadlines specified in Part I.C.2. All transfers must meet the requirements of Title 250 RICR-150-10-1 Rule 22 in accordance with Part I.I. of this permit.

- Compliance schedules - Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit must be submitted no later than 14 days following each schedule date;

- Other noncompliance - The permittee must report all instances of noncompliance not reported in the monitoring report (pursuant to Part VII.A.), compliance schedule report, or 24-hour report at the time monitoring reports are submitted; and

- Other information – The permittee must promptly submit facts or information if the permittee becomes aware that the permittee failed to submit relevant facts in the NOI, or that the permittee submitted incorrect information in the NOI or in any report

VII.G. Recordkeeping. The permittee must retain copies of the SWMP (including any modifications made during the term of this permit), additional documentation requirements pursuant to Part V.I. (including documentation related to corrective actions taken pursuant to Part III.), 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 coverage under this permit expires or is terminated.

VII.H. How to submit Reports. Any reports required in Parts VI. and VII. must be submitted, to the Director by hard copy, unless an electronic reporting tool becomes available.

VIII. SECTOR-SPECIFIC REQUIREMENTS FOR INDUSTRIAL ACTIVITY

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

VIII.A. Subpart A – Sector A – Timber Products.

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

VIII.A.1. Covered Stormwater Discharges. The requirements in Subpart A apply to stormwater discharges associated with industrial activity from Timber Products facilities as identified by the SIC Codes specified under Sector A in Table B-1 of Appendix B of the permit.

VIII.A.2. Limitation on Coverage.

VIII.A.2.a. *Prohibition of Discharges.* (See also Part I.B.3.) Not covered by this permit: stormwater discharges from areas where there may be contact with the chemical formulations sprayed to provide surface protection. These discharges must be covered by a separate RIPDES permit.

VIII.A.2.b. *Authorized Non-Stormwater Discharges.* (See also Part I.B.2.) Also authorized by this permit, provided the non-stormwater component of the discharge is in compliance with the requirements in Part II.A.2. (Non-Numeric Effluent Limits): discharges from the spray down of lumber and wood product storage yards where no chemical additives are used in the spray-down waters and no chemicals are applied to the wood during storage.

VIII.A.3. Additional Technology-Based Effluent Limits.

VIII.A.3.a. *Good Housekeeping.* (See also Part II.A.2.b.) In areas where storage, loading and unloading, and material handling occur, perform good housekeeping to limit the discharge of wood debris, minimize the leachate generated from decaying wood materials, and minimize the generation of dust.

VIII.A.4. Additional SWMP Requirements.

VIII.A.4.a. *Drainage Area Site Map.* (See also Part V.F.2.c.) Document in the SWMP where any of the following may be exposed to precipitation or surface runoff: processing areas, treatment chemical storage areas, treated wood and residue storage areas, wet decking areas, dry decking areas, untreated wood and residue storage areas, and treatment equipment storage areas.

VIII.A.4.b. *Inventory of Exposed Materials.* (See also Part V.F.4.b.) Where such information exists, if the facility has used chlorophenolic, creosote, or chromium-copper-arsenic formulations for wood surface protection or preserving, document in the SWMP the following: areas where contaminated soils, treatment equipment, and stored materials still remain and the management practices employed to minimize the contact of these materials with stormwater runoff.

VIII.A.4.c. *Description of Stormwater Management Controls.* (See also Part V.F.5.) Document measures implemented to address the following activities and sources: log, lumber, and wood product storage areas; residue storage areas; loading and unloading areas; material handling areas; chemical storage areas; and equipment and vehicle maintenance, storage, and repair areas. If the facility performs wood surface protection and preservation activities, address the specific control measures, including any BMPs, for these activities.

VIII.A.5. Additional Inspection Requirements. See also Part IV.A. If the facility performs wood surface protection and preservation activities, inspect processing areas, transport areas, and treated wood storage areas monthly to assess the usefulness of practices to minimize the deposit of treatment chemicals on unprotected soils and in areas that will come in contact with stormwater discharges

VIII.A.6. Sector Specific Benchmarks. Table VIII.A-1 identifies benchmarks that apply to the specific subsectors of Sector A. These benchmarks apply to both the primary industrial activity and any co-located industrial activities, which describe the site activities.

Table VIII.A-1

Subsector (The permittee may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
Subsector A1. General Sawmills and Planing Mills (SIC 2421)	Chemical Oxygen Demand (COD)	120.0 mg/L
	Total Suspended Solids (TSS)	100 mg/L
	Total Zinc[1] (fresh water discharges)	Hardness Dependent
	Total Zinc (salt water discharges)	0.09 mg/L
Subsector A2. Wood Preserving (SIC 2491)	Total Arsenic (fresh water discharges)	0.15 mg/L
	Total Arsenic (salt water discharges)	0.069 mg/L
	Total Copper[1] (fresh water discharges)	Hardness Dependent
	Total Copper (salt water discharges)	0.0048
Subsector A3. Log Storage and Handling (SIC 2411)	Total Suspended Solids (TSS)	100 mg/L
Subsector A4. Hardwood Dimension and Flooring Mills; Special Products Sawmills, not elsewhere classified; Millwork, Veneer, Plywood, and Structural Wood; Wood Pallets and Skids; Wood Containers, not elsewhere classified; Wood Buildings and Mobile Homes; Reconstituted Wood Products; and Wood Products Facilities not elsewhere classified (SIC 2426, 2429, 2431-2439 (except 2434), 2441, 2448, 2449, 2451, 2452, 2493, and 2499)	Chemical Oxygen Demand (COD)	120.0 mg/L
	Total Suspended Solids (TSS)	100.0 mg/L

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

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

VIII.A.7. Effluent Limitations Based on Effluent Limitations Guidelines (See also Part VI.B.2.a. of the permit.) Table VIII.A-2 identifies effluent limits that apply to the industrial activities described below. Compliance with these effluent limits is to be determined based on discharges from these industrial activities independent of commingling with any other wastestreams that may be covered under this permit.

Table VIII.A-2[1]

Industrial Activity		
Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas	pH	6.0 - 9.0 s.u.
	Debris (woody material such as bark, twigs, branches, heartwood, or sapwood)	No discharge of debris that will not pass through a 2.54-cm (1-in.) diameter round opening

[1]Monitor Annually

VIII.B. Subpart B – Sector B – Paper and Allied Products.

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

VIII.B.1. Covered Stormwater Discharges. The requirements in Subpart B apply to stormwater discharges associated with industrial activity from Paper and Allied Products Manufacturing facilities, as identified by the SIC Codes specified under Sector B in Table B-1 of Appendix B of the permit

VIII.B.2. Sector Specific Benchmarks (See also Part VI. of the permit).

Table VIII.B-1.		
Subsector (The permittee may be subject to requirements for more than one sector/subsector)	**Parameter**	**Benchmark Monitoring Concentration**
Subsector B1. Paperboard Mills (SIC Code 2631)	Chemical Oxygen Demand (COD)	120 mg/L

VIII.C. Subpart C – Sector C - Chemical and Allied Products Manufacturing, and Refining.

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

VIII.C.1. Covered Stormwater Discharges. The requirements in Subpart C apply to stormwater discharges associated with industrial activity from Chemical and Allied Products Manufacturing, and Refining facilities, as identified by the SIC Codes specified under Sector C in Table B-1 of Appendix B of the permit.

VIII.C.2. Limitations on Coverage

VIII.C.2.a. *Prohibition of Non-Stormwater Discharges.* (See also Part I.B.3.) The following are not covered by this permit: non-stormwater discharges containing inks, paints, or substances (hazardous, nonhazardous, etc.) resulting from an onsite spill, including materials collected in drip pans; washwater from material handling and processing areas; and washwater from drum, tank, or container rinsing and cleaning.

VIII.C.3. Sector Specific Benchmarks. Table VIII.C-1 identifies benchmarks that apply to the specific subsectors of Sector C. These benchmarks apply to both the primary industrial activity and any co-located industrial activities.

Table VIII.C-1.

Subsector (The facility may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
Subsector C1. Agricultural Chemicals (SIC 2873-2879)	Nitrate plus Nitrite Nitrogen	0.68 mg/L
	Total Lead[1] (fresh water discharges)	Hardness Dependent
	Total Lead (salt water discharges)	0.21 mg/L
	Total Iron	1.0 mg/L
	Total Zinc[1] (fresh water discharges)	Hardness Dependent
	Total Zinc (salt water discharges)	0.09 mg/L
	Phosphorus	2.0 mg/L
Subsector C2. Industrial Inorganic Chemicals (SIC 2812-2819)	Total Aluminum	0.75 mg/ L
	Total Iron	1.0 mg/L
	Nitrate plus Nitrite Nitrogen	0.68 mg/L
Subsector C3. Soaps, Detergents, Cosmetics, and Perfumes (SIC 2841-2844)	Nitrate plus Nitrite Nitrogen	0.68 mg/L
	Total Zinc[1] (fresh water discharges)	Hardness Dependent
	Total Zinc (salt water discharges)	0.09 mg/L
Subsector C4. Plastics, Synthetics, and Resins (SIC 2821-2824)	Total Zinc[1] (fresh water discharges)	Hardness Dependent
	Total Zinc (salt water discharges)	0.09 mg/L

[1] The benchmark values of some metals are dependent on water hardness for fresh water discharges. For these parameters, permittees must determine the hardness of the receiving fresh water body (see Appendix D, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part VI.B.1.a., 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	**Lead** (mg/L)	**Zinc** (mg/L)
0-25 mg/L	0.014	0.04
25-50 mg/L	0.023	0.05
50-75 mg/L	0.045	0.08
75-100 mg/L	0.069	0.11
100-125 mg/L	0.095	0.13
125-150 mg/L	0.122	0.16
150-175 mg/L	0.151	0.18
175-200 mg/L	0.182	0.20
200-225 mg/L	0.213	0.23
225-250 mg/L	0.246	0.25
250+ mg/L	0.262	0.26

VIII.C.4. Effluent Limitations Based on Effluent Limitations Guidelines (See also Part VI.B.2.a. of the permit). Table VIII.C-2 identifies effluent limits that apply to the industrial activities described below. Compliance with these effluent limits is to be determined based on discharges from these industrial activities independent of commingling with any other wastestreams that may be covered under this permit.

Table VIII.C-2[1]		
Industrial Activity	**Parameter**	**Effluent Limit**
Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished product, by-products or waste products (SIC 2874)	Total Phosphorus (as P)	105.0 mg/L, daily maximum
		35 mg/L, 30-day avg.
	Fluoride	75.0 mg/L, daily maximum
		25.0 mg/L, 30-day avg.

[1] Monitor Annually

VIII.D. Subpart D – Sector D - Asphalt Paving and Roofing Materials and Lubricant Manufacturing. The permittee must comply with Part VIII. sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

VIII.D.1. Covered Stormwater Discharges. The requirements in Subpart D apply to stormwater discharges associated with industrial activity from Asphalt Paving and Roofing Materials and Lubricant Manufacturing facilities, as identified by the SIC Codes specified under Sector D in Table B-1 of Appendix B of the permit.

VIII.D.2. Limitations on Coverage. The following stormwater discharges associated with industrial activity are not authorized by this permit (See also Part I.B.3.):

VIII.D.2.a. Discharges from petroleum refining facilities, including those that manufacture asphalt or asphalt products, that are subject to nationally established effluent limitation guidelines found in 40 CFR Part 419 (Petroleum Refining); or

VIII.D.2.b. Discharges from oil recycling facilities; or

VIII.D.2.c. Discharges associated with fats and oils rendering.

VIII.D.3. Sector Specific Benchmarks. Table VIII.D-1 identifies benchmarks that apply to the specific subsectors of Sector D. These benchmarks apply to both the primary industrial activity and any co-located industrial activities, which describe the site activities.

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

VIII.D.4. Effluent Limitations Based on Effluent Limitations Guidelines (See also Part VI.B.2.a. of the permit).

Table VIII.D-2[1]		
Industrial Activity	**Parameter**	**Effluent Limit**
Discharges from asphalt emulsion facilities.	Total Suspended Solids (TSS)	23.0 mg/L, daily maximum 15.0 mg/L, 30-day avg.
	pH	6.0 - 9.0 s.u.
	Oil and Grease	15.0 mg/L, daily maximum 10 mg/L, 30-day avg.

1 Monitor Annually

VIII.E. Subpart E – Sector E - Glass, Clay, Cement, Concrete, and Gypsum Products. The permittee must comply

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

VIII.E.1. Covered Stormwater Discharges. The requirements in Subpart E apply to stormwater discharges associated with industrial activity from Glass, Clay, Cement, Concrete, and Gypsum Products facilities, as identified by the SIC Codes specified under Sector E in Table B-1 of Appendix B of the permit.

VIII.E.2. Additional Technology-Based Effluent Limits.

VIII.E.2.a. *Good Housekeeping Measures.* (See also Part II.A.2.b.) With good housekeeping, prevent or minimize the discharge of spilled cement, aggregate (including sand or gravel), kiln dust, fly ash, settled dust, or other significant material in stormwater from paved portions of the site that are exposed to stormwater. Consider sweeping regularly or using other equivalent measures to minimize the presence of these materials. Indicate in the SWMP the frequency of sweeping or equivalent measures. Determine the frequency based on the amount of industrial activity occurring in the area and the frequency of precipitation, but it must be performed at least once a week if cement, aggregate, kiln dust, fly ash, or settled dust are being handled or processed. The permittee must also prevent the exposure of fine granular solids (cement, fly ash, kiln dust, etc.) to stormwater, where practicable, by storing these materials in enclosed silos, hoppers, or buildings, or under other covering.

VIII.E.3. Additional SWMP Requirements.

VIII.E.3.a. *Good Drainage Area Site Map*. (See also Part V.F.2.c.) Document in the SWMP the locations of the following, as applicable: bag house or other dust control device; recycle/sedimentation pond, clarifier, or other device used for the treatment of process wastewater; and the areas that drain to the treatment device.

VIII.E.3.b. *Certification.* (See also Part V.F.4.f.) For facilities producing ready-mix concrete, concrete block, brick, or similar products, include in the non-stormwater discharge certification a description of measures that ensure that process waste waters resulting from washing trucks, mixers, transport buckets, forms, or other equipment are discharged in accordance with RIPDES requirements or are recycled.

VIII.E.3. Sector Specific Benchmarks. Table VIII.E-1 identifies benchmarks that apply to the specific subsectors of Sector E. These benchmarks apply to both the primary industrial activity and any co-located industrial activities, which describe the site activities.

Table VIII.E-1.

Subsector (The permittee may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Cutoff Concentration
Subsector E1. Clay Product Manufacturers (SIC 3251-3259, 3261-3269)	Total Aluminum	0.75 mg/L
Subsector E2. Concrete and Gypsum Product Manufacturers (SIC 3271-3275)	Total Suspended Solids (TSS)	100 mg/L
	Total Iron	1.0 mg/L

VIII.E.4. Effluent Limitations Based on Effluent Limitations Guidelines (See also Part VI.B.2.a. of the permit).

Table VIII.E-2[1]

Industrial Activity	Parameter	Effluent Limit
Discharges from material storage piles at cement manufacturing facilities	Total Suspended Solids (TSS)	50 mg/L, daily maximum
	pH	6.0 - 9.0 s.u.

1 Monitor Annually

VIII.F. Subpart F – Sector F – Primary Metals. The permittee must comply with Part VIII. sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

VIII.F.1. Covered Stormwater Discharges. The requirements in Subpart F apply to stormwater discharges associated with industrial activity from Primary Metals facilities, as identified by the SIC Codes specified under Sector F in Table B-1 of Appendix B of the permit.

VIII.F.2. Additional Technology-Based Effluent Limits.

VIII.F.2.a. *Good Housekeeping Measures.* (See also Part II.A.2.b.) As part of the good housekeeping program, include a cleaning and maintenance program for all impervious areas of the facility where particulate matter, dust, or debris may accumulate, especially areas where material loading and unloading, storage, handling, and processing occur; and, where practicable, the paving of areas where vehicle traffic or material storage occur but where vegetative or other stabilization methods are not practicable (institute a sweeping program in these areas too). For unstabilized areas where sweeping is not practicable, consider using stormwater management devices such as sediment traps, vegetative buffer strips, filter fabric fence, sediment filtering boom, gravel outlet protection, or other equivalent measures that effectively trap or remove sediment.

VIII.F.3. Additional SWMP Requirements.

VIII.F.3.a. *Drainage Area Site Map.* (See also Part V.F.2.c.) Identify in the SWMP where any of the following activities may be exposed to precipitation or surface runoff: storage or disposal of wastes such as spent solvents and baths, sand, slag and dross; liquid storage tanks and drums; processing areas including pollution control equipment (e.g., baghouses); and storage areas of raw material such as coal, coke, scrap, sand, fluxes, refractories, or metal in any form. In addition, indicate where an accumulation of significant amounts of particulate matter could occur from such sources as furnace or oven emissions, losses from coal and coke handling operations, etc., and could result in a discharge of pollutants to waters of the United States.

VIII.F.3.b. *Inventory of Exposed Material.* (See also Part V.F.4.b.) Include in the inventory of materials handled at the site that potentially may be exposed to precipitation or runoff, areas where deposition of particulate matter from process air emissions or losses during material-handling activities are possible.

VIII.F.4. Additional Inspection Requirements. (See also Part IV.A.) As part of conducting the quarterly routine facility inspections (Part IV.A.), address all potential sources of pollutants, including (if applicable) air pollution control equipment (e.g., baghouses, electrostatic precipitators, scrubbers, and cyclones), for any signs of degradation (e.g., leaks corrosion, or improper operation) that could limit their efficiency and lead to excessive emissions. Consider monitoring air flow at inlets and outlets (or use equivalent measures) to check for leaks (e.g., particulate deposition) or blockage in ducts. Also inspect all process and material handling equipment (e.g., conveyors, cranes, and vehicles) for leaks, drips, or the potential loss of material; and material storage areas (e.g., piles, bins, or hoppers for storing coke, coal, scrap, or slag, as well as chemicals stored in tanks and drums) for signs of material losses due to wind or stormwater runoff.

VIII.F.5. Sector-Specific Benchmarks (See also Part VI.B.1. of the permit). Table VIII.F-1 identifies benchmarks that apply to the specific subsectors of Sector F. These benchmarks apply to both the primary industrial activity and any co-located industrial activities, which describe the site activities.

Table VIII.F-1.		
Subsector (The permittee may be subject to requirements for more than one sector/subsector)	**Parameter**	**Benchmark Monitoring Cutoff Concentration**
Subsector F1. Steel Works, Blast Furnaces, and Rolling and Finishing Mills (SIC 3312-3317)	Total Aluminum	0.75 mg/L
	Total Zinc[1] (fresh water discharges)	Hardness Dependent
	Total Zinc (salt water discharges)	0.09 mg/L
Subsector F2. Iron and Steel Foundries (SIC 3321-3325)	Total Aluminum	0.75 mg/L
	Total Suspended Solids (TSS)	100 mg/L
	Total Copper[1] (fresh water discharges)	Hardness Dependent
	Total Copper (salt water discharges)	0.0048 mg/L
	Total Iron	1.0 mg/L
	Total Zinc[1] (fresh water discharges)	Hardness Dependent
	Total Zinc (salt water discharges)	0.09 mg/L
Subsector F3. Rolling, Drawing, and Extruding of Nonferrous Metals (SIC 3351-3357)	Total Copper[1] (fresh water discharges)	Hardness Dependent
	Total Copper (salt water discharges)	0.0048 mg/L
	Total Zinc[1] (fresh water discharges)	Hardness Dependent
	Total Zinc (salt water discharges)	0.09 mg/L
Subsector F4. Nonferrous Foundries (SIC 3363-3369)	Total Copper[1] (fresh water discharges)	Hardness Dependent
	Total Copper (salt water discharges)	0.0048 mg/L
	Total Zinc[1] (fresh water discharges)	Hardness Dependent
	Total Zinc (salt water discharges)	0.09 mg/L

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

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

VIII.G. Subpart G – Sector G – Metal Mining.

VIII.G.1. Covered Stormwater Discharges.

VIII.G.1.a. Covered Discharges from Inactive Facilities. All stormwater discharges.

VIII.G.1.b. Covered Discharges from Active and Temporarily Inactive Facilities. Only the stormwater discharges from the following areas are covered: waste rock and overburden piles if composed entirely of stormwater and not combining with mine drainage; topsoil piles; offsite haul and access roads; onsite haul and access roads constructed of waste rock, overburden, or spent ore if composed entirely of stormwater and not combining with mine drainage; onsite haul and access roads not constructed of waste rock, overburden, or spent ore except if mine drainage is used for dust control; runoff from tailings dams or dikes when not constructed of waste rock or tailings and no process fluids are present; runoff from tailings dams or dikes when constructed of waste rock or tailings and no process fluids are present, if composed entirely of stormwater and not combining with mine drainage; concentration building if no contact with material piles; mill site if no contact with material piles; office or administrative building and housing if mixed with stormwater from industrial area; chemical storage area; docking facility if no excessive contact with waste product that would otherwise constitute mine drainage; explosive storage; fuel storage; vehicle and equipment maintenance area and building; parking areas (if necessary); power plant; truck wash areas if no excessive contact with waste product that would otherwise constitute mine drainage; unreclaimed, disturbed areas outside of active mining area; reclaimed areas released from reclamation requirements prior to December 17, 1990; and partially or inadequately reclaimed areas or areas not released from reclamation requirements.

VIII.G.1.c. Covered Discharges from Exploration and Construction of Metal Mining and/or Ore Dressing Facilities. All stormwater discharges.

VIII.G.1.d. Covered Discharges from Facilities Undergoing Reclamation. All stormwater discharges.

VIII.G.2. Limitations on Coverage.

VIII.G.2.a. *Prohibition of Stormwater Discharges.* Stormwater discharges not authorized by this permit: discharges from active metal mining facilities that are subject to effluent limitation guidelines for the Ore Mining and Dressing Point Source Category (40 CFR Part 440).

NOTE: Stormwater runoff from these sources are subject to 40 CFR Part 440 if they are mixed with other discharges subject to Part 440. In this case, they are not eligible for coverage under this permit. Discharges from overburden/waste rock and overburden/waste rock-related areas are not subject to 40 CFR Part 440 unless they: (1) drain naturally (or are intentionally diverted) to a point source; and (2) combine with ''mine drainage'' that is otherwise regulated under the Part 440 regulations. For such sources, coverage under this permit would be available if the discharge composed entirely of stormwater does not combine with other sources of mine drainage that are not subject to 40 CFR Part 440,and meets the other eligibility criteria contained in Part I.B. of the permit. Permit applicants bear the initial responsibility for determining if they are eligible for coverage under this permit, or must seek coverage under another RIPDES permit. Permit applicants should contact the Department for assistance to determine the nature and scope of the ''active mining area'' on a mine-by-mine basis, as well as to determine the appropriate permitting mechanism for authorizing such discharges.

VIII.G.2.b. *Prohibition of Non-Stormwater* Discharges. Not authorized by this permit: drainage, and contaminated springs or seeps discharging from waste rock dumps that do not directly result from precipitation events (see also the Standard Limitations on Coverage in Part I.B.3.).

VIII.G.3. Definitions. The following definitions are not intended to supersede the definitions of active and inactive mining facilities established by 40 CFR 122.26(b)(14)(iii).

VIII.G.3.a. *Mining operation* - Consists of the active and temporarily inactive phases, and the reclamation phase, but excludes the exploration and construction phases.

VIII.G.3.b. *Exploration phase* - Entails exploration and land disturbance activities to determine the viability of a site. The exploration phase is not considered part of "mining operations".

VIII.G.3.c. *Construction phase* - Includes the building of site access roads and removal of overburden and waste rock to expose mineable minerals. The construction phase is not considered part of "mining operations".

VIII.G.3.d. *Active phase* - Activities including the extraction, removal or recovery of metal ore. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of "active mining area" found at 40 CFR 440.132(a). The active phase is considered part of "mining operations".

VIII.G.3.e. *Reclamation phase* - Activities undertaken, in compliance with applicable mined land reclamation requirements, following the cessation of the "active phase", intended to return the land to an appropriate post-mining land use in order to meet applicable Federal and State reclamation requirements. The reclamation phase is considered part of "mining operations".

VIII.G.3.f. *Active metal mining facility* - A place where work or other activity related to the extraction, removal, or recovery of metal ore is being conducted. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of "active mining area" found at 40 CFR 440.132(a).

VIII.G.3.g. *Inactive metal mining facility* - A site or portion of a site where metal mining and/or milling occurred in the past but is not an active facility as defined above, and where the inactive portion is not covered by an active mining permit issued by the applicable State or Federal agency. An inactive metal mining facility has an identifiable owner / operator. Sites where mining claims are being maintained prior to disturbances associated with the extraction, beneficiation, or processing of mined materials and sites where minimal activities are undertaken for the sole purpose of maintaining a mining claim are not considered either active or inactive mining facilities and do not require a RIPDES industrial stormwater permit.

VIII.G.3.h. *Temporarily inactive metal mining facility* - A site or portion of a site where metal mining and/or milling occurred in the past but currently are not being actively undertaken, and the facility is covered by an active mining permit issued by the applicable State or Federal agency.

VIII.G.3.i. *Final Stabilization* - A site or portion of a site is "finally stabilized" when it has implemented all applicable Federal and State reclamation requirements.

VIII.G.4. Technology-Based Effluent Limits for Clearing, Grading, and Excavation Activities. Clearing, grading, and excavation activities being conducted as part of the exploration and construction phase of mining activities are covered under this permit.

VIII.G.4.a. Management Practices for Clearing, Grading, and Excavation Activities.

VIII.G.4.a.1. *Selecting and installing control measures*. For all areas affected by clearing, grading, and excavation activities, the permittee must select, design, install, and implement control measures that meet applicable Part II. effluent limits.

VIII.G.4.a.2. *Good Housekeeping*. Litter, debris, and chemicals must be prevented from becoming a pollutant source in stormwater discharges.

VIII.G.4.a.3. *Retention and Detention of Stormwater Runoff*. For drainage locations serving more than

one acre, sediment basins and/or temporary sediment traps should be used. At a minimum, silt fences, vegetative buffer strips, or equivalent sediment controls are required for all down slope boundaries (and for side slope boundaries as necessary based on individual site conditions) of the development area unless a sediment basin providing storage for a calculated volume of runoff from a 2-year, 24-hour storm or 3,600 cubic feet of storage per acre drained is provided. The permittee is required to remove sediment from sediment traps or sedimentation ponds when design capacity has been reduced by 50 percent. Due to high sediment discharges from some Sector G facilities, permittees may need to implement a combination of structural BMP approaches to sufficiently decrease discharge of sediment from their facilities.

VIII.G.4.b. Inspection of Clearing, Grading, and Excavation Activities.

VIII.G.4.b.1. *Inspection Frequency*. Inspections must be conducted either at least once every 7 calendar days, or at least once every 14 calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater. Inspection frequency may be reduced to at least once every month if the entire site is temporarily stabilized (pursuant to Part VII.G.4.c.2.), if runoff is unlikely due to winter (e.g., site is covered with snow or ice) or frozen conditions.

VIII.G.4.b.2. *Location of Inspections*. Inspections must include all areas of the site disturbed by clearing, grading, and/or excavation activities and areas used for storage of materials that are exposed to precipitation. Sedimentation and erosion control measures must be observed to ensure proper operation. Discharge locations must be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to waters of the United States, where accessible. Where discharge locations are inaccessible, nearby downstream locations must be inspected to the extent that such inspections are practicable. Locations where vehicles enter or exit the site must be inspected for evidence of significant off-site sediment tracking.

VIII.G.4.b.3. *Inspection Reports*. For each inspection required above, the permittee must complete an inspection report. At a minimum, the inspection report must include the information required in Part IV.A.

VIII.G.4.c. Requirements for Cessation of Clearing, Grading, and Excavation Activities.

VIII.G.4.c.1. *Inspections and Maintenance.* Inspections and maintenance of control measures, including BMPs, associated with clearing, grading, and excavation activities being conducted as part of the exploration and construction phase of a mining operation must continue until final stabilization has been achieved on all portions of the disturbed area, or until the commencement of the active mining phase for those areas that have been temporarily stabilized as a precursor to mining.

VIII.G.4.c.2. *Temporary Stabilization of Disturbed Areas*. Stabilization measures should be initiated immediately in portions of the site where clearing, grading and/or excavation activities have temporarily ceased, but in no case more than 14 days after the clearing, grading and/or excavation activities in that portion of the site have temporarily ceased. In arid, semiarid, and drought-stricken areas, or in areas subject to snow or freezing conditions, where initiating perennial vegetative stabilization measures is not possible within 14 days after mining, exploration, and/or construction activity has temporarily ceased, temporary vegetative stabilization measures must be initiated as soon as practicable. Until temporary vegetative stabilization is achieved, interim measures such as erosion control blankets with an appropriate seed base and tackifiers must be employed. In areas of the site, where exploration and/or construction has permanently ceased prior to active mining, temporary stabilization measures must be implemented to minimize mobilization of sediment or other pollutants until such time as the active mining phase commences.

VIII.G.4.c.3. *Final Stabilization of Disturbed Areas.* Stabilization measures should be initiated immediately in portions of the site where exploration and/or construction activities have permanently ceased, but in no case more than 14 days after the exploration and/or construction activity in that portion of the site has permanently ceased. In arid, semiarid, and drought-stricken areas, or in areas subject to snow or freezing conditions, where initiating perennial vegetative stabilization measures is not possible within 14 days after mining, exploration, and/or construction activity has permanently ceased, final vegetative stabilization measures must be initiated as soon as possible. Until final stabilization is achieved temporary stabilization measures, such as erosion control blankets with an appropriate seed base and tackifiers, must be used.

VIII.G.5. Additional Technology-Based Effluent Limits.

VIII.G.5.a. *Employee Training.* (See also Part II.A.2.i.) Conduct employee training at least annually at active and temporarily inactive sites.

VIII.G.5.b. *Stormwater Controls.* Apart from the control measures the permittee implements to meet the Part II. effluent limits, consider implementing the following control measures at the site. The potential pollutants identified in Part VIII.G.6.c. shall determine the priority and appropriateness of the control measures selected.

VIII.G.5.b.1. *Stormwater Diversions*: Consider diverting stormwater away from potential pollutant sources. Following are some options: interceptor or diversion controls (e.g., dikes, swales, curbs, or berms); pipe slope drains; subsurface drains; conveyance systems (e.g., channels or gutters, open-top box culverts, and waterbars; rolling dips and road sloping; roadway surface water deflector and culverts); or their equivalents.

VIII.G.5.b.2. *Capping*: When capping is necessary to minimize pollutant discharges in stormwater, identify the source being capped and the material used to construct the cap.

VIII.G.5.b.3. *Treatment*: If treatment of stormwater (e.g., chemical or physical systems, oil and water separators, artificial wetlands) is necessary to protect water quality, describe the type and location of treatment used. Passive and/or active treatment of stormwater runoff is encouraged where practicable. Treated runoff may be discharged as a stormwater source regulated under this permit provided the discharge is not combined with discharges subject to effluent limitation guidelines for the Ore Mining and Dressing Point Source Category (40 CFR Part 440).

VIII.G.5.c. *Certification of Discharge Testing.* (See also Part V.F.4.f.) Test or evaluate all outfalls covered under this permit for the presence of specific mining-related non-stormwater discharges such as seeps or adit discharges, or discharges subject to effluent limitations guidelines (e.g., 40 CFR Part 440), such as mine drainage or process water. Alternatively (if applicable), the permittee may keep a certification with the SWMP consistent with Part VIII.G.6.f.

VIII.G.6. Additional SWMP Requirements.

VIII.G.6.a. *Nature of Industrial Activities*. (See also Part V.F.2.a.) Briefly document in the SWMP the mining and associated activities that can potentially affect the stormwater discharges covered by this permit, including a general description of the location of the site relative to major transportation routes and communities.

VIII.G.6.b. *Site Map*. (See also Part V.F.2.c.) Document in the SWMP the locations of the following (as appropriate): mining or milling site boundaries; access and haul roads; outline of the drainage areas of each stormwater outfall within the facility with indications of the types of discharges from the drainage areas; location(s) of all permitted discharges covered under an individual RIPDES permit, outdoor equipment storage, fueling, and maintenance areas; materials handling areas; outdoor manufacturing, outdoor storage, and material disposal areas; outdoor chemicals and explosives storage areas; overburden, materials, soils, or waste storage areas;

location of mine drainage (where water leaves mine) or other process water; tailings piles and ponds (including proposed ones); heap leach pads; off-site points of discharge for mine drainage and process water; surface waters; boundary of tributary areas that are subject to effluent limitations guidelines; and location(s) of reclaimed areas.

VIII.G.6.c. *Potential Pollutant Sources.* (See also Part V.F.4.) For each area of the mine or mill site where stormwater discharges associated with industrial activities occur, identify the types of pollutants (e.g., heavy metals, sediment) likely to be present in significant amounts. Consider these factors: the mineralogy of the ore and waste rock (e.g., acid forming); toxicity and quantity of chemicals used, produced, or discharged; the likelihood of contact with stormwater; vegetation of site (if any); and history of significant leaks or spills of toxic or hazardous pollutants. Also include a summary of any existing ore or waste rock or overburden characterization data and test results for potential generation of acid rock. If any new data is acquired due to changes in ore type being mined, update the SWMP with this information.

VIII.G.6.d. *Documentation of Control Measures.* Document all control measures that the permittee implements consistent with Part VIII.G.5.b. If control measures are implemented or planned but are not listed in Part VIII.G.5.b. (e.g., substituting a less toxic chemical for a more toxic one), include descriptions of them in the SWMP.

VIII.G.6.e. *Employee Training.* All employee training(s) must be documented in the SWMP.

VIII.G.6.f. *Certification of Permit Coverage for Commingled Non-Stormwater Discharges:* If the permittee is able, consistent with Part VIII.G.5.c above, to certify that a particular discharge composed of commingled stormwater and non-stormwater is covered under a separate RIPDES permit, and that permit subjects the non-stormwater portion to effluent limitations prior to any commingling, retain such certification with the SWMP. This certification must identify the non-stormwater discharges, the applicable RIPDES permit(s), the effluent limitations placed on the non-stormwater discharge by the permit(s), and the points at which the limitations are applied.

VIII.G.7. Additional Inspection Requirements. (See also Part IV.A. and VIII.G.4.b.) Except for areas of the site subject to clearing, grading, and/or excavation activities conducted as part of the exploration and construction phase, which are subject to Part VIII.G.4.b.1., inspect sites at least quarterly unless adverse weather conditions make the site inaccessible. Sites which discharge to waters designated as outstanding waters or waters which are impaired for sediment or nitrogen must be inspected monthly. See Part VIII.G.8.d. for inspection requirements for inactive and unstaffed sites.

VIII.G.8. Monitoring and Reporting Requirements. (See also Part V.I of the permit.)

Note: There are no Part VIII.G.8. monitoring and reporting requirements for inactive and unstaffed sites.

VIII.G.8.a. *Benchmark Monitoring for Active Copper Ore Mining and Dressing Facilities.* Active copper ore mining and dressing facilities, must sample and analyze stormwater discharges for the pollutants listed in Table VIII.G-1.

Table VIII.G-1.

Subsector (The permittee may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
Subsector G1. Active Copper Ore Mining and Dressing Facilities (SIC 1021)	Total Suspended Solids (TSS)	100 mg/L
	Nitrate plus Nitrite Nitrogen	0.68 mg/L
	Chemical Oxygen Demand (COD)	120 mg/L

VIII.G.8.b. *Benchmark Monitoring Requirements for Discharges From Waste Rock and Overburden Piles at Active Metal Mining Facilities.* For discharges from waste rock and overburden piles, perform benchmark monitoring once in the first year for the parameters listed in Table VIII.G-2,

and twice annually in all subsequent years of coverage under this permit for any parameters for which the benchmark has been exceeded. The permittee is also required to conduct analytic monitoring for the parameters listed in Table VIII.G-3 in accordance with the requirements in Part VIII.G.8.c. The Director may also notify the permittee that the permittee must perform additional monitoring to accurately characterize the quality and quantity of pollutants discharged from waste rock and overburden piles

Table VIII.G-2.		
Subsector (Discharges may be subject to requirements for more than one sector/subsector)	**Parameter**	**Benchmark Monitoring Cutoff Concentration**
Subsector G2. Iron Ores; Copper Ores; Lead and Zinc Ores; Gold and Silver Ores; Ferroalloy Ores, Except Vanadium; and Miscellaneous Metal Ores (SIC Codes 1011, 1021, 1031, 1041, 1044, 1061, 1081, 1094, 1099) (Note: when analyzing hardness for a suite of metals, it is more cost effective to add analysis of calcium and magnesium, and have hardness calculated than to require hardness analysis separately)	Total Suspended Solids (TSS)	100 mg/L
	Turbidity	50 NTU
	pH	6.0-9.0 s.u.
	Hardness (as CaCO3; calc. from Ca, Mg)[1]	no benchmark value
	Total Antimony	0.64 mg/L
	Total Arsenic (fresh water discharges)	0.15 mg/ L
	Total Arsenic (salt water discharges)	0.069 mg/L
	Total Beryllium	0.13 mg/L
	Total Cadmium[1] (fresh water discharges)	Hardness Dependent
	Total Cadmium (salt water discharges)	0.040 mg/L
	Total Copper[1] (fresh water discharges)	Hardness Dependent
	Total Copper (salt water discharges)	0.0048 mg/L
	Total Iron	1.0 mg/L
	Total Lead[1] (fresh water discharges)	Hardness Dependent
	Total Lead (salt water discharges)	0.21 mg/L
	Total Mercury	0.0014 mg/L
	Total Nickel[1] (fresh water discharges)	Hardness Dependent
	Total Nickel (salt water discharges)	0.074 mg/L
	Total Selenium (fresh water discharges)	0.020 mg/L
	Total Selenium (salt water discharges)	0.29 mg/L
	Total Silver[1] (fresh water discharges)	Hardness Dependent
	Total Silver (salt water discharges)	0.0019 mg/L
	Total Zinc[1] (fresh water discharges)	Hardness Dependent
	Total Zinc (salt water discharges)	0.09 mg/L

[1] The benchmark values of some metals are dependent on water hardness for fresh water discharges. For these parameters, permittees must determine the hardness of the receiving fresh water body (see Appendix D, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part VI.B.1.a., 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	Cadmium (mg/L)	Copper (mg/L)	Lead (mg/L)	Nickel (mg/L)	Silver (mg/L)	Zinc (mg/L)
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

VIII.G.8.c. Additional Analytic Monitoring Requirements for Discharges. From Waste Rock and Overburden Piles at Active Metal Mining Facilities. In addition to the monitoring required in Part VIII.G.8.b. for discharges from waste rock and overburden piles, the permittee must also conduct monitoring for additional parameters based on the type of ore the permittee mines at the site. Where a parameter in Table VIII.G-3 is the same as a pollutant the permittee is required to monitor for in Table VIII.G-2 (i.e., for all of the metals, the permittee must use the corresponding benchmark in Table VIII.G-2 and the permittee may use any monitoring results conducted for Part VIII.G.8.b. to satisfy the monitoring requirement for that parameter for Part VIII.G.8.c. For radium and uranium, which do not have corresponding benchmarks in Table VIII.G-2, there are no applicable benchmarks.) The frequency and schedule for monitoring for these additional parameters is the same as that specified in Part VI.B.1.b.

Table VIII.G-3. Additional Monitoring Requirements for Discharges from Waste Rock and Overburden Piles

Supplemental Requirements			
Type of Ore Mined	**Pollutants of Concern**		
	Total Suspended Solids (TSS)	**pH**	**Metals, Total**
Tungsten Ore	X	X	Arsenic, Cadmium (H), Copper (H), Lead (H), Zinc (H)
Nickel Ore	X	X	Arsenic, Cadmium (H), Copper (H), Lead (H), Zinc (H)
Aluminum Ore	X	X	Iron
Mercury Ore	X	X	Nickel (H)
Iron Ore	X	X	Iron (Dissolved)
Platinum Ore			Cadmium (H), Copper (H), Mercury, Lead (H), Zinc (H)
Titanium Ore	X	X	Iron, Nickel (H), Zinc (H)
Vanadium Ore	X	X	Arsenic, Cadmium (H), Copper (H), Lead (H), Zinc (H)
Molybdenum	X	X	Arsenic, Cadmium (H), Copper (H), Lead (H), Mercury, Zinc (H)
Uranium, Radium, and Vanadium Ore	X	X	Chemical Oxygen Demand, Arsenic, Radium (Dissolved and Total), Uranium, Zinc (H)

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

VIII.G.8.d. Inactive and Unstaffed Sites – Conditional Exemption from No Exposure Requirements for Quarterly Visual Assessments and Routine Facility Inspections. As a Sector G facility, if the permittee is seeking to exercise a waiver from the quarterly visual assessment and routine facility inspection requirements for inactive and unstaffed sites (including temporarily inactive sites), the permittee is conditionally exempt from the requirement to certify that "there are no industrial materials or activities exposed to stormwater" in Part IV.B.3. This exemption is conditioned on the following:

- If circumstances change and the facility becomes active and/or staffed, this exception no longer applies and the permittee must immediately begin complying with the quarterly visual assessment requirements; and

- The Department retains the authority to revoke this exemption and/or the monitoring waiver where it is determined that the discharge causes, has a reasonable potential to cause or contributes to an instream excursion above an applicable water quality standard, including designated uses.

Subject to the two conditions above, if the facility is inactive and unstaffed, the permittee is waived from the requirement to conduct quarterly visual assessments and routine facility inspections and benchmark and impaired waters monitoring. The permittee must still conduct an annual site inspection in accordance with Part IV.A. The permittee is encouraged to inspect the site more frequently where the permittee has reason to believe that severe weather or natural disasters may have damaged control measures or increased discharges.

Table VIII.G-4. Applicability of the Multi-Sector General Permit to Stormwater Runoff From Active Mining and Dressing Sites, Temporarily Inactive Sites, and Sites Undergoing Reclamation	
Discharge/Source of Discharge	**Note/Comment**
Piles	
Waste rock/overburden	If composed entirely of stormwater and not combining with mine drainage. See note below.
Topsoil	--
Roads constructed of waste rock or spent ore	
Onsite haul roads	If composed entirely of stormwater and not combining with mine drainage. See note below.
Offsite haul and access roads	--
Roads not constructed of waste rock or spent ore	
Onsite haul roads	Except if mine drainage is used for dust control
Offsite haul and access roads	--
Milling/concentrating	
Runoff from tailings dams and dikes when constructed of waste rock/tailings	Except if process fluids are present and only if composed entirely of stormwater and not combining with mine drainage. See Note below.
Runoff from tailings dams/dikes when not constructed of waste rock and tailings	Except if process fluids are present
Concentration building	If stormwater only and no contact with piles
Mill site	If stormwater only and no contact with piles
Ancillary areas	
Office and administrative building and housing	If mixed with stormwater from the industrial area
Chemical storage area	--
Docking facility	Except if excessive contact with waste product that would otherwise constitute mine drainage
Explosive storage	--
Fuel storage (oil tanks/coal piles)	--
Vehicle and equipment maintenance area/building	--
Parking areas	But coverage unnecessary if only employee and visitor-type parking
Power plant	
Truck wash area	Except when excessive contact with waste product that would otherwise constitute mine drainage
Reclamation-related areas	
Any disturbed area (unreclaimed)	Only if not in active mining area
Reclaimed areas released from reclamation requirements prior to Dec. 17, 1990	--
Partially/inadequately reclaimed areas or areas not released from reclamation requirements	--

Note: Stormwater runoff from these sources are subject to the RIPDES program for stormwater unless mixed with discharges subject to 40 CFR Part 440 that are regulated by another permit prior to mixing. Non-stormwater discharges from these sources are subject to RIPDES permitting and may be subject to the effluent limitation guidelines under 40 CFR Part 440. Discharges from overburden/waste rock and overburden/waste rock-related areas are not subject to 40 CFR Part 440 unless: (1) it drains naturally (or is intentionally diverted) to a point source; and (2) combines with ''mine drainage'' that is otherwise regulated under the Part 440 regulations. For such sources, coverage under this permit would be available if the discharge composed entirely of stormwater does not combine with other sources of mine drainage that are not subject to 40 CFR Part 440, as well as meeting other eligibility criteria contained in Part I.B. of the permit. Permit applicants bear the initial responsibility for determining the applicable technology-based standard for such discharges. The Department recommends that permit applicants contact RIPDES for assistance to determine the nature and scope of the ''active mining area'' on a mine-by-mine basis, as well as to determine the appropriate permitting mechanism for authorizing such discharges.

VIII.G.9. Termination of Permit Coverage.

VIII.G.9.a. *Termination of Permit Coverage for Sites Reclaimed After December 17, 1990.* A site or a portion of a site that has been released from applicable state or federal reclamation requirements after December 17, 1990, is no longer required to maintain coverage under this permit. If the site or portion of a site reclaimed after December 17, 1990, was not subject to reclamation requirements, the site or portion of the site is no longer required to maintain coverage under this permit if the site or portion of the site has been reclaimed.

VIII.G.9.b. *Termination of Permit Coverage for Sites Reclaimed Before December 17, 1990.* A site or portion of a site that was released from applicable state or federal reclamation requirements before December 17, 1990, or that was otherwise reclaimed before December 17, 1990, is no longer required to maintain coverage under this permit if the site or portion of the site has been reclaimed. A site or portion of a site is considered to have been reclaimed if: (1) stormwater runoff that comes into contact with raw materials, intermediate byproducts, finished products, and waste products does not have the potential to cause or contribute to violations of state water quality standards, (2) soil disturbing activities related to mining at the sites or portion of the site have been completed, (3) the site or portion of the site has been stabilized to minimize soil erosion, and (4) as appropriate depending on location, size, and the potential to contribute pollutants to stormwater discharges, the site or portion of the site has been revegetated, will be amenable to natural revegetation, or will be left in a condition consistent with the post-mining land use.

VIII.H. Subpart H – Sector H – Coal Mines and Coal Mining-Related Facilities. The permittee must comply with Part VIII. sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

VIII.H.1. Covered Storm Water Discharges. The requirements in Subpart H apply to stormwater discharges associated with industrial activity from Coal Mines and Coal Mining-Related facilities as identified by the SIC Codes specified under Sector H in Table B-1 of Appendix B.

VIII.H.2. Limitations on Coverage.

VIII.H.2.a. *Prohibition of Non-Stormwater Discharges.* (See also Part I.B.3.) Not covered by this permit: discharges from pollutant seeps or underground drainage from inactive coal mines and refuse disposal areas that do not result from precipitation events, and discharges from floor drains in maintenance buildings and other similar drains in mining and preparation plant areas.

VIII.H.2.b. *Discharges Subject to Stormwater Effluent Guidelines.* (See also Part I.B.3.b.) Not authorized by this permit: stormwater discharges subject to an existing effluent limitation guideline at 40 CFR Part 434.

VIII.H.3. Definitions. The following definitions are not intended to supersede the definitions of active and inactive mining facilities established by 40 CFR 122.26(b)(14)(iii).

VIII.H.3.a. *Mining operation* - Consists of the active and temporarily inactive phases, and the reclamation phase, but excludes the exploration and construction phases.

VIII.H.3.b. *Exploration phase* - Entails exploration and land disturbance activities to determine the financial viability of a site. The exploration phase is not considered part of "mining operations".

VIII.H.3.c. *Construction phase* - Includes the building of site access roads and removal of overburden and waste rock to expose mineable coal. The construction phase is not considered part of "mining operations".

VIII.H.3.d. *Active phase* - Activities including the extraction, removal or recovery of coal. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of "active mining area" found at 40 CFR 434.11(b). The active phase is considered part of "mining operations".

VIII.H.3.e. *Reclamation phase* - Activities undertaken, in compliance with applicable mined land reclamation requirements, following the cessation of the "active phase", intended to return the land to an appropriate post-mining land use. The reclamation phase is considered part of "mining operations".

VIII.H.3.f. *Active coal mining facility* - A place where work or other activity related to the extraction, removal, or recovery of coal is being conducted. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of "active mining area" found at 40 CFR 434.11(b).

VIII.H.3.g. *Inactive coal mining facility* - A site or portion of a site where coal mining and/or milling occurred in the past but is not an active facility as defined above, and where the inactive portion is not covered by an active mining permit issued by the applicable State or Federal agency. An inactive coal mining facility has an identifiable owner / operator. Sites where mining claims are being maintained prior to disturbances associated with the extraction, beneficiation, or processing of mined materials and sites where minimal activities are undertaken for the sole purpose of maintaining a mining claim are not considered either active or inactive mining facilities and do not require an RIPDES industrial stormwater permit.

VIII.H.3.h. *Temporarily inactive coal mining facility* - A site or portion of a site where coal mining and/or milling occurred in the past but currently are not being actively undertaken, and the facility is covered by an active mining permit issued by the applicable State or Federal agency.

VIII.H.3.i. *Final Stabilization* - A site or portion of a site is "finally stabilized" when it has implemented all applicable Federal and State reclamation requirements.

VIII.H.4. Technology-Based Effluent Limits for Clearing, Grading, and Excavation Activities.

VIII.H.4.a. Management Practices for Clearing, Grading, and Excavation Activities.

VIII.H.4.a.1. *Selecting and installing control measures.* For all areas affected by clearing, grading, and excavation activities, the permittee must select, design, install, and implement control measures that meet applicable Part II. effluent limits.

VIII.H.4.a.2. *Good Housekeeping.* Litter, debris, and chemicals must be prevented from becoming a pollutant source in stormwater discharges.

VIII.H.4.a.3. *Retention and Detention of Stormwater Runoff.* For drainage locations serving more than one acre, sediment basins and/or temporary sediment traps should be used. At a minimum, silt fences, vegetative buffer strips, or equivalent sediment controls are required for all down slope boundaries (and side slope boundaries as necessary based on individual site conditions) of the development area unless a sediment basin providing storage for a calculated volume of runoff from a 2-year, 24-hour storm or 3,600 cubic feet of storage per acre drained is provided. The permittee is required to remove sediment from sediment traps or sedimentation ponds when design capacity has been reduced by 50 percent. Due to high sediment discharges from some Sector H facilities, permittees may need to implement a combination of structural BMP approaches to sufficiently decrease discharge of sediment from their facilities.

VIII.H.4.b. *Inspection of Clearing, Grading, and Excavation Activities.*

VIII.H.4.b.1. *Inspection Frequency.* Inspections must be conducted either at least once every 7 calendar days, or at least once every 14 calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater. Inspection frequency may be reduced to at least once every month if the entire site is temporarily stabilized (pursuant to Part VIII.H.4.c.2.), if runoff is unlikely due to winter (e.g., site is covered with snow or ice) or frozen conditions.

VIII.H.4.b.2. *Location of Inspections.* Inspections must include all areas of the site disturbed by clearing, grading, and/or excavation activities and areas used for storage of materials that are exposed to precipitation. Sedimentation and erosion control measures must be observed to ensure proper operation. Discharge locations must be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to waters of the United States, where accessible. Where discharge locations are inaccessible, nearby downstream locations must be inspected to the extent that such inspections are practicable. Locations where vehicles enter or exit the site must be inspected for evidence of significant off-site sediment tracking.

VIII.H.4.b.3. *Inspection Reports.* For each inspection required above, the permittee must complete an inspection report. At a minimum, the inspection report must include the information required in Part IV.A..

VIII.H.4.c. *Requirements for Cessation of Clearing, Grading, and Excavation Activities.*

VIII.H.4.c.1. *Inspections and Maintenance.* Inspections and maintenance of control measures, including BMPs, associated with clearing, grading, and/or excavation activities being conducted as part of the exploration and construction phase of a mining operation must continue until final stabilization has been achieved on all portions of the disturbed area.

VIII.H.4.c.2. *Temporary Stabilization of Disturbed Areas.* Stabilization measures should be initiated immediately in portions of the site where clearing, grading and/or excavation activities have temporarily ceased, but in no case more than 14 days after the clearing, grading and/or excavation activities in that portion of the site have temporarily ceased. In arid, semiarid, and drought-stricken areas, or in areas subject to snow or freezing conditions, where initiating perennial vegetative stabilization measures is not possible within 14 days after mining, exploration, and/or construction activity has temporarily ceased, temporary vegetative stabilization measures must be initiated as soon as practicable. Until temporary vegetative stabilization is achieved, interim measures such as erosion control blankets with an appropriate seed base and tackifiers must be employed. In areas of the site, where exploration and/or construction has permanently ceased prior to active mining, temporary stabilization measures must be implemented to minimize mobilization of sediment or other pollutants until such time as the active mining phase commences.

VIII.H.4.c.3. *Final Stabilization of Disturbed Areas.* Stabilization measures should be initiated immediately in portions of the site where exploration and/or construction activities have permanently ceased, but in no case more than 14 days after the exploration and/or construction activity in that portion of the site has permanently ceased. In arid, semiarid, and drought-stricken areas, or in areas subject to snow or freezing conditions, or in areas subject to snow or freezing conditions, where initiating perennial vegetative stabilization measures is not possible within 14 days after mining, exploration, and/or construction activity has permanently ceased, temporary vegetative stabilization measures must be initiated as soon as possible. Until final stabilization is achieved temporary stabilization measures, such as erosion control blankets with an appropriate seed base and tackifiers, must be used.

VIII.H.5. Additional Technology-Based Effluent Limits.

VIII.H.5.a. *Good Housekeeping Measures.* (See also Part II.A.2.b.) As part of the good housekeeping

program, consider using sweepers and covered storage, watering haul roads to minimize dust generation, and conserving vegetation (where possible) to minimize erosion.

VIII.H.5.b. *Preventive Maintenance.* (See also Part II.A.2.c.) Perform inspections or other equivalent measures of storage tanks and pressure lines of fuels, lubricants, hydraulic fluid, and slurry to prevent leaks due to deterioration or faulty connections.

VIII.H.6. Additional SWMP Requirements.

VIII.H.6.a. *Other Applicable Regulations.* Most active coal mining-related areas (SIC Codes 1221-1241) are subject to sediment and erosion control regulations of the U.S. Office of Surface Mining (OSM) that enforces the Surface Mining Control and Reclamation Act (SMCRA). OSM has granted authority to most coal-producing states to implement SMCRA through State SMCRA regulations. All SMCRA requirements regarding control of stormwater-related pollutant discharges must be addressed and then documented with the SWMP (directly or by reference).

VIII.H.6.b. *Site Map.* (See also Part V.F.2.c.) Document in the SWMP where any of the following may be exposed to precipitation or surface runoff: haul and access roads; railroad spurs, sliding, and internal hauling lines; conveyor belts, chutes, and aerial tramways; equipment storage and maintenance yards; coal handling buildings and structures; and inactive mines and related areas; acidic spoil, refuse, or unreclaimed disturbed areas; and liquid storage tanks containing pollutants such as caustics, hydraulic fluids, and lubricants.

VIII.H.6.c. *Potential Pollutant Sources.* (See also Part V.F.4.) Document in the SWMP the following sources and activities that have potential pollutants associated with them: truck traffic on haul roads and resulting generation of sediment subject to runoff and dust generation; fuel or other liquid storage; pressure lines containing slurry, hydraulic fluid, or other potential harmful liquids; and loading or temporary storage of acidic refuse or spoil.

VIII.H.7. Additional Inspection Requirements.

VIII.H.7.a. *Inspections of Active Mining-Related Areas.* (See also Part IV.) Except for areas of the site subject to clearing, grading, and/or excavation activities conducted as part of the exploration and construction phase, which are subject to Part VIII.H.4.b.i., perform quarterly inspections of active mining areas covered by this permit, corresponding with the inspections as performed by SMCRA inspectors, of all mining-related areas required by SMCRA. Also maintain the records of the SMCRA authority representative. See Part VIII.H.8.a. for inspection requirements for inactive and unstaffed sites.

VIII.H.7.b. *Sediment and Erosion Control.* (See also Part II.A.2.e.) As indicated in Part VIII.H.6.a., SMCRA requirements regarding sediment and erosion control measures must be complied with for those areas subject to SMCRA authority, including inspection requirements.

VIII.H.7.c. *Routine Site Inspections.* (See also Part IV.A.) The inspection program must include inspections for pollutants entering the drainage system from activities located on or near coal mining-related areas. Among the areas to be inspected are haul and access roads; railroad spurs, sliding, and internal hauling lines; conveyor belts, chutes, and aerial tramways; equipment storage and maintenance yards; coal handling buildings and structures; and inactive mines and related areas.

VIII.H.8. Sector-Specific Benchmarks (See also Part VI. of the permit). Table VIII.H-1 identifies benchmarks that apply to Sector H. These benchmarks apply to both the primary industrial activity and any co-located industrial activities, which describe the site activities.

Table 8.H-1.		
Subsector (The permittee may be subject to requirements for more than one sector/subsector)	**Parameter**	**Benchmark Monitoring Concentration**

Subsector H1. Coal Mines and Related Areas (SIC 1221-1241)	Total Aluminum	0.75 mg/L
	Total Iron	1.0 mg/L
	Total Suspended Solids (TSS)	100 mg/L

VIII.H.8.a. Inactive and Unstaffed Sites – Conditional Exemption from No Exposure Requirement for Routine Inspections, Quarterly Visual Assessments, and Benchmark Monitoring. As a Sector H facility, if the permittee is seeking to exercise a waiver from either the quarterly visual assessment or the benchmark monitoring requirements for inactive and unstaffed sites (including temporarily inactive sites), the permittee is conditionally exempt from the requirement to certify that "there are no industrial materials or activities exposed to stormwater" in Parts IV.B.3. and VI.B.1.f., respectively. Additionally, if the permittee is seeking to reduce the required quarterly routine inspection frequency, as is allowed under Part IV.A.3., the permittee is also conditionally exempt from the requirement to certify that "there are no industrial materials or activities exposed to stormwater." These conditional exemptions are based on the following requirements:

- If circumstances change and 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 as if the permittee was in the first year of permit coverage, and the quarterly visual assessment requirements; and

- The Department retains the authority to revoke this exemption and/or the monitoring waiver where it is determined that the discharge causes, has a reasonable potential to cause or contribute to an instream excursion above an applicable water quality standard, including designated uses.

Subject to the two conditions above, if the facility is inactive and unstaffed, the permittee is waived from the requirement to conduct quarterly visual assessments and routine facility inspections and benchmark and impaired waters monitoring. The permittee must still conduct an annual site inspection in accordance with Part IV.A. The permittee is encouraged to inspect the site more frequently where the permittee has reason to believe that severe weather or natural disasters may have damaged control measures or increased discharges..

VIII.H.9. Termination of Permit Coverage.

VIII.H.9.a. *Termination of Permit Coverage for Sites Reclaimed After December 17, 1990.* A site or a portion of a site that has been released from applicable state or federal reclamation requirements after December 17, 1990, is no longer required to maintain coverage under this permit. If the site or portion of a site reclaimed after December 17, 1990, was not subject to reclamation requirements, the site or portion of the site is no longer required to maintain coverage under this permit if the site or portion of the site has been reclaimed as defined in Part VIII.H.3.

VIII.H.9.b. *Termination of Permit Coverage for Sites Reclaimed Before December 17, 1990.* A site or portion of a site that was released from applicable state or federal reclamation requirements before December 17, 1990, or that was otherwise reclaimed before December 17, 1990, is no longer required to maintain coverage under this permit if the site or portion of the site has been reclaimed. A site or portion of a site is considered to have been reclaimed if: (1) stormwater runoff that comes into contact with raw materials, intermediate byproducts, finished products, and waste products does not have the potential to cause or contribute to violations of state water quality standards, (2) soil disturbing activities related to mining at the sites or portion of the site have been completed, (3) the site or portion of the site has been stabilized to minimize soil erosion, and (4) as appropriate depending on location, size, and the potential to contribute pollutants to stormwater discharges, the site or portion of the site has been revegetated, will be amenable to natural revegetation, or will be left in a condition consistent with the post-mining land use.

VIII.I. **Subpart I – Sector I – Oil and Gas Extraction.** The permittee must comply with Part VIII. sector-specific

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

VIII.I.1. Covered Storm Water Discharges. The requirements in Subpart I apply to stormwater discharges associated with industrial activity from Oil and Gas Extraction facilities as identified by the SIC Codes specified under Sector I in Table B-1 of Appendix B of the permit.

Discharges of stormwater runoff from field activities or operations associated with oil and gas exploration, production, processing, or treatment operations or transmission facilities are exempt from RIPDES permit coverage unless, in accordance with 40 CFR 122.26(c)(1)(iii), the facility:

- Has had a discharge of stormwater resulting in the discharge of a reportable quantity for which notification is or was required pursuant to 40 CFR 117.21 or 40 CFR 302.6 at anytime since November 16, 1987; or

- Has had a discharge of stormwater resulting in the discharge of a reportable quantity for which notification is or was required pursuant to 40 CFR 110.6 at any time since November 16, 1987; or

- Contributes to a violation of a water quality standard.

Any stormwater discharges that require permit coverage as a result of meeting one of the conditions of 122.26(c)(1)(iii) may be covered under this permit unless otherwise required to obtain coverage under an alternative RIPDES general permit or an individual RIPDES permit as specified in Part X.T.

VIII.I.2. Limitations on Coverage.

VIII.I.2.a. *Stormwater Discharges Subject to Effluent Limitation Guidelines.* This permit does not authorize stormwater discharges from petroleum drilling operations that are subject to nationally established effluent limitation guidelines found at 40 CFR Part 435, respectively.

VIII.I.2.b. *Non-Stormwater Discharges.* Discharges of vehicle and equipment washwater, including tank cleaning operations, are not authorized by this permit. Alternatively, washwater discharges must be authorized under a separate RIPDES permit, or be discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements.

VIII.I.3. Additional Technology-Based Effluent Limits.

VIII.I.3.a. *Vegetative Controls.* Implement vegetative practices designed to preserve existing vegetation, where attainable, and revegetate open areas as soon as practicable after grade drilling. Consider the following (or equivalent measures): temporary or permanent seeding, mulching, sod stabilization, vegetative buffer strips, and tree protection practices. Begin implementing appropriate vegetative practices on all disturbed areas within 14 days following the last activity in that area.

VIII.I.4. Additional SWMP Requirements.

VIII.I.4.a. *Drainage Area Site Map.* (See also Part V.F.2.c.) Document in the SWMP where any of the following may be exposed to precipitation or surface runoff: Reportable Quantity (RQ) releases; locations used for the treatment, storage, or disposal of wastes; processing areas and storage areas; chemical mixing areas; construction and drilling areas; all areas subject to the effluent guidelines requirements for "No Discharge" in accordance with 40 CFR 435.32; and the structural controls to achieve compliance with the "No Discharge" requirements.

VIII.I.4.b. *Potential Pollutant Sources.* (See also Part V.F.4.) Also document in the SWMP the following sources and activities that have potential pollutants associated with them: chemical, cement, mud, or gel mixing activities; drilling or mining activities; and equipment cleaning and

rehabilitation activities. In addition, include information about the reportable quantity (RQ) release that triggered the permit application requirements: the nature of the release (e.g., spill of oil from a drum storage area), amount of oil or hazardous substance released, amount of substance recovered, date of the release, cause of the release (e.g., poor handling techniques and lack of containment in the area), areas affected by the release (i.e., land and water), procedure to clean up release, actions or procedures implemented to prevent or improve response to a release, and remaining potential contamination of stormwater from release (taking into account human health risks, the control of drinking water intakes, and the designated uses of the receiving water).

VIII.I.4.c. *Erosion and Sedimentation Control.* (See also Part II.A.2.e.) Unless covered by the current Construction General Permit (CGP), the additional documentation requirements for sediment and erosion controls for well drillings and sand/shale mining areas include the following:

VIII.I.4.c.1. *Site Description.* Also include a description in the SWMP of the nature of the exploration activity, estimates of the total area of site and area disturbed due to exploration activity, an estimate of runoff coefficient of the site, a site drainage map, including approximate slopes, and the names of all receiving waters.

VIII.I.4.c..2. *Vegetative Controls.* Document vegetative practices used consistent with Part VIII.I.3.a. in the SWMP.

VIII.I.5. Additional Inspection Requirements. All erosion and sedimentation control measures must be inspected every 7 days.

VIII.J. Subpart J – Sector J – Non- Metallic Mineral Dressing and Mining. The permittee must comply with Part VIII. sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

VIII.J.1. Covered Storm Water Discharges. The requirements in Subpart J apply to stormwater discharges associated with industrial activity from Active and Inactive Non-Metallic Mineral Mining and Dressing facilities as identified by the SIC Codes specified under Sector J in Table B-1 of Appendix B of the permit.

VIII.J.1.a. *Covered Discharges from Inactive Facilities.* All stormwater discharges.

VIII.J.1.b. *Covered Discharges from Active and Temporarily Inactive Facilities.* All stormwater discharges, except for most stormwater discharges subject to the existing effluent limitation guideline at 40 CFR Part 436. Mine dewatering discharges composed entirely of stormwater or uncontaminated ground water seepage from: construction sand and gravel, industrial sand, and crushed stone mining facilities are covered by this permit.

VIII.J.1.c. *Covered Discharges from Exploration and Construction of Non-Metallic Mineral Mining Facilities.* All stormwater discharges.

VIII.J.1.d. Covered Discharges from Sites Undergoing Reclamation. All stormwater discharges.

VIII.J.2. Limitations on Coverage. Most stormwater discharges subject to an existing effluent limitation guideline at 40 CFR Part 436 are not authorized by this permit. The exceptions to this limitation, which are covered by this permit, are mine dewatering discharges composed entirely of stormwater or uncontaminated ground water seepage from construction sand and gravel, industrial sand, and crushed stone mining facilities.

VIII.J.3. Definitions. The following definitions are not intended to supersede the definitions of active and inactive mining facilities established by 40 CFR 122.26(b)(14)(iii).

VIII.J.3.a. *Mining operations* - Consists of the active and temporarily inactive phases, and the reclamation phase, but excludes the exploration and construction phases.

VIII.J.3.b. *Exploration phase* - Entails exploration and land disturbance activities to determine the financial viability of a site. The exploration phase is not considered part of "mining operations".

VIII.J.3.c. *Construction phase* - Includes the building of site access roads and removal of overburden and waste rock to expose mineable minerals. The construction phase is not considered part of "mining operations".

VIII.J.3.d. *Active phase* - Activities including the extraction, removal or recovery of minerals. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of "active mining area" found at 40 CFR 440.132(a). The active phase is considered part of "mining operations".

VIII.J.3.e. *Reclamation phase* - Activities undertaken, in compliance with applicable mined land reclamation requirements, following the cessation of the "active phase", intended to return the land to an appropriate post-mining land use. The reclamation phase is considered part of "mining operations".

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

VIII.J.3.f. *Active Mineral Mining Facility* - A place where work or other activity related to the extraction, removal, or recovery of minerals is being conducted. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of "active mining area" found at 40 CFR 440.132(a).

VIII.J.3.g. *Inactive Mineral Mining Facility* - A site or portion of a site where mineral mining and/or milling occurred in the past but is not an active facility as defined above, and where the inactive portion is not covered by an active mining permit issued by the applicable State or Federal agency. An inactive mineral mining facility has an identifiable owner / operator. Sites where mining claims are being maintained prior to disturbances associated with the extraction, beneficiation, or processing of mined materials, and sites where minimal activities are undertaken for the sole purpose of maintaining a mining claim are not considered either active or inactive mining facilities and do not require a RIPDES industrial stormwater permit.

VIII.J.3.h. *Temporarily Inactive Mineral Mining Facility* - A site or portion of a site where metal mining and/or milling occurred in the past but currently are not being actively undertaken, and the facility is covered by an active mining permit issued by RIPDES.

VIII.J.3.i. *Final Stabilization* - a site or portion of a site is "finally stabilized" when it has implemented all applicable Federal and State reclamation requirements.

VIII.J.3.j. *Uncontaminated* - Free from the presence of pollutants attributable to industrial activity.

VIII.J.4. Technology-Based Effluent Limits for Clearing, Grading, and Excavation Activities. Clearing, grading, and excavation activities being conducted as part of the exploration and construction phase of mining activities are covered under this permit.

VIII.J.4.a. *Management Practices for Clearing, Grading, and Excavation Activities.*

VIII.J.4.a.1. *Selecting and installing control measures.* For all areas affected by clearing, grading, and excavation activities, the permittee must select, design, install, and implement control

measures that meet applicable Part II. effluent limits.

VIII.J.4.a.2. *Good Housekeeping.* (See also Part II.A.2.b.) Litter, debris, and chemicals must be prevented from becoming a pollutant source in stormwater discharges.

VIII.J.4.a.3. *Retention and Detention of Stormwater Runoff.* For drainage locations serving more than one acre, sediment basins and/or temporary sediment traps should be used. At a minimum, silt fences, vegetative buffer strips, or equivalent sediment controls are required for all down slope boundaries (and for those side slope boundaries deemed appropriate as dictated by individual site conditions) of the development area unless a sediment basin providing storage for a calculated volume of runoff from a 2-year, 24-hour storm or 3,600 cubic feet of storage per acre drained is provided.

VIII.J.4.b. *Inspection of Clearing, Grading, and Excavation Activities.* (See also Part IV.)

VIII.J.4.b.1. *Inspection Frequency.* Inspections must be conducted either at least once every 7 calendar days or at least once every 14 calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater. Inspection frequency may be reduced to at least once every month if the entire site is temporarily stabilized (pursuant to Part VIII.J.4.c.ii.), if runoff is unlikely due to winter conditions (e.g., site is covered with snow, ice, or the ground is frozen), or construction is occurring during seasonal arid periods in arid areas and semi-arid areas.

VIII.J.4.b.2 *Location of Inspections.* Inspections must include all areas of the site disturbed by clearing, grading, and/or excavation activities and areas used for storage of materials that are exposed to precipitation. Sedimentation and erosion control measures implemented must be observed to ensure proper operation. Discharge locations must be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to waters of the United States, where accessible. Where discharge locations are inaccessible, nearby downstream locations must be inspected to the extent that such inspections are practicable. Locations where vehicles enter or exit the site must be inspected for evidence of significant off-site sediment tracking.

VIII.J.4.b.3. *Inspection Reports.* (See also Part IV.A.) For each inspection required above, the permittee must complete an inspection report. At a minimum, the inspection report must include the information required in Part IV.A.

VIII.J.4.c. *Requirements for Cessation of Clearing, Grading, and Excavation Activities.*

VIII.J.4.c.1. *Inspections and Maintenance.* Inspections and maintenance of control measures, including any BMPs, associated with clearing, grading, and/or excavation activities being conducted as part of the exploration and construction phase of a mining operation must continue until final stabilization has been achieved on all portions of the disturbed area or until the commencement of the active mining phase for those areas that have been temporarily stabilized as a precursor to mining.

VIII.J.4.c.2. *Temporary Stabilization of Disturbed Areas.* Stabilization measures should be initiated immediately in portions of the site where clearing, grading and/or excavation activities have temporarily ceased, but in no case more than 14 days after the clearing, grading and/or excavation activities in that portion of the site have temporarily ceased. In arid, semiarid, and drought-stricken areas, or in areas subject to snow or freezing conditions, where initiating perennial vegetative stabilization measures is not possible within 14 days after mining, exploration, and/or construction activity has temporarily ceased, temporary vegetative stabilization measures must be initiated as soon as practicable. Until temporary vegetative stabilization is achieved, interim measures such as erosion control blankets with an appropriate seed base and tackifiers must be employed. In areas of the site, where exploration and/or construction has permanently ceased prior to active mining, temporary stabilization measures must be implemented to minimize

mobilization of sediment or other pollutants until such time as the active mining phase commences.

VIII.J.4.c.3. *Final Stabilization of Disturbed Areas.* Stabilization measures should be initiated immediately in portions of the site where mining, exploration, and/or construction activities have permanently ceased, but in no case more than 14 days after the exploration and/or construction activity in that portion of the site has permanently ceased. In arid, semiarid, and drought-stricken areas, or in areas subject to snow or freezing conditions, where initiating perennial vegetative stabilization measures is not possible within 14 days after mining, exploration, and/or construction activity has permanently ceased, final vegetative stabilization measures must be initiated as soon as possible. Until final stabilization is achieved temporary stabilization measures, such as erosion control blankets with an appropriate seed base and tackifiers must be used.

VIII.J.5. Additional Technology-Based Effluent Limits.

VIII.J.5.a. *Employee Training.* Conduct employee training at least annually at active and temporarily inactive sites. (See also Part II.A.2.i.).

VIII.J.5.b. *Stormwater Controls.* Apart from the control measures the permittee implements to meet the Part II. effluent limits, where necessary to minimize pollutant discharges, implement the following control measures at the site. The potential pollutants identified in Part VIII.J.5.c. shall determine the priority and appropriateness of the control measures selected.

VIII.J.5.b.1. *Stormwater Diversions:* Consider diverting stormwater away from potential pollutant sources. Following are some control measure options: interceptor or diversion controls (e.g., dikes, swales, curbs, or berms); pipe slope drains; subsurface drains; conveyance systems (e.g., channels or gutters, open-top box culverts, and waterbars; rolling dips and road sloping; roadway surface water deflector and culverts); or their equivalents.

VIII.J.5.b.2. *Capping:* When capping is necessary to minimize pollutant discharges in stormwater, identify the source being capped and the material used to construct the cap.

VIII.J.5.b.3. *Treatment:* If treatment of stormwater (e.g., chemical or physical systems, oil and water separators, artificial wetlands) is necessary to protect water quality, describe the type and location of treatment used. Passive and/or active treatment of stormwater runoff is encouraged. Treated runoff may be discharged as a stormwater source regulated under this permit provided the discharge is not combined with discharges subject to effluent limitation guidelines for the Mineral Mining and Processing Point Source Category (40 CFR Part 436).

VIII.J.5.c. *Certification of Discharge Testing:* (See also Part V.F.4.f.) Test or evaluate all outfalls covered under this permit for the presence of specific mining-related non-stormwater discharges such as discharges subject to effluent limitations guidelines (e.g., 40 CFR Part 436). Alternatively (if applicable), the permittee may keep a certification with the SWMP.

VIII.J.6. Additional SWMP Requirements. The requirements in Part VIII.J.6. are applicable for sites undergoing exploration and construction, active mineral mining facilities, temporarily inactive mineral mining facilities, and sites undergoing reclamation. The requirements in Part VIII.J.6. are not applicable to inactive mineral mining facilities.

VIII.J.6.a. *Nature of Industrial Activities.* (See also Part V.F.2.a.) Document in the SWMP the mining and associated activities that can potentially affect the stormwater discharges covered by this permit, including a general description of the location of the site relative to major transportation routes and communities.

VIII.J.6.b. *Site Map.* (See also Part V.F.2.c.) Document in the SWMP the locations of the following (as appropriate): mining or milling site boundaries; access and haul roads; outline of the drainage

areas of each stormwater outfall within the facility with indications of the types of discharges from the drainage areas; location(s) of all permitted discharges covered under an individual RIPDES permit, outdoor equipment storage, fueling, and maintenance areas; materials handling areas; outdoor manufacturing, outdoor storage, and material disposal areas; outdoor chemicals and explosives storage areas; overburden, materials, soils, or waste storage areas; location of mine drainage dewatering or other process water; heap leach pads; off-site points of discharge for mine dewatering and process water; surface waters; boundary of tributary areas that are subject to effluent limitations guidelines; and location(s) of reclaimed areas.

VIII.J.6.c. *Potential Pollutant Sources.* (See also Part V.F.4.) For each area of the mine or mill site where stormwater discharges associated with industrial activities occur, document in the SWMP the types of pollutants (e.g., heavy metals, sediment) likely to be present in significant amounts. For example, phosphate mining facilities will likely need to document pollutants such as selenium, which can be present in significant amounts in their discharges. Consider these factors: the mineralogy of the waste rock (e.g., acid forming); toxicity and quantity of chemicals used, produced, or discharged; the likelihood of contact with stormwater; vegetation of site (if any); and history of significant leaks or spills of toxic or hazardous pollutants. Also include a summary of any existing waste rock or overburden characterization data and test results for potential generation of acid rock drainage.

VIII.J.6.d. *Stormwater Controls.* To the extent that the permittee uses any of the control measures in Part VIII.J.5.b., document them in the SWMP pursuant to Part V.F.5. If control measures are implemented or planned but are not listed here (e.g., substituting a less toxic chemical for a more toxic one), include descriptions of them in the SWMP.

VIII.J.6.e. *Employee Training.* All employee training(s) conducted in accordance with Part VIII.J.5.a. must be documented with the SWMP.

VIII.J.6.f. *Certification of Permit Coverage for Commingled Non-Stormwater Discharges.* If the permittee determines that the permittee is able to certify, consistent with Part VIII.J.5.c., that a particular discharge composed of commingled stormwater and non-stormwater is covered under a separate RIPDES permit, and that permit subjects the non-stormwater portion to effluent limitations prior to any commingling, the permittee must retain such certification with the SWMP. This certification must identify the non-stormwater discharges, the applicable RIPDES permit(s), the effluent limitations placed on the non-stormwater discharge by the permit(s), and the points at which the limitations are applied.

VIII.J.7. Additional Inspection Requirements. Except for areas of the site subject to clearing, grading, and/or excavation activities conducted as part of the exploration and construction phase, which are subject to Part VIII.J.4.b.i., the permittee must inspect sites at least quarterly unless adverse weather conditions make the site inaccessible. Sites which discharge to waters which are designated as outstanding waters or waters which are impaired for sediment or nitrogen must be inspected monthly. See Part VIII.J.8.a. for inspection requirements for inactive and unstaffed sites. (See also Part IV.A. and VIII.J.4.b.)

VIII.J.8. Sector-Specific Benchmarks (See also Part VI. of the permit). Table VIII.J-1 identifies benchmarks that apply to the specific subsectors of Sector J. These benchmarks apply to both the primary industrial activity and any co-located industrial activities, which describe the site activities.

Table VIII.J-1.

Subsector (The permittee may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
Subsector J1. Sand and Gravel Mining (SIC 1442, 1446)	Nitrate plus Nitrite Nitrogen	0.68 mg/L
	Total Suspended Solids (TSS)	100 mg/L
Subsector J2. Dimension and Crushed Stone and Nonmetallic Minerals (except fuels) (SIC 1411, 1422-1429, 1481, 1499)	Total Suspended Solids (TSS)	100 mg/L

VIII.J.8.a. Inactive and Unstaffed Sites – Conditional Exemption from No Exposure Requirement for Routine Inspections, Quarterly Visual Assessments, and Benchmark Monitoring. As a Sector J facility, if the permittee is seeking to exercise a waiver from either the routine inspection, quarterly visual assessment or the benchmark monitoring requirements for inactive and unstaffed sites (including temporarily inactive sites), the permittee is conditionally exempt from the requirement to certify that "there are no industrial materials or activities exposed to stormwater" in Parts IV.B.3. and VI.B.1.f., respectively. This exemption is conditioned on the following:

- If circumstances change and 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 as if the permittee was in the first year of permit coverage, and the quarterly visual assessment requirements; and

- The Department retains the authority to revoke this exemption and/or the monitoring waiver where it is determined that the discharge causes, has a reasonable potential to cause, or contributes to an instream excursion above an applicable water quality standard, including designated uses.

Subject to the two conditions above, if the facility is inactive and unstaffed, the permittee is waived from the requirement to conduct quarterly visual assessments and routine facility inspections and benchmark and impaired waters monitoring. The permittee must still conduct an annual site inspection in accordance with Part IV.A. The permittee is encouraged to inspect the site more frequently where the permittee has reason to believe that severe weather or natural disasters may have damaged control measures or increased discharges.

VIII.J.9. Effluent Limitations Based on Effluent Limitations Guidelines (See also Part VI.B.2.a. of the permit). Table VIII.J-2 identifies effluent limits that apply to the industrial activities described below. Compliance with these effluent limits is to be determined based on discharges from these industrial activities independent of commingling with any other wastestreams that may be covered under this permit.

Table VIII.J-2

Industrial Activity	Parameter	Effluent Limit[1]
Mine dewatering discharges at crushed stone mining facilities (SIC 1422 - 1429)	pH	6.0 - 9.0 s.u.
Mine dewatering discharges at construction sand and gravel mining facilities (SIC 1442)	pH	6.0 - 9.0 s.u.
Mine dewatering discharges at industrial sand mining facilities (SIC 1446)	Total Suspended Solids (TSS)	25 mg/L, monthly avg.
		45 mg/L, daily maximum
	pH	6.0 - 9.0 s.u.

1 Monitor Annually

VIII.J.10. Termination of Permit Coverage.

VIII.J.10.a. *Termination of Permit Coverage for Sites Reclaimed After December 17, 1990.* A site or a portion of a site that has been released from applicable state or federal reclamation requirements after December 17, 1990, is no longer required to maintain coverage under this permit. If the site or portion of a site reclaimed after December 17, 1990, was not subject to reclamation requirements, the site or portion of the site is no longer required to maintain coverage under this permit if the site or portion of the site has been reclaimed as defined in Part VIII.J.3.

VIII.J.10.b. *Termination of Permit Coverage for Sites Reclaimed Before December 17, 1990.* A site or portion of a site that was released from applicable state or federal reclamation requirements

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

VIII.K. **Subpart K – Sector K – Hazardous Waste Treatment, Storage, or Disposal Facilities.** The permittee must comply with Part VIII. sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

VIII.K.1. Covered Storm Water Discharges. The requirements in Subpart K apply to stormwater discharges associated with industrial activity from Hazardous Waste Treatment, Storage, or Disposal facilities (TSDFs) as identified by the Activity Code specified under Sector K in Table B-1 of Appendix B of the permit.

VIII.K.2. Industrial Activities Covered by Sector K. This permit authorizes stormwater discharges associated with industrial activity from facilities that treat, store, or dispose of hazardous wastes, including those that are operating under interim status or a permit under subtitle C of RCRA.

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

VIII.K.3. Limitations on Coverage.

VIII.K.3.a. *Prohibition of Non-Stormwater Discharges.* (See also Part I.B.3.) The following are not authorized by this permit: leachate, gas collection condensate, drained free liquids, contaminated ground water, laboratory-derived wastewater, and contact washwater from washing truck and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility.

VIII.K.4. Definitions.

VIII.K.4.a. *Contaminated stormwater* - stormwater that comes into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater as defined in Part VIII.K.4.d. Some specific areas of a landfill that may produce contaminated stormwater include (but are not limited to) the open face of an active landfill with exposed waste (no cover added); the areas around wastewater treatment operations; trucks, equipment, or machinery that has been in direct contact with the waste; and waste dumping areas.

VIII.K.4.b. *Drained free liquids* - aqueous wastes drained from waste containers (e.g., drums) prior to landfilling.

VIII.K.4.c. *Landfill* - an area of land or an excavation in which wastes are placed for permanent disposal, but that is not a land application or land treatment unit, surface impoundment, underground injection well, waste pile, salt dome formation, salt bed formation, underground mine, or cave as these terms are defined in 40 CFR 257.2, 258.2, and 260.10.

VIII.K.4.d. *Landfill wastewater* - as defined in 40 CFR Part 445 (Landfills Point Source Category), all wastewater associated with, or produced by, landfilling activities except for sanitary wastewater, non-contaminated stormwater, contaminated groundwater, and wastewater from

recovery pumping wells. Landfill wastewater includes, but is not limited to, leachate, gas collection condensate, drained free liquids, laboratory derived wastewater, contaminated stormwater, and contact washwater from washing truck, equipment, and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility.

VIII.K.4.e. *Leachate* - liquid that has passed through or emerged from solid waste and contains soluble, suspended, or miscible materials removed from such waste.

VIII.K.4.f. *Non-contaminated stormwater* - stormwater that does not come into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater as defined in Part VIII.K.4.d. Non-contaminated stormwater includes stormwater that flows off the cap, cover, intermediate cover, daily cover, and/or final cover of the landfill.

VIII.K.5. Sector-Specific Benchmarks (See also Part VI. of the permit). Table VIII.K-1. identifies benchmarks that apply to the specific subsectors of Sector K. These benchmarks apply to both the primary industrial activity and any co-located industrial activities, which describe the site activities.

Table VIII.K-1.

Subsector (The permittee may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
Subsector K1. ALL - Industrial Activity Code "HZ" (Note: permit coverage limited in some States). Benchmarks only applicable to discharges not subject to effluent limitations in 40 CFR Part 445 Subpart A (see below).	Ammonia	2.14 mg/L
	Total Magnesium	0.064 mg/L
	Chemical Oxygen Demand (COD)	120 mg/L
	Total Arsenic (fresh water discharges)	0.15 mg/ L
	Total Arsenic (salt water discharges)	0.069 mg/L
	Total Cadmium[1] (fresh water discharges)	Hardness Dependent
	Total Cadmium (salt water discharges)	0.040 mg/L
	Total Cyanide (fresh water discharges)	0.022 mg/ L
	Total Cyanide (salt water discharges)	0.001 mg/L
	Total Lead[1] (fresh water discharges)	Hardness Dependent
	Total Lead (salt water discharges)	0.21 mg/L
	Total Mercury (fresh water discharges)	0.0014 mg/ L
	Total Mercury (salt water discharges)	0.0018 mg/L
	Total Selenium (fresh water discharges)	0.020 mg/L
	Total Selenium (salt water discharges)	0.29 mg/L
	Total Silver[1] (fresh water discharges)	Hardness Dependent
	Total Silver (salt water discharges)	0.0019 mg/L

[1] The benchmark values of some metals are dependent on water hardness for fresh water discharges. For these parameters, permittees must determine the hardness of the receiving fresh water body (see Appendix D, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part VI.B.1.a., 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	**Cadmium** (mg/L)	**Lead** (mg/L)	**Silver** (mg/L)
0-25 mg/L	0.0005	0.014	0.0007
25-50 mg/L	0.0008	0.023	0.0007
50-75 mg/L	0.0013	0.045	0.0017
75-100 mg/L	0.0018	0.069	0.0030
100-125 mg/L	0.0023	0.095	0.0046
125-150 mg/L	0.0029	0.122	0.0065
150-175 mg/L	0.0034	0.151	0.0087
175-200 mg/L	0.0039	0.182	0.0112
200-225 mg/L	0.0045	0.213	0.0138
225-250 mg/L	0.0050	0.246	0.0168
250+ mg/L	0.0053	0.262	0.183

VIII.K.6. Effluent Limitations Based on Effluent Limitations Guidelines (See also Part VI.B.2.a. of the permit). Table VIII.K-2. identifies effluent limits that apply to the industrial activities described below. Compliance with these effluent limits is to be determined based on discharges from these industrial activities independent of commingling with any other wastestreams that may be covered under this permit.

Table VIII.K-2.[1]

Industrial Activity	Parameter	Effluent Limit
Discharges from hazardous waste landfills subject to effluent limitations in 40 CFR Part 445 Subpart A (see footnote).	Biochemical Oxygen Demand (BOD5)	220 mg/L, daily maximum
		56 mg/L, monthly avg. maximum
	Total Suspended Solids (TSS)	88 mg/L, daily maximum
		27 mg/L, monthly avg. maximum
	Ammonia	10 mg/L, daily maximum
		4.9 mg/L, monthly avg. maximum
	Alpha Terpineol	0.042 mg/L, daily maximum
		0.019 mg/L, monthly avg. maximum
	Aniline	0.024 mg/L, daily maximum
		0.015 mg/L, monthly avg. maximum
	Benzoic Acid	0.119 mg/L, daily maximum
		0.073 mg/L, monthly avg. maximum
	Naphthalene	0.059 mg/L, daily maximum
		0.022 mg/L, monthly avg. maximum
	p-Cresol	0.024 mg/L, daily maximum
		0.015 mg/L, monthly avg. maximum
	Phenol	0.048 mg/L, daily maximum
		0.029 mg/L, monthly avg. maximum
	Pyridine	0.072 mg/L, daily maximum
		0.025 mg/L, monthly avg. maximum
	Total Arsenic	1.1 mg/L, daily maximum
		0.54 mg/L, monthly avg. maximum
	Total Chromium	1.1 mg/L, daily maximum
		0.46 mg/L, monthly avg. maximum
	Total Zinc	0.535 mg/L, daily maximum
		0.296 mg/L, monthly avg. maximum
	pH	Within the range of 6-9 standard pH units (s.u.)

[1] Monitor annually. As set forth at 40 CFR Part 445 Subpart A, these numeric limitations apply to contaminated stormwater discharges from hazardous waste landfills subject to the provisions of RCRA Subtitle C at 40 CFR Parts 264 (Subpart N) and 265 (Subpart N) except for any of the following facilities:
(a) landfills operated in conjunction with other industrial or commercial operations when the landfill receives only wastes generated by the industrial or commercial operation directly associated with the landfill;
(b) landfills operated in conjunction with other industrial or commercial operations when the landfill receives wastes generated by the industrial or commercial operation directly associated with the landfill and also receives other wastes, provided that the other wastes received for disposal are generated by a facility that is subject to the same provisions in 40 CFR Subchapter N as the industrial or commercial operation or that the other wastes received are of similar nature to the wastes generated by the industrial or commercial operation;
(c) landfills operated in conjunction with Centralized Waste Treatment (CWT) facilities subject to 40 CFR Part 437, so long as the CWT facility commingles the landfill wastewater with other non-landfill wastewater for discharge. A landfill directly associated with a CWT facility is subject to this part if the CWT facility discharges landfill wastewater separately from other CWT wastewater or commingles the wastewater from its landfill only with wastewater from other landfills; or
(d) landfills operated in conjunction with other industrial or commercial operations when the landfill receives wastes from public service activities, so long as the company owning the landfill does not receive a fee or other remuneration for the disposal service.

VIII.L. Subpart L – Sector L – Landfills, Land Application Sites, and Open Dumps. The permittee must comply with Part VIII. sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

VIII.L.1. Covered Storm Water Discharges. The requirements in Subpart L apply to stormwater discharges associated with industrial activity from Landfills and Land Application Sites and Open Dumps as identified by the Activity Code specified under Sector L in Table B-1 of Appendix B of the permit.

VIII.L.2. Industrial Activities Covered by Sector L. This permit may authorize stormwater discharges for Sector L facilities associated with waste disposal at landfills, land application sites, and open dumps that receive or have received industrial waste, including sites subject to regulation under Subtitle D of RCRA. This permit does not cover discharges from landfills that receive only municipal wastes.

VIII.L.3. Limitations on Coverage.

VIII.L.3.a. *Prohibition of Non-Stormwater Discharges.* (See also Part I.B.3.) The following discharges are not authorized by this permit: leachate, gas collection condensate, drained free liquids, contaminated ground water, laboratory wastewater, and contact washwater from washing truck and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility.

VIII.L.4. Definitions.

VIII.L.4.a. *Contaminated stormwater* - stormwater that comes into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater. Some areas of a landfill that may produce contaminated stormwater include (but are not limited to) the open face of an active landfill with exposed waste (no cover added); the areas around wastewater treatment operations; trucks, equipment, or machinery that has been in direct contact with the waste; and waste dumping areas.

VIII.L.4.b. *Drained free liquids* - aqueous wastes drained from waste containers (e.g., drums) prior to landfilling.

VIII.L.4.c. *Landfill wastewater* - as defined in 40 CFR Part 445 (Landfills Point Source Category) all wastewater associated with, or produced by, landfilling activities except for sanitary wastewater, non-contaminated stormwater, contaminated groundwater, and wastewater from recovery pumping wells. Landfill process wastewater includes, but is not limited to, leachate; gas collection condensate; drained free liquids; laboratory-derived wastewater; contaminated stormwater; and contact washwater from washing truck, equipment, and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility.

VIII.L.4.d. *Leachate* - liquid that has passed through or emerged from solid waste and contains soluble, suspended, or miscible materials removed from such waste.

VIII.L.4.e. *Non-contaminated stormwater* - stormwater that does not come into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater. Non-contaminated stormwater includes stormwater that flows off the cap, cover, intermediate cover, daily cover, and/or final cover of the landfill.

VIII.L.5. Additional Technology-Based Effluent Limits.

VIII.L.5.a. *Preventive Maintenance Program.* (See also Part II.A.2.c.) As part of the preventive maintenance program, maintain the following: all elements of leachate collection and treatment systems, to prevent commingling of leachate with stormwater; the integrity and effectiveness of any intermediate or final cover (including repairing the cover as necessary), to

minimize the effects of settlement, sinking, and erosion.

VIII.L.5.b. *Erosion and Sedimentation Control.* (See also Part II.A.2.e.) Provide temporary stabilization (e.g., temporary seeding, mulching, and placing geotextiles on the inactive portions of stockpiles) for the following: materials stockpiled for daily, intermediate, and final cover; inactive areas of the landfill or open dump; landfills or open dump areas that have gotten final covers but where vegetation has yet to establish itself; and land application sites where waste application has been completed but final vegetation has not yet been established.

VIII.L.5.c. *Unauthorized Discharge Test Certification.* (See also Part V.F.4.f.) The discharge test and certification must also be conducted for the presence of leachate and vehicle washwater.

VIII.L.6. Additional SWMP Requirements.

VIII.L.6.a. *Drainage Area Site Map.* (See also Part V.F.2.c.) Document in the SWMP where any of the following may be exposed to precipitation or surface runoff: active and closed landfill cells or trenches, active and closed land application areas, locations where open dumping is occurring or has occurred, locations of any known leachate springs or other areas where uncontrolled leachate may commingle with runoff, and leachate collection and handling systems.

VIII.L.6.b. *Summary of Potential Pollutant Sources.* (See also Part V.F.4.) Document in the SWMP the following sources and activities that have potential pollutants associated with them: fertilizer, herbicide, and pesticide application; earth and soil moving; waste hauling and loading or unloading; outdoor storage of significant materials, including daily, interim, and final cover material stockpiles as well as temporary waste storage areas; exposure of active and inactive landfill and land application areas; uncontrolled leachate flows; and failure or leaks from leachate collection and treatment systems.

VIII.L.7. Additional Inspection Requirements (See also Part IV.)

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

VIII.L.7.b. *Inspections of Inactive Sites.* Inspect inactive landfills, open dumps, and land application sites at least quarterly. Qualified personnel must inspect landfill (or open dump) stabilization and structural erosion control measures, leachate collection and treatment systems, and all closed land application areas.

VIII.L.8. Additional Post-Authorization Documentation Requirements.

VIII.L.8.a. *Recordkeeping and Internal Reporting.* Keep records with the SWMP of the types of wastes disposed of in each cell or trench of a landfill or open dump. For land application sites, track the types and quantities of wastes applied in specific areas.

VIII.L.9. Sector-Specific Benchmarks. Table VIII.L-1 identifies benchmarks that apply to the specific subsectors of Sector L. These benchmarks apply to both the primary industrial activity and any co-located industrial activities, which describe the site activities.

Table VIII.L-1.		
Subsector (The permittee may be subject to requirements for more than one sector/subsector)	**Parameter**	**Benchmark Monitoring Concentration[1]**
Subsector L1. All Landfill, Land Application Sites and Open Dumps (Industrial Activity Code "LF")	Total Suspended Solids (TSS)	100 mg/L
Subsector L2. All Landfill, Land Application Sites and Open Dumps, except Municipal Solid Waste Landfill (MSWLF) Areas Closed in Accordance with 40 CFR 258.60 (Industrial Activity Code "LF")	Total Iron	1.0 mg/L

[1]Benchmark monitoring required only for discharges not subject to effluent limitations in 40 CFR Part 445 Subpart B (see Table VIII.L-2 above).

VIII.L.10. Effluent Limitations Based on Effluent Limitations Guidelines (See also Part VI.B.2.a. of the permit). Table VIII.L-2 identifies effluent limits that apply to the industrial activities described below. Compliance with these effluent limits is to be determined based on discharges from these industrial activities independent of commingling with any other wastestreams that may be covered under this permit.

Table VIII.L-2.[1]		
Industrial Activity	**Parameter**	**Effluent Limit**
Discharges from non-hazardous waste landfills subject to effluent limitations in 40 CFR Part 445 Subpart B.	Biochemical Oxygen Demand (BOD5)	140 mg/L, daily maximum
		37 mg/L, monthly avg. maximum
	Total Suspended Solids (TSS)	88 mg/L, daily maximum
		27 mg/L, monthly avg. maximum
	Ammonia	10 mg/L, daily maximum
		4.9 mg/L, monthly avg. maximum
	Alpha Terpineol	0.033 mg/L, daily maximum
		0.016 mg/L, monthly avg. maximum
	Benzoic Acid	0.12 mg/L, daily maximum
		0.071 mg/L, monthly avg. maximum
	p-Cresol	0.025 mg/L, daily maximum
		0.014 mg/L, monthly avg. maximum
	Phenol	0.026 mg/L, daily maximum
		0.015 mg/L, monthly avg. maximum
	Total Zinc	0.20 mg/L, daily maximum
		0.11 mg/L, monthly avg. maximum
	pH	Within the range of 6-9 standard pH units (s.u.)

[1] Monitor annually. As set forth at 40 CFR Part 445 Subpart B, these numeric limitations apply to contaminated stormwater discharges from MSWLFs that have not been closed in accordance with 40 CFR 258.60, and to contaminated stormwater discharges from those landfills that are subject to the provisions of 40 CFR Part 257 except for discharges from any of the following facilities:
(a) landfills operated in conjunction with other industrial or commercial operations, when the landfill receives only wastes generated by the industrial or commercial operation directly associated with the landfill;
(b) landfills operated in conjunction with other industrial or commercial operations, when the landfill receives wastes generated by the industrial or commercial operation directly associated with the landfill and also receives other wastes, provided that the other wastes received for disposal are generated by a facility that is subject to the same provisions in 40 CFR Subchapter N as the industrial or commercial operation, or that the other wastes received are of similar nature to the wastes generated by the industrial or commercial operation;
(c) landfills operated in conjunction with CWT facilities subject to 40 CFR Part 437, so long as the CWT facility commingles the landfill wastewater with other non-landfill wastewater for discharge. A landfill directly associated with a CWT facility is subject to this part if the CWT facility discharges landfill wastewater separately from other CWT wastewater or commingles the wastewater from its landfill only with wastewater from other landfills; or
(d) landfills operated in conjunction with other industrial or commercial operations when the landfill receives wastes from public service activities, so long as the company owning the landfill does not receive a fee or other remuneration for the disposal service

VIII.M. Subpart M – Sector M - Automobile Salvage Yards. The permittee must comply with Part VIII. sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

VIII.M.1. Covered Storm Water Discharges. The requirements in Subpart M apply to stormwater discharges associated with industrial activity from Automobile Salvage Yards as identified by the SIC Code specified under Sector M in Table B-1 of Appendix B of this permit.

VIII.M.2. Additional Technology-Based Effluent Limits.

VIII.M.2.a. *Spill and Leak Prevention Procedures.* (See also Part II.A.2.d.) Drain vehicles intended to be dismantled of all fluids upon arrival at the site (or as soon thereafter as feasible), or employ some other equivalent means to prevent spills and leaks.

VIII.M.2.b. *Employee Training.* (See also Part II.A.2.i.) If applicable to the facility, address the following areas (at a minimum) in the employee training program: proper handling (collection, storage, and disposal) of oil, used mineral spirits, anti-freeze, mercury switches, and solvents.

VIII.M.2.c. *Management of Runoff.* (See also Part II.A.2.f.) Consider the following management practices: berms or drainage ditches on the property line (to help prevent run-on from neighboring properties); berms for uncovered outdoor storage of oily parts, engine blocks, and above-ground liquid storage; installation of detention ponds; and installation of filtering devices and oil and water separators.

VIII.M.3. Additional SWMP Requirements.

VIII.M.3.a. *Drainage Area Site Map.* (See also Part V.F.2.c.) Identify locations used for dismantling, storage, and maintenance of used motor vehicle parts. Also identify where any of the following may be exposed to precipitation or surface runoff: dismantling areas, parts (e.g., engine blocks, tires, hub caps, batteries, hoods, mufflers) storage areas, and liquid storage tanks and drums for fuel and other fluids.

VIII.M.3.b. *Potential Pollutant Sources.* (See also Part V.F.4.) Assess the potential for the following to contribute pollutants to stormwater discharges: vehicle storage areas, dismantling areas, parts storage areas (e.g., engine blocks, tires, hub caps, batteries, hoods, mufflers), and fueling stations.

VIII.M.4. Additional Inspection Requirements. (See also Part IV.A.) Immediately (or as soon thereafter as feasible) inspect vehicles arriving at the site for leaks. Inspect quarterly for signs of leakage all equipment containing oily parts, hydraulic fluids, any other types of fluids, or mercury switches. Also, inspect quarterly for signs of leakage all vessels and areas where hazardous materials and general automotive fluids are stored, including, but not limited to, mercury switches, brake fluid, transmission fluid, radiator water, and antifreeze.

VIII.M.5. Sector-Specific Benchmarks (See also Part VI. of the permit). Table VIII.M-1. identifies benchmarks that apply to Sector M. These benchmarks apply to both the primary industrial activity and any co-located industrial activities, which describe the site activities.

Table VIII.M-1.

Subsector (The permittee may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
Subsector M1. Automobile Salvage Yards (SIC 5015)	Total Suspended Solids (TSS)	100 mg/L
	Total Aluminum	0.75 mg/L
	Total Iron	1.0 mg/L

	Total Lead[1] (fresh water discharges)	Hardness Dependent
	Total Lead (salt water discharges)	0.21 mg/L

[1] The benchmark values of some metals are dependent on water hardness for fresh water discharges. For these parameters, permittees must determine the hardness of the receiving fresh water body (see Appendix D, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part VI.B.1.a., 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	**Lead** (mg/L)
0-25 mg/L	0.014
25-50 mg/L	0.023
50-75 mg/L	0.045
75-100 mg/L	0.069
100-125 mg/L	0.095
125-150 mg/L	0.122
150-175 mg/L	0.151
175-200 mg/L	0.182
200-225 mg/L	0.213
225-250 mg/L	0.246
250+ mg/L	0.262

VIII.N. Subpart N – Sector N – Scrap Recycling and Waste Recycling Facilities. The permittee must comply with Part VIII sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

VIII.N.1. Covered Storm Water Discharges. The requirements in Subpart N apply to stormwater discharges associated with industrial activity from Scrap Recycling and Waste Recycling facilities as identified by the SIC Code specified under Sector N in Table B-1 of Appendix B of the permit.

VIII.N.2. Limitations on Coverage. Separate permit requirements have been established for recycling facilities that only receive source-separated recyclable materials primarily from non-industrial and residential sources (i.e., common consumer products including paper, newspaper, glass, cardboard, plastic containers, and aluminum and tin cans). This includes recycling facilities commonly referred to as material recovery facilities (MRF).

VIII.N.2.a. *Prohibition of Non-Stormwater Discharges.* (See also Part I.B.3.) Non-stormwater discharges from turnings containment areas are not covered by this permit (see also Part VIII.N.3.b.iii.). Discharges from containment areas in the absence of a storm event are prohibited unless covered by a separate RIPDES permit.

VIII.N.3. Additional Technology-Based Effluent Limits.

VIII.N.3.a. *Scrap and Waste Recycling Facilities (Non-Source Separated, Nonliquid Recyclable Materials).* Requirements for facilities that receive, process, and do wholesale distribution of nonliquid recyclable wastes (e.g., ferrous and nonferrous metals, plastics, glass, cardboard, and paper). These facilities may receive both nonrecyclable and recyclable materials. This section is not intended for those facilities that accept recyclables only from primarily non-industrial and residential sources.

VIII.N.3.a.1. *Inbound Recyclable and Waste Material Control Program.* Minimize the chance of accepting materials that could be significant sources of pollutants by conducting

inspections of inbound recyclables and waste materials. Following are some control measure options: (a) provide information and education to suppliers of scrap and recyclable waste materials on draining and properly disposing of residual fluids (e.g., from vehicles and equipment engines, radiators and transmissions, oil filled transformers, and individual containers or drums) and removal of mercury switches from vehicles before delivery to the facility; (b) establish procedures to minimize the potential of any residual fluids from coming into contact with precipitation or runoff; (c) establish procedures for accepting scrap lead-acid batteries (additional requirements for the handling, storage, and disposal or recycling of batteries are contained in the scrap lead-acid battery program provisions in Part VIII.N.3.b.vi.); (d) provide training targeted for those personnel engaged in the inspection and acceptance of inbound recyclable materials; and (e) establish procedures to ensure that liquid wastes, including used oil, are stored in materially compatible and non-leaking containers and are disposed of or recycled in accordance with the Resource Conservation and Recovery Act (RCRA).

VIII.N.3.a.2. *Scrap and Waste Material Stockpiles and Storage (Outdoor).* Minimize contact of stormwater runoff with stockpiled materials, processed materials, and nonrecyclable wastes. Following are some control measure options: (a) permanent or semi-permanent covers; (b) sediment traps, vegetated swales and strips, catch basin filters, and sand filters to facilitate settling or filtering of pollutants; (c) dikes, berms, containment trenches, culverts, and surface grading to divert runoff from storage areas; (d) silt fencing; and (e) oil and water separators, sumps, and dry absorbents for areas where potential sources of residual fluids are stockpiled (e.g., automobile engine storage areas).

VIII.N.3.a.3. *Stockpiling of Turnings Exposed to Cutting Fluids (Outdoor Storage).* Minimize contact of surface runoff with residual cutting fluids by: (a) storing all turnings exposed to cutting fluids under some form of permanent or semi-permanent cover, or (b) establishing dedicated containment areas for all turnings that have been exposed to cutting fluids. Any containment areas must be constructed of concrete, asphalt, or other equivalent types of impermeable material and include a barrier (e.g., berms, curbing, elevated pads) to prevent contact with stormwater run-on. Stormwater runoff from these areas can be discharged, provided that any runoff is first collected and treated by an oil and water separator or its equivalent. The permittee must regularly maintain the oil and water separator (or its equivalent) and properly dispose of or recycle collected residual fluids.

VIII.N.3.a.4. *Scrap and Waste Material Stockpiles and Storage (Covered or Indoor Storage).* Minimize contact of residual liquids and particulate matter from materials stored indoors or under cover with surface runoff. Following are some control measure options: (a) good housekeeping measures, including the use of dry absorbents or wet vacuuming to contain, dispose of, or recycle residual liquids originating from recyclable containers, or mercury spill kits for spills from storage of mercury switches; (b) not allowing washwater from tipping floors or other processing areas to discharge to the storm sewer system; and (c) disconnecting or sealing off all floor drains connected to the storm sewer system.

VIII.N.3.a.5. *Scrap and Recyclable Waste Processing Areas.* Minimize surface runoff from coming in contact with scrap processing equipment. Pay attention to operations that generate visible amounts of particulate residue (e.g., shredding) to minimize the contact of accumulated particulate matter and residual fluids with runoff (i.e., through good housekeeping, preventive maintenance, etc.). Following are some control measure options: (a) regularly inspect equipment for spills or leaks and malfunctioning, worn, or corroded parts or equipment; (b) establish a preventive maintenance program for processing equipment; (c) use dry-absorbents or other cleanup practices to collect and dispose of or recycle spilled or leaking fluids or use mercury spill kits for spills from storage of mercury switches; (d) on unattended hydraulic reservoirs over 150 gallons in capacity, install protection devices such as low-level alarms or equivalent devices, or secondary containment that can hold the entire volume of the reservoir; (e) containment or diversion structures such as dikes, berms, culverts, trenches, elevated concrete pads, and grading to minimize contact of stormwater runoff with outdoor processing

equipment or stored materials; (f) oil and water separators or sumps; (g) permanent or semi-permanent covers in processing areas where there are residual fluids and grease; (h) retention or detention ponds or basins; sediment traps, and vegetated swales or strips (for pollutant settling and filtration); (i) catch basin filters or sand filters.

VIII.N.3.a.6. *Scrap Lead-Acid Battery Program.* Properly handle, store, and dispose of scrap lead-acid batteries. Following are some control measure options (a) segregate scrap lead-acid batteries from other scrap materials; (b) properly handle, store, and dispose of cracked or broken batteries; (c) collect and dispose of leaking lead-acid battery fluid; (d) minimize or eliminate (if possible) exposure of scrap lead-acid batteries to precipitation or runoff; and (e) provide employee training for the management of scrap batteries.

VIII.N.3.a.7. *Spill Prevention and Response Procedures.* (See also Part II.A.2.d.) Install alarms and/or pump shutoff systems on outdoor equipment with hydraulic reservoirs exceeding 150 gallons in the event of a line break. Alternatively, a secondary containment system capable of holding the entire contents of the reservoir plus room for precipitation can be used. Use a mercury spill kit for any release of mercury from switches, anti-lock brake systems, and switch storage areas.

VIII.N.3.a.8. *Supplier Notification Program.* As appropriate, notify major suppliers which scrap materials will not be accepted at the facility or will be accepted only under certain conditions.

VIII.N.3.b. Waste Recycling Facilities (Liquid Recyclable Materials).

VIII.N.3.b.1. *Waste Material Storage (Indoor).* Minimize or eliminate contact between residual liquids from waste materials stored indoors and from surface runoff. The plan may refer to applicable portions of other existing plans, such as Spill Prevention, Control, and Countermeasure (SPCC) plans required under 40 CFR Part 112. Following are some control measure options (a) procedures for material handling (including labeling and marking); (b) clean up spills and leaks with dry absorbent materials, a wet vacuum system; (c) appropriate containment structures (trenching, curbing, gutters, etc.); and (d) a drainage system, including appurtenances (e.g., pumps or ejectors, manually operated valves), to handle discharges from diked or bermed areas. Drainage should be discharged to an appropriate treatment facility or sanitary sewer system, or otherwise disposed of properly. These discharges may require coverage under a separate RIPDES wastewater permit or industrial user permit under the pretreatment program.

VIII.N.3.b.2. *Waste Material Storage (Outdoor).* Minimize contact between stored residual liquids and precipitation or runoff. The plan may refer to applicable portions of other existing plans, such as SPCC plans required under 40 CFR Part 112. Discharges of precipitation from containment areas containing used oil must also be in accordance with applicable sections of 40 CFR Part 112. Following are some control measure options (a) appropriate containment structures (e.g., dikes, berms, curbing, pits) to store the volume of the largest tank, with sufficient extra capacity for precipitation; (b) drainage control and other diversionary structures; (c) corrosion protection and/or leak detection systems for storage tanks; and (d) dry-absorbent materials or a wet vacuum system to collect spills.

VIII.N.3.b.3. *Trucks and Rail Car Waste Transfer Areas.* Minimize pollutants in discharges from truck and rail car loading and unloading areas. Include measures to clean up minor spills and leaks resulting from the transfer of liquid wastes. Following are two control measure options: (a) containment and diversionary structures to minimize contact with precipitation or runoff, and (b) dry clean-up methods, wet vacuuming, roof coverings, or runoff controls.

VIII.N.3.c. *Recycling Facilities (Source-Separated Materials).* The following identifies considerations for facilities that receive only source-separated recyclables, primarily from non-industrial and residential sources.

VIII.N.3.c.1. *Inbound Recyclable Material Control.* Minimize the chance of accepting nonrecyclables (e.g., hazardous materials) that could be a significant source of pollutants by conducting inspections of inbound materials. Following are some control measure options: (a) providing information and education measures to inform suppliers of recyclables about acceptable and non-acceptable materials, (b) training drivers responsible for pickup of recycled material, (c) clearly marking public drop-off containers regarding which materials can be accepted, (d) rejecting nonrecyclable wastes or household hazardous wastes at the source, and (e) establishing procedures for handling and disposal of nonrecyclable material.

VIII.N.3.c.2. *Outdoor Storage.* Minimize exposure of recyclables to precipitation and runoff. Use good housekeeping measures to prevent accumulation of particulate matter and fluids, particularly in high traffic areas. Following are some control measure options (a) provide totally enclosed drop-off containers for the public; (b) install a sump and pump with each container pit and treat or discharge collected fluids to a sanitary sewer system; (c) provide dikes and curbs for secondary containment (e.g., around bales of recyclable waste paper); (d) divert surface water runoff away from outside material storage areas; (e) provide covers over containment bins, dumpsters, and roll-off boxes; and (f) store the equivalent of one day's volume of recyclable material indoors.

VIII.N.3.c.3. *Indoor Storage and Material Processing.* Minimize the release of pollutants from indoor storage and processing areas. Following are some control measure options (a) schedule routine good housekeeping measures for all storage and processing areas, (b) prohibit tipping floor washwater from draining to the storm sewer system, and (c) provide employee training on pollution prevention practices.

VIII.N.3.c.4.. *Vehicle and Equipment Maintenance.* Following are some control measure options for areas where vehicle and equipment maintenance occur outdoors (a) prohibit vehicle and equipment washwater from discharging to the storm sewer system, (b) minimize or eliminate outdoor maintenance areas whenever possible, (c) establish spill prevention and clean-up procedures in fueling areas, (d) avoid topping off fuel tanks, (e) divert runoff from fueling areas, (f) store lubricants and hydraulic fluids indoors, and (g) provide employee training on proper handling and storage of hydraulic fluids and lubricants.

VIII.N.4. Additional SWMP Requirements.

VIII.N.4.a. *Drainage Area Site Map.* (See also Part V.F.2.c.) Document in the SWMP the locations of any of the following activities or sources that may be exposed to precipitation or surface runoff: scrap and waste material storage, outdoor scrap and waste processing equipment; and containment areas for turnings exposed to cutting fluids.

VIII.N.4.b. *Maintenance Schedules/Procedures for Collection, Handling, and Disposal or Recycling of Residual Fluids at Scrap and Waste Recycling Facilities.* If the permittee is subject to Part VIII.N.3.a.iii., the SWMP must identify any applicable maintenance schedule and the procedures to collect, handle, and dispose of or recycle residual fluids.

VIII.N.5. Additional Inspection Requirements.

VIII.N.5.a. *Inspections for Waste Recycling Facilities.* The inspections must be performed quarterly, pursuant to Part IV.A., and include, at a minimum, all areas where waste is generated, received, stored, treated, or disposed of and that are exposed to either precipitation or stormwater runoff.

VIII.N.6. Sector-Specific Benchmarks (See also Part VI. of the permit). Table VIII.N-1. identifies benchmarks that apply to Sector N. These benchmarks apply to both the primary industrial activity and any co-located industrial activities, which describe the site activities.

Table VIII.N-1.		
Subsector (The permittee may be subject to requirements for more than one sector/subsector)	**Parameter**	**Benchmark Monitoring Concentration**
Subsector N1. Scrap Recycling and Waste Recycling Facilities (SIC 5093)	Chemical Oxygen Demand (COD)	120 mg/L
	Total Suspended Solids (TSS)	100 mg/L
	Total Aluminum	0.75 mg/L
	Total Copper[1] (fresh water discharges)	Hardness Dependent
	Total Copper (salt water discharges)	0.0048 mg/L
	Total Iron	1.0 mg/L
	Total Lead[1] (fresh water discharges)	Hardness Dependent
	Total Lead (salt water discharges)	0.21 mg/L
	Total Zinc[1] (fresh water discharges)	Hardness Dependent
	Total Zinc (salt water discharges)	0.09 mg/L
Additional monitoring required for facilities where shredding activities and/or shredding materials are exposed to stormwater	PCB–1016[2]	0.000434 mg/L
	PCB–1221	0.10 mg/L
	PCB–1232[2]	0.000387 mg/L
	PCB–1242[2]	0.000289 mg/L
	PCB–1248	0.002544 mg/L
	PCB–1254	0.10 mg/L
	PCB–1260	0.000477 mg/L
	Oil and Grease	15 mg/L

[1] The benchmark values of some metals are dependent on water hardness for fresh water discharges. For these parameters, permittees must determine the hardness of the receiving fresh water body (see Appendix D, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part VI.B.1.a., 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:

[2] The minimum detection limit for this parameter is greater than the EPA benchmark value, therefore sampling results at which an exceedance determination will be based is the Minimum Detection Limit, listed in this Table. These values may be reduced by permit modification as more sensitive methods are approved by EPA and the State

Water Hardness Range	**Copper** (mg/L)	**Lead** (mg/L)	**Zinc** (mg/L)
0-25 mg/L	0.0038	0.014	0.04
25-50 mg/L	0.0056	0.023	0.05
50-75 mg/L	0.0090	0.045	0.08
75-100 mg/L	0.0123	0.069	0.11
100-125 mg/L	0.0156	0.095	0.13
125-150 mg/L	0.0189	0.122	0.16
150-175 mg/L	0.0221	0.151	0.18
175-200 mg/L	0.0253	0.182	0.20
200-225 mg/L	0.0285	0.213	0.23
225-250 mg/L	0.0316	0.246	0.25
250+ mg/L	0.0332	0.262	0.26

VIII.O. Subpart O – Sector O – Steam Electric Generating Facilities. The permittee must comply with Part VIII. sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

VIII.O.1. Covered Storm Water Discharges. The requirements in Subpart O apply to stormwater discharges associated with industrial activity from Steam Electric Power Generating Facilities as identified by the Activity Code specified under Sector O in Table B-1 of Appendix B.

VIII.O.2. Industrial Activities Covered by Sector O. This permit authorizes stormwater discharges from the following industrial activities at Sector O facilities:

VIII.O.2.a. steam electric power generation using coal, natural gas, oil, nuclear energy, etc., to produce a steam source, including coal handling areas;

VIII.O.2.b. coal pile runoff, including effluent limitations established by 40 CFR Part 423; and

VIII.O.2.c. dual fuel facilities that could employ a steam boiler.

VIII.O.3. Limitations on Coverage.

VIII.O.3.a. *Prohibition of Non-Stormwater Discharges.* Non-stormwater discharges subject to effluent limitations guidelines are not covered by this permit.

VIII.O.3.b. *Prohibition of Stormwater Discharges.* Stormwater discharges from the following are not covered by this permit:

VIII.O.3.b.1. ancillary facilities (e.g., fleet centers and substations) that are not contiguous to a stream electric power generating facility;

VIII.O.3.b.2. ancillary facilities (e.g., fleet centers and substations) that are not contiguous to a stream electric power generating facility;

VIII.O.3.b.3. cogeneration (combined heat and power) facilities utilizing a gas turbine.

VIII.O.4. Additional Technology-Based Effluent Limits. The following good housekeeping measures are required in addition to Part II.A.2.b.:

VIII.O.4.a. *Fugitive Dust Emissions.* Minimize fugitive dust emissions from coal handling areas to minimize the tracking of coal dust offsite that could be discharged in stormwater through implementation of control measures such as the following, where determined to be feasible, (list not exclusive): installing specially designed tires; and washing vehicles in a designated area before they leave the site and controlling the wash waterr.

VIII.O.4.b. *Delivery Vehicles.* Minimize contamination of stormwater runoff from delivery vehicles arriving at the plant site. Implement procedures to inspect delivery vehicles arriving at the plant site as necessary to minimize discharges of pollutants in stormwater. Ensure the overall integrity of the body or container of the delivery vehicle and implement procedures to deal with leakage or spillage from delivery vehicles.

VIII.O.4.c. *Fuel Oil Unloading Areas.* Minimize contamination of precipitation or surface runoff from fuel oil unloading areas. Use containment curbs in unloading areas where feasible. In addition, ensure personnel familiar with spill prevention and response procedures are available to respond expeditiously in the event of a leak or spill during deliveries. Ensure that any leaks or

spills are immediately contained and cleaned up, and use spill and overflow protection devices (e.g., drip pans, drip diapers, or other containment devices placed beneath fuel oil connectors to contain potential spillage during deliveries or from leaks at the connectors).

VIII.O.4.d. *Chemical Loading and Unloading.* Minimize contamination of precipitation or surface runoff from chemical loading and unloading areas. Use containment curbs at chemical loading and unloading areas to contain spills, where practicable. In addition, ensure personnel familiar with spill prevention and response procedures are available to respond expeditiously in the event of a leak or spill during deliveries. Ensure leaks and spills are immediately contained and cleaned up and, where practicable, load and unload in covered areas and store chemicals indoors.

VIII.O.4.e. *Miscellaneous Loading and Unloading Areas.* . Minimize contamination of precipitation or surface runoff from loading and unloading areas through implementation of control measures such as the following, where determined to be feasible (list not exclusive): covering the loading area; grading, curbing, or berming around the loading area to divert run-on; locating the loading and unloading equipment and vehicles so that leaks are contained in existing containment and flow diversion systems; or equivalent procedures.

VIII.O.4.f. *Liquid Storage Tanks.* Minimize contamination of surface runoff from above-ground liquid storage tanks through implementation of control measures such as the following, where determined to be feasible, the following (list not exclusive): using protective guards around tanks; using containment curbs; installing spill and overflow protection; using dry cleanup methods; or equivalent measures.

VIII.O.4.g. *Large Bulk Fuel Storage Tanks.* Minimize contamination of surface runoff from large bulk fuel storage tanks. Consider containment berms (or their equivalent). The permittee must also comply with applicable State and Federal laws, including Spill Prevention, Control and Countermeasure (SPCC) Plan requirements.

VIII.O.4.h. *Spill Reduction Measures.* Minimize the potential for an oil or chemical spill, or reference the appropriate part of the SPCC plan. Visually inspect as part of the routine facility inspection the structural integrity of all above-ground tanks, pipelines, pumps, and related equipment that may be exposed to stormwater, and make any necessary repairs immediately.

VIII.O.4.i. *Oil-Bearing Equipment in Switchyards.* Minimize contamination of surface runoff from oil-bearing equipment in switchyard areas. Consider using level grades and gravel surfaces to retard flows and limit the spread of spills, or collecting runoff in perimeter ditches

VIII.O.4.j. *Residue-Hauling Vehicles.* Inspect all residue-hauling vehicles for proper covering over the load, adequate gate sealing, and overall integrity of the container body. Repair vehicles without load covering or adequate gate sealing, or with leaking containers or beds.

VIII.O.4.k. *Ash Loading Areas.* Reduce or control the tracking of ash and residue from ash loading areas. Clear the ash building floor and immediately adjacent roadways of spillage, debris, and excess water before departure of each loaded vehicle.

VIII.O.4.l. *Areas Adjacent to Disposal Ponds or Landfills.* Minimize contamination of surface runoff from areas adjacent to disposal ponds or landfills. Reduce ash residue that may be tracked on to access roads traveled by residue handling vehicles, and reduce ash residue on exit roads leading into and out of residue handling areas.

VIII.O.4.m. *Landfills, Scrap yards, Surface Impoundments, Open Dumps, General Refuse Sites.* Minimize the potential for contamination of runoff from these areas.

VIII.O.5. Additional SWMP Requirements

VIII.O.5.a. *Drainage Area Site Map.* (See also Part V.F.2.c.) Document in the SWMP the locations of any of

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

VIII.O.5.b. *Documentation of Good Housekeeping Measures.* The permittee must document in the SWMP the good housekeeping measures implemented to meet the effluent limits in Part VIII.O.4.

VIII.O.6. Additional Inspection Requirements. As part of the inspection, inspect the following areas monthly: coal handling areas, loading or unloading areas, switchyards, fueling areas, bulk storage areas, ash handling areas, areas adjacent to disposal ponds and landfills, maintenance areas, liquid storage tanks, and long term and short-term material storage areas.

VIII.O.7. Sector-Specific Benchmarks. Table VIII.O-1 identifies benchmarks that apply to the specific subsectors of Sector O. These benchmarks apply to both the primary industrial activity and any co-located industrial activities, which describe the site activities.

Table VIII.O-1.		
Subsector (The permittee may be subject to requirements for more than one sector/subsector)	**Parameter**	**Benchmark Monitoring Concentration**
Subsector O1. Steam Electric Generating Facilities (Industrial Activity Code "SE")	Total Iron	1.0 mg/L

VIII.O.8. Effluent Limitations Based on Effluent Limitations Guidelines (See also Part VI.B.2.a. of the permit). Table VIII.O-2 identifies effluent limits that apply to the industrial activities described below. Compliance with these effluent limits is to be determined based on discharges from these industrial activities independent of commingling with any other wastestreams that may be covered under this permit.

Table VIII.O-2[1]		
Industrial Activity	**Parameter**	**Effluent Limit**
Discharges from coal storage piles at Steam Electric Generating Facilities	TSS	50 mg/L[2]
	pH	6.0 min - 9.0 max

[1] Monitor annually.

[2] If the facility is designed, constructed, and operated to treat the volume of coal pile runoff that is associated with a 10-year, 24-hour rainfall event, any untreated overflow of coal pile runoff from the treatment unit is not subject to the 50 mg/L limitation for total suspended solids.

VIII.P. Subpart P – Sector P – Land Transportation and Warehousing. The permittee must comply with Part VIII .sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

VIII.P.1. Covered Storm Water Discharges. The requirements in Subpart P apply to stormwater discharges associated with industrial activity from Land Transportation and Warehousing facilities as identified by the SIC Codes specified under Sector P in Table B-1 of Appendix B of the permit.

VIII.P.2. Limitation on Coverage

VIII.P.2.a. *Prohibited Discharges* (see also Parts I.B.3. and VIII.P.3.) This permit does not authorize the discharge of vehicle/equipment/surface washwater, including tank cleaning operations. Such discharges must be authorized under a separate RIPDES permit, discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements, or recycled on-site.

VIII.P.3. Additional Technology-Based Effluent Limits

VIII.P.3.a. *Good Housekeeping Measures.* (See also Part II.A.2.b.) In addition to the Good Housekeeping requirements in Part II.A.2.b., the permittee must do the following. Recommended control measures are discussed as indicated:

VIII.P.3.a.1. *Vehicle and Equipment Storage Areas.* Minimize the potential for stormwater exposure to leaky or leak-prone vehicles/equipment awaiting maintenance. Consider the following (or other equivalent measures): use of drip pans under vehicles/equipment, indoor storage of vehicles and equipment, installation of berms or dikes, use of absorbents, roofing or covering storage areas, and cleaning pavement surfaces to remove oil and grease.

VIII.P.3.a.2. *Fueling Areas.* Minimize contamination of stormwater runoff from fueling areas. Consider the following (or other equivalent measures): Covering the fueling area; using spill/overflow protection and cleanup equipment; minimizing stormwater run-on/runoff to the fueling area; using dry cleanup methods; and treating and/or recycling collected stormwater runoff.

VIII.P.3.a.3. *Material Storage Areas.* Maintain all material storage vessels (e.g., for used oil/oil filters, spent solvents, paint wastes, hydraulic fluids) to prevent contamination of stormwater and plainly label them (e.g., "Used Oil," "Spent Solvents," etc.). Consider the following (or other equivalent measures): storing the materials indoors; installing berms/dikes around the areas; minimizing runoff of stormwater to the areas; using dry cleanup methods; and treating and/or recycling collected stormwater runoff.

VIII.P.3.a.4. *Vehicle and Equipment Cleaning Areas.* Minimize contamination of stormwater runoff from all areas used for vehicle/equipment cleaning. Consider the following (or other equivalent measures): performing all cleaning operations indoors; covering the cleaning operation, ensuring that all washwater drains to a proper collection system (i.e., not the stormwater drainage system); treating and/or recycling collected washwater, or other equivalent measures.

VIII.P.3.a.5. *Vehicle and Equipment Maintenance Areas.* Minimize contamination of stormwater runoff from all areas used for vehicle/equipment maintenance. Consider the following (or other equivalent measures): performing maintenance activities indoors; using drip pans; keeping an organized inventory of materials used in the shop; draining all parts of fluid prior to disposal; prohibiting wet clean up practices if these practices would result in the discharge of pollutants to stormwater drainage systems; using dry cleanup methods; treating and/or recycling collected stormwater runoff, minimizing run on/runoff of stormwater to maintenance areas.

VIII.P.3.a.6. *Locomotive Sanding (Loading Sand for Traction) Areas.* Consider the following (or other equivalent measures): covering sanding areas; minimizing stormwater run on/runoff; or appropriate sediment removal practices to minimize the offsite transport of sanding material by stormwater.

VIII.P.3.b. *Employee Training.* (See also Part II.A.2.9.i.) Train personnel at least once a year and address the following activities, as applicable: used oil and spent solvent management; fueling procedures; general good housekeeping practices; proper painting procedures; and used battery management.

VIII.P.4. Additional SWMP Requirements

VIII.P.4.a. *Drainage Area Site Map.* (See also Part V.F.2.c.) Identify in the SWMP the following areas of the facility and indicate whether activities occurring there may be exposed to precipitation/surface runoff: Fueling stations; vehicle/equipment maintenance or cleaning areas; storage areas for vehicle/equipment with actual or potential fluid leaks;

loading/unloading areas; areas where treatment, storage or disposal of wastes occur; liquid storage tanks; processing areas; and storage areas.

VIII.P.4.b. *Potential Pollutant Sources.* (See also Part V.F.4.) Assess the potential for the following activities and facility areas to contribute pollutants to stormwater discharges: Onsite waste storage or disposal; dirt/gravel parking areas for vehicles awaiting maintenance; illicit plumbing connections between shop floor drains and the stormwater conveyance system(s); and fueling areas. Describe these activities in the SWMP.

VIII.P.4.c. *Description of Good Housekeeping Measures.* The permittee must document in the SWMP the good housekeeping measures the permittee implements consistent with Part VIII.P.3.

VIII.P.4.d. *Vehicle and Equipment Washwater Requirements.* If applicable, attach to or reference in the SWMP, a copy of the RIPDES permit issued for vehicle/equipment washwater or, if a RIPDES permit has not been issued, a copy of the pending application. If an industrial user permit is issued under a local pretreatment program, attach a copy to the SWMP. In any case, implement all non-stormwater discharge permit conditions or pretreatment conditions in the SWMP. If washwater is handled in another manner (e.g., hauled offsite), describe the disposal method and attach all pertinent documentation/information (e.g., frequency, volume, destination, etc.) in the plan.

VIII.P.5. Additional Inspection Requirements. (See also Part IV.A.) Inspect all the following areas/activities: storage areas for vehicles/equipment awaiting maintenance, fueling areas, indoor and outdoor vehicle/equipment maintenance areas, material storage areas, vehicle/equipment cleaning areas and loading/unloading areas.

VIII.Q. Subpart Q – Sector Q – Water Transportation. The permittee must comply with Part VIII. sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

VIII.Q.1. Covered Storm Water Discharges. The requirements in Subpart Q apply to stormwater discharges associated with industrial activity from Water Transportation facilities as identified by the SIC Codes specified under Sector Q in Table B-1 of Appendix B of the permit.

VIII.Q.2. Limitations on Coverage.

VIII.Q.2.a. *Prohibition of Non-Stormwater Discharges.* (See also Part I.B.3.) Not covered by this permit: bilge and ballast water, sanitary wastes, pressure wash water, and cooling water originating from vessels.

VIII.Q.3. Additional Technology-Based Effluent Limits.

VIII.Q.3.a. *Good Housekeeping Measures.* The permittee must implement the following good housekeeping measures in addition to the requirements of part II.A.2.b.:

VIII.Q.3.a.1. *Pressure Washing Area.* If pressure washing is used to remove marine growth from vessels, the discharge water must be permitted by a separate RIPDES permit. Collect or contain the discharges from the pressures washing area so that they are not co-mingled with stormwater discharges authorized by this permit.

VIII.Q.3.a..2. *Blasting and Painting Area.* Minimize the potential for spent abrasives, paint chips, and overspray to discharge into receiving waters or the storm sewer systems. Consider containing all blasting and painting activities or use other measures to minimize the discharge of contaminants (e.g., hanging plastic barriers or tarpaulins during blasting or painting operations to contain debris). When necessary, regularly clean stormwater conveyances of deposits of abrasive blasting debris and paint chips.

VIII.Q.3.a.3. *Material Storage Areas.* Store and plainly label all containerized materials (e.g., fuels, paints, solvents, waste oil, antifreeze, batteries) in a protected, secure location away from drains. Minimize the contamination of precipitation or surface runoff from the storage areas. Specify which materials are stored indoors, and consider containment or enclosure for those stored outdoors. If abrasive blasting is performed, discuss the storage and disposal of spent abrasive materials generated at the facility. Consider implementing an inventory control plan to limit the presence of potentially hazardous materials onsite.

VIII.Q.3.a.4. *Engine Maintenance and Repair Areas.* Minimize the contamination of precipitation or surface runoff from all areas used for engine maintenance and repair. Consider the following (or their equivalents): performing all maintenance activities indoors, maintaining an organized inventory of materials used in the shop, draining all parts of fluid prior to disposal, prohibiting the practice of hosing down the shop floor, using dry cleanup methods, and treating and/or recycling stormwater runoff collected from the maintenance area.

VIII.Q.3.a.5. *Material Handling Area.* Minimize the contamination of precipitation or surface runoff from material handling operations and areas (e.g., fueling, paint and solvent mixing, disposal of process wastewater streams from vessels). Consider the following (or their equivalents): covering fueling areas, using spill and overflow protection, mixing paints and solvents in a designated area (preferably indoors or under a shed), and minimizing runoff of stormwater to material handling areas.

VIII.Q.3.a.6. *Drydock Activities.* Routinely maintain and clean the drydock to minimize pollutants in stormwater runoff. Address the cleaning of accessible areas of the drydock prior to flooding, and final cleanup following removal of the vessel and raising the dock. Include procedures for cleaning up oil, grease, and fuel spills occurring on the drydock. Consider the following (or their equivalents): sweeping rather than hosing off debris and spent blasting material from accessible areas of the drydock prior to flooding and making absorbent materials and oil containment booms readily available to clean up or contain any spills.

VIII.Q.3.b. *Employee Training.* (See also Part II.A.2.i.) As part of the employee training program, address, at a minimum, the following activities (as applicable): used oil management, spent solvent management, disposal of spent abrasives, disposal of vessel wastewaters, spill prevention and control, fueling procedures, general good housekeeping practices, painting and blasting procedures, and used battery management.

VIII.Q.3.c. *Preventive Maintenance.* (See also Part II.A.2.c.) As part of the preventive maintenance program, perform timely inspection and maintenance of stormwater management devices (e.g., cleaning oil and water separators and sediment traps to ensure that spent abrasives, paint chips, and solids will be intercepted and retained prior to entering the storm drainage system), as well as inspecting and testing facility equipment and systems to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters.

VIII.Q.4. Additional SWMP Requirements

VIII.Q.4.a. *Drainage Area Site Map.* (See also Part V.F.2.c.) Document in the SWMP where any of the following may be exposed to precipitation or surface runoff: fueling; engine maintenance and repair; vessel maintenance and repair; pressure washing; painting; sanding; blasting; welding; metal fabrication; loading and unloading areas; locations used for the treatment, storage, or disposal of wastes; liquid storage tanks; liquid storage areas (e.g., paint, solvents, resins); and material storage areas (e.g., blasting media, aluminum, steel, scrap iron).

VIII.Q.4.b. *Summary of Potential Pollutant Sources.* (See also Part V.F.4.) Document in the SWMP the

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

VIII.Q.5. Additional Inspection Requirements. (See also Part IV.A.) Include the following in all quarterly routine facility inspections: pressure washing area; blasting, sanding, and painting areas; material storage areas; engine maintenance and repair areas; material handling areas; drydock area; and general yard area.

VIII.Q.6. Sector-Specific Benchmarks (See also Part VI. of the permit) Table VIII.Q-1 identifies benchmarks that apply to the specific subsectors of Sector Q. These benchmarks apply to both the primary industrial activity and any co-located industrial activities, which describe the site activities

Table VIII.Q-1.		
Subsector (The permittee may be subject to requirements for more than one sector/subsector)	**Parameter**	**Benchmark Monitoring Concentration**
Subsector Q1. Water Transportation Facilities (SIC 4412-4499)	Total Aluminum	0.75 mg/L
	Total Iron	1.0 mg/L
	Total Lead[1] (fresh water discharges)	Hardness Dependent
	Total Lead (salt water discharges)	0.21 mg/L
	Total Zinc[1] (fresh water discharges)	Hardness Dependent
	Total Zinc (salt water discharges)	0.09 mg/L

[1] The benchmark values of some metals are dependent on water hardness for fresh water discharges. For these parameters, permittees must determine the hardness of the receiving fresh water body (see Appendix D, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part VI.B.1.a., 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	**Lead** (mg/L)	**Zinc** (mg/L)
0-25 mg/L	0.014	0.04
25-50 mg/L	0.023	0.05
50-75 mg/L	0.045	0.08
75-100 mg/L	0.069	0.11
100-125 mg/L	0.095	0.13
125-150 mg/L	0.122	0.16
150-175 mg/L	0.151	0.18
175-200 mg/L	0.182	0.20
200-225 mg/L	0.213	0.23
225-250 mg/L	0.246	0.25
250+ mg/L	0.262	0.26

VIII.R. Subpart R – Sector R – Ship and Boat Building and Repair Yards. The permittee must comply with Part VIII. sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

VIII.R.1. Covered Storm Water Discharges. The requirements in Subpart R apply to stormwater discharges associated with industrial activity from Ship and Boat Building and Repair Yards as identified by the SIC Codes specified under Sector R in Table B-1 of Appendix B of the permit.

VIII.R.2. Limitations on Coverage.

VIII.R.2.a. *Prohibition of Non-Stormwater Discharges.* (See also Part I.B.3.) Discharges containing bilge and ballast water, sanitary wastes, pressure wash water, and cooling water originating from vessels are not covered by this permit.

VIII.R.3. Additional Technology-Based Effluent Limits.

VIII.R.3.a. *Good Housekeeping Measures.* (See also Part II.A.2.b.)

VIII.R.3.a.1. *Pressure Washing Area.* If pressure washing is used to remove marine growth from vessels, the discharged water must be permitted as a process wastewater by a separate RIPDES permit.

VIII.R.3.a.2. *Blasting and Painting Area.* Minimize the potential for spent abrasives, paint chips, and overspray to discharging into the receiving water or the storm sewer systems. Consider containing all blasting and painting activities, or use other measures to prevent the discharge of the contaminants (e.g., hanging plastic barriers or tarpaulins during blasting or painting operations to contain debris). When necessary, regularly clean stormwater conveyances of deposits of abrasive blasting debris and paint chips.

VIII.R.3.a.3. *Material Storage Areas.* Store and plainly label all containerized materials (e.g., fuels, paints, solvents, waste oil, antifreeze, batteries) in a protected, secure location away from drains. Minimize the contamination of precipitation or surface runoff from the storage areas. If abrasive blasting is performed, discuss the storage and disposal of spent abrasive materials generated at the facility. Consider implementing an inventory control plan to limit the presence of potentially hazardous materials onsite.

VIII.R.3.a.4. *Engine Maintenance and Repair Areas.* Minimize the contamination of precipitation or surface runoff from all areas used for engine maintenance and repair. Consider the following (or their equivalents): performing all maintenance activities indoors, maintaining an organized inventory of materials used in the shop, draining all parts of fluid prior to disposal, prohibiting the practice of hosing down the shop floor, using dry cleanup methods, and treating and/or recycling stormwater runoff collected from the maintenance area.

VIII.R.3.a.5. *Material Handling Area.* Minimize the contamination of precipitation or surface runoff from material handling operations and areas (e.g., fueling, paint and solvent mixing, disposal of process wastewater streams from vessels). Consider the following (or their equivalents): covering fueling areas, using spill and overflow protection, mixing paints and solvents in a designated area (preferably indoors or under a shed), and minimizing stormwater run-on to material handling areas.

VIII.R.3.a.6. *Drydock Activities.* Routinely maintain and clean the drydock to minimize pollutants in stormwater runoff. Clean accessible areas of the drydock prior to flooding and final cleanup following removal of the vessel and raising the dock. Include procedures for cleaning up oil, grease, or fuel spills occurring on the drydock. Consider the following (or their equivalents): sweeping rather than hosing off debris and spent blasting material from accessible areas of the drydock prior to flooding, and having absorbent materials and oil containment booms readily available to clean up and contain any spills.

VIII.R.3.b. *Employee Training.* (See also Part II.A.2.i.) As part of the employee training program, address, at a minimum, the following activities (as applicable): used oil management, spent solvent management, disposal of spent abrasives, disposal of vessel wastewaters, spill prevention and control, fueling procedures, general good housekeeping practices, painting and blasting procedures, and used battery management.

VIII.R.3.c. *Preventive Maintenance.* (See also Part II.A.2.c.) As part of the preventive maintenance program, perform timely inspection and maintenance of stormwater management devices (e.g., cleaning oil and water separators and sediment traps to ensure that spent abrasives, paint chips, and solids will be intercepted and retained prior to entering the storm drainage system), as well as inspecting and testing facility equipment and systems to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to

surface waters.

VIII.R.4. Additional SWMP Requirements.

VIII.R.4.a. *Drainage Area Site Map.* (See also Part V.F.2.c.) Document in the SWMP where any of the following may be exposed to precipitation or surface runoff: fueling; engine maintenance or repair; vessel maintenance or repair; pressure washing; painting; sanding; blasting; welding; metal fabrication; loading and unloading areas; treatment, storage, and waste disposal areas; liquid storage tanks; liquid storage areas (e.g., paint, solvents, resins); and material storage areas (e.g., blasting media, aluminum, steel, scrap iron).

VIII.R.4.b. *Potential Pollutant Sources.* (See also Part V.F.4.) Document in the SWMP the following additional sources and activities that have potential pollutants associated with them (if applicable): outdoor manufacturing or processing activities (e.g., welding, metal fabricating) and significant dust or particulate generating processes (e.g., abrasive blasting, sanding, and painting).

VIII.R.4.c. *Documentation of Good Housekeeping Measures.* Document in the SWMP any good housekeeping measures implemented to meet the effluent limits in Part VIII.R.3.

VIII.R.4.c.1. *Blasting and Painting Areas.* Document in the SWMP any standard operating practices relating to blasting and painting (e.g., prohibiting uncontained blasting and painting over open water or prohibiting blasting and painting during windy conditions, which can render containment ineffective).

VIII.R.4.c.2 *Storage Areas.* Specify in the SWMP which materials are stored indoors, and consider containment or enclosure for those stored outdoors.

VIII.R.5. Additional Inspection Requirements. (See also Part IV.A.) Include the following in all quarterly routine facility inspections: pressure washing area; blasting, sanding, and painting areas; material storage areas; engine maintenance and repair areas; material handling areas; drydock area; and general yard area.

VIII.R.6. Sector-Specific Benchmarks (See also Part V.I of the permit) Table VIII.R-1 identifies benchmarks that apply to the specific subsectors of Sector R. These benchmarks apply to both the primary industrial activity and any co-located industrial activities, which describe the site activities

Table VIII.R-1.

Subsector (The permittee may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
Subsector R1. Ship and Boat Building and Repair Facilities (SIC 3731, 3732)	Total Aluminum	0.75 mg/L
	Total Iron	1.0 mg/L
	Total Lead[1] (fresh water discharges)	Hardness Dependent
	Total Lead (salt water discharges)	0.21 mg/L
	Total Zinc[1] (fresh water discharges)	Hardness Dependent
	Total Zinc (salt water discharges)	0.09 mg/L

[1] The benchmark values of some metals are dependent on water hardness for fresh water discharges. For these parameters, permittees must determine the hardness of the receiving fresh water body (see Appendix D, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part VI.B.1.a., 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	**Lead** (mg/L)	**Zinc** (mg/L)
0-25 mg/L	0.014	0.04
25-50 mg/L	0.023	0.05
50-75 mg/L	0.045	0.08
75-100 mg/L	0.069	0.11
100-125 mg/L	0.095	0.13
125-150 mg/L	0.122	0.16
150-175 mg/L	0.151	0.18
175-200 mg/L	0.182	0.20
200-225 mg/L	0.213	0.23
225-250 mg/L	0.246	0.25
250+ mg/L	0.262	0.26

VIII.S. Subpart S – Sector S – Air Transportation. The permittee must comply with Part VIII. sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

VIII.S.1. Covered Storm Water Discharges. The requirements in Subpart S apply to stormwater discharges associated with industrial activity from Air Transportation facilities identified by the SIC Codes specified under Sector S in Table B-1 of Appendix B of the permit.

VIII.S.2. Limitations on Coverage.

VIII.S.2.a. *Limitations on Coverage.* This permit authorizes stormwater 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.

VIII.S.2.b. *Prohibition of Non-Stormwater Discharges.* (See also Part I.B.3. and Part VIII.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 RIPDES permit(s). Note that a discharge resulting from snowmelt is not a dry weather discharge.

VIII.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.

VIII.S.3.a. *Permit Coverage/Submittal of NOIs.* Where an airport transportation facility has multiple industrial operators that discharge stormwater, each individual operator must obtain coverage under a RIPDES stormwater permit. To obtain coverage under the MSGP, all such operators must meet the eligibility requirements in Part I. and must submit an NOI, per Part I.C. (or, if appropriate, a no exposure certification per Part I.E.).

VIII.S.3.b. *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:

- The airport authority performs certain activities on behalf of itself and its tenants and reports on its activities;

- 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;

- Tenants independently perform, document and submit required information on their activities.

VIII.S.3.c. *SWMP Requirements.* A single comprehensive SWMP must be developed for all stormwater discharges associated with industrial activity at the airport before submittal of any NOIs. The comprehensive SWMP 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 SWMP must be coordinated and integrated with the comprehensive SWMP. All operators and their separate SWMP contributions and compliance responsibilities must be clearly identified in the comprehensive SWMP, which all operators must sign and certify per Part V.F.10. As applicable, the SWMP 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 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 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 SWPPP must describe how the tenants will also follow-up to ensure permit compliance.

VIII.S.3.d. *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 B apply to each individual operator, including B.1 Duty to Comply (which states, in part, "You [each individual operator] must comply with all conditions of this 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.

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

VIII.S.4.a. *Good Housekeeping Measures.* (See also Part II.A.2.b.)

VIII.S.4.a .1. Aircraft, Ground Vehicle and Equipment Maintenance Areas. Minimize the contamination

of stormwater 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 practices (or their equivalents): performing maintenance activities indoors; maintaining an organized inventory of material used in the maintenance areas; draining all parts of fluids prior to disposal; prohibiting the practice of hosing down the apron or hanger floor; using dry cleanup methods; and collecting the stormwater runoff from the maintenance area and providing treatment or recycling.

VIII.S.4.a .2. Aircraft, Ground Vehicle and Equipment Cleaning Areas. (See also Part VIII.S.4.c.) Clearly demarcate these areas on the ground using signage or other appropriate means. Minimize the contamination of stormwater runoff from cleaning areas.

VIII.S.4.a.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 stormwater runoff from these storage areas. Consider the following control measures, including any BMPs (or their equivalents): storing aircraft and ground vehicles indoors; using drip pans for the collection of fluid leaks; and perimeter drains, dikes or berms surrounding the storage areas.

VIII.S.4.a.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 stormwater. Also plainly label the vessels (e.g., "used oil," "Contaminated Jet A," etc.). Minimize contamination of precipitation/runoff from these areas. Consider the following control measures (or their equivalents): storing materials indoors; storing waste materials in a centralized location; and installing berms/dikes around storage areas.

VIII.S.4.a.5. Airport Fuel System and Fueling Areas. Minimize the discharge of pollutants in stormwater from airport fuel system and fueling areas through implementation of control measures such as the following, where determined to be feasible and that accommodate considerations of safety, space, operational constraints, and flight considerations (list not exclusive): implementing spill and overflow practices (e.g., placing absorptive materials beneath aircraft during fueling operations); using only dry cleanup methods; and collecting stormwater runoff. If you have implemented a SPCC plan developed in accordance with the 2006 amendments to the SPCC rule, you may cite the relevant aspects from your SPCC plan that comply with the requirements of this section in your SWPPP.

VIII.S.4.a.6. Source Reduction. Minimize, and where feasible eliminate, the use of urea and glycol-based deicing chemicals, in order to reduce the aggregate amount of deicing chemicals used and/or lessen the environmental impact. Chemical options to replace ethylene glycol, propylene glycol and urea include: potassium acetate; magnesium acetate; calcium acetate; and anhydrous sodium acetate.

VIII.S.4.a.6.i. Runway Deicing Operation: Minimize contamination of stormwater runoff from runways as a result of deicing operations. Evaluate whether over-application of deicing chemicals occurs by analyzing application rates, and adjust as necessary, consistent with considerations of flight safety. Also consider these control measure options (or their equivalents): metered application of chemicals; pre-wetting dry chemical constituents prior to application; installing a runway ice detection system; implementing anti-icing operations as a preventive measure against ice buildup.

VIII.S.4.a.6.ii. Aircraft Deicing Operations. Minimize the discharge of pollutants in stormwater from deicing chemicals in runoff. To minimize discharges of pollutants from aircraft deicing, implement control measures such as the following, where determined to be feasible and that accommodate considerations of safety, space, operational constraints, and flight considerations (list not exclusive) installing a centralized

deicing pad to recover deicing fluid following application; plug-and-pump (PnP);using vacuum/collection trucks (glycol recovery vehicles); storing contaminated stormwater/deicing fluids in tanks; recycling collected deicing fluid where feasible; releasing controlled amounts to a publicly owned treatment works; separation of contaminated snow; conveying contaminated runoff into a stormwater impoundment for biochemical decomposition (be aware of attracting wildlife that may prove hazardous to flight operations); and directing runoff into vegetative swales or other infiltration measures. To minimize discharges of pollutants from runway deicing, implement control measures such as the following, where determined to be feasible and that accommodate considerations of safety, space, operational constraints, and flight considerations (list not exclusive): mechanical systems (snow plows, brushes), conveying contaminated runoff into swales and/or a stormwater impoundment, and pollution prevention practices such as ice detection systems, airfield prewetting, and heating sand. Consider using ice-detection systems and airport traffic flow strategies and departure slot allocation systems where feasible and that accommodate considerations of safety, space, operational constraints, and flight considerations. 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).

VIII.S.4.a.7. Management of Runoff. (See also II.A.2.f.) Where deicing operations occur, implement a program to control or manage contaminated runoff to minimize the amount of pollutants being discharged from the site. Consider these control measure options (or their equivalents): a dedicated deicing facility with a runoff collection/ recovery system; using vacuum/collection trucks; storing contaminated stormwater/deicing fluids in tanks and releasing controlled amounts to a publicly owned treatment works; collecting contaminated runoff in a wet pond for biochemical decomposition (be aware of attracting wildlife that may prove hazardous to flight operations); and directing runoff into vegetative swales or other infiltration measures. Also consider recovering deicing materials when these materials are applied during non-precipitation events (e.g., covering storm sewer inlets, using booms, installing absorptive interceptors in the drains, etc.) to prevent these materials from later becoming a source of stormwater contamination. Used deicing fluid should be recycled whenever possible.

When applying deicing fluids during non-precipitation events (also referred to as "clear ice deicing"), implement control measures to prevent unauthorized discharge of pollutants (dry-weather discharges of pollutants would need coverage under a RIPDES wastewater permit), or to minimize the discharge of pollutants from deicing fluids in later stormwater discharges, such as the following, where determined to be feasible and that accommodate considerations safety, space, operational constraints, and flight considerations (list not exclusive): recovering deicing fluids; preventing the fluids from entering storm sewers or other stormwater discharge conveyances (e.g., covering storm sewer inlets, using booms, installing absorptive interceptors in the drains); releasing controlled amounts to a publicly owned treatment works Used deicing fluid should be recycled whenever practicable

VIII.S.4.b. *Deicing Season.* 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 facility meets the deicing chemical usage thresholds of 100,000 gallons glycol and/or 100 tons of urea, the deicing season the permittee 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. See also Part VIII.S.6.

VIII.S.5. Additional SWMP Requirements. An airport authority and tenants of the airport are encouraged to work in partnership in the development of a SWMP. If an airport tenant obtains authorization under

this permit and develops a SWMP for discharges from his own areas of the airport, prior to authorization, that SWMP must be coordinated and integrated with the SWMP 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 stormwater discharges associated with industrial activity.

VIII.S.5.a. *Drainage Area Site Map.* (See also Part V.F.2.c.) Document in the SWMP 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.

VIII.S.5.b. *Potential Pollutant Sources.* (See also Part V.F.4.) In the inventory of exposed materials, describe in the SWMP the potential for the following activities and facility areas to contribute pollutants to stormwater 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, the permittee 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 permittee's 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 SWMPs.

VIII.S.5.c. *Vehicle and Equipment Washwater Requirements.* Attach to or reference in the SWMP, a copy of the RIPDES permit issued for vehicle/equipment washwater or, if a RIPDES 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 SWMP. In any case, if the permittee is subject to another permit, the control measures for implementing all non-stormwater discharge permit conditions or pretreatment requirements must be described in the SWMP. If washwater is handled in another manner (e.g., hauled offsite, retained onsite), the disposal method must be described and attach all pertinent documentation/information (e.g., frequency, volume, destination, etc.) in the SWMP.

VIII.S.5.d. *Documentation of Control Measures Used for Management of Runoff:* Document in the SWMP the control measures used for collecting or containing contaminated melt water from collection areas used for disposal of contaminated snow.

VIII.S.6. Additional Inspection Requirements.

VIII.S.6.a. *Inspections.* (See also Part IV.A.) At a minimum conduct routine facility inspections at least monthly during the deicing season (e.g., October through April for most mid-latitude airports). If the 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 Director may specifically require the permittee to increase inspection frequencies.

VIII.S.7. Sector-Specific Benchmarks (See also Part VI.) Table VIII.S-1 identifies benchmarks that apply to the specific subsectors of Sector S These benchmarks apply to both the primary industrial activity and any co-located industrial activities, which describe the site activities.

Table VIII.S-1.

Subsector (The permittee 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	Biochemical Oxygen Demand (BOD5)1	30 mg/L

glycol-based deicing chemicals 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).	Chemical Oxygen Demand (COD)[1]	120 mg/L
	Ammonia[1]	2.14 mg/L
	pH[1]	6.0 - 9.0 s.u.

[1] These are deicing-related parameters. Collect the four benchmark samples, and any required follow-up benchmark samples, during the timeframe defined in Part VIII.S.3.., when deicing activities are occurring.

VIII.S.8. Effluent Limitations Based on Effluent Limitations Guidelines. (See also Part VI.B.2. of the permit.)

VIII.S.8.a. *Airfield Pavement Deicing. For both* existing and new primary airports with 1,000 or more annual non-propeller aircraft departures that discharge stormwater from airfield pavement deicing activities, such airports must either use non-urea-containing deicers or meet the effluent limitation in Table VIII.-S-2.

VIII.S.8.b. *Aircraft Deicing.* Airports meeting the definition of a new source ("new airports") with 10,000 annual departures located in cold climate zones must collect 60 percent of aircraft deicing fluid after deicing. See 40 CFR 449.11 for the Airport Effluent Limitation Guidelines requirements for this new source category. Discharges of the collected aircraft deicing fluid directly to waters of the State are not eligible for coverage under this permit.

VIII.S.8.c. *Monitoring, Reporting and Recordkeeping.* For new airports subject to the effluent limitations in VIII.S.7.b, the permittee must comply with the monitoring, reporting and recordkeeping requirements outlined in 40 CFR 449.20(a)(1) and (2).

Table VIII.S-2

Industrial Activity	Parameter	Effluent Limitation
Runoff containing urea from airfield pavement deicing at existing and new primary airports with 1,000 or more annual non-propeller aircraft departures	Ammonia as Nitrogen	14.7 mg/L, daily maximum

VIII.T. Subpart T – Sector T – Treatment Works. The permittee must comply with Part VIII. sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

VIII.T.1. Covered Storm Water Discharges. The requirements in Subpart T apply to stormwater discharges associated with industrial activity from Treatment Works as identified by the Activity Code specified under Sector T in Table B-1 of Appendix B of the permit.

VIII.T.2. Industrial Activities Covered by Sector T. The requirements listed under this part apply to all existing point source stormwater discharges associated with the following activities:

VIII.T.2.a. 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.

VIII.T.2.b. 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.

VIII.T.3. Limitations on Coverage.

VIII.T.3.a. *Prohibition of Non-Stormwater Discharges.* (See also Part I.B.3.) Sanitary and industrial wastewater and equipment and vehicle washwater are not authorized by this permit.

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

VIII.T.4.a. *Control Measures.* (See also the non-numeric effluent limits in Part II.A.2.) In addition to the other control measures, consider the following: routing stormwater 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).

VIII.T.4.b. *Employee Training.* (See also Part II.A.2.i.) 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.

VIII.T.5. Additional SWMP Requirements.

VIII.T.4.a. *Site Map.* (See also Part V.F.2.c.) Document in the SWMP 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.

VIII.T.4.b. *Potential Pollutant Sources.* (See also Part V.F.4.) Document in the SWMP 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.

VIII.T.4.c. *Wastewater and Washwater Requirements.* Keep a copy of all the current RIPDES permits issued for wastewater and industrial, vehicle and equipment washwater discharges or, if a RIPDES permit has not yet been issued, a copy of the pending application(s) with the SWMP. If the washwater is handled in another manner, the disposal method must be described and all pertinent documentation must be retained onsite.

VIII.T.6. Additional Inspection Requirements. (See also Part IV.A.) 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.

VIII.U. Subpart U – Sector U – Food and Kindred Products. The permittee must comply with Part VIII. sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

VIII.U.1. Covered Storm Water Discharges. The requirements in Subpart U apply to stormwater discharges associated with industrial activity from Food and Kindred Products facilities as identified by the SIC Codes specified in Table B-1 of Appendix B of the permit.

VIII.U.2. Limitations on Coverage.

VIII.U.2.a. *Prohibition of Non-Stormwater Discharges.* (See also Part I.B.3.) 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.

VIII.U.3. Additional Technology-Based Limitations.

VIII.U.3.a. *Employee Training.* (See also Part II.A.2.i.) Address pest control in the employee training program.

VIII.U.4. Additional SWMP Requirements.

VIII.U.4.a. *Drainage Area Site Map.* (See also Part V.F.2.c.) Document in the SWMP 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.

VIII.U.4.b. *Potential Pollutant Sources.* (See also Part V.F.4.) Document in the SWMP, 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.

VIII.U.5. Additional Inspection Requirements (See also Part IV.A.). Inspect on a quarterly basis, at a minimum, the following areas where the potential for exposure to stormwater 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.

VIII.U.6. Sector-Specific Benchmarks (See also Part VI. of the permit) Table VIII.U-1 identifies benchmarks that apply to the specific subsectors of Sector U. These benchmarks apply to both the primary industrial activity and any co-located industrial activities, which describe the site activities

Table VIII.U-1.

Subsector (The permittee 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 (BOD5)	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

VIII.V. Subpart V – Sector V – Textile Mills, Apparel and Other Fabric Products. The permittee must comply with Part VIII. sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

VIII.V.1. Covered Storm Water Discharges. The requirements in Subpart V apply to stormwater 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 B-1 of Appendix B of the permit.

VIII.V.2. Limitations on Coverage.

VIII.V.2.a. *Prohibition of Non-Stormwater Discharges.* (See also Part I.B.3.) 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 RIPDES permit.

VIII.V.3. Additional Technology-Based Limitations.

VIII.V.3.a. *Good Housekeeping Measures.* (See also Part II.A.2.b.)

VIII.V.3.a.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 stormwater runoff from such storage areas. Also consider an inventory control plan to prevent excessive purchasing of potentially hazardous substances. For storing empty chemical drums or containers, ensure that the drums and containers are clean (consider triple-rinsing) and that there is no contact of residuals with precipitation or runoff. Collect and dispose of washwater from these cleanings properly.

VIII.V.3.a.2. *Material Handling Areas.* Minimize contamination of stormwater runoff from material handling operations and areas. Consider the following (or their equivalents): use of spill and overflow protection; covering fueling areas; and covering or enclosing areas where the transfer of material may occur. When applicable, address the replacement or repair of leaking connections, valves, transfer lines, and pipes that may carry chemicals, dyes, or wastewater.

VIII.V.3.a.3. *Fueling Areas.* Minimize contamination of stormwater runoff from fueling areas. Consider the following (or their equivalents): covering the fueling area, using spill and overflow protection, minimizing run-on of stormwater to the fueling areas, using dry cleanup methods, and treating and/or recycling stormwater runoff collected from the fueling area.

VIII.V.3.a.4. *Above-Ground Storage Tank Area.* Minimize contamination of the stormwater runoff from above-ground storage tank areas, including the associated piping and valves. Consider the following (or their equivalents): regular cleanup of these areas; including measures for tanks, piping and valves explicitly in the SPCC program; minimizing runoff of stormwater from adjacent areas; restricting access to the area; inserting filters in adjacent catch basins; providing absorbent booms in unbermed fueling areas; using dry cleanup methods; and permanently sealing drains within critical areas that may discharge to a storm drain.

VIII.V.3.b. *Employee Training.* (See also Part II.A.2.i.) As part of the 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.

VIII.V.4. Additional SWMP Requirements.

VIII.V.4.a. *Potential Pollutant Sources. (See also Part V.F.4.)* Document in the SWMP 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).

VIII.V.4.b. *Description of Good Housekeeping Measures for Material Storage Areas.* Document in the SWMP the containment area or enclosure for materials stored outdoors in connection with Part VIII.3.a.i. above.

VIII.V.5. Additional Inspection Requirements (See also Part IV.A.). 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.

VIII.V.6. Sector-Specific Benchmarks (See also Part VI. of the permit)

VIII.W. Subpart W – Sector W – Furniture and Fixtures. The permittee must comply with Part VIII. sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

VIII.W.1. Covered Storm Water Discharges. The requirements in Subpart W apply to stormwater discharges associated with industrial activity from Furniture and Fixtures facilities as identified by the SIC Codes specified under Sector W in Table B-1 of Appendix B of the permit.

VIII.W.2. Additional SWMP Requirements.

a. *Drainage Area Site Map.* (See also Part V.F.2.c.) Document in the SWMP 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.

VIII.X. Subpart X – Sector X – Printing and Publishing. The permittee must comply with Part VIII. sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

VIII.X.1. Covered Storm Water Discharges. The requirements in Subpart X apply to stormwater discharges associated with industrial activity from Printing and Publishing facilities as identified by the SIC Codes specified under Sector X in Table B-1 of Appendix B of the permit.

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

VIII.X.2.a. *Good Housekeeping Measures.* (See also Part II.A.2.b.)

VIII.X.2.a.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 stormwater runoff from such storage areas. Also consider an inventory control plan to prevent excessive purchasing of potentially hazardous substances.

VIII.X.2.a.2. *Material Handling Area.* Minimize contamination of stormwater runoff from material handling operations and areas (e.g., blanket wash, mixing solvents, loading and unloading materials). Consider the following (or their equivalents): using spill and overflow protection, covering fueling areas, and covering or enclosing areas where the transfer of materials may occur. When applicable, address the replacement or repair of leaking connections, valves, transfer lines, and pipes that may carry chemicals or wastewater.

VIII.X.2.a.3. *Fueling Areas.* Minimize contamination of stormwater runoff from fueling areas. Consider the following (or their equivalents): covering the fueling area, using spill and overflow protection, minimizing runoff of stormwater to the fueling areas, using dry

cleanup methods, and treating and/or recycling stormwater runoff collected from the fueling area.

VIII.X.2.a.4. *Above Ground Storage Tank Area.* Minimize contamination of the stormwater runoff from above-ground storage tank areas, including the associated piping and valves. Consider the following (or their equivalents): regularly cleaning these areas, explicitly addressing tanks, piping and valves in the SPCC program, minimizing stormwater runoff from adjacent areas, restricting access to the area, inserting filters in adjacent catch basins, providing absorbent booms in unbermed fueling areas, using dry cleanup methods, and permanently sealing drains within critical areas that may discharge to a storm drain.

VIII.X.2.b. *Employee Training.* (See also Part II.A.2.i.) As part of the 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.

VIII.X.3. Additional SWMP Requirements.

VIII.X.3.a. *Description of Good Housekeeping Measures for Material Storage Areas.* In connection with Part VIII.X.2.a.i., describe in the SWMP the containment area or enclosure for materials stored outdoors.

VIII.Y. Subpart Y – Sector Y – Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries. The permittee must comply with Part VIII. sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

VIII.Y.1. Covered Storm Water Discharges. The requirements in Subpart Y apply to stormwater 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 B-1 of Appendix B of the permit.

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

VIII.Y.2.a. *Controls for Rubber Manufacturers.* (See also Part II.A.2.) Minimize the discharge of zinc in the stormwater discharges. Parts VIII.Y.2.a.i. to VIII.Y.2.a.v. 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.

VIII.Y.2.a.1. *Zinc Bags.* Ensure proper handling and storage of zinc bags at the 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.

VIII.Y.2.a.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.

VIII.Y.2.a.3. *Dust Collectors and Baghouses.* Minimize contributions of zinc to stormwater from dust collectors and baghouses. Replace or repair, as appropriate, improperly operating dust collectors and baghouses.

VIII.Y.2.a.4. *Grinding Operations.* Minimize contamination of stormwater as a result of dust generation from rubber grinding operations. One control measure option is to install a dust collection system.

VIII.Y.2.a.5. *Zinc Stearate Coating Operations.* Minimize the potential for stormwater 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.

VIII.Y.2.b. *Controls for Plastic Products Manufacturers.* Minimize the discharge of plastic resin pellets in the stormwater 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.

VIII.Y.3. Additional SWMP Requirements.

VIII.Y.3.a. *Potential Pollutant Sources for Rubber Manufacturers.* (See also Part V.F.4.) Document in the SWMP the use of zinc at the facility and the possible pathways through which zinc may be discharged in stormwater runoff.

VIII.Y.4. Sector-Specific Benchmarks (See also Part VI. of the permit) Table VIII.Y-1 identifies benchmarks that apply to the specific subsectors of Sector Y. These benchmarks apply to both the primary industrial activity and any co-located industrial activities, which describe the site activities

Table VIII.Y-1.

Subsector (The permittee 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[1] (fresh water discharges)	Hardness Dependent
	Total Zinc (salt water discharges)	0.09 mg/L

[1] The benchmark values of some metals are dependent on water hardness for fresh water discharges. For these parameters, permittees must determine the hardness of the receiving fresh water body (see Appendix D, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part VI.B.1.a., 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

VIII.Z. Subpart Z – Sector Z – Leather Tanning and Finishing. The permittee must comply with Part VIII. sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as

defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

VIII.Z.1. Covered Storm Water Discharges. The requirements in Subpart Z apply to stormwater discharges associated with industrial activity from Leather Tanning and Finishing facilities as identified by the SIC Code specified under Sector Z in Table B-1 of Appendix B of the permit.

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

VIII.Z.2.a. *Good Housekeeping Measures.* (See also Part II.A.2.b.)

VIII.Z.2.a.1. *Storage Areas for Raw, Semiprocessed, or Finished Tannery By-products.* Minimize contamination of stormwater runoff from pallets and bales of raw, semiprocessed, or finished tannery by-products (e.g., splits, trimmings, shavings). Consider indoor storage or protection with polyethylene wrapping, tarpaulins, roofed storage, etc. Consider placing materials on an impermeable surface and enclosing or putting berms (or equivalent measures) around the area to prevent stormwater run-on and runoff.

VIII.Z.2.a.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 stormwater.

VIII.Z.2.a.3. *Buffing and Shaving Areas.* Minimize contamination of stormwater runoff with leather dust from buffing and shaving areas. Consider dust collection enclosures, preventive inspection and maintenance programs, or other appropriate preventive measures.

VIII.Z.2.a.4. *Receiving, Unloading, and Storage Areas.* Minimize contamination of stormwater runoff from receiving, unloading, and storage areas. If these areas are exposed, consider the following (or their equivalents): covering all hides and chemical supplies, diverting drainage to the process sewer, or grade berming or curbing the area to prevent stormwater runoff.

VIII.Z.2.a.5. *Outdoor Storage of Contaminated Equipment.* Minimize contact of stormwater with contaminated equipment. Consider the following (or their equivalents): covering equipment, diverting drainage to the process sewer, and cleaning thoroughly prior to storage.

VIII.Z.2.a.6. *Waste Management.* Minimize contamination of stormwater runoff from waste storage areas. Consider the following (or their equivalents): covering dumpsters, moving waste management activities indoors, covering waste piles with temporary covering material such as tarpaulins or polyethylene, and minimizing stormwater runoff by enclosing the area or building berms around the area.

VIII.Z.3. Additional SWMP Requirements.

VIII.Z.3.a. *Drainage Area Site Map.* (See also Part V.F.2.c.) Identify in the SWMP 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.

VIII.Z.3.b. *Potential Pollutant Sources.* (See also Part V.F.4.) Document in the SWMP 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.

VIII.AA. Subpart AA – Sector AA – Fabricated Metal Products. The permittee must comply with Part VIII. sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as

defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

VIII.AA.1. Covered Storm Water Discharges. The requirements in Subpart AA apply to stormwater discharges associated with industrial activity from Fabricated Metal Products facilities as identified by the SIC Codes specified under Sector AA in Table B-1 of Appendix B of the permit.

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

VIII.AA.2.a. *Good Housekeeping Measures.* (See also Part II.A.2.b.)

VIII.AA.2.a.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.

VIII.AA.2.a.2. *Paints and Painting Equipment.* Minimize exposure of paint and painting equipment to stormwater.

VIII.AA.2.b. *Spill Prevention and Response Procedures.* (See also Part II.A.2.d.) Ensure that the necessary equipment to implement a cleanup is available to personnel. The following areas should be addressed.

VIII.AA.2.b.1. *Metal Fabricating Areas.* Maintain clean, dry, orderly conditions in these areas. Consider using dry clean-up techniques.

VIII.AA.2.b.2. *Storage Areas for Raw Metal.* Keep these areas free of conditions that could cause, or impede appropriate and timely response to, spills or leakage of materials. Consider the following (or their equivalents): maintaining storage areas so that there is easy access in the event of a spill, and labeling stored materials to aid in identifying spill contents.

VIII.AA.2.b.3. *Metal Working Fluid Storage Areas.* Minimize the potential for stormwater contamination from storage areas for metal working fluids.

VIII.AA.2.b.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.

VIII.AA.2.b.5. *Lubricating Oil and Hydraulic Fluid Operations.* Minimize the potential for stormwater contamination from lubricating oil and hydraulic fluid operations. Consider using monitoring equipment or other devices to detect and control leaks and overflows. Consider installing perimeter controls such as dikes, curbs, grass filter strips, or equivalent measures.

VIII.AA.2.b.6. *Chemical Storage Areas.* Minimize stormwater contamination and accidental spillage in chemical storage areas. Include a program to inspect containers and identify proper disposal methods.

VIII.AA.2.c. *Spills and Leaks.* (See also Part V.F.4.e.) In the spill prevention and response procedures, required by Part II.A.2.d., the permittee must 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.

VIII.AA.3. Additional SWMP Requirements.

VIII.AA.3.a. *Drainage Area Site Map.* (See also Part V.F.2.c.) Document in the SWMP 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.

VIII.AA.3.b. *Potential Pollutant Sources.* (See also Part V.F.4.) Document in the SWMP 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.

VIII.AA.4. Additional Inspection Requirements.

VIII.AA.4.a. *Inspections.* (See also Part IV.) At a minimum, include the following areas in all inspections: raw metal storage areas, finished product storage areas, material and chemical storage areas, spent solvents and chemical storage areas, recycling areas, loading and unloading areas, equipment storage areas, paint areas, drainage from roof and vehicle fueling and maintenance areas. Potential pollutants include chromium, zinc, lubricating oil, solvents, aluminum, oil and grease, methyl ethyl ketone, steel, and related material .

VIII.AA.5. Sector-Specific Benchmarks (See also Part VI. of the permit). Table VIII.AA-1 identifies benchmarks that apply to the specific subsectors of Sector AA. These benchmarks apply to both the primary industrial activity and any co-located industrial activities, which describe the site activities

Table VIII.AA-1.

Subsector (The permittee 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[1] (fresh water discharges)	Hardness Dependent
	Total Zinc (salt water discharges)	0.09 mg/L
	Nitrate plus Nitrite Nitrogen	0.68 mg/L
Subsector AA2. Fabricated Metal Coating and Engraving (SIC 3479)	Total Zinc[1] (fresh water discharges)	Hardness Dependent
	Total Zinc (salt water discharges)	0.09 mg/L
	Nitrate plus Nitrite Nitrogen	0.68 mg/L

[1] The benchmark values of some metals are dependent on water hardness for fresh water discharges. For these parameters, permittees must determine the hardness of the receiving fresh water body (see Appendix D, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part VI.B.1.a., 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

VIII.AB. **Subpart AB– Transportation Equipment, Industrial or Commercial Machinery Facilities.** The permittee must comply with Part VIII. sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

VIII.AB.1. Covered Storm Water Discharges. The requirements in Subpart AB apply to stormwater 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 B-1 of Appendix B of the permit.

VIII.AB.2. Additional SWMP Requirements.

VIII.AB.2.a. *Drainage Area Site Map.* (See also Part V.F.2.c.) Identify in the SWMP where any of the following may be exposed to precipitation or surface runoff: vents and stacks from metal processing and similar operations.

VIII.AC. **Subpart AC – Sector AC – Electronic and Electrical Equipment and Components, Photographic and Optical Goods.** The permittee must comply with Part VIII. sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

VIII.AC.1. Covered Storm Water Discharges. The requirements in Subpart AC apply to stormwater 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 B-1 of Appendix B of the permit.

VIII.AC.2. Additional Requirements. No additional sector-specific requirements apply.

VIII.AD. **Subpart AD – Sector AD - Stormwater Discharges Designated by the Director as Requiring Permits.** The permittee must comply with Part VIII. sector-specific requirements associated with the primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of the facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

VIII.AD.1. Covered Storm Water Discharges. Sector AD is used to provide permit coverage for facilities designated by the Director as needing a stormwater permit, and any discharges of stormwater associated with industrial activity that do not meet the description of an industrial activity covered by Sectors A-AC.

VIII.AD.1.a. *Eligibility for Permit Coverage.* Because this sector is primarily intended for use by discharges designated by the Director as needing a stormwater permit (which is an atypical circumstance), and the facility may or may not normally be discharging stormwater associated with industrial activity, the applicant must obtain the Director's written permission to use this permit prior to submitting an NOI. If the applicant is authorized to use this permit, the applicant will still be required to ensure that the discharges meet the basic eligibility provisions of Part I. of this permit.

VIII.AD.2. Additional SWMP and Inspections Requirements. The Director will establish any additional SWMP and/or Inspections requirements for the facility at the time of accepting the Notice of Intent to be covered by this permit. Additional requirements would be based on the nature of activities at the facility and the storm water discharges.

VIII.AD.3. Sector Specific Benchmarks and Effluent Limits. The Director will establish any additional monitoring and reporting requirements for the facility prior to authorizing the applicant to be covered by this permit. Additional monitoring requirements would be based on the nature of activities at the facility and the stormwater discharges.

IX. NOTICE OF INTENT REQUIREMENTS

IX.A. *Contents of Notice of Intent*

IX.A.1. The owner's name, point of contact name (first name, last name), mailing address, e-mail address, telephone number, ~~ownership status, and status as a Federal, State, private, public, or other entity~~;

IX.A.2. The operator's name, point of contact name (first name, last name), address, e-mail address, telephone number; ~~ownership status and status as a Federal, State, private, public or other entity~~;

IX.A.3. Facility's information including: name and location of the facility, the latitude and longitude of the approximate center of the facility to the nearest 15 seconds, for which the NOI is being submitted;

IX.A.4. A brief description of the site including: the total acreage of the site, total acreage of impervious surface, the runoff coefficient, and a description of existing storm water management controls;

IX.A.5. Existing quantitative data describing the concentration of pollutants in storm water discharges;

IX.A.6. For each outfall: outfall ID and description of location; latitude and longitude; Standard Industrial Code(s) associated with the outfall; name of the receiving water(s) and if the discharge is through a municipal separate storm sewer, the name of the operator of the storm sewer system; the name of the receiving water(s); water body ID#; receiving water body impairment; identify if receiving waters are subject to an EPA approved TMDL; and pollutants causing the impairment;

IXA.7. Four (4) digit SIC code that best represents the principal products or activities provided by the facility and any additional applicable SIC associated with regulated industrial activities and materials at the facility;

IX.A.8. An identification of the appropriate Sector(s);

IX.A.9. Existing storm water controls;

IX.A.10. A list of any pollutants limited in effluent guidelines to which a facility is subject under 40 CFR Subchapter N, any pollutants listed on a RIPDES permit to discharge process waste water, and any information required under Title 250 RICR-150-10-1 Rule 11.02(a)(14)(iii)-(v) or 40 CFR 122.21(g)(iii)-(v);

IX.A.11. The Storm Water Management Plan (SWMP) must be made available either by providing a Universal Resource Locator or URL for webpage where a copy of the current SWMP is available or submitting an electronic copy of the SWMP.

IX.A.12. Additional information may be required by this division to be included as part of the NOI, if the Director determines that such information is reasonably necessary to determine whether or not to authorize the discharge under this permit.

IX.A.13. A completed and signed NOI must be submitted electronically using NeT,

IX.B. *Deficient NOI.* If any portion of the NOI does not meet one or more of the minimum requirements of this part, then the applicant will be notified by a deficiency letter at any point within the review period. It is the responsibility of the applicant to make all required changes and resubmit the NOI. The review period will recommence upon the received submittal date of the revised NOI.

X. GENERAL REQUIREMENTS

X.A. Duty to Comply. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of Chapter 46-12 of the Rhode Island General Laws and the CWA and is grounds for enforcement action which may include permit termination, revocation and reissuance, modification, or for the denial of a permit renewal application and the imposition of penalties.

X.A.1. The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the CWA for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate this requirement.

X.A.2. Section 309 of the CWA provides significant penalties for any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318 or 405 of the CWA or any permit condition or limitation implementing any such sections in a permit issued under Section 402 of the CWA. Any person who violates any condition of this permit is subject to a civil penalty of up to $25,000 per day of such violation, as well as any other appropriate sanctions provided by Section 309 of the CWA. Section 309(c)(4) of the CWA provides that any person who knowingly makes any false material statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including reports of compliance or noncompliance shall, upon conviction, be punished by a fine of up to $10,000 or by imprisonment of not more than two (2) years, or by both.

X.A.3. Chapter 46-12 of the Rhode Island General Laws provides that any person who violates a permit condition is subject to a civil penalty of not more than $25,000 per day of such violation. Any person who willfully or negligently violates a permit condition is subject to a criminal penalty of not more than $25,000 per day of such violation and imprisonment for not more than five (5) years, or both. Any person who knowingly makes any false statement in connection with the permit is subject to a criminal penalty of not more than $5,000 for each instance of violation or by imprisonment for not more than thirty (30) days, or both.

X.B. Continuation of the Expired General Permit. Provided the permittee has re-applied in accordance with paragraph C below, an expired general permit continues in force and effect until a new general permit is issued. Only those facilities previously authorized to discharge under the expired permit are covered by the continued permit.

X.C. Duty to Reapply. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain authorization as required by the new permit once the Department issues it.

D. Need to Halt or Reduce Activity Not a Defense. It shall not be a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

E. Duty to Mitigate. The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

F. Duty to Provide Information. The permittee shall furnish to the Department, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking, and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall furnish to the Director any copies that are required to be kept as part of this permit.

A. Signatory Requirements. All Notices of Intent, Storm Water Management Plans, reports, certifications or information either submitted to the Director, or that this permit requires to be maintained by the permittee, shall be signed and certified in accordance with Title 250 RICR-150-10-1 Rule 12. Rhode Island General Laws, Chapter 46-12 provides that any person who knowingly makes an false statements, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of up to $5,000 per violation, or by imprisonment for not more than thirty (30) days per violation, or by both.

B. Oil and Hazardous Substance Liability. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the CWA.

C. Release in Excess of Reportable Quantities. If a release in excess of reportable quantities occurs, the permittee must notify the Office of Water Resources immediately. This permit does not relieve the permittee of the reporting requirements of 40 CFR 117 and 40 CFR 302. The discharge of hazardous substances in the storm water discharge(s) from a facility shall be minimized in accordance with the applicable storm water management plan for the facility, and in no case, during any 24-hour period, shall the discharge(s) contain a hazardous substance equal to or in excess of reportable quantities.

D. Property Rights. The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State, or local laws or regulations.

E. Severability. The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby.

F. Transfers. This permit is not transferable to any person except after notice to the Director. The Director may require the operator to apply for and obtain an individual RIDES permit as stated in Part X.T. of this permit.

G. State Laws. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law.

H. Proper Operations and Maintenance. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit and with the requirements of storm water management plans. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the operations of backup or auxiliary facilities or similar systems, installed by a permittee only when necessary to achieve compliance with the conditions of the permit.

I. Monitoring and Records

1. Samples and measurements taken for the purpose of monitoring shall be representative of the volume and nature of the discharge over the sampling and reporting period.

2. The permittee shall retain records of all monitoring including all calibration and maintenance records and all original strip chart recordings from continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least five (5) years from the date of the sample, measurement, report or application. This period may be extended by request of the Director at any time.

3. Records of monitoring information shall include:

   a. The date, exact place, and time of sampling or measurements;

b. The individual(s) who performed the sampling or measurements;
c. The date(s) analyses were performed;
d. The individual(s) who performed the analyses;
e. The analytical techniques or methods used; and
f. The results of such analyses.

4. Monitoring must be conducted according to test procedures approved under 40 CFR 136 and applicable Rhode Island regulations, unless other test procedures have been specified in this permit.

5. The CWA provides that any person who falsifies, tampers with, or knowingly renders inaccurate, any monitoring device or method required to be maintained under this permit shall upon conviction, be punished by a fine of up to $10,000 per violation or by imprisonment for not more than six months per violation, or by both. Chapter 46-12 of the Rhode Island General Laws also provides that such acts are subject to a fine of up to $5,000 per violation, or by imprisonment for not more than thirty (30) days per violation, or by both.

6. Monitoring results must be reported electronically using NetDMR.

7. If the permittee monitors any pollutants more frequently than required by this permit, using test procedures approved under 40 CFR 136, applicable State regulations, or as specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.

J. Bypass of Storm Water Control Facilities

1. *Anticipated Bypass.* If the permittee knows in advance of the need for a bypass, he or she shall notify this Department in writing at least ten days prior to the date of the bypass. Such notice shall include the anticipated quantity and the anticipated effect of the bypass.

2. *Unanticipated Bypass.* The permittee shall submit notice of an unanticipated bypass. Any information regarding the unanticipated bypass shall be provided orally within twenty-four hours from the time the permittee became aware of the circumstances. A written submission shall also be provided within five (5) days of the time the permittee became aware of the bypass. The written submission shall contain a description of the bypass and its cause; the period of the bypass, including exact dates and times, and if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate and prevent reoccurrence of the bypass.

3. *Prohibition of Bypass.*

a. Bypass is prohibited and enforcement action against the permittee may be taken for the bypass unless:

i. The bypass was unavoidable to prevent loss of life, personal injury or severe property damage;

ii. There was no feasible alternative to the bypass, such as the use of auxiliary treatment facilities, retention of untreated waste, or maintenance during normal periods of equipment downtime. This condition is not satisfied if the permittee should, in the exercise of reasonable engineering judgement, have installed adequate backup equipment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and

iii. The permittee submitted notices as required in paragraphs X.P.1. and X.P.2. above.

b. The Director may approve an anticipated bypass after considering its adverse effects, if the Director determines that it will meet the three conditions of paragraph X.P.3.a., above.

K. Upset Conditions

1. An upset constitutes an affirmative defense to an action brought for noncompliance with technology based permit limitations if the requirements of Part X.Q.2. below are met. No determination made during administrative review of claims that non-compliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

2. A permittee who wishes to establish an affirmative defense of an upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence, that:

   a. An upset occurred and the permittee can identify the specific causes(s) of the upset;

   b. The permittee facility was at the time being properly operated;

   c. The permittee submitted notice of the upset as required in Title 250 RICR-150-10-1 Rule 14.08; and

   d. The permittee complied with any remedial measures required under Title 250 RICR-150-10-1 Rule 14.05.

3. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

L. Inspection and Entry. The permittee shall allow the Director or an authorized representative of DEM, upon presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;

2. Have access to and copy at reasonable times; any records that must be kept under the conditions of this permit;

3. Inspect at reasonable times any facilities, equipment, or operations regulated or required under this permit; and

4. Sample or monitor any substances or parameters at any location, at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the CWA or Rhode Island General Law.

M. Permit Actions. This permit may be modified, revoked and reissued, or terminated for cause, including but not limited to: violation of any terms or conditions of this permit; obtaining the permit by misrepresentation or failure to disclose all relevant facts; or a change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

N. Requiring an Individual Permit or an Alternative General Permit

1. The Director of the Department of Environmental Management (DEM) may require any owner or operator authorized to discharge storm water under this permit to apply for and obtain either an individual or an alternative RIPDES general permit. Any interested person may petition the Director to take action under this paragraph. The Director may determine at his or her own discretion that an individual or an alternative general permit is required.

2. Any owner or operator authorized to discharge storm water by this permit may request to be excluded from coverage of this permit by applying for an individual permit or participating in an applicable group permit. The owner or operator shall submit an individual application (Form 1 and Form 2F) with reasons supporting the request, or participate in a group application in accordance with the requirements of 40 CFR 122.26, to the Director. The request may be granted by issuance of an

individual permit or an alternative general permit, if the reasons cited by the owner or operator are adequate to support the request. The Director shall notify the permittee within a timely fashion as to whether or not the request has been granted.

3. If a facility requests or is required to obtain coverage under an individual or an alternative general permit, then authorization to discharge storm water under this permit shall automatically be terminated on the date of issuance of the individual or the alternative general permit. Until such time as an alternative permit is issued, the existing general permit remains fully in force.

O. Reopener Clause. The Director reserves the right to make appropriate revisions to this permit in order to incorporate any appropriate effluent limitations, schedules of compliance, or other provisions which may be authorized under the CWA or State Law. In accordance with Title 250 RICR-150-10-1 Rules 15 and 23, if any effluent standard or prohibition, or water quality standard is promulgated under the CWA or under State Law which is more stringent than any limitation on the pollutants limited in this permit, or controls pollutants not limited in the permit; then the Director may promptly reopen the permit and modify or revoke and reissue the permit to conform to the applicable standard.

P. Availability of Reports. Except for data determined to be confidential under Part X.W. below, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the DEM at 235 Promenade Street, Providence Rhode Island. As required by the CWA, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in Section 309 of the CWA and under section 46-12-14 of the Rhode Island General Laws.

Q. Confidentiality of Information

1. Any information submitted to DEM pursuant to these regulations may be claimed as confidential by the submitter, consistent with Rhode Island General Law 38-2-2. Any such claim must be asserted at the time of the submission in the manner prescribed on the application form or instructions or, in the case of other submissions, by stamping the words "confidential business information" on each page containing such information. If no claim is made at the time of submission, DEM may make the information available to the public without further notice.

2. Claims of confidentiality for the following information will be denied:

   a. The name and address of any permit application or permittee;

   b. Permit applications, permits and any attachments thereto; and

   c. RIPDES effluent data.

R. Right to Appeal. Within thirty (30) days of receipt of notice of final authorization, the permittee or any interested person may submit a request to the Director for an adjudicatory hearing to appeal the decision to be covered under the general permit. The request for a hearing must conform to the requirements of Title 250 RICR-150-10-1 Rule 49.

Appendix A
Definitions, Abbreviations and Acronyms

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

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 State. 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
.

Co-located Industrial Activities – Any industrial activities, excluding your primary industrial activity(ies), located on-site that are defined by Title 250 RICR-150-10-1 Rule 31(b)(15)(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 stormwater regulations or identified by the SIC code list in Appendix B.

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 State.

Director – the Director of the Department of Environmental Management or any subordinate or subordinates to whom he delegated the powers and duties vested in him by these regulations.

Discharge – when used without qualification, means the "discharge of a pollutant."

Discharge of a pollutant – any addition of any “pollutant” or combination of pollutants to “waters of the State” from any “point source,”. This includes additions of pollutants into waters of the State from: surface runoff which is collected or channeled by man; discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works.

Discharge Point – for the purposes of this permit, the location where collected and concentrated stormwater flows are discharged from the facility such that the first receiving waterbody into which the discharge flows, either directly or through a separate storm sewer system, is a water of the State.

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

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 issued by EPA.

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

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

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.

Impaired Water (or "Water Quality Impaired Water") – a water is impaired for purposes of this permit if it has been identified by a State, Tribe or EPA pursuant to Section 303(d) of the Clean Water Act as not meeting applicable State or Tribal water quality standards. Impaired waters include both waters with approved or established TMDLs, and those for which a TMDL has not yet been approved or established.

Industrial Activity – the 10 categories of industrial activities included in the definition of "stormwater discharges associated with industrial activity" as defined in Title 250 RICR-150-10-1 Rule 31(b)(15)(i)-(ix) and (xi).

Industrial Stormwater – stormwater runoff from industrial activity.

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

(i) Owned or operated by a city or town or the State 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 State;

(ii) Designed or used for collecting or conveying storm water;

(iii) Which is not a combined sewer; and

(iv) Which is not part of a Publicly Owned Treatment Works (POTW) as defined in Title 250 RICR-150-10-1 Rule 3.

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 RIPDES permit for discharges at that site.

New Source – any building, structure, facility, or installation from which there is or may be a "discharge of pollutants," the construction of which commenced:
(i) after promulgation of standards of performance under section 306 of the CWA which are applicable to such source, or
(ii) 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.

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.

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

(i) The entity has operational control over industrial activities, including the ability to modify those activities; or

(ii) 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).

Outfall – see "Discharge Point".

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

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 stormwater runoff.

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.
.
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.

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 Title 250 RICR-150-10-1 Rule 31(b)(15)(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.]

Qualified Personnel – Qualified personnel are those who possess the knowledge and skills to assess conditions and activities that could impact stormwater 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).

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 stormwater discharges.

Source Control BMPs - means structures or operations that are intended to prevent pollutants from coming into contact with stormwater through physical separation of areas or careful management of activities that are sources of pollutants. This permit separates source control into two types: *structural source control BMPs (e.g., building of storm-resistant shelters, berms, secondary containment)* and *operational source control BMPs (e.g. increase or improve sweep technology)*.

Stormwater – stormwater runoff, snow melt runoff, and surface runoff and drainage.

Stormwater Discharges Associated with Construction Activity – a discharge of pollutants in stormwater 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 stormwater directly related to the construction process (e.g., concrete or asphalt batch plants) are located.

Stormwater Discharges Associated with Industrial Activity – means the discharge from any conveyance which is used for collecting and conveying storm water to separate storm sewers and/or directly to a water body and which 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 RIPDES program under 40 CFR 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 40 CFR part 401); 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 finished 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 the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, finished product, by-product or waste product. The term excludes areas located on plant lands separate from the plant's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with storm water drained from the above described areas. Industrial facilities (including industrial facilities that are Federally, State, or municipally owned or operated that meet the description of the facilities listed in Title 250 RICR-150-10-1 Rule 31(b)(15)(i) through (xi)) include those facilities designated under the provisions of Title 250 RICR-150-10-1 Rule 31(a)(1)(vi).

Tier 2 Waters – For antidegradation purposes, pursuant to 40 CFR 131.12(a)(2), Tier 2 waters are characterized as having water quality that exceeds the levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water.

Tier 2.5 Waters – For antidegradation purposes, Tier 2.5 waters are those waters designated by States or Tribes as neither Tier 2 nor Tier 3. These waters are given a level of protection equal to and above that given to Tier 2 waters, but less than that given Tier 3 waters.

Tier 3 Waters – for antidegradation purposes, pursuant to 40 CFR 131.12(a)(3), Tier 3 waters are identified by States or Tribes as having high quality waters constituting an Outstanding National

Resource Water (ONRW), which may include waters of National Parks and State Parks, wildlife refuges, and waters of exceptional recreational or ecological significance.

Total Maximum Daily Loads (TMDLs) – a TMDL is a calculation of the maximum amount of a pollutant that a water body 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.

Treatment BMPs - means BMPs that are intended to remove pollutants from stormwater (e.g., filtration BMPs, bioswales).

Water Quality Impaired – See 'Impaired Water'.

Water Quality Standards – the physical, chemical, biological and esthetic characteristics of a water body as described by State water quality criteria or the water quality which would result from existing discharges under design conditions, whichever is more stringent as determined by the Department.

A.2. ABBREVIATIONS AND ACRONYMS

BAT – Best Available Technology Economically Achievable
BOD5 – Biochemical Oxygen Demand (5-day test)
BMP – Best Management Practice
BPJ – Best Professional Judgment
BPT – Best Practicable Control Technology Currently Available
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
NEC – No Exposure Certification
NEPA – National Environmental Policy Act
NDC – No Discharge Certification
NHPA – National Historic Preservation Act
NMFS – U. S. National Marine Fisheries Service
NOI – Notice of Intent
NOT – Notice of Termination
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
RICR – Rhode Island Code of Regulations
RIDEM – Rhode Island Department of Environmental Management
RIPDES – Rhode Island Pollutant Discharge Elimination System
RQ – Reportable Quantity
SARA – Superfund Amendments and Reauthorization Act
SIC – Standard Industrial Classification
SMCRA – Surface Mining Control and Reclamation Act
SPCC – Spill Prevention, Control, and Countermeasures
SWMP – Stormwater Management Plan
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 B
Facilities and Activities Covered

The permit eligibility is limited to discharges from facilities in the "sectors" of industrial activity summarized in Table B-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 B-1. Sectors of Industrial Activity Covered by This Permit

Subsector (May be subject to more than one sector/subsector)	SIC Code or Activity Code[1]	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
	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
	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 B-1. Sectors of Industrial Activity Covered by This Permit		
Subsector (May be subject to more than one sector/subsector)	**Permit SIC Code or Activity Code**	**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
	1499	Miscellaneous Nonmetallic Minerals, Except Fuels
J3	1455, 1459	Clay, Ceramic, and Refractory Materials

	1474-1479	Chemical and Fertilizer Mineral Mining

Table B-1. Sectors of Industrial Activity Covered by This Permit		
Subsector (May be subject to more than one sector/subsector)	**Permit SIC Code or Activity Code**	**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
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	4412-4498	Water Transportation Facilities
	4499 *	Water Transportation Facilities Not Elsewhere Classified *except facilities engaged in marine wrecking ships for scrap, marine salvaging and ship dismantling.
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

Table B-1. Sectors of Industrial Activity Covered by This Permit		
Subsector (May be subject to more than one sector/subsector)	**Permit SIC Code or Activity Code**	**Activity Represented**
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
	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 Product
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

Table B-1. Sectors of Industrial Activity Covered by This Permit		
Subsector (May be subject to more than one sector/subsector)	**Permit SIC Code or Activity Code**	**Activity Represented**
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)
	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.

TABLE B-2 – EFFLUENT GUIDELINES APPLICABLE TO DISCHARGES THAT MAY BE ELIGIBLE FOR PERMIT COVERAGE

Effluent Guideline	New source performance standards included in effluent guidelines?	Sectors with Affected Facilities
Runoff from material storage piles at cement manufacturing facilities [40 CFR Part 411 Subpart C (established February 23, 1977)].	Yes	E
Contaminated runoff from phosphate fertilizer manufacturing facilities [40 CFR Part 418 Subpart A (established April 8, 1974)].	Yes	C
Coal pile runoff at steam electric generating facilities [40 CFR Part 423 (established November 19, 1982)].	Yes	O
Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas [40 CFR Part 429, Subpart I (established January 26, 1981)].	Yes	A
Mine dewatering discharges at crushed stone mines [40 CFR Part 436, Subpart B].	No	J
Mine dewatering discharges at construction sand and gravel mines [40 CFR Part 436, Subpart C].	No	J
Mine dewatering discharges at industrial sand mines [40 CFR Part 436, Subpart D].	No	J
Runoff from asphalt emulsion facilities [40 CFR Part 443, Subpart A (established July 24, 1975)].	Yes	D
Runoff from landfillls, [40 CFR Part 445, Subparts A and B (established February 2, 2000)].	Yes	K & L
Runoff containing urea from airfield pavement deicing at existing and new primary airports with 1,000 or more annual non-propeller aircraft departures [40 CFR Part 449]	Yes	S

TABLE B-3 – INDUSTRY SECTORS/SUB-SECTORS SUBJECT TO BENCHMARK MONITORING

MSGP Sector[2]	Industry Sub-Sector	Required Parameters for Benchmark Monitoring
A	General Sawmills and Planning Mills	COD, TSS, Zinc.
	Wood Preserving Facilities	Arsenic, Copper.
	Log Storage and Handling	TSS.
	Hardwood Dimension and Flooring Mills	COD, TSS.
B	Paperboard Mills	COD.
C	Industrial Inorganic Chemicals	Aluminum, Iron, Nitrate + Nitrite N.
	Plastics, Synthetic Resins, etc.	Zinc.
	Soaps, Detergents, Cosmetics, Perfumes	Nitrate + Nitrite N, Zinc.
	Agricultural Chemicals	Nitrate + Nitrite N, Lead, Iron, Zinc, Phosphorus.
D	Asphalt Paving and Roofing Materials	TSS.
E	Clay Products	Aluminum.
	Concrete Products	TSS, Iron.
F	Steel Works, Blast Furnaces, and Rolling and Finishing Mills.	Aluminum, Zinc.
	Iron and Steel Foundries	Aluminum, TSS, Copper, Iron, Zinc.
	Non-Ferrous Rolling and Drawing	Copper, Zinc.
	Non-Ferrous Foundries (Castings)	Copper, Zinc.
G[3]	Copper Ore Mining and Dressing	COD, TSS, Nitrate + Nitrite N
H	Coal Mines and coal-Mining Related Facilities….	TSS, Aluminum, Iron
J	Dimension Stone, Crushed Stone, and Nonmetallic Minerals (except fuels)	TSS.
	Sand and Gravel Mining	Nitrate + Nitrite N, TSS.
K	Hazardous Waste Treatment Storage or Disposal	Ammonia, Magnesium, COD, Arsenic, Cadmium, Cyanide, Lead, Mercury, Selenium, Silver.
L	Landfills, Land Application Sites, and Open Dumps	Iron, TSS.
M	Automobile Salvage Yards	TSS, Aluminum, Iron, Lead.
N	Scrap Recycling and Waste Recycling Facilities	Copper, Aluminum, Iron, Lead, Zinc, TSS, COD.
	Facilities where shredding activities and/or shredding materials are exposed to stormwater	PCBs (Arochlors 1016, 1221, 1232, 1242, 1248, 1252, 1260), Oil and Grease
O	Steam Electric Generating Facilities	Iron.
Q	Water Transportation Facilities	Aluminum, Iron, Lead, Zinc.
R	Boat building and Repair Facilities	Aluminum, Iron, Lead, Zinc.
S	Airports with Deicing Activities[4]	BOD, COD, Ammonia, pH.
U	Grain Mill Products	TSS.
	Fats and Oils	BOD, COD, Nitrate + Nitrite N, TSS.
Y	Rubber Products	Zinc.
AA	Fabricated Metal Products Except Coating	Iron, Aluminum, Zinc, Nitrate + Nitrite N.
	Fabricated Metal Coating and Engraving	Zinc, Nitrate + Nitrite N.

[2] Table does not include parameters for compliance monitoring under effluent limitations guidelines.

[3] See Sector G (Part VI.G) for additional monitoring discharges from waste rock and overburden piles from active ore mining or dressing facilities.

[4] Monitoring requirement is for airports with deicing activities that utilize more than 100 tons of urea or more than 10,000 gallons of ethylene glycol per year.

TABLE B-4 – NUMERIC LIMITATIONS FOR COAL PILE RUNOFF

Parameter	Limit	Monitoring Frequency	Sample Type
Total Suspended Solids (TSS)	50 mg/L, max	1/year	Grab.
pH	6.0-9.0 min. and max	1/year	Grab.

Appendix C
Notice of Intent (NOI) Form, No Exposure Certification (NEC) Form, No Discharge Certification (NDC) Form

RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
235 Promenade Street, Providence, RI 02908-5767 TDD 401-222-4462

Dear Applicant:

Section 46-12-15(b) of the Rhode Island General laws of 1956, Title 46, Chapter 12 entitled Water Pollution, as amended, prohibits the discharge of pollutants into waters of the State. The only exceptions are discharges in compliance with the terms and conditions of a Rhode Island Pollutant Discharge Elimination System (RIPDES) Permit issued in accordance with State Regulations.

Title 250 RICR-150-10-1 Rule 31, as amended on February 5, 2003, requires all discharges of Storm Water Associated with Industrial Activity to obtain a RIDPES permit. To be covered by the Multi-Sector General Permit for Storm Water Discharge Associated with Industrial Activity issued in 2018, applicants must complete and submit a Notice of Intent (NOI) to the Director by hard copy, unless an electronic reporting tool becomes available .. Provided all required information is submitted and it is determined that a general permit is appropriate for the site, a letter of authorization to discharge will be sent from the Office Water Resources (OWR).

A non-refundable application fee of $400 is due at the time the NOI is submitted to this office in the form of a check or money order, payable to the General Treasurer of the State of Rhode Island. Note: this fee is required only if both a NOI **and** a SWMP are required to be submitted. The review for completeness of the application will not be made until the fee is paid. The check or money order and the attached Application(s) Fee Form must be submitted to:

Any questions about the General Permit or the NOI Form should be directed to the RIPDES Program Staff, Permitting Section at (401) 222-4700 ext. 7605 or 7726.

Sincerely,

Joseph Haberek, P.E.
Supervising Sanitary Engineer

ELIMINATION SYSTEM (RIPDES)

NOTICE OF INTENT (NOI)

FOR MULTI-SECTOR GENERAL PERMIT

(revised 11/18)

MARK ONLY ONE ITEM:

☐ Existing RIPDES Authorization No. RIR_____ ☐ New Permittee (after April 2011)

I. OWNER			
Formal Name:			
Mailing Address:			
City:	State:	Zip:	
E-mail Address:			
Name of Contact Person:	Title:		
Phone: ( )	Contact Person E-mail Address:		

II. OPERATOR (If Different from Owner)			
Formal Name:			
Mailing Address:			
City:	State:	Zip:	Phone: ( )
E-mail Address:			
Name of Contact Person:	Title:		
Phone: ( )	Contact Person E-mail Address:		

III. FACILITY INFORMATION			
Facility Name:			
Street Address of Physical Facility:			
City:	State:	Zip:	E-mail Address
Latitude of Facility (in decimals)		Longitude of Facility (in decimals)	
Total Area of Site _____ Acres	Total Area of Impervious Surface _____ Acres	Runoff Coefficient: _____	

Facility Type of Ownership:

○ Private ○ Corporation ○ Non-Government ○ Municipality

○ Municipal or Water District ○ School District ○ State ○ Federal

○ Mixed - Public/Private

Existing Quantitative Data: ○ YES ○ NO	Number of Outfalls: _____

IV. INDUSTRIAL ACTIVITY INFORMATION

Provide the 4-digit Standard Industrial Classification (SIC) codes or the 2-letter Activity Codes that best represent the principal products produced or services rendered by your facility and major co-located activities:

Primary __ __ __ __ Secondary (if applicable) __ __ __ __

Applicable sector(s) of industrial activity, as designated in Part I.B.1 of the MSGP (check all that apply):

☐ Sector A ☐ Sector B ☐ Sector C ☐ Sector D ☐ Sector E	☐ Sector F ☐ Sector G ☐ Sector H ☐ Sector I ☐ Sector J	☐ Sector K ☐ Sector L ☐ Sector M ☐ Sector N ☐ Sector O	☐ Sector P ☐ Sector Q ☐ Sector R ☐ Sector S ☐ Sector T	☐ Sector U ☐ Sector V ☐ Sector W ☐ Sector X ☐ Sector Y	☐ Sector Z ☐ Sector AA ☐ Sector AB ☐ Sector AC ☐ Sector AD

FEDERAL EFFLUENT LIMITATION GUIDELINES

Identify the effluent Limitation Guidelines that apply to your discharge, **please refer to Table 2 of the NOI**

Affected MSGP Sector (See Table 2)	**Eligible Discharges (See Table 2)**	**Does your facility have any discharges subject to ELG?**
		○ YES ○ NO
		○ YES ○ NO

V. DISCHARGE INFORMATION List all Stormwater Outfalls from your facility:

Outfall ID: 001 Outfall Description:	List All Sectors/Sub-Sectors Applicable to the Outfall:
Latitude (in decimals) _____	Longitude (in decimals) _____
Are outfall discharges subject to ELG?	○ YES ○ NO
Does stormwater discharge to a Separate Storm Sewer System (MS4)? ○ YES ○ NO	MS4 owner/operator: _____

RECEIVING WATER INFORMATION ASSOCIATED WITH OUTFALL:

Is Receiving Waterbody Fresh or Salt Water?

○ FRESH ○ SALT

Is the Receiving Water an Unnamed Stream or Wetland not hydrologically connected to a Named Waterbody?

○ YES ○ NO

If YES: Use "Unnamed Stream or Wetland "as the Name of the Receiving Water. Information for Water Body ID and Impairments is not applicable to the outfall. If NO: Provide Waterbody Name and Waterbody ID Number of the Named Waterbody that directly (through outfall or MS4) receives stormwater from the facility or it is the nearest hydrologically connected to the "Unnamed Stream or Wetland

Waterbody Name:_____ Waterbody ID Number:_____

Is the Receiving Water an Impaired Water Body?

○ YES ○ NO

If the receiving Waterbody is Impaired (on the CWA 303(d) list), list the cause(s) of impairments:

_____

Outfall ID: 002 Outfall Description:	List All Sectors/Sub-Sectors Applicable to the Outfall:
Latitude (in decimals) _____	Longitude (in decimals) _____
Are outfall discharges subject to ELG?	○ YES ○ NO
Does stormwater discharge to a Separate Storm Sewer System (MS4)? ○ YES ○ NO	MS4 owner/operator: _____

RECEIVING WATER INFORMATION ASSOCIATED WITH OUTFALL:

Is Receiving Waterbody Fresh or Salt Water?

○ FRESH ○ SALT

Is the Receiving Water an Unnamed Stream or Wetland not hydrologically connected to a Named Waterbody?

○ YES ○ NO

If YES: Use "Unnamed Stream or Wetland "as the Name of the Receiving Water. Information for Water Body ID and Impairments is not applicable to the outfall. If NO: Provide Waterbody Name and Waterbody ID Number of the Named Waterbody that directly (through outfall or MS4) receives stormwater from the facility or it is the nearest hydrologically connected to the "Unnamed Stream or Wetland

Waterbody Name:_____ Waterbody ID Number:_____

Is the Receiving Water an Impaired Water Body?

○ YES ○ NO

If the receiving Waterbody is Impaired (on the CWA 303(d) list), list the cause(s) of impairments:

_____

VI. REGULATORY INFORMATION

☐ RCRA Permit # _____ ☐ RIPDES Permit # _____

☐ Subject to Categorical Effluent Guidelines (Table 2) ☐ Presence of Pollutants listed in Tables 5-8

☐ Subject to Monitoring of Benchmarks (Table 3)

VII. OWNER/OPERATOR CERTIFICATION

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, I certify that 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. I am aware that it is the responsibility of the owner/operator to implement and amend the SWMP as appropriate in accordance with the requirements of the General Permit.

I further certify that a copy of this Notice of Intent (NOI) was submitted and received by the appropriate MS4 Operator* on the date of _____ 20_ _.

OWNER:
Print Name _____

Print Title _____

Signature _____ Date _____

OPERATOR:
Print Name _____

Print Title _____

Signature _____ Date _____

* Refer to RIDEM website for Contact List of stormwater coordinators for each Municipality and RIDOT: http://www.dem.ri.gov/programs/benviron/water/permits/ripdes/stwater/index.htm

VIII. SWMP DEVELOPMENT CERTIFICATION

URL where SWMP is available :_____.

I certify under penalty of law that a site specific SWMP was 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 implementing the SWMP, the SWMP is, to the best of my knowledge and belief, true, accurate, and complete at the time this certification is made and has been developed in accordance to the requirements of the Permit. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Print Name _____

Print Title _____

Signature _____ Date _____

TABLE 4- ORGANIC TOXIC POLLUTANTS

Volatiles

acrolein
acrylonitrile
benzene
bromoform
carbon tetrachloride
chlorobenzene
chlorodibromomethane
chloroethane
2-chloroethylvinyl ether
chloroform
dichlorobromomethane
1,1-dichloroethane
1,2-dichloroethane
1,1-dichloroethylene
1,2-dichloropropane
1,3-dichloropropylene
ethylbenzene
methyl bromide
methyl chloride
methylene chloride
1,1,2,2-tetrachloroethane
tetrachloroethylene
toluene
1,2-trans-dichloroethylene
1,1,1-trichloroethane
1,1,2-trichloroethane
trichloroethylene
vinyl chloride

Acid Compounds

2-chlorophenol
2,4-dichlorophenol
2,4-dimethylphenol
4,6-dinitro-o-cresol
2,4-dinitrophenol
2-nitrophenol
4-nitrophenol
p-chloro-m-cresol
pentachlorophenol
phenol
2,4,6-trichlorophenol

Base/Neutral Compounds

acenaphthene *
acenaphthylene *
anthracene *
benzidine
benzo(a)anthracene *
benzo(a)pyrene *
3,4-benzofluoranthene *
benzo(ghi)perylene *
benzo(k)fluoranthene *
bis(2-chloroethoxy)methane
bis(2-chloroethyl)ether
bis(2-chloroisopropyl)ether
bis(2-ethylhexyl)phthalate
4-bromophenyl phenyl ether
butylbenzyl phthalate
2-chloronaphthalene
4-chlorophenyl phenyl ether
chrysene *
dibenzo (a,h)anthracene *
1,2-dichlorobenzene
1,3-dichlorobenzene
1,4-dichlorobenzene
3,3'-dichlorobenzidine
diethyl phthalate
dimethyl phthalate
di-n-butyl phthalate
2,4-dinitrotoluene
2,6-dinitrotoluene
di-n-octyl phthalate
1,2-diphenylhydrazine (as azobenzene)
fluoranthene *
fluorene *
hexachlorobenzene
hexachlorobutadiene
hexachlorocyclopentadiene
hexachloroethane
indeno(1,2,3-cd)pyrene *
isophorone
naphthalene *
nitrobenzene
N-nitrosodimethylamine
N-nitrosodi-n-propylamine
N-nitrosodiphenylamine
phenanthrene *
pyrene *
1,2,4-trichlorobenzene
* = Polynuclear Aromatic Hydrocarbons

Pesticides

aldrin
alpha-BHC
beta-BHC
gamma-BHC
delta-BHC
chlordane
4,4'-DDT
4,4'-DDE
4,4'-DDD
dieldrin
alpha-endosulfan
beta-endosulfan
endosulfan sulfate
endrin
endrin aldelyde
heptachlor
heptachlor epoxide
PCB-1242
PCB-1254
PCB-1221
PCB-1232
PCB-1248
PCB-1260
PCB-1016
toxaphene

TABLE 5 - TOXIC METALS, CYANIDE & PHENOL

Antimony, Total
Arsenic, Total
Beryllium, Total
Cadmium, Total
Chromium, Total
Chromium, Hexavalent
Copper, Total
Lead, Total
Mercury, Total
Nickel, Total
Selenium, Total
Silver, Total
Thallium, Total
Zinc, Total
Cyanide, Total
Phenols, Total

TABLE 6 - CONVENTIONAL & NON-CONVENTIONAL POLLUTANTS

Bromide
Chlorine, Total Residual
Color
Fecal Coliform
Fluoride
Nitrate-Nitrite
Nitrogen, Total Organic
Oil & Grease
Phosphorus, Total
Radioactivity
Sulfate
Sulfide
Sulfite
Surfactants
Aluminum, Total
Barium, Total
Boron, Total
Cobalt, Total
Iron, Total
Magnesium, Total
Molybdenum, Total
Manganese, Total
Tin, Total
Titanium, Total

TABLE 7 - HAZARDOUS SUBSTANCES & ASBESTOS

Toxic Pollutants

Asbestos
TCDD

Hazardous Substances

Acetaldehyde
Allyl alcohol
Allyl chloride
Amyl Acetate
Aniline
Benzonitrile
Benzyl Chloride
Butyl acetate
Butylamine
Captan
Carbaryl
Carbofuran
Carbon disulfide
Chlorpyrifos
Coumaphos
Cresol
Crotonaldehyde
Cyclohexane
2,4-D (2,4-Dichlorophenoxy acetic acid)
Diazinon
Dicamba
Dichlone
2,2-Dichloropropionic acid
Dichlorvos
Diethyl amine
Dimethyl amine
Dintrobenzene
Diquat
Disulfoton
Diuron
Epichlorohydrin
Ethion
Ethylene diamine
Ethylene dibromide
Formaldehyde
Furfural
Guthion
Isoprene
Isopropanolamine
Dodecylbenzenesulfonate
Kelthane
Kepone
Malathion
Mercaptodimethur
Methoxychlor
Methyl mercaptan
Methyl methacrylate
Methyl parathion
Mevinphos
Mexacarbate
Monoethyl amine
Monomethyl amine
Naled
Napthenic acid
Nitrotoluene
Parathion
Phenolsulfanate
Phosgene
Propargite
Propylene oxide
Pyrethrins
Quinoline
Resorcinol
Strontium
Strychnine
Styrene
2,4,5-T (2,4,5-Trichlorophenoxy acetic acid)
TDE (Tetrachlorodiphenylethane)
2,4,5-TP [2-(2,4,5-Trichlorophenoxy) propanoic acid]
Trichlorofan
Triethanolamine dodecylbenzenesulfonate
Triethylamine
Trimethylamine
Uranium
Vanadium
Vinyl acetate
Xylene
Xylenol
Zircon

STATE OF RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF WATER RESOURCES
RIPDES PROGRAM
NO EXPOSURE CERTIFICATION EXCLUSION
FROM RIPDES INDUSTRIAL STORM WATER PERMITTING

(revised 11/18)

A condition of no exposure exists at an industrial facility when all industrial materials and activities are protected by a storm resistant shelter to prevent exposure to rain, snow, snowfall, and/or runoff. Industrial materials or activities include, but are not limited to, material handling equipment or activities, industrial machinery, raw materials, intermediate products, by-products, final products, or waste products. Material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product or waste product. **A storm resistant shelter is not required for the following industrial materials and activities:**

– drums, barrels, tanks, and similar containers that are tightly sealed, provided those containers are not deteriorated and do not leak. "Sealed" means banded or otherwise secured and without operational taps or valves;

– adequately maintained vehicles used in material handling; and

– final products, other than products that would be mobilized in storm water discharges (e.g., rock salt).

A No Exposure Certification must be provided for each facility qualifying for the no exposure exclusion. In addition, the exclusion from RIPDES permitting is available on a facility-wide basis only, not for individual outfalls. If any industrial activities or materials are or will be exposed to precipitation, the facility is not eligible for the no exposure exclusion.

By signing and submitting this No Exposure Certification form, the entity in Section A is certifying that a condition of no exposure exists at its facility or site, and is obligated to comply with the terms and conditions of Rule 31(h) of the RIPDES Regulations.

ALL INFORMATION MUST BE PROVIDED ON THIS FORM.

A. Facility Operator Information

1. Legal Name: _____ 2. Phone: _____
2. Mailing Address:
a. Street: _____
b. City: _____ c. State: _____ d. Zip Code: _____
c. Operator Point of Contact First and Last Name and Title: _____
d. Operator Point of Contact Phone: _____ E-mail:_____

B. Facility/Site Location Information

1. Facility Name: _____
2. a. Street Address: _____
b. City: _____ c. County: _____
d. State: _____ e: Zip Code: _____
3. Is the facility located on Indian lands? YES NO
4. Is this a Federal facility? YES NO
5. a. Latitude: b. Longitude:
6. a. Was the facility or site previously covered under a RIPDES Storm water permit?
YES NO
b. If yes, enter RIPDES permit number: _____
7. SIC/Activity Codes: Primary: Secondary (if applicable):
8. Total size of site associated with industrial activity: _____acres
9. a. Have you paved or roofed over formerly exposed, pervious area in order to qualify for the no exposure exclusion? YES NO
b. If yes, please indicate approximately how much area was paved or roofed over. Completing this question does not disqualify you for the no exposure exclusion. However, RIPDES may use this information in considering whether storm water discharges from your site are likely to have an adverse impact on water quality, in which case you could be required to obtain permit coverage.

Less than one acre ☐ One to five acres ☐ More than five acres ☐

Completing questions (10) and (11) of this section does not disqualify you for the no exposure exclusion. However, RIPDES may use this information in considering whether storm water discharges from your site are likely to have an adverse impact on water quality, in which case you could be required to obtain permit coverage.

10. a. Do you make use of tarpaulins to protect materials or products stored outdoors from exposure to storm water? YES NO

b. If yes, please provide a description of the materials/products: _____

_____

c. Description of use of materials/products: _____

_____

d. How often do you access the materials/products?_____

e. Length of time for the use of tarpaulins:_____

f. Description of inspections and preventive maintenance of tarpaulins: _____

_____

g. Proximity of the materials/products to storm water drains and surface water bodies including wetlands:

_____

_____

11. a. Have any spills and/or chronic leaks of significant materials occurred at the facility in the three years prior to the submission of the No Exposure Certification? YES NO

b. If yes, please provide a list of spills and/or chronic leaks: (refer to Attachments if necessary)

_____

_____

_____

_____

_____

_____

_____

c. Please provide the cause of each spill and/or chronic leak:

_____

_____

_____

_____

_____

d. Description of actions taken to respond to each release:

_____

_____

_____

_____

_____

e. Description of the actions taken to prevent similar spills or leaks in the future:

_____

_____

_____

_____

_____

C. Exposure Checklist

Are any of the following materials or activities exposed to precipitation, now or in the foreseeable future? (Please check either "Yes" or "No" in the appropriate box.) **If you answer "Yes" to any of these questions (1) through (11), you are not eligible for the no exposure exclusion.**

1. Using, storing or cleaning industrial machinery or equipment, and areas where residuals from using, storing or cleaning industrial machinery or equipment remain and are exposed to stormwater	YES ☐	NO ☐
2. Materials or residuals on the ground or in storm water inlets from spills/leaks	YES ☐	NO ☐
3. Materials or products from past industrial activity	YES ☐	NO ☐
4. Material handling equipment (except adequately maintained vehicles)	YES ☐	NO ☐
5. Materials or products during loading/unloading or transporting activities	YES ☐	NO ☐
6. Materials or products stored outdoors (except final products intended for outside use [e.g., new cars] where exposure to storm water does not result in discharge of pollutants)	YES ☐	NO ☐
7. Materials contained in open, deteriorated or leaking storage drums, barrels, tanks, and similar containers	YES ☐	NO ☐
8. Materials or products handled/stored on roads or railways owned or maintained by the discharger	YES ☐	NO ☐
9. Waste material (except waste in covered, non-leaking containers [e.g., dumpsters])	YES ☐	NO ☐
10. Application or disposal of process wastewater (unless otherwise permitted)	YES ☐	NO ☐
11. Particulate matter or visible deposits of residuals from roof stacks and/or vents not otherwise regulated (i.e., under an air quality control permit) and evident in the storm water outflow	YES ☐	NO ☐

D. Certification Statement

I certify under penalty of law that I have read and understand the eligibility requirements for claiming a condition of "no exposure" and obtaining an exclusion from RIPDES storm water permitting. I certify under penalty of law that there are no discharges of storm water contaminated by exposure to industrial activities or materials from the industrial facility or site identified in the document (except as allowed under Rule 31(h)(2) of the RIPDES Regulations). I understand that I am obligated to submit a no exposure certification form once every five years to RIPDES and, if requested, to the operator of the local municipal separate storm sewer system (MS4) into which the facility discharges (where applicable). I understand that I must allow RIPDES, or MS4 operator where the discharge is into the local MS4, to perform inspections to confirm the condition of no exposure and to make such inspection reports publicly available upon request. I understand that I must obtain coverage under a RIPDES permit prior to any point source discharge of storm water from the facility.

Additionally, 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 gathered and evaluated 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 violators.

Print Name: _____

Print Title: _____

Signature: _____

Date: _____

RHODE ISLAND POLLUTANT DISCHARGE
ELIMINATION SYSTEM (RIPDES)
NO DISCHARGE CERTIFICATION

(revised 11/18)

I. OWNER			
Formal Name:			
Mailing Address:			
City:	State:	Zip:	
E-mail Address:			
Name of Contact Person:	Title:		
Phone: ( )	Contact Person E-mail Address:		
II. OPERATOR (If Different from Owner)			
Formal Name:			
Mailing Address:			
City:	State:	Zip:	Phone: ( )
E-mail Address:			
Name of Contact Person:	Title:		
Phone: ( )	Contact Person E-mail Address:		
III. FACILITY INFORMATION			
Facility Name:			
Street Address of Physical Facility:			
City:	State:	Zip:	E-mail Address
Latitude of Facility (in decimals)	Longitude of Facility (in decimals)		
Total Area of Site _____ Acres	Total Area of Impervious Surface _____ Acres	Runoff Coefficient: _____	

Check the condition which best describes your facility:
☐ facility is engineered and constructed to contain all storm water associated with industrial activities from discharging to waters of the State
☐ facility is located in basins or other physical locations that are not hydrologically connected to waters of the State
☐ have all stormwater associated with industrial activity discharged via Combined Sewer Overflow Systems

Has the facility been inspected to verify the condition of No Discharge? YES ☐ NO ☐

Appendix D
Calculating Hardness in Receiving Waters for Hardness Dependent Metals

Calculating Hardness in Receiving Waters for Hardness Dependent Metals Overview

The benchmarks are adjusted 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, 'hardness ranges' are included from which benchmark values are determined. To determine which hardness range to use, the permittee must collect data on the hardness of the facility's 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 D-1.

Table D-1. Hardness Ranges to Be Used to Determine Benchmark Values for Cadmium, Copper, Lead, Nickel, Silver, and Zinc.

All Units mg/L	Benchmark Values (mg/L, total)					
	Cadmium	Copper	Lead	Nickel	Silver	Zinc
0-25 mg/L	0.0005	0.0038	0.014	0.15	0.0007	0.04
25-50 mg/L	0.0008	0.0056	0.023	0.20	0.0007	0.05
50-75 mg/L	0.0013	0.0090	0.045	0.32	0.0017	0.08
75-100 mg/L	0.0018	0.0123	0.069	0.42	0.0030	0.11
100-125 mg/L	0.0023	0.0156	0.095	0.52	0.0046	0.13
125-150 mg/L	0.0029	0.0189	0.122	0.61	0.0065	0.16
150-175 mg/L	0.0034	0.0221	0.151	0.71	0.0087	0.18
175-200 mg/L	0.0039	0.0253	0.182	0.80	0.0112	0.20
200-225 mg/L	0.0045	0.0285	0.213	0.89	0.0138	0.23
225-250 mg/L	0.0050	0.0316	0.246	0.98	0.0168	0.25
250+ mg/L	0.0053	0.0332	0.262	1.02	0.0183	0.26

How to Determine Hardness for Hardness-Dependent Parameters. The permittee 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, the permittee is responsible for documenting the procedures used for determining hardness values. Once the hardness value is established, the permittee is required to include this information in the first benchmark report submitted to RIDEM so that the Department can make appropriate comparisons between the benchmark monitoring results and the corresponding benchmark. The permittee must retain all report and monitoring data in accordance with Part VII.E 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 the permittee elects to sample the receiving water(s) and submit samples for analysis, hardness must be determined from the closest intermittent or perennial stream downstream of the facility's 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

The permittee 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

The permittee can submit receiving stream hardness data collected by a third party provided the results are collected consistent with the approved 40 CFR Part 136 methods. These data may come from a local water utility, previously conducted stream reports, TMDLs, peer reviewed literature, other government publications, or data previously collected by the permittee. Data should be less than 10 years old.

Water quality data for many of the nation's surface waters are available on-line or by contacting EPA or a state environmental agency. EPA's data system STORET, short for STOrage and RETrieval, is a repository for receiving water quality, biological, and physical data and is used by state environmental agencies, EPA and other federal agencies, universities, private citizens, and many others. Similarly, state environmental agencies and the U.S. Geological Service (USGS) also have water quality data available that, in some instances, can be accessed online. "Legacy STORET" codes for hardness include: 259 hardness, carbonate; 260 hardness, noncarbonated; and 261 calcium + magnesium, while more recent, "Modern STORET" data codes include: 00900 hardness, 00901 carbonate hardness, and 00902 noncarbonate hardness; or the discrete measurements of calcium (00915) and magnesium (00925) can be used to calculate hardness.
Hardness data historically has been reported as "carbonate," "noncarbonate," or "Ca + Mg." If these are unavailable, then individual results for calcium (Ca) and magnesium (Mg) may be used to calculate hardness using the following equation:

$$\text{mg/L } CaCO_3 = 2.497 \text{ (Ca mg/L)} + 4.118 \text{ (Mg mg/L)}$$

When interpreting the data for carbonate and non-carbonate hardness, note that total hardness is equivalent to the sum of carbonate and noncarbonate hardness if both forms are reported. If only carbonate hardness is reported, it is more than likely that noncarbonate hardness is absent and the total hardness is equivalent to the available carbonate hardness.

FACT SHEET
RHODE ISLAND POLLUTANT DISCHARGE ELIMINATION SYSTEM
STORM WATER DISCHARGE ASSOCIATED WITH INDUSTRIAL ACTIVITY
MULTI-SECTOR GENERAL PERMIT
(Revised11/2018)

1. BACKGROUND

In 1987, amendments to the Clean Water Act (CWA) added Section 402(p), which set up the framework to regulate industrial storm water under the NPDES program. On November 16, 1990, EPA issued final regulations that established application requirements for storm water permits. These regulations required owners or operators of specific categories of industrial facilities, which discharge storm water directly to the waters of the United States or indirectly through a separate storm sewer system via a point source conveyance, to obtain a NPDES storm water permit. Eleven major categories of industrial activities were designated as requiring permit coverage. Owners and operators had three options to obtain permit coverage: 1) individual permit 2) general permit or 3) Group Application. In 1992 EPA notified Group Applicants that were accepted into the EPA Group Application. Also, in 1992 EPA issued a **baseline** general permit to cover industrial facilities, which did not get accepted into the group application option or submit an application for an individual permit.

On September 29, 1995, EPA issued the first NPDES Storm Water Multi-Sector General Permit (MSGP) to authorize the discharge of storm water from industrial facilities represented by the group application process. However, coverage under the 1995 MSGP was not restricted to participants of the group application process. Existing industrial facilities that were not part of the group application that were authorized to discharge under the baseline general permit or new facilities with storm water discharges associated with Industrial Activity were also allowed to seek permit coverage under the 1995 MSGP. Unlike the baseline general permits, the 1995 MSGP allowed four types of storm water that were subject to effluent limitation guidelines to seek permit coverage for their storm water discharges. The SWPPP requirements for the 1995 MSGP were based on generic requirements of the baseline general permit as well as information provided in the group permit applications, such as the specific types of operation which are present at the different types of industrial facilities, potential sources of the pollutants at the facilities, industry specific BMPs which are available, and monitoring data from the different types of facilities. The 1995 MSGP SWPPP requirements were divided into generic BMP requirements which applied to all facilities covered by the permit and additional monitoring of storm water discharges for certain categories of facilities. On September 30, 1998, EPA terminated the baseline general permit and required facilities that were previously covered by the baseline permit to seek coverage under the MSGP (or submit an individual permit application). EPA believed that the MSGP, with its industry specific requirements, would provide improved water quality benefits as compared to the baseline permit. Since October 30, 2000, EPA's MSGP has been re-issued in 2008 and 2015.

Rhode Island has been delegated by EPA and is authorized to issue individual or general permits under the Rhode Island Pollutant Discharge Elimination System (RIPDES) Program to cover discharges of industrial storm water. In 1993, RIDEM's Office of Water Resources (OWR) developed a statewide baseline general permit to cover all storm water discharges associated with industrial activity, excluding discharges from construction sites. A separate general permit was issued to cover storm water discharges associated with construction activity. The Department re-issued the industrial storm water baseline general permit in 1998 and 2003. In 2006 RIDEM issued its first Multi-Sector General Permit (MSGP) to cover storm water discharges associated with Industrial Activity, this permit was re-issued in August 2013 (previous MSGP). At this time the Department is proposing to re-issue RIDEM's MSGP, based on EPA's 2015 MSGP. The 2018 MSGP replaces the previous MSGP, which was issued on August 15, 2013, and expired on August 14, 2018.

2. SUMMARY OF CHANGES

The proposed RIPDES 2018 MSGP includes a number of new or modified requirements, and thus differs from the RIPDES 2013 MSGP in various ways. The proposed RIPDES 2018 MSGP was developed based on EPA's 2015 MSGP, RIPDES permits have to be consistent with and as stringent as EPA permits. For a detailed section-by-section discussion of the basis of permit conditions including references to all applicable statutory and regulatory provisions and appropriate supporting references you can visit EPA's website at: https://www.epa.gov/sites/production/files/2015-10/documents/msgp2015_fs.pdf to see the final EPA 2015 MSGP Fact Sheet, including detailed summaries of all provisions, and the changes made between EPA 2008 MSGP and the final EPA 2015 MSGP. The proposed RIPDES 2018 MSGP also includes minor language changes throughout the permit to clarify what is required from the permittee to comply with certain portions of the permit. The following list summarizes the more significant changes included in the 2018 MSGP:

2.1. Allowable Non-Stormwater Discharges

The authorized non-stormwater discharge language was changed to add the incidental discharge of water used for dust control and prohibit the use of hazardous cleaning products in addition to detergents. The 2013 MSGP authorized any building washwater to be discharged as long as there were no detergents or toxic/hazardous spill material present in the discharge. But cleaning agents other than detergents could also be utilized and could clearly have the potential to cause water quality issues if discharged. Therefore, in addition to detergents, hazardous cleaning products have been specifically prohibited from being discharged under EPA's 2015 MSGP.

2.2. No Exposure Certification

The addition of the No Exposure Certification provides operators with the opportunity to certify to a condition of "no exposure" if their industrial materials and operations are not exposed to stormwater. As long as the condition of "no exposure" exists at a certified facility, the operator is excluded from RIPDES industrial stormwater permit requirements provided that the operator notifies the permitting authority at least every five years.

2.3. No Discharge Certification

Facilities generating storm water associated with industrial activities that is not discharged to waters of the State are not required to obtain permit coverage. The 2018 MSGP includes a requirement for facilities with stormwater associated with industrial activities that do not discharge to waters of the State or discharge to Combined Sewer Overflow Systems to submit and certify a No Discharge Certification via NeT. Facilities which are not required to be permitted must either be: (1) engineered and constructed to contain all storm water associated with industrial activities from discharging to waters of the State, (2) located in basins or other physical locations that are not hydrologically connected to waters of the State, or (3) have all stormwater associated with industrial activity discharged via Combined Sewer Overflow Systems.

2.d. Information Required for Notices of Intent (NOIs)

The 2018 MSGP requires the submission of additional information per outfall. For each outfall permittees will need to provide: latitude and longitude; Standard Industrial Code(s) associated with the outfall; sector and sub-sector; name of the receiving water(s) and if the discharge is through a municipal separate storm sewer, the name of the operator of the storm sewer system; the name of the receiving water(s); water body ID#; receiving water body impairment; identify if receiving waters are subject to an EPA approved TMDL; and pollutants causing the impairment(s).

2.e Benchmarks Monitoring

The draft MSGP requires sampling of four (4) storm events per year, with certain limitations as to when a discharge may be sampled. Benchmarks monitoring frequency has been increased from 2 times per year to 2 times per six-month period (two monitoring events from January 1 to June 30 and two monitoring events from July 1 to December 31) for a total of 4 monitoring events per year. In addition, the Benchmark Monitoring Requirements for Total Suspended Solids (TSS) and Oil and Grease (O&G) were added to every Sector where these were not otherwise included in the 2013 MSGP. It should be noted that monitoring for these parameters is required for the sectors and sub-sectors that did not have any benchmark monitoring requirements in the 2013 MSGP, in addition to those sectors and subsectors that did have benchmark monitoring requirements in the 2013 MSGP. The selected minimum parameters are considered indicator parameters, regardless of facility type. These parameters typically provide indication and/or the correlation of whether other pollutants are present in the storm water discharge.

Total Suspended Solids (TSS) is an indicator of the un-dissolved solids that are present in storm water discharge. Sources of TSS include sediment from erosion, and dirt from impervious (i.e., paved) areas. Many pollutants adhere to sediment particles; therefore, reducing sediment will reduce the amount of these pollutants in storm water discharge.

Oil and Grease (O&G) is a measure of the amount of O&G present in storm water discharge. At very low concentrations, O&G can cause sheen on the surface of water. O&G can adversely affect aquatic life, create unsightly floating material, and make water undrinkable. Sources of O&G include, but are not limited to, maintenance shops, vehicles, machines and roadways. Almost all permittees with outdoor activities operate equipment and vehicles can potentially generate insoluble oils and greases.

2.f. Impaired Waters Monitoring

The draft MSGP requires sampling of four (4) storm events per year, with certain limitations as to when a discharge may be sampled. Impaired waters monitoring frequency has been increased from once per year to 2 times per six-month period (two monitoring events from January 1 to June 30 and two monitoring events from July 1 to December 31) for a total of 4 monitoring events per year. In addition, the impaired waters monitoring requirements include monitoring for the pollutants causing the impairment for waters with and without an EPA approved TMDL.

2.g. Corrective Actions

Although the 2013 MSGP required corrective actions, RIDEM has clarified in the draft MSGP which conditions for corrective actions require a Stormwater Management Plan (SWMP) review, included and sometimes modified the deadlines to clearly identify what actions must be taken by the deadlines, and rewritten and clarified the reporting requirements following corrective action. In addition, the 2013 MSGP includes a framework for corrective actions for repeated exceedances of benchmarks. Facilities that exceed benchmark values trigger incremental revisions to the facility's SWMP to include additional Best Management Practices (BMPs). As the risk level increases, due to re-occurring exceedances, additional elements are required in SWMPs and corresponding corrective actions.

Permittees are required to calculate the average annual concentration for each parameter using the results of all sampling for each outfall for the reporting year and compare the annual average concentration to the corresponding benchmark values of the draft MSGP. An annual Benchmark exceedance occurs when the annual average of all the sampling results at an outfall for a parameter taken within a reporting year exceeds the Benchmark value for that parameter listed in this General

Permit. For the purposes of calculating the annual average concentration for each parameter, this General Permit considers any sampling result that are a "non-detect" or less than the method detection limit as a zero (0) value.

Permittees that exceed any applicable benchmark value(s) for the first monitoring year must complete a Level 1 Corrective Action for each parameter exceeded, unless the permittee can determine that the exceedance of the benchmark is attributable solely to the presence of that pollutant in the natural background. A permittee making this determination is not required to perform corrective actions and may reduce the benchmark(s) monitoring frequency to once per year. Under the Level 1 Corrective Action requirements a permittee is required to evaluate and revise, as necessary, its operational BMPs (i.e. sweeping, inspections, minimizing particulate tracking, staff training) and operation and maintenance of the existing treatment BMPs.

Permittees that exceed any applicable benchmark value(s) for the second monitoring year must complete Level 2 Corrective Actions for each parameter exceeded. The permittee is required to evaluate and revise, as necessary, its structural source control BMPs (i.e., grading/berming areas to minimize runoff, locating materials indoors, secondary containment of materials, conduct cleaning activities undercover, indoors or in bermed areas).

Permittees that exceed any applicable benchmark value(s) for the monitoring year following the completion of construction and implementation of Level 2 Corrective Actions, must complete Level 3 Corrective Actions for each parameter exceeded. The permittee is required to evaluate; revise/modify existing source control BMPs and treatment BMPs, as necessary; and/or installed treatment BMPs as necessary. The permit also allows Level 3 Corrective Actions to be waived, if the permittee can demonstrate that the benchmark(s) exceedances are due to non-industrial stormwater contributions; or the permittee determines that modifications/alteration of existing treatment BMPs or installation of Treatment BMPs is not feasible or necessary to prevent future benchmark exceedance(s).

2.h. Inspections

Consistent with EPA's 2015 MSGP the draft MSGP consolidates the comprehensive site inspection and routine facility inspection procedures into one set of procedures to eliminate redundancies and reduce burden.

2.i. Water Quality Based Effluent Limitations

The draft MSGP requires sampling of four (4) storm events per year, with certain limitations as to when a discharge may be sampled. Since grab samples are only representative of the particular moment in time when the sample was taken the number of samples per year was increased to provide higher confidence on the results.

The Department recognizes that because storm water discharges are highly variable in frequency and duration and are not easily characterized, it is often not feasible or appropriate to establish numeric limits. The draft MSGP includes non-numeric technology based effluent limits using narrative BMP requirements to address

2.j. Industry Sector Specific Requirements

The following changes were made to Part VIII. of the 2013 MSGP, which describes requirements tailored to specific industry sectors:

Sector O, Steam Electric Generating Facilities - Industrial Activities Covered by Sector O, Part VIII.O.2., identifies the applicable industrial activities covered under Sector O. Consistent with EPA's 2015 MSGP,

the draft MSGP excludes geothermal power generation from needing authorization to discharge stormwater under the permit. In the initial rulemaking, the definition of "stormwater discharge associated with industrial activity" did not address nor consider geothermal power generation in 40 CFR 122.26(b)(14)(vii). However, since the promulgation of the definition, the geothermal power industry has emerged such that EPA has clarified that this industry was not within the scope of the original industrial definition.

Sectors G, H and J, Mining - Unlike EPA's 2015 MSGP, the draft MSGP requirements for Mining Sectors G, H, and J remain the same as the requirements in the 2013 MSGP.

Sector S, Air Transportation – Requirements have been added based on the final ELG for jet and airport deicing operations. Also, the 2015 MSGP clarifies airport operators' responsibilities and permit requirements that airport authorities may conduct on behalf of airport tenants.

2.k. Electronic Reporting

The previous permit used a paper reporting process, the draft MSGP requires permittees to electronically submit and certify the permit application and reports if available.

3. PERMIT COVERAGE

This permit covers storm water discharges associated with industrial activity, as defined in Title 250 RICR-150-10-1 Rule 31 (b)(15)(i-ix and xi), to waters of the State, including discharges through municipal separate storm sewer systems. This permit is intended to cover storm water discharges associated with industrial activity from the categories of facilities listed in Table 1 of the Appendix.

4. ELIGIBILITY

As with the previous permit, to be eligible for coverage under the draft MSGP, operators of industrial facilities must meet the eligibility provisions described in Part I. of the permit. If they do not meet all the eligibility requirements, operators must not submit a Notice of Intent (NOI) to be covered by the MSGP, and, unless they obtained coverage for those discharges under another permit, those discharges of stormwater associated with industrial activity needing permit coverage will be in violation of State Regulations. Part I.B. of the permit specifies which stormwater discharges are eligible for permit coverage, provides a list of non-stormwater discharges which are allowed under the permit and specifies storm water discharges which are not authorized by this permit.

5. AUTHORIZATION

5.1. How to Obtain Authorization

This provision specifies conditions that must be met in order to obtain authorization under the draft MSGP. As with the previous permit, to obtain authorization under the draft MSGP, the permittee must be an operator of an industrial facility in a sector covered by the permit; meet the Part I.B. eligibility requirements; select, design, install, and implement control measures in accordance with Parts II.A. and II.B. to meet numeric and non-numeric effluent limits; develop a SWMP according to the requirements of Parts V. and VIII. of the permit or update the existing SWMP consistent with Parts V. and VIII. prior to submitting the NOI for permit coverage; and submit a complete and accurate NOI. The operator must submit to the DEM a complete and accurate NOI by the following deadlines:

a. Facilities discharging storm water associated with industrial activity which were authorized under the previous general permit issued in August 15, 2013, that intend to obtain coverage under this general permit; shall submit an NOI within ninety (90) days of the effective date of this permit.

b. Facilities with discharges of storm water associated with industrial activity which commence after the effective date of this permit, the NOI must be submitted sixty (60) days prior to the commencement of such discharge.

c. Facilities with discharges of storm water associated with industrial activity which commenced after August 14, 2018 and before the effective date of this permit, the NOI must be submitted within sixty (60) days of the effective date of this permit, shall be automatically granted authorization to discharge upon departmental receipt of a complete NOI

d. Facilities with discharges of storm water associated with industrial activity which commenced before August 14, 2018 and were not authorized under the previous MSGP, the NOI must be submitted immediately.

5.2. How to submit your NOI

The requirements in Part I.C. clarify that operators must submit their NOIs electronically, per Part VII., unless a waiver from electronic reporting has been granted. Previous acceptance of paper NOIs has been changed to mandatory use of NeT, unless the Department provides a waiver. Reporting electronically is compatible with the e-Reporting rule.

5.3. Continuation of Coverage for Existing Permittees After the Permit Expires (Part I.C.4.)

This Part states that if the permit is not reissued or replaced prior to the expiration date, it will be administratively continued in accordance with Title 250 RICR-150-10-1 Rule 13 and remain in force and effect for discharges that were covered prior to its expiration. All permittees authorized to discharge prior to the expiration date of the issued MSGP will automatically remain covered under the issued MSGP until the earliest of:

1. Authorization under a new version of the MSGP following the timely submittal of a complete and accurate NOI. Note that if a timely NOI for coverage under the reissued or replacement permit is not submitted, coverage will terminate on the date that the NOI was due; or

2. The date of the submittal of a Notice of Termination; or

3. Issuance of an individual permit for the facility's discharges; or

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

5.4. Permit Termination

Termination of MSGP coverage indicates that permittees no longer have an obligation to manage industrial stormwater per the MSGP's provisions, based on at least one of the reasons described in Part I.D.2. To terminate MSGP coverage, permittees must submit a complete and accurate Notice of Termination, and their authorization to discharge terminates at midnight of the day that their complete NOT is processed. If DEM determines that the NOT is incomplete or that permittees have not satisfied one of the termination conditions in Part I.D.2., then the notice is not valid and permittees must continue to comply with the conditions of the permit.

Part I.D.3. specifies the method by which operators are to submit their NOTs to terminate permit

coverage. Previous acceptance of paper NOTs has been changed to mandatory use of NeT unless the DEM grants a waiver. Electronic submittal requirements are detailed in Part VII.

6. CONTROL MEASURES AND EFFLUENT LIMITS

The draft MSGP contains effluent limits that correspond to required levels of technology-based control (BPT, BCT, BAT) for various discharges under the CWA. Where an ELG or NSPS applies to discharges authorized by this permit, the requirement must be incorporated into the permit as an effluent limitation. These limits are included, as applicable, in the sector-specific requirements of Part VIII. For the draft MSGP, most of the technology-based effluent limits are based on best professional judgment (BPJ, sometimes also referred to as "best engineering judgment") decision-making because no ELG applies.

Stormwater discharges can be highly intermittent, are usually characterized by very high flows occurring over relatively short time intervals, and carry a variety of pollutants whose source, nature and extent varies. EPA includes non-numeric effluent limits in NPDES permits such as the MSGP, such as requirements mandating facilities to "minimize" various types of pollutant discharges, or to implement control measures unless "infeasible." The term "minimize" is defined as: "for the purposes of this permit minimize means to reduce and/or eliminate to the extent achievable using control measures that are technologically available and economically practicable and achievable in light of best industry practices." Similarly, "feasible" means "technologically possible and economically practicable and achievable in light of best industry practices. EPA has determined that the technology-based numeric and non-numeric effluent limits in the 2015 MSGP, taken as a whole, constitute BPT for all pollutants, BCT for conventional pollutants, and BAT for toxic and nonconventional pollutants that may be discharged in industrial stormwater.

6.1. Control Measure Selection and Design Considerations (Part II.A.1.)

In Part II.A.1. permittees are required to consider certain factors when selecting and designing control measures, including:

- Preventing stormwater from coming into contact with polluting materials is generally more effective and less costly than trying to remove pollutants from stormwater;
- Using combinations of control measures is more effective than using control measures in isolation for minimizing pollutants;
- Assessing the type and quantity of pollutants, including their potential to impact receiving water quality, is critical to determining which control measures will achieve the limits in the permit;
- Minimizing impervious areas at the facility and infiltrating runoff onsite (via bioretention cells, green roofs, pervious pavement, etc.) can reduce runoff, and improve ground water 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 riparian buffers will help protect streams from stormwater runoff and improve water quality; and
- Using treatment interceptors (e.g., swirl separators, oil-water separators, sand filters) may be appropriate in some instances to minimize the discharge of pollutants.

6.2 Non-Numeric Technology-Based Effluent Limits (BPT/BAT/BCT) (Part II.A.2.)

Consistent with EPA's 2015 MSGP, the draft MSGP requires permittees to comply with non-numeric technology-based effluent limits (TBELs), expressed narratively, by implementing stormwater control measures. The achievement of these non-numeric limits will result in the reduction or elimination of pollutants from stormwater discharges. Such limits were developed using EPA's best professional judgment (BPJ). The requirements in Part II. are the effluent limits applicable to all discharges associated with industrial activity for all sectors, while additional sector-specific effluent limits are found in Part VIII.

BMPs are defined as the "scheduling of activities, prohibitions of practices, maintenance procedures, and other management practices to reduce or prevent the discharge of pollutant including: treatment requirements, operating procedures, and practices to control site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage." Part II. of the draft MSGP requires all permittees to implement operational BMPs, as well as any source control BMPS and treatment BMPs that are necessary to adequately reduce or prevent pollutants in discharges consistent with the TBELs. The primary TBEL in the draft MSGP requires permittees to "implement BMPs that comply with the BAT/BCT requirements of this Permit to reduce or prevent discharges of pollutants in their storm water discharge in a manner that reflects best industry practice considering technological availability and economic practicability and achievability.". This TBEL is a restatement of the BAT/BCT standard, as articulated by U.S. EPA in the 2015 MSGP and accompanying Fact Sheet. The minimum BMPs specified in the draft MSGP represent common practices that can be implemented by most facilities. The draft MSGP generally does not mandate the specific mode of design, installation or implementation for the minimum BMPs at a facility. It is up to the permittee, in the first instance, to determine what must be done to meet the applicable effluent limits.

6.3. Numeric Effluent Limitations Based on Effluent Limitations Guidelines (Part II.A.3.)

This requirement provides the applicable federal effluent limitations guidelines that permittees are responsible for complying with, including the newly added Airport Deicing Effluent Limitation Guideline. The following table describes where these limits can be found in the permit.

Applicable Effluent Limitation Guide;lines		
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 VIII.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 VIII.C.4.
Runoff from asphalt emulsion facilities	Part 443, Subpart A	See Part VIII.D.4.
Runoff from material storage piles at cement manufacturing facilities	Part 411, Subpart C	See Part VIII.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 VIII.J.9.
Runoff from hazardous waste landfills	Part 445, Subpart A	See Part VIII.K.6.

Runoff from non-hazardous waste landfills	Part 445, Subpart B	See Part VIII.L.10.
Runoff from coal storage piles at steam electric generating facilities	Part 423	See Part VIII.O.8.
Runoff containing urea from airfield pavement deicing at existing and new primary airports with 1,000 or more annual non-propeller aircraft departures	Part 449	See Part VIII.S.8.

6.4. Water Quality Based Effluent Limitations (Part II.B.)

The draft MSGP includes water quality-based effluent limits (WQBELs) to ensure that MSGP authorized discharges will be controlled as necessary to meet applicable water quality standards. The WQBELs included in the draft MSGP continue to be non-numeric. RIDEM relies on a narrative limit to ensure discharges are controlled as necessary to meet applicable water quality standards, and to ensure that additional measures are employed where necessary to meet the narrative WQBELs, or to be consistent with the assumptions and requirements of an applicable TMDL. The following is a list of the WQBELs, required by the draft MSGP, if the facility discharges to a waterbody which is water quality limited due to bacteria/pathogens (Enterococcus or Fecal Coliform), Aluminum, Lead, Cadmium, Zinc, Copper, Iron, Turbidity, Total Suspended Solids, Chloride, Dissolved Oxygen, Total Nitrogen, Total Phosphorous, and/or Total Organic Carbon:

- Sweep impervious surfaces (i.e., roads, parking lots) at a minimum frequency of once per quarter. The permittee must increase the sweeping frequency and use more efficient sweeping technologies when necessary;

- Keep all exposed areas free of solid waste, garbage, and floatable debris. Solid waste, garbage and floatable debris must be stored and disposed of in such way that prevents exposure;

- Implement other pollution prevention and stormwater control BMPs as appropriate; and

In addition to the above control measures, if the facility discharges to a waterbody which is water quality limited due to bacteria/pathogens (Enterococcus or Fecal Coliform), the permittee must also implement the following additional source controls:

- Use all known, available and reasonable methods to prevent rodents, birds, and other animals from feeding/nesting/roosting at the facility;

- Install structural source control BMPs to address on-site activities and sources that could cause bacterial/pathogen contamination (e.g., dumspsters, compost piles, food waste and animal products).

- Inspect catch basins and other stormwater BMPs once per quarter and perform at least one annual dry weather inspection of the stormwater system to identify and eliminate sewer cross-connections.

7. CORRECTIVE ACTIONS

Consistent with EPA's 2015 MSGP, the draft MSGP differentiates conditions that trigger a corrective action based on whether the condition needs to be eliminated (e.g., if water quality standards are not met), or if a SWMP review is required to determine if a SWMP modification is needed. In addition to EPA's 2015 MSGP, the draft MSGP includes a framework for corrective actions for repeated exceedances of benchmarks. For a detailed description of the corrective actions framework

requirements based on repeated benchmark(s) exceedances see Part 2.g. of this fact sheet and Part III.A. of the draft MSGP.

8. INSPECTIONS

Consistent with the requirements of EPA's 2015 MSGP, the draft MSGP has consolidated the requirements for annual comprehensive inspections and quarterly routine facility inspections. Like EPA's 2015 MSGP, the draft MSGP requires the permittee to complete two types of inspections: routine facility inspections in accordance to Part IV.A. and Quarterly Visual Assessment of Stormwater Discharges in accordance to Part IV.B.

9. STORM WATER MANAGEMENT PLAN

Part V. of the MSGP requires the development and implementation of a Storm Water Management Plan (SWMP). The goal of the SWMP is to help identify the sources of pollutants in industrial storm water discharge and to document the specific control measures that will be used to meet the limits contained in Part II. and Part VIII., as well as to document compliance with other permit requirements (e.g., monitoring, inspections, recordkeeping, reporting). This plan emphasizes the use of Best Management Practices (BMPs) to provide the necessary flexibility to address different sources of pollutants at different facilities.

To be covered under the MSGP, a SWMP must be completed prior to submitting an NOI for permit coverage (ongoing permittees must update their existing SWMP). Doing so helps to ensure that permittees have (1) taken steps to identify all sources of pollutant discharges in stormwater; and (2) implemented appropriate measures to control these discharges in advance of authorization to discharge under the new permit. Per Part V.G., this documentation must be kept up-to-date (e.g., with inspection findings, after stormwater controls are modified). Failure to develop and maintain a current SWMP is a recordkeeping violation of the permit, and is separate and distinct from a violation of any of the other substantive requirements in the permit, such as effluent limits, corrective actions, inspections, monitoring, reporting, and sector-specific requirements.

Parts V.E. and V.F. of the permit contains most of the required elements to be documented in the SWMP; however, sector-specific SWMP documentation requirements are also included in Part VIII. of the permit. Those permit elements that all permittees must document include: 1) the establishment of a stormwater pollution prevention team; 2) a description of the site; 3) a summary of potential pollutant sources; 4) a description of control measures; 5) schedules and procedures including monitoring and inspection schedules and procedures; 6) Compliance assurance with the terms and conditions of the MSGP; and 7) signature requirements.

9,1. Contents of the SWMP

Consistent with the requirements of EPA's 2015 MSGP, the draft MSGP requires the following information to be included in the SWMP:

a. Pollution Prevention Team (Part V.F.1.) A qualified individual or team responsible for developing and revising the facility's SWMP must be identified. These persons are responsible for implementing and maintaining the control measures to meet effluent limits and taking corrective action where necessary. Personnel should be chosen for their expertise in the relevant departments at the facility to ensure that all aspects of facility operations are considered in developing the plan. The SWMP must clearly describe the responsibilities of each team member to ensure that each aspect of the plan is covered.

b. Site Description (Part V.F.2.) The SWMP must describe the industrial activities, materials employed, and physical features of the facility that may contribute significant amounts of pollutants in stormwater

runoff. The SWMP must also contain both a general location map of the site that shows where the facility is in relationship to receiving waters and other geographical features, plus a more detailed site map that contains information on facility/site characteristics that affect stormwater runoff quality and quantity. See the permit for a complete list of items required for the site map.

c. Summary of Potential Pollutant Sources (Part V.F.4.) The draft MSGP requires permittees to identify the potential sources of pollutants from industrial activities that could result in contaminated stormwater discharges, unauthorized non- stormwater discharges, and potential sources of allowable non-stormwater discharges. "Stormwater discharges associated with industrial activities" is defined to include, but not be limited to: stormwater discharges from industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or byproducts used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process waste waters; 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 stormwater. The term "material handling activities" is defined in the permit to include storage, loading and unloading, transportation or conveyance of any raw material, intermediate product, final product, by-product or waste product. "Stormwater discharges associated with industrial activities" does not include areas located at a facility separate from the facility's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with stormwater drained from the above described areas. Part V.F.4. is only applicable to those portions of a facility covered under the permit, but the areas of the facility not covered under the MSGP should be identified and an explanation provided as to why such areas need not be covered.

d. Description of Control Measures to Meet Technology-Based and Water Quality-Based Effluent Limits (Part V.F.5.) Operators must describe in their SWMP the control measures implemented at their site to achieve each of the effluent limits in Part II. of the MSGP (as applicable), and to address any stormwater run-on that commingles with discharges covered under the permit. The description of the control measures must include the location and type of control implemented, including how the Part II.A.1. selection and design considerations were followed, and how they address the pollutant sources in Part V.F.4.

e. Schedules and Procedures (Part V.F.6.) Consistent with EPA's 2015 MSGP, the draft MSGP requires that the permittee document in the SWMP schedules and operating procedures for: control measures used to comply with the effluent limits in Part II.A.2., inspections requirements of Part IV. and monitoring requirements of Part VI.

f. Permit Eligibility Related to Endangered Species (Part V.F.7.) The draft MSGP requires the permittee to identify in the SWMP if the facility is located within or has a discharge that potentially affect, a listed or proposed to be listed endangered or threatened species or its critical habitat.

g. Signature Requirements (Part V.F.10.) The draft MSGP requires the permittee to sign and date the SWMP consistent with Part X.G.

9.2. Maintaining and Updated SWMP

The draft MSGP requires the permittee to modify the SWMP whenever necessary to address any of the triggering conditions for corrective action in Part III.A. and to ensure that they do not reoccur, or to reflect changes implemented when a review following the triggering conditions in Part III.B. indicates that changes to the control measures are necessary to meet the effluent limits in this permit.

9.3 SWMP Availability (Part V.H.)

The draft MSGP requires the permittee to retain a complete copy of the current SWMP at the facility in any accessible format. A complete SWMP includes any documents incorporated by reference and all documentation supporting permit eligibility pursuant to Part I.B. of this permit, as well as the signed and dated certification page. Regardless of the format, the SWMP must be immediately available to facility employees, EPA, RIDEM, and the operator of an MS4 into which you discharge at the time of an onsite inspection. The current SWMP must also be made available to the public (except any confidential business information (CBI) or restricted information. The draft MSGP provides the 2 following options for the permittee to make the SWMP available to the public: provide a URL in the NOI where the SWMP can be found, and the permittee maintains the current SWMP at this URL; electronically submit a copy of the current SWMP during the submission of the NOI.

10. MONITORING REQUIREMENTS

The majority of the draft MSGP monitoring procedures are consistent with EPA's 2015 MSGP requirements. Like EPA's 2015 MSGP, the draft MSGP includes three types of monitoring: analytical/chemical monitoring of benchmarks, compliance monitoring for effluent guidelines compliance, and analytical/chemical monitoring of impaired waters for the pollutant(s) causing impairment(s).

a. Benchmarks are target concentrations that are intended to assist facilities in determining whether their pollution control measures are adequate to protect water quality. A benchmark exceedance does not necessarily indicate that a discharge is causing or contributing to a violation of instream water quality standard, but does require an evaluation of control measures and follow-up corrective actions. The draft MSGP requires benchmark monitoring of Total Suspended Solids and Oil and Grease for all industries authorized under the permit, in addition to the sector or sub- sector specific benchmark monitoring requirements of the 2013 MSGP.

   All facilities must at a minimum monitor their storm water discharges twice per six-month monitoring period (January 1-June 30 and July 1-December 31) during the first year of permit coverage. At the end of the first year, a facility is required to calculate the average concentration for each parameter for which the facility is required to monitor. If the average concentration for a pollutant parameter is less than or equal to the benchmark value, then the permittee has satisfied the permit's benchmark monitoring requirements for that pollutant. If, however, the average concentration for a pollutant is greater than the benchmark value, then the permittee is required to conduct corrective actions as described in above Part 2.f. of the MSGP fact sheet.

b. Effluent Limitation Guidelines (ELGs) Monitoring: Consistent with EPA's 2015 MSGP, the draft MSGP includes monitoring requirements for certain discharges that are subject to effluent limitations. These discharges must be sampled and tested for the parameters which are limited by this permit. Monitoring for these discharges is required to determine compliance with numeric effluent limitations listed in Table 2 of the Appendix. In addition to the discharges subject to compliance monitoring included in the 2013 MSGP, which included: coal pile runoff, contaminated runoff from phosphate fertilizer manufacturing facilities, runoff from asphalt paving and roofing emulsion production areas, material storage pile runoff from cement manufacturing facilities, mine dewatering discharges from crushed stone, construction sand and gravel, and certain storm water discharges from new and existing hazardous and non-hazardous landfills, requirements for jet and airport deicing operations have been added to the draft MSGP based on the final ELG for such operations. Discharges subject to ELGs must generally be sampled annually (in some cases quarterly) and tested for the parameters which are limited by the permit. All samples are to be grabs taken within the first 30 minutes of discharge where practicable, but in no case later than the first hour of discharge. Where practicable, the samples

shall be taken from the discharges subject to the numeric effluent limitations prior to mixing with other discharges.

c. Impaired Waters Monitoring: The draft MSGP contains monitoring requirements for discharges to water quality impaired receiving waters. Operators must indicate in their NOI whether they discharge to an impaired water, and, if so, the pollutants causing the impairment, or any pollutants for which there is a TMDL. To assist operators in determining their receiving waters' information, NeT will automatically provide receiving waters' information and their impairment status based on the latitude and longitude of stormwater outfalls provided on the NOI form.

All facilities must at a minimum monitor, for the pollutant(s) causing impairment(s), their storm water discharges twice per six-month monitoring period (twice January 1-June 30 and twice July 1-December 31) during the first year of permit coverage. At the end of the first year, if the pollutant for which the water is impaired is not present and not expected to be present in the discharge, or it is present but the permittee has determined that its presence is caused solely by natural background sources, the permittee should include a notification to this effect in monitoring report following the first year of sampling, after which the permittee may discontinue monitoring of the pollutant.

For stormwater discharges to an impaired water with an approved or established TMDL

1. At the end of the first year, if the pollutant for which the water is impaired is not present in any of the first year samples, the permittee may discontinue further sampling, unless the TMDL or other water quality determination has specific instructions to the contrary, in which case the permittee must follow those instructions; or

2. At the end of the first year, if the permittee detects the presence of the pollutant causing the impairment in the stormwater discharge for any of the samples collected in the first year, the permittee must continue monitoring throughout the term of this permit, unless the TMDL or other water quality determination has specific instructions to the contrary, in which case the permittee must follow those instructions

11. REPORTING AND RECORD-KEEPING

The draft MSGP includes reporting and record-keeping requirements which are consistent with EPA's 2015 MSGP reporting and record-keeping requirements.

12. NOTICE OF INTENT (NOI) REQUIREMENTS

The draft MSGP requires the submission of the following information as part of the NOI:

- owner's and operator's name (first name, last name), mailing address, e-mail address, and telephone number;

- facility's name and location, the latitude and longitude of the approximate center of the facility to the nearest 15 seconds;

- brief description of the site including: the total acreage of the site, total acreage of impervious surface, the runoff coefficient, and a description of existing storm water management controls;

- for each outfall: outfall ID and description of location; latitude and longitude; Standard Industrial Code(s) associated with the outfall; name of the receiving water(s) and if the dis-

charge is through a municipal separate storm sewer, the name of the operator of the storm sewer system; the name of the receiving water(s); water body ID#; receiving water body impairment; identify if receiving waters are subject to an EPA approved TMDL; and pollutants causing the impairment;

- four (4) digit SIC code that best represents the principal products or activities provided by the facility and any additional applicable SIC associated with regulated industrial activities and materials at the facility;

- a list of any pollutants limited in effluent guidelines to which a facility is subject under 40 CFR Subchapter N, any pollutants listed on a RIPDES permit to discharge process waste water, and any information required under Title 250 RICR-150-10-1 Rule 11.02(a)(14)(iii)-(v) or 40 CFR 122.21(g)(iii)-(v);

- the Storm Water Management Plan (SWMP) must be made available either by providing a Universal Resource Locator or URL for webpage where a copy of the current SWMP is available or submitting an electronic copy of the SWMP.

DEM CONTACTS

Additional information concerning the general permit may be obtained by calling the RIPDES Program staff at (401) 222-4700 at extension 7605, between the hours of 8:30 a.m. to 4:00 p.m., Monday through Friday, excluding holidays, or by writing to the Office at:

Margarita H. Chatterton
RIPDES Program
Permitting Section - Office of Water Resources
Rhode Island Department of Environmental Management
235 Promenade Street
Providence, RI 02908

11/29/18
Date

Joseph Haberek, P.E.
Supervising Sanitary Engineer
Office of Water Resources
Department of Environmental Management

TABLE 1 - SECTORS OF INDUSTRIAL ACTIVITY COVERED BY THIS PERMIT

SIC Code or Activity Code[1][1]	Activity Represented
Sector A: Timber Products	
2411	Log Storage and Handling (Wet deck storage areas only authorized if no chemical additives are used in the spray water or applied to the logs.
2421	General Sawmills and Planning Mills.
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, 2449	Wood Containers.
2451, 2452	Wood Buildings and Mobile Homes.
2491	Wood Preserving.
2493	Reconstituted Wood Products.
2499	Wood Products, Not Elsewhere Classified.
Sector B: Paper and Allied Products	
2611	Pulp Mills.
2621	Paper Mills.
2631	Paperboard Mills.
2652-2657	Paperboard Containers and Boxes.
2671-2679	Converted Paper and Paperboard Products, Except Containers and Boxes.
Sector C: Chemical and Allied Products	
2812-2819	Industrial Inorganic Chemicals.
2821-2824	Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers Except Glass.
2833-2836	Medicinal chemicals and botanical products; pharmaceutical preparations; in vitro and in vivo diagnostic substances; biological products, except diagnostic substances.
2841-2844	Soaps, Detergents, and Cleaning Preparations; Perfumes, Cosmetics, and Other Toilet Preparations.
2851	Paints, Varnishes, Lacquers, Enamels, and Allied Products.
2861-2869	Industrial Organic Chemicals.
2873-2879	Agricultural Chemicals.
2873	Facilities that Make Fertilizer Solely from Leather Scraps and Leather Dust.
2891-2899	Miscellaneous Chemical Products.
3952 (limited to list)	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.
Sector D: Asphalt Paving and Roofing Materials and Lubricants	
2951, 2952	Asphalt Paving and Roofing Materials.
2992, 2999	Miscellaneous Products of Petroleum and Coal.
Sector E: Glass, Clay, Cement, Concrete, and Gypsum Products	
3211	Flat Glass.
3221, 3229	Glass and Glassware, Pressed or Blown.
3231	Glass Products Made of Purchased Glass.
3241	Hydraulic Cement.
3251-3259	Structural Clay Products.
3261-3269	Pottery and Related Products.
3271-3275	Concrete, Gypsum and Plaster Products.
3291-3299	Abrasive, Asbestos, and Miscellaneous Nonmetallic Mineral Product.
Sector F: Primary Metals	
3312-3317	Steel Works, Blast Furnaces, and Rolling and Finishing Mills.
3321-3325	Iron and Steel Foundries.
3331-3339	Primary Smelting and Refining of Nonferrous Metals.
3341	Secondary Smelting and Refining of Nonferrous Metals.
3351-3357	Rolling, Drawing, and Extruding of Nonferrous Metals.
3363-3369	Nonferrous Foundries (Castings).

3398, 3399	Miscellaneous Primary Metal Products.

Sector G: Metal Mining (Ore Mining and Dressing)

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

1221-1241	Coal Mines and Coal Mining-Related Facilities.

Sector I: Oil and Gas Extraction and Refining

1311	Crude Petroleum and Natural Gas.
1321	Natural Gas Liquids.
1381-1389	Oil and Gas Field Services.
2911	Petroleum Refineries.

Sector J: Mineral Mining and Dressing

1411	Dimension Stone.
1422-1429	Crushed and Broken Stone, Including Rip Rap.
1442, 1446	Sand and Gravel.
1455, 1459	Clay, Ceramic, and Refractory Materials.
1474-1479	Chemical and Fertilizer Mineral Mining.
1481	Nonmetallic Minerals, Except Fuels.
1499	Miscellaneous Nonmetallic Minerals, Except Fuels.

Sector K: Hazardous Waste Treatment, Storage, or Disposal Facilities

HZ	Hazardous Waste Treatment Storage or Disposal.

Sector L: Landfills and Land Application Sites

LF	Landfills, Land Application Sites, and Open Dumps.

Sector M: Automobile Salvage Yards

5015	Automobile Salvage Yards.

Sector N: Scrap Recycling Facilities

5093	Scrap Recycling Facilities.

Sector O: Steam Electric Generating Facilities

SE	Steam Electric Generating Facilities.

Sector P: Land Transportation and Warehousing

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

4412-4499	Water Transportation.

Sector R: Ship and Boat Building or Repairing Yards

3731, 3732	Ship and Boat Building or Repairing Yards.

Sector S: Air Transportation

4512-4581	Air Transportation Facilities

Sector T: Treatment Works

TW	Treatment Works.

Sector U: Food and Kindred Products

2011	Meat Products.
2021-2026	Dairy Products.
2032	Canned, Frozen and Preserved Fruits, Vegetables and Food Specialties.
2041-2048	Grain Mill Products.
2051-2053	Bakery Products.
2061-2068	Sugar and Confectionery Products.
2074-2079	Fats and Oils.
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

2211-2299	Textile Mill Products
2311-2399	Apparel and Other Finished Products Made From Fabrics and Similar Materials.
3131-3199 (except 3111)	Leather and Leather Products, except Leather Tanning and Finishing (see Sector Z).

Sector W: Furniture and Fixtures

2434	Wood Kitchen Cabinets.
2511-2599	Furniture and Fixtures

Sector X: Printing and Publishing

2711-2796	Printing, Publishing, and Allied Industries.

Sector Y: Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries

3011	Tires and Inner Tubes.
3021	Rubber and Plastics Footwear.
3052, 3053	Gaskets, Packing, and Sealing Devices and Rubber and Plastics Hose and Belting.
3061, 3069	Fabricated Rubber Products, Not Elsewhere Classified.
3081-3089	Miscellaneous Plastics Products.
3931	Musical Instruments.
3942-3949	Dolls, Toys, Games and Sporting and Athletic Goods.
3951-3955 (except 3952 facilities as specified in Sector C).	Costume Jewelry, Costume Novelties, Buttons, and Miscellaneous Notions, Except Precious Metal.
3991-3999	Miscellaneous Manufacturing Industries.
3411-3499	Fabricated Metal Products, Except Machinery and Transportation Equipment.
3911-3915	Jewelry, Silverware, and Plated Ware.

Sector AB: Transportation Equipment, Industrial or Commercial Machinery

3511-3599 (except 3571-3599)	Industrial and Commercial Machinery (except Computer and Office Equipment) (see Sector AC).
3711-3799 (except 3731, 3732)	Transportation Equipment (except Ship and Boat Building and Repairing) (see Sector R).

Sector AC: Electronic, Electrical, Photographic, and Optical Goods

3571-3579	Computer and Office Equipment.
3612-3699	Electronic, Electrical Equipment and Components, except Computer Equipment.
3812	Measuring, Analyzing and Controlling Instrument; Photographic and Optical Goods.

Sector AD: Non-Classified Facilities

N/A	Other storm water discharges designated by the Director as needing a permit (see 40 CFR 122.26(g)(1)(l)) or any facility discharging storm water associated with industrial activity not described by any of Sectors 1-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 *http://www.census .gov/epcd/wwww/naics.html* or in paper form from various locations in the document entitled "Handbook of Standard Industrial Classifications," Office of Management and Budget, 1987.

TABLE 2 – EFFLUENT GUIDELINES APPLICABLE TO DISCHARGES THAT MAY BE ELIGIBLE FOR PERMIT COVERAGE

Effluent Guideline	New source performance standards included in effluent guidelines?	Sectors with Affected Facilities	Parameter	Numeric Limitation
Runoff from material storage piles at cement manufacturing facilities [40 CFR Part 411 Subpart C (established February 23, 1977)].	Yes	E	TSS pH	50 mg/L daily max 6.0-9.0 s.u.
Contaminated runoff from phosphate fertilizer manufacturing facilities [40 CFR Part 418 Subpart A (established April 8, 1974)].	Yes	C	Total Phosphorus (as P) Fluoride	105.0 mg/L, daily max 35 mg/L, 30-day avg 75.0 mg/L, daily max 25.0 mg/L, 30-day avg
Coal pile runoff at steam electric generating facilities [40 CFR Part 423 (established November 19, 1982)].	Yes	O	TSS pH	50 mg/L daily max 6.0-9.0 s.u.
Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas [40 CFR Part 429, Subpart I (established January 26, 1981)].	Yes	A	pH Debris (woody material such as bark, twigs, branches, heartwood, or sapwood)	6.0-9.0 s.u. No discharge of debris that will not pass through a 2.5 cm (1") diameter round opening
Mine dewatering discharges at crushed stone mines [40 CFR Part 436, Subpart B].	No	J	TSS pH	25 mg/L, monthly avg 45 mg/L daily max 6.0-9.0
Mine dewatering discharges at construction sand and gravel mines [40 CFR Part 436, Subpart C].	No	J	TSS pH	25 mg/L, monthly avg 45 mg/L daily max 6.0-9.0
Mine dewatering discharges at industrial sand mines [40 CFR Part 436, Subpart D].	No	J		
Runoff from asphalt emulsion facilities [40 CFR Part 443, Subpart A (established July 24, 1975)].	Yes	D	TSS Oil and Grease pH	23.0 mg/L daily max 15.0 mg/L 30-day avg 15.0 mg/L daily max 10 mg/L 30-day avg 6.0-9.0
Runoff from landfillls, [40 CFR Part 445, Subpart A (established February 2, 2000)].	Yes	K	BOD_5 TSS Ammonia Alpha Terpineol Aniline Benzoic Acid Naphthalene p-Cresol Phenol Pyridine Arsenic (Total) Chromium (Total) Zinc (Total) pH	220mg/l, daily max 56 mg/l, monthly avg max. 88 mg/l, daily max 27 mg/l, monthly avg max. 10 mg/l, daily max 4.9 mg/l, monthly avg max. 0.042 mg/l, daily max 0.019 mg/l, monthly avg max. 0.024 mg/l, daily max 0.015 mg/l, monthly avg max. 0.119 mg/l, daily max 0.073 mg/l, monthly avg max. 0.059 mg/l, daily max 0.022 mg/l, monthly avg max. 0.024 mg/l, daily max 0.015 mg/l, monthly avg max. 0.048 mg/l, daily max 0.029 mg/l, monthly avg max. 0.072 mg/l, daily max 0.025 mg/l, monthly avg max. 1.1 mg/l, daily max 0.46 mg/l, monthly avg max. 1.1 mg/l daily max 0.46 mg/l, monthly avg max. 0.535 mg/l, daily max 0.296 mg/l, monthly avg max. Within the range of 6-9 pH units
Runoff from landfillls, [40 CFR Part 445, Subpart B (established February 2, 2000)]. As set forth in 40 CFR Part 445, Subpart B, these numeric limitations	Yes	L	BOD_5 TSS	140 mg/1, daily max 37 mg/1, monthly avg max. 88 mg/l, daily max 27 mg/1, monthly avg max.

apply to contaminated storm water discharges from MSWLFs which have not been closed in accordance with 40 CFR 258.60, and contaminated storm water discharges from those landfills which are subject to the provisions of 40 CFR Part 257 except for certain discharges			Ammonia Alpha Terpineol Benzoic Acid p-Cresol Phenol Zinc (Total) pH	10 mg/1, daily max. 4.9 mg/1, monthly avg max. 0.033 mg/1, daily max. 0.016 mg/1, monthly avg max. 0.12 mg/1, daily max. 0.071 mg/1, monthly avg max. 0.025 mg/1, daily max. 0.014 mg/1, monthly avg max. 0.026 mg/1, daily max. 0.015 mg/1, monthly avg max. 0.20 mg/1, daily max 0.11 mg/1, monthly avg max. Within the range of 6-9 pH units
Runoff containing urea from airfield pavement deicing at existing and new primary airports with 1,000 or more annual non-propeller aircraft departures .[40 CFR Part 449 (established May 16, 2012)]	Yes	S	Ammonia as Nitrogen	14.7 mg/L, daily maximum

RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF WATER RESOURCES
PERMITS SECTION
235 PROMENADE STREET
PROVIDENCE, RHODE ISLAND 02908-5767

PUBLIC NOTICE OF PROPOSED PERMIT ACTIONS UNDER THE RHODE ISLAND POLLUTANT DISCHARGE ELIMINATION SYSTEM (RIPDES) PROGRAM WHICH REGULATES DISCHARGES INTO THE WATERS OF THE STATE UNDER CHAPTER 46-12 OF THE RHODE ISLAND GENERAL LAWS OF 1956, AS AMENDED.

DATE OF NOTICE: December 3 ,2018

PUBLIC NOTICE NUMBER: PN 18-09

DRAFT RIPDES PERMIT: RIPDES MULTI-SECTOR GENERAL PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITIES

RIPDES PERMIT NUMBER: RIR500000

In accordance with Chapter 46-12 of the Rhode Island General Laws, the discharge of pollutants to Waters of the State via a point source discharge is prohibited unless the discharge is in compliance with the RIPDES Regulations. The Rhode Island Department of Environmental Management (DEM) had previously determined that the most efficient approach for permitting stormwater discharges associated with industrial activities to Waters of the State is to utilize general permits. The primary benefit of using a general permit, as opposed to issuing individual permits, is a streamlined permitting process that prevents delays, while affording equal environmental protection. The permit streamlining reduces the application period, thereby effectively allowing DEM to respond quicker to environmental concerns and produce savings to potential applicants.

On August 15, 2013 RIDEM issued a Rhode Island Multi-Sector General Permit (MSGP) to authorize the discharge of storm water from industrial facilities, this permit expired at midnight on August 14, 2018. At this time, DEM proposes to re-issue the Rhode Island MSGP to cover industrial storm water discharges. Changes to the 2013 MSGP being proposed in the new permit include: certifications for no exposure and no discharge; language clarifications for eligible non-stormwater discharges; revised monitoring for discharges to impaired water bodies and benchmarks (parameters and frequencies); non-numeric water quality based effluent limitations requirements for discharges to impaired waters; sector specific changes for sectors O and S; corrective actions framework; inspection requirements; recordkeeping and reporting requirements; revisions to the Notice of Intent(NOI) form; electronic submission of permit documents.

Notice is hereby given that, in addition to providing notice of the public comment period and the public hearing on the draft general permit, DEM will also be holding informational workshops to discuss the draft general permit. The informational workshops will be held to informally discuss the changes to the general permit. However, any formal comments on the draft general permit must be made during the public hearing or in writing during the public comment period as indicated below.

FURTHER INFORMATION:

Copies of the Draft General Permit, Fact Sheet, and Notice of Intent (NOI) Form may be obtained at no cost by visiting DEM's website at www.dem.ri.gov or writing or calling DEM as noted below:

Margarita Chatterton
Rhode Island Department of Environmental Management
Office of Water Resources
RIPDES Program
235 Promenade Street
Providence, Rhode Island 02908-5767
(401) 222-4700, Ext: 7605
e-mail: margarita.chatterton@dem.ri.gov

The administrative record containing all documents relating to these permit actions is on file and may be inspected, by appointment, at the DEM's Providence office mentioned above between 8:30 a.m. and 4:00 p.m., Monday through Friday, except holidays.

INFORMATIONAL WORKSHOPS:

In addition to the formal public comment period and public hearing, as indicated below, DEM has scheduled two informational workshops to discuss the Draft Storm Water Multi-Sector General Permit for Industrial Activities. These workshops will be held at the following times and places:

Wednesday, December 12, 2018 at 5:00 PM
and
Tuesday, December 18, 2018 at 10:00 AM
Room 300
235 Promenade Street
Providence, Rhode Island 02908

If you intend to attend one of the informational workshops, please notify Margarita Chatterton via e-mail at margarita.chatterton@dem.ri.gov.

PUBLIC HEARING:

Pursuant to Chapters 46-12 and 42-35 of the Rhode Island General Laws, a public hearing has been scheduled to consider this draft RIPDES permit., the public hearing will be held at the following time and place:

Thursday, January 10, 2019 at 5:00 PM
Room 300
235 Promenade Street
Providence, Rhode Island 02908

In accordance with the RIPDES Regulations, the following is a summary of the procedures that shall be followed at the Public Hearing:

a. The Presiding Officer shall have the authority to open and conclude the Hearing and to maintain order; and

b. Any persons appearing at such a hearing may submit oral or written statements and data concerning the draft permit.

In addition, for the sake of accuracy, it is requested that statements be submitted in writing at the time of the hearing or be mailed to the DEM's Office of Water Resources RIPDES Program, at the above address, before the date of the hearing. Oral testimony will also be heard at the Public Hearing but will be limited to five (5) minutes in duration.

235 Promenade Street is accessible to the handicapped. Individuals requesting interpreter services for the hearing impaired must notify the DEM at 831-5508 (T.D.D.) 72 hours in advance of the hearing dates.

PUBLIC COMMENT PERIOD: DECEMBER 3, 2018 TO JANUARY 11, 2019

Interested parties may submit comments on the permit actions and the administrative record to the address above no later than 4:00 PM on January 11, 2019.

All persons, including the applicant, who believe any change to the permit is inappropriate, must raise all reasonably ascertainable issues and submit all reasonably available arguments and factual grounds supporting their position, including all supporting material, by the close of the public comment period on January 11, 2019. Commenters may request a longer comment period if necessary to provide a reasonable opportunity to comply with these requirements. Comments should be directed to the DEM's Office of Water Resources, RIPDES Program at the address above.

If, during the public comment period, significant questions are raised concerning the permit, DEM may require a new draft permit or fact sheet or may reopen the public comment period. A public notice will be issued for any of these actions.

FINAL DECISION AND APPEALS:

Following the close of the comment period, and after a public hearing, the Director will issue a final decision and forward a copy of the final decision and response to comments to the permittee and each person who has submitted written comments or requested notice. Within thirty (30) days following the notice of the final decision, any interested person may submit a request for a formal hearing in accordance with the requirements of Rule 49.

11/28/18
Date

Joseph B. Haberek, P.E.
Supervising Sanitary Engineer
Office of Water Resources
Rhode Island Department of Environmental Management