

# STORMWATER POLLUTION PREVENTION PLAN

## Buckman Road Recycling and Transfer Station

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# 1 INTRODUCTION

This Storm Water Pollution Prevention Plan (SWPPP) has been prepared for the Buckman Road Recycling and Transfer Station (BuRRT) located at 2600 Buckman Rd, Santa Fe, New Mexico. The facility (hereinafter referred to as the “Site”) is operated by the Santa Fe Solid Waste Management Agency (SFSWMA). The Site is an existing municipal solid waste (MSW) transfer station that receives and processes recyclables and municipal solid waste for transport and ultimate disposal. The Site includes an enclosed transfer station building that receives MSW from residents and businesses; which is then reloaded into transfer trailers for transport and disposal. All waste unloading and reloading activities take place inside the transfer station building.

The Site has separate areas on-site to receive and store recyclables as well as green waste. Parking and administrative offices are located adjacent to the transfer station building. Incoming vehicles are weighed at the scales prior to proceeding to the transfer station building or other processing and storage areas.

For all activities conducted at the Site, a Notice of Intent (NOI) for coverage under this National Pollutant Discharge Elimination System (NPDES) Multi-Sector General Permit (MSGP) and corresponding SWPPP has been prepared. This SWPPP has been prepared in accordance with federal requirements for the NPDES MSGP for stormwater discharges; Sector N, Subsector N2 (Source-separated Recycling Facility) and Sector P, Subsector P1 (Motor Freight Transportation and Warehousing) are the primary industrial activities associated with the operations corresponding to SIC codes 4212 and 5093.

## 1.1 PURPOSE

The purpose of this Stormwater Pollution Prevention Plan (SWPPP) is to:

- Identify potential pollution sources affecting the quality of stormwater discharges;
- Describe practices that will minimize and control pollutants in stormwater discharges associated with Site activities; and
- Ensure implementation of these practices.

This SWPPP will serve as a guide for evaluating potential stormwater pollution sources and for selecting and implementing appropriate management methods to prevent or control pollution in any stormwater discharge at the Site.

This SWPPP may be updated following the procedures set forth in this SWPPP to comply with the Multi-Sector General Permit (MSGP) effective March 1, 2021 for Industrial Activities. A copy of the 2021 MSGP (Permit) is provided in Appendix A. The SWPPP is required to be updated and revised whenever there is a change in design, construction, operation, or maintenance at the Site that may impact the potential pollutants to be discharged to stormwater runoff. Also, if the SWPPP is found to be ineffective in controlling the discharge of pollutants, the SWPPP will be revised to correct the identified deficiencies.

## 1.2 REGULATORY BACKGROUND

As required by the 1987 amendments to the Clean Water Act (CWA), the United States Environmental Protection Agency (USEPA) developed a stormwater discharge permitting program under NPDES to regulate the amount of pollutants discharged to waters of the United States resulting from stormwater

runoff. Final regulations promulgated on November 16, 1990 established application requirements for stormwater permits under an individual permit, group permit, or general permit application.

On September 29, 1995, the USEPA published the NPDES MSGP for Industrial Activities. The MSGP was developed in response to a review of group permits submitted from various industry sectors. Amendments to the MSGP were published February 9, 1996, February 20, 1996, September 24, 1996, September 30, 1998, and October 30, 2000. The revisions primarily added new categories of facilities and areas of coverage, provided guidance for historic property protection, updated the endangered species list, made clarifications, corrected errors, and in a few instances, added additional requirements. The MSGP permit dated September 29, 1995, expired on October 30, 2005 and was administratively continued until the 2008 MSGP was issued. On June 4, 2015, a revised MSGP was issued and required all sites under the 2008 MSGP to prepare and implement a SWPPP. The MSGP permit dated June 4, 2015, expired on June 3, 2020 and was administratively continued until the 2021 MSGP was issued. The 2021 MSGP became effective on March 1, 2021 and this SWPPP has been updated to encompass the provisions of the current MSGP.

As part of the requirements set forth in the final 2021 MSGP, the Site must identify all activities occurring at the Site and document the possible pollutants that could be generated by those activities. This SWPPP addresses those activities, associated pollutants, and discusses the best management practices that are followed by Site personnel. In addition, routine inspections and monitoring of stormwater discharges are required. This SWPPP was prepared to satisfy the SWPPP requirements for the Site in compliance with the current final version of the 2021 MSGP and Subsectors N2 and P1 of the MSGP - effective March 1, 2021.

In addition to the content of the MSGP, the State of New Mexico added requirements for facilities that discharge to Tier 3 waters. The Site is not subject to these requirements because it's receiving waters are not Tier 3 waters.

## **1.3 NOI SUBMITTAL**

Prior to authorization of stormwater discharges associated with industrial activity under the Final 2021 MSGP (see Appendix A for a copy of the MSGP), USEPA requires submittal of a Notice of Intent (NOI) for facilities. A new NOI for the 2021 MSGP was submitted electronically via NeT-MSGP and a copy of the submitted NOI is included in Appendix B. Upon receipt of a permit certificate, the certificate will be placed in Appendix B as well. All reporting under the 2021 MSGP will be performed using electronic filing as required by EPA unless prior permission from the Regional EPA has been obtained to file via paper submission. The NOI was submitted by May 30, 2021. This SWPPP was prepared according to the guidance of the 2021 MSGP prior to submitting the NOI.

## **1.4 SWPPP CERTIFICATION**

This SWPPP has been prepared by SCS Engineers (SCS) under contract with SFSWMA and has been reviewed and approved by SFSWMA. A signature of certification by a SFSWMA officer is provided in Appendix C, acknowledging the preparation and content of this SWPPP.

### **1.4.1 SWPPP Modifications**

This SWPPP will be modified whenever a triggering condition(s) for corrective action is needed as described later in this SWPPP. The modification will be such that the triggering condition does not recur or to reflect changes implemented when a review following the triggering conditions indicates that

changes to the Site's control measures are necessary to meet effluent limits. Amendments to the SWPPP must be documented on the SWPPP Amendment Schedule provided in Appendix F.

### **1.4.2 SWPPP Availability**

This SWPPP and current updates to this SWPPP must be available at the Site at all times, and must be immediately available to EPA, State, or local agency approving stormwater management plans; the operator of an MS4 (when available and used) receiving discharges from the Site; and representatives of the U.S. Fish and Wildlife Services (USFWS) or the National Marine Fisheries Services (NMFS) at the time of an on-site inspection or upon request. USEPA may provide access to the SWPPP to a member of the public upon request. Confidential Business Information (CBI) may be withheld from the public, but may not be withheld from those staff cleared for CBI review within USEPA, USFWS, or NMFS. A copy of the SWPPP will also be available electronically at the following website: <http://www.sfswwa.org/about-us/burrt/burrt-swppp-plan/>.

## **1.5 SIGNAGE**

As part of the final 2021 MSGP, a sign or other notice of the SWPPP must be posted in a publicly accessible location at or near the Site. Following submittal of the new NOI and receipt of the new NPDES ID number, a sign will be posted at the entrance facility with font large enough to be readily viewed from the public right-of-way. Periodic inspection and maintenance, as needed, will be performed to ensure that the sign remains legible, visible, and accurate. The sign will include:

- Site Name;
- Coverage under the MSGP's per the assigned NPDES ID;
- Contact information;
- Website location for public access to the SWPPP; and
- Contact information of the EPA Region office.



## 2 POLLUTION PREVENTION TEAM

The Pollution Prevention team consists of a Team Leader and Team Members that are responsible for implementing the SWPPP. Pollution Prevention Team personnel are listed in Appendix E. Implementation of the SWPPP includes a continuous assessment of potential contamination, Best Management Practices (BMPs), spill response, employee training, discharge monitoring, and an annual SWPPP evaluation. A current paper and electronic copy of this SWPPP will be available at the Site and available to all team members. A copy of the SWPPP will also be located on the Site's website.

### 2.1 DESIGNATED PERSONNEL AND POLLUTION PREVENTION TEAM RESPONSIBILITIES

**Team Leader:** Executive Director. The SFSWMA Executive Director is responsible for implementation of the SWPPP. Specific responsibilities include maintaining inspection schedules, records, and employee training, and coordinating responses to spill emergencies.

**Team Coordinator:** Site Manager. The Site Manager is the point of contact for SFSWMA personnel and regulatory officials who wish to discuss the SWPPP or obtain information concerning spill events. In addition, the Team Coordinator (Site Manager) will direct evaluation and modification of the SWPPP both annually and following spill events. The BuRRT Site Manager will be familiar with SFSWMA operations to ensure that potential sources of pollution are considered during SWPPP implementation and SWPPP periodic evaluations.

**Team Members:** Team members will conduct inspections, monitor discharges, respond to spill events, maintain BMPs, and direct at regular intervals (minimum annually) employee training as well as new employee training. In the event that a team member is replaced, the team coordinator will make a new appointment. If a replacement cannot be found immediately, the current team members will assume the SWPPP responsibilities until a replacement is identified.

### **3 SITE DESCRIPTION**

The Site is located at 2600 Buckman Road in Santa Fe New Mexico, which is located in Section 28, Township 17 North, Range 8 East (Latitude 35.695° N and Longitude 105.977° W). A Site Location Map is included as Figure 1. The Site is fenced for security.

#### **3.1 CLIMATE INFORMATION**

The average annual high temperature is 64.9 degrees with an average annual low temperature of 36.9 degrees. Average annual rainfall precipitation is 9.5 inches per year with a recorded average snowfall of 17.7 in (Source: Western Regional Climate Center, May 2021).

#### **3.2 GENERAL LOCATION MAP**

The attached Figure 1 is the general location map which shows the general location of the Site and any receiving waters associated with the Site. The nearest receiving water for the Site is the Arroyo located south of the Site. The receiving water has not been classified as impaired; therefore, no Total Maximum Daily Loads (TMDLs) have been designated for the Arroyo.

#### **3.3 SITE PLAN**

The Site Plan is included as Figure 2. The Site is surrounded by a perimeter fence that defines the limits of the waste processing areas. The only activity that is currently located outside the immediately fenced area is the materials storage area where there is green waste processing, manure storage, glass storage, and tire recycling/de-rimmed area; which all site operations is located within the property's fence. The materials storage waste area is located east of the transfer station facility just outside the perimeter fence. Three Outfalls are discussed in this SWPPP are shown on the Site Plan along with the other drainage features located on-site.

#### **3.4 ACTIVITIES AND STRUCTURES AT THE SITE**

The Site consists of a municipal solid waste transfer station with recycling activities. The activities at the Site consist of:

- Receiving and processing municipal solid waste (MSW) for transfer to a permitted disposal site (located inside station);
- Operating a material recovery facility (MRF) with a separate bale room, includes: receiving, storing, and processing recyclable materials, to be diverted to a proper processor/recycler, including paper, plastic, metals, glass bottles, electronics, and tires;
- Activities including paper, plastic, metals, and electronics (e-waste) recycling are located inside the transfer station and/or bale room
- Activities including tires, scrap metal storage, glass crushing and storage activities are located outdoors.
- Operating and maintaining heavy equipment including front end loaders, excavators, wood grinder, fork lifts, skid steer, and glass crusher;
- Operating and maintaining fleet including haul trucks, walking floor trailers, end dumps, water truck, services/fuel truck, and pickups;
- Utilizing miscellaneous equipment including tire cutter and de-rimmer;

- Receiving and processing of green waste and manure;
- Household hazardous waste collection which is located inside a dedicated building with containment measures built into the building itself;
- Recycling collection/drop-off center where comingled materials (paper, plastic, and metals), cardboard, and glass bottles are collected in roll-offs and transferred inside the transfer station for processing; and
- Vehicle and equipment refueling, greasing, and maintenance by mobile service/fuel trucks.

Current activities conducted at the Site include receiving, processing and loading MSW for transfer to an authorized disposal facility (Caja del Rio Landfill). Recyclable materials collected and hauled to the Site are diverted, packaged, sorted, and/or baled for distribution to recycling processors and end markets. The Site does not have a vehicle and equipment maintenance shop. The Site's general features, improvements, drainage features, and activity areas are shown on the Site Plan (Figure 2).

### **3.5 SITE DRAINAGE PATTERNS AND OUTFALL LOCATIONS**

Drainage patterns at BuRRT are generally from north to south. The Site was developed north of an existing storm channel and closed landfill with transition cut-slopes along the west, north and east sides of the Site to transition from the developed area of the Site back to natural terrain. Outfall 001 is located at the west end of the Site near the entrance, Outfall 002 is centrally located, and Outfall 003 is located at the east end of the Site near the Household Hazardous Waste (HHW) Collection Center. Locations of the outfalls are shown on the Site Plan (Figure 2). All outfalls discharge into the existing storm channel south of the site.

Outfall 001 – Generally does not receive stormwater runoff from any developed or active industrial areas within the site except for runoff from the recycling collection/drop-off center near the entrance to the Site.

Outfall 002 – Drainage from the developed and active transfer station, recycling, and glass crushing area is collected and routed to a detention pond that is centrally located to the south of the Site. Some of the offsite drainage and the associated drainage from the glass crushing and storage area is collected by a culvert located northwest of the transfer station building and routed to a storm drain that discharges to the detention pond. Area drains located in the northwest portion of the Site drain to the tunnel area of the transfer station which drains to the detention pond prior to discharge.

Outfall 003 – Drainage from the administration building parking lot, transfer station site access roads to the north and east of the Site and the access road for the HHW Collection Center is collected into a channel where it enters culverts at the HHW Collection Center and discharges at Outfall 003. Runoff from the materials storage area (green waste processing, manure storage, glass storage, and tire recycling area) is diverted so that it also discharges at Outfall 003.

## 4 SUMMARY OF POTENTIAL POLLUTANT SOURCES

Section 4 identifies activities, materials, and physical features of the Site that have a reasonable potential to contribute pollutants to stormwater. These types of activities, materials, or features are addressed by measures and controls provided in Section 5.

The following types of activities where there is a risk of potential pollution of stormwater discharges are:

- Transfer station building operations for MSW, recycling, and diversion activities;
- Vehicle and trailer storage;
- Vehicle tracking of waste materials;
- Bale building area, including glass recycling and glass crushing;
- Materials Storage Area, including green waste, manure, glass, and tire storage area;
- Drop-off recycling materials area; and
- Non-stormwater discharges.

### 4.1 TRANSFER STATION BUILDING

#### 4.1.1 Activities in the Area

Collection trucks unload recyclable materials and customers unload either waste and recyclable materials inside the building on the tipping floor. Material processing and transfer of recyclables is performed as well as movement and loading of transfer trailers with solid waste. Recyclables include items such as: aluminum and steel cans; mixed paper, newspaper, boxes and cardboard; kitchen, laundry, bath bottles and containers; and food and beverage cartons. In addition, electronics (e-waste) are collected and palletized prior to shipment to an e-waste processor. Scrap metals are also diverted by customers and collected within the transfer station building and transferred to bins located in the tunnel area on an as needed basis. Scrap metal is considered a recyclable material.

#### 4.1.2 Pollutants

The following list identifies the possible pollutants of this activity:

- Oil and Grease (due to leaks or spills from vehicle/equipment usage; mobile fuel/service trucks);
- Heavy metals;
- Organic waste material;
- Sediments;
- Detergents and other chemicals;
- Diesel fuel (due to leaks or spills from vehicle/equipment usage; mobile fuel/service trucks);
- Antifreeze (due to leaks or spills from vehicle/equipment usage/storage in the area; mobile fuel/service trucks);

- Gasoline (due to leaks or spills from vehicle/equipment usage/storage in the area; mobile fuel/service trucks); and
- Hydraulic Oil (due to leaks or spills from vehicle/equipment usage; mobile fuel/service trucks).

### **4.1.3 Spills and Leaks**

Spills and/or leaks can occur within the transfer station building from commercial recycling trucks, waste containing vehicles, waste on the tipping floor, leaks/spills from vehicles, equipment in general, the mobile fuel/service trucks, and/or blowing debris; however, spills and/or leaks will not be exposed to stormwater since the transfer station building is enclosed. Spills would only be exposed to stormwater in the event that floor drains are clogged or overloaded. Please note that all spills and/or leaks that occur within the transfer station building may be captured by the floor drains that are piped to a constructed above-grade wetland/evaporation pond. This wetland/evaporation pond was constructed above-grade to prevent exposure to stormwater run-on/runoff and is maintained with sufficient freeboard to prevent overage and exposure to stormwater.

No reportable spills occurred within the past five years. Stormwater will flow into the existing detention pond located south of the transfer station building, which would potentially discharge at Outfall 002.

## **4.2 VEHICLE AND TRAILER STORAGE AREA**

### **4.2.1 Activities in the Area**

A paved area south of the transfer station building, as shown in Figure 2, is used to stage haul trucks and trailers for loading and transfer; and store unused haul trucks, trailers, and equipment. This area is also used for some minor washing of vehicles. Wash water is collected in the stormwater detention pond located adjacent to this area.

### **4.2.2 Pollutants**

The following list identifies the possible pollutants of this activity:

- Oil and Grease (due to leaks or spills from vehicle/equipment usage/storage in the area; mobile fuel/service trucks);
- Heavy metals;
- Diesel fuel (due to leaks or spills from vehicle/equipment usage/storage in the area; mobile fuel/service trucks);
- Antifreeze (due to leaks or spills from vehicle/equipment usage/storage in the area; mobile fuel/service trucks);
- Gasoline (due to leaks or spills from vehicle/equipment usage/storage in the area; mobile fuel/service trucks);
- Hydraulic Oil (due to leaks or spills from vehicle/equipment usage/storage in the area; mobile fuel/service trucks);
- Soil from vehicles that is being removed during cleaning; and
- Blowing debris and solid waste from trailers.

### **4.2.3 Spills and Leaks**

Any spills and/or leaks from these activities can occur while trucks or trailers are parked in the area. Soil from vehicles may also collect on the pavement in this area. Incidental trash may also blow out of trailers that enter and exit the tunnel area.

No reportable spills occurred within the past five years. Wash water will flow from the wash area into the detention pond. Stormwater will flow into the existing detention pond located southeast of the paved vehicle storage area, which would, potentially, discharge at Outfall 002.

## **4.3 VEHICLE TRACKING OF WASTE AND SOIL MATERIALS ON PAVEMENT**

### **4.3.1 Activities in the Area**

Vehicles entering the transfer station and recycling operations areas can track soil, dust and other types of waste materials away from the operation areas. This results in the possibility of stormwater coming in contact with soil, waste and other pollutants.

### **4.3.2 Pollutants**

The following is a list of potential pollutants associated with this activity.

- Dust;
- Soil;
- Diesel;
- Motor Oil;
- Antifreeze;
- Gasoline;
- Detergents and Other Chemicals;
- Grease; and
- Waste.

### **4.3.3 Spills and Leaks**

No reportable spills have occurred within the past five years. Any spills and/or leaks for these activities would result from equipment/vehicles tracking soil, dust and industrial materials. Stormwater from this area will either flow into the stormwater detention pond located southeast of the transfer station building which potentially discharges at Outfall 002 or into the stormwater channel along the east side of the site which potentially discharges at Outfall 003.

## **4.4 BALE BUILDING AREA (INCLUDING GLASS RECYCLING AND CRUSHING AREA)**

### **4.4.1 Activities in the Area**

This area may be used to temporarily store baled recyclable materials (e.g., baled cardboard) that are awaiting sale/shipment. The recyclable materials that are delivered to the facility by commercial and residential customers are processed and baled before being sent for recycling. The glass processing area is also located adjacent to the bale building area. Therefore, recycled glass is unloaded, loaded and/or processed (glass crushing) in this area as well.

### **4.4.2 Pollutants**

The following list identifies the possible pollutants of this activity:

- Diesel fuel;
- Trash;
- Dust or suspended particulates;
- Used Oil;
- Incidental trash;
- Grease; and
- Hydraulic oil.

The following areas are susceptible to potential spills or releases of the above materials:

- Diesel, used oil, grease, and hydraulic oil are not stored on-site; however, there is potential for spills and releases during fueling/service performed by the mobile fuel/service trucks;
- Outdoor glass storage piles; and
- Leaking vehicles/equipment parked in vehicle parking areas.

No reportable spills from these types of activities occurred within the past five years. Stormwater runoff from the areas surrounding the bailing building area ultimately flows towards the detention pond which, potentially, discharges at Outfall 002.

## **4.5 MATERIALS STORAGE AREA**

### **4.5.1 Activities in the Area**

The materials storage area is an unpaved area where green waste is stockpiled and woody materials are chipped with a brush grinder. The area is labeled on Figure 2. This area primarily receives green waste. The area is also used to stockpile/store tires, manure, and glass for recycling and/or reuse. In addition a roll-off bin is located in the area for any incidental waste that is brought into the area by customers. The roll-off bin is emptied on a regular basis. The green waste is converted to mulch which is picked up and utilized by various entities.

## **4.5.2 Pollutants**

The following is a list of potential pollutants that are associated with this activity:

- Dust (suspended particulates);
- Organics (including bacteria);
- Chemicals (including nitrogen, phosphates, and ammonia);
- Grease;
- Oil, Gasoline and other petroleum hydrocarbons; and
- Incidental trash.

The presence of the various stockpiles could create dust which could enter into the stormwater. The presence of manure could contribute bacteria, nitrogen, phosphates, and ammonia.

## **4.5.3 Spills and Leaks**

The following areas are potential spills that could occur as a result of this activity:

- Materials spilled from loading or removing materials;
- Leaking equipment parked in area; and
- Runoff from green waste that may include pesticides and other chemicals.

No reportable spills have occurred within the past five years. Any spills and/or leaks for this activity would result from equipment/vehicles tracking soil, dust and leaking/spilling petroleum hydrocarbons. Stormwater from this area will flow into the stormwater channel located on the east side of the Site and potentially discharge at Outfall 003.

## **4.6 RECYCLING DROP-OFF AREA**

### **4.6.1 Activities in the Area**

This area includes the paved area where customers drop-off recyclable materials and place in containers for subsequent processing and distribution to recyclers. The recyclable materials found in this area include: all plastics, all paper, metals, glass, and cardboard.

### **4.6.2 Pollutants**

The following is a list of potential pollutants that are associated with this activity:

- Paper and cardboard;
- Plastic;
- Chemicals;
- Metals;
- Oil, Gasoline and other petroleum hydrocarbons; and
- Incidental trash.



The following areas are potential spills that could occur as a result of this activity:

- Materials spilled from loading or removing materials;
- Cardboard and paper from the recycling area; and
- Leaking petroleum hydrocarbons from vehicles/heavy equipment in recycling area.

#### **4.6.3 Spills and Leaks**

No reportable spills have occurred within the past five years. Any spills and/or leaks for this activity would result from equipment/vehicles tracking soil, dust, recyclable materials and leaking petroleum hydrocarbons. Stormwater from this area will flow towards Outfall 001.

### **4.7 NON-STORMWATER DISCHARGES**

The Site was evaluated for the presence of non-stormwater discharges. There is a septic tank that treats wastewater from the administration building and wash-down water generated and collected by the transfer station drain system prior to discharging into the constructed above-grade wetland/evaporation pond on-site. The constructed above-grade wetland/evaporation pond biologically treats the effluent from the septic tank. Effluent from the wetland pond flows to the evaporation pond where it ultimately evaporates. This system is regulated by an NPDES permit, which includes routine maintenance, sampling, and monitoring.

#### **4.7.1 Activities in the Area**

The Site has an on-site septic system with two ponds that are used to treat wastewater and wash-water for the Site. Both ponds are lined with high density polyethylene (HDPE) and all water remains in these ponds until it evaporates. The Site has a state discharge permit for this activity.

#### **4.7.2 Spills and Leaks**

Spills/leaks can occur due to liner damage or other system failures. No reportable spills for these activities occurred within the past five years. Please note that the above-grade wetland/evaporation pond was constructed with a capacity sufficient freeboard to ensure that no overage has ever occurred even during excess transfer station washouts or during heavy rain (monsoon) events.

Spills and/or leaks from the detention ponds would be captured within the larger detention pond before discharging from Outfall 002.

### **4.8 SALT STORAGE**

No salt is stored on the Site at this time.

### **4.9 HOUSEHOLD HAZARDOUS WASTE BUILDING**

The HHW is housed in its own building and all processing of the material is within the building. All containers are sealed prior to transport for recycling, processing, incineration, or fuel blending activities by a hazardous waste processor. No potential pollutants to stormwater are expected from this facility.

## **4.10 SAMPLING DATA**

No sampling of stormwater discharges has been conducted prior to the implementation of this SWPPP.

## 5 CONTROL MEASURES

This section of the SWPPP describes the pollution prevention measures, best management practices (BMPs), and other technology-based limits and controls that will be implemented at the Site to reduce the potential for accidental releases and discharges of pollutants to stormwater runoff from the activities described herein. Both structural and non-structural BMPs are presented below. Part 2.1.1 of the MSGP describes what must be considered when selecting and designing control measures.

### 5.1 MINIMIZE EXPOSURE

Material segregation or covering is used to minimize the potential for stormwater contamination resulting from many activities or materials located outdoors. These impacts are eliminated/reduced by either:

- Covering the storage or activity area, where feasible;
- Repairing leaky equipment inside, if possible, or outside either when it is not precipitating or where measure are in place to prevent exposure that would lead to stormwater discharge;
- Using containment structures to keep potential contamination from potential stormwater discharge; or
- Segregating materials and/or activities away from drains or other runoff areas.

### 5.2 GOOD HOUSEKEEPING

Good housekeeping procedures are practical, cost-effective measures to maintain a clean and orderly operation to minimize the amount of potential sources of pollutants in stormwater discharges. Protocols for good housekeeping reduce the mishandling of chemicals and equipment and include the following methods:

- Routine clean up;
- Implementation of BMPs;
- Daily pickup and disposal of windblown debris on days when the Site is in operation;
- Vehicle and equipment inspection for fluid leaks and proper operation;
- Daily inspection of containers used for storage of recyclables;
- Routine visual inspections of all potential pollution sources;
- Checking the Site for signs of erosion and sedimentation;
- Using sound judgment to maintain a clean working environment; and
- Routine training and safety meetings.

## 5.3 MAINTENANCE

Preventative maintenance includes regular and routine review, inspection, and maintenance of stormwater control structures as well as other BMPs is required by this SWPPP including:

- Maintain stormwater detention pond and inlet structure. Repair any erosion of slopes and maintain vegetation as needed. Clean out sediment periodically to prevent siltation of inlets and outlets into the pond.
- Maintain constructed wetlands/evaporation pond. Repair any erosion of slopes and maintain vegetation as needed. Maintain wetland/evaporation pond in accordance with its associated discharge permit.
- Routinely remove sediment buildup from drainage features, such as drainage swales/channels, drainage culverts, and culvert inlets.
- Inspect and perform necessary maintenance on all erosion and drainage controls.
- Inspect and perform necessary maintenance on all other BMPs.
- Maintain diversion berm around the materials storage area to properly divert stormwater into the appropriate drainage inlet structure.

Below is a list of the equipment and structures on which preventative maintenance is performed:

- Hoses, fuel tanks, and fluid reservoirs on equipment: Check for corrosion, cracks, holes, splitting seams, or damaged or worn connections. As part of their routine activities, operators and mechanics periodically check for corrosion, cracks, holes, or other damage.
- Detention Pond Area Outfall: As part of the Site inspection program, check for erosion, sedimentation or damage.
- Materials Storage Area: As part of their routine activities, personnel will check for erosion or other potential pollutants.
- Cans, pails or other canisters of fluids used for maintenance: As part of their routine activities, Site personnel will check for tipped containers, leaking containers, corrosion, and fluids in improper containers.
- Diligently maintaining non-structural control measures (e.g. keep spill response supplies available, personnel appropriately trained).

See Part 2.1.2.3 of the MSGP for information on failure of a control measure and immediate response requirements to address the corrective action.

## 5.4 BEST MANAGEMENT PRACTICES

The following BMPs are used at the Site:

- Use dry cleanup methods (when possible) to clean spills;
- Inspect for fluid leaks from vehicles;
- Inspect and clean floor drains in transfer station building to prevent clogging;

- Perform routine inspection of on-site roadways and parking areas and clean-up any fluid leaks and waste materials;
- Maintain berms as needed to control stormwater in materials storage area;
- Perform routine observation of the recycling area to avoid overfilling roll-off containers;
- Inspect recycling areas and remove any litter or other materials not properly stored or contained;
- Maintain vegetation on unpaved areas;
- Remove sediment build-up and obstructions from drainage structures;
- Maintain drainage structures to ensure proper function;
- Inspect the Site regularly for proper implementation of control measures;
- Sweep pavement areas as needed to keep clean and free of waste or excessive sediment build-up;
- Empty and clean drip pans in an appropriate manner, if used;
- Inspect parking and staging areas regularly to ensure any random spills have been cleaned and removed from the area;
- Use spill control funnels when transferring liquids to tanks, drums, or other containers;
- Train employees in the implementation of BMPs;
- Keep removable drain covers, absorbent materials, and other spill response materials in the vicinity of drains and other areas of potential spills; and
- Park vehicles only on paved areas, when possible.
- Minimize the chance of accepting non-recyclables at the recycling collection center and materials storage area by:
  - Provide information and education to operators regarding acceptable recyclable materials;
  - Train employees responsible for acceptance of recyclable materials;
  - Clearly mark public drop off containers;
  - Establish procedures for handling and disposal of non-recyclable material.
- Minimize exposure of recyclables to precipitation by:
  - Using good housekeeping measures;
  - Inspect recycling areas and remove any litter or other materials not properly stored or contained;
  - Providing totally enclosed drop off containers for the public where possible; and
  - Perform routine observation of the recycling area to avoid overfilling roll-off containers.
- Minimize the release of pollutants from indoor storage and processing areas through implementation of control measure such as:
  - Scheduling routine good housekeeping for all storage and processing areas;

- Prohibiting tipping floor wash water from draining directly to stormwater drainage areas by maintaining septic and wetland system;
- Provide employee training on pollution prevention practices.
- Minimize the discharge of pollutants from areas where outdoor vehicle and equipment maintenance occur through implementation of control measures such as:
  - Minimizing the outdoor area where maintenance can be performed;
  - Establishing spill prevention and clean-up procedures in maintenance areas;
  - Avoiding topping off fuel tanks;
  - Storing all incidental lubricants and hydraulic fluids indoors; and
  - Providing employee training on proper handling and storage of hydraulic fluids and lubricants.

## **5.5 SPILL PREVENTION AND RESPONSE PROCEDURES**

A Spill Prevention, Control, and Countermeasure (SPCC) Plan is not required for this Site due to the lack of fuel and oil storage on-site.

To prevent spills and to provide adequate spill response, the SWPPP Team will implement the following procedures:

1. Identify areas where spills could contribute pollutants to storm water discharges.
2. Develop and implement procedures, including BMPs related to spill prevention, to minimize or prevent contamination of storm water from spills.
3. Require drums, tanks, or containers to be clearly labeled.
4. Make available to Site personnel materials and equipment necessary for spill cleanup. Such materials and equipment will be maintained at the transfer station building or other suitable location. An inventory of spill cleanup materials and equipment will be maintained with said materials/equipment. At a minimum spill cleanup materials and/or equipment will include:
  - Spill absorbent (i.e., speedi-dri, etc.);
  - Scoops, shovels, brooms, bags, and drums;
  - Spill wipe pads;
  - Portable oil booms/dikes;
  - Spill pillows; and
  - Personal protective equipment (neoprene gloves, boots, and goggles).
5. In the event of a spill outside of the transfer station building, immediately notify the SWPPP Team Coordinator and transfer station manager and promptly clean-up spill using the following procedures:
  - Clear the area of all unnecessary personnel, if necessary;
  - Rope-off and/or barricade the spill area to prevent entry of unauthorized personnel, if necessary;

- Put on appropriate protective equipment, such as gloves, boots, etc.;
  - If safe to do so, initiate action to stop the source of the spill by closing a valve, stopping a pump, etc.;
  - If safe to do so, take steps to prevent runoff into storm water culverts by plugging or creating a dike around drains;
  - If safe to do so, contain the spill using absorbent materials, dikes, or booms; and
  - Notify emergency contacts if needed. See Part 2.1.2.4 of the MSGP for information on releases containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under either 40 CFR 110, 40 CFR 117, or 40 CFR Part 302 which occurs during a 24-hour period.
6. Site personnel will be educated about spill clean-up methods in the routine training meetings. In the event of a significant spill, Site personnel will implement spill containment and clean-up procedures and document the significant spill by completing an incident report and identifying the spill location on Figure 2 – Site Plan. Incident reports for significant spills will be maintained in Appendix I of this SWPPP.

See Part 2.1.2.4 of the MSGP for information on releases containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under either 40 CFR 110, 40 CFR 117, or 40 CFR Part 302 which occur during a 24-hour period. Appendix D has Incident Forms and notification contacts.

## **5.6 EROSION AND SEDIMENT CONTROLS**

Site personnel must minimize erosion by stabilizing exposed soils at the Site in order to minimize pollutant discharges and placing flow velocity dissipation devices at discharge locations to minimize channeling/scouring erosion during storm events. Structural and non-structural control measure will be used to minimize the discharge of sediment. A water truck is used on-site and it will be used to spray where appropriate to minimize dust and erosion of the onsite soils.

## **5.7 SALT STORAGE**

There are no salt storage piles located at the Site.

## **5.8 EMPLOYEE TRAINING**

The Site 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 (i.e. inspectors, maintenance personnel, etc.) including all members of the Stormwater Pollution Prevention Team. The following personnel are required to understand the requirements of the permit and their specific responsibilities with respect to those requirements (see Part 2.1.2.8 of the MSGP for specific recommendations):

- Personnel who are responsible for the design installation, maintenance and/or repairs 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 as required in Parts 3 and 4 of the MSGP; and
- Personnel who are responsible for documenting corrective actions taken as required by Part 5 of the MSGP.

Annual training and new employee training should consist of the following items:

- An overview of what is in the SWPPP;
- 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 maintained;
- The proper procedures to follow with respect to the permit's pollution prevention requirements;
- Used oil and spent solvent management and fueling procedures as part of interacting with the mobile service/fuel trucks;
- When and how to conduct inspections, record applicable findings, and take corrective actions; and
- The landfill's emergency procedures (see note below).

Note: It is our understanding that the Site has not experienced a major catastrophic precipitation or flooding event. The 2021 MSGP requires operators that may be located in areas susceptible to or have experienced major storm events to consider implementing enhanced measures, such as structural improvements, additional pollution prevention measures, and other mitigation measures that are complementary to regular stormwater pollution prevention planning. It is our interpretation that the Site is not in an area located in a susceptible area and therefore did not select additional emergency implementation BMP measures.

See Appendix D for an Employee Training Checklist, Site Inspection/SWPPP Evaluation/ Corrective Actions Form, and task checklist. This form will be prepared when training is completed.

## **5.9 SITE-SPECIFIC BMPS**

The following site-specific BMPs have been developed specifically to further define practices that will minimize the potential of pollution to enter stormwater discharge. The following are Site activities that are potential sources of stormwater discharge that require structural and non-structural BMPs:

- Transfer station building vehicle loading and unloading areas;
- Truck and trailer parking and staging area;
- Bale building area (including glass recycling and crushing area);
- Recycling area; and
- Material storage area.

### **5.9.1 Transfer Station Building**

All waste and recyclables are unloaded inside the transfer station building. All waste liquids and wash water is captured by floor drains and treated as wastewater. Transfer trailers are staged in the area



just outside the tunnels, but, are loaded inside the building tunnels with trash and recycling residuals, prior to being pulled out of the building for transport. Routine sweepings and washing of these areas are performed to minimize potential pollutants from leaving the Site. Litter and incidental trash that may result from normal operations is picked up on a routine basis from entry and exit locations of the building.

### **5.9.2 Vehicle Parking Area**

Vehicles and trailers not in use are parked in paved areas adjacent to the transfer station building. These areas will be inspected for fluid leaks and other waste materials that may accumulate in the area. Leaks will be cleaned up with absorbent materials and properly disposed. Windblown litter will be picked up as needed.

### **5.9.3 Bale Building Area (including Glass Recycling and Crushing Area)**

The baling area will be cleaned as required to prevent waste liquids or recyclables from being scattered or spilled outside the facility. Area drains will be inspected periodically and cleaned as needed. Equipment maintenance will be performed inside the building, when possible. Bales temporarily stored outside the building will be inspected for good housekeeping practices. Bales will be removed from Site in a timely manner.

Spills or leaks are cleaned up with appropriate spill response equipment in a timely manner, and disposed of in appropriate containers and managed accordingly.

#### **5.9.3.1 Glass Recycling and Crushing Area**

The glass recycling area will be cleaned as required to prevent recyclables and trash from being scattered or spread outside the designated storage and processing areas. Adjacent drainage channels and culvert inlets will be kept clean and free of recyclable materials and debris.

### **5.9.4 Recycling Drop-Off Area**

The recycling drop-off area will be routinely inspected to assure materials have been properly placed in this area. Inappropriate waste will be removed from the recycling area and properly disposed. Good housekeeping methods will be practiced in this area.

### **5.9.5 Materials Storage Area**

The diversion/containment berm along the south side of the materials storage area will be maintained to ensure that stormwater is directed into the appropriate inlet. In addition, the BMPs listed in the SWPPP are utilized as appropriate in all areas to ensure preventive maintenance is routinely performed, spills and/or leaks are immediately addressed, and good housekeeping protocol is maintained.

## **6 SCHEDULES AND PROCEDURES**

This section contains the schedules and procedures used to implement the control measures listed in Section 5 above. This section also addresses the inspection and monitoring requirements of the 2021 MSGP. The inspections are to be performed by a member of the Pollution Prevention Team.

### **6.1 CONTROL MEASURES**

#### **6.1.1 Good Housekeeping**

Good housekeeping procedures are practical, cost-effective measures to maintain a clean and orderly operation to minimize the amount of potential sources of pollutants in stormwater discharges. Protocols for good housekeeping reduce the mishandling of chemicals and equipment.

Personnel conduct periodic routine inspections for leaks, spills, pavement, recycling areas, and the condition of equipment, material stockpiles, drums, containers, and holding ponds. As a minimum, inspection of good housekeeping practices as described in Section 5 of this Plan are performed on a monthly basis by a member of the Pollution Prevention Team.

#### **6.1.2 Maintenance**

Preventative maintenance shall include regular and routine review, inspection, maintenance and repair of stormwater control structures as well as other equipment that is exposed to stormwater. Preventive maintenance is performed to avoid situations that may result in leaks, spills, and other releases. Preventive maintenance is performed on the Outfalls which consists of removing vegetation and ensuring the culverts are free of soil, trash and are flowing during storm events. The Outfall areas are lined with riprap to prevent scour of the area during storm events.

#### **6.1.3 Spill Prevention and Response Procedures**

Activities related to the prevention of spills and response procedures are outlined in this SWPPP.

#### **6.1.4 Erosion and Sediment Controls**

Personnel inspect erosion and sediment control on a monthly basis. The onsite water wagons are used to spray areas that are heavily travelled by vehicles that create dust and erosion of roadways are performed on an as-needed basis.

#### **6.1.5 Employee Training**

SFSWMA has developed and implemented an initial training program for Pollution Prevention Team members focusing on stormwater issues associated with Site operations as described above in Section 5 of this Plan.

An annual employee-training program has been implemented to inform personnel of the stormwater pollution prevention measures implemented at the Site. Training is provided for new Pollution Prevention Team members as well as new employees, as needed. Documentation of employee training regarding the SWPPP will be maintained. Appendix D provides the training documentation form.

## 6.2 INSPECTIONS

### 6.2.1 Routine Site Inspections

Routine site inspections are performed on a monthly basis. At least once each calendar year the inspection must be performed when a stormwater discharge is occurring, if possible. Inspections are performed during normal site operating hours and inspections are conducted in areas covered by the 2021 MSGP permit including, but not limited to:

- Areas where industrial material or activities are exposed to stormwater;
- Areas identified in the SWPPP and those that are potential pollutant source;
- Areas where spills and leaks have occurred; and
- Discharge/Outfall points.

#### 6.2.1.1 Responsible Person or Position

Routine inspections shall only be conducted by persons who are qualified as defined in Appendix A of the MSGP. Qualified personnel are those who possess the knowledge and skills to assess conditions and activities that could impact stormwater quality at the Site, and who can also evaluate the effectiveness of control measures. The Site Manager, or their representative, will be responsible for performing the inspections.

During the inspection the Site Manager, or their representative, must examine or look 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 or waste materials, or sediment where vehicles enter or exit the Site;
- Tracking or blowing of raw or final waste materials from areas of no exposure to exposed areas;
- Control measures needing replacement, maintenance or repair; and
- Outfalls are clear of debris and vegetation.

During an inspection occurring during a stormwater event or discharge, control measures implemented should be observed to ensure they are functioning correctly at Outfalls 002 and 003.

#### 6.2.1.2 Schedule

Routine inspections shall be conducted on a monthly basis during operating hours (currently 8:00 am to 4:45 pm). At least once per calendar year, the inspection shall be conducted during a period when a stormwater discharge is occurring. If no discharges occurred at the Site during operating hours, documentation shall be included in the final Routine Site Inspection report for the calendar year.

Other than when adverse weather conditions exist (see 6.2.2.2 below), visual examinations of stormwater quality must be performed and documented at least once per quarter, if possible. Quarters applicable for visual assessments are defined as the following three month intervals:

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

### **6.2.1.3 Inspection Procedures**

All areas of the Site where industrial materials or activities are exposed to stormwater are required to be inspected. This includes the following areas: storage areas for vehicles and equipment awaiting maintenance, vehicle entrance and exits, recycling stockpiles/bales, green waste, and material storage areas. These areas will be visually inspected for the presence and cause of sedimentation, erosion, leaks, spilled product, and/or other conditions that may potentially contaminate stormwater discharged from the Site. Each Site inspection will be documented with 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 Site, 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; and
- Any control measures needing maintenance, repairs, or replacement.
- Any additional control measures needed to comply with the permit requirements;
- Any incidents of noncompliance; and
- A statement signed and certified in accordance with Appendix B, Subsection 11 of the MSGP.

Records from these inspections will be maintained with the SWPPP. Routine Site inspection reports will not be submitted to UAEPA; however, the findings will be submitted in the Site's Annual Report. Conditions that may potentially cause pollutants to encounter stormwater identified during the routine site inspection will be corrected as required by Part 5 of the MSGP.

### **6.2.2 Quarterly Visual Assessments of Stormwater Discharges**

Once each quarter for the entire permit term, personnel will try to collect a stormwater sample from Outfalls 002 and 003 (except as noted during adverse weather conditions) and conduct a visual assessment of each sample. The visual assessment must be made using:

- Of a sample in a clean colorless glass or plastic container, and examined in a well-lit area;
- Of 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 document why it was not possible to take the sample within the first 30 minutes. In the case of snowmelt, samples must be taken during a period with a measurable discharge; and

- For storm events, on discharges that occur at least 72 hours (three days) from the previous discharge. The 72-hour (three-day) storm interval does not apply if it is documented that less than a 72-hour (three-day) interval is representative for local storm events during the sampling period.

The grab sample will be collected using a clean bottle. The sample will be collected from the middle of the discharge or where turbulence is greatest and the flow well mixed. The visual examination must be conducted in a well-lit area. When possible, the same individual should carry out the collection and examination of discharges for the entire permit term. For this reason, sample collection will be conducted during normal business hours. The examination must document observations of:

- Color;
- Odor;
- Clarity (diminished);
- Floating solids;
- Settled solids;
- Suspended solids;
- Foam;
- Oil sheen; and
- Other obvious indicator of stormwater pollution.

#### **6.2.2.1 Quarterly Visual Assessment Documentation**

The results of the visual assessment will be documented, and this documentation maintained in the SWPPP in Appendix I. The documentation of the visual assessment must include, but not limited to:

- 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; and
- A statement signed and certified in accordance with Appendix B, Subsection 11.

See Appendix D-5 for the quarterly visual assessment form.

### **6.2.2.2 Exceptions to Quarterly Visual Assessments**

Adverse Weather Conditions: When adverse weather conditions prevent the collection of samples during the quarter, a substitute sample should be taken during the next qualifying storm event. Documentation of the rationale for no visual assessment for the quarter must be included in the SWPPP records as described in Part 6.5 of the MSGP. Adverse conditions are those that are dangerous or create inaccessibility for personnel, such as local flooding, high winds, electrical storms, or situations that otherwise make sampling impractical, such as extended frozen conditions.

Climates with Irregular Stormwater Runoff: Since the Site is located in an area where limited rainfall occurs during many parts of the year (e.g., arid or semi-arid climate), samples for the quarterly visual assessment may be distributed during seasons when precipitation runoff occurs, when possible.

Areas that Receive Snow: Since the landfill is located in an area that typically receives snow at least once over a period of four quarters, at least one quarterly visual assessment must capture snowmelt discharge. However, this assessment must take into account the exception regarding climates with irregular stormwater discharges.

## **6.3 MONITORING**

Site personnel must collect and analyze stormwater samples and document monitoring activities consistent with the procedure described herein.

### **6.3.1 Monitoring Location**

Currently, the Site has two outfalls (Outfalls 002 and 003) with the potential to discharge stormwater that originates in areas of industrial activities at the Site (see Figure 2).

### **6.3.2 Monitoring Procedures**

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. The reason for not obtaining a sample within the first 30 minutes must be documented as to why it was not possible to take the sample within the first 30 minutes.

For storm events, on discharges that occur at least 72 hours (three days) from the previous discharge, the 72-hour (three-day) storm interval does not apply if documentation shows that less than a 72-hour (three-day) interval is representative for local storm events during the sampling period. In addition, if the following conditions exist samples will be taken as specified below:

Adverse Weather Conditions: When adverse weather conditions prevent the collection of samples during the relevant monitoring schedule, a substitute sample must be taken during the next qualifying storm event. Adverse conditions are those that are dangerous or create inaccessibility for personnel, such as local flooding, high winds, electrical storms, or situations that otherwise make sampling impractical, such as extended frozen conditions.

Climates with Irregular Stormwater Runoff: Since the site is located in an area where limited rainfall occurs during many parts of the year (e.g., arid or semi-arid climate), samples for the quarterly monitoring event may be distributed during seasons when precipitation runoff occurs or when snowmelt results in a measurable discharge.

### **6.3.2.1 Monitoring Reports**

Monitoring data must be reported using EPA's electronic Net-DMR tool at [www.epa.gov/netdmr](http://www.epa.gov/netdmr).

### **6.3.2.2 Frequency of Sampling**

Monitoring requirements in the MSGP begin in the third quarter of 2021. For quarterly monitoring, quarters correspond to the following 3-month intervals:

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

The first monitoring quarter would be July 1 – September 30, 2021.

Because the Site is located in an arid climate, the monitoring schedule may be modified in accordance with "Climates with Irregular Runoff", as described above, if the revised schedule is documented in the SWPPP. However, when using the Net-DMR reporting must use a "no discharge" or "NODI" code for any 3-month interval when a sample was not taken.

### **6.3.2.3 Monitoring for Allowable Non-Stormwater Discharges**

There are no allowable non-stormwater discharges at this Site.

### **6.3.2.4 Required Monitoring**

- PFAS Analytes Monitoring;
- Indicator monitoring;
- Quarterly benchmark monitoring – not applicable;
- Annual effluent limitations guidelines monitoring – not applicable;
- State or tribal specific monitoring – PFAS Analytes Monitoring (See first bullet);
- Impaired Waters monitoring – not applicable; and
- Other monitoring required by EPA – none required at this time.

When more than one type of monitoring for the same pollutant at each outfall, a single sample can be obtained to satisfy both monitoring requirements. As with both of the two applicable Subsectors, P1 and N2, there are no benchmark monitoring nor effluent limitations. As such, the Additional Implementation Measures (AIMs) is not applicable to the site.

All required monitoring must be conducted in accordance with the procedures described in Appendix B.10 of the MSGP.

### **6.3.2.5 PFAS Monitoring**

In Part 9.6.2 of the MSGP, PFAS monitoring is required in the State of New Mexico, except Indian County, for all 18 PFAS analytes. The required monitoring is during the first year of MSGP coverage, or when the Site discharges if no discharge occurs during the first year. Samples must be analyzed by an accredited lab and the method/analysis will be sufficiently sensitive to evaluate the New Mexico screen levels. If the PFAS results exceed the screen level, sampling and reporting to New Mexico Environment Department will occur annually until results demonstrate concentrations below the screening level. All PFAS results will be reported to NMED. Also, in the event that the results exceed

the New Mexico screening level, personnel will take corrective action by identifying and implementing ways to minimize, reduce, and eliminated PFAS from the industrial activity through the use of additional BMPs or operational controls.

### 6.3.2.6 Indicator Monitoring

The 2021 MSGP included new Indicator Monitoring for all sectors that do not include benchmark monitoring. Since this landfill is subject to Sectors N and P, Subsectors N2 and P1, and neither include any benchmark monitoring, the Site is subject to indicator monitoring.

All indicator monitoring is to be conducted at least bi-annually in the first and fourth years of permit coverage. Indicator monitoring is to provide both the site and EPA with a baseline of the stormwater discharge quality; the parameters are “report-only” and do not have thresholds and will not trigger any follow-up corrective action. Indicator monitoring is neither benchmark monitoring nor an effluent limitation; it is a permit condition and failure to conduct indicator monitoring, if required, would result in a permit violation.

### 6.3.2.7 Benchmark Monitoring (Not Applicable)

Benchmark monitoring data are primarily for use in determining the overall effectiveness of the control measures and to assist in determining when additional corrective action(s) may be necessary to comply with the effluent limitations. A benchmark exceedance is not a permit violation; however, if corrective action is required as a result of a benchmark exceedance, failure to conduct required corrective action is a permit violation. However, neither applicable Subsector, P1 or N2, require benchmark monitoring.

### 6.3.2.8 PFAS Screening Levels

Per 9.6.2 of the MSGP, per NMR050000, the Site is subject to PFAS monitoring. Site personnel will sample from Outfalls 002 and 003 for the following PFAS screening levels:

**Table 1. PFAS Screenings Requirements**

Parameter	Screening Level for New Mexico
PFOA + PFOS	0.070 ug/L

### 6.3.2.9 Indicator Monitoring

As the site’s NAISC dictates, that site personnel are required to conduct analytical indicator (report-only) monitoring of the stormwater discharges using the Visual Assessment Monitoring (i.e. Outfalls 002 and 003). Samples collected will be analyzed for the following Indicator Monitoring Parameters:

**Table 2. Indicator Monitoring Parameters**

Parameter	Threshold
Chemical Oxygen Demand (COD)	Report Only/No thresholds or baseline values
Total Suspended Solids (TSS)	Report Only/No thresholds or baseline values



pH	Report Only/No thresholds or baseline values
----	----------------------------------------------

If the Site utilizes a coal-tar sealcoat for the paved surfaces in the future, additional analytical indicator (report-only) monitoring of the stormwater discharges using the Visual Assessment Monitoring (i.e. Outfalls 002 and 003). Samples collected will also be analyzed for the following 16 Polycyclic Aromatic Hydrocarbons (PAHs) parameters:

Naphthalene	Phenanthrene	Benzo[a]anthracene	Benzo[a]pyrene
Acenaphthylene	Anthracene	Chrysene	Benzo[g,h,i]perylene
Acenaphthene	Fluoranthene	Benzo[b]fluoranthene	indeno[1,2,3-c,d]pyrene
Fluorine	Pyrene	Benzo[k]fluoranthene	dibenz[a,h]anthracene

## **7 CORRECTIVE ACTIONS**

### **7.1 CONDITIONS REQUIRING SWPPP REVIEW AND REVISION**

Corrective action must be initiated when any of the following applies:

- An unauthorized release or discharge (e.g., spill, leak, or discharge of non-stormwater not authorized by this or another NPDES permit) occurs;
- Site personnel become aware, or EPA determines, that control measures are not stringent enough for the discharge to meet applicable water quality standards or the non-numeric effluent limits in the permit;
- A required control measure was never installed, was installed incorrectly, or not in accordance with Parts 2 and/or 8 of the MSGP, or is not being properly operated or maintained; and
- Whenever a visual assessment shows evidence of stormwater pollution (e.g. color, odor, floating solids, suspended solids, foam).

### **7.2 CONDITIONS REQUIRING REVIEW TO DETERMINE IF MODIFICATIONS ARE NECESSARY**

If any of the following conditions occur, the Site personnel must review the selection, design, installation, and implementation of control measures to determine if modifications are necessary to meet the requirements in the MSGP:

- Construction or a change in design, operation, or maintenance at the Site significantly changes the nature of pollutants discharged in stormwater from the Site, or significantly increases the quantity of pollutants discharged.

### **7.3 CORRECTIVE ACTIONS AND DEADLINES**

#### **7.3.1 Immediate Actions**

If corrective action is needed, Site personnel 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.

In this context, the term “immediately” requires the personnel, on the same day a condition requiring corrective action is found, to 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. “All reasonable steps” means that Site personnel have undertaken initial actions to assess and address the condition causing the corrective action, including, for example, cleaning up any exposed materials that may be discharged in a storm event (e.g., through sweeping, vacuuming,) or making arrangements (i.e., scheduling) for a new BMP to be installed at a later date. “All reasonable steps” for purposes of complying with Part 5.1.2 Conditions Requiring SWPPP Review to Determine if Modifications Are Necessary, when it was concluded a corrective action is, in fact, not necessary, could include documenting why a corrective action is unnecessary.

### **7.3.2 Subsequent Actions**

If it is determined that additional actions are necessary beyond those implemented pursuant to the above, the Site personnel 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 the 14 calendar days, documentation must be prepared as to why it was infeasible to complete the corrective action within the 14-day timeframe. A schedule must also be identified for completing the work, which must be done as soon as practicable after the 14-day timeframe but no longer than 45 days after the discovery. If the completion of corrective action will exceed the 45 day timeframe, personnel must take the minimum additional time necessary to complete the corrective action, and provide notice to the USEPA Regional Office of the intention to exceed 45 days, the rationale for an extension, and a completion date, which must also include corrective action documentation (see Part 4.4 of the MSGP). Where corrective actions result in changes to any of the controls or procedures documented in the SWPPP, the Site personnel must modify the SWPPP accordingly within 14 calendar days of completing corrective action work.

These time intervals are not grace periods, but are schedules considered reasonable for documenting findings and for making repairs and improvements. They were included in the permit to ensure that the conditions prompting the need for these repairs and improvements do not persist indefinitely.

## **7.4 EFFECT OF CORRECTIVE ACTION**

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

## **7.5 ADDITIONAL IMPLEMENTATION MEASURES (AIM)**

Additional Implementation Measures (AIM) must be initiated when certain trigger events occur and the Agency must adhere to the sequential three AIM levels: Level 1, Level 2, and Level 3. Each level has prescribed sequential and increasing robust response when a benchmark exceedance occurs. However, as the Site has no benchmark monitoring requirements, AIM is not applicable to the Site and is not included in the SWPPP. If any changes to the site would result in an applicable benchmark monitoring requirements, this Site would also be subject to AIM and would be further detailed in the SWPPP.

## **7.6 CORRECTIVE ACTION DOCUMENTATION**

Within 24 hours of discovery of any condition listed in Section 5.1 2 of the MSGP the following information must be documented:

- 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 U.S., through stormwater or otherwise;
- Date the condition was identified;

- Description of immediate actions taken pursuant to Part 5.1.3.1 of the MSGP 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 2.1.2.4 of the MSGP); and
- A statement signed and certified in accordance with Appendix B, Subsection 11.

Site personnel must also document the corrective actions taken or to be taken as a result of the conditions listed in Part 5.1 of the MSGP (or, for triggering events in which the Site personnel determines that corrective action is not necessary, including the basis for this determination) within 14 days from the time of discovery of any of those conditions. Dates must be provided for when each corrective action was initiated and completed (or is expected to be completed). If applicable, documentation will be provided as to why it is infeasible to complete the necessary installations or repairs within the corrective action response timeframe, as well as the Site personnel's schedule for installing the controls and making them operational as soon as practicable after the timeframe. If USEPA is notified regarding an extension of any timeframe, the Site personnel must document the rationale for an extension. A summary of all corrective actions will be included in the Annual Report per Part 7.4 of the MSGP.

## 8 RECORDKEEPING AND REPORTING

### 8.1 REPORTING - EPA

#### 8.1.1 Submitting Information to EPA

The NOI, Annual Reports and other reporting information required to be submitted by this permit shall be submitted via EPA's electronic NPDES eReporting tool (NeT-MSGP) at <https://cdxnodengn.epa.gov/net-msgp/action/login>, unless a waiver has been granted. Discharge Monitoring Reports (DMRs) shall be submitted electronically via EPA's Net-DRM, available at <https://netdmr.zendesk.com/hc/en-us/articles/360052730771-Reporting-NetDMRs->.

Information required to be submitted to EPA Regional Office (see below for address):

- Additional reporting (see Part 7.6 of the MSGP).

#### 8.1.2 Additional SWPPP Information Required in Your NOI

A SWPPP URL is included in the NOI. Per the Site's Operating Permit in response to 20.9.3.8(C)(10), that the design and intended mode of operation does not preclude the potential for any impact to local groundwater. As such, the Site, per the NMED approved permit, demonstrates that the groundwater and spring water (no springs located on-site) are not contaminated from Site operations (per 9.6.2.4 of the MSGP). The Site confirms that all ponds and detention basins drain, evaporate, and infiltrate within 96 hours (per 9.6.2.5 of the MSGP).

#### 8.1.3 Annual Report

An annual report must be submitted to the EPA electronically by January 30<sup>th</sup> for each year of permit coverage containing information generated from the past calendar year (the first Annual Report for the 2021 MSGP will be due January 30, 2022). This annual report includes (see Part 7.4 of the MSGP for more details on what should be reported):

- A summary of your past year's routine Site inspection documentation required (Part 3.1.6 of the MSGP);
- A summary of the past year's quarterly visual assessment documentation (see Part 3.2.3 of the MSGP);
- A summary of the past year's corrective action documentation (see Part 5.1 of the MSGP); and
- The Annual report must be signed and certified in accordance with Appendix B, Subsection 11 of the MSGP.

#### 8.1.4 Additional Reporting

In addition to the above reporting requirements, the Site is also subject to standard permit reporting provisions of Appendix B, Subsection 12 (also see Part 7.6 of the MSGP) as follows:

- 24-hour reporting (see Appendix B, Subsection 12.F of the MSGP) – Any noncompliance must be reported if it may endanger health or the environment. Any information must be provided orally within 24 hours from the time the SFSWMA became aware of the circumstances;

- 5-day follow-up reporting to the 24-hour reporting (see Appendix B, Subsection 12.F of the MSGP) – Written submission must be provided within five days of the time SFSWMA became aware of the circumstances;
- Reportable quantity spills (see Part 2.1.2.4 of the MSGP) – Oral Notification must be provided as soon as SFSWMA has knowledge of a leak, spill, or release containing a hazardous substance or oil in an amount equal or in excess of a reportable quantity;
- Planned changes (see Appendix B, Subsection 12.A of the MSGP) – SFSWMA will provide notice to USEPA as soon as possible of any planned physical alterations or additions to the Site that qualify the change as a new source or that could significantly change the nature or significantly increase the quantity of pollutants discharged;
- Anticipated noncompliance (see Appendix B, Subsection 12.B of the MSGP) – SFSWMA will provide advance written notice to USEPA of any planned changes in the permitted Site or activity which the Site anticipates will result in noncompliance with permit requirements;
- Compliance schedules (see Appendix B, Subsection 12.F of the MSGP) – 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 (see Appendix B, Subsection 12.G of the MSGP) – SFSWMA will report all instances of noncompliance not reported in the monitoring report, compliance schedule report, or 24-hour report at the time monitoring reports are submitted; and
- Other information (see Appendix B, Subsection 12.H of the MSGP) – SFSWMA will promptly submit facts or information if it becomes aware that it failed to submit relevant facts in the NOI, or that incorrect information was submitted in the NOI or in any report.

### **8.1.5 Addresses for Reports to be Filed With Regional EPA Office**

The Regional EPA office (Region 6) for the Site is:

Via US Mail  
 U.S. EPA Region 6  
 Permitting Section (WD-PE)  
 1201 Elm Street, Suite 500  
 Dallas, TX 75270

## **8.2 REPORTING - NMED**

The PFAS analytes monitoring information required to be submitted by this permit shall be submitted to NMED at the following address:

Via US Mail  
 Point Source Program Manager  
 Surface Water Quality Bureau  
 New Mexico Environment Department  
 P.O. Box 5469  
 Santa Fe, NM 87502-5469

## 9 DOCUMENTATION

### 9.1 ENDANGERED SPECIES

As a part of obtaining the Site's solid waste permit, a thorough review of threatened and endangered species was conducted. Any threatened and endangered species located on-site were relocated. Therefore, this Site is eligible per Appendix E, Criteria A of the MSGP. Documentation of the relocation project is presented in Appendix G of this SWPPP. Appendix G also includes the USFWS Official Species List documentation as required by the MSGP.

### 9.2 HISTORIC PROPERTIES

Based on a review of the list of historic properties on the NRIS, there are no on-site historic properties included on the NRIS list; thus, stormwater discharges will not impact historic properties. Therefore, the Site is eligible for coverage under Appendix F, Criteria A of the MSGP. A letter from the New Mexico Deputy State Historic Preservation Officer confirming this is presented in Appendix H of the SWPPP.

### 9.3 NEPA REVIEW

The National Environmental Policy Act (NEPA) is an environmental law that was signed into law on January 1, 1970. The law established a U.S. national policy promoting the enhancement of the environment and to set up procedural requirements for all federal government agencies to prepare environmental assessments (EAs) and Environmental impact statements (EISs).

An NEPA is not applicable for this Site.

### 9.4 CHECKLIST OF REQUIRED FORMS AND/OR DOCUMENTATION

The following forms/documents must be kept with the SWPPP:

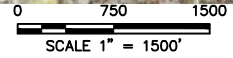
- A copy of the NOI submitted to EPA along with any correspondence exchanged between the Site personnel and EPA specific to coverage under this permit (Appendix B of the SWPPP);
- A copy of the acknowledgment letter that is received from the NOI Processing Center or eNOI system assigning the permit tracking number (Appendix B of the SWPPP);
- A copy of the MSGP permit (Appendix A of the SWPPP or an electronic copy easily available to SWPPP 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 U.S., 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 2.1.2.4 of the MSGP and Appendix D for forms);
- Records of employee training, including date training received (use the Employee Training Checklist (see Appendix D of the SWPPP);
- Documentation of maintenance and repairs of control measures, including the date(s) of regular maintenance, date(s) of discovery of areas in need of repair/replacement, and for repairs, date(s) that the control measure(s) returned to full function, and the justification for any extended maintenance/repair schedules (see Part 2.1.2.3 of the MSGP Appendix D for forms);
- All inspection reports, including Routine Site Inspection Forms (see Part 3.1.6 of the MSGP) and Visual Assessment Documentation (See Part 3.2.3 of the MSGP);

- Description of any deviations from the schedule for visual assessments (see Appendix D for form), 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); and
- Description of any corrective action taken at the Site, including the triggering event and dates when problems were discovered and modifications occurred (see Appendix D for form).



## Figures

FIGURE 1  
SITE LOCATION MAP



SOURCE: GOOGLE EARTH IMAGED DATED 03/02/2021

<b>1</b>	CADW FILE: VICINITY PLAN: DATE: 05/2021 SCALE: AS SHOWN FIGURE NO:	<b>SCS ENGINEERS</b> STEARNS, CONRAD AND SCHMIDT CONSULTING ENGINEERS 1901 CENTRAL DRIVE, SUITE 550, BEDFORD, TX 76021 PH (817) 571-2288 FAX NO. (817) 571-2188	CLIENT <b>SANTA FE SOLID WASTE                  MANAGEMENT AGENCY</b> 2600 BUCKMAN ROAD SANTA FE, NEW MEXICO 87507	DRAWING TITLE <b>VICINITY MAP</b>	REV DATE DESCRIPTION BY
		PROJ. NO: 16221025.00 DWN. BY: JK Q/A R/W BY: JK DSN. BY: JK CHK. BY: JK APP. BY: JK	PROJECT TITLE <b>BUCKMAN ROAD RECYCLING                  &amp; TRANSFER STATION                  SWPPP</b>		

FIGURE 2  
SITE PLAN



**NOTE:**

1. THE EXISTING TOPOGRAPHY SHOWN ON THIS PLAN WAS DEVELOPED BY PREVISION SURVEY, INC. AERIAL PHOTOGRAMMETRY ON SEPTEMBER 29, 2020 AND DECEMBER 13, 1999.
2. ESTIMATED AREA OF INDUSTRIAL ACTIVITY IS 20.83 ACRES

**FOR ILLUSTRATION PURPOSES ONLY**

BY		DESCRIPTION		REV	DATE
<b>SITE PLAN</b>					
<b>BUCKMAN ROAD RECYCLING &amp; TRANSFER STATION SWPPP</b>					
<b>SANTA FE SOLID WASTE MANAGEMENT AGENCY 2600 BUCKMAN ROAD SANTA FE, NEW MEXICO 87507</b>					
<b>SCS ENGINEERS</b> STEARNS, CONRAD AND SCHMIDT CONSULTING ENGINEERS 1901 CENTRAL DRIVE, SUITE 550, BEDFORD, TX 76021 PH (817) 571-2288 FAX NO. (817) 571-2188 PROJ. NO. 2210025.00 DATE: 5/2021					
CADD FILE: SITE PLAN (2021)					
DATE: 5/2021					
SCALE: AS SHOWN					
FIGURE NO. <b>2</b>					
TEXAS BOARD OF PROFESSIONAL ENGINEERS REG. NO. F-3407					

5/28/2021 11:00 AM C:\Users\Fs Solid Waste Management Agency\Site Plan (2021)

## APPENDICES

APPENDIX A  
MULTI-SECTOR GENERAL PERMIT

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (EPA)  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)  
MULTI-SECTOR GENERAL PERMIT (MSGP)  
FOR STORMWATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY**

In compliance with the provisions of the Clean Water Act (CWA), as amended (33 U.S.C. 1251 et seq.), operators of stormwater discharges associated with industrial activity located in an area identified in Appendix C where EPA is the permitting authority are authorized to discharge to waters of the United States in accordance with the eligibility and Notice of Intent (NOI) requirements, effluent limitations, inspection requirements, and other conditions set forth in this permit. This permit is structured as follows:

- **Parts 1-7:** General requirements that apply to all facilities;
- **Part 8:** Industry sector-specific requirements;
- **Part 9:** Specific requirements that apply in individual states and Indian country; and
- **Appendices A through P:** Additional permit conditions that apply to all operators covered under this permit.

This permit becomes effective on **March 1, 2021**. This permit and the authorization to discharge shall expire at 11:59 pm eastern time, **February 28, 2026**.

Signed and issued this 15<sup>th</sup> day of January 2021  
**DENNIS DEZIEL**  
Digitally signed by DENNIS DEZIEL  
Date: 2021.01.15 11:27:28 -05'00'

Dennis Deziel,  
Regional Administrator, EPA Region 1.

Signed and issued this 15<sup>th</sup> day of January 2021  
**CHARLES MAGUIRE**  
Digitally signed by CHARLES MAGUIRE  
DN: c=US, o=U.S. Government, ou=Environmental Protection Agency, cn=CHARLES MAGUIRE, o.3.2422.15203500.100.1.1=68001003650036  
Date: 2021.01.15 12:41:18 -06'00'

Charles Maguire,  
Director, Water Division, EPA Region 6.

Signed and issued this 15<sup>th</sup> day of January 2021  
**JEFFREY GRATZ**  
Digitally signed by JEFFREY GRATZ  
Date: 2021.01.15 09:35:36 -05'00'

Jeffrey Gratz,  
Deputy Director, Water Division, EPA Region 2.

Signed and issued this 15<sup>th</sup> day of January 2021  
**JEFFERY ROBICHAUD**  
Digitally signed by JEFFERY ROBICHAUD  
Date: 2021.01.15 13:43:45 -06'00'

Jeffery Robichaud,  
Director, Water Division, EPA Region 7.

Signed and issued this 15<sup>th</sup> day of January 2021  
**CARMEN GUERRERO PEREZ**  
Digitally signed by CARMEN GUERRERO PEREZ  
Date: 2021.01.15 11:13:39 -04'00'

Carmen R. Guerrero-Perez,  
Director, Caribbean Environmental Protection Division, EPA Region 2.

Signed and issued this 15<sup>th</sup> day of January 2021  
**DARCY OCONNOR**  
Digitally signed by DARCY OCONNOR  
Date: 2021.01.15 14:22:01 -07'00'

Darcy O'Connor,  
Director, Water Division, EPA Region 8.

Signed and issued this 15<sup>th</sup> day of January 2021  
**CATHERINE LIBERTZ**  
Digitally signed by CATHERINE LIBERTZ  
Date: 2021.01.15 10:55:42 -05'00'

Catherine A. Libertz,  
Director, Water Division, EPA Region 3.

Signed and issued this 15<sup>th</sup> day of January 2021  
**TOMAS TORRES**  
Digitally signed by TOMAS TORRES  
Date: 2021.01.15 15:00:36 -08'00'


Tomás Torres,  
Director, Water Division, EPA Region 9.

Signed and issued this 15<sup>th</sup> day of January 2021  
**JEANEANNE GETTLE**  
Digitally signed by JEANEANNE GETTLE  
Date: 2021.01.15 08:29:14 -05'00'

Jeanneanne Gettle,  
Director, Water Division, EPA Region 4.

Signed and issued this 15<sup>th</sup> day of January 2021  
**DANIEL OPALSKI**  
Digitally signed by DANIEL OPALSKI  
Date: 2021.01.15 15:30:11 -08'00'

Daniel D. Opalski,  
Director, Water Division, EPA Region 10.

Signed and issued this 15<sup>th</sup> day of January 2021  
  
Digitally signed by TERA FONG  
Date: 2021.01.15 11:31:25 -06'00'

Tera L. Fong,  
Director, Water Division, EPA Region 5.



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## 1 **How to Obtain Coverage Under the 2021 MSGP**

To be covered under this permit, you must meet all of the eligibility conditions and follow the requirements for obtaining permit coverage in Part 1.

### 1.1 **Eligibility Conditions**

1.1.1 **Location of Your Facility.** Your facility must be located in an area where EPA is the permitting authority and where coverage under this permit is available (see Appendix C);<sup>1</sup>

1.1.2 **Your Discharges Are Associated with Industrial Activity.** Your facility must have an authorized stormwater discharge or an authorized non-stormwater discharge per Part 1.2 associated with industrial activity from your primary industrial activity (as defined in Appendix A and as listed in Appendix D), or you have been notified by EPA that you are eligible for coverage under Sector AD.

1.1.3 **Limitations on Coverage.** Discharges from your facility are **not**:

1.1.3.1 **Discharges mixed with non-stormwater discharges.** Discharges mixed with non-stormwater discharges other than those mixed with authorized non-stormwater discharges listed in Part 1.2.2, and/or those mixed with a discharge authorized by a different NPDES permit and/or a discharge that does not require NPDES authorization.

1.1.3.2 **Stormwater discharges associated with construction activity.** Stormwater discharges associated with construction activity disturbing one acre or more, or that are part of a larger common plan of development or sale if the larger common plan will ultimately disturb one acre or more, unless in conjunction with mining activities or certain oil and gas extraction activities as specified in Sectors G, H, I, and J of this permit.

1.1.3.3 **Discharges already covered by another NPDES permit.** Unless you have received written notification from EPA specifically allowing these discharges to be covered under this permit, you are not eligible for coverage under this permit for any of the following:

- a. Stormwater discharges associated with industrial activity that are currently covered under an individual NPDES permit or an alternative NPDES general permit;
- b. Stormwater discharges covered within five years prior to the effective date of this permit by an individual NPDES permit or alternative NPDES general permit where that permit established site-specific numeric water quality-based effluent limitations developed for the industrial stormwater component of the discharge; or
- c. Discharges from facilities where any NPDES permit has been or is in the process of being denied, terminated, or revoked by EPA (this does not apply to the routine expiration and reissuance of NPDES permits every five years).

1.1.3.4 **Stormwater Discharges Subject to Effluent Limitations Guidelines.** Stormwater discharges subject to stormwater effluent limitation guidelines under 40 CFR, Subchapter N, other than those listed in Table 1-1 of this permit.

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<sup>1</sup> This condition also applies in the limited circumstances where your facility is located in a jurisdiction where EPA is not the permitting authority, but your discharge point location is to a water of the United States where EPA is the permitting authority.

- 1.1.4 Eligibility Related to Endangered Species Act (ESA) Listed Species and Critical Habitat Protection.** You are able to demonstrate that your stormwater discharges, authorized non-stormwater discharges, and stormwater discharge-related activities are not likely to adversely affect any species that are federally listed as endangered or threatened (“ESA-listed”) and are not likely to adversely affect habitat that is designated as “critical habitat” under the Endangered Species Act (ESA), or said discharges and activities were the subject of an ESA Section 7 consultation or an ESA Section 10 permit. You must follow the procedures outlined in the Endangered Species Protection section of the NOI in EPA's NPDES eReporting Tool (NeT-MSGP) and meet one of the criteria listed in Appendix E. You must comply with any measures that formed the basis of your criteria eligibility determination to be in compliance with the MSGP. These measures become permit requirements per Part 2.3. Documentation of these measures must be kept as part of your Stormwater Pollution Prevention Plan (SWPPP) (see Part 6.2.6.1).
- 1.1.5 Eligibility related to National Historic Preservation Act (NHPA)-Protected Properties.** You must follow the procedures outlined in the Historic Properties section of the NOI in NeT-MSGP to demonstrate that your stormwater discharges, authorized non-stormwater discharges, and stormwater discharge-related activities meet one of the eligibility criteria in Appendix F.
- 1.1.6 Eligibility for “New Dischargers” and “New Sources” (as defined in Appendix A)<sup>2</sup> ONLY**
- 1.1.6.1 Eligibility for “New Dischargers” and “New Sources” Based on Water Quality Standards.** Your stormwater discharge must be controlled as necessary such that the receiving water of the United States will meet applicable water quality standards. You are ineligible for coverage under this permit if EPA determines prior to your authorization to discharge that your stormwater discharges will not be controlled as necessary such that the receiving water of the United States will not meet an applicable water quality standard. In such case, EPA may notify you that an individual permit application is necessary per Part 1.3.8, or, alternatively, EPA may authorize your coverage under this permit after you implement additional control measures so that your stormwater discharges will be controlled as necessary such that the receiving water of the United States will meet applicable water quality standards.
- 1.1.6.2 Eligibility for “New Dischargers” and “New Sources” for Water-Quality Impaired Waters.** If you discharge to an “impaired water” (as defined in Appendix A), you must do one of the following:
- a. Prevent all exposure to stormwater of the pollutant(s) for which the waterbody is impaired, and retain documentation of procedures taken to prevent exposure onsite with your SWPPP;
  - b. When submitting your NOI in NeT-MSGP, provide the technical information or other documentation to support your claim that the pollutant(s) for which the waterbody

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<sup>2</sup>“New Discharger” means a facility from which there is or may be a discharge, that did not commence the discharge of pollutants at a particular site prior to August 13, 1979, which is not a new source, and which has never received a finally effective NPDES permit for discharges at that site. See 40 CFR 122.2.

“New Source” means 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. See 40 CFR 122.2.

is impaired is not present at your facility, and retain such documentation with your SWPPP; or

- c. When submitting your NOI in NeT-MSGP, provide either data or other technical documentation, to support a conclusion that the stormwater discharge will be controlled as necessary such that the receiving water of the United States will meet applicable water quality standards and retain such information with your SWPPP. The information you submit must demonstrate:
  - i. For discharges to waters without an EPA-approved or established total maximum daily load (TMDL), that the discharge of the pollutant for which the water is impaired will be controlled as necessary such that the receiving water of the United States will meet applicable water quality standards at the point of discharge to the waterbody; or
  - ii. For discharges to waters with an applicable EPA-approved or established TMDL, that there are, in accordance with 40 CFR 122.4(i), sufficient remaining wasteload allocations in the TMDL to allow your discharge and that existing dischargers to the waterbody are subject to compliance schedules designed to bring the waterbody into attainment with water quality standards (e.g., a reserve allocation for future growth).

You are eligible under Part 1.1.6.2.c if you receive a determination from the applicable EPA Regional Office that your stormwater discharge will be controlled as necessary such that the receiving water of the United States will meet applicable water quality standards and you document the Region's determination in your SWPPP. If the applicable EPA Regional Office fails to respond to you within 30 days after submission of data, you are considered eligible for coverage.

**1.1.6.3 Eligibility for “New Dischargers” and “New Sources” for Waters with High Water Quality (Tier 2, 2.5, and 3).**

- a. For new dischargers and new sources to Tier 2 or Tier 2.5 waters, your discharge must not lower the water quality of the applicable water. See a list of Tier 2 and Tier 2.5 waters in Appendix L.
- b. For new dischargers and new sources to waters designed by a state or tribe as Tier 3 waters<sup>3</sup> (i.e., outstanding national resource waters) for antidegradation purposes under 40 CFR 131.13(a)(3), you are not eligible under this permit and you must apply for an individual permit. See a list of Tier 3 waters in Appendix L.

**1.1.7 Eligibility for Discharges to a Federal Comprehensive Environmental Response,**

**Compensation, and Liability Act (CERCLA) Site.** If you discharge to a federal CERCLA Site listed in Appendix P, you must notify the EPA Region 10 Office when submitting your NOI, and the EPA Region 10 Office must determine that you are eligible for permit coverage. In determining eligibility for coverage under this Part, the EPA Region 10 Office may evaluate whether you are implementing or plan to implement adequate controls and/or procedures to ensure that your discharge will not lead to

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<sup>3</sup> For the purposes of this permit, your project is considered to discharge to a Tier 2, Tier 2.5, or Tier 3 water if the first water of the United States to which you discharge is identified by a state, tribe, or EPA as a Tier 2, Tier 2.5, or Tier 3 water. For discharges that enter a separate storm sewer system prior to discharge, the first water of the United States to which you discharge is the waterbody that receives the stormwater discharge from the storm sewer system (separate storm sewer systems (MS4s and non-municipal storm sewers systems) do not include combined sewer systems or separate sanitary sewer systems).

recontamination of aquatic media at the CERCLA Site (i.e., your stormwater discharge will be controlled as necessary such that the receiving water of the United States will meet an applicable water quality standard). If it is determined that your facility discharges to a CERCLA Site listed in Appendix P after you have obtained coverage under this permit, you must contact the EPA Region 10 Office and ensure that you either have implemented or will implement adequate controls and/or procedures to ensure that your discharges will not lead to recontamination of aquatic media at the CERCLA Site such that your stormwater discharge will be controlled as necessary such that the receiving water of the United States will meet an applicable water quality standard.

For the purposes of this permit, a facility discharges to a federal CERCLA Site if the discharge flows directly into the site through its own conveyance, or through a conveyance owned by others, such as a municipal separate storm sewer system (MS4).

## 1.2 **Types of Discharges Authorized Under the MSGP**<sup>4</sup>

**1.2.1 Authorized Stormwater Discharges.** If you meet all the eligibility criteria in Part 1.1, then the following discharges from your facility are authorized under this permit:

- 1.2.1.1** Stormwater discharges associated with industrial activity for any primary industrial activities and co-located industrial activities (as defined in Appendix A) except for any stormwater discharges prohibited in Part 8;
- 1.2.1.2** Discharges EPA has designated as needing a stormwater permit as provided in Sector AD;
- 1.2.1.3** Discharges that are not otherwise required to obtain NPDES permit authorization but are mixed with discharges that are authorized under this permit; and
- 1.2.1.4** Stormwater discharges from facilities subject to any of the national stormwater-specific effluent limitations guidelines listed in Table 1-1.

**Table 1-1. Stormwater-Specific Effluent Limitations Guidelines**

<b>Regulated Discharge</b>	<b>40 CFR Section</b>	<b>MSGP Sector</b>	<b>New Source Performance Standard (NSPS)</b>	<b>New Source Date</b>
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

<sup>4</sup> Any discharges not expressly authorized in this permit cannot become authorized or shielded from liability under Clean Water Act (CWA) section 402(k) by disclosure to EPA, state, or local authorities after issuance of this permit via any means, including the Notice of Intent (NOI) to be covered by the permit, the Stormwater Pollution Prevention Plan (SWPPP), or during an inspection.



Regulated Discharge	40 CFR Section	MSGP Sector	New Source Performance Standard (NSPS)	New Source Date
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) <sup>1</sup>
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	6/15/1

<sup>1</sup> NSPS promulgated in 1974 were not removed via the 1982 regulation; therefore, wastewaters generated by 40 CFR Part 423-applicable sources that were New Sources under the 1974 regulations are subject to the 1974 NSPS.

**1.2.2 Authorized Non-Stormwater Discharges.** Below is the list of non-stormwater discharges authorized under this permit. Unless specifically listed in this Part, this permit does not authorize any other non-stormwater discharges requiring NPDES permit coverage and you must either eliminate those discharges or they must be covered under another NPDES permit; this includes the sector-specific non-stormwater discharges that are listed in Part 8 as prohibited (a non-exclusive list is provided only to raise awareness of contaminants or sources of contaminants generally characteristic of certain sectors).

**1.2.2.1 Authorized Non-Stormwater Discharges for All Sectors.** The following 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 2 and 8.

- a. Discharges from emergency/unplanned fire-fighting activities;
- b. Fire hydrant flushings;
- c. Potable water, including uncontaminated water line flushings;
- d. Uncontaminated condensate from air conditioners, coolers/chillers, and other compressors and from the outside storage of refrigerated gases or liquids;
- e. Irrigation/landscape drainage, provided all pesticides, herbicides, and fertilizers have been applied in accordance with the approved labeling;
- f. Pavement wash waters, provided that detergents or hazardous cleaning products are not used (e.g., bleach, hydrofluoric acid, muriatic acid, sodium hydroxide, nonylphenols), and the wash waters do not come into contact with oil and grease deposits, sources of pollutants associated with industrial activities (see Part 6.2.3), or any other toxic or hazardous materials, unless residues are first cleaned up using dry clean-up methods (e.g., applying absorbent materials and sweeping, using hydrophobic mops/rags) and you have implemented appropriate control measures to minimize discharges of mobilized solids and other pollutants (e.g., filtration, detention, settlement);
- g. External building/structure washdown / power wash water that does not use detergents or hazardous cleaning products (e.g., those containing bleach,

hydrofluoric acid, muriatic acid, sodium hydroxide, nonylphenols) and you have implemented appropriate control measures to minimize discharges of mobilized solids and other pollutants (e.g., filtration, detention, settlement);

- h. Uncontaminated ground water or spring water;
- i. Foundation or footing drains where flows are not contaminated with process materials;
- j. Incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of your facility, but not intentional discharges from the cooling tower (e.g., "piped" cooling tower blowdown; drains); and
- k. Any authorized non-stormwater discharge listed above in this Part 1.2.2 or any stormwater discharge listed in Part 1.2.1 mixed with a discharge authorized by a different NPDES permit and/or a discharge that does not require NPDES permit authorization.

**1.2.2.2 Additional Authorized Non-Stormwater Discharge for Sector A Facilities.** 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, provided the non-stormwater component of the discharge is in compliance with the non-numeric effluent limits requirements in Part 2.1.2.

**1.2.2.3 Additional Authorized Non-Stormwater Discharges for Earth-Disturbing Activities Conducted Prior to Active Mining Activities for Sectors G, H and J Facilities.** The following non-stormwater discharges are only authorized for earth-disturbing activities conducted prior to active mining activities, as defined in Part 8.G.3.2, 8.H.3.2, and 8.J.3.2, provided that, with the exception of water used to control dust, these discharges are not routed to areas of exposed soil and all discharges comply with the permit's effluent limits. Once the earth-disturbing activities conducted prior to active mining activities have ceased, the only authorized non-stormwater discharges for Sectors G, H, and J are those listed here in Part 1.2.2.3:

- a. Water used to wash vehicles and equipment, provided that there is no discharge of soaps, solvents, or detergents used for such purposes;
- b. Water used to control dust; and
- c. Dewatering water that has been treated by an appropriate control under Parts 8.G.4.2.9, 8.H.4.2.9, or 8.J.4.2.9.

### **1.3 Obtaining Authorization to Discharge**

**1.3.1 Prepare Your Stormwater Pollution Prevention Plan (SWPPP) Prior to Submitting Your Notice of Intent (NOI).** You must develop a SWPPP or update your existing SWPPP per Part 6 prior to submitting your NOI for coverage under this permit, per Part 1.3.2 below. You must make your SWPPP publicly available by either attaching it to your NOI, including a URL in your NOI, or providing additional information from your SWPPP on your NOI, per Part 6.4.

**1.3.2 How to Submit Your NOI to Get Permit Coverage.** To be covered under this permit, you must use EPA's NPDES eReporting Tool for the MSGP (NeT-MSGP) to electronically prepare and submit to EPA a complete and accurate NOI by the deadline applicable to your facility presented in Table 1-2. The NOI certifies to EPA that you are eligible for coverage according to Part 1.1 and provides information on your industrial activities

and related discharges. Per Part 7.1, you must submit your NOI electronically via NeT-MSGP, unless the applicable EPA Regional Office grants you a waiver from electronic reporting, in which case you may use the paper NOI form in Appendix G. To access NeT-MSGP, go to <https://www.epa.gov/npdes/stormwater-discharges-industrial-activities#accessingmsgp>

- 1.3.3 Deadlines for Submitting Your NOI and Your Official Date of Permit Coverage.** Table 1-2 provides the deadlines for submitting your NOI and your official start date of permit coverage.

**Table 1-2. NOI Submittal Deadlines and Discharge Authorization Dates**

<b>Category of Facility/Operator</b>	<b>NOI Submission Deadline</b>	<b>Discharge Authorization Date<sup>1,2</sup></b>
<b>Existing MSGP facility.</b> Operators of industrial activities whose stormwater discharges were covered under the 2015 MSGP.	No later than May 30, 2021.	30 calendar days after EPA notifies you that it has received a complete NOI, unless EPA notifies you that your authorization has been denied or delayed. Note: You must review and update your SWPPP to ensure that this permit's requirements are addressed prior to submitting your NOI.  Provided you submit your NOI in accordance with the deadline, your authorization under the 2015 MSGP is automatically continued until you have been granted coverage under this permit or an alternative permit, or coverage is otherwise terminated.
<b>Operator operating consistent with EPA's No Action Assurance and submitted an Intent to Operate (ITO) form.</b> Operators of industrial activities who commenced discharging between June 4, 2020 and March 1, 2021 and have been operating consistent with EPA's June 3, 2020 'No Action Assurance for the NPDES Stormwater Multi-Sector General Permit for Industrial Activities.'	As soon as possible, but see the June 3, 2020 'No Action Assurance for the NPDES Stormwater Multi-Sector General Permit for Industrial Activities' (and any updates to that document) for additional guidance on deadlines.	30 calendar days after EPA notifies you that it has received a complete NOI, unless EPA notifies you that your authorization has been denied or delayed.
<b>New facility without MSGP coverage.</b> Operators of industrial activities that will commence discharging after March 1, 2021.	At least 30 calendar days prior to commencing discharge.	30 calendar days after EPA notifies you that it has received a complete NOI, unless EPA notifies you that your authorization has been denied or delayed.
<b>Existing facility covered under an alternative permit.</b> Operators seeking coverage for stormwater discharges previously covered under an individual permit or an alternative general permit.	At least 30 calendar days prior to commencing discharge.	

Category of Facility/Operator	NOI Submission Deadline	Discharge Authorization Date <sup>1, 2</sup>
<b>Existing MSGP facility with a new operator.</b> New operators of existing industrial activities with stormwater discharges previously authorized under the 2021 MSGP.	At least 30 calendar days prior to the date of transfer of control to the new operator.	
<b>Existing facility without MSGP coverage.</b> Operators of industrial activities that commenced discharging prior to March 1, 2021, but whose stormwater discharges were not covered under the 2015 MSGP or another NPDES permit and have not been operating consistent with EPA's No Action Assurance for EPA's NPDES MSGP.	Immediately; your stormwater discharges are currently unpermitted. <sup>1</sup>	

<sup>1</sup> If you have missed the deadline to submit your NOI, any and all discharges from your industrial activities will continue to be unauthorized under the CWA until they are covered by this or a different NPDES permit. EPA may take enforcement action for any unpermitted discharges that occur between the commencement of discharging and discharge authorization.

<sup>2</sup> Discharges are not authorized if your NOI is incomplete or inaccurate or if you are ineligible for permit coverage.

**1.3.4 Modifying your NOI.** If after submitting your NOI, you need to correct or update any fields, you may do so by submitting a "Change NOI" form using NeT-MSGP. Per Part 7.1, you must submit your Change NOI electronically via NeT-MSGP, unless the EPA Regional Office grants you a waiver from electronic reporting, in which case you may use the suggested format for the paper Change NOI form.

**1.3.4.1** For an existing operator, if any of the information supplied on the NOI changes, you must submit a Change NOI form within thirty (30) calendar days after the change occurs.

**1.3.4.2** At a facility where there is a transfer in operator or a new operator takes over operational control at an existing facility, the new operator must submit a new NOI no later than thirty (30) calendar days after a change in operators. The previous operator must submit a Notice of Termination (NOT) no later than thirty (30) calendar days after MSGP coverage becomes active for the new operator, as specified in Part 1.4.

**1.3.5 Requirement to Post a Sign of your Permit Coverage.** You must post a sign or other notice of your permit coverage at a safe, publicly accessible location in close proximity to your facility. Public signage is not required where other laws or local ordinances prohibit such signage, in which case you must document in your SWPPP a brief explanation for why you cannot post a sign and a reference to the law or ordinance. You must use a font large enough to be readily viewed from a public right-of-way and perform periodic maintenance of the sign to ensure that it remains legible, visible, and factually correct. At minimum, the sign must include:

**1.3.5.1** The following statement: "[Name of facility] is permitted for industrial stormwater discharges under the U.S. EPA's Multi-Sector General Permit (MSGP)";

**1.3.5.2** Your NPDES ID number;

**1.3.5.3** A contact phone number for obtaining additional facility information;

**1.3.5.4 One** of the following:

- a. The Uniform Resource Locator (URL) for the SWPPP (if available), and the following statement: "To report observed indicators of stormwater pollution, contact [optional: include facility point of contact and] EPA at: [include the applicable MSGP Regional Office contact information found at <https://www.epa.gov/npdes/contact-us-stormwater#regional>]; **or**
- b. The following statement: "To obtain the Stormwater Pollution Prevention Plan (SWPPP) for this facility or to report observed indicators of stormwater pollution, contact [optional: include facility point of contact and] EPA at [include the applicable MSGP Regional Office contact information found at <https://www.epa.gov/npdes/contact-us-stormwater#regional>]."

**1.3.6 Your Official End Date of Permit Coverage.** Once covered under this permit, your coverage will last until the date that:

**1.3.6.1** You terminate permit coverage by submitting a Notice of Termination (NOT) per Part 1.4; or

**1.3.6.2** You receive coverage under a different NPDES permit or a reissued or replacement version of this permit after it expires on February 28, 2026; or

**1.3.6.3** You fail to submit an NOI for coverage under a reissued or replacement version of this permit before the required deadline.

**1.3.7 Continuation of Coverage for Existing Operators After the Permit Expires**

**1.3.7.1** Note that if the 2021 MSGP is not reissued or replaced prior to the expiration date, it will be administratively continued in accordance with section 558(c) of the Administrative Procedure Act (see 40 CFR 122.6) and remain in force and effect for operators that were covered prior to its expiration. All operators authorized to discharge prior to the expiration date of the 2021 MSGP will automatically remain covered under the 2021 MSGP until the earliest of:

- a. The date the operator is authorized for coverage 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
- b. The date of the submittal of a Notice of Termination; or
- c. Issuance of an individual permit for the facility's discharge(s); or
- d. A final permit decision by EPA not to reissue the MSGP, at which time EPA will identify a reasonable time period for covered operators to seek coverage under an alternative general permit or an individual permit. Coverage under the 2021 MSGP will terminate at the end of this time period.

**1.3.7.2** EPA reserves the right to modify or revoke and reissue the 2021 MSGP under 40 CFR 122.62 and 63, in which case operators will be notified of any relevant changes or procedures to which they may be subject. If EPA fails to issue another general permit prior to the expiration of a previous one, EPA does not have the authority to provide coverage to industrial operators not already covered under that prior general permit. If the five-year expiration date for the 2021 MSGP has passed and a new MSGP has not

been reissued, new operators seeking discharge authorization should contact EPA regarding the options available, such as applying for individual permit coverage.

**1.3.8 Coverage Under Alternative Permits.** EPA may require you to apply for and/or obtain authorization to discharge under an alternative permit, i.e., either an individual NPDES permit or an alternative NPDES general permit, in accordance with 40 CFR 122.64 and 124.5. If EPA requires you to apply for an alternative permit, the Agency will notify you in writing that a permit application or NOI is required. This notification will include a brief statement of the reasons for this decision and will contain alternative permit application or NOI requirements, including deadlines for completing your application or NOI.

**1.3.8.1 Denial of Coverage for New or Previously Unpermitted Facilities.** For new or previously unpermitted facilities, following the submittal of your NOI, you may be denied coverage under this permit and must apply for and/or obtain authorization to discharge under an alternative permit.

**1.3.8.2 Loss of Authorization Under the 2021 MSGP for Existing Permitted Facilities.** If your stormwater discharges are covered under this permit, you may receive a written notification that you must either apply for coverage under an individual NPDES permit or submit an NOI for coverage under an alternative general NPDES permit. In addition to the reasons for the decision and alternative permit application or NOI deadlines, the notice will include a statement that on the effective date of your alternative permit coverage, your coverage under the 2021 MSGP will terminate. EPA will terminate your MSGP permit coverage in NeT-MSGP at that time. EPA may grant additional time to submit the application or NOI if you request it. If you fail to submit an alternative permit application or NOI as required by EPA, then your authorization to discharge under the 2021 MSGP is terminated at the end of the day EPA required you to submit your alternative permit application or NOI. EPA may take appropriate enforcement action for any unpermitted discharge.

**1.3.8.3 Operators Requesting Coverage Under an Alternative Permit.** You may request to be covered under an individual permit. In such a case, you must submit an individual permit application in accordance with the requirements of 40 CFR 122.28(b)(3)(iii), with reasons supporting the request, to the applicable EPA Regional Office listed in Part 7.8 of this permit. The request may be granted by issuance of an individual permit if your reasons are adequate to support the request. When you are authorized to discharge under an alternative permit, your authorization to discharge under the 2021 MSGP is terminated on the effective date of the alternative permit.

## **1.4 Terminating Permit Coverage**

**1.4.1 How to Submit your Notice of Termination (NOT) to Terminate Permit Coverage.** To terminate permit coverage, you must use EPA's NPDES eReporting Tool for the MSGP (NeT-MSGP) to electronically prepare and submit to EPA a complete and accurate NOT. Per Part 7.1, you must submit your NOT electronically via NeT-MSGP, unless the EPA Regional Office grants you a waiver from electronic reporting, in which case you may use the paper NOT form in Appendix H. To access NeT-MSGP, go to <https://www.epa.gov/npdes/stormwater-discharges-industrial-activities#accessingmsgp>

Your authorization to discharge under this permit terminates at midnight of the day that you are notified that your complete NOT has been processed. If you submit a NOT without meeting one or more of the conditions in Part 1.4.2 then your NOT is not valid.

Until you terminate permit coverage, you must comply with all conditions and effluent limitations in the permit.

**1.4.2** **When to Submit Your Notice of Termination.** You must submit a NOT within 30 days after one or more of the following conditions have been met:

**1.4.2.1** A new owner or operator has received authorization to discharge under this permit; or

**1.4.2.2** You have ceased operations at the facility and/or 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 per Part 2.1.2.5; or

**1.4.2.3** You are a Sector G, H, or J facility and you have met the applicable termination requirements; or

**1.4.2.4** You obtained coverage under an individual or alternative general permit for all discharges required to be covered by an NPDES permit, unless EPA terminates your coverage for you per Part 1.3.8.

**1.5** **Conditional Exclusion for No Exposure**

If you are covered by this permit and become eligible for a "no exposure" exclusion from permitting under 40 CFR 122.26(g), you may file a No Exposure Certification (NEC). You are no longer required to have a permit upon submission of a complete and accurate NEC to EPA. If you are no longer required to have permit coverage because of a no exposure exclusion and have submitted a NEC form to EPA, you are not required to submit a NOT. You must submit a NEC form to EPA once every five years.

You must use EPA's NPDES eReporting Tool for the MSGP (NeT-MSGP) to electronically prepare and submit to EPA a complete and accurate NEC. Per Part 7.1, you must submit your NEC electronically via NeT-MSGP, unless the applicable EPA Regional Office grants you a waiver from electronic reporting, in which case you may use the paper NEC form in Appendix K. To access NeT-MSGP, go to <https://cdxnodengn.epa.gov/net-msgp/action/login>

**1.6** **Permit Compliance**

Any noncompliance with any of the requirements of this permit constitutes a violation of this permit, and thus is a violation of the CWA. As detailed in Part 5, failure to take any required corrective actions constitutes an independent, additional violation of this permit, in addition to any original violation that triggered the need for a corrective action. As such, any actions and time periods specified for remedying noncompliance do not absolve you of the initial underlying noncompliance.

Where an Additional Implementation Measure (AIM) is triggered by an event that does not itself constitute permit noncompliance (i.e., an exceedance of an applicable benchmark), there is no permit violation provided you comply with the required responses within the relevant deadlines established in Part 5.

**1.7** **Severability**

Invalidation of a portion of this permit does not necessarily render the whole permit invalid. EPA'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, EPA will advise the regulated community as to the effect of such invalidation.

## **2. Control Measures and Effluent Limits**

In the technology-based limits included in Parts 2.1 and 8, the term "minimize" means to reduce and/or eliminate to the extent achievable using stormwater control measures (SCMs) (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. EPA notes that it does not intend for any permit requirement to conflict with state water rights law.

### **2.1 Stormwater Control Measures**

You must select, design, install, and implement stormwater control measures (including best management practices) to minimize pollutant discharges that address the selection and design considerations in Part 2.1.1, meet the non-numeric effluent limits in Part 2.1.2, meet limits contained in applicable effluent limitations guidelines in Part 2.1.3, and meet the water quality-based effluent limitations in Part 2.2.

The selection, design, installation, and implementation of control measures to comply with Part 2 must be in accordance with good engineering practices and manufacturer's specifications. Note that you may deviate from such manufacturer's specifications where you provide justification for such deviation and include documentation of your rationale in the part of your SWPPP that describes your control measures, consistent with Part 6.2.4. You must modify your stormwater control measures per Part 5.1 if you find that your control measures are not achieving their intended effect of minimizing pollutant discharges (i.e., your discharges will be controlled as necessary such that the receiving water of the United States will meet applicable water quality standards or meet any of the other non-numeric effluent limits in this permit). Regulated stormwater discharges from your facility include stormwater run-on that commingles with stormwater discharges associated with industrial activity at your facility.

**2.1.1 Stormwater Control Measure Selection and Design Considerations.** You must consider the following when selecting and designing control measures:

- 2.1.1.1** Preventing stormwater from coming into contact with polluting materials is generally more effective, and less costly, than trying to remove pollutants from stormwater;
- 2.1.1.2** Using stormwater control measures in combination may be more effective than using control measures in isolation for minimizing pollutants in your stormwater discharge;
- 2.1.1.3** Assessing the type and quantity of pollutants, including their potential to impact receiving water quality, is critical to designing effective stormwater control measures that will achieve the limits in this permit;
- 2.1.1.4** Minimizing impervious areas at your facility and infiltrating stormwater onsite (including bioretention cells, green roofs, and pervious pavement, among other approaches) can reduce the frequency and volume of discharges and improve ground water recharge and stream base flows in local streams, although care must be taken to avoid ground water contamination;



- 2.1.1.5** Attenuating flow using open vegetated swales and natural depressions can reduce in-stream impacts of erosive flows;
- 2.1.1.6** Conserving and/or restoring riparian buffers will help protect streams from stormwater discharges and improve water quality;
- 2.1.1.7** Using treatment interceptors (e.g., swirl separators and sand filters) may be appropriate in some instances to minimize the discharge of pollutants; and
- 2.1.1.8** Implementing structural improvements, enhanced/resilient pollution prevention measures, and other mitigation measures can help to minimize impacts from stormwater discharges from major storm events such as hurricanes, storm surge, extreme/heavy precipitation,<sup>5</sup> and flood events. If such stormwater control measures are already in place due to existing requirements mandated by other state, local or federal agencies, you should document in your SWPPP a brief description of the controls and a reference to the existing requirement(s). If your facility may be exposed to or has previously experienced such major storm events,<sup>6</sup> additional stormwater control measures that may be considered include, but are not limited to:
- a.** Reinforce materials storage structures to withstand flooding and additional exertion of force;
  - b.** Prevent floating of semi-stationary structures by elevating to the Base Flood Elevation (BFE)<sup>7</sup> level or securing with non-corrosive device;
  - c.** When a delivery of exposed materials is expected, and a storm is anticipated within 48 hours, delay delivery until after the storm or store materials as appropriate (refer to emergency procedures);
  - d.** Temporarily store materials and waste above the BFE level;
  - e.** Temporarily reduce or eliminate outdoor storage;
  - f.** Temporarily relocate any mobile vehicles and equipment to higher ground;
  - g.** Develop scenario-based emergency procedures for major storms that are complementary to regular stormwater pollution prevention planning and identify emergency contacts for staff and contractors; and

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<sup>5</sup> Heavy precipitation refers to instances during which the amount of rain or snow experienced in a location substantially exceeds what is normal. What constitutes a period of heavy precipitation varies according to location and season. Heavy precipitation does not necessarily mean the total amount of precipitation at a location has increased—just that precipitation is occurring in more intense or more frequent events.

<sup>6</sup> To determine if your facility is susceptible to an increased frequency of major storm events that could impact the discharge of pollutants in stormwater, you may reference FEMA, NOAA, or USGS flood map products at [https://www.usgs.gov/faqs/where-can-i-find-flood-maps?qt-news\\_science\\_products=0#qt-news\\_science\\_products](https://www.usgs.gov/faqs/where-can-i-find-flood-maps?qt-news_science_products=0#qt-news_science_products).

<sup>7</sup> Base Flood Elevation (BFE) is the elevation of surface water resulting from a flood that has a 1% chance of equaling or exceeding that level in any given year. The BFE is shown on the Flood Insurance Rate Map (FIRM) for zones AE, AH, A1–A30, AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO, V1–V30 and VE. (Source: <https://www.fema.gov/node/404233>). The FEMA Flood Map Service Center can be accessed through <https://msc.fema.gov/portal/search>.

- h.** Conduct staff training for implementing your emergency procedures at regular intervals.

*Note: Part 2.1.1 requires that you must consider Parts 2.1.1.1 through 2.1.1.8 when selecting and designing control measures to minimize pollutant discharges via stormwater. Part 2.1.1 does not require nor prescribe specific control measure to be implemented; however, you must document in your SWPPP per Part 6.2.4 the considerations made to select and design control measures at your facility to minimize pollutants discharged via stormwater.*

- 2.1.2** **Non-Numeric Technology-Based Effluent Limits (BPT/BAT/BCT).**<sup>8</sup> You must comply with the following non-numeric effluent limits as well as any sector-specific non-numeric effluent limits in Part 8, except where otherwise specified.

Effluent limit requirements in Part 2.1.2 that do not involve the site-specific selection of a control measure or are specific activity requirements (e.g., "Cleaning catch basins when the depth of debris reaches two-thirds (2/3) of the sump depth, in line with manufacturer specifications, whichever is lower, and keeping the debris surface at least six inches below the lowest outlet pipe") are marked with an asterisk (\*). When documenting in your SWPPP, per Part 6, how you will comply with the requirements marked with an asterisk, you have the option of including additional information or you may just "copy-and-paste" those effluent limits word-for-word from the permit into your SWPPP without providing additional documentation (see Part 6.2.4).

- 2.1.2.1** **Minimize Exposure.** You must minimize the exposure of manufacturing, processing, and material storage areas (including loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations) to rain, snow, snowmelt, and stormwater in order to minimize pollutant discharges by either locating these industrial materials and activities inside or protecting them with storm resistant coverings. Unless infeasible, you must also:
  - a.** Use grading, berming or curbing to prevent discharges of contaminated flows and divert run-on away from these areas;
  - b.** Locate materials, equipment, and activities so that potential leaks and spills are contained or able to be contained or diverted before discharge;
  - c.** Store leaky vehicles and equipment indoors;
  - d.** Perform all vehicle and/or equipment cleaning operations indoors, under cover, or in bermed areas that prevent discharges and run-on and also that capture any overspray; and
  - e.** 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.

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<sup>8</sup> BPT is Best Practicable Control Technology Currently Available, as set forth in CWA section 304(b)(1) and Appendix A; BAT is Best Available Technology Economically Achievable, as set forth in CWA section 304(b)(2) and Appendix A; and BCT is Best Conventional Pollutant Control Technology, as set forth in CWA section 304(b)(4) and Appendix A.

Note: Industrial materials do not need to be enclosed or covered if stormwater from affected areas does not discharge pollutants to waters of the United States or if discharges are authorized under another NPDES permit.

**2.1.2.2 Good Housekeeping.** You must keep clean all exposed areas that are potential sources of pollutants. You must perform good housekeeping measures in order to minimize pollutant discharges, including but not limited to, the following:

- a. Sweep or vacuum at regular intervals or, alternatively, wash down the area and collect and/or treat, and properly dispose of the washdown water;
- b. Store materials in appropriate containers;
- c. 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 1.2.2 above, this permit does not authorize dry weather discharges from dumpsters or roll off boxes;\*
- d. 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.
- e. Plastic Materials Requirements: Facilities that handle pre-production plastic must implement control measures to eliminate discharges of plastic in stormwater.<sup>9</sup> Examples of plastic material required to be addressed as stormwater pollutants include plastic resin pellets, powders, flakes, additives, regrind, scrap, waste and recycling.

**2.1.2.3 Maintenance.**

- a. **Maintenance Activities.** You must maintain all control measures that are used to achieve the effluent limits in this permit in effective operating condition, as well as all industrial equipment and systems, in order to minimize pollutant discharges. This includes:
  - ii. Performing inspections and preventive maintenance of stormwater drainage, source controls, treatment systems, and plant equipment and systems that could fail and result in discharges of pollutants via stormwater.
  - iii. Maintaining non-structural control measures (e.g., keep spill response supplies available, personnel appropriately trained).
  - iv. 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.\*

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<sup>9</sup> Examples of appropriate control measures include but are not limited to: installing a containment system, or other control, at each on-site storm drain discharge point down gradient of areas containing plastic material, designed to trap all particles retained by a 1 mm mesh screen; using a durable sealed container designed not to rupture under typical loading and unloading activities at all points of plastic transfer and storage; using capture devices as a form of secondary containment during transfers, loading, or unloading plastic materials, such as catch pans, tarps, berms or any other device that collects errant material; having a vacuum or vacuum-type system for quick cleanup of fugitive plastic material available for employees; for facilities that maintain outdoor storage of plastic materials, do so in a durable, permanent structure that prevents exposure to precipitation that could cause the material to be discharged via stormwater.

- v. Cleaning catch basins when the depth of debris reaches two-thirds (2/3) of the sump depth, or in line with manufacturer specifications, whichever is lower, and keeping the debris surface at least six inches below the lowest outlet pipe.\*

**b. Maintenance Deadlines.**

- ii. If you find that your control measures need routine maintenance, you must conduct the necessary maintenance immediately in order to minimize pollutant discharges.
- iii. If you find that your control measures need to be repaired or replaced, you 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 5.1.3 for corrective actions, i.e., within 14 days or, if that is infeasible, within 45 days. If the completion of stormwater control repairs/replacement will exceed the 45 day timeframe, you may take the minimum additional time necessary to complete the maintenance, provided that you notify the EPA Regional Office of your intention to exceed 45 days, and document in your SWPPP your rationale for your modified maintenance timeframe. If a control measure was never installed, was installed incorrectly or not in accordance with Parts 2 and/or 8, or is not being properly operated or maintained, you must conduct corrective action as specified in Part 5.1.

*Note: In this context, the term "immediately" means the day you identify that a control measure needs to be maintained, repaired, or replaced, you must take all reasonable steps to minimize or prevent the discharge of pollutants until you can implement a permanent solution. However, if you identify a problem too late in the work day to initiate action, you must perform the action the following work day morning. "All reasonable steps" means you must respond to the conditions triggering the action, such as, cleaning up any exposed materials that may be discharged in a storm event (e.g., through sweeping, vacuuming) or making arrangements (i.e., scheduling) for a new SCM to be installed.*

**2.1.2.4 Spill Prevention and Response.** You 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 in order to minimize pollutant discharges. You must conduct spill prevention and response measures, including but not limited to, the following:

- a. Clean up spills and leaks promptly using dry methods (e.g., absorbents) to prevent the discharge of pollutants;
- b. Use drip pans and absorbents if leaky vehicles and/or equipment are stored outdoors;
- c. Use spill/overflow protection equipment;
- d. Plainly label containers (e.g., "Used Oil," "Spent Solvents," "Fertilizers and Pesticides") that could be susceptible to spillage or leakage to encourage proper handling and facilitate rapid response if spills or leaks occur;\*

- e. 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;
- f. Develop training on the procedures for expeditiously stopping, containing, and cleaning up leaks, spills, and other releases. As appropriate, execute such procedures as soon as possible;
- g. Keep spill kits onsite, located near areas where spills may occur or where a rapid response can be made; and
- h. Notify appropriate facility personnel when a leak, spill, or other release occurs.

Where a leak, spill or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under either 40 CFR Part 110, 40 CFR Part 117, or 40 CFR Part 302, occurs during a 24-hour period, you must notify the National Response Center (NRC) at (800) 424-8802 or, in the Washington, DC, metropolitan area, call (202) 267-2675 in accordance with the requirements of 40 CFR Part 110, 40 CFR Part 117, and 40 CFR Part 302 as soon as you have knowledge of the discharge. State or local requirements may necessitate reporting spills or discharges to local emergency response, public health, or drinking water supply agencies. Contact information must be in locations that are readily accessible and available.

- 2.1.2.5 Erosion and Sediment Controls.** To minimize pollutant discharges in stormwater, you must minimize erosion by stabilizing exposed soils at your facility and placing flow velocity dissipation devices at discharge locations to minimize channel and streambank erosion and scour in the immediate vicinity of discharge points. You must also use structural and non-structural control measures to minimize the discharge of sediment. If you use polymers and/or other chemical treatments as part of your controls, you must identify the polymers and/or chemicals used and the purpose in your SWPPP. There are many resources available to help you select appropriate SCMs for erosion and sediment control, including EPA's Stormwater Discharges from Construction Activities website at: <https://www.epa.gov/npdes/stormwater-discharges-construction-activities>.
- 2.1.2.6 Management of Stormwater.** You must divert, infiltrate, reuse, contain, or otherwise reduce stormwater to minimize pollutants in your discharges. In selecting, designing, installing, and implementing appropriate control measures, you are encouraged to consult with EPA's resources relating to stormwater management, including the sector-specific *Industrial Stormwater Fact Sheet Series*, (<https://www.epa.gov/npdes/stormwater-discharges-industrial-activities#factsheets>) and any similar state or tribal resources.
- 2.1.2.7 Salt Storage Piles or Piles Containing Salt.** You must enclose or cover storage piles of salt, or piles containing salt, used for deicing or other commercial or industrial purposes, including maintenance of paved surfaces, in order to minimize pollutant discharges. You must implement appropriate measures (e.g., good housekeeping, diversions, containment) to minimize exposure resulting from adding to or removing materials from the pile. Piles do not need to be enclosed or covered pursuant to this permit if stormwater from the piles is not discharged or if discharges from the piles are authorized under another NPDES permit.

**2.1.2.8 Employee Training.**

- a. Types of Personnel Who Require Training.** You 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 comply with this permit (e.g., inspectors, maintenance personnel), including all members of your stormwater pollution prevention team. You must ensure the following personnel understand the requirements of this permit and their specific responsibilities with respect to those requirements:
- i. Personnel who are responsible for the design, installation, maintenance, and/or repair of controls (including pollution prevention measures);
  - ii. Personnel responsible for the storage and handling of chemicals and materials that could become pollutants discharged via stormwater;
  - iii. Personnel who are responsible for conducting and documenting monitoring and inspections as required in Parts 3 and 4; and
  - iv. Personnel who are responsible for taking and documenting corrective actions as required in Part 5.
- b. Areas of Required Training.** 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):
- i. An overview of what is in the SWPPP;
  - ii. Spill response procedures, good housekeeping, maintenance requirements, and material management practices;
  - iii. The location of all the controls required by this permit, and how they are to be maintained;
  - iv. The proper procedures to follow with respect to the permit's pollution prevention requirements; and
  - v. When and how to conduct inspections, record applicable findings, and take corrective actions; and
  - vi. The facility's emergency procedures, if applicable per Part 2.1.1.8.

**2.1.2.9 Non-Stormwater Discharges.** You must evaluate for the presence of non-stormwater discharges. You must eliminate any non-stormwater discharges not explicitly authorized in Part 1.2.2 or covered by another NPDES permit, including vehicle and equipment/tank wash water (except for those authorized in Part 1.2.2.3 for Sectors G, H, and J). If not covered under a separate NPDES 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.

**2.1.2.10 Dust Generation and Vehicle Tracking of Industrial Materials.** You must minimize generation of dust and off-site tracking of raw, final, or waste materials in order to minimize pollutants discharged via stormwater.

- 2.1.3 Numeric Effluent Limitations Based on Effluent Limitations Guidelines.** If you are in an industrial category subject to one of the effluent limitations guidelines identified in Table 4-3 (see Part 4.2.3.1), you must meet the effluent limits referenced in Table 2-1 below:

**Table 2-1. Applicable Effluent Limitations Guidelines**

<b>Regulated Activity</b>	<b>40 CFR Part/Subpart</b>	<b>Effluent Limit</b>
Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas	Part 429, Subpart I	See Part 8.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 8.C.4
Runoff from asphalt emulsion facilities	Part 443, Subpart A	See Part 8.D.4
Runoff from material storage piles at cement manufacturing facilities	Part 411, Subpart C	See Part 8.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 8.J.9
Runoff from hazardous waste landfills	Part 445, Subpart A	See Part 8.K.6
Runoff from non-hazardous waste landfills	Part 445, Subpart B	See Part 8.L.10
Runoff from coal storage piles at steam electric generating facilities	Part 423	See Part 8.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 8.S.8

## **2.2 Water Quality-Based Effluent Limitations**

- 2.2.1 Water Quality Standards.** Your discharge must be controlled as necessary to meet applicable water quality standards of all affected states.

EPA expects that compliance with the conditions in this permit will control discharges as necessary to meet applicable water quality standards. If at any time you become aware, or EPA determines, that your stormwater discharge will not be controlled as necessary such that the receiving water of the United States will not meet an applicable water quality standard, you must take corrective action(s) as required in Part 5.1 and document the corrective actions as required in Part 5.3. You must also comply with any additional requirements that your state or tribe requires in Part 9.

EPA may also require that you undertake additional control measures (to meet the narrative water quality-based effluent limit above) on a site-specific basis, or require you to obtain coverage under an individual permit, if information in your NOI, required reports, or from other sources indicates that your discharges are not controlled as necessary such that the receiving water of the United States will not meet applicable water quality standards. You must implement all measures necessary to be consistent with an available wasteload allocation in an EPA-established or approved TMDL.

- 2.2.2 Discharges to Water Quality-Impaired Waters.** You are considered to discharge to an impaired water if the first water of the United States to which your discharge is

identified by a state, tribe or EPA as not meeting an applicable water quality standard, and:

- Requires development of a TMDL (pursuant to section 303(d) of the CWA);
- Is addressed by an EPA-approved or established TMDL; or
- Is not in either of the above categories but the waterbody is covered by a pollution control program that meets the requirements of 40 CFR 130.7(b)(1).

*Note: For discharges that enter a separate storm sewer system<sup>10</sup> prior to discharge, the first water of the United States to which you discharge is the waterbody that receives the water from the storm sewer system.*

**2.2.2.1 Existing Discharge to an Impaired Water with an EPA-Approved or Established TMDL.** If you discharge to an impaired water with an EPA-approved or established TMDL, EPA will inform you whether any additional measures are necessary for your discharge to be consistent with the assumptions and requirements of the applicable TMDL and its wasteload allocation, or if coverage under an individual permit is necessary per Part 1.3.8.

**2.2.2.2 Existing Discharger to an Impaired Water without an EPA-Approved or Established TMDL.** If you discharge to an impaired water without an EPA-approved or established TMDL, you are still required to comply with Part 2.2.1 and the monitoring requirements of Part 4.2.5.1. Note that the impaired waters monitoring requirements of Part 4.2.5.1 also apply where EPA determines that your discharge is not controlled as necessary such that the receiving water of the United States will not meet applicable water quality standards in an impaired downstream water segment, even if your discharge is initially to a receiving water(s) that is not identified as impaired according to Part 2.2.2.

**2.2.2.3 New Discharger or New Source to an Impaired Water.** If your authorization to discharge under this permit relied on Part 1.1.6.2 for a new discharger or a new source to an impaired water, you must implement and maintain any measures that enabled you to become eligible under Part 1.1.6.2, and modify such measures as necessary pursuant to any Part 5 corrective actions. You also must comply with Part 2.2.1 and the monitoring requirements of Parts 4.2.5.1.

**2.2.3 Tier 2 Antidegradation Requirements for New Dischargers, New Sources, or Increased Discharges.** If you are a new discharger or a new source (as defined in Appendix A), or an existing discharger required to notify EPA of an increased discharge consistent with Part 7.6 (i.e., a "planned changes" report), and you discharge directly to waters designated by a state or tribe as Tier 2 or Tier 2.5 for antidegradation purposes under 40 CFR 131.12(a), EPA may require that you undertake additional control measures as necessary to ensure compliance with the applicable antidegradation requirements, or notify you that an individual permit application is necessary in accordance with Part 1.3.8. See list of Tier 2 and 2.5 waters in Appendix L.

### **2.3 Requirements Relating to Endangered Species, Historic Properties, and CERCLA Sites**

If your eligibility under either Part 1.1.4, Part 1.1.5, and/or Part 1.1.7 was made possible through your, or another operator's, agreement to undertake additional measures, you must comply with all such measures to maintain eligibility under the MSGP. Note that if

<sup>10</sup> Separate storm systems include both municipal storm sewer systems (MS4s) and non-municipal separate storm sewers. Separate storm systems do not include combined sewer systems or sanitary sewer systems.



at any time you become aware, or EPA determines, that your discharges and/or discharge-related activities have the potential to adversely affect listed species and/or critical habitat, have an effect on historic properties, or that your facility discharges to a CERCLA Site listed in Appendix P after you have obtained coverage under this permit, EPA may inform you of the need to implement additional measures on a site-specific basis to meet the effluent limits in this permit, or require you to obtain coverage under an individual permit.

### **3. Inspections**

#### **3.1 Routine Facility Inspections**

**3.1.1 Inspection Personnel.** Qualified personnel (as defined in Appendix A) must perform the inspections. The qualified personnel may be a member of your stormwater pollution prevention team, or if the qualified personnel is a third-party you hire (i.e., a contractor), at least one member of your stormwater pollution prevention team must participate in the inspection. Inspectors must consider the results of visual and analytical monitoring (if any) for the past year when planning and conducting inspections.

**3.1.2 Areas that You Must Inspect.** During normal facility operating hours, the qualified personnel must conduct inspections of areas of the facility covered by the requirements in this permit, including, but not limited to, the following:

**3.1.2.1** Areas where industrial materials or activities are exposed to stormwater;

**3.1.2.2** Areas identified in the SWPPP and those that are potential pollutant sources (see Part 6.2.3);

**3.1.2.3** Areas where spills and leaks have occurred in the past three years;

**3.1.2.4** Discharge points; and

**3.1.2.5** Control measures used to comply with the effluent limits contained in this permit.

**3.1.3 What You Must Look for During an Inspection.** During the inspection, the qualified personnel must examine or look out for, including, but not limited to, the following:

**3.1.3.1** Industrial materials, residue or trash that may have or could come into contact with stormwater;

**3.1.3.2** Leaks or spills from industrial equipment, drums, tanks and other containers;

**3.1.3.3** Offsite tracking of industrial or waste materials, or sediment where vehicles enter or exit the site;

**3.1.3.4** Tracking or blowing of raw, final or waste materials from areas of no exposure to exposed areas;

**3.1.3.5** Erosion of soils at your facility, channel and streambank erosion and scour in the immediate vicinity of discharge points, per Part 2.1.2.5;

**3.1.3.6** Non-authorized non-stormwater discharges, per Part 2.1.2.9;

**3.1.3.7** Control measures needing replacement, maintenance or repair; and

- 3.1.3.8** During an inspection occurring during a stormwater event or stormwater discharge, you must observe control measures implemented to comply with effluent limits to ensure they are functioning correctly. You must also observe discharge points, as defined in Appendix A, during this inspection. If such discharge locations are inaccessible, you must inspect nearby downstream locations.
- 3.1.4** **Inspection Frequency.** The qualified personnel must conduct inspections at least quarterly (i.e., once each calendar quarter), or in some instances more frequently (e.g., monthly). Increased frequency may be appropriate for some types of equipment, processes and stormwater control measures, or areas of the facility with significant activities and materials exposed to stormwater. At least once each calendar year, the routine inspection must be conducted during a period when a stormwater discharge is occurring.
- 3.1.5** **Exceptions to Routine Facility Inspections for Inactive and Unstaffed Facilities.** The requirement to conduct facility inspections on a routine 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 site inspection in accordance with Part 3.1. 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 include a statement in your SWPPP per Part 6.2.5.2 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 Appendix B, Subsection 11. If circumstances change and industrial materials or activities become exposed to stormwater or your facility becomes active and/or staffed, this exception no longer applies, and you must immediately resume routine facility inspections. If you are not qualified for this exception at the time you become authorized under this permit, but during the permit term you become qualified because your facility becomes inactive and unstaffed, and there are no industrial materials or activities exposed to stormwater, you must include the same signed and certified statement as above and retain it with your records pursuant to Part 6.5.

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, per Parts 8.G.8.4, 8.H.9.1, and 8.J.9.1.

- 3.1.6** **Routine Facility Inspection Documentation.** You must document the findings of your facility inspections and maintain this report with your SWPPP as required in Part 6.5. You must conduct any corrective action required as a result of a routine facility inspection consistent with Part 5. If you conducted a discharge visual assessment required in Part 3.2 during your facility inspection, you may include the results of the assessment with the report required in this Part, as long as you include all components of both types of inspections in the report.

Do not submit your routine facility inspection report to EPA, unless specifically requested to do so. However, you must summarize your findings in the Annual Report per Part 7.4. Document all findings, including but not limited to, the following information.

- 3.1.6.1 The inspection date and time;
- 3.1.6.2 The name(s) and signature(s) of the inspector(s);
- 3.1.6.3 Weather information;
- 3.1.6.4 All observations relating to the implementation of stormwater control measures at the facility, including:
  - a. A description of any stormwater discharges occurring at the time of the inspection;
  - b. Any previously unidentified stormwater discharges from and/or pollutants at the facility;
  - c. Any evidence of, or the potential for, pollutants entering the stormwater drainage system;
  - d. Observations regarding the physical condition of and around all stormwater discharge points, including any flow dissipation devices, and evidence of pollutants in discharges and/or the receiving water;
  - e. Any stormwater control measures needing maintenance, repairs, or replacement;
- 3.1.6.5 Any additional stormwater control measures needed to comply with the permit requirements;
- 3.1.6.6 Any incidents of noncompliance; and
- 3.1.6.7 A statement, signed and certified in accordance with Appendix B, Subsection 11.

### **3.2 Quarterly Visual Assessment of Stormwater Discharges**

- 3.2.1 **Visual Assessment Frequency.** Once each quarter for your entire permit coverage, you must collect a stormwater sample from each discharge point (except as noted in Part 3.2.4) and conduct a visual assessment of each of these samples. These samples are not required to be collected consistent with 40 CFR Part 136 procedures but must be collected in such a manner that the samples are representative of the stormwater discharge. Guidance on monitoring is available at [https://www.epa.gov/sites/production/files/2015-11/documents/msgp\\_monitoring\\_guide.pdf](https://www.epa.gov/sites/production/files/2015-11/documents/msgp_monitoring_guide.pdf).
- 3.2.2 **Visual Assessment Procedures.** You must do the following for the quarterly visual assessment:
  - 3.2.2.1 Make the assessment of a stormwater discharge sample in a clean, colorless glass or plastic container, and examined in a well-lit area;
  - 3.2.2.2 Make the assessment of the sample you 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 you must document why it was not possible to take the sample within the first 30 minutes. In the case of snowmelt, samples must be taken during a period with a measurable discharge; and

- 3.2.2.3** For storm events, make the assessment on discharges that occur at least 72 hours (three days) from the previous discharge. The 72-hour (three-day) storm interval does not apply if you document that less than a 72-hour (three-day) interval is representative for local storm events during the sampling period.
- 3.2.2.4** Visually inspect or observe for the following water quality characteristics, which may be evidence of stormwater pollution:
- a. Color;
  - b. Odor;
  - c. Clarity (diminished);
  - d. Floating solids;
  - e. Settled solids;
  - f. Suspended solids;
  - g. Foam;
  - h. Oil sheen; and
  - i. Other obvious indicators of stormwater pollution.
- 3.2.2.5** Whenever the visual assessment shows evidence of stormwater pollution in the discharge, you must initiate the corrective action procedures in Part 5.1.1.
- 3.2.3** **Visual Assessment Documentation.** You must document the results of your visual assessments and maintain this documentation onsite with your SWPPP as required in Part 6.5. Any corrective action required as a result of a quarterly visual assessment must be conducted consistent with Part 5 of this permit. You are not required to submit your visual assessment findings to EPA, unless specifically requested to do so. However, you must summarize your findings in the annual report per Part 7.4. Your documentation of the visual assessment must include, but not be limited to:
- 3.2.3.1** Sample location(s);
- 3.2.3.2** Sample collection date and time, and visual assessment date and time for each sample;
- 3.2.3.3** Personnel collecting the sample and conducting visual assessment, and their signatures;
- 3.2.3.4** Nature of the discharge (i.e., stormwater from rain or snow);
- 3.2.3.5** Results of observations of the stormwater discharge;
- 3.2.3.6** Probable sources of any observed stormwater contamination;
- 3.2.3.7** If applicable, why it was not possible to take samples within the first 30 minutes; and
- 3.2.3.8** A statement, signed and certified in accordance with Appendix B, Subsection 11.
- 3.2.4** **Exceptions to Quarterly Visual Assessments**
- 3.2.4.1** **Adverse Weather Conditions.** When adverse weather conditions prevent the collection of stormwater discharge sample(s) during the quarter, you must take a substitute

sample during the next qualifying storm event. Documentation of the rationale for no visual assessment for the quarter must be included with your SWPPP records as described in Part 6.5. Adverse conditions are those that are dangerous or create inaccessibility for personnel, such as local flooding, high winds, electrical storms, or situations that otherwise make sampling impractical, such as extended frozen conditions.

- 3.2.4.2 Climates with Irregular Stormwater Discharges.** If your facility is located in an area where limited rainfall occurs during many parts of the year (e.g., arid or semi-arid climate) or in an area where freezing conditions exist that prevent discharges from occurring for extended periods, then your samples for the quarterly visual assessments may be distributed during seasons when precipitation more regularly occurs.
- 3.2.4.3 Areas that Receive Snow.** If the facility is in an area that typically receives snow and the facility receives snow at least once over a period of four quarters, at least one quarterly visual assessment must capture snowmelt discharge, as described in Part 4.1.3, taking into account the exception described above for climates with irregular stormwater discharges.
- 3.2.4.4 Inactive and Unstaffed Facilities.** 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, you must maintain a statement in your SWPPP per Part 6.2.5.2 indicating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to precipitation, in accordance with the substantive requirements in 40 CFR 122.26(g)(4)(iii). The statement must be signed and certified in accordance with Appendix B, Subsection 11. If circumstances change and industrial materials or activities become exposed to stormwater or your facility becomes active and/or staffed, this exception no longer applies, and you must immediately resume quarterly visual assessments. If you are not qualified for this exception at the time you are authorized under this permit, but during the permit term you become qualified because your facility becomes inactive and unstaffed, and there are no industrial materials or activities that are exposed to stormwater, then you must include the same signed and certified statement as above and retain it with your records pursuant to Part 6.5. 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 assessments, consistent with the requirements established in Parts 8.G.8.4, 8.H.9.1, and 8.J.9.1.
- 3.2.4.5 Substantially Identical Discharge Points (SIDP).** If your facility has two or more discharge points that discharge substantially identical stormwater effluents, as documented in Part 6.2.5.3, you may conduct quarterly visual assessments of the discharge at just one of the discharge points and report that the results also apply to the SIDPs provided that you conduct visual assessments on a rotating basis of each SIDP throughout the period of your coverage under this permit. If stormwater contamination is identified through visual assessment conducted at a SIDP, you must assess and modify your stormwater control measures as appropriate for each discharge point represented by the monitored discharge point.

#### 4. **Monitoring**

You must collect and analyze stormwater samples and document monitoring activities consistent with the procedures described in Part 4 and Appendix B, Subsections B.10 – 12, and any additional sector-specific or state/tribal-specific requirements in Parts 8 and 9, respectively. Refer to Part 7 for reporting and recordkeeping requirements.

##### 4.1 **Monitoring Procedures**

**4.1.1 Monitored Stormwater Discharge Points.** Applicable monitoring requirements apply to each discharge point authorized by this permit, except as otherwise exempt from monitoring as a "substantially identical discharge point" (SIDP). If your facility has two or more discharge points that you believe discharge substantially identical stormwater 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, you may monitor the effluent of just one of the discharge points and report that the results also apply to the SIDP(s). As required in Part 6.2.5.3, your SWPPP must identify each discharge point authorized by this permit and describe the rationale for any SIDP determinations. The allowance for monitoring only one of the SIDP is not applicable to any discharge points with numeric effluent limitations. You are required to monitor each discharge point covered by a numeric effluent limit as identified in Part 4.2.2.

**4.1.2 Commingled Discharges.** If any authorized stormwater discharges commingle with discharges not authorized under this permit, you must conduct any required sampling of the authorized discharges at a point before they mix with other waste streams, to the extent practicable.

**4.1.3 Measurable Storm Events.** You must conduct all required monitoring on a storm event that results in an actual discharge ("measurable storm event") that follows the preceding measurable storm event by at least 72 hours (three days). The 72-hour (3-day) storm interval does not apply if you are 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, you must conduct monitoring at a time when a measurable discharge occurs.

For each monitoring event, except snowmelt monitoring, you 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, you must identify the date of the sampling event.

**4.1.4 Sample Type.** You must take a minimum of one grab sample from a discharge resulting from a measurable storm event as described in Part 4.1.3. You must collect samples within the first 30 minutes of a discharge associated with a measurable storm event. If it is not possible to collect the sample within the first 30 minutes of a measurable storm event, you must collect the sample as soon as possible after the first 30 minutes and keep documentation with the SWPPP explaining why it was not possible to take samples within the first 30 minutes. In the case of snowmelt, you must take samples during a period with a measurable discharge.

For indicator monitoring and benchmark monitoring, you may choose to use a composite sampling method instead of taking grab samples. This composite method may be either flow-weighted or time-weighted and performed manually or with the use of automated sampling equipment. For the purposes of this permit, a flow-

weighted composite sample means a composite sample consisting of a mixture of aliquots collected at a constant or variable time interval, where the volume of each aliquot included in the composite sample is proportional to the estimated or measured incremental discharge volume at the time of the aliquot collection compared to the total discharge volume estimated or measured over the monitoring event. For the purposes of this permit, a time-weighted composite sample means a composite sample consisting of a mixture of equal volume aliquots collected at a regular defined time interval over a specific period of time. Composite sampling must be initiated during the first 30 minutes of the same storm event. If it is not possible to initiate composite sampling within the first 30 minutes of a measurable storm event, you must initiate composite sampling as soon as possible after the first 30 minutes and keep documentation with the SWPPP explaining why it was not possible to initiate composite sampling within the first 30 minutes. You must submit all monitoring results to EPA per Part 4.1.9. Composite sampling may not be used in situations where hold times for processing or sample preservation requirements cannot be satisfied. For parameters measured in-situ with a probe or meter such as dissolved oxygen, conductivity, pH, or temperature, the composite sampling method shall be modified by calculating an average all individual measurements, weighted by flow volume if applicable.

- 4.1.5 Adverse Weather Conditions.** When adverse weather conditions as described in Part 3.2.4.1 prevent the collection of stormwater discharge samples according to the relevant monitoring schedule, you must take a substitute sample during the next qualifying storm event. Adverse weather does not exempt you from having to file a benchmark monitoring report in accordance with your sampling schedule. As specified in Part 7.4, you must indicate in Net-DMR any failure to monitor during the regular reporting period.
- 4.1.6 Facilities in Climates with Irregular Stormwater Discharges.** If your facility is located in areas where limited rainfall occurs during parts of the year (e.g., arid or semi-arid climates) or in areas where freezing conditions exist that prevent discharges from occurring for extended periods, you may distribute your required monitoring events during seasons when precipitation occurs, or when snowmelt results in a measurable discharge from your facility. You must still collect the required number of samples. As specified in Part 7.4, you must also indicate in Net-DMR that there was no monitoring for the respective monitoring period.
- 4.1.7 Monitoring Periods.** Your monitoring requirements in this permit begin in the first full quarter following either May 30, 2021 or your date of discharge authorization, whichever date comes later.

- January 1 – March 31
- April 1 – June 30
- July 1 – September 30
- October 1 – December 31

For example, if you obtain permit coverage on April 10, 2021, then your first monitoring quarter for benchmark monitoring is– July 1, 2021 – September 30, 2021 and your first monitoring year for discharges to impaired waters or discharges subject to an effluent limitation guideline is July 1, 2021 – June 30, 2022. This monitoring schedule may be modified in accordance with Part 4.1.6 if you document the revised schedule in your SWPPP. However, you must indicate in Net-DMR any 3-month interval that you did not take a sample.

**4.1.8 Monitoring for Authorized Non-Stormwater Discharges.** You are only required to monitor authorized non-stormwater discharges (as delineated in Part 1.2.2) when they are commingled with stormwater discharges associated with industrial activity.

**4.1.9 Monitoring Reports.** You must report monitoring data using Net-DMR, EPA's electronic DMR tool, as described in Part 7.3 (unless the applicable EPA Regional Office grants you a waiver from electronic reporting, in which case you may submit a paper DMR form).

## **4.2 Required Monitoring**

This permit includes six types of required analytical monitoring, one or more of which may apply to your stormwater discharge:

- Indicator monitoring (Part 4.2.1);
- Benchmark monitoring (Part 4.2.2);
- Annual effluent limitations guidelines monitoring (Part 4.2.3);
- State- or tribal-specific monitoring (Part 4.2.4);
- Impaired waters monitoring (Part 4.2.5); and
- Other monitoring as required by EPA (Part 4.2.6).

Unless otherwise specified, samples must be analyzed consistent with 40 CFR Part 136 analytical methods that are sufficiently sensitive for the monitored parameter. When more than one type of monitoring for the same pollutant at the same discharge point applies (e.g., total suspended solids once per year for an effluent limitation and once per quarter for benchmark monitoring at a given discharge point), you may use a single sample to satisfy both monitoring requirements (i.e., one sample satisfying both the annual effluent limitation sample and one of the four quarterly benchmark monitoring samples). Similarly, when the same type of monitoring is required for the same pollutant but for different activities, you may use a single sample to satisfy both monitoring requirements (i.e., when you are required to monitor for PAHs in stormwater discharges from paved surfaces that will be sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit and you are also required to monitor for PAHs in stormwater discharges since you manufacture, use, or store creosote or creosote-treated wood in areas that are exposed to precipitation).

When the effluent limitation is lower than the benchmark threshold for the same pollutant, your Additional Implementation Measure (AIM) trigger is based on an exceedance of the effluent limitation threshold, which would subject you to the AIM requirements of Part 5.2. Exceedance of an effluent limitation associated with the results of any analytical monitoring type required by this Part subjects you to the corrective action requirements of Part 5.1. You must conduct all required monitoring in accordance with the procedures described in Appendix B, Subsection B.10.

Per Part 1.3.7, in the event that the permit is administratively continued, monitoring requirements remain in force and effect at their original frequency during any continuance for operators that were covered prior to permit expiration. In the event that monitoring results are unable to be electronically reported in Net-DMR, operators must maintain monitoring results and records within their SWPPP.



**Table 4-1. Summary of Each Type of Monitoring**

Monitoring Type	Monitoring Type Applies To	Frequency	Duration	Follow-up Action	Permit Part Reference
Indicator – pH, TSS, COD	Subsectors B2, C5, D2, E3, F5, I1, J3, L2, N2, O1, P1, R1, T1, U3, V1, W1, X1, Y2, Z1, AB1, AC1, and AD1	Quarterly	Entirety of permit coverage	None	Part 4.2.1.1.a
Indicator – PAHs*	Operators with stormwater discharges from paved surfaces that will be sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit; sectors; Sector A facilities that manufacture, use, or store creosote or creosote-treated wood in areas that are exposed to precipitation; and Sectors C (SIC 2911), D, F, H, I, M, O, P (SIC 4011, 4013, and 5171), Q (SIC 4491), R, and S	Bi-annually (2 times per year)	First year and fourth year	None	Part 4.2.1.1.b
Benchmark	Subsectors A1, A2, A3, A4, B1, C1, C2, C3, C4, D1, E1, E2, F1, F2, F3, F4, G1, G2, H1, J1, J2, K1, L1, M1, N1, Q1, S1, U1, U2, Y1, AA1, AA2	Quarterly	First year and fourth year	AIM. See Part 5.2.	Part 4.2.2
Effluent limitation guidelines (ELG)	See Part 4.2.3	Annually	Entirety of permit coverage	See Part 5.1	Part 4.2.3
State- or tribal-specific	Depends on the discharge location of your facility. See Part 9				
Impaired Waters	Depends on the receiving waterbody. See Part 4.2.5				
Other as required by EPA	See Part 4.2.6				

\* Monitoring is required for the 16 individual PAHs identified at Appendix A to 40 CFR Part 423: naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, indeno[1,2,3-c,d]pyrene, and dibenz[a,h]anthracene.

**4.2.1 Indicator Monitoring.** This permit requires indicator monitoring of stormwater discharges for three parameters – pH, Total Suspended Solids (TSS), and Chemical Oxygen Demand (COD) – for certain sectors/subsectors (see Part 4.2.1.1.a below) and for polycyclic aromatic hydrocarbons (PAHs) for certain sectors/activities, with additional limitations (see Part 4.2.1.1.b below). Indicator monitoring data will provide you and EPA with a baseline and comparable understanding of industrial stormwater discharge quality and potential water quality problems. The indicator monitoring parameters are “report-only” and do not have thresholds or baseline values for comparison, therefore no follow-up action is triggered or required under this part. The requirement in Part 2.2.1

that your stormwater discharge be controlled as necessary such that the receiving water of the United States will meet applicable water quality standards still applies. You may find it useful to evaluate and compare your indicator monitoring data over time to identify any fluctuating values and why they may be occurring, and to further inform any revisions to your SWPPP/SCMs if necessary.<sup>11</sup> Indicator monitoring is report-only and is neither benchmark monitoring nor an effluent limitation. Instead, it is a permit condition. Thus, failure to conduct indicator monitoring is a permit violation.

#### 4.2.1.1 **Applicability and Schedule of Indicator Monitoring**

##### **a. pH, Total Suspended Solids (TSS), and Chemical Oxygen Demand (COD).**

- i. **Applicability.** Operators in the following subsectors must monitor stormwater discharges for pH, TSS, and COD (also specified in the sector-specific requirements in Part 8): B2, C5, D2, E3, F5, I1, J3, L2, N2, O1, P1, R1, T1, U3, V1, W1, X1, Y2, Z1, AB1, AC1, and AD1). Samples must be analyzed consistent with 40 CFR Part 136 analytical methods.
- ii. **Schedule.** You must conduct indicator monitoring of stormwater discharges for pH, TSS, and COD each quarter, beginning in your first full quarter of permit coverage as identified in Part 4.1.7.

##### **b. Polycyclic Aromatic Hydrocarbons (PAH).**

- i. **Applicability.** The following operators must monitor stormwater discharges for the 16 individual priority pollutant PAHs (also specified in the sector-specific requirements in Part 8): operators in all sectors with stormwater discharges from paved surfaces that will be sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit; operators in sectors A (facilities that manufacture, use, or store creosote or creosote-treated wood in areas that are exposed to precipitation), C (SIC Code 2911), D, F, H, I, M, O, P (SIC Codes 4011, 4013, and 5171), Q (SIC Code 4491), R, and S. Monitoring is required for the 16 individual PAHs identified at Appendix A to 40 CFR Part 423: naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, indeno[1,2,3-c,d]pyrene, and dibenz[a,h]anthracene. Samples must be analyzed using EPA Method 625.1, or EPA Method 610/Standard Method 6440B if preferred by the operator, consistent with 40 CFR Part 136 analytical methods.
- ii. **Schedule.** You must conduct indicator monitoring of stormwater discharges for PAHs bi-annually (i.e., sample twice per year) in the first and fourth years of permit coverage. Your first year of permit coverage begins in your first full quarter of permit coverage, identified in Part 4.1.7, commencing no earlier than May 30, 2021, followed by two years of no monitoring. Bi-annual monitoring resumes in your fourth year of permit coverage for another year,

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<sup>11</sup> Examples of possible reviews and revisions to the SWPPP/SCMs that could be informed by indicator monitoring values include: reviewing sources of pollution or any changes to performed industrial activities and processes; reviewing spill and leak procedures, and/or non-stormwater discharges; conducting a single comprehensive clean-up, implementing a new control measure, and/or increasing inspections. EPA notes, however, that these actions are not required under the 2021 MSGP in response to indicator monitoring.

after which you may discontinue bi-annual PAH monitoring for the remainder of your permit coverage.

**4.2.1.2 Exception for Facilities in Climates with Irregular Stormwater Discharges.** As described in Part 4.1.6, facilities in climates with irregular stormwater discharges may modify this schedule provided you report this revised schedule directly to EPA by the due date of the first indicator monitoring sample (see EPA Regional contacts in Part 7.8), and you keep this revised schedule with the facility's SWPPP as specified in Part 6.5. As noted in Part 4.1.7, you must indicate in Net-DMR any 3-month interval that you did not take a sample.

**4.2.1.3 Exception for Inactive and Unstaffed Facilities.** The requirement for indicator monitoring does not apply at a facility that is inactive and unstaffed, provided that there are no industrial materials or activities exposed to stormwater. To invoke this exception, you must do the following:

- a. Maintain a statement with your SWPPP 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 Appendix B, Subsection 11.
- b. If circumstances change and industrial materials or activities become exposed to stormwater or your facility becomes active and/or staffed, this exception no longer applies and you must immediately begin complying with the applicable indicator monitoring requirements under Part 4.2.1 as if you were in your first year of permit coverage. You must indicate in your NOI that your facility has materials or activities exposed to stormwater or has become active and/or staffed.
- c. If you are not qualified for this exception at the time you are authorized under this permit, but during the permit term you become qualified because your facility is inactive and unstaffed, and there are no industrial materials or activities that are exposed to stormwater, then you must notify EPA of this change on your NOI form. You may discontinue indicator monitoring once you have notified EPA, and prepared and signed the certification statement described above concerning your facility's qualification for this special exception.

*Note: This exception has different requirements for Sectors G, H, and J (see Part 8).*

**4.2.2 Benchmark Monitoring.** This permit requires benchmark monitoring parameters of stormwater discharges for certain sectors/subsectors. Benchmark monitoring data are primarily for your use to determine the overall effectiveness of your stormwater control measures and to assist you in determining when additional action(s) may be necessary to comply with the effluent limitations in Part 2.

The benchmark thresholds are not effluent limitations; a benchmark exceedance, therefore, is not a permit violation. However, if a benchmark exceedance triggers Additional Implementation Measures (AIM) in Part 5.2, failure to conduct any required measures is a permit violation. At your discretion, you may take more than four samples during separate stormwater discharge events to determine the average benchmark parameter value for facility discharges.

#### 4.2.2.1 **Applicability of Benchmark Monitoring.**

You must monitor stormwater discharges for any benchmark parameters specified for the industrial sector(s), both primary industrial activity and any co-located industrial activities, applicable to your discharge listed in Part 8. If your facility is in one of the industrial sectors subject to benchmark thresholds that are hardness-dependent, you must include in your NOI a hardness value, established consistent with the procedures in Appendix J, that is representative of your receiving water. Hardness is not a specific benchmark and therefore the permit does not include a benchmark threshold with which to compare.

Samples must be analyzed consistent with 40 CFR Part 136 analytical methods and using test procedures with quantitation limits at or below benchmark thresholds for all benchmark parameters for which you are required to sample, i.e. sufficiently sensitive methods. For averaging purposes, you may use a value of zero for any individual sample parameter which is determined to be less than the method detection limit. For sample values that fall between the method detection limit and the quantitation limit (i.e., a confirmed detection but below the level that can be reliably quantified), use a value halfway between zero and the quantitation limit.

#### 4.2.2.2 **Summary of the 2021 MSGP Benchmark Thresholds**

The Table 4-2 presents the 2021 MSGP's freshwater and saltwater benchmark thresholds. Sector-specific benchmark requirements are detailed in [Part 8](#). Values match the original units found in the source documents, detailed in the corresponding section of the fact sheet.

**Table 4-2 2021 MSGP Benchmark Thresholds**

Pollutant		2021 MSGP Benchmark Threshold
Total Recoverable Aluminum (T)		1,100 µg/L
Total Recoverable Beryllium		130 µg/L
Biochemical Oxygen Demand (5-day)		30 mg/L
pH		6.0 – 9.0 s.u.
Chemical Oxygen Demand		120 mg/L
Total Phosphorus		2.0 mg/L
Total Suspended Solids (TSS)		100 mg/L
Nitrate and Nitrite Nitrogen		0.68 mg/L
Turbidity		50 NTU
Total Recoverable Antimony		640 µg/L
Ammonia		2.14 mg/L
Total Recoverable Cadmium	Freshwater <sup>a</sup>	1.8 µg/L
	Saltwater	33 µg/L
Total Recoverable Copper	Freshwater	5.19 µg/L
	Saltwater	4.8 µg/L

Pollutant		2021 MSGP Benchmark Threshold
Total Recoverable Cyanide	Freshwater	22 µg/L
	Saltwater	1 µg/L
Total Recoverable Mercury	Freshwater	1.4 µg/L
	Saltwater	1.8 µg/L
Total Recoverable Nickel	Freshwater <sup>a</sup>	470 µg/L
	Saltwater	74 µg/L
Total Recoverable Selenium	Freshwater	1.5 µg/L for still/standing (lentic) waters 3.1 µg/L for flowing (lotic) waters
	Saltwater	290 µg/L
Total Recoverable Silver	Freshwater <sup>a</sup>	3.2 µg/L
	Saltwater	1.9 µg/L
Total Recoverable Zinc	Freshwater <sup>a</sup>	120 µg/L
	Saltwater	90 µg/L
Total Recoverable Arsenic	Freshwater <sup>a</sup>	150 µg/L
	Saltwater	69 µg/L
Total Recoverable Lead	Freshwater <sup>a</sup>	82 µg/L
	Saltwater	210 µg/L

<sup>a</sup> These pollutants are dependent on water hardness where discharged into freshwaters. The freshwater benchmark value listed is based on a hardness of 100 mg/L. When a facility analyzes receiving water samples for hardness, the operator must use the hardness ranges provided in Table 1 in Appendix J of the 2021 MSGP and in the appropriate tables in Part 8 of the 2021 MSGP to determine applicable benchmark values for that facility. Benchmark thresholds for discharges of these pollutants into saline waters are not dependent on receiving water hardness and do not need to be adjusted.

**4.2.2.3 Benchmark Monitoring Schedule.** Benchmark monitoring of stormwater discharges is required quarterly, as identified in Part 4.1.7, in the first and fourth year of permit coverage, as follows:

- a. Year one of permit coverage:** You must conduct benchmark monitoring for all parameters applicable to your subsector(s) for four quarters in your first year of permit coverage, beginning in your first *full* quarter of permit coverage, no earlier than May 30, 2021.
  - i.** If the annual average<sup>12</sup> for a parameter does not exceed the benchmark threshold, you can discontinue benchmark monitoring for that parameter for the next two years (i.e., eight quarters).

<sup>12</sup> For this permit, an annual average exceedance for a parameter can occur if: (a) The four-quarter annual average for a parameter exceeds the benchmark threshold; or (b) Fewer than four quarterly samples are collected, but a single sample or the sum of any sample results within the sampling year exceeds the benchmark threshold by more than four times for a parameter. The result in (b) indicates an exceedance is mathematically certain (i.e., the sum of quarterly sample results to date is already more than four times the benchmark threshold). For pH, an annual average exceedance can only occur if the four-quarter annual average exceeds the benchmark threshold.

- ii. If the annual average for a parameter exceeds the benchmark threshold, you must comply with Part 5.2 (Additional Implementation Measures responses and deadlines) and continue quarterly benchmark monitoring for that parameter until results indicate that the annual average is no longer exceeded, after which you can discontinue benchmark monitoring for that parameter until monitoring resumes in year four of permit coverage, per Part 4.2.2.3.b below.
  - b. **Year four of permit coverage:** You must conduct benchmark monitoring for all parameters applicable to your subsector(s) for four quarters in your fourth year of permit coverage (i.e., your thirteenth through sixteenth quarters), unless the first quarter of your fourth year of permit coverage occurs on or after the date this permit expires.
    - i. If the annual average<sup>13</sup> for a parameter does not exceed the benchmark threshold, you can discontinue benchmark monitoring for that parameter for the remainder of your permit coverage.
    - ii. If the annual average for a parameter exceeds the benchmark threshold, you must comply with Part 5.2 (Additional Implementation Measures responses and deadlines) and continue quarterly benchmark monitoring for that parameter until results indicate that the annual average is no longer exceeded, after which you can discontinue benchmark monitoring for that parameter for the remainder of permit coverage.

**4.2.2.4 Exception for Facilities in Climates with Irregular Stormwater Discharges.** As described in Part 4.1.6, facilities in climates with irregular stormwater discharges may modify this quarterly schedule provided you report this revised schedule directly to EPA by the due date of the first benchmark sample (see EPA Regional contacts in Part 7.8), and you keep this revised schedule with the facility's SWPPP as specified in Part 6.5. When conditions prevent you from obtaining four samples in four consecutive quarters, you must continue monitoring until you have the four samples required for calculating your benchmark monitoring average. As noted in Part 4.1.7, you must indicate in Net-DMR any 3-month interval that you did not take a sample.

**4.2.2.5 Exception for Inactive and Unstaffed Facilities.** The requirement for benchmark monitoring does not apply at a facility that is inactive and unstaffed, provided that there are no industrial materials or activities exposed to stormwater. To invoke this exception, you must do the following:

- a. Maintain a statement with your SWPPP 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 Appendix B, Subsection 11.
- b. If circumstances change and industrial materials or activities become exposed to stormwater or your facility becomes active and/or staffed, this exception no longer applies and you must immediately begin complying with the applicable benchmark monitoring requirements under Part 4.2.2 as if you were in your first year of permit coverage. You must indicate in your NOI that your facility has

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<sup>13</sup> *Ibid.*

materials or activities exposed to stormwater or has become active and/or staffed.

- c. If you are not qualified for this exception at the time you are authorized under this permit, but during the permit term you become qualified because your facility is inactive and unstaffed, and there are no industrial materials or activities that are exposed to stormwater, then you must notify EPA of this change on your NOI form. You may discontinue benchmark monitoring once you have notified EPA, and prepared and signed the certification statement described above concerning your facility's qualification for this special exception.

*Note: This exception has different requirements for Sectors G, H, and J (see Part 8).*

#### 4.2.3 **Effluent Limitations Monitoring**

- 4.2.3.1 **Monitoring Based on Effluent Limitations Guidelines.** Table 4-3 identifies the stormwater discharges subject to effluent limitation guidelines that are authorized for coverage under this permit. An exceedance of the effluent limitation is a permit violation. Beginning in the first full quarter following May 30, 2021 or your date of discharge authorization, whichever date comes later, you must monitor once per year at each stormwater discharge point containing the discharges identified in Table 4-3 for the parameters specified in the sector-specific section of Part 8.

**Table 4-3. Required Monitoring for Effluent Limits Based on Effluent Limitations Guidelines**

<b>Regulated Activity</b>	<b>Effluent Limit</b>	<b>Monitoring Frequency</b>	<b>Sample Type</b>
Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas	See Part 8.A.8	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 8.C.5	1/year	Grab
Runoff from asphalt emulsion facilities	See Part 8.D.5	1/year	Grab
Runoff from material storage piles at cement manufacturing facilities	See Part 8.E.6	1/year	Grab
Mine dewatering discharges at crushed stone, construction sand and gravel, or industrial sand mining facilities	See Part 8.J.10	1/year	Grab
Runoff from hazardous waste landfills	See Part 8.K.7	1/year	Grab
Runoff from non-hazardous waste landfills	See Part 8.L.11	1/year	Grab
Runoff from coal storage piles at steam electric generating facilities	See Part 8.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 8.S.9	1/year	Grab

- 4.2.3.2 **Substantially Identical Discharge Points Not Applicable.** You must monitor each discharge point discharging stormwater from any regulated activity identified in Table

4-3. The substantially identical discharge points (SIDP) monitoring provisions are not available for numeric effluent limit monitoring.

**4.2.3.3 Follow-up Actions if Discharge Exceeds Numeric Effluent Limitation.** If any monitoring value exceeds a numeric effluent limitation contained in this permit, you must indicate the exceedance on a "Change NOI" form in the NPDES eReporting Tool (NeT), and you must conduct follow-up monitoring within 30 calendar days (or during the next measurable storm event, should none occur within 30 days) of implementing corrective action(s) taken per Part 5.1. If your follow-up monitoring exceeds the applicable effluent limitation, you must:

- a. **Submit an Exceedance Report:** You must submit an Exceedance Report no later than 30 days after you have received your laboratory result consistent with Part 7.5; and
- b. **Continue to Monitor:** You must monitor, at least quarterly, until your stormwater discharge is in compliance with the effluent limit or until EPA waives the requirement for additional monitoring. Once your discharge is back in compliance with the effluent limitation you must indicate this on a "Change NOI" form per Part 7.3.

#### **4.2.4 State or Tribal Required Monitoring**

**4.2.4.1 Sectors Required to Conduct State or Tribal Monitoring.** You must comply with any state or tribal monitoring requirements in Part 9 of the permit applicable to your facility's discharge location.

**4.2.4.2 State or Tribal Monitoring Schedule.** If a monitoring frequency is not specified for an applicable requirement in Part 9, you must monitor once per year for the duration of your permit coverage.

**4.2.5 Impaired Waters Monitoring.** For the purposes of this permit, your facility is considered to discharge to an impaired water if the first water of the United States to which you discharge is identified by a state, tribe, or EPA pursuant to section 303(d) of the CWA as not meeting an applicable water quality standard (i.e., without an EPA-approved or -established TMDL, see Part 4.2.5.1.a below), or has been removed from the 303(d) list either because the impairments are addressed by an EPA-approved or established TMDL or is covered by pollution control requirements that meet the requirements of 40 CFR 130.7(b)(1) (see Part 4.2.5.1.b below). For discharges that enter a separate storm sewer system<sup>14</sup> prior to discharge, the first water of the United States to which you discharge is the waterbody that receives the stormwater discharge from the separate storm sewer system.

#### **4.2.5.1 Facilities Required to Monitor Stormwater Discharges to Impaired Waters.**

- a. **Discharges to impaired waters without an EPA-approved or established TMDL:**

Monitoring is required annually in the first year of permit coverage and again in the fourth year of permit coverage as follows, unless you detect a pollutant causing an impairment, in which case annual monitoring must continue.

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<sup>14</sup> Separate storm sewer systems do not include combined sewer systems or sanitary sewer systems. Separate storm sewer systems include both municipal storm sewer systems (MS4s) and non-municipal separate storm sewers.



- i. Year one of permit coverage:** You must take your first annual sample in your first year of permit coverage, which begins in the first full quarter following May 30, 2021 or your date of discharge authorization, whichever date comes later. You must monitor for all pollutants causing impairments using a standard analytical method, provided one exists (see 40 CFR Part 136), once at each discharge point (except substantially identical discharge points) discharging stormwater to impaired waters without an EPA-approved or established TMDL. *Note:* Except where otherwise directed by EPA, if the pollutant of concern for the impaired waterbody is suspended solids, turbidity, or sediment/sedimentation, you must monitor for Total Suspended Solids (TSS). If a pollutant of concern is expressed in the form of an indicator or surrogate pollutant, you must monitor for that indicator or surrogate pollutant. No monitoring is required when a waterbody's biological communities are impaired but no pollutant, including indicator or surrogate pollutants, is specified as causing the impairment, or when a waterbody's impairment is related to hydrologic modifications, impaired hydrology, or other non-pollutant. Operators must consult the applicable EPA Regional Office for any available guidance regarding required monitoring parameters under this part.
- 1) If monitoring results indicate the monitored pollutant is not detected in your discharge, or is within the acceptable range for a given parameter for the waterbody to meet its designated use (e.g., pH or temperature),<sup>15</sup> you may discontinue monitoring for that pollutant for the next two years. You must resume monitoring for that pollutant in year four of permit coverage, if applicable, per Part 4.2.5.1.a.ii.
  - 2) If monitoring results indicate that the monitored pollutant is detected in your stormwater discharge, or is outside the acceptable range for a given parameter (e.g., pH or temperature) for the waterbody to meet its designated use,<sup>16</sup> you must continue to monitor for the pollutant(s) annually until no longer detected, after which you may discontinue monitoring for that pollutant until monitoring resumes in year four of permit coverage, if applicable, per Part 4.2.5.1.a.ii.
- ii. Year four of permit coverage.** Annual monitoring resumes in your fourth year of permit coverage for another year for a sub-set of parameters monitored for in the first monitoring year. In the fourth year of permit coverage, you must monitor for all pollutants causing impairment(s) that are associated with your industrial activity and/or are listed as a benchmark parameter for your subsector(s) (regardless of whether you have satisfied benchmark monitoring for the parameter per Part 4.2.2). To determine these pollutants, start with the list of pollutants for which the receiving waterbody is impaired and for which a standard analytical method exists (see 40 CFR Part 136), then compare that list to the industrial pollutants you identified in Part 6.2.3.2 and any sector-specific benchmark monitoring pollutants in Part 8 and, if applicable, Part 9. You must monitor for pollutants that appear on both the impairments list and either your industrial pollutants and/or your benchmark parameter list, including "indicator" or "surrogate" pollutants (as described in the "note" in 1 above). You must monitor once at each discharge point (except

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<sup>15</sup> Refer to your state's Water Quality Standards or contact the EPA Regional Office for assistance.

<sup>16</sup> *Ibid.*

substantially identical discharge points (SIDPs)) for these pollutants. Consistent with Part 4.2, annual samples may be used to also satisfy any single remaining quarterly benchmark monitoring requirement applicable to your discharge.

- 1) If monitoring results indicate the monitored pollutant is not detected in your discharge, or is within the acceptable range for a given parameter for the waterbody to meet its designated use (e.g., pH or temperature),<sup>17</sup> you may discontinue monitoring for that pollutant for the remainder of your permit coverage.
- 2) If the monitoring results indicate that the monitored pollutant is detected in your discharge, or is outside the acceptable range for a given parameter (e.g., pH or temperature) for the waterbody to meet its designated use, you must continue to monitor for the pollutant(s) annually until no longer detected, after which you may discontinue monitoring for that pollutant for the remainder of your permit coverage.

- iii. **Exception:** If sampling results in either Part 4.2.5.1.a.i or Part 4.2.5.1.a.ii above indicate the monitored pollutant is detected in your discharge, but you have determined that its presence is caused solely by natural background sources, you may discontinue monitoring for that pollutant for the duration of your permit coverage.

To support a determination that the pollutant's presence is caused solely by natural background sources, you must document and maintain with your SWPPP, as required by Part 6.5:

- 1) An explanation of why you believe that the presence of the pollutant of concern in your discharge is not related to the activities or materials at your facility; and
- 2) Data and/or studies that tie the presence of the pollutant of concern in your discharge to natural background sources in the watershed.

Natural background pollutants include those that occur naturally as a result of native soils, and vegetation, wildlife, or ground water. Natural background pollutants do not include legacy pollutants from earlier activity on your site, or pollutants in run-on from neighboring sources that are not naturally occurring. However, you may be eligible to discontinue annual monitoring for pollutants that occur solely from these sources and should consult the applicable EPA Regional Office for related guidance.

- b. **Discharges to impaired waters with an EPA-approved or established TMDL:** For stormwater discharges to waters for which there is an EPA-approved or established TMDL, you are not required to monitor for the pollutant(s) for which the TMDL was written unless EPA informs you, upon examination of the applicable TMDL and its wasteload allocation, that you are subject to such a requirement consistent with the assumptions and findings of the applicable TMDL and its wasteload allocation. EPA's notice will include specifications on stormwater discharge monitoring parameters and frequency. If there are questions, you may consult the applicable EPA Regional Office for guidance regarding required monitoring under this Part.

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<sup>17</sup> *Ibid.*

- 4.2.5.2 Exception for Inactive and Unstaffed Facilities.** The requirement for impaired waters 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, you must do the following:
- a. Maintain a statement with your SWPPP 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 Appendix B, Subsection 11.
  - b. If circumstances change and industrial materials or activities become exposed to stormwater or your facility becomes active and/or staffed, this exception no longer applies and you must immediately begin complying with the applicable impaired waters monitoring requirements under Part 4.2.5 as if you were in your first year of permit coverage. You must indicate in a "Change NOI" form per Part 7.2 that your facility has materials or activities exposed to stormwater or has become active and/or staffed.
  - c. If you are not qualified for this exception at the time you are authorized under this permit, but during the permit term you become qualified because your facility is inactive and unstaffed, and there are no industrial materials or activities that are exposed to stormwater, then you must notify EPA of this change on your NOI form. You may discontinue impaired waters monitoring once you have notified EPA, and prepared and signed the certification statement described above concerning your facility's qualification for this special exception.

*Note: This exception has different requirements for Sectors G, H, and J (see Part 8).*

- 4.2.6 Additional Monitoring Required by EPA.** EPA may notify you of additional stormwater discharge monitoring requirements that EPA determines are necessary to meet the permit's effluent limitations. 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.

## **5. Corrective Actions and Additional Implementation Measures (AIM)**

### **5.1 Corrective Action**

- 5.1.1 Conditions Requiring SWPPP Review and Revision to Ensure Effluent Limits are Met.** When any of the following conditions occur or are detected during an inspection, monitoring or other means, or EPA or the operator of the MS4 through which you discharge informs you that any of the following conditions have occurred, you must review and revise, as appropriate, your SWPPP (e.g., sources of pollution; spill and leak procedures; non-stormwater discharges; the selection, design, installation and implementation of your stormwater control measures) so that this permit's effluent limits are met and pollutant discharges are minimized:
- 5.1.1.1** An unauthorized release or discharge (e.g., spill, leak, or discharge of non-stormwater not authorized by this or another NPDES permit to a water of the United States) occurs at your facility.
  - 5.1.1.2** A discharge violates a numeric effluent limit listed in Table 2-1 and/or in your Part 8 sector-specific requirements.

- 5.1.1.3** Your stormwater control measures are not stringent enough for your stormwater discharge to be controlled as necessary such that the receiving water of the United States will meet applicable water quality standards or to meet the non-numeric effluent limits in this permit.
- 5.1.1.4** A required control measure was never installed, was installed incorrectly, or not in accordance with Parts 2 and/or 8, or is not being properly operated or maintained.
- 5.1.1.5** Whenever a visual assessment shows evidence of stormwater pollution (e.g., color, odor, floating solids, settled solids, suspended solids, foam).
- 5.1.2** **Conditions Requiring SWPPP Review to Determine if Modifications Are Necessary.** If construction or a change in design, operation, or maintenance at your facility occurs that significantly changes the nature of pollutants discharged via stormwater from your facility, or significantly increases the quantity of pollutants discharged, you must review your SWPPP (e.g., sources of pollution, spill and leak procedures, non-stormwater discharges, selection, design, installation and implementation of your stormwater control measures) to determine if modifications are necessary to meet the effluent limits in this permit.
- 5.1.3** **Deadlines for Corrective Actions**
- 5.1.3.1** **Immediate Actions.** You must immediately take all reasonable steps to minimize or prevent the discharge of pollutants until you can implement a permanent solution, including cleaning up any contaminated surfaces so that the material will not discharge in subsequent storm events. In Part 5, the term "immediately" means that the day you find a condition requiring corrective action, you must take all reasonable steps to minimize or prevent the discharge of pollutants until you can implement a permanent solution. However, if you identify a problem too late in the work day to initiate corrective action, you must perform the corrective action the following work day morning. The term "all reasonable steps" means you must respond to the conditions triggering the corrective action, such as cleaning up any exposed materials that may be discharged in a storm event (e.g., through sweeping, vacuuming) or making arrangements (i.e., scheduling) for a new SCM to be installed.
- 5.1.3.2** **Subsequent Actions.** If additional actions are necessary beyond those implemented pursuant to Part 5.1.3.1, you 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 that the condition in Part 5.1.1 is not met. If it is infeasible to complete the corrective action within 14 calendar days, you must document why it is infeasible to complete the corrective action within the 14-day timeframe. You must also identify your 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. If the completion of corrective action will exceed the 45-day timeframe, you may take the minimum additional time necessary to complete the corrective action, provided that you notify the appropriate EPA Regional Office of your intention to exceed 45 days, your rationale for an extension, and a completion date, which you must also include in your corrective action documentation (see Part 5.3). Where your corrective actions result in changes to any of the controls or procedures documented in your SWPPP, you must modify your SWPPP accordingly within 14 calendar days of completing corrective action work.

These time intervals are not grace periods, but are schedules considered reasonable for documenting your findings and for making repairs and improvements. They are

included in this permit to ensure that the conditions prompting the need for these repairs and improvements do not persist indefinitely.

**5.1.4 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. EPA may consider the appropriateness and promptness of corrective action in determining enforcement responses to permit violations.

**5.1.5 Substantially Identical Discharge Points.** If the event triggering corrective action is associated with a discharge point that had been identified as a "substantially identical discharge point" (SIDP) (see Parts 3.2.4.5 and 4.1.1), your review must assess the need for corrective action for all related SIDPs. Any necessary changes to control measures that affect these other discharge points must also be made before the next storm event if possible, or as soon as practicable following that storm event. Any corrective actions must be conducted within the timeframes set forth in Part 5.1.3.

## **5.2 Additional Implementation Measures (AIM)**

If any of the following AIM triggering events in Parts 5.2.3, 5.2.4, or 5.2.5 occur, you must follow the response procedures described in those parts, called "additional implementation measures" or "AIM." There are three AIM levels: AIM Level 1, Level 2, and Level 3. You must respond as required to different AIM levels which prescribe sequential and increasingly robust responses when a benchmark exceedance occurs. You must follow the corresponding AIM level responses and deadlines described in Parts 5.2.1, 5.2.2, and 5.2.3 unless you qualify for an exception under Part 5.2.6.

### **5.2.1 Baseline Status**

Once you receive discharge authorization under this permit per Part 1.3, you are in a baseline status for all applicable benchmark parameters. If an AIM triggering event occurs and you have proceeded sequentially to AIM Level 1, 2 or 3, you may return directly to baseline status once the corresponding AIM-level response and conditions are met.

**5.2.2 AIM Triggering Events.** If an annual average exceeds an applicable benchmark threshold based on the following events, the AIM requirements have been triggered for that benchmark parameter. You must follow the corresponding AIM-level responses and deadlines described in Parts 5.2.3, 5.2.4, and 5.2.5 unless you qualify for an exception under Part 5.2.6. An annual average exceedance for a parameter can occur if:

**5.2.2.1** The four-quarterly annual average for a parameter exceeds the benchmark threshold, or

**5.2.2.2** Fewer than four quarterly samples are collected, but a single sample or the sum of any sample results within the sampling year exceeds the benchmark threshold by more than four times for a parameter. This result indicates an exceedance is mathematically

certain (i.e., the sum of quarterly sample results to date is already more than four times the benchmark threshold).<sup>18</sup>

### 5.2.3 **AIM Level 1**

Your status changes from baseline to AIM Level 1 if quarterly benchmark monitoring results indicate that an AIM triggering event per Part 5.2.2 has occurred, unless you qualify for an exception under Part 5.2.6.

#### 5.2.3.1 **AIM Level 1 Responses.** If any of the triggering events in Part 5.2.2 occur, you must:

- a. **Review SWPPP/Stormwater Control Measures.** Immediately review your SWPPP and the selection, design, installation, and implementation of your stormwater control measures to ensure the effectiveness of your existing measures and determine if modifications are necessary to meet the benchmark threshold for the applicable parameter,<sup>19</sup> and
- b. **Implement Additional Measures.** After reviewing your SWPPP/stormwater control measures, you must implement additional measures, considering good engineering practices, that would reasonably be expected to bring your exceedances below the parameter's benchmark threshold; or if you determine nothing further needs to be done with your stormwater control measures, you must document per Part 5.3 and include in your annual report why you expect your existing control measures to bring your exceedances below the parameter's benchmark threshold for the next 12-month period.

#### 5.2.3.2 **AIM Level 1 Deadlines.** If any modifications to or additional control measures are necessary in response to AIM Level 1, you must implement those modifications or control measures within 14 days of receipt of laboratory results, unless doing so within 14 days is infeasible. If doing so within 14 days is infeasible, you must document per Part 5.3 why it is infeasible and implement such modifications within 45 days.

#### 5.2.3.3 **Continue Quarterly Benchmark Monitoring.** After compliance with AIM Level 1 responses and deadlines, you must continue quarterly benchmark monitoring for the next four quarters for the parameter(s) that caused the AIM triggering event at all affected stormwater discharge points, beginning no later than the next full quarter after compliance.

#### 5.2.3.4 **AIM Level 1 Status Update.** While in AIM Level 1 status, you may either:

- a. **Return to Baseline Status.** Your AIM Level 1 status will return to baseline status if the AIM Level 1 responses have been met and continued quarterly benchmark monitoring results indicate that an AIM triggering event per Part 5.2.2 has not occurred after four quarters of monitoring (i.e., the benchmark threshold is no longer exceeded for the parameter(s)). You may discontinue benchmark monitoring for that parameter until monitoring resumes in year 4 of permit coverage per Part 4.2.2.3 or if you have fulfilled all benchmark monitoring

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<sup>18</sup> For pH, an annual average exceedance can only occur if the four-quarter annual average exceeds the benchmark threshold.

<sup>19</sup> Examples may include: review sources of pollution, spill and leak procedures, and/or non-stormwater discharges; conducting a single comprehensive clean-up, making a change in subcontractor, implementing a new control measure, and/or increasing inspections.

requirements per Part 4.2.2.3, then you may discontinue monitoring for that parameter for the remainder of the permit.

- b. Advance to AIM Level 2.** Your AIM Level 1 status advances to AIM Level 2 status if you have completed AIM Level 1 responses and the continued quarterly benchmark monitoring results indicate that an AIM triggering event per Part 5.2.2 has occurred (i.e., the benchmark threshold continues to be exceeded for the same parameter(s)).

#### **5.2.4 AIM Level 2**

Your status changes from AIM Level 1 to AIM Level 2 if your continued quarterly benchmark monitoring results indicate that an AIM triggering event per Part 5.2.2 has occurred (i.e., the benchmark threshold continues to be exceeded for the parameter(s)), unless you qualify for an exception under Part 5.2.6.

- 5.2.4.1 AIM Level 2 Responses.** If any of the events in Part 5.2.2 occur, you must review your SWPPP and implement additional pollution prevention/good housekeeping SCMs, considering good engineering practices, beyond what you did in your AIM Level 1 responses that would reasonably be expected to bring your exceedances below the parameter's benchmark threshold. Refer to the MSGP sector-specific fact sheets for recommended controls found at [<https://www.epa.gov/npdes/stormwater-discharges-industrial-activities-fact-sheets-and-guidance>].

- 5.2.4.2 AIM Level 2 Deadlines.** You must implement additional pollution prevention/good housekeeping SCMs within 14 days of receipt of laboratory results that indicate an AIM triggering event has occurred and document per Part 5.3 how the measures will achieve benchmark thresholds. If it is feasible for you to implement a measure, but not within 14 days, you may take up to 45 days to implement such measure. You must document per Part 5.3 why it was infeasible to implement such measure in 14 days. EPA may also grant you an extension beyond 45 days, based on an appropriate demonstration by you, the operator.

- 5.2.4.3 Continue Quarterly Benchmark Monitoring.** After compliance with AIM Level 2 responses and deadlines, you must continue quarterly benchmark monitoring for the next four quarters for the parameter(s) that caused the AIM triggering event at all affected discharge points, beginning no later than the next full quarter after compliance.

- 5.2.4.4 AIM Level 2 Status Update.** While in AIM Level 2 status, you may either:

- a. Return to Baseline Status.** Your AIM Level 2 status will return to baseline status if the AIM Level 2 responses have been met and the continued quarterly benchmark monitoring results indicate that an AIM triggering event per Part 5.2.2 has not occurred after four quarters of monitoring (i.e., the benchmark threshold is no longer exceeded for the parameter(s)). You may discontinue benchmark monitoring for that parameter until monitoring resumes in year 4 of permit coverage per Part 4.2.2.3, or if you have fulfilled all benchmark monitoring requirements per Part 4.2.2.3, then you may discontinue monitoring for that parameter for the remainder of the permit.
- b. Advance to AIM Level 3.** Your AIM Level 2 status advances to AIM Level 3 status if you have completed the AIM Level 2 responses and the continued quarterly benchmark monitoring results indicate that an AIM triggering event per Part 5.2.2

has occurred (i.e., the benchmark threshold continues to be exceeded for the same parameter(s)).

### **5.2.5 AIM Level 3**

Your status changes from AIM Level 2 to AIM Level 3 if your continued quarterly benchmark monitoring results indicate that an AIM triggering event per Part 5.2.2 has occurred (i.e., the benchmark threshold continues to be exceeded for the parameter(s)), unless you qualify for an exception per Part 5.2.6.

**5.2.5.1 AIM Level 3 Responses.** If any of the triggering events in Part 5.2.2 occur, you must install structural source controls (e.g., permanent controls such as permanent cover, berms, and secondary containment), and/or treatment controls (e.g., sand filters, hydrodynamic separators, oil-water separators, retention ponds, and infiltration structures), except as provided in Part 5.2.6 (AIM Exceptions). The controls or treatment technologies or treatment train you install should be appropriate for the pollutants that triggered AIM Level 3 and should be more rigorous than the pollution prevention/good housekeeping-type stormwater control measures implemented under AIM Tier 2 in Part 5.2.4. You must select controls with pollutant removal efficiencies that are sufficient to bring your exceedances below the benchmark threshold. You must install such stormwater control measures for the discharge point(s) in question and for substantially identical discharge points (SIDPs), unless you individually monitor those SIDPs and demonstrate that AIM Level 3 requirements are not triggered at those discharge points.

**5.2.5.2 AIM Level 3 Deadlines.** You must identify the schedule for installing the appropriate structural source and/or treatment stormwater control measures within 14 days and install such measures within 60 days. If it is not feasible within 60 days, you may take up to 90 days to install such measures, documenting in your SWPPP per Part 5.3 why it is infeasible to install the measure within 60 days. EPA may also grant you an extension beyond 90 days, based on an appropriate demonstration by you, the operator.

**5.2.5.3 Continue Quarterly Benchmark Monitoring.** After compliance with AIM Level 3 responses and deadlines, you must continue quarterly benchmark monitoring for the next four quarters for the parameter(s) that caused the AIM triggering event at all affected discharge points, beginning no later than the next full quarter after compliance.

**5.2.5.4 AIM Level 3 Status Update.** While in AIM Level 3 status, you may either:

- a. Return to Baseline Status.** Your AIM Level 3 status will return to baseline status if the AIM Level 3 response(s) have been met and the continued quarterly benchmark monitoring results indicate that an AIM triggering event per Part 5.2.2 has not occurred after four quarters of monitoring (i.e., the benchmark threshold is no longer exceeded for the parameter(s)). You may discontinue benchmark monitoring for that parameter until monitoring resumes in what would be year 4 of permit coverage per Part 4.2.2.3, or if you have fulfilled all benchmark monitoring requirements per Part 4.2.2.3, then you may discontinue monitoring for that parameter for the remainder of the permit.
- b. Continue in AIM Level 3.** Your AIM Level 3 status will remain at Level 3 if you have completed the AIM Level 3 responses and the continued quarterly benchmark monitoring results indicate that an AIM triggering event per Part 5.2.2 has occurred (i.e., the benchmark threshold continues to be exceeded for the same parameter(s)). You must continue quarterly benchmark monitoring for the next



four quarters for the parameter(s) that caused the AIM triggering event at all affected discharge points, beginning no later than the next full quarter after compliance. If you continue to exceed the benchmark threshold for the same parameter even after compliance with AIM Level 3, EPA may require you to apply for an individual permit.

### 5.2.6 **AIM Exceptions**

Following the occurrence of an AIM triggering event per Part 5.2.2, at any point or tier level of AIM and following four quarters of benchmark monitoring (or sooner if the exceedance is triggered by less than four quarters of data), you may qualify for an exception below from AIM requirements and continued benchmark monitoring. Regardless if you qualify for and claim an exception, you must still review your SCMs, SWPPP, and other on-site activities to determine if actions or modifications are necessary or appropriate in light of your benchmark exceedance(s). If claiming an AIM exception, you must follow the requirements to demonstrate that you qualify for the exception as provided below. If you qualify for an exception, you are not required to comply with the AIM responses or the continuation of quarterly benchmark monitoring for any parameters for which you can demonstrate that the benchmark exceedance is:

- 5.2.6.1 Solely Attributable to Natural Background Pollutant Levels:** You must demonstrate that the benchmark exceedance is solely attributable to the presence of that pollutant in natural background sources, provided that all the following conditions are met and you submit your analysis and documentation to the applicable EPA Regional Office upon request:
- a. The four-quarter average concentration of your benchmark monitoring results (or fewer than four-quarters of data that trigger an exceedance) is less than or equal to the concentration of that pollutant in the natural background; and
  - b. You document and maintain with your SWPPP, as required in Part 6.5.9, your supporting rationale for concluding that benchmark exceedances are in fact attributable solely to natural background pollutant levels. You must include in your supporting rationale any data previously collected by you or others (including literature studies) that describe the levels of natural background pollutants in your stormwater discharge. Natural background pollutants are those substances that are naturally occurring in soils or ground water. Natural background pollutants do not include legacy pollutants from earlier activity on your site, or pollutants in run-on from neighboring sources which are not naturally occurring, such as other industrial facilities or roadways.
- 5.2.6.2 Due to Run-On:** You must demonstrate and obtain EPA agreement that run-on from a neighboring source (e.g., a source external to your facility) is the cause of the exceedance, provided that all the following conditions are met and you submit your analysis and documentation to the applicable EPA Regional Office for concurrence:
- a. After reviewing and revising your SWPPP, as appropriate, you should notify the other facility or entity contributing run-on to your discharges and request that they abate their pollutant contribution.
  - b. If the other facility or entity fails to take action to address their discharges or sources of pollutants, you should contact your applicable EPA Regional Office.

**5.2.6.3 Due to an abnormal event:** You must immediately document per Part 5.3 that the AIM triggering event was abnormal, a description explaining what caused the abnormal event, and how any measures taken within 14 days of such event will prevent a reoccurrence of the exceedance. You must also collect a sample during the next measurable storm event to demonstrate that the result is less than the benchmark threshold, in which case you do not trigger any AIM requirements based on the abnormal event. You must report the result of this sample in NeT-DMR in lieu of the result from the sample that caused the AIM triggering event. You may avail yourself of the "abnormal" demonstration opportunity at any AIM Level, one time per parameter, and one time per discharge point, which shall include substantially identical discharge points (SIDP), provided you qualify for the exception.

**5.2.6.4 For Aluminum and Copper benchmark parameters only: Demonstrated to not result in an exceedance of your facility-specific value using the national recommended water quality criteria in-lieu of the applicable MSGP benchmark threshold:**

To be eligible for the exception, you must demonstrate to EPA that your stormwater discharge(s) that exceeded the applicable nationally representative MSGP benchmark threshold would not result in an exceedance of a derived facility-specific value. The demonstration to EPA, which will be made publicly available, must meet the minimum elements below in order to be considered for and approved by the applicable EPA Regional Office. If you exceed the MSGP benchmark threshold for aluminum or copper, you must still comply with any applicable AIM requirements and additional benchmark monitoring until the demonstration is made to and approved by the applicable EPA Regional Office. In this case, EPA suggests that samples collected for any continued benchmark monitoring also be analyzed for the required input parameters for each model for efficiency. If you are an existing operator and you anticipate an exceedance of the MSGP benchmark(s) based on previous monitoring data and expect to utilize this exception(s), EPA recommends you begin the required data collection in your first year of permit coverage.

**a. Aluminum:**

**i.** Conditions for this exception are:

- 1) Use of EPA's 2018 National Recommended Aluminum Aquatic Life Criteria: <https://www.epa.gov/wqc/aquatic-life-criteria-aluminum>;
- 2) In-stream waterbody sampling for the three water quality input parameters for the recommended criteria model: pH, total hardness, and dissolved organic carbon (DOC); and
- 3) Completion of sampling events sufficient to capture spatial and temporal variability. Sampling events must adequately represent each applicable season at the facility's location, which would likely be over the course of at least one year. An equal number of ambient waterbody samples must be collected at a single upstream and downstream location from the operator's discharge point(s) to the receiving water of the United States. Where there exists no ambient source water upstream of the operator's discharge point(s) to the receiving water of the United States, samples of the ambient downstream waterbody conditions are sufficient.

**ii.** The demonstration provided to EPA must include, at minimum:

- 1) A description of the sampling, analysis, and quality assurance procedures that were followed for data collection, following the guidance in Section

3 of EPA's Industrial Stormwater Monitoring and Sampling Guide.  
[https://www.epa.gov/sites/production/files/2015-11/documents/msgp\\_monitoring\\_guide.pdf](https://www.epa.gov/sites/production/files/2015-11/documents/msgp_monitoring_guide.pdf);

- 2) The input parameters and export of results from the Aluminum Criteria Calculator, available at: <https://www.epa.gov/sites/production/files/2018-12/aluminum-criteria-calculator-v20.xlsm>; and,
- 3) A narrative summary of results.

**b. Copper (only for discharges to freshwater):**

**i.** Conditions for this exception are:

- 1) Use of EPA's 2007 National Recommended Freshwater Copper Aquatic Life Criteria: <https://www.epa.gov/wqc/aquatic-life-criteria-copper>;
- 2) In-stream waterbody sampling for the 10 water quality input parameters to the BLM for copper: pH; dissolved organic carbon (DOC); alkalinity; temperature; major cations (calcium, magnesium, sodium, and potassium); and major anions (sulfate, chloride);
- 3) The water quality input parameters, with the exception of temperature, must fall within the range of conditions recommended for use in the BLM, found in Table 1-1 of the Data Requirements document: <https://www.epa.gov/sites/production/files/2015-11/documents/copper-data-requirements-training.pdf>; and
- 4) Completion of sampling events sufficient to capture spatial and temporal variability. Because some of the BLM input parameters are known to vary seasonally, EPA suggests a possible starting point of at least one sampling event per season.<sup>20</sup> Sampling events must adequately represent each applicable season at the facility's location, which would likely be over the course of at least one year. An equal number of ambient waterbody samples must be collected at a single upstream and downstream location from the operator's discharge point(s) to the receiving water of the United States. Where there exists no ambient source water upstream of the operator's discharge point(s) to the receiving water of the United States, samples of the ambient downstream waterbody conditions are sufficient.

**ii.** The demonstration provided to EPA must include, at minimum:

- 1) A description of the sampling, analysis, and quality assurance procedures that were followed for data collection, following the guidance in Section 3 of EPA's Industrial Stormwater Monitoring and Sampling Guide.

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<sup>20</sup> EPA training materials on Copper BLM for Data Requirements states that spatial variability in the BLM input parameters caused by physical factors such as watershed size or the presence or absence of a point source discharge(s) to a waterbody should also be considered when determining how many sampling events should be collected when using the BLM to develop site-specific copper criteria. Spatial variability in the BLM input parameters should also be considered when determining how many sampling locations should be selected for development of site-specific copper criteria using the BLM. Regardless of the number of sampling events involved, data collection should reflect site-specific characteristics and consider special circumstances that may affect copper toxicity throughout the expected range of receiving water conditions. See <https://www.epa.gov/sites/production/files/2015-11/documents/copper-data-requirements-training.pdf>.

[https://www.epa.gov/sites/production/files/2015-11/documents/msgp\\_monitoring\\_guide.pdf](https://www.epa.gov/sites/production/files/2015-11/documents/msgp_monitoring_guide.pdf);

- 2) A discussion of how the data collected reflects the site-specific characteristics and how the operator considered special circumstances that may affect copper toxicity throughout the expected range of receiving water conditions;
- 3) The input file and export of the results from the BLM software, which can be requested at: <https://www.epa.gov/wqs-tech/copper-biotic-ligand-model>; and
- 4) A narrative summary of results.

**5.2.6.5 Demonstrated to not result in any exceedance of water quality standards:** You must demonstrate to EPA within 30 days of the AIM triggering event that the triggering event does not result in any exceedance of water quality standards. If it is not feasible to complete this demonstration within 30 days, you may take up to 90 days, documenting in your SWPPP why it is infeasible to complete the demonstration within 30 days. EPA may also grant you an extension beyond 90 days, based on an appropriate demonstration by you, the operator. The demonstration to EPA, which will be made publicly available, must include the following minimum elements in order to be considered for approval by the EPA Regional Office:

- a. the water quality standards applicable to the receiving water;
- b. the average flow rate of the stormwater discharge;
- c. the average instream flow rates of the receiving water immediately upstream and downstream of the discharge point;
- d. the ambient concentration of the parameter(s) of concern in the receiving water immediately upstream and downstream of the discharge point demonstrated by full-storm composite sampling;
- e. the concentration of the parameter(s) of concern in the stormwater discharge demonstrated by full-storm, flow-weighted composite sampling;
- f. any relevant dilution factors applicable to the discharge; and
- g. the hardness of the receiving water.

**Timeframe of EPA Review of Your Submitted Demonstration:** EPA will review and either approve or disapprove of such demonstration within 90 days of receipt (EPA may take up to 180 days upon notice to you before the 90<sup>th</sup> day that EPA needs additional time).

- **EPA Approval of Your Submitted Demonstration.** If EPA approves such demonstration within this timeframe, you have met the requirements for this exception, and you do not have to comply with the corresponding AIM requirements and continued benchmark monitoring.
- **EPA Disapproval of Your Submitted Demonstration.** If EPA disapproves such demonstration within this timeframe, you must comply with the corresponding AIM requirements and continued benchmark monitoring, as required. Compliance with the AIM requirements would begin from the date EPA notifies you of the disapproval unless you submit a Notice of Dispute to the applicable EPA Regional Office in Part 7 within 30 days of EPA's disapproval.

- **EPA Does Not Provide Response Related to Your Submitted Demonstration.** If EPA does not provide a response on the demonstration within this timeframe, you may submit to the EPA Regional Office in Part 7 a Notice of Dispute.
- **Operator Submittal of Notice of Dispute.** You may submit all relevant materials, including support for your demonstration and all notices and responses to the Water Division Director for the applicable EPA Region to review within 30 days of EPA's disapproval or after 90 days (or 180 days if EPA has provided notice that it needs more time) of not receiving a response from EPA.
- **EPA Review of Notice of Dispute.** EPA will send you a response within 30 days of receipt of the Notice of Dispute. Time for action by you, the operator, upon disapproval shall be tolled during the period from filing of the Notice of Dispute until the decision on the Notice of Dispute is issued by the Water Division Director for the applicable EPA Region.

### 5.3 **Corrective Action and AIM Documentation**

**5.3.1 Documentation within 24 Hours.** You must document the existence of any of the conditions listed in Parts 5.1.1, 5.2.3, 5.2.4, or 5.2.5 within 24 hours of becoming aware of such condition. You are not required to submit this documentation to EPA, unless specifically required or requested to do so. However, you must summarize your findings in the annual report per Part 7.4. Include the following information in your documentation:

**5.3.2** Description of the condition or event triggering the need for corrective action review and/or AIM response. For any spills or leaks, include the following information: 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 United States, through stormwater or otherwise;

**5.3.2.1** Date the condition/triggering event was identified;

**5.3.2.2** Description of immediate actions taken pursuant to Part 5.1.3.1 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 2.1.2.4); and

**5.3.2.3** A statement, signed and certified in accordance with Appendix B, Subsection 11.

**5.3.3 Documentation within 14 Days.** You must also document the corrective actions and/or AIM responses you took or will take as a result of the conditions listed in Part 5.1.1, 5.2.3, 5.2.4, and/or 5.2.5 within 14 days from the time of discovery of any of those conditions/triggering events. Provide the dates when you initiated and completed (or expect to complete) each corrective action and/or AIM response. If infeasible to complete the necessary corrective actions and/or AIM responses within the specified timeframe, per Parts 5.1.1, 5.2.3, 5.2.4, or 5.2.5, you must document your rationale and schedule for installing the controls and making them operational as soon as practicable after the specified timeframe. If you notified EPA regarding an allowed extension of the specified timeframe, you must document your rationale for an extension. Include any additional information and/or rationale that is required and/or applicable to the specified corrective action and/or AIM response in Part 5. You are not required to submit this documentation to EPA, unless specifically required or

requested to do so. However, you must summarize your corrective actions and/or AIM responses in the Annual Report per Part 7.4.

## **6. Stormwater Pollution Prevention Plan (SWPPP)**

You must prepare a SWPPP for your facility before submitting your NOI for permit coverage. If you prepared a SWPPP for coverage under a previous version of this permit, you must review and update the SWPPP to implement all provisions of this permit prior to submitting your NOI. The SWPPP does not contain effluent limitations; such limitations are contained in Parts 2, 8, and 9 of the permit. The SWPPP is intended to document the selection, design, and installation of stormwater control measures to meet the permit's effluent limits. The SWPPP is a living document. Facilities must keep their SWPPP up-to-date throughout their permit coverage, such as making revisions and improvements to their stormwater management program based on new information and experiences with major storm events. As distinct from the SWPPP, the additional documentation requirements (see Part 6.5) are so that you document the implementation (including inspection, maintenance, monitoring, and corrective action) of the permit requirements.

*Note: Any discharges not expressly authorized in this permit cannot become authorized or shielded from liability under CWA section 402(k) by disclosure to EPA, state, or local authorities after issuance of this permit via any means, including the Notice of Intent (NOI) to be covered by the permit, the SWPPP, during an inspection, etc.*

### **6.1 Person(s) Responsible for Preparing the SWPPP**

You shall prepare the SWPPP in accordance with good engineering practices and to industry standards. The SWPPP may be developed by either a person on your staff or a third party you hire, but it must be developed by a "qualified person" and must be certified per the signature requirements in Part 6.2.7. If EPA concludes that the SWPPP is not in compliance with Part 6.2 of this permit, EPA may require the SWPPP to be reviewed, amended as necessary, and certified by a Professional Engineer, or for Sector G, H or J, by a Professional Geologist, with the education and experience necessary to prepare an adequate SWPPP.

*Note: A "qualified person," as defined in Appendix A, is a person knowledgeable in the principles and practices of industrial stormwater controls and pollution prevention, and possesses the education and ability to assess conditions at the industrial facility that could impact stormwater quality, and the education and ability to assess the effectiveness of stormwater controls selected and installed to meet the requirements of the permit.*

### **6.2 Required Contents of Your SWPPP**

To be covered under this permit, your SWPPP must contain all of the following elements:

- Stormwater pollution prevention team (Part 6.2.1);
- Site description (Part 6.2.2);
- Summary of potential pollutant sources (Part 6.2.3);
- Description of stormwater control measures (Part 6.2.4);
- Schedules and procedures (Part 6.2.5);
- Documentation to support eligibility pertaining to other federal laws (Part 6.2.6); and

- Signature requirements (Part 6.2.7).

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

**6.2.1 Stormwater Pollution Prevention Team.** You must identify the staff members (by name or title) that comprise the facility's stormwater pollution prevention team as well as their individual responsibilities. Your stormwater pollution prevention team is responsible for overseeing development of the SWPPP, any modifications to it, and for implementing and maintaining control measures and taking corrective actions and/or AIM responses, 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 SWPPP, and other relevant documents or information that must be kept with the SWPPP.

**6.2.2 Site Description.** Your SWPPP must include the following:

**6.2.2.1 Activities at the facility.** Provide a description of the nature of the industrial activities at your facility.

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

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

- a. Boundaries of the property and the size of the property in acres;
- b. Location and extent of significant structures and impervious surfaces;
- c. Directions of stormwater flow (use arrows), including flows with a significant potential to cause soil erosion;
- d. Locations of all stormwater control measures;
- e. Locations of all receiving waters, including wetlands, in the immediate vicinity of your facility. Indicate which waterbodies are listed as impaired and which are identified by your state, tribe, or EPA as Tier 2, Tier 2.5, or Tier 3 waters;
- f. Locations of all stormwater conveyances including ditches, pipes, and swales;
- g. Locations of potential pollutant sources identified under Part 6.2.3.2;
- h. Locations where significant spills or leaks identified under Part 6.2.3.3 have occurred;
- i. Locations of all stormwater monitoring points;
- j. Locations of stormwater inlets and discharge points, with a unique identification code for each discharge point (e.g., 001, 002), indicating if you are treating one or more discharge points as "substantially identical" under Parts 3.2.4.5, 6.2.5.3, and 4.1.1, and an approximate outline of the areas draining to each discharge point;
- k. If applicable, municipal separate storm sewer systems (MS4s) and where your stormwater discharges to them;
- l. Areas of Endangered Species Act-designated critical habitat for endangered or threatened species, if applicable.

- m. Locations of the following activities where such activities are exposed to precipitation:
  - ii. fueling stations;
  - iii. vehicle and equipment maintenance and/or cleaning areas;
  - iv. loading/unloading areas;
  - v. locations used for the treatment, storage, or disposal of wastes;
  - vi. liquid storage tanks;
  - vii. processing and storage areas;
  - viii. 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;
  - ix. transfer areas for substances in bulk;
  - x. machinery;
  - xi. locations and sources of run-on to your site from adjacent property that contains significant quantities of pollutants.

**6.2.3 Summary of Potential Pollutant Sources.** You must describe in the SWPPP areas at your facility where industrial materials or activities are exposed to stormwater or from which authorized non-stormwater discharges originate. Industrial materials or activities include but are not limited to: material handling equipment or activities; industrial machinery; raw materials; industrial production and processes; and intermediate products, by-products, final products, and waste products. Material handling activities include, but are not limited to: the storage, loading and unloading, transportation, disposal, or conveyance of any raw material, intermediate product, final product or waste product. For structures located in areas of industrial activity, you must be aware that the structures themselves are potential sources of pollutants. This could occur, for example, when metals such as aluminum or copper are leached from the structures as a result of acid rain.

**For each area identified, the description must include:**

- 6.2.3.1 Activities in the Area.** A list of the industrial activities exposed to stormwater (e.g., material storage; equipment fueling, maintenance, and cleaning; cutting steel beams).
- 6.2.3.2 Pollutants.** A list of the pollutant(s) or pollutant constituents (e.g., crankcase oil, zinc, sulfuric acid, cleaning solvents) associated with each identified activity, which could be exposed to rainfall or snowmelt and could be discharged from your facility. The pollutant list must include all significant materials that have been handled, treated, stored or disposed, and that have been exposed to stormwater in the three years prior to the date you prepare or amend your SWPPP.
- 6.2.3.3 Spills and Leaks.** You must document where potential spills and leaks could occur that could contribute pollutants to stormwater discharges, and the corresponding discharge point(s) that would be affected by such spills and leaks. You must document all significant spills and leaks of oil or toxic or hazardous substances that actually occurred at exposed areas, or that drained to a stormwater conveyance, in the three years prior to the date you prepare or amend your SWPPP.



*Note: Significant spills and leaks include, but are not limited to, releases of oil or hazardous substances in excess of quantities that are reportable under CWA section 311 (see 40 CFR 110.6 and 40 CFR 117.21) or section 102 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 USC § 9602. This permit does not relieve you of the reporting requirements of 40 CFR 110, 40 CFR 117, and 40 CFR 302 relating to spills or other releases of oils or hazardous substances.*

**6.2.3.4 Unauthorized Non-Stormwater Discharges Evaluation.** By the end of the first year of your permit coverage under this permit, you must inspect and document all discharge points at your facility as part of the SWPPP. If it is infeasible to complete the evaluation within the first year of permit coverage, you must document in your SWPPP why this is the case and identify the schedule by which you expect to complete the evaluation. Documentation of your evaluation must include:

- a. The date of the evaluation;
- b. A description of the evaluation criteria used;
- c. A list of the discharge points or onsite drainage points that were directly observed during the evaluation; and
- d. If there are any unauthorized non-stormwater discharges (see Part 1.2.2 for the exclusive list of authorized non-stormwater discharges under this permit) you must immediately take action(s), such as implementing control measures, to eliminate those discharges or seek an individual NPDES wastewater permit and document that you obtained the permit (for example, a floor drain was sealed, a sink drain was re-routed to sanitary, or an NPDES permit application was submitted for an unauthorized cooling water discharge).
- e. An explanation of everything you did to immediately eliminate the unauthorized discharge per Part 5 Corrective Actions.

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

**6.2.3.6 Sampling Data.** Existing permitted facilities must summarize all stormwater discharge sampling data collected at the facility during the previous permit term. The summary shall include a narrative description (and may include data tables/figures) that adequately summarizes the collected sampling data to support identification of potential pollution sources at your facility. New dischargers and new sources must provide a summary of any available stormwater data they may have.

**6.2.4 Description of Stormwater Control Measures to Meet Technology-Based and Water Quality-Based Effluent Limits.** You must document the location and type of stormwater control measures you have specifically chosen and/or designed to comply with:

**6.2.4.1** Part 2.1.2: Non-numeric technology-based effluent limits;

**6.2.4.2** Parts 2.1.3 and 8: Applicable numeric effluent limitations guidelines-based limits;

**6.2.4.3** Part 2.2: Water quality-based effluent limits;

**6.2.4.4** Part 2.3: Any additional measures that formed the basis of eligibility regarding Endangered Species Act-listed threatened and endangered species or their critical habitat, National Historic Preservation Act historic properties, and/or federal CERCLA Site requirements;

**6.2.4.5** Parts 8 and 9: Applicable effluent limits;

**6.2.4.6** Regarding your control measures, you must also document, as appropriate:

- a. How you addressed the selection and design considerations in Part 2.1.1;
- b. How they address the pollutant sources identified in Part 6.2.3.

Effluent limit requirements in Part 2.1.2 that do not involve the site-specific selection of a stormwater control measure or are specific activity requirements (e.g., "cleaning catch basins when the depth of debris reaches two-thirds (2/3) of the sump depth, or in line with manufacturer specifications, whichever is lower, and keeping the debris surface at least six inches below the lowest outlet pipe") are marked with an asterisk (\*). For the requirements marked with an asterisk, you may include extra information, or you may just "copy-and-paste" these effluent limits word-for-word into your SWPPP without providing additional documentation.

## **6.2.5** Schedules and Procedures

**6.2.5.1** Pertaining to Stormwater Control Measures Used to Comply with the Effluent Limits in Part 2. You must document the following in your SWPPP:

- a. **Good Housekeeping (see Part 2.1.2.2)** – A schedule or the convention used for determining when pickup and disposal of waste materials occurs. Also provide a schedule for routine inspections for leaks and conditions of drums, tanks and containers.
- b. **Maintenance (see Part 2.1.2.3)** – Preventative maintenance procedures, including regular inspections, testing, maintenance and repair of all stormwater control measures to avoid situations that may result in leaks, spills, and other releases, and any back-up practices in place should a storm event resulting in a stormwater discharge occur while a control measure is off-line. The SWPPP shall include the schedule or frequency for maintaining all control measures used to comply with the effluent limits in Part 2;
- c. **Spill Prevention and Response Procedures (see Part 2.1.2.4)** – Procedures for preventing and responding to spills and leaks, including notification procedures. For preventing spills, include in your SWPPP the stormwater control measures for material handling and storage, and the procedures for preventing spills that can contaminate stormwater. Also specify cleanup equipment, procedures and spill logs, as appropriate, in the event of spills. You may reference the existence of other plans for Spill Prevention, Control and Countermeasure (SPCC) developed for the facility under section 311 of the CWA or BMP programs otherwise required by an NPDES permit for the facility, provided that you keep a copy of that other plan onsite and make it available for review consistent with Part 6.4;
- d. **Erosion and Sediment Controls (see Part 2.1.2.5)** – If you use polymers and/or other chemical treatments as part of your erosion and sediment controls, you must identify the polymers and/or chemicals used and the purpose;
- e. **Employee Training (see Part 2.1.2.8)** – The elements of your employee training plan shall include all, but not necessarily limited to, the requirements set forth in Part 2.1.2.8, and also the following:
  - ii. The content of the training;

- iii. The frequency/schedule of training for 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;
- iv. A log of the dates on which specific employees received training.

**6.2.5.2 Pertaining to Inspections and Assessments.** You must document in your SWPPP your procedures for performing, as appropriate, the types of inspections specified by this permit, including:

- a. Routine facility inspections (see Part 3.1) and;
- b. Quarterly visual assessment of stormwater discharges (see Part 3.2).

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

- a. Person(s) or positions of person(s) responsible for the inspection;
- b. Schedules for conducting inspections, including tentative schedule for facilities in climates with irregular stormwater discharges (see Part 3.2.4);
- c. Specific items to be covered by the inspection, including schedules for specific discharge points.

If you are invoking the exception for inactive and unstaffed facilities relating to routine facility inspections and quarterly visual assessments, you must include in your SWPPP the information to support this claim as required by Parts 3.1.5 and 3.2.4.

**6.2.5.3 Pertaining to Monitoring**

- a. **Procedures for Each Type of Monitoring.** You must document in your SWPPP procedures for conducting the six types of analytical stormwater discharge monitoring specified by this permit, where applicable to your facility, including:
  - i. Indicator monitoring (Part 4.2.1);
  - ii. Benchmark monitoring (Part 4.2.2);
  - iii. Effluent limitations guidelines monitoring (Part 4.2.3);
  - iv. State- or tribal-specific monitoring (Part 4.2.4);
  - v. Impaired waters monitoring (Part 4.2.5);
  - vi. Other monitoring as required by EPA (Part 4.2.6).
- b. **Documentation for Each Type of Monitoring.** For each type of stormwater discharge monitoring, you must document in your SWPPP:
  - i. Locations where samples are collected, including any determination that two or more discharge points are substantially identical;
  - ii. Parameters for sampling and the frequency of sampling for each parameter;

- iii. Schedules for monitoring at your facility, including schedule for alternate monitoring periods for climates with irregular stormwater discharges (see Part 4.1.6);
  - iv. Any numeric control values (benchmark thresholds, effluent limitations guidelines, TMDL-related requirements, or other requirements) applicable to stormwater discharges from each discharge point;
  - v. Procedures (e.g., responsible staff, logistics, laboratory to be used) for gathering storm event data, as specified in Part 4.1.
- c. Exception for Inactive and Unstaffed Facilities.** If you are invoking the exception for inactive and unstaffed facilities for indicator monitoring, benchmark monitoring or impaired waters monitoring, you must include in your SWPPP the information to support this claim as required by Part 4.2.2.5 and 4.2.5.2.
- d. Exception for Substantially Identical Discharge Points (SIDP).** You must document the following in your SWPPP if you plan to use the SIDP exception for your quarterly visual assessment requirements in Part 3.2.4 or your indicator, benchmark, or impaired waters monitoring requirements in Parts 4.2.1, 4.2.2, and 4.2.5, respectively (see also Part 4.1.1):
- i. Location of each SIDP;
  - ii. Description of the general industrial activities conducted in the drainage area of each discharge point;
  - iii. Description of the control measures implemented in the drainage area of each discharge point;
  - iv. Description of the exposed materials located in the drainage area of each discharge point that are likely to be significant contributors of pollutants via stormwater discharges;
  - v. An estimate of the runoff coefficient of the drainage areas (low = under 40%; medium = 40 to 65%; high = above 65%);
  - vi. Why the discharge points are expected to discharge substantially identical effluents.

#### **6.2.6 Documentation to Support Eligibility Pertaining to Other Federal Laws**

**6.2.6.1 Documentation Regarding Endangered Species Act-Listed Threatened and Endangered Species and Critical Habitat Protection.** You must keep with your SWPPP the documentation supporting your determination with regard to Part 1.1.4.

**6.2.6.2 Documentation Regarding National Historic Preservation Act Historic Properties.** You must keep with your SWPPP the documentation supporting your determination with regard to Part 1.1.5.

**6.2.7 Signature Requirements.** You must sign and date your SWPPP in accordance with Appendix B, Subsection 11.

### **6.3 Required SWPPP Modifications**

You must modify your SWPPP based on any corrective actions and deadlines required under Part 5. You must sign and date any SWPPP modifications in accordance with Appendix B, Subsection 11.

### **6.4 SWPPP Availability**

You must retain a complete copy of your current SWPPP required by this permit at the facility in any accessible format. A complete SWPPP includes any documents incorporated by reference and all documentation supporting your permit eligibility pursuant to Part 1.1 of this permit, as well as your signed and dated certification page. Regardless of the format, the SWPPP must be immediately available to facility employees, EPA, a state or tribe, the operator of an MS4 into which you discharge, and representatives of the U.S. Fish and Wildlife Service (USFWS) or the National Marine Fisheries Service (NMFS) at the time of an on-site inspection.

Your current SWPPP or certain information from your current SWPPP described below must also be made available to the public (except any confidential business information (CBI) or restricted information [as defined in Appendix A]), but you must clearly identify those portions of the SWPPP that are being withheld from public access; to do so, you must comply with one of the following two options:

#### **6.4.1 Making Your SWPPP Publicly Available**

You have three options to comply with the public availability requirements for the SWPPP: attaching your SWPPP to your NOI; providing a URL of your SWPPP in your NOI; or providing SWPPP information in your NOI. To remain current for all three options, you must update your SWPPP (by updating the attachment per Part 6.4.1.1 via a Change NOI, updating your webpage per Part 6.4.1.2, or updating the SWPPP information in the NOI per Part 6.4.1.3 via a Change NOI no later than 45 days after conducting the final routine facility inspection for the year required in Part 3.1. You may switch your preferred option throughout your permit coverage, but you must update your NOI as necessary to indicate your change in option. You are not required to post any CBI or restricted information (as defined in Appendix A) (such information may be redacted), but you must clearly identify those portions of the SWPPP that are being withheld from public access. CBI may not be withheld from those staff cleared for CBI review within EPA, USFWS or NMFS.

**6.4.1.1 Attaching Your SWPPP to your NOI:** You may attach a copy of your SWPPP, and any SWPPP modifications, records, and other reporting elements that must be kept with your SWPPP, to your NOI in NeT-MSGP.

**6.4.1.2 Providing a URL of your SWPPP in your NOI:** You may provide a URL in your NOI in NeT-MSGP where your SWPPP can be found, and maintain your current SWPPP at this URL. You must post any SWPPP modifications, records, and other reporting elements that must be kept with your SWPPP required for the previous year at the same URL as the main body of the SWPPP.

**6.4.1.3 Providing SWPPP Information in your NOI.** You may include the following information in your NOI in NeT-MSGP. Irrespective of this requirement, EPA may provide access to portions of your SWPPP to a member of the public upon request (except any CBI or restricted information (as defined in Appendix A)).

- a. Onsite industrial activities exposed to stormwater, including potential spill and leak areas (see Parts 6.2.3.1, 6.2.3.3 and 6.2.3.5);
- b. Pollutants or pollutant constituents associated with each industrial activity exposed to stormwater that could be discharged in stormwater and/or any authorized non-stormwater discharges listed in Part 1.2.2 (see Part 6.2.3.2);
- c. Stormwater control measures you employ to comply with the non-numeric technology-based effluent limits required in Part 2.1.2 and Part 8, and any other measures taken to comply with the requirements in Part 2.2 Water Quality-Based Effluent Limitations (see Part 6.2.4). If you use polymers and/or other chemical treatments as part of your erosion and sediment controls, you must identify the polymers and/or chemicals used and the purpose; and
- d. Schedule for good housekeeping and maintenance (see Part 6.2.5.1) and schedule for all inspections required in Part 3 (see Part 6.2.5.2).

## **6.5 Additional Documentation Requirements**

You are required to keep the following inspection, monitoring, and certification records with your SWPPP that together keep your records complete and up-to-date, and demonstrate your full compliance with the conditions of this permit:

- 6.5.1** A copy of the NOI submitted to EPA along with any correspondence exchanged between you and EPA specific to coverage under this permit;
- 6.5.2** A copy of the authorization email you receive from the EPA assigning your NPDES ID;
- 6.5.3** A copy of this permit (either a hard copy or an electronic copy easily available to SWPPP personnel);
- 6.5.4** Documentation of any maintenance and repairs of stormwater control measures, including the date(s) of regular maintenance, date(s) of discovery of areas in need of repair/replacement, and for repairs, date(s) that the control measure(s) returned to full function, and the justification for any extended maintenance/repair schedules (see Part 2.1.2.3);
- 6.5.5** All inspection reports, including the Routine Facility Inspection Reports (see Part 3.1.6) and Visual Assessment Documentation (see Part 3.2.3);
- 6.5.6** 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 3.2.4 and 4.1.5);
- 6.5.7** Corrective action documentation required per Part 5.1;
- 6.5.8** Documentation of any benchmark threshold exceedances, which AIM Level triggering event the exceedance caused, and AIM response you employed per Part 5.2, including:
  - 6.5.8.1** The AIM triggering event;
  - 6.5.8.2** The AIM response taken;
  - 6.5.8.3** Any rationale that SWPPP/SCM changes were unnecessary;

- 6.5.8.4** Any documentation required to meet any AIM exception per Part 5.2.6.
- 6.5.9** Documentation to support any determination that pollutants of concern are not expected to be present above natural background levels if you discharge directly to impaired waters, and that such pollutants were not detected in your discharge after three years or were solely attributable to natural background sources (see Part 4.2.5.1); and
- 6.5.10** Documentation to support your claim that your facility has changed its status from active to inactive and unstaffed with respect to the requirements to conduct routine facility inspections (see Part 3.1.5), quarterly visual assessments (see Part 3.2.4.4), benchmark monitoring (see Part 4.2.2.4), and/or impaired waters monitoring (see Part 4.2.5.2).

## **7. Reporting and Recordkeeping**

### **7.1 Electronic Reporting Requirement**

You must submit all NOIs, NOTs, NECs, Annual Reports, Discharge Monitoring Reports (DMRs), and other reporting information as appropriate electronically, unless the EPA Regional Office grants you a waiver based on one of the following conditions:

- If your headquarters is physically located in a geographic area (i.e., zip code or census tract) that is identified as under-served for broadband Internet access in the most recent report from the Federal Communications Commission; or
- If you have limitations regarding available computer access or computer capability.

Waivers are only granted for a one-time use for a single information submittal, e.g., an initial waiver for an NOI does not apply for the entire term of the permit for other forms. If you need to submit information on paper after your first waiver, you must apply for a new waiver. The EPA Regional Office may extend a waiver on a case-by-case basis.

If you wish to obtain a waiver from submitting a report electronically, you must submit a request to the applicable EPA Regional Office, found in Part 7.9. In that request you must document which exemption you meet, provide evidence supporting any claims, and a copy of your completed paper form. A waiver may only be considered granted once you receive written confirmation from EPA or its authorized representative.

### **7.2 Submitting Information to EPA**

- 7.2.1 Submitting Forms via NeT-MSGP.** You must submit all required information via EPA's electronic NPDES eReporting tool (NeT), unless the permit states otherwise or unless you have been granted a waiver per Part 7.1. You can both prepare and submit required information in NeT-MSGP using specific forms, also found in the permit's appendices. To access NeT-MSGP, go to <https://cdxnodengn.epa.gov/net-msgp/action/login>.

Information you must submit to EPA via NeT-MSGP:

- Notice of Intent (NOI) (Part 1.3);
- Change Notice of Intent (NOI) (Part 1.3.4);

- No Exposure Certification (NEC) (Part 1.5);
- Notice of Termination (NOT) (Part 1.4); and
- Annual Report (AR) (Part 7.4).

*Note: You must submit Discharge Monitoring Reports (see Part 7.3) electronically using Net-DMR.*

If the applicable EPA Regional Office grants you a waiver from electronic reporting, you must use the required forms found in the Appendices.

**7.2.2 Other Information Required to be Submitted.** Information required to be submitted to the applicable EPA Regional Office at the address in Part 7.8:

- New Dischargers and New Sources to Water Quality-Impaired Waters (Part 1.1.6.2);
- Exceedance Report for Numeric Effluent Limitations (Part 7.5); and
- Additional Reporting (Part 7.6)

### **7.3 Reporting Monitoring Data to EPA**

**7.3.1 Submitting Monitoring Data via Net-DMR.** You must submit all stormwater discharge monitoring data collected pursuant to Part 4 to EPA using Net-DMR, EPA's electronic DMR system (for more information visit: <https://www.epa.gov/compliance/npdes-ereporting> (unless the applicable EPA Regional Office grants you a waiver from electronic reporting, in which case you may submit a paper DMR form) no later than 30 days after you have received your complete laboratory results for all monitoring discharge points for the reporting period. Your monitoring requirements (i.e., parameters required to be monitored and sample frequency) will be prepopulated on your electronic Discharge Monitoring Report (DMR) form based on the information you reported on your NOI form through the NeT-MSGP. Accordingly, you must certify the following changes to your monitoring frequency to EPA by submitting a Change NOI in NeT-MSGP, unless EPA has completed the development of planned features in the electronic systems to process submitted monitoring results to automatically turn monitoring on/off as applicable, which will trigger changes to your monitoring requirements in Net-DMR:

- 7.3.1.1** All benchmark monitoring requirements have been fulfilled for the permit term;
- 7.3.1.2** All impaired waters monitoring requirements have been fulfilled for the permit term;
- 7.3.1.3** Benchmark monitoring requirements no longer apply because the EPA Regional Office has concurred with your assessment that run-on from a neighboring source is the cause of the exceedance;
- 7.3.1.4** Benchmark and/or impaired monitoring requirements no longer apply because your facility is inactive and unstaffed;
- 7.3.1.5** Benchmark and/or impaired monitoring requirements now apply because your facility has changed from inactive and unstaffed to active and staffed;
- 7.3.1.6** For Sector G2 only: Discharges from waste rock and overburden piles have exceeded benchmark thresholds;
- 7.3.1.7** A numeric effluent limitation guideline has been exceeded;



- 7.3.1.8** A numeric effluent limitation guideline exceedance is back in compliance.
- 7.3.2** **When You Can Discontinue Submission of Monitoring Data.** Once you have completely fulfilled applicable monitoring requirements, you are no longer required to report monitoring results using Net-DMR. If you have only partially fulfilled your benchmark monitoring and/or impaired waters monitoring requirements (e.g., your four quarterly average is below the benchmark for some, but not all, parameters; you did not detect some, but not all, impairment pollutants), you must continue to report your results in Net-DMR for the remaining monitoring requirements. If the EPA Regional Office grants you a waiver per Part 7.1, you must submit paper reporting forms by the same deadline.
- 7.3.3** **State or Tribal Required Monitoring Data.** See Part 9 for specific reporting requirements applicable to individual states or tribes.
- 7.3.4** **Submission Deadline for Indicator and Benchmark Monitoring Data.** For both indicator and benchmark monitoring, you are required to submit sampling results to EPA no later than 30 days after receiving your complete laboratory results for all monitored discharge points for each monitoring period that you are required to collect samples, per Part 4.2.1. and Part 4.2.2. If you collect samples during multiple storm events in a single quarter (e.g., due to adverse weather conditions, climates with irregular stormwater discharges, or areas subject to snow), you are required to submit all sampling results for each storm event to EPA within 30 days of receiving all laboratory results for the event. Or, for any of your monitored discharge points that did not have a discharge within the reporting period, using Net-DMR, you must report that no discharges occurred for that discharge point no later than 30 days after the end of the reporting period.
- 7.4** **Annual Report**
- You must submit an Annual Report to EPA via NeT-MSGP, per Part 7.2, by January 30<sup>th</sup> for each year of permit coverage containing information generated from the past calendar year. You must include the following information in the Annual Report:
- 7.4.1** A summary of your past year's routine facility inspection documentation required (Part 3.1.6). In addition, if you are an operator of an airport facility (Sector S) that is subject to the airport effluent limitations guidelines and are complying with the Part 8.S.8.1 effluent limitation through the use of non-urea-containing deicers, provide a statement certifying that you do not use pavement deicers containing urea. (Note: Operators of airport facilities that are complying with Part 8.S.8.1 by meeting the numeric effluent limitation for ammonia do not need to include this statement.)
- 7.4.2** A summary of your past year's visual assessment documentation (see Part 3.2.3);
- 7.4.3** A summary of your past year's corrective action and any required AIM documentation (see Part 5.3). If you have not completed required corrective action or AIM responses at the time you submit your annual report, you must describe the status of any outstanding corrective action(s) or AIM responses. Also describe any incidents of noncompliance in the past year or currently ongoing, or if none, provide a statement that you are in compliance with the permit.
- Your Annual Report must also include a statement, signed and certified in accordance with Appendix B, Subsection 11.

**7.5 Numeric Effluent Limitations Exceedance Report**

If follow-up monitoring per Part 4.2.3.3 exceeds a numeric effluent limit, you must submit an Exceedance Report to EPA no later than 30 days after you have received your laboratory results. Send the Exceedance Report to the applicable EPA Regional Office listed in Part 7.8, and report the monitoring data through Net-DMR. Your report must include the following:

- 7.5.1** NPDES ID;
- 7.5.2** Facility name, physical address and location;
- 7.5.3** Name of receiving water;
- 7.5.4** Monitoring data from this and the preceding monitoring event(s);
- 7.5.5** An explanation of the situation, including what you have done and intend to do (should your corrective actions not yet be complete) to correct the violation;
- 7.5.6** An appropriate contact name and phone number.

**7.6 Additional Standard Recordkeeping and Reporting Requirements**

In addition to the reporting requirements stipulated in Part 7, you are also subject to the standard permit reporting provisions of Appendix B, Subsection 12. You must submit the following reports to the applicable EPA Regional Office listed in Part 7.8, as applicable. If you discharge through an MS4, you must also submit these reports to the MS4 operator (identified pursuant to Part 6.2.2).

- 7.6.1** 24-hour reporting (see Appendix B, Subsection 12.F) – You must report any noncompliance which may endanger health or the environment. Any information must be provided orally within 24 hours from the time you become aware of the circumstances;
- 7.6.2** 5-day follow-up reporting to the 24-hour reporting (see Appendix B, Subsection 12.F) – A written submission must also be provided within five days of the time you become aware of the circumstances;
- 7.6.3** Reportable quantity spills (see Part 2.1.2.4) – You must provide notification, as required under Part 2.1.2.4, as soon as you have knowledge of a leak, spill, or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity;
- 7.6.4** Planned changes (see Appendix B, Subsection 12.A) – You must give notice to EPA promptly, no fewer than 30 days prior to making any planned physical alterations or additions to the permitted facility that qualify the facility as a new source or that could significantly change the nature or significantly increase the quantity of pollutants discharged;
- 7.6.5** Anticipated noncompliance (see Appendix B, Subsection 12.B) – You must give advance notice to EPA of any planned changes in the permitted facility or activity which you anticipate will result in noncompliance with permit requirements;
- 7.6.6** Compliance schedules (see Appendix B, Subsection 12.F) – 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;

**7.6.7** Other noncompliance (see Appendix B, Subsection 12.G) – You must report all instances of noncompliance not reported in your Annual Report, compliance schedule report, or 24-hour report at the time monitoring reports are submitted; and

**7.6.8** Other information (see Appendix B, Subsection 12.H) – You must promptly submit facts or information if you become aware that you failed to submit relevant facts in your NOI, or that you submitted incorrect information in your NOI or in any report.

### **7.7 Record Retention Requirements**

You must retain copies of your SWPPP (including any modifications made during the term of this permit), additional documentation requirements pursuant to Part 6.5 (including documentation related to any corrective actions or AIM responses taken pursuant to Part 5), all reports and certifications required by this permit, monitoring data, and records of all data used to complete the NOI to be covered by this permit, for a period of at least three years from the date that your coverage under this permit expires or is terminated.

### **7.8 Addresses for Reports**

<b>Permit Part</b>	<b>EPA Region</b>	<b>Areas Covered</b>	<b>Address</b>
7.8.1	1	Connecticut Massachusetts New Hampshire Rhode Island Vermont	U.S. EPA Region 1 Water Division Stormwater and Construction Permits Section 5 Post Office Square, Ste. 100 (06-1) Boston, MA 02109-3912
7.8.2	2	New Jersey New York	U.S. EPA Region 2 NPDES Stormwater Program 290 Broadway, 24th Floor New York, NY 10007-1866
		Puerto Rico Virgin Islands	U.S. EPA Region 2 Caribbean Environmental Protection Division NPDES Stormwater Program City View Plaza II – Suite 7000 48 Rd. 165 Km 1.2 Guaynabo, PR 00968-8069
7.8.3	3	Delaware District of Columbia Maryland Pennsylvania Virginia West Virginia	U.S. EPA Region 3 NPDES Permits Section, MC 3WD41 1650 Arch Street Philadelphia, PA 19103
7.8.4	4	Alabama Florida Georgia Kentucky Mississippi North Carolina	U.S. EPA Region 4 Water Division NPDES Stormwater Program Atlanta Federal Center 61 Forsyth Street SW Atlanta, GA 30303-3104

Permit Part	EPA Region	Areas Covered	Address
		South Carolina Tennessee	
7.8.5	5	Illinois Indiana Michigan Minnesota Ohio Wisconsin	U.S. EPA Region 5 NPDES Program Branch 77 W. Jackson Blvd. MC WP16J Chicago, IL 60604-3507
7.8.6	6	Arkansas Louisiana Oklahoma Texas New Mexico (except see Region 9 for Navajo lands, and see Region 8 for Ute Mountain Reservation lands)	U.S. EPA Region 6 Permitting Section (WD-PE) 1201 Elm Street, Suite 500 Dallas, TX 75270
7.8.7	7	Iowa Kansas Missouri Nebraska	U.S. EPA Region 7 NPDES Stormwater Program 11201 Renner Blvd Lenexa, KS 66219
7.8.8	8	Colorado Montana North Dakota South Dakota Wyoming Utah (except see Region 9 for Goshute Reservation and Navajo Reservation lands) The Ute Mountain Reservation in New Mexico The Pine Ridge Reservation in Nebraska	EPA Region 8 Storm Water Program MC: 8P-W-WW 1595 Wynkoop Street Denver, CO 80202-1129

<b>Permit Part</b>	<b>EPA Region</b>	<b>Areas Covered</b>	<b>Address</b>
7.8.9	9	Arizona California Hawaii Nevada Guam American Samoa The Commonwealth of the Northern Mariana Islands The Goshute Reservation in Utah and Nevada The Navajo Reservation in Utah New Mexico, and Arizona The Duck Valley Reservation in Idaho Fort McDermitt Reservation in Oregon	U.S. EPA Region 9 Water Division NPDES Stormwater Program (WTR-2-3) 75 Hawthorne Street San Francisco, CA 94105-3901
7.8.10	10	Alaska Idaho Oregon (except see Region 9 for Fort McDermitt Reservation) Washington	U.S. EPA Region 10 Water Division NPDES Stormwater Program (19-C04) 1200 6th Avenue, Suite 155 Seattle, WA 98101-3188
7.8.11	State and Tribal Addresses		See Part 9 (states and tribes) for the addresses of applicable states or tribes that require submission of information to their agencies.

**Part 8 – Sector-Specific Requirements for Industrial Activity****Subpart N – Sector N – Scrap Recycling and Waste Recycling Facilities**

You must comply with Part 8 sector-specific requirements associated with your primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

**8.N.1 Covered Stormwater 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 D-1 of Appendix D of the permit.

**8.N.2 Limitation on Coverage**

Separate permit requirements have been established for recycling facilities that receive, process, and do wholesale distribution of only 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). See Part 8.N.3.3.

**8.N.2.1 *Prohibition of Non-Stormwater Discharges.*** (See also Part 1.1.3) Non-stormwater discharges from turnings containment areas are not covered by this permit (see also Part 8.N.3.1.3). Discharges from containment areas in the absence of a storm event are prohibited unless covered by a separate NPDES permit. (EPA includes these prohibited non-stormwater discharges here solely as a helpful reminder to the operator that the only non-stormwater discharges authorized by this permit are at Part 1.2.2.)

**8.N.3 Additional Technology-Based Effluent Limits**

**8.N.3.1 *Scrap and Waste Recycling Facilities (Non-Source Separated, Nonliquid Recyclable Materials).*** The following requirements are for facilities that receive, process, and do wholesale distribution of non-source separated, 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.

**8.N.3.1.1 *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 and through implementation of control measures such as the following, where determined to be feasible (list not exclusive): providing information and education to suppliers of scrap and recyclable waste materials on draining and properly disposing of residual fluids (e.g., from vehicles and equipment engines, radiators and transmissions, oil filled transformers, and individual containers or drums) and removal of mercury switches from vehicles before delivery to your facility; establishing procedures to minimize the potential of any residual fluids from coming into contact with precipitation or stormwater; establishing 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 8.N.3.1.6); providing training targeted for those personnel engaged in the inspection and acceptance of inbound recyclable materials; and establishing 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).

- 8.N.3.1.2 Scrap and Waste Material Stockpiles and Storage (Outdoor).** Minimize contact of stormwater with stockpiled materials, processed materials, and nonrecyclable wastes through implementation of control measures such as the following, where determined to be feasible (list not exclusive): permanent or semi-permanent covers; sediment traps, vegetated swales and strips, catch basin filters, and sand filters to facilitate settling or filtering of pollutants; dikes, berms, containment trenches, culverts, and surface grading to divert stormwater from storage areas; silt fencing; and oil and water separators, sumps, and dry absorbents for areas where potential sources of residual fluids are stockpiled (e.g., automobile engine storage areas).
- 8.N.3.1.3 Stockpiling of Turnings Exposed to Cutting Fluids (Outdoor Storage).** Minimize contact of stormwater with residual cutting fluids by storing all turnings exposed to cutting fluids under some form of permanent or semi-permanent cover, or 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 from these areas can be discharged, provided that any stormwater is first collected and treated by an oil and water separator or its equivalent. You must regularly maintain the oil and water separator (or its equivalent) and properly dispose of or recycle collected residual fluids.
- 8.N.3.1.4 Scrap and Waste Material Stockpiles and Storage (Covered or Indoor Storage).** Minimize contact of residual liquids and particulate matter from materials stored indoors or under cover with stormwater through implementation of control measures such as the following, where determined to be feasible (list not exclusive): good housekeeping measures, including the use of dry absorbents or wet vacuuming to contain, dispose of, or recycle residual liquids originating from recyclable containers, and mercury spill kits for spills from storage of mercury switches; not allowing wash water from tipping floors or other processing areas to discharge to the storm sewer system; and disconnecting or sealing off all floor drains connected to the storm sewer system.
- 8.N.3.1.5 Scrap and Recyclable Waste Processing Areas.** Minimize stormwater 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 stormwater (i.e., through good housekeeping, preventive maintenance). To minimize discharges of pollutants in stormwater from scrap and recyclable waste processing areas, implement control measures such as the following, where determined to be feasible (list not exclusive): at least once per month inspecting equipment for spills

or leaks and malfunctioning, worn, or corroded parts or equipment; establishing a preventive maintenance program for processing equipment; using 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; on unattended hydraulic reservoirs over 150 gallons in capacity, installing protection devices such as low-level alarms or equivalent devices, or secondary containment that can hold the entire volume of the reservoir; implementing containment or diversion structures such as dikes, berms, culverts, trenches, elevated concrete pads, and grading to minimize contact of stormwater with outdoor processing equipment or stored materials; using oil and water separators or sumps; installing permanent or semi-permanent covers in processing areas where there are residual fluids and grease; and using retention or detention ponds or basins, sediment traps, vegetated swales or strips, and/or catch basin filters or sand filters for pollutant settling and filtration.

- 8.N.3.1.6 Scrap Lead-Acid Battery Program.** To minimize the discharge of pollutants in stormwater from lead-acid batteries, properly handle, store, and dispose of scrap lead-acid batteries, and implement control measures such as the following, where determined to be feasible (list not exclusive): segregating scrap lead-acid batteries from other scrap materials; properly handling, storing, and disposing of cracked or broken batteries; collecting and disposing of leaking lead-acid battery fluid; minimizing or eliminating (if possible) exposure of scrap lead-acid batteries to precipitation or stormwater; and providing employee training for the management of scrap batteries.
- 8.N.3.1.7 Spill Prevention and Response Procedures.** (See also Part 2.1.2.4) Install alarms and/or pump shutoff systems on outdoor equipment with hydraulic reservoirs exceeding 150 gallons in the event of a line break. Alternatively, a secondary containment system capable of holding the entire contents of the reservoir plus room for precipitation can be used. Use a mercury spill kit for any release of mercury from switches, anti-lock brake systems, and switch storage areas.
- 8.N.3.1.8 Supplier Notification Program.** As appropriate, notify major suppliers which scrap materials will not be accepted at the facility or will be accepted only under certain conditions.

### **8.N.3.2 Waste Recycling Facilities (Liquid Recyclable Materials)**

- 8.N.3.2.1 Waste Material Storage (Indoor).** Minimize or eliminate contact between residual liquids from waste materials stored indoors and from stormwater. 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. To minimize discharges of pollutants in stormwater from indoor waste material storage areas, implement control measures such as the following, where determined to be feasible (list not exclusive): implementing procedures for material handling (including labeling and marking); cleaning up spills and leaks with dry absorbent materials and/or a wet vacuum system; installing appropriate containment structures (e.g., trenching, curbing, gutters, etc.); and installing 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 NPDES wastewater permit or industrial user permit under the pretreatment program.

**8.N.3.2.2 Waste Material Storage (Outdoor).** Minimize contact between stored residual liquids and precipitation or stormwater. The plan may refer to applicable portions of other existing plans, such as SPCC plans required under 40 CFR Part 112.

Discharges of stormwater from containment areas containing used oil must also be in accordance with applicable sections of 40 CFR Part 112. To minimize discharges of pollutants in stormwater from outdoor waste material storage areas, implement control measures such as the following, where determined to be feasible (list not exclusive): appropriate containment structures (e.g., dikes, berms, curbing, pits) to store the volume of the largest tank, with sufficient extra capacity for precipitation; drainage control and other diversionary structures; corrosion protection and/or leak detection systems for storage tanks; and dry-absorbent materials or a wet vacuum system to collect spills.

**8.N.3.2.3 Trucks and Rail Car Waste Transfer Areas.** Minimize pollutants in stormwater 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. To minimize discharges of pollutants in stormwater from truck and rail car waste transfer areas, implement control measures such as the following, where determined to be feasible (list not exclusive): containment and diversionary structures to minimize contact with precipitation or stormwater; and dry clean-up methods, wet vacuuming, roof coverings, and/or stormwater controls.

**8.N.3.3 Recycling Facilities (Source-Separated Materials).** The following requirements are for facilities that receive only source-separated recyclables, primarily from non-industrial and residential sources.

**8.N.3.3.1 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 and through the implementation of control measures such as the following, where determined to be feasible (list not exclusive): providing information and education measures to inform suppliers of recyclables about acceptable and non-acceptable materials; training drivers responsible for pickup of recycled material; clearly marking public drop-off containers regarding which materials can be accepted; rejecting nonrecyclable wastes or household hazardous wastes at the source; and establishing procedures for handling and disposal of nonrecyclable material.

**8.N.3.3.2 Outdoor Storage.** Minimize exposure of recyclables to precipitation and stormwater by using good housekeeping measures to prevent accumulation of particulate matter and fluids, particularly in high traffic areas and through implementation of control measure such as the following, where determined to be feasible (list not exclusive): providing totally enclosed drop-off containers for the public; installing a sump and pump with each container pit and treat or discharge collected fluids to a sanitary sewer system; providing dikes and curbs for secondary

containment (e.g., around bales of recyclable waste paper); diverting stormwater away from outside material storage areas; providing covers over containment bins, dumpsters, and roll-off boxes; and storing the equivalent of one day's volume of recyclable material indoors.

**8.N.3.3.3 *Indoor Storage and Material Processing.*** Minimize the release of pollutants from indoor storage and processing areas through implementation of control measures such as the following, where determined to be feasible (list not exclusive): scheduling routine good housekeeping measures for all storage and processing areas; prohibiting tipping floor wash water from draining to the storm sewer system; and providing employee training on pollution prevention practices.

**8.N.3.3.4 *Vehicle and Equipment Maintenance.*** Minimize the discharge of pollutants in stormwater from areas where vehicle and equipment maintenance occur outdoors through implementation of control measures such as the following, where determined to be feasible (list not exclusive): minimizing or eliminating outdoor maintenance areas; establishing spill prevention and clean-up procedures in fueling areas; avoiding topping off fuel tanks; diverting stormwater from fueling areas; storing lubricants and hydraulic fluids indoors; and providing employee training on proper handling and storage of hydraulic fluids and lubricants.

#### **8.N.4 Additional SWPPP Requirements**

**8.N.4.1 *Drainage Area Site Map.*** (See also Part 6.2.2) Document in your SWPPP the locations of any of the following activities or sources that may be exposed to precipitation or stormwater: scrap and waste material storage; outdoor scrap and waste processing equipment; and containment areas for turnings exposed to cutting fluids.

**8.N.4.2 *Maintenance Schedules/Procedures for Collection, Handling, and Disposal or Recycling of Residual Fluids at Scrap and Waste Recycling Facilities.*** If you are subject to Part 8.N.3.1.3, your SWPPP must identify any applicable maintenance schedule and the procedures to collect, handle, and dispose of or recycle residual fluids.

#### **8.N.5 Additional Inspection Requirements**

**8.N.5.1 *Inspections for Waste Recycling Facilities.*** The inspections must be performed quarterly, per Part 3.1, 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.

#### **8.N.6 Indicator Monitoring (See also Part 4.2.1)**

Table 8.N-1 identifies indicator monitoring that applies to the specific subsectors of Sector N. This indicator monitoring applies to both your primary industrial activity and any co-located industrial activities.

<b>Table 8.N-1</b>		
<b>Subsector (You may be subject to requirements for more than one sector/subsector)</b>	<b>Indicator Monitoring Parameter</b>	<b>Indicator Monitoring Threshold</b>
Applies to all Sector N (Subsectors N1 and N2) facilities with stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values
<b>Subsector N2.</b> Source-separated Recycling Facility (SIC Code 5093)	Chemical Oxygen Demand (COD)	Report Only/ No thresholds or baseline values
	Total Suspended Solids (TSS)	Report Only/ No thresholds or baseline values
	pH	Report Only/ No thresholds or baseline values

### 8.N.7 **Sector-Specific Benchmarks (See also Part 4.2.2)**

Table 8.N-2 identifies benchmarks that apply to Sector N. These benchmarks apply to both your primary industrial activity and any co-located industrial activities.

<b>Table 8.N-2.</b>		
<b>Subsector (You may be subject to requirements for more than one sector/subsector)</b>	<b>Parameter</b>	<b>Benchmark Monitoring Concentration</b>
<b>Subsector N1.</b> Scrap Recycling and Waste Recycling Facilities except those only receiving source-separate recyclable materials primarily from non-industrial and residential sources (SIC 5093)	Chemical Oxygen Demand (COD)	120 mg/L
	Total Suspended Solids (TSS)	100 mg/L
	Total Recoverable Aluminum	1,100 µg/L
	Total Recoverable Copper (freshwater) <sup>2</sup>	5.19 µg/L
	Total Recoverable Copper (saltwater) <sup>1</sup>	4.8 µg/L
	Total Recoverable Lead (freshwater) <sup>2</sup>	Hardness Dependent
	Total Recoverable Lead (saltwater) <sup>1</sup>	210 µg/L
Total Recoverable Zinc (freshwater) <sup>2</sup>	Total Recoverable Zinc (saltwater) <sup>1</sup>	Hardness Dependent
		90 µg/L

<sup>1</sup>Saltwater benchmark values apply to stormwater discharges into saline waters where indicated.

<sup>2</sup>The freshwater benchmark values of some metals are dependent on water hardness. For these parameters, permittees must determine the hardness of the receiving water (see Appendix J, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part 4.2.2.1, to identify the applicable 'hardness range' for determining their benchmark value applicable to their facility. Hardness Dependent Benchmarks follow in the table below:

<b>Freshwater Hardness Range</b>	<b>Lead</b>	<b>Zinc</b>
0-24.99 mg/L	14	37
25-49.99 mg/L	24	52
50-74.99 mg/L	45	80
75-99.99 mg/L	69	107
100-124.99 mg/L	95	132
125-149.99 mg/L	123	157
150-174.99 mg/L	152	181
175-199.99 mg/L	182	204
200-224.99 mg/L	213	227
225-249.99 mg/L	246	249
250+ mg/L	262	260

**Part 8 – Sector-Specific Requirements for Industrial Activity****Subpart P – Sector P – Land Transportation and Warehousing**

You must comply with Part 8 sector-specific requirements associated with your primary industrial activity and any co-located industrial activities, as defined in Appendix A. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

**8.P.1 Covered Stormwater 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 D-1 of Appendix D of the permit.

**8.P.2 Limitation on Coverage**

**8.P.2.1 *Prohibited Discharges*** (see also Parts 1.1.3 and 8.P.3.1.4) This permit does not authorize the discharge of vehicle/equipment/surface wash water, including tank cleaning operations. Such discharges must be authorized under a separate NPDES permit, discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements, or recycled on-site.

**8.P.3 Additional Technology-Based Effluent Limits**

**8.P.3.1 *Good Housekeeping Measures.*** (See also Part 2.1.2.2) In addition to the Good Housekeeping requirements in Part 2.1.2.2, you must do the following.

**8.P.3.1.1 *Vehicle and Equipment Storage Areas.*** Minimize the potential for stormwater exposure to leaky or leak-prone vehicles/equipment awaiting maintenance through implementation of control measures such as the following, where determined to be feasible (list not exclusive): using of drip pans under vehicles/equipment; storing vehicles and equipment indoors; installing berms or dikes; using of absorbents; roofing or covering storage areas; and cleaning pavement surfaces to remove oil and grease.

**8.P.3.1.2 *Fueling Areas.*** Minimize contamination of stormwater from fueling areas through implementation of control measures such as the following, where determined to be feasible: covering the fueling area; using spill/overflow protection and cleanup equipment; minimizing stormwater run-on/discharges to the fueling area; using dry cleanup methods; and treating and/or recycling collected stormwater.

**8.P.3.1.3 *Material Storage Areas.*** Maintain all material storage vessels (e.g., for used oil/oil filters, spent solvents, paint wastes, hydraulic fluids) to prevent contamination of stormwater and plainly label them (e.g., "Used Oil," "Spent Solvents"). To minimize discharges of pollutants in stormwater from material storage areas, implement control measures such as the following, where determined to be feasible (list not exclusive): storing the materials indoors; installing berms/dikes around the areas; minimizing discharges of stormwater to the areas; using dry cleanup methods; and treating and/or recycling collected stormwater.

**8.P.3.1.4 *Vehicle and Equipment Cleaning Areas.*** Minimize contamination of stormwater from all areas used for vehicle/equipment cleaning through

implementation of control measures such as the following, where determined to be feasible (list not exclusive): performing all cleaning operations indoors; covering the cleaning operation, ensuring that all wash water drains to a proper collection system (i.e., not the stormwater drainage system); treating and/or recycling collected wash water; or other equivalent measures.

Discharges of vehicle and equipment wash water, including tank cleaning operations, are not authorized by this permit for this sector.

**8.P.3.1.5 Vehicle and Equipment Maintenance Areas.** Minimize contamination of stormwater from all areas used for vehicle/equipment maintenance through implementation of control measures such as the following, where determined to be feasible (list not exclusive): 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; and minimizing run on/discharges of stormwater to maintenance areas.

**8.P.3.1.6 Locomotive Sanding (Loading Sand for Traction) Areas.** Minimize discharges of pollutants in stormwater from locomotive sanding areas through implementation of control measures such as the following, where determined to be feasible (list not exclusive): covering sanding areas; minimizing stormwater run on/discharges; or appropriate sediment removal practices to minimize the offsite transport of sanding material by stormwater.

**8.P.3.2 Employee Training.** (See also Part 2.1.2.8) 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.

#### **8.P.4 Additional SWPPP Requirements**

**8.P.4.1 Drainage Area Site Map.** (See also Part 6.2.2) Identify in the SWPPP the following areas of the facility and indicate whether activities occurring there may be exposed to precipitation/stormwater: 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.

**8.P.4.2 Potential Pollutant Sources.** (See also Part 6.2.3) 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 SWPPP.

**8.P.4.2.1 Description of Good Housekeeping Measures.** You must document in your SWPPP the good housekeeping measures you implement consistent with Part 8.P.3.

**8.P.4.2.2 Vehicle and Equipment Wash Water Requirements.** If wash water is handled in a manner that does not involve separate NPDES permitting

(e.g., hauled offsite), describe the disposal method and include all pertinent information (e.g., frequency, volume, destination, etc.) in your SWPPP. Discharges of vehicle and equipment wash water, including tank cleaning operations, are not authorized by this permit for this sector.

#### 8.P.5 **Additional Inspection Requirements (See also Part 3.1)**

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.

#### 8.P.6 **Indicator Monitoring (See also Part 4.2.1)**

Table 8.P-1 identifies indicator monitoring that applies to the specific subsectors of Sector P. This indicator monitoring applies to both your primary industrial activity and any co-located industrial activities.

<b>Subsector (You may be subject to requirements for more than one sector/subsector)</b>	<b>Indicator Monitoring Parameter</b>	<b>Indicator Monitoring Threshold</b>
Applies to all Sector P (Subsector P1) facilities with stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values
<b>Subsector P1.</b> Railroad Transportation (SIC Code 4011, 4013); Local and Highway Passenger Transportation (SIC Code 4111-4173); Motor Freight Transportation and Warehousing (SIC Code 4212-4231); United States Postal Service (SIC Code 4311); Petroleum Bulk Stations and Terminals (SIC Code 5171)	Chemical Oxygen Demand (COD)	Report Only/ No thresholds or baseline values
	Total Suspended Solids (TSS)	Report Only/ No thresholds or baseline values
	pH	Report Only/ No thresholds or baseline values
<b>Subsector P1.</b> Railroad Transportation (SIC Code 4011, 4013); Petroleum Bulk Stations and Terminals (SIC Code 5171)	Polycyclic Aromatic Hydrocarbons (PAHs)*	Report Only/ No thresholds or baseline values

\* Monitoring is required for the 16 individual PAHs identified at Appendix A to 40 CFR Part 423: naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, indeno[1,2,3-c,d]pyrene, and dibenz[a,h]anthracene.

**9 Permit Conditions Applicable to Specific States, Indian Country Lands, or Territories**

Section 401 of the CWA (see also 40 CFR §122.44(d)(3) and §124.53(a)) provides that no federal license or permit, including NPDES permits, to conduct any activity that may result in any discharge to waters of the United States shall be granted until the state/tribe in which the discharge originates certifies that the discharge will comply with the applicable provisions of sections 301, 302, 303, 306, and 307 of the CWA. The requirements under this Part of the permit provide state, U.S. territory, and tribal requirements that these entities certify are necessary in order for the permit to comply with applicable water quality requirements.

The conditions below have been incorporated into the 2021 MSGP based on the certifications granted for the 2021 MSGP. These conditions apply for activities conducted under this permit that occur within the jurisdiction that established the condition. Any references below to the “2020 MSGP,” “MSGP 2020,” “2020 proposed MSGP,” “proposed permit,” or similar refer to the final 2021 MSGP.

**9.1 EPA Region 1: Connecticut, Massachusetts, Maine, New Hampshire, Rhode Island, Vermont****9.1.1 CTR051000: Indian Country within the State of Connecticut**

No additional requirements.

**9.1.2 MAR050000: Commonwealth of Massachusetts, except Indian country**

Operators in the Commonwealth of Massachusetts must meet the following conditions (see certification provided by the Commonwealth of Massachusetts, CWA401Cert\_MA\_2021 MSGP):

**9.1.2.1 Additional conditions required by the Commonwealth of Massachusetts.**

Discharges covered by the general permit must comply with the provisions of 314 CMR 3.00, 314 CMR 4.00, 314 CMR 9.00, and 310 CMR 10.00. New facilities or redevelopment of existing facilities subject to this permit must comply with applicable stormwater performance standards prescribed by state regulation. A permit under 314 CMR 3.04 is not required for existing facilities that meet state stormwater performance standards. An application for a permit under 314 CMR 3.00 is required only when required under 314 CMR 3.04(2)(b) (designation of a discharge on a case-by-case basis) or is otherwise identified in 314 CMR 3.00 as a discharge requiring a permit application. See *id.* at 1-2.

**9.1.2.2 SWPPP Availability.**

MassDEP may request a copy of the Stormwater Pollution Prevention Plan (SWPPP) at any time, and the permittee is required to submit the SWPPP to MassDEP within 14 days of such a request. MassDEP may conduct an inspection of any facility covered by this permit to ensure compliance with state law requirements, including state water quality standards. MassDEP may enforce its certification conditions. See *id.*

**9.1.2.3 New Dischargers.**

For new dischargers applying to be covered under the MSGP and proposing to discharge to Outstanding Resource Waters as identified in 314 CMR 4.00, MassDEP will require applicants to submit a copy of the Stormwater Pollution Prevention Plan (SWPPP) for review. For purposes of this review the applicant is required to submit a copy of the EPA NOI and SWPPP to MassDEP at the same time they are submitted to EPA. Instructions on how to submit these documents to MassDEP can be found here: <https://www.mass.gov/how-to/wm-15-npdes-general-permit-notice-of-intent>. See *id.*



**9.1.2.4 Submission of Monitoring Data.**

The results of any monitoring required by this permit that identify violations of any effluent limits or benchmarks for any parameter for which monitoring is required shall be sent to the appropriate Regional Office of MassDEP (attention: Bureau of Air and Waste). In addition, any follow-up monitoring and a description of the corrective actions required and undertaken to meet the effluent limits or benchmarks shall be sent to the appropriate MassDEP Regional Office. See *id.*

**9.1.2.5 Sector-Specific Requirements.**

The Massachusetts Coastal Zone Management Program submitted the following conditions to be included in the WQC for the 2015 permit in order to meet the Program's Consistency Review, and to remain consistent, these same requirements are included in this WQC:

- a. In Sector Q [Water Transportation] add copper to the required monitoring parameters with a benchmark monitoring concentration as is included in the MSGP 2020 Table 1 of Appendix J.
- b. In Sector R [Ship and Boat Building and Repair Yards] add aluminum, lead, and copper to the list of required monitoring parameters with a benchmark monitoring concentration as included in the MSGP 2020 Table 1 of Appendix J.
- c. Modify the monitoring requirements for Sectors Q and R such that all four of the quarterly monitoring samples must meet the benchmarks rather than the average of the four before no further monitoring is required. See *id.* at 2.

**9.1.3 MAR05I000: Indian country within the Commonwealth of Massachusetts**

No additional requirements.

**9.1.4 NHR050000: State of New Hampshire**

Operators in New Hampshire must also meet the following conditions (see certification provided by the State of New Hampshire, CWA410Cert\_NH\_2021 MSGP):

**9.1.4.1 Consider Opportunities for on-site infiltration of stormwater.**

In Part 2.1.1 Control Measure Selection and Design Considerations, you are required to consider opportunities for infiltrating runoff onsite. This is encouraged, but it should only be done if consistent with the statutes and rules of the Department of Environmental Services written to protect groundwater. Infiltration best management practices are not recommended at industrial sites except in areas where industrial activities do not occur, such as at office buildings and their associated parking facilities, or in drainage areas at the facility where a certification of no exposure will always be possible [see 40CFR122.26(g)]. Other justifiable reasons for not using on-site infiltration BMP include the following:

- a. The facility is located in a wellhead protection area as defined in RSA 485-C:2; or
- b. The facility is located in an area where groundwater has been reclassified to GAA, GA1 or GA2 pursuant to RSA 485-C and Env-Dw 901; and
- c. Any areas that would be exempt from the groundwater recharge requirements contained in Env-Wq 402, Groundwater Discharge Permit and Registration Rules (formerly Env-Ws1500), including all land uses or activities considered to be a "High-load site." See *id.* at 1-5

**9.1.4.2 Maintenance of Infiltration Best Management Practices.**

In Part 2.1.2.3 you are required to maintain control measures. In Parts 6.2.2, 6.2.5.1 and 6.5 you are required to document the location of control measures, perform

inspections and maintenance, and keep records. Accordingly, the SWPPP must contain the following:

- a. A description of and the location of each on-site infiltration BMP installed;
- b. The maintenance procedures that will be followed to ensure proper operation, including the removal of sediment from pretreatment devices;
- c. The inspection procedures that will be followed at least annually. These should include the procedures for ensuring that the stormwater being infiltrated is not exposed to industrial pollutants and the procedures for ensuring proper drainage to prevent mosquito breeding;
- d. The employee name (or title of the position) who is a member of the stormwater pollution prevention team (see Part 6.2.1) who will be responsible for the maintenance required in Part 9.1.4.2.b, the inspection required in Part 9.1.4.c and any necessary corrective actions or additional implementation measures required in Part 5; and
- e. Records for all maintenance performed, inspections conducted, and corrective actions taken. See *id.*

#### **9.1.4.3 Discontinue, Permit or Register On-site Infiltration BMP if Necessary.**

If at any time a certification of no exposure can no longer be made for any of the stormwater to be infiltrated, then the infiltration BMP must cease for that portion of the runoff or the discharge must be permitted or registered as appropriate. The following may be required:

- a. Infiltration BMP that meet the definition of a Class V well or that infiltrates stormwater via a subsurface structure (i.e. concrete chambers, dry well, leach field, etcetera) will need an underground injection control (UIC) registration from NHDES; and
- b. Permitting as a groundwater discharge as required in Env-Wq 402, if the stormwater will or may contain regulated contaminants.

The SWPPP must be modified immediately if new infiltration BMP are proposed or if existing infiltration BMP will cease. See *id.*

#### **9.1.4.4 Required NHDES notification.**

- a. Notify the NHDES Groundwater Discharge Permit Coordinator immediately if you believe that any infiltration BMP may need to be permitted or registered (see Part 9.1.4.3) during the permit term.
- b. Notify the NHDES Wastewater Engineering Bureau immediately of any plans to discharge any new non-stormwater discharges during the permit term. This does not include the allowable non-stormwater discharges listed in Part 1.1.3
- c. Immediately notify the NHDES Drinking Water and Groundwater Bureau at (603) 271-2513 of reportable releases (e.g., spills) of extremely hazardous, hazardous substance or oil as defined in accordance with the Emergency Planning and Community Right-to-Know Act (EPCRA) that are discharged into a source of drinking water or within a source protection area. This is in addition to immediately contacting local and state emergency responders through calling 911 and (603) 271-3899 during business hours and the state police at 800 525-5555 after hours or on weekends. See *id.*

#### **9.1.4.5 Information That May Be Requested by NHDES.**

To ensure compliance with RSA 485-C, RSA 485-A, RSA 485-A:13, 1(a), Env-Wq 400 and Env-Wq 401 the following information may be requested by NHDES. This information

must be kept on site unless you receive a written request from NHDES that it be sent to the address shown in Part 9.1.4.6.

- a. The site map required in Part 6.2.2, showing the type and location of all on-site infiltration BMP utilized at the facility or the reason(s) why none were installed.
- b. A list of all non-stormwater discharges that occur at the facility, including their source locations and the control measures being used (see Parts 1.2.2 and 6.2.3.4).
- c. A copy of the Annual Reports required in Part 7.4. See *id.*

**9.1.4.6 Where to Submit Information.**

Information submitted to NHDES must be sent to the following address:

NH Department of Environmental Services  
Wastewater Engineering Bureau  
Permits & Compliance Section  
P.O. Box 95  
Concord, NH 03302-0095

**9.1.4.7 Modification of Clean Water Act Section 401 Water Quality Certification.**

When NHDES determines that additional water quality certification requirements are necessary to protect water quality, it may require individual dischargers to meet additional conditions to obtain or continue coverage under the MSGP. Any such conditions shall be supplied to the permittee in writing. Any required pollutant loading analyses and any designs for structural best management practices necessary to protect water quality must be prepared by a professional engineer (civil or sanitary) licensed in New Hampshire. See *id.*

**9.1.5 RIR05I000: Indian country within the State of Rhode Island**

No additional requirements.

**9.1.6 VTR05F000: Areas in the State of Vermont subject to industrial activity by a Federal Operator**

No additional requirements.

**9.2 EPA Region 2: New Jersey, New York, Puerto Rico, Virgin Islands**

**9.2.1 PRR050000: Commonwealth of Puerto Rico**

No additional requirements.

**9.2.2 NYR051000: Indian country within the State of New York, except the lands of the St. Regis Mohawk Tribe**

No additional requirements.

**9.3 EPA Region 3: Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia.**

**9.3.1 DCR050000: District of Columbia**

Operators in the District of Columbia must also meet the following conditions (see certification provided by the District of Columbia, CWA410Cert\_DC\_2021 MSGP):

**9.3.1.1 *Compliance with District of Columbia Laws and Regulations.***

Discharges covered by the MSGP must comply with the District of Columbia Water Pollution Control Act of 1984, as amended, D.C. Official Code § 8-103.01 et seq.; and its implementing regulations in Title 21 Chapters 11 and 19 of the District of Columbia Municipal Regulations. See *id.* at 1-3

**9.3.1.2 No Preclusion of Responsibilities.**

Nothing in this permit will be construed to preclude the permittee of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to District of Columbia laws and regulations. See *id.*

**9.3.1.3 Additional Reporting.**

The permittee shall report to the Associate Director, Inspection and Enforcement Division any noncompliance which may endanger health or the environment. All information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. See *id.*

**9.3.2 DER05F000: Areas in the State of Delaware subject to industrial activity by a Federal Operator**

No additional requirements.

**9.4 EPA Region 4: Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee**

**9.4.1 ALR05I000: Indian country within the State of Alabama**

No additional requirements.

**9.4.2 FLROR1000: Indian country within the State of Florida**

**9.4.2.1 Miccosukee Tribe of Indians**

Industrial stormwater discharges on the Miccosukee Tribe lands are not eligible for permit coverage under this permit. Contact the EPA Region 4 office for additional information, including available permits.

**9.4.2.2 Seminole Tribe of Florida**

Industrial stormwater discharges on the Seminole Tribe lands are not eligible for permit coverage under this permit. Contact the EPA Region 4 office for additional information, including available permits.

**9.4.3 MSR05I000: Indian country within the State of Mississippi**

No additional requirements.

**9.4.4 NCR05I000: Indian country within the State of North Carolina**

No additional requirements.

**9.4.5 SCR05I000: Indian country within the State of South Carolina**

No additional requirements.

**9.5 EPA Region 5: Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin.**

**9.5.1 MIR05I000: Indian country within the State of Michigan**

No additional requirements.

**9.5.2 MNR05I000: Indian country within the State of Minnesota**

**9.5.2.1 Fond du Lac Reservation**

Operators in the Fond du Lac Reservation must also meet the following conditions (see certification provided by the Fond du Lac Reservation, CWA410Cert\_Fond du Lac\_2021 MSGP):

**9.5.2.1.1 Submission of SWPPP.**

A copy of the Storm Water Pollution Prevention Plan (SWPPP) must be submitted to the Office of Water Protection at least fifteen (15) days in advance of sending the

Notice of Intent to EPA. The SWPPP can be submitted electronically to [richardgitar@FDLREZ.com](mailto:richardgitar@FDLREZ.com) or by hardcopy sent to:

Fond du Lac Reservation  
Office of Water Protection  
1720 Big Lake Road  
Cloquet, MN 55720

MSGP applicants are encouraged to work with the FDL Office of Water Protection in the identification of all proposed receiving waters and selection of appropriate Best Management Practices (BMPs). See *id.* at 2-4.

**9.5.2.1.2 Submission of NOI and NOT.**

Copies of the Notice of Intent (NOI) and the Notice of Termination (NOT) must be sent to the Fond du Lac Office of Water Protection at the same time they are submitted to EPA. See *id.*

**9.5.2.1.3 Benchmark Monitoring for Turbidity.**

The Benchmark Monitoring Concentration (BMC) for Turbidity shall NOT exceed 10% of natural background as determined by the Office of Water Protection staff as measured in NTU. See *id.*

**9.5.2.1.4 Effluent Limitations.**

The Effluent Limitations for ALL sectors shall NOT exceed more than two times (2x) Fond du Lac's ambient concentrations (based upon more than 20 years of monitoring data) for the following (See *id.*):

- |                           |                      |
|---------------------------|----------------------|
| a) Ammonia                | Ambient =<0.3mg/l    |
| b) Arsenic                | Ambien =< 3.0 µg/l   |
| c) Chromium               | Ambient =< 0.8 µg/l  |
| d) Total Phosphorus       | Ambient =< 0.09 mg/l |
| e) Total Suspended Solids | Ambient =< 16 mg/l   |
| f) Zinc                   | Ambient =< 24 mg/l   |

**9.5.2.1.5 Water Quality Criteria.**

All industrial activities shall be carried out in such a manner as will prevent violations of water quality criteria as stated in the Water Quality Standards of the Fond du Lac Reservation, Ordinance 12/98, as amended. This includes, but is not limited to, the prevention of any discharge that causes a condition in which visible solids, bottom deposits, or turbidity impairs the usefulness of water of the Fond du Lac Reservation for any of the uses designated in the Water Quality Standards of the Fond du Lac Reservation. These uses include wildlife, aquatic life, warm water fisheries, cold water fisheries, subsistence fishing (netting), primary contact recreation, secondary contact recreation, cultural, wild rice areas, aesthetic waters, agriculture, navigation, and commercial. See *id.*

**9.5.2.1.6 Impacts to cultural sites.**

This certification does not authorize impacts to cultural, historical, or archeological features or sites, or properties that may be eligible for such listing. See *id.*

**9.5.2.2 Grand Portage Band of the Minnesota Chippewa Tribe**

The following conditions apply to industrial storm water discharges into Waters of the Grand Portage Reservation (see certification provided by the Grand Portage Reservation, CWA410Cert\_Fond du Lac\_2021 MSGP):

**9.5.2.2.1 Definitions.**

The definitions set forth in the Grand Portage Water Resources Ordinance, as amended, ("Water Resources Ordinance") govern these certification conditions. See *id.* at 1,4.

**9.5.2.2.2 Water Quality Standards.**

All industrial storm water discharges authorized by this permit must comply with the Grand Portage Water Quality Standards, Applicable Federal Standards, and the Water Resources Ordinance. See *id.*

**9.5.2.2.3 Additional Monitoring.**

Grand Portage reserves the right to require additional monitoring of storm water discharges as determined on a case-by-case basis. If the Board determines that additional monitoring is necessary, the monitoring plan must be supplemented and incorporated into the Storm Water Pollution Prevention Plan ("SWPPP") before the SWPPP is submitted to the USEPA. Accordingly, the Board must be contacted, at the address listed below, at the onset of writing the SWPPP. See *id.* at 1,4.

**9.5.2.2.4 Submission of SWPPP, NOI, and NOT.**

In addition, a copy of the SWPPP, Notice of Intent ("NOI"), and Notice of Termination (NOT) (collectively the "application") must be submitted to the Board at least 30 days before submitting the NOI to USEPA. Applications should be sent to the following address:

Grand Portage Environmental Resources Board  
P.O. Box 428  
Grand Portage, MN 55605

**9.5.2.2.5 Additional information.**

Upon receipt of the application, the Board shall order the Grand Portage Environmental Department (Department) to conduct a technical review of the application materials. If necessary, Department staff will send a request for additional information to the applicant within 30 days of receipt of the application. See *id.* at 1,5.

**9.5.2.2.6 Preliminary coverage determination.**

After considering the application and such other information and data as the Department staff deems relevant, the Department Director will evaluate whether there is a reasonable probability that the proposed activity will violate the Grand Portage Water Quality Standards or any Applicable Federal Standards and recommend one of the following preliminary determinations:

- (a) Unconditionally grant coverage under the MSGP;
- (b) Grant coverage under the MSGP subject to certain conditions; or
- (c) Deny coverage under the MSGP.

**9.5.2.2.7 Final coverage determination.**

Within 30 days of the Department Director's recommendation, the Board will provide public notice of the application for coverage under the MSGP and the Department Director's recommendations. Upon request, the Department will

schedule a hearing as provided in 40 CFR Part 25. If, after considering the evidence provided at the hearing and the entire record, the Board determines by a preponderance of the evidence that the proposed activity will violate the Grand Portage Water Quality Standards or any Applicable Federal Standards, the Board shall deny eligibility for coverage under the MSGP, unless there is a reasonable certainty that compliance can be achieved by the applicant's adherence to reasonable conditions. If the Board finds insufficient evidence to show that the proposed activity will violate the Grand Portage Water Quality Standards or any Applicable Federal Standards, it shall approve coverage under the MSGP. See *id.*

**9.5.2.2.8 Appeals.**

Appeals related to water quality certification decisions or permits will be heard by the Grand Portage Tribal Court. See *id.*

**9.5.2.2.9 Prohibition of Discharge.**

The applicant is prohibited from discharging into the Waters of the Reservation pursuant to the MSGP unless the Board has granted coverage under the MSGP, or until the applicant has adhered to conditions required by the Board's conditional grant of coverage. See *id.*

**9.5.2.2.10 Compliance.**

The Board retains full authority provided by the Water Resources Ordinance to ensure compliance with and enforce the provisions of the Water Resource Ordinance, the Grand Portage Water Quality Standards, Applicable Federal Standards, and these certification conditions." See *id.*

**9.5.3 WIR051000: Indian country within the State of Wisconsin, except those on Bad River Band of Lake Superior Tribe of Chippewa Indians lands and on Sokaogon Chippewa Community lands**

No additional requirements.

**9.6 EPA Region 6: Arkansas, Louisiana, Oklahoma, Texas, and New Mexico (except see Region 9 for Navajo lands, and see Region 8 for Ute Mountain Reservation lands).**

**9.6.1 LAR051000: Indian country within the State of Louisiana**

No additional requirements.

**9.6.2 NMR050000: The State of New Mexico, except Indian country**

Operators in New Mexico must also meet the following conditions (see certification provided by the State of New Mexico, CWA410Cert\_NM\_2021 MSGP):

**9.6.2.1 PFAS Analytes Monitoring.**

**Except as specified below, all NAICS codes listed in the December 4, 2019 Advanced Notice of Proposed Rulemaking for TRI Reporting<sup>1</sup> and covered under this MSGP shall monitor and report PFAS in effluent once during the first year of MSGP coverage, or when the facility discharges if no discharge occurs during the first year. Samples shall be analyzed by an accredited lab for all 18 PFAS analytes using EPA Method 537.1 (EPA 2018), and the DoD Quality Systems Manual Method 5.3 (2019) as guidance.** Method and analysis shall be sufficiently sensitive to evaluate the New Mexico screening level for PFOA and PFOS.

The PFAS screening level in New Mexico is indicated below. The screening level is not a standard of quality and purity for the surface waters of New Mexico but

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<sup>1</sup> <https://www.federalregister.gov/documents/2019/12/04/2019-26034/addition-of-certain-per-and-polyfluoroalkyl-substances-community-right-to-know-toxic-chemical>

allows detection and further evaluation of the existence of PFAS in stormwater discharges to determine if more attention is warranted.

PFAS Screening Level for New Mexico*	
PFOA + PFOS	0.070 µg/L

\*Concentrations of PFOA and PFOS are summed before being compared to the screening level.

**If PFOA and/or PFOS are detected above the New Mexico screening level, additional monitoring and reporting shall occur annually and in accordance with the same parameters and methods as required for the first sampling event.** In addition, the permittee should take corrective action and identify ways to minimize, reduce, and eliminate PFAS from the industrial activity through product substitution and/or additional best management practices and operational controls. Results of past monitoring and any corrective actions taken should be included in the Stormwater Pollution Prevention Plan (SWPPP).

**The permittee shall submit monitoring results for all 18 PFAS analytes under EPA Method 537.1, as required, to NMED at the following address:**

Point Source Program Manager  
 Surface Water Quality Bureau  
 New Mexico Environment Department  
 P.O. Box 5469  
 Santa Fe, NM 87502-5469

NMED may suspend the requirement to monitor and report PFAS under the following circumstances:

- If the permittee determines it is not technically practicable to measure PFAS in their stormwater discharge; or
- If additional sampling determines that it is unlikely that PFAS exist in a permittee's stormwater discharge, if the permittee provides facility data that demonstrate PFAS are unlikely to be present in the stormwater discharge, or there are no available, accredited laboratories capable of performing the required PFAS analysis; or
- If additional sampling demonstrates that the pollutant concentration is lower than the screening level or the permittee is subject to duplicative or more stringent PFAS requirements.

However, to be exempted for these reasons, the permittee must submit documentation to NMED for approval. See *id.* At 4-6.

**9.6.2.2 Benchmark Monitoring Concentrations**

The benchmark values for pollutants must be modified to reflect New Mexico WQS for the facilities in New Mexico based on water quality criteria approved in the Standards for Interstate and Intrastate Surface Waters, 20.6.4.900 NMAC. Consistent with the language in this permit, exceedances of a benchmark value, even if that value is based on New Mexico WQS, are not immediately a violation of the permit unless the permittee does not take appropriate action to improve best management practices or otherwise mitigate the discharge of the detected pollutant. A full Tier 2 Antidegradation Review (significant degradation analysis; reasonable alternatives identification; economic and social importance; etc.) does not translate to projects covered under this general permit. Therefore, this condition is necessary to ensure that New Mexico's antidegradation policy is upheld and surface waters of the state are protected from degradation. See *id.*



The following tables lay out the benchmark values that should be used for sector-specific monitoring in the MSGP.

<b>MSGP Benchmark Values and Sources</b>		
Most restrictive value (highlighted below) must be chosen		
<b>Pollutant</b>	<b>2020 proposed MSGP Benchmark</b>	<b>New Mexico MSGP Benchmark</b>
Total Recoverable Beryllium	130 µg/L	
Biochemical Oxygen Demand (5-day)	30 mg/L	
pH	6.0 – 9.0 s.u.	6.6 – 9.0 s.u.
Chemical Oxygen Demand	120 mg/L	
Total Phosphorus	2.0 mg/L	
Total Suspended Solids (TSS)	100 mg/L	
Ammonia	2.14 mg/L	
Nitrate and Nitrite Nitrogen	0.68 mg/L	
Turbidity	50 NTU	
Total Recoverable Antimony	640 µg/L	640 µg/L (dissolved)
Total Recoverable Arsenic	150 µg/L	9 µg/L (dissolved)
Total Recoverable Cadmium	1.8 µg/L	See below
Chromium (III)	570 µg/L	See below
Chromium (VI)	16 µg/L	16 µg/L (dissolved)
Total Recoverable Copper	14 µg/L	See below
Total Recoverable Cyanide	22 µg/L	5.2 µg/L
Total Recoverable Lead	8.2 µg/L	14 µg/L (dissolved)
Total Recoverable Mercury	1.4 µg/L	0.77 µg/L
Total Recoverable Nickel	47 µg/L	See below
Total Recoverable Selenium	5 µg/L	5 µg/L
Total Recoverable Silver	3.8 µg/L	See below
Total Recoverable Zinc	120 µg/L	See below

<b>Concurrent Hardness as CaCO<sub>3</sub>, dissolved (mg/L)</b>	<b>Hardness dependent criteria - Dissolved (µg/L)</b>						
	<b>Cd</b>	<b>Cr III</b>	<b>Cu</b>	<b>Pb</b>	<b>Ni</b>	<b>Ag</b>	<b>Zn</b>
25	0.51	180	4	14	140	0.3	45
30	0.59	210	4	17	170	0.4	54
40	0.76	270	6	24	220	0.7	70

50	0.91	320	7	30	260	1.0	85
60	1.07	370	8	37	300	1.3	101
70	1.22	430	10	44	350	1.7	116
80	1.37	470	11	51	390	2.2	131
90	1.51	520	12	58	430	2.7	145
100	1.65	570	13	65	470	3.2	160
200	2.98	1,010	26	140	840	11	301
220	3.23	1,087	28	151	912	13	328
300	4.21	1,400	38	210	1190	21	435
400 and above	5.38	1,770	50	280	1510	35	564

**9.6.2.3 Outstanding National Resource Waters.**

Operators are not eligible to obtain authorization under this permit for stormwater discharges to outstanding national resource waters (ONRWs, also referred to as "Tier 3" waters). Although State WQS provide for temporary and short-term degradation of water quality in an ONRW under very limited circumstances, if approved by the New Mexico Water Quality Control Commission as specified at 20.6.4.8.A NMAC, the approval process required for these activities does not translate to projects covered under this general permit. This condition is necessary to ensure that no degradation is allowed in ONRWs by requiring proposed stormwater discharges to be reviewed under the individual permit process. Tier 3 waters are defined in Appendix F of the proposed permit. See *id.*

**9.6.2.4 Additional SWPPP Requirements.**

Information on how the permittee knows the groundwater or spring water is uncontaminated must be documented in the facility SWPPP.

EPA must amend the NOI to include a question for the permittee to indicate whether they anticipate to discharge groundwater or spring water from their site. The permittee must be able to indicate on the NOI: flow rate, whether the ground or spring water source is nearby potential pollutant sources, and if the ground or spring water has been tested and is not contaminated by the potential pollutant source.

If discharge of groundwater or spring water is anticipated at a facility, permittees must complete the following steps to determine if it is potentially contaminated:

- a. Indicate on the NOI that dewatering activities are anticipated. Provide information on flow and potential to encounter impacted ground or spring water.
- b. Refer to the Mapper tool at <https://gis.web.env.nm.gov/oem> and check if the following groundwater pollutant sources are located nearby the anticipated source of groundwater or spring water such that there is a potential for contamination:

<b>Project Location Relative to a Source of Potential Groundwater Contamination</b>	<b>Constituents likely to be required for testing</b>
Within 0.5 mile of an open Leaking Tank site	BTEX (Benzene, Toluene, Ethylbenzene, and Xylene) plus additional parameters depending on site conditions.

Within 0.5 mile of an open Voluntary Remediation site	All parameters listed in 20.6.4.900 NMAC, hardness and pH (or an alternate list approved by the NMED SWQB)
Within 0.5 mile of an open RCRA Corrective Action Site	All parameters listed in 20.6.4.900 NMAC, hardness and pH (or an alternate list approved by the NMED SWQB)
Within 0.5 mile of an open Abatement Site	All parameters listed in 20.6.4.900 NMAC, hardness and pH (or an alternate list approved by the NMED SWQB)
Within 0.5 mile of an open Brownfield Site	All parameters listed in 20.6.4.900 NMAC, hardness and pH (or an alternate list approved by the NMED SWQB)
Within 1.0 mile of a Superfund site with associated groundwater contamination.	All parameters listed in 20.6.4.900 NMAC, hardness and pH (or an alternate list approved by the NMED SWQB)
EPA approved-sufficiently sensitive methods must be used – approved methods are listed in 40 C.F.R. 136.3.	

- c. If within the distances listed above, Permittee must provide test data indicating the quality of the groundwater or spring water to be discharged according to the table above.
- d. Permittee must send test result data to EPA Region 6 and the NMED Surface Water Quality Bureau. If the test data exceed State WQS, the ground or spring water cannot be discharged from the facility into surface waters under this permit. Discharge to surface waters must be conducted under a separate NPDES individual permit to ensure proper treatment and disposal. If disposal will be to the ground surface or in an unlined pond, the permittee must submit a Notice of Intent to Discharge (NOI) to the NMED Ground Water Quality Bureau. For further assistance determining whether your facility may encounter impacted groundwater, the permittee may contact the NMED Ground Water Quality Bureau at (505) 827-2965.
- e. Investigative information and data demonstrating that water is not contaminated must be documented in the facility SWPPP. See *id.*

**9.6.2.5 Ponds and Other Impoundments.**

Per the New Mexico Office of the State Engineer requirements<sup>2</sup>, impoundments must drain or infiltrate within 96 hours. The facility must transfer a valid water right to impound and retain the stormwater longer than 96 hours or request a variance from the State Engineer.

If the facility intends to discharge stormwater that contains a "water contaminant" as defined in 20.6.2.7 NMAC, a State of New Mexico Notice of Intent to Discharge must

<sup>2</sup> 19.26.2.15.B NMAC PONDS AND OTHER IMPOUNDMENTS: A permit is required to capture or store surface water in an impoundment. An application to capture and store surface water shall be filed pursuant to 19.26.2.10 NMAC or 19.26.2.11 NMAC unless the impoundment of water is authorized as a livestock watering impoundment under 19.26.2.14 NMAC.

**B. Flood control:** No permit to appropriate water is required for an impoundment when the primary purpose of the impoundment is flood control, provided the outlet drains the impoundment (from the spillway crest) in 96 hours. The water shall not be detained in the impoundment in excess of 96 hours unless the state engineer has issued a waiver to the owner of the impoundment.

be submitted to NMED in accordance with 20.6.2.1201 NMAC **prior to discharge**. This includes infiltration of stormwater or a discharge to the ground surface that may move directly or indirectly into groundwater.

In the event impounded stormwater contains a "water contaminant" as defined in 20.6.2.7 NMAC, the stormwater must meet benchmark values in order to be discharged to a surface water of the State. See *id.*

**9.6.3 NMR05I000: Indian country within the State of New Mexico, except Ute Mountain Reservation lands that are covered under Colorado permit COR05I000 and Navajo Reservation lands that are covered under Arizona permit AZR05I000**

**9.6.3.1 Ohkay Owingeh**

Permittees in the tribe of Ohkay Owingeh must also meet the following conditions (see certification provided by the Tribe of Ohkay Owingeh, CWA410Cert\_Ohkay Owingeh\_2021 MSGP):

**9.6.3.1.1 Submission of NOI and NOT.**

The operator(s) must provide a copy of the Notice of Intent (NOI) to the Ohkay Owingeh Office of Environmental Affairs the same day electronic confirmation is received from the U.S. Environmental Protection Agency (EPA) that the submitted NOI was certified and is undergoing its 30-day review period . Additionally, a copy of the Notice of Termination (NOT) must be provided the same day electronic confirmation is received from the EPA that the NOT has been accepted. The NOI and NOT should be provided to the address below. See *id.* at 1-2.

**9.6.3.1.2 Where to Submit Information.**

Ron Lovato, Governor  
P.O. Box 1099  
Ohkay Owingeh, NM 87566  
[governor@ohkay.org](mailto:governor@ohkay.org)

Naomi L. Archuleta  
Environmental Programs Manager  
Office of Environmental Affairs, NRD Division  
P.O. Box 717  
Ohkay Owingeh, NM 87566  
[naomi.archuleta@ohkay.org](mailto:naomi.archuleta@ohkay.org)

**9.6.3.1.3 SWPPP Availability.**

The operator(s) must provide an electronic copy of the Storm Water Pollution Prevention Plan(s) to the Office of Environmental Affairs by email to [naomi.archuleta@ohkay.org](mailto:naomi.archuleta@ohkay.org) at least 30 days prior to submitting the NOI to EPA and Ohkay Owingeh. See *id.*

**9.6.3.2 Pueblo of Isleta**

Permittees in the Pueblo of Isleta must also meet the following conditions (see certification provided by the Pueblo of Isleta, CWA410Cert\_Pueblo of Isleta\_2021 MSGP):

**9.6.3.2.1 Water Quality Standards.**

Impacts to waters of the Pueblo of Isleta are prohibited. All lakes, rivers, streams, ditches, springs and wetlands shall be fully protected. See *id.* at 1-2.

**9.6.3.2.2 Submission of NOI.**

All discharges made pursuant to the MSGP shall be conducted in conformance with the requirements of Permit No. NMR05000, and in such a manner as will prevent violations of the Pueblo's Surface Water Quality Standards. See *id.*

**9.6.3.2.3 Submission of NOI.**

The operator(s) must provide a copy of the Notice of Intent ("NOI") to the Governor and Water Quality Control Officer the same day electronic confirmation is received by the EPA that the submitted NOI was certified and is undergoing its 30-day review period. See *id.* Additionally, a copy of the Notice of Termination ("NOT") must be provided the same day electronic confirmation is received from the EPA that the NOT has been accepted. A paper copy of the NOI and NOT should be provided to the Governor; electronic copy or URL is acceptable for submittal to the Pueblo of Isleta Water Quality Control Officer:

Governor Pueblo of Isleta  
PO Box 1270  
Isleta NM 87022

Water Quality Control Officer Pueblo of Isleta  
Environment Department PO Box 1270  
Isleta NM 87022  
Ramona.Montoya @isletapueblo.com

**9.6.3.2.4 SWPPP Availability.**

The operator(s) must provide an electronic copy of its Storm Water Pollution Prevention Plan(s) ("SWPPP") to the Pueblo of Isleta Environment Department by email to Ramona.Montoya@isletapueblo.com at least 30 days prior to submitting the NOI to EPA and the Pueblo. The Pueblo may use the EPA 30-day waiting period to determine whether any additional measures are necessary to meet applicable Tribal surface water quality standards or to comply with Tribal antidegradation requirements. See *id.*

**9.6.3.3 Pueblo of Laguna**

The following condition applies only to discharges on the Santa Ana Indian Pueblo (see certification provided by the Pueblo of Isleta, CWA410Cert\_Pueblo of Laguna\_2021 MSGP):

**9.6.3.3.1 Submission of NOI.**

The operator(s) must provide a copy of the Notice of Intent (NOI) to the Pueblo of Laguna's Environmental & Natural Resources Department the same day electronic confirmation is received from the U.S. Environmental Protection Agency (EPA) that the submitted NOI was certified and is undergoing its 30-day review period. Additionally, a copy of the Notice of Termination (NOT) must be provided the same day electronic confirmation is received from the EPA that the NOT has been accepted. See *id.* 1-2.

The NOI and NOT should be provided to the following address:

Pueblo of Laguna, Office of the Governor  
Attn: Environmental & Natural Resources Department  
P.O. Box 194 Laguna, NM 87026  
Email: setter@pol-nsn.gov, cc: gjojola@pol-nsn.gov, ewoodward@pol-nsn.gov

**9.6.3.3.2 SWPPP Availability.**

The operator(s) must provide an electronic copy of the Storm Water Pollution Prevention Plan(s) to Pueblo of Laguna Environmental Program at the same time the NOI is submitted to the listed email addresses above. See *id.*

**9.6.3.3.3 Additional Correspondence.**

The Pueblo of Laguna Environmental Program shall be included on any correspondences between the applicant and the EPA related to analytical data, written reports, corrective action, enforcement, monitoring, or incident reports. See *id.*

**9.6.3.3.4 Additional Consultation.**

Immediate initiation of consultation with the Pueblo of Laguna is required should any human remains or artifacts be unearthed that fall under the Native American Graves Protection and Repatriation Act guidelines during the span of the project. If human remains are unearthed, contact the Pueblo of Laguna Police Department at 505-552-6666. If artifacts are unearthed, contact the Pueblo of Laguna Tribal Historic Preservation Office at 505-552-5033. See *id.*

**9.6.3.4 Pueblo of Santa Ana**

The following condition applies only to discharges on the Santa Ana Indian Pueblo (see certification provided by the Pueblo of Isleta, CWA410Cert\_Pueblo of Santa Ana\_2021 MSGP):

**9.6.3.4.1 Submission of NOI.**

The permittee shall provide a copy of the Notice of Intent (NOI) to the Pueblo of Santa Ana (the Pueblo), at the same time it is submitted to the U.S. Environmental Protection Agency (EPA), for projects with discharges onto the lands of the Pueblo as defined in the Pueblo's antidegradation policy within the Pueblo of Santa Ana Water Quality Standards. See *id.* at 2-3.

**9.6.3.4.2 SWPPP Availability.**

The permittee shall provide a final copy of the Stormwater Pollution Prevention Plan (SWPPP) to the Pueblo that is associated with any project identified in the NOI, at the same time that an NOI is submitted to the EPA. The SWPPP should include any projects with discharges onto the lands of the Pueblo as defined in the antidegradation policy within the Pueblo of Santa Ana Water Quality Standards. See *id.*

**9.6.3.4.3 Additional Reporting.**

The permittee shall provide copies of inspections reports and of corrective action reports to the Pueblo at the address below for review, upon request. See *id.*

**9.6.3.4.4 Submission of NOT.**

Upon completion of the project identified in the NOI, the permittee will submit a Notice of Termination (NOT) to the Pueblo. See *id.*

**9.6.3.4.5 Where to Submit Information.**

All required or requested permittee specific information identified above shall be submitted to the following address:

Pueblo of Santa Ana Department of Natural  
Resources, Attention: Water Resources Division  
2 Dove Road  
Santa Ana Pueblo, NM, 87004

**9.6.3.4.6 Additional Reporting to the Pueblo.**

Discharges are not authorized by the permittee unless an accurate and complete NOI and SWPPP have been submitted to the Pueblo. Failure to

provide an accurate and complete NOI and SWPPP may result in a denial of the discharge permit, or a delay in groundbreaking or construction. See *id.*

**9.6.3.4.7 Start Work Authorization.**

The permittee will not proceed with site work until authorized by the Pueblo. The Pueblo requires review of the complete and final SWPP before authorization to proceed. The Pueblo will provide an "Authorization to Process" notice after review and approval of the SWPPP. See *id.*

**9.6.3.4.8 Additional Monitoring.**

The permittee could be required to perform water quality monitoring, sampling or analysis during the active permit dates for constituents determined by the Pueblo. See *id.*

**9.6.3.4.9 Site Stabilization.**

Before submitting a NOT, permittees must certify to the Pueblo's Department of Natural Resources in writing that requirements for site stabilization have been met, and any temporary erosion control structures have been removed. Documentation of the Pueblo's review that such requirements have been reviewed and met will be provided for the permittee to add to the permittee's NOT submission to EPA. Copies of all NOT submitted to the EPA must also be sent to the Pueblo at the address provided above. See *id.*

**9.6.3.4.10 Additional Correspondence.**

Copies of all Notifications (Notice of Intent, Notice of Termination, or other communications), associated analytical data, and written reports for actions covered under this permit occurring on Pueblo of Santa Ana lands or within five river miles of the northern exterior boundary of Pueblo of Santa Ana lands shall be provided to the Pueblo of Santa Ana Department of Natural Resources at same time they are provided to the U.S. Environmental Protection Agency.

Any correspondence between the applicant and EPA related to corrective action, enforcement, monitoring, or adverse incident written reports should likewise be routed to the Pueblo of Santa Ana Department of Natural Resources. The Pueblo of Santa Ana reserves the right to request additional information or study and may delay or deny a permit for cause. All requested materials shall be sent to: Pueblo of Santa Ana Department of Natural Resources, 2 Dove Road, Santa Ana Pueblo, NM, 87004. See *id.*

**9.6.3.5 Pueblo of Santa Clara.**

The following condition applies only to discharges on the Santa Clara Indian Pueblo (see certification provided by the Pueblo of Isleta, CWA410Cert\_Pueblo of Santa Clara\_2021 MSGP):

**9.6.3.5.1 Submission of NOI, NOT and SWPPP.**

The operator(s) provide an electronic copy of Notice of Intent (NOI) to the Santa Clara Pueblo Office of Environmental Affairs within 7 business days after electronic confirmation is received from the U.S. Environmental Protection Agency (EPA) that the submitted NOI was certified and is undergoing its 30-day review period. An electronic copy of the Notice of Termination (NOT) shall be provided to the Santa Clara Pueblo Office of Environmental Affairs within 5 calendar days after electronic confirmation is received from the EPA that the NOT has been accepted. A copy of the Storm Water Pollution Prevention Plan

shall be made available to the Pueblo of Santa Clara staff upon request. See *id.* 1-4.

**9.6.3.5.2 Where to Submit Information.**

Electronic copies of all required or requested documents shall be emailed to the Santa Clara Pueblo Office of Environmental Affairs at [dinoc@santaclarapueblo.org](mailto:dinoc@santaclarapueblo.org). If an electronic copy can't be provided, a hard copy may be mailed to:

Santa Clara Pueblo Governor's Office  
P.O. Box 580  
Espanola, NM 87532

**9.6.4 OKR05I000: Indian country within the State of Oklahoma**

**9.6.4.1 Pawnee Nation**

The following condition applies only to discharges in Pawnee Nation (see certification provided by the Pueblo of Isleta, CWA410Cert\_Pawnee Nation of Oklahoma\_2021 MSGP):

**9.6.4.1.1 Submission of NOI and NOT.**

The operator(s) must provide a copy of the Notice of Intent (NOI) to the Pawnee Nation the same day electronic confirmation is received from the U.S. Environmental Protection Agency (EPA) that the submitted NOI was certified and is undergoing its 30-day review period. Additionally, a copy of the Notice of Termination (NOT) must be provided the same day electronic confirmation is received from the EPA that the NOT has been accepted. Electronic copies of the NOI and NOT shall be submitted to the Pawnee Nation Department of Environmental Conservation and Safety by email to: [dhrs@pawneenation.org](mailto:dhrs@pawneenation.org). See *id.*

**9.6.4.1.2 SWPPP Availability.**

The operator(s) must provide an electronic copy of the Storm Water Pollution Prevention Plan(s) to the Pawnee Nation by email to Pawnee Nation Department of Environmental Conservation and Safety, [dhrs@pawneenation.org](mailto:dhrs@pawneenation.org) at least 30 days prior to submitting the NOI to EPA and the Pawnee Nation. See *id.*

**9.6.4.1.3 Additional Reporting.**

The Pawnee Nation must be notified at 918.762.3655 immediately upon discovery of any non-compliance with any provision of the permit conditions. See *id.*

**9.6.5 OKR05F000: Facilities in the State of Oklahoma not under the jurisdiction of the Oklahoma Department of Environmental Quality or the Oklahoma Department of Agriculture, Food and Forestry, except those on Indian Country. EPA jurisdiction facilities include SIC Codes 1311, 1381, 1382, 1389, and 5171**

No additional requirements.

**9.6.6 TXR05F000: Facilities in the State of Texas not under the jurisdiction of the Texas Commission on Environmental Quality, except those on Indian Country. EPA- jurisdiction facilities include SIC Codes 1311, 1321, 1381, 1382, and 1389 (other than oil field service company "home base" facilities)**

No additional requirements.

**9.6.7 TXR05I000: Indian country within the State of Texas**

No additional requirements.

**9.7 EPA Region 7: Iowa, Kansas, Missouri, Nebraska (except see Region 8 for Pine Ridge Reservation Lands)**



**9.7.1 IAR05I000: Indian country within the State of Iowa**

**9.7.1.1 Meskwaki Nation**

The following condition applies only to discharges on the Meskwaki Nation (see certification provided by the Pueblo of Isleta, CWA410Cert\_Meskwaki Nation\_2021 MSGP):

**9.7.1.1.1 Document Submission.**

All original and revised documents required by this permit, including SWPPP, NOI, Change NOI, and NOT, must be submitted electronically to MNRD 30 calendar days prior to the submission deadline to EPA. Incidental reporting, such as AIM documentation and plans, must be submitted to the MNRD at the same time that they are submitted to EPA. See *id.* at 1-3.

**9.7.1.1.2 Monitoring Data Submission.**

All discharge monitoring data required by this permit should be submitted electronically to the Meskwaki Natural Resources Department (MNRD) at the time of submission to EPA in the same form as it is submitted to EPA. See *id.*

**9.7.1.1.3 Where to Submit Information.**

Contact the MNRD office by phone at 641-484-3511 to gather submission details. See *id.*

**9.7.2 KSR05I000: Indian country within the State of Kansas**

No additional requirements.

**9.7.3 NER05I000: Indian country within the State of Nebraska, except Pine Ridge Reservation lands (see Region 8)**

No additional requirements.

**9.8 EPA Region 8: Colorado, Montana, North Dakota, South Dakota, Wyoming, Utah (except see Region 9 for Goshute Reservation and Navajo Reservation Lands), the Ute Mountain Reservation in NM, and the Pine Ridge Reservation in NE**

**9.8.1 COR05F000: Areas in the State of Colorado, except those located on Indian country, subject to industrial activity by a Federal Operator**

No additional requirements.

**9.8.2 COR05I000: Indian country within the State of Colorado, as well as the portion of the Ute Mountain Reservation located in New Mexico**

**9.8.2.1 Southern Ute Indian Tribe**

The following condition applies only to discharges within the Southern Ute Indian Reservation (see certification provided by the Southern Ute Indian Tribe, CWA410Cert\_Southern Ute Indian Tribe\_2021 MSGP):

**9.8.2.1.1 Submission of SWPPP.**

The applicant must submit its Stormwater Pollution Prevention Plan (SWPPP) to the Tribe's Environmental Programs Division at the same time or

immediately after the applicant submits its Notice of Intent (NOI) to EPA. At the applicant's option, the submittal may be made electronically.

This condition must be met to give the Tribe an opportunity, in consultation with EPA, to ensure that the permittee has developed an adequate SWPPP for the facility. This

is a minimum requirement for the proposed permit and a less stringent condition does not exist for the Tribe's certification. See *id.* at 1, 4-7.

**9.8.2.1.2 Submission of NOI and NOT.**

The applicant must send a copy of its Notice of Intent (NOI) and Notice of Termination (NOT) to the Tribe's Environmental Programs Division at the same time or immediately after the applicant sends those documents to EPA. At the applicant's option, the submittal may be made electronically. See *id.*

**9.8.2.1.3 Authorization to Inspect.**

The permittee shall allow employees of the Tribe's Environmental Programs Division access to inspect any facility, equipment, practices, or operations regulated or required under this permit and to access records maintained under the conditions of this permit. See *id.*

**9.8.2.1.4 Where to Submit Information**

Information submitted to the Tribe's Environmental Programs Division must be sent to the following address:

Environmental Programs Division  
P.O. Box 737 MS#81 Ignacio, CO 81137  
jseebach@southernute-nsn.gov

**9.8.3 MTR05I000: Indian country within the State of Montana**

No additional requirements.

**9.8.4 NDR05I000: Indian country within the State of North Dakota, as well as that portion of the Standing Rock Reservation located in South Dakota (except for the portion of the lands within the former boundaries of the Lake Traverse Reservation which is covered under South Dakota permit SDR05I000 listed below)**

No additional requirements.

**9.8.5 SDR05I000: Indian country within the State of South Dakota, as well as the portion of the Pine Ridge Reservation located in Nebraska and the portion of the lands within the former boundaries of the Lake Traverse Reservation located in North Dakota(except for the Standing Rock Reservation which is covered under North Dakota permit NDR05I000 listed above)**

No additional requirements.

**9.8.6 UTR05I000: Indian country within the State of Utah, except Goshute and Navajo Reservation lands (see Region 9)**

No additional requirements.

**9.8.7 WYR05I000: Indian country within the State of Wyoming**

No additional requirements.

**9.9 EPA Region 9: California, Hawaii, Nevada, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Confederated Tribes of the Goshute Reservation in Utah and Nevada, Indian Country within the State of Arizona including the Navajo Reservation in Utah and New Mexico and Arizona, the Duck Valley Reservation in Idaho, and the Fort McDermitt Reservation in Oregon.**

**9.9.1 ASR050000: American Samoa**

No additional requirements.

**9.9.2 AZR05I000: Indian country within the State of Arizona, including Navajo Reservation lands in New Mexico and Utah**

No additional requirements.

**9.9.3 CAR05I000: Indian country within the State of California**

**9.9.3.1 Hoopa Valley Tribe**

Facilities in the Hoopa Valley Tribe lands are not eligible for stormwater discharge coverage under this permit. Contact the EPA Region 9 office for an individual permit application.

**9.9.3.2 Morongo Band of Mission Indians**

The following condition applies only to discharges in the Indian country of the Morongo Band of Mission Indians (see certification provided by the Morongo Band of Mission Indian, CWA410Cert\_Morongo Band of Mission Indians\_2021 MSGP):

**9.9.3.2.1 Compliance with Local Law.**

This certification does not exempt, and is provisional upon compliance with, other applicable statutes and codes administered by Federal and Tribal agencies. Pursuant to the Morongo Band of Mission Indians Surface Water Quality Protection Ordinance (Ordinance 39), all unpermitted discharges must be reported to the Morongo Band of Mission Indians Environmental Protection Department within 24 hours of the incident. See *id.* at 1.

**9.9.3.2.2 Submission of NOI and SWPPP.**

Each operator shall submit copies of the Notices of Intent (NOI) and Stormwater Water Pollution Plans (SWPPPs) to the Morongo Environmental Protection Department at the same time they are submitted to EPA. See *id.*

**9.9.3.2.3 Additional Reporting.**

All monitoring data and exceedance reports shall be provided to the Morongo Environmental Protection Department. See *id.*

**9.9.3.2.4 Where to Send Information.**

All required or requested documents should be submitted to:

Morongo Band of Mission Indians  
Environmental Protection Department 12700 Pumarra Road  
Banning, CA 92220  
Or electronically at [epd@morongo-nsn.gov](mailto:epd@morongo-nsn.gov)

**9.9.3.3 Twenty-Nine Palms Band of Mission Indians**

The following condition applies only to discharges in the Indian country of the Twenty-Nine Palms Band of Mission Indians (see certification provided by the Twenty-Nine Palms Band of Mission Indians, CWA410Cert\_Twenty-Nine Palms Band of Mission Indians\_2021 MSGP):

**9.9.3.3.1 Submission of NOI**

Tribal EPA must receive written notification of the intent to discharge, and must be afforded the opportunity to evaluate whether the specific pollutant discharge proposed will violate TWQS prior to EPA granting the permit. See *id.* at 1-2

**9.9.3.3.2 Reporting**

Permitted entities under the MSGP must keep Tribal EPA informed of authorized discharges under the MSGP by submitting written information about the type, quantity, frequency and location, intended purpose, and potential human health

and/or environmental effects of their activities. These requirements are pursuant to Article 4 of the Twenty-Nine Palms Band of Mission Indians Water Pollution Control Ordinance {022405A}. This information may be submitted to Tribal EPA in the form of Storm Water Pollution Prevention Plans (SWPPPs), monitoring reports, or other reports as required under the MSGP. Spills, leaks, or unpermitted discharges must be reported in writing to Tribal EPA within 24 hours of the incident. See *id.*

**9.9.4 GUR050000: Island of Guam**

The following condition applies only to discharges in Guam (see certification provided by the Island of Guam, CWA410Cert\_Guam\_2021 MSGP):

**9.9.4.1 General Conditions**

- a. A1. For purposes of this Order, the term "Applicant" shall mean U.S. Environmental Protection Agency, and its agents, assignees, and contractors.
- b. A2. For purposes of this Order, the permit "Permittee" shall mean any facility granted coverage under EPA's 2020 Multi-Sector General Permit.
- c. A3. The Applicant shall enforce the proposed 2020 MSGP and ensure that the Permittee complies with the conditions of the permit at all times.
- d. A4. Nothing in this Order waives Guam EPA's authority to issue additional orders if Guam EPA determines that further actions are necessary to implement Guam water quality laws, or if additional conditions are necessary to further protect water quality.
- e. A5. In the event of changes or amendments to GWQS, or changes in or amendments to the Guam Water Pollution Control Act or the federal Clean Water Act, Guam EPA may issue an amendment to this Order to incorporate any such changes or amendments applicable to the proposed 2020 MSGP.
- f. A6. Failure of any person or entity to comply with this Order may result in the issuance of civil penalties or other actions, whether administrative or judicial, to enforce the terms of this Order.
- g. A7. All submittals required by this Order shall be sent to the Guam Environmental Protection Agency Attn: 401 Federal Permit Manager, Non-Point Source Program, EMAS Division, 3304 Mariner Avenue, Bldg. 17-3304, Barrigada, Guam 96913, AND via email to [jesse.cruz@epa.guam.gov](mailto:jesse.cruz@epa.guam.gov). *The submittals shall be identified with WQC Order #2020-10 and include the MSGP Permit Number, certifying representative's name, title, mailing address and phone number.*
- h. A8. This condition is specific to Sector J. Mineral Mining and Dressing covered by the proposed 2020 MSGP: Prior to any earth moving activities, a Clearing and Grading or Building Permit, shall be approved by Guam EPA. Sediment control designs and erosion control Best Management Practices (BMPs) must meet the design standard criteria required in the CNMI and Guam Stormwater Management Manual (October 2006) and in the Guam Soil Erosion and Sediment Control Regulations.
- i. A9. This condition is specific to section 2.1 Control Measures of the proposed 2020 MSGP: The selection and installation of stormwater control measures shall meet the design criteria and standards in the CNMI and Guam Stormwater Management Manual (October 2006) and the Guam Soil Erosion and Sediment Control Regulations.
- j. A10. A signed copy of the Notice of Intent (NOi), Stormwater Pollution Prevention Plan (SWPPP), and Notice of Termination (NOT) shall be submitted to Guam EPA, consistent with condition A7, at the same time it is submitted to U.S. EPA for review and approval. Coordination with Guam EPA is encouraged

when the receiving water(s) for the proposed stormwater discharge is/are being identified.

- k. A11. The coordinates and location of any proposed discharge outfall(s) shall be submitted to Guam EPA for review and approval, consistent with condition A7. Specific discharge information shall also be submitted.
- l. A12. The NOT application shall be submitted to Guam EPA for review and approval prior to submittal to U.S. EPA, consistent with condition A7. Guam EPA may conduct inspections to ensure that conditions of termination have been met and sources of pollutants have been removed or adequately mitigated. Guam EPA may advise U.S. EPA as to findings and recommendations concerning the Permittee's proposed termination of permit coverage.
- m. A13. A copy of all final and local permits shall be provided to Guam EPA within two weeks of receipt, consistent with condition A7.
- n. A14. Reports, monitoring and analytical data (e.g. Discharge Monitoring Reports (DMRs), follow-up monitoring reports, Exceedance Reports for Numerical Effluent Limits, etc.) submitted to EPA shall be concurrently submitted to Guam EPA, consistent with condition A7.
- o. A15. A copy of the MSGP, SWPPP, and NOI shall be on file at the Permittee and readily accessible.
- p. A16. Guam EPA shall be allowed access to any MSGP industrial facility and mitigation sites at any reasonable time to perform compliance inspections, monitoring, necessary data collection, and/or to ensure that discharge is not in violation of permit conditions, the Guam Water Pollution Control Act, GWQS, or any applicable Guam laws and/or regulations.
- q. A17. This Order does not authorize direct, indirect, permanent, or temporary impacts to waters under Guam EPA's jurisdiction (including wetlands) or related aquatic resources, except as specifically provided for in conditions of this Order.
- r. A18. A signed Statement of Understanding of Water Quality Certification Conditions shall be submitted to Guam EPA (see Attachment A for an example) per condition A7. See *id.* at 1-3.

#### **9.9.4.2 Water Quality Conditions**

- a. Stormwater discharges to waterbodies under the jurisdiction of Guam EPA must be consistent with the antidegradation policy in 22GAR §510I(b).
- b. B2. All discharges shall comply with the Guam Water Pollution Control Act (10 GCA Chapter 47) and implementing regulations at 22 GAR Chapter 5 (GWQS) and 22 GAR Chapter 10 (Guam Soil Erosion and Sediment Control (SESC) Regulations). Furthermore, nothing in this Order shall absolve the Permittee from liability for contamination and any subsequent cleanup of marine waters, surface waters, ground waters, or sediments occurring as a result of proposed 2020 MSGP stormwater discharges.
- c. B3. 2020 MSGP industrial stormwater discharges are prohibited as follows:
  - i. In Marine Waters, Category M-1 Excellent (22 GAR Chapter 5 §5102(b)(1)); and
  - ii. In Surface Waters, Category S-1 High (22 GAR Chapter 5 §5102(c)(I)).
- d. B4. All point source discharges to Guam's waters will be controlled (permitted) through the Federal NPDES, or through the Guam Environmental Protection Agency's local permit program, consistent with the requirements of these programs. 22 GAR Chapter 5 §5104(a)(I2)

- e. B5. Dewatering is not permitted under this certification. Dewatering activities shall require a separate Dewatering Permit from the Agency prior to any dewatering activity.
- f. B6. Mitigation and/or additional monitoring may be required if site inspections indicate water quality standards have not been met. See *id.*

**EMERGENCY/CONTINGENCY MEASURES:**

- g. B7. The Permittee shall develop and implement a Spill Prevention and Containment Plan.
- h. B8. The Permittee shall have adequate and appropriate spill response materials on hand to respond to emergency release of oil, petroleum or any other material into waters of the territory.
- i. B9. Any unpermitted discharge into territorial waters or onto land with a potential for entry into territorial waters, is prohibited. If this occurs, the Permittee shall immediately take the following actions:
  - i. Cease operations at the location of the violation or spill.
  - ii. Assess the cause of the water quality problem and take appropriate measures to correct the problem and/or prevent further environmental damage.
  - iii. Notify Guam EPA of the failure to comply. All petroleum spills shall be reported immediately to:
    - 1) Guam's Emergency 911 system
    - 2) Guam EPA's 24-Hour Spill Response Team at (67 I) 888-6488 or during working hours (67 J) 300-4751
    - 3) U.S. Coast Guard Sector Guam (671) 355-4824
    - 4) National Response Center 1-800-424-8802
  - iv. Submit a detailed written report to Guam EPA within five days of noncompliance that describes the nature of the event, corrective action taken and/or planned, steps to be taken to prevent a recurrence, results of any samples taken, and any other pertinent information. See *id.*
- j. B10. Compliance with this condition does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this Order or the resulting liability from failure to comply. See *id.*
- k. B11. Submittal or reporting of any of this information does not provide relief from any subsequent enforcement actions for unpermitted discharges to waters of the United States. See *id.*

**9.9.4.3 Timing Requirements**

- a. C1. This Order is valid for five (5) Years from Date of Certification, unless otherwise approved by the Guam EPA Administrator. See *id.*
- b. C2. The Permittee shall be required to adhere to the current Guam Coral Spawning Moratorium dates for both hard and soft corals where in-water activities may impair water quality. These dates can be obtained from the Guam Department of Agriculture, Division of Aquatic and Wildlife Resources, or the NOAA NMFS Pacific Islands Regional Office Habitat Conservation Division. See *id.*

**9.9.4.4 Reporting and Notification Requirement Conditions**

- a. D1. The Permittee shall provide notice to Guam EPA consistent with Condition A7: Immediately upon discovery of noncompliance with the provisions of this Order.
- b. D2. A Notice of Violation/Work Stop Order will be issued if certification conditions are not adhered to or when significant or sustained water quality degradation occurs. Work or discharge shall be suspended or halted until the Permittee addresses environmental problems/concerns to Guam EPA's satisfaction. Guam EPA may also levy penalties and fines (IO GCA §47111). Invalidity or enforceability of one or more provisions of this certification shall not affect any other provision of this certification. See *id.*

**9.9.4.5 Right to Appeal**

You have a right to appeal this Order to the Guam EPA Board of Directors, or request a hearing within 30 days of the date of receipt of this Order. Failure to appeal this Order constitutes a waiver of your right to a hearing. Any appeal will proceed pursuant to the provisions of 5 GCA Chapter 9, as provided by 22 GAR §5 I06(i)(7). Unless a written request for a hearing, signed by or on behalf of the person named as Applicant in the accompanying order, is delivered or mailed to the agency within 30 days after this order is signed, Guam EPA may proceed upon the Notice of Intent to Appeal without a hearing. The request for hearing may be made by delivering or mailing the enclosed form entitled Notice of Intent to Appeal (Appendix B) as provided in §9205 to the address below.

To appeal you must do both of the following within 30 days of the date of receipt of this Order:

- a. File your appeal and a copy of this Order with the Guam EPA Board of Directors (see address below). Filing means actual receipt by the Guam EPA Board of Directors during regular business hours.
- b. Serve a copy of your appeal and this Order to the Administrator in paper form - by mail or in person at the address below. Email or facsimile is not accepted. See *id.*

**9.9.4.6 Address Information**

GUAM EPA Board of Directors  
3304 Mariner Avenue, Bldg. 17 - 33 04, Barrigada, Guam 96913

**9.9.5 JAR050000: Johnston Atoll**

No additional requirements.

**9.9.6 MWR050000: Midway Island and Wake Island**

No additional requirements.

**9.9.7 MPR050000: Commonwealth of the Northern Mariana Islands**

No additional requirements.

**9.9.8 NVR05I000: Indian country within the State of Nevada, including the Duck Valley Reservation in Idaho, the Fort McDermitt Reservation in Oregon and the Confederated Tribes of the Goshute Reservation in Utah**

No additional requirements.

**9.10 Region 10: Alaska, Idaho (except see Region 9 for Duck Valley Reservation lands), Oregon (except see Region 9 for Fort McDermitt Reservation), Washington**

**9.10.1 AKR05F000: Areas in the Denali National Park and Preserve subject to industrial activity by a Federal Operator**

No additional requirements.

**9.10.2 AKR05I000: Indian country lands as defined in 18 U.S.C 1151 within the State of Alaska**

No additional requirements.

**9.10.3 IDR050000: The State of Idaho, except Indian country lands**

Operators in the State of Idaho must meet the following conditions (see certification provided by the State of Idaho, CWA410Cert\_ID\_2021 MSGP).

**9.10.3.1 Numeric Benchmarks and Effluent Limitations**

Due to the discrete and relatively short duration of storm events that would result in discharges under this MSGP, DEQ believes it is appropriate to set numeric benchmarks and effluent limits based on acute aquatic life criteria rather than chronic aquatic life criteria or human health criteria, which are based on longer-term exposures. See *id.* at 1-7.

**pH** - The 2020 MSGP proposes a universal pH benchmark range of 6.0-9.0 standard units, which does not comply with Idaho WQS (IDAPA 58.01.02.250.01.a). Therefore, numeric effluent limitations and benchmark monitoring cutoff concentrations for pH shall be 6.5-9.0 standard units.

**Total Arsenic** - The 2020 MSGP proposes a total arsenic effluent limitation (Subsector G & Sector K) of 1.1 mg/L, which exceeds Idaho's acute and chronic criteria of 0.34 mg/L and 0.15 mg/L, respectively. Given that storms are discrete events of relatively short duration, DEQ believes it is more appropriate to use the acute water quality criteria as benchmark values; therefore, DEQ will require the total arsenic effluent limit to be set equal to Idaho's acute criterion of 0.34 mg/L.

**Total Zinc** - The 2020 MSGP proposes a monthly average maximum numeric effluent limit for zinc of 0.535 mg/L for Sector K, which will only comply with water quality standards when hardness is greater than 535 mg/L. Similarly, the proposed maximum daily limit and the monthly average maximum limit for zinc is 0.2 mg/L and 0.11 mg/L, respectively for Sector L; these limits do not generally comply with WQS when hardness values for the receiving water are less than 130 mg/L and 85 mg/L, respectively. Therefore, DEQ will require that the total zinc effluent limit be hardness based for all sectors requiring zinc effluent limits, including Sectors K and L.

**Cadmium** – The 2020 MSGP proposes hardness-based numeric benchmarks for cadmium based on EPA's 2016 Aquatic Life Ambient Water Quality Criteria for Cadmium. Idaho adopted state- specific cadmium criteria different from EPA's recommended national criteria; therefore, DEQ will require that cadmium benchmarks for all sectors subject to cadmium benchmarks be based on Idaho's hardness-based acute cadmium criterion, using the following table:

Freshwater Hardness Range (mg/L)	Cadmium Benchmark (µg/L)
0-24.99	0.20
25-49.99	0.42



50-74.99	0.75
75-99.99	1.05
100-124.99	1.34
125-149.99	1.62
150-174.99	1.88
175-199.99	2.14
200-224.99	2.39
225-249.99	2.64
>250	2.89

**Chromium III** – The 2020 MSGP proposes a benchmark Chromium III concentration of 570 µg/L. However, this concentration will only comply with Idaho WQS when hardness is 100 mg/L or greater. Therefore, DEQ will require that Chromium III benchmarks be based on the hardness-based acute Chromium III criterion, using the following table:

Freshwater Hardness Range (mg/L)	Chromium III Benchmark (µg/L)
0-49.99	183
50-74.99	323
75-99.99	450
100-124.99	570
125-149.99	684
150-174.99	794
175-199.99	901
200-224.99	1005
225-249.99	1107
>250	1207

**Total Recoverable Copper** – The 2020 MSGP proposes hardness-based numeric benchmarks for copper. However, Idaho water quality standards require that copper criteria be derived using the Biotic Ligand Model (BLM). In order to ensure compliance with the copper BLM criteria, the permittee for each facility subject to copper benchmarks in the 2020 MSGP must implement one of the following options:

- a. Utilize a numeric benchmark for copper that corresponds to the most conservative estimate of acute copper criteria for Idaho waters: 1.0 µg/L; or
- b. Collect BLM input parameters as described in IDAPA 58.01.02.210.03.c concurrent with quarterly benchmark monitoring, use the BLM to derive an acute copper criterion based on these data, and apply that BLM-derived criterion as the numeric copper benchmark; or
- c. Make a written application for, and obtain DEQ approval of, a numeric copper benchmark that is protective of aquatic life in the receiving waters before discharging under the 2020 MSGP. See *id.*

#### **9.10.3.2 Monitoring of Discharges to Impaired Waters**

The proposed 2020 MSGP does not require monitoring on impaired waters where no pollutant has been identified as the cause of impairment. For water bodies included on the state's 303(d) list (Category 5 of the Integrated Report) as "cause unknown," or "combined biota/habitat assessments" the permittee must monitor for suspected pollutants listed in the cause comments section of the integrated report (e.g., nutrients, metals, pesticides). See *id.*

#### **9.10.3.3 New or Expanding Discharges**

New dischargers or existing dischargers wishing to expand their discharge to high-quality waters are only eligible for coverage under the MSGP if the discharger establishes, to the satisfaction of EPA and DEQ, that the new or expanded discharge will not result in an increase in the concentration of pollutants relevant to the use for which the water is considered high quality, or that the increase constitutes insignificant degradation as defined in the WQS (IDAPA 58.01.02.052.08.a).

A new discharger or an existing discharger wishing to expand must include an analysis regarding whether the new or expanded discharge will cause an increase in the pollutants relevant to the use for which the water is considered high quality. If there is an increase, the permittee must identify whether that increase constitutes insignificant degradation in the NOI, or in the planned changes report. These NOIs and planned changes reports must be submitted to both EPA and DEQ.

If DEQ determines the new discharge or planned changes of an existing discharger will result in significant degradation, the permittee must provide to DEQ an alternatives analysis (IDAPA 58.01.02.052.08.c), a socioeconomic justification (IDAPA 58.01.02.052.08.d) and information regarding other source controls (IDAPA 58.01.02.052.08.b), and obtain DEQ's approval in accordance with Idaho's antidegradation implementation process (IDAPA 58.01.02.052.08.e). See *id.*

#### **9.10.3.4 Outstanding Resource Waters.**

Any permittee proposing to discharge to an outstanding resource water shall not be covered under this General Permit (Permit Part I.E.8) and is required to apply for an individual [IPDES permit](#) from DEQ (IDAPA 58.01.02.052.09). See *id.*

#### **9.10.3.5 Sector L – Stormwater and Leachate**

Stormwater entering a landfill, including runoff from areas that have received

daily cover which may have contacted waste material, must be managed as leachate and is thus not eligible for coverage under the MSGP (40 CFR 258.26(a)(2); Municipal Solid Waste Landfill Criteria Technical Manual, EPA 530-R-93-017, 1998). Stormwater from a closed landfill or from areas of the landfill that have received final cover is not leachate and may be covered under the MSGP. See *id.*

**9.10.3.6 Stormwater Pollution Prevention Plan (SWPPP) Availability.**

If requested by DEQ, the permittee must submit a copy of the SWPPP to DEQ within 14 days of the request. See *id.*

**9.10.3.7 Reporting of Discharges Containing Hazardous Materials or Petroleum Products.**

Any spill of hazardous materials must be immediately reported to the State Communications Center by calling 1-800-632-8000 or 208-846-7610.

Spills must also be reported to the appropriate DEQ Regional Office (Table 1). Spills of petroleum products that exceed 25 gallons or that cause a visible sheen on surface waters should be reported to DEQ within 24-hours. Petroleum product spills of less than 25 gallons or spills that do not cause sheen on surface waters must only be reported to DEQ if clean-up cannot be accomplished within 24-hours (IDAPA 58.01.02.850, 58.01.02.851, 58.01.02.852). See *id.*

**9.10.3.8 Other Reporting Requirements**

Copies of the following information must be sent to the appropriate DEQ Regional Office:

- a. Notices of Intent and Termination (NOIs and NOTs), as required by Permit Part 7.2.1
- b. Monitoring data collected pursuant to Permit Part 4 of the MSGP, as well as any additional monitoring required by this § 401 water quality certification
- c. Exceedance Reports, as required by Permit Part 7.5
- d. Planned Changes Reports, as required by Permit Parts 7.6.4 and 7.6.5

Both monitoring data and exceedance reports must be sent to the appropriate DEQ Regional Office within 30 days of receipt of the analytical results. DEQ Regional Office contact information is listed in Table 1. See *id.*

**9.10.3.9 Material Modifications**

Pursuant to 33 U.S.C. § 1341, this certification is conditioned upon the requirement that any material modification of the permit or the permitted activities—including without limitation, significant changes to the MSGP, any modifications of the permit to reflect new or modified TMDLs, wasteload allocations, site-specific criteria, variances, or other new information—shall first be provided to DEQ for review to determine compliance with Idaho WQS and to provide additional certification pursuant to Section 401. See *id.*

**9.10.3.10 Alternative Limitations**

The following condition in the MSGP can be made less stringent and still comply with WQS:

**Benchmark Values**

The benchmark value for arsenic is 150 µg/L. This value is equivalent to Idaho's chronic water quality criterion. Given that storms are discrete events of relatively short duration, DEQ believes it is more appropriate to use the acute water quality

criterion as a benchmark value. Therefore, the benchmark value for arsenic can be set equal to 340 µg/L, and still comply with Idaho WQS. See *id.*

**9.10.3.11 Idaho DEQ Regional and State Office Contacts.**

**Table 1. Idaho DEQ regional and state office contacts.**

<b>Regional and State Office</b>	<b>Address</b>	<b>Phone Number</b>	<b>Email</b>
Boise	1145 N. Orchard St., Boise 83706	208-373-0550	kati.carberry@deq.idaho.gov
Coeur d'Alene	2110 Ironwood Parkway, Coeur d'Alene 83814	208-769-1422	chantilly.higbee@deq.idaho.gov
Idaho Falls	900 N. Skyline Dr., Suite B, Idaho Falls 83402	208-528-2650	troy.saffle@deq.idaho.gov
Lewiston	1118 F St., Lewiston 83501	208-799-4370	sujata.connell@deq.idaho.gov
Pocatello	444 Hospital Way, #300, Pocatello 83201	208-236-6160	lynn.vanevery@deq.idaho.gov
Twin Falls	650 Addison Avenue West, Suite 110, Twin Falls 83301	208-736-2190	sean.woodhead@deq.idaho.gov
State Office	1410 North Hilton St., Boise 83706	208-373-0502	jason.pappani@deq.idaho.gov

**9.10.4 IDR05I000: Indian country lands within the State of Idaho, except Duck Valley Reservation lands, which are covered under Nevada permit NVR05I000**

**9.10.4.1 Shoshone-Bannock Tribes**

The following conditions apply only to discharges to waters of the Shoshone-Bannock Tribes (see certification provided by the Shoshone-Bannock Tribes, CWA410Cert\_Shoshone-Bannock Tribes\_2021 MSGP):

**9.10.4.1.1 Submission of NOI, Monitoring Data, and Reports.**

Copies of the following information must be sent to the SBT-WRD:

- Notice of Intent (NOI)
- Monitoring data collected pursuant to section 4.2 of the MSGP
- Exceedance Reports

The monitoring data and exceedance reports must be sent to the SBT-WRD within thirty (30) days of receipt of analytical results. See *id* at 1-3.

Contact information for SBT-WRD:

Shoshone-Bannock Tribes Water Resources Department  
PO Box 306 Pima Drive  
Fort Hall, ID 83203  
Phone: (208) 239-4582  
Fax:(208)239-4592

**9.10.4.1.2 SWPPP Availability.**

If requested by the SBT-WRD, the permittee must submit a copy of the SW PPP to SBT-WRD within fourteen (14) days of the request. See *id.*

**9.10.5 ORR05I000: Indian country lands within the State of Oregon, except Fort McDermitt Reservation lands, which are covered under Nevada permit NVR05I000**

No additional requirements.

**9.10.6 WAR05I000: Indian country lands within the State of Washington**

**9.10.6.1 Confederated Tribes of the Colville Reservation**

No additional requirements.

**9.10.6.2 Lummi Nation**

No additional requirements.

**9.10.6.3 Puyallup Tribe of Indians**

No additional requirements.

**9.10.6.4 Port Gamble S'Klallam Tribe**

The following conditions apply only to discharges to waters of the Port Gamble S'Klallam Tribal Land (see certification provided by the Port Gamble S'Klallam Tribe, CWA410Cert\_Port Gamble S'Klallam Tribe\_2021 MSGP):

**9.10.6.4.1 Compliance with Port Gamble S'Klallam Tribe Water Quality Standards.**

Each operator shall be responsible for achieving compliance with the Port Gamble S'Klallam Tribe Water Quality Standards for Surface Waters. Please see the PGST website (pgst.nsn.us) to review a copy of the Port Gamble S'Klallam Tribe Water Quality Standards for Surface Waters See *id.* at 1.

**9.10.6.4.2 Submission of SWPPP**

Each operator shall develop and submit a Storm Water Pollution Prevention Plan to the Port Gamble S'Klallam Natural Resources Department for review and approval by the Tribe prior to beginning any discharge activities. See *id.*

**9.10.6.4.3 Submission of NOI, Reports, and NOT**

Each operator shall submit a copy of the Notice of Intent, analytical monitoring results, any Exceedance Reports, Annual Reports, and Notice of Termination to the PGST Natural Resources Department at the same time it is submitted to the Environmental Protection Agency (EPA). See *id.*

**9.10.6.5 Spokane Tribe of Indians**

The following conditions apply only to discharges to waters of the Spokane Tribal Land (see certification provided by the Spokane Tribe of Indians, CWA410Cert\_Spokane Tribe of Indians\_2021 MSGP):

**9.10.6.5.1 Compliance with Water Quality Standards.**

The permittee shall be responsible for achieving compliance with the Spokane Tribal Water Quality Standards. See *id.* at 1.

**9.10.6.5.2 Submission of SWPPP**

The permittee shall submit all Pollution Prevention Plans to the Spokane Tribal Water Control Board for review and approval at the same time they are submitted to EPA and prior to any discharge activities. See *id.*

**9.10.6.5.3 Compliance with IRMP**

The permittee shall comply with all Spokane Tribal Integrated Resource Management Plan (IRMP) guidelines for land use activities and disturbances. See *id.*

**9.10.6.5.4 Inspection.**

The permittee shall allow the Tribal Water Control Board to inspect the storm water management system and adopt recommendations made anytime throughout its operation. See *id.*

**9.10.6.5.5 Monitoring.**

Monitoring of the discharge shall occur at a level indicated by EPA, the Tribe, are subject to change, and shall be submitted to both entities. See *id.*

**9.10.6.5.6 Where to send information.**

Water Control Board c/o Brian Crossley  
PO Box 480  
Wellpinit, WA 99040

**9.10.6.6 Swinomish Indian Tribal Community**

Facilities in the Swinomish Indian Tribal lands and are not eligible for stormwater discharge coverage under this permit. Contact the EPA Region 10 office for an individual permit application.

**9.10.6.7 Tulalip Tribes**

The following conditions apply only to discharges to waters of the Tulalip Tribes (see certification provided by the Tulalip Tribes, CWA410Cert\_Tulalip Tribes\_2021 MSGP):

**9.10.6.7.1 Submission of NOI, NOT and No Exposure.**

Copies of the Notice of Intent (NOI), Notice of Termination (NOT), and No Exposure Certification shall be submitted to the Tribe's Natural Resources Department. See *id.* at 1-2.

**9.10.6.7.2 Submission of SWPPP.**

A copy of the Stormwater Pollution Plans (SWPPPs) shall be submitted to the Tribe's Natural Resources Department at least thirty (30) days in advance of submitting the NOI to EPA. See *id.*

**9.10.6.7.3 Compliance with Tribe's Water Quality Standards:**

Each permittee shall be responsible for achieving compliance with the Tribe's Water Quality Standards. See *id.*

**9.10.6.7.4 Submission and approval of Monitoring Plans.**

A monitoring plan, if applicable, shall be submitted to the Tribe's Natural Resources Department and approved by the Tribe prior to initiation of monitoring required under Part 6 of this permit. See *id.*

**9.10.6.7.5 Submission of Monitoring Data and Reports:**

The results of any monitoring required by this permit and reports must be sent to the Tribe's Natural Resources Department, including a description of the corrective

actions required and undertaken to meet effluent limits or benchmarks (as applicable). See *id.*

**9.10.6.7.6 Authorization to Inspect.**

The Natural Resources Department staff may conduct an inspection of any facility covered by this permit to ensure compliance with tribal water quality standards. The Department may enforce its certification conditions.

The Tulalip Tribes are federally recognized successors in the interest to the Snohomish, Snoqualmie, Skykomish, and other allied tribes and bands signatory to the Treaty of Point Elliott. See *id.*

**9.10.6.7.7 Incorporation by reference.**

This certification does not exempt the applicant from compliance with other statutes and codes administered by the Tribes, county, state and federal agencies. See *id.*

**9.10.6.7.8 Invalidation.**

This certification will cease to be valid if the project is constructed and/or operated in a manner not consistent with the project description contained in the permit. This certification will also cease to be valid and the applicant must reapply with an updated application if information contained in the permit is voided by subsequent submittals. See *id.*

**9.10.6.7.9 Modification.**

Nothing in this certification waives the Tulalip Tribes of Washington's authority to issue modifications to this certification if additional impacts due to operational changes are identified, or if additional conditions are necessary to protect water quality or further protect the Tribal Communities interest. See *id.*

**9.10.6.7.10 Permits on-site.**

A copy of the permit shall be kept on the job site and readily available for reference by the construction supervisor, construction managers and site foreman, and Tribal inspectors. In addition, a sign of permit coverage needs to be posted at a safe, publicly accessible location. See *id.*

**9.10.6.7.11 Project Management.**

The applicant shall ensure that project or site managers, construction managers and site foreman, and other responsible parties have read and understand conditions of the permit, this certification, and other relevant documents, to avoid violations or noncompliance with this certification. See *id.*

**9.10.6.7.12 Emergencies/Contingency Measures.**

In the event the operator or applicant is unable to comply with the permit terms and conditions due to any cause, the operator or applicant shall immediately take action to stop the violation and correct the problem, and immediately report spill events to EPA's 24-hour Spill Response Team at (206) 553-1263 and the Tulalip Tribes Police Department (360) 716-5959. Compliance with this condition does not relieve the applicant from responsibility to maintain continuous compliance with the terms and conditions of this certification or the resulting liability from failure to comply. See *id.*

**9.10.6.7.13 Tribal ESA Consultation.**

Consultation with the Tribes is required when permitted actions may effect federally-listed threatened or endangered species and designated critical habitat. Information required as part of the consultation shall include:

- a. Basis of the determination that permit actions will not adversely affect federally-listed as endangered or threatened ("listed") under the Endangered Species Act (ESA) and will not result in the adverse modification or destruction of designated critical habitat including appropriate measures to be undertaken to avoid or eliminate the likelihood of adverse effects (under Criterion E in Section 1.1.4.5); and
- b. Notice of Intent form complete with extent of action area, list of federally-listed threatened or endangered species or designated critical habitat likely to occur in action area, list of potential pollutants (if you are a new discharger) or list of pollutants for which you have ever exceeded an applicable benchmark or effluent limitations guideline, or for which your discharge has ever been found to cause or contribute to an exceedance of an applicable water quality standard (if you are an existing discharger). See *id.*

#### **9.10.6.7.14 Discharges to CERCLA Sites:**

This permit does not authorize direct discharges to certain sites undergoing remedial cleanup actions pursuant to the Comprehensive Environmental Response,

Compensation and Liability Act (CERCLA) unless first approved by the appropriate EPA Regional office. In the case of the Tulalip Landfill site, the Tulalip Tribes also requests notification by the facility and consultation with EPA prior to discharge. Contaminants at this site may include but are not limited to: dioxins, furans, arsenic, copper, lead, zinc, 4-methyl-phenol, Hex-CB, HPAHs, PCBs, PCE, cadmium, mercury, and LPAHs. See *id.*

#### **9.10.6.7.15 Discharge-related Activities that have Potential to Cause an Adverse Effect on Historic Properties:**

Installation of stormwater controls that involve subsurface disturbances may potentially have an adverse impact on historic properties. Procedures detailed in Appendix F of the permit shall be completed. Richard Young, of the Tulalip Tribe's Cultural Resources Department shall be contacted prior to initiating discharge-related activities that may have an impact on historic properties. His contact information is (360) 716-2652 and [ryoung@tulaliptribes-nsn.gov](mailto:ryoung@tulaliptribes-nsn.gov). See *id.*

#### **9.10.6.7.16 Where to Submit Information:**

All required or requested documents shall be sent to the:

Tulalip Tribes  
Natural Resources Environmental Division c/o Kurt Nelson and Valerie Streeter  
6704 Marine Drive  
Tulalip, Washington 98271

#### **9.10.7 WAR05F000: Areas in the State of Washington, except those located on Indian Country lands, subject to industrial activity by a Federal Operator**

Permittees in the State of Washington must meet the following conditions (see certification provided by the State of Washington, CWA410Cert\_WA\_2021 MSGP):

##### **9.10.7.1 General Conditions.**

- a. For purposes of this Order, the term "Applicant" shall mean U.S. Environmental Protection Agency, and its agents, assignees and contractors.
- b. For Purposes of this Order, the Permit "Permittee" shall mean any facility granted coverage under EPA's Multi Sector General Permit.
- c. The Applicant shall enforce the permit and ensure that the Permittee complies with



the conditions of the permits at all times.

- d. Nothing in the Certification waives Ecology's authority to issue additional orders if Ecology determines that further actions are necessary to implement the water quality laws of the state. Further, Ecology retains continuing jurisdiction to make modifications hereto through supplemental orders, if additional impacts due to project construction or operation are identified (e.g., violations of water quality standards, downstream erosion, etc.), or if additional conditions are necessary to further protect water quality.
- e. In the event of changes or amendments to the state water quality, ground water quality, or sediment standards, or changes in or amendments to the state Water Pollution Control Act (RCW 90.48) or the federal Clean Water Act, Ecology may issue an amendment to this Certification to incorporate any such changes or amendments applicable to this project.
- f. Failure of any person or entity to comply with this Certification may result in the issuance of civil penalties or other actions, whether administrative or judicial, to enforce the terms of the Certification. See *id.* at 3.

**9.10.7.2 Water Quality.**

- a. This Certification does not authorize exceedances of water quality standards established in chapter 173-201A WAC.
- b. Discharges shall not cause or contribute to a violation of surface water quality standards (chapter 173-201A WAC), ground water quality standards (chapter 173-200 WAV), sediment management standards (chapter 173-204 WAC), and human health based criteria in the National Toxics Rule (40 CFR Part 131.36). Discharges that are not in compliance with these standards are not authorized.
- c. Prior to the discharge of stormwater and non-stormwater to waters of the state, the Permittee shall apply all known, available, and reasonable methods of prevention, control, and treatment (AKART). This includes the preparation and implementation of an adequate Stormwater Pollution Prevention Plan (SWPPP), with all appropriate best management practices (BMPs) installed and maintained in accordance with the SWPPP and the terms and conditions of this permit. The Permittee shall include each of the following mandatory BMPs in the SWPPP and implement the BMPs. The Permittee may omit individual BMPs if site conditions render the BMP unnecessary or infeasible and the Permittee provides alternative and equally effective BMPs. The Permittee must justify each BMP omission in the SWPPP. BMPs shall be consistent with:
  - i. *2019 Stormwater Management Manual for Western Washington*, for sites west of the crest of the Cascade mountains; or
  - ii. *2019 Stormwater Management Manual for Eastern Washington*, for sites east of the crest of the Cascade Mountains; or
  - iii. Revisions to the manuals in S3.A.3. a & b., or other stormwater management guidance documents or manuals which provide an equivalent level of pollution prevention, that are approved by Ecology and incorporated into this permit in accordance with the permit modification requirements of WAC 173-226-230. For purposes of this section, the documents listed in Appendix 10 of the August 1, 2019 Phase I Municipal Stormwater Permit are hereby incorporated into this permit; or
  - iv. Documentation in the SWPPP that the BMPs selected are demonstrably equivalent to practices contained in stormwater technical manuals approved by Ecology, including the proper selection, implementation, and maintenance of all applicable and appropriate best management practices for on-site pollution control.

- d. Additional Sampling Requirements and Effluent Limits for Discharges to Certain Impaired Waters and Puget Sound Sediment Cleanup Sites.
- i. Permittees discharging to a 303(d)-listed waterbody (Category 5), either directly or indirectly through a stormwater drainage system, shall comply with the applicable sampling requirements and numeric effluent limits in Table 1.

For purposes of this condition, “applicable sampling requirements and effluent limits” means the sampling and effluent limits in Table 1 that correspond to the specific parameter(s) the receiving water is 303(d)-listed for at the time of permit coverage, or Total Suspended Solids (TSS) if the waterbody is 303(d)-listed (Category 5) for sediment quality at the time of MSGP coverage.

If a discharge point is subject to an impaired waterbody effluent limit for a parameter that also has a benchmark, the effluent limit supersedes the benchmark. All references to Category 5 pertain to the 2012 EPA-approved Water Quality Assessment.

The 2012 EPA-approved Water Quality Assessment may be viewed online at: [http://www.ecy.wa.gov/programs/wq/links/wq\\_assessments.html](http://www.ecy.wa.gov/programs/wq/links/wq_assessments.html). See *id.*

**Table 1: Sampling and Effluent Limits Applicable to Discharges to 303(d)-listed Waters**

Parameter	Units	Maximum Daily <sup>a</sup>		Analytical Method <sup>b</sup>	Laboratory Quantitation Level <sup>c</sup>	Sampling Frequency <sup>d</sup>
		Freshwater	Marine			
Turbidity	NTUs	25	25	EPA 180.1 Meter	0.5	1/quarter
pH	SU	i	Between 7.0 and 8.5	Meter	±0.1	1/quarter
Fecal Coliform Bacteria	# colonies/100 mL	i	i	SM 9222D	20 CFU/100 mL	1/quarter
TSS <sup>f</sup>	mg/L	30	30	SM2540-D	5	1/quarter
Phosphorus, Total	mg/L	g	g	EPA 365.1	0.01	1/quarter
Total Ammonia (as N)	mg/L	g	g	SM 4500 NH <sup>3</sup> -GH	0.3	1/quarter
Copper, Total	µg/L	g	g	EPA 200.8	2.0	1/quarter
Lead, Total	µg/L	g	g	EPA 200.8	0.5	1/quarter
Mercury, Total	µg/L	2.1	1.8	EPA 1631E	0.0005	1/quarter
Zinc, Total	µg/L	g	g	EPA 200.8	2.5	1/quarter
Pentachlorophenol	µg/L	9 <sup>h</sup>	g	EPA 625	1.0	1/quarter

<sup>a</sup> Maximum daily effluent limit means the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day. The daily discharge is the average measurement of the pollutant over the day; this does not apply to pH.

<sup>b</sup> Or other equivalent method with the same reporting level.

- c. The Permittee shall ensure laboratory results comply with the quantitation level (QL) specified in the table. However, if an alternate method from 40 CFR Part 136 is sufficient to produce measurable results in the sample, the Permittee may use that method for analysis. If the Permittee uses an alternative method it must report the test method and QL on the DMR. If the Permittee is unable to obtain the required QL due to matrix effects, the Permittee must report the matrix-specific method detection level (MDL) and QL on the DMR.
- d. 1/quarter means at least one sample taken each quarter, e.g., Q1 = Jan 1 – March 31, Q2 = April 1 – June 30.
- e. Permittees shall use either a calibrated pH meter consistent with EPA 9040 or an approved state method.
- f. Permittees who discharge to a waterbody 303(d)-listed (Category 5) for sediment quality shall sample the discharge for TSS.
- g. Site-specific effluent limitation will be assigned at the time of permit coverage.
- h. Based on a pH of 7.0.
- i. A numeric effluent limit does not apply, but Permittees must sample according to Table 1. In addition, the following mandatory BMPs shall be incorporated into the SWPPP and implemented; the Permittee must:
  - 1) Use all known, available and reasonable methods to prevent rodents, birds, and other animals from feeding/nesting/roosting at the facility. Nothing in this section shall be construed as allowing violations of any applicable federal, state or local statutes, ordinances, or regulations including the Migratory Bird Treaty Act.
  - 2) Perform at least one annual dry weather inspection of the stormwater system to identify and eliminate sanitary sewer cross-connections.
  - 3) Install structural source control BMPs to address on-site activities and sources that could cause bacterial contamination (e.g., dumpsters, compost piles, food waste, and animal products).
  - 4) Implement operational source control BMPs to prevent bacterial contamination from any known sources of fecal coliform bacteria (e.g., animal waste).
  - 5) Conduct additional bacteria-related sampling and/or BMPs, if ordered by Ecology on a case-by-case basis.
- ii. The effluent limit for a Permittee who discharges to a freshwater body 303(d)-listed for pH is: Between 6.0 and 8.5, if the 303(d)-listing is for high pH only; Between 6.5 and 9.0, if the 303(d)-listing is for low pH only; and Between 6.5 and 8.5 if the 303(d)-listing is for both low and high pH. All pH effluent limits are applied end-of-pipe.
  - 1) Permittees discharging to a Puget Sound Sediment Cleanup Site<sup>3</sup>, either directly or indirectly through a stormwater drainage system, shall comply with this section:
    - 1) Permittees shall sample the discharge for Total Suspended Solids (TSS) in accordance with Table 2.
    - 2) If the waterbody is listed within Category 5 (sediment medium) where the *outfall* discharges to the waterbody, the discharge is subject to the TSS numeric effluent limit in Attachment A, Table 1.

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<sup>3</sup> **Puget Sound Sediment Cleanup Site:** means Category 4B (Sediment) portions of Budd Inlet (Inner), Commencement Bay (Inner), Commencement Bay (Outer), Dalco Passage and East Passage, Duwamish Waterway (including East and West Waterway), Eagle Harbor, Elliot Bay, Hood Canal (North), Liberty Bay, Rosario Strait, Sinclair Inlet, and Thea Foss Waterway; Category 5 (Sediment) portions of the Duwamish Waterway; Category 4A (Sediment) portions of Bellingham Bay (Inner); and the Everett/Port Gardner, Oakland Bay/Shelton Harbor, and Port Angeles Harbor sediment cleanup areas, as mapped on Ecology's ISGP website. All references to Category 4A, 4B and 5 pertain to the 2012 EPA-approved Water Quality Assessment

All references to Category 4B and 5 pertain to the 2012 EPA-approved Water Quality Assessment, available online at: [http://www.ecy.wa.gov/programs/wq/links/wq\\_assessments.html](http://www.ecy.wa.gov/programs/wq/links/wq_assessments.html).

- 3) If the waterbody is not listed within Category 5 (sediment medium) where the outfall discharges to the waterbody (e.g., Category 4B, etc.), the discharge is subject to the TSS benchmark in Attachment A, Table 2. If the discharge is subject to more than one TSS benchmark value (i.e., two different benchmarks), the lower benchmark supersedes the higher one. If a discharge exceeds the TSS benchmark, the Permittee shall implement corrective actions in accordance with the MSGP.
- 4) Permittees shall remove accumulated solids from storm drain lines (including inlets, catch basins, sumps, conveyance lines, and oil/water separators) owned or controlled by the Permittee at least once during the term of the MSGP.

Permittees shall conduct line cleaning operations (e.g., jetting, vacuuming, removal, loading, storage, and/or transport) using BMPs to prevent discharges of storm drain solids to surface waters of the state.

Removed storm drain solids and liquids shall be disposed of in accordance with applicable laws and regulations and documented in the SWPPP.

- 5) Prior to removing storm drain solids according to Attachment A, Condition 2.D, Permittees shall sample and analyze storm drain solids in accordance with Table 3. Storm drain solids must be collected/sampled from a representative catch basin, sump, pipe, or other feature within the storm drain system that corresponds to the discharge point where Total Suspended Solids (TSS) samples are collected per Attachment A. Samples may be either a single grab sample or a composite sample. Samples must be representative of the storm drain solids generated and accumulated in the facility's drainage system. To the extent possible, sample locations must exclude portions of the drainage system affected by water from off-site sources (e.g., run-on from off-site properties, tidal influence, backflow). See *id.*

**Table 2: Benchmarks and Sampling Requirements Applicable to Discharges to Puget Sound Sediment Cleanup Sites that are not Category 5 for Sediment Quality**

Parameter	Units	Benchmark Value <sup>a</sup>	Analytical Method	Laboratory Quantitation Level <sup>b</sup>	Minimum Sampling Frequency <sup>c</sup>
TSS	mg/L	30	SM2540-D	5	1/quarter

- a. Permittees sampling more than once per quarter shall average the sample results and compare the average value to the benchmark to determine if the discharge has exceeded the benchmark value. However, if Permittees collect more than one sample during a 24-hour period, they must first calculate the daily average of the individual grab sample results collected during that 24-hour period; then use the daily average to calculate a quarterly average.
- b. The Permittee shall ensure laboratory results comply with the quantitation level (QL) specified in the table. However, if an alternate method from 40 CFR Part 136 is sufficient to produce measurable results in the sample, the Permittee may use that method for analysis. If the Permittee uses an alternative method it must report the test method and QL on the DMR. If the Permittee is unable to obtain the required QL due to matrix effects, the Permittee must report the matrix-specific method detection level (MDL) and QL on the DMR.
- c. 1/quarter means at least one sample taken each quarter, year-round.

**Table 3: Sampling and Analytical Procedures for Storm Drain Solids**

Analyte	Method in Sediment	Quantitation Level <sup>a</sup>
<b>Conventional Parameters</b>		
Percent total solids	SM 2540G, or ASTM Method D 2216	NA
Total organic carbon	Puget Sound Estuary Protocols (PSEP 1997), or EPA 9060	0.1%
Grain size	Ecology Method Sieve and Pipette (ASTM 1997), ASTM D422, or PSEP 1986/2003	NA
<b>Metals</b>		
Antimony, Total	EPA Method 200.8 (ICP/MS) , EPA Method 6010 or EPA Method 6020	0.2 mg/kg dw <sup>b</sup>
Arsenic, Total	EPA Method 200.8 (ICP/MS) , EPA Method 6010 or EPA Method 6020	0.1 mg/kg dw
Beryllium, Total	EPA Method 200.8 (ICP/MS) , EPA Method 6010 or EPA Method 6020	0.2 mg/kg dw
Cadmium, Total	EPA Method 200.8 (ICP/MS) , EPA Method 6010 or EPA Method 6020	0.2 mg/kg dw
Chromium, Total	EPA Method 200.8 (ICP/MS) , EPA Method 6010 or EPA Method 6020	0.5 mg/kg dw
Copper, Total	EPA Method 200.8 (ICP/MS) , EPA Method 6010 or EPA Method 6020	0.2 mg/kg dw
Lead, Total	EPA Method 200.8 (ICP/MS) , EPA Method 6010 or EPA Method 6020	0.2 mg/kg dw
Mercury, Total	EPA Method 1631E, or EPA Method 7471B	0.005 mg/kg dw
Nickel, Total	EPA Method 200.8 (ICP/MS) , EPA Method 6010 or EPA Method 6020	0.1 mg/kg dw
Selenium, Total	EPA Method 200.8 (ICP/MS) , EPA Method 6010 or EPA Method 6020	0.5 mg/kg dw
Silver, Total	EPA Method 200.8 (ICP/MS) , EPA Method 6010 or EPA Method 6020	0.1 mg/kg dw
Thallium, Total	EPA Method 200.8 (ICP/MS) , EPA Method 6010 or EPA Method 6020	0.2 mg/kg dw
Zinc, Total	EPA Method 200.8 (ICP/MS) , EPA Method 6010 or EPA Method 6020	5.0 mg/kg dw
<b>Organics</b>		
PAH compounds <sup>c</sup>	EPA Method 8270 D	70 µg/kg dw

PCBs (aroclor), Total <sup>d</sup>	EPA Method 8082	10 µg/kg dw
<b>Petroleum Hydrocarbons</b>		
NWTPH-Dx	NWTPH-Dx	25.0-100.0 mg/kg dw

- a. The Permittee shall ensure laboratory results comply with the quantitation level (QL) specified in the table. However, if an alternate method is sufficient to produce measurable results in the sample, the Permittee may use that method for analysis. If the Permittee uses an alternative method, it must report the test method and QL on the sediment monitoring report. All results shall be reported. For values below the QL, or where a QL is not specified, report results at the method detection level (MDL) from the lab and the qualifier of "U" for undetected at that concentration. If the Permittee is unable to obtain the required QL due to matrix effects, the Permittee must report the matrix-specific MDL and QL on the DMR.
- b. dw = dry weight.
- c. PAH compounds include: 1-methylnaphthalene, 2-methylnaphthalene, 2-chloronaphthalene, acenaphthylene, acenaphthene, anthracene, benzo(a)anthracene, benzo(a)pyrene, benzo(b, k)fluoranthene, benzo(ghi)perylene, dibenzo(a,h)anthracene, dibenzofuran, carbazole, chrysene, fluoranthene, fluorene, indeno(1,2,3-cd)pyrene, naphthalene, phenanthrene, and pyrene.
- d. Total = sum of PCB aroclors 1016+1221+1232+1242+1248+1254+1260.

6) All storm drain solids sampling data shall be reported to EPA no later than the DMR due date for the reporting period in which the solids were sampled. A copy of the lab report shall be submitted to EPA. See *id.*

e. Requirements for Discharges to Waters with Applicable TMDLs

- i. The Permittee shall comply with applicable TMDL determinations. Applicable TMDLs or TMDL determinations are TMDLs which have been completed by the issuance date of this permit, or which have been completed prior to the date that the Permittee's NOI is received by EPA, whichever is later. EPA will list the Permittee's requirements to comply with this condition on the letter of permit coverage.
- ii. TMDL requirements associated with TMDLs completed after the issuance date of this permit only become effective if they are imposed through an administrative order issued by EPA.
- iii. Where Ecology has established a TMDL wasteload allocation and sampling requirements for the Permittee's discharge, the Permittee shall comply with all requirements of the TMDL.
  - 1) If a discharge point is subject to a TMDL-related effluent limit for a parameter that also has a benchmark, the effluent limit supersedes the benchmark.
- iv. Where Ecology has established a TMDL general wasteload allocation for industrial stormwater discharges for a parameter present in the Permittee's discharge, but has not identified specific requirements, EPA will assume the Permittee's compliance with the terms and conditions of the permit complies with the approved TMDL.
- v. Where Ecology has not established a TMDL wasteload allocation for industrial stormwater discharges for a parameter present in the Permittee's discharge, but has not excluded these discharges, EPA will assume the Permittee's compliance with the terms and conditions of this permit complies with the approved TMDL.

- vi.      Where a TMDL for a parameter present in the Permittee's discharge specifically precludes or prohibits discharges of stormwater associated with industrial activity, the Permittee is not eligible for coverage under the MSGP. See *id.*

## Appendix A - Definitions, Abbreviations, and Acronyms (for the purposes of the 2021 MSGP)

### A.1. DEFINITIONS

**Action Area** – all areas to be affected directly or indirectly by the federal action and not merely the immediate area involved in the action. See 50 CFR 402. For the purposes of this permit and for application of Endangered Species Act requirements, the following areas are included in the definition of action area:

- The areas where stormwater discharges originate and flow from the industrial facility to the point of discharge into receiving waters. (Example: Where stormwater flows into a ditch, swale, or gully that leads to receiving waters and where listed species (such as listed amphibians) are found in the ditch, swale, or gully.)
- The areas where stormwater from industrial activities discharge into receiving waters and the areas in the immediate vicinity of the point of discharge. (Example: Where stormwater from industrial activities discharges into a stream segment that is known to harbor listed aquatic species.)
- The areas where stormwater controls will be constructed and operated, including any areas where stormwater flows to and from the stormwater controls. (Example: Where a stormwater retention pond would be built.)
- The areas upstream and/or downstream from the stormwater discharge into a stream segment that may be affected by these discharges. (Example: Where sediment discharged to a receiving stream settles downstream and impacts a breeding area of a listed aquatic species.)

**Antidegradation Policy or Antidegradation Requirements** – the water quality standards regulation that requires States and Tribes to establish a three-tiered antidegradation program:

1. Tier 1 maintains and protects existing uses and water quality conditions necessary to support such uses. An existing use can be established by demonstrating that fishing, swimming, or other uses have actually occurred since November 28, 1975, or that the water quality is suitable to allow such uses to occur. Where an existing use is established, it must be protected even if it is not listed in the water quality standards as a designated use. Tier 1 requirements are applicable to all surface waters.
2. Tier 2 maintains and protects "high quality" waters -- water bodies where existing conditions are better than necessary to support CWA § 101(a)(2) "fishable/swimmable" uses. Water quality can be lowered in such waters. However, state and tribal Tier 2 programs identify procedures that must be followed and questions that must be answered before a reduction in water quality can be allowed. In no case may water quality be lowered to a level which would interfere with existing or designated uses.
3. Tier 3 maintains and protects water quality in outstanding national resource waters (ONRWs). Except for certain temporary changes, water quality cannot be lowered in such waters. ONRWs generally include the highest quality waters of the United States. However, the ONRW classification also offers special protection for waters of exceptional ecological significance, i.e., those which are important, unique, or sensitive ecologically. Decisions regarding which water bodies qualify to be ONRWs are made by States and authorized Indian Tribes.

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

**Best Available Technology Economically Achievable (BAT)** – defined in CWA section 304(b)(2).



**Best Conventional Pollutant Control Technology (BCT)** – defined in CWA section 304(b)(4).

**Best Practicable Control Technology Currently Available (BPT)** – defined in CWA section 304(b)(1).

**Bypass** – the intentional diversion of waste streams from any portion of a treatment facility. See 40 CFR 122.41(m)(1)(i).

**CERCLA Site (i.e., Superfund Site)** – for the purposes of this permit, a site as defined in Section 101(9) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. § 9601(9), that is undergoing a remedial investigation and feasibility study, or for which a Record of Decision for remedial action has been issued in accordance with the National Contingency Plan, 40 CFR Part 300.

**Co-located Industrial Activities** – any industrial activities, excluding your primary industrial activity(ies), located on-site that are defined by the stormwater regulations at 122.26(b)(14)(i) 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 D.

**Confidential Business Information (CBI)** – see 40 CFR Part 2 for relevant definitions of CBI: <http://www.gpo.gov/fdsys/pkg/CFR-2013-title40-vol1/pdf/CFR-2013-title40-vol1-part2-subpartB.pdf>.

**Control Measures** – refers to any stormwater control or other method (including narrative effluent limitations) used to prevent or reduce the discharge of pollutants to waters of the United States.

**Corrective Action** – for the purposes of the permit, any action taken, or required to be taken, to repair, modify, or replace any stormwater control used at the site; (2) clean up and dispose of spills, releases, or other deposits found on the site; and (3) remedy a permit violation.

**Critical Habitat** – as defined in the Endangered Species Act at 16 U.S.C. 1531 for a threatened or endangered species, (i) the specific areas within the geographical area occupied by the species, at the time it is listed in accordance with the provisions of section 4 of the Endangered Species Act, on which are found those physical or biological features essential to the conservation of the species and which may require special management considerations or protection; and (ii) specific areas outside the geographical area occupied by the species at the time it is listed in accordance with the provisions of section 4 of the Endangered Species Act, upon a determination by the Secretary that such areas are essential for the conservation of the species.

**Director** – a Regional Administrator of the Environmental Protection Agency or an authorized representative. See 40 CFR 122.2.

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

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

**Discharge 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 U.S.

**Discharge-Related Activity** – 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 stormwater controls to control, reduce, or prevent pollution in the discharges.

**Discharge to an Impaired Water** – for the purposes of this permit, a discharge to an impaired water occurs if the first water of the U.S. to which you discharge is identified by a state, tribe, or EPA as not meeting an applicable water quality standard, and requires development of a total maximum daily load (TMDL) (pursuant to Section 303(d) of the Clean Water Act), or is addressed by an EPA-approved or established TMDL, or is not in either of the above categories but the waterbody is covered by pollution control requirements that meet the requirements of 40 CFR 130.7(b)(1). For discharges that enter a separate storm sewer system prior to discharge, the water of the U.S. to which you discharge is the waterbody that receives the stormwater discharge from the storm sewer system.

**Drought-Stricken Area** – for the purposes of this permit, an area in which the National Oceanic and Atmospheric Administration's U.S. Seasonal Drought Outlook indicates for the period that any of the following conditions are likely: (1) "Drought to persist or intensify", (2) "Drought ongoing, some improvement", (3) "Drought likely to improve, impacts ease", or (4) "Drought development likely". See [http://www.cpc.ncep.noaa.gov/products/expert\\_assessment/season\\_drought.gif](http://www.cpc.ncep.noaa.gov/products/expert_assessment/season_drought.gif).

**Effective Operating Condition** – for the purposes of this permit, a stormwater control is kept in effective operating condition if it has been implemented and maintained in such a manner that it is working as designed to minimize pollutant discharges.

**Effluent Limitations** – for the purposes of this permit, any of the Part 2 requirements.

**Effluent Limitations Guideline (ELG)** – defined in 40 CFR § 122.2 as a regulation published by the Administrator under section 304(b) of CWA to adopt or revise effluent limitations.

**Eligible** – for the purposes of this permit, refers to stormwater and allowable non-stormwater discharges that are authorized for coverage under this general permit.

**Endangered Species** – defined in the Endangered Species Act at 16 U.S.C. 1531 as any species which is in danger of extinction throughout all or a significant portion of its range other than a species of the Class Insecta determined by the Secretary to constitute a pest whose protection under the provisions of this Act would present an overwhelming and overriding risk to man.

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

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

**Feasible** – for the purposes of this permit, feasible means technologically possible and economically practicable and achievable in light of best industry practices. EPA notes that it does not intend for any permit requirement to conflict with state water rights law.

**Federal Operator** – an entity that meets the definition of “Operator” in this permit and is either any department, agency or instrumentality of the executive, legislative, and judicial branches of the Federal government of the United States, or another entity, such as a private contractor, operating for any such department, agency, or instrumentality.

**Green Infrastructure** – the range of measures that use plant or soil systems, permeable pavement or other permeable surfaces or substrates, stormwater harvest and reuse, or landscaping to store, infiltrate, or evapotranspire stormwater and reduce flows to sewer systems or to surface waters. See Section 502 of the Federal Water Pollution Control Act (33 U.S.C. 1362).

**Hazardous Waste** – for the purposes of this permit, any liquid, solid, or contained gas that contain properties that are dangerous or potentially harmful to human health or the environment. See also 40 CFR §261.2.

**Hazardous Substance** – defined in CERCLA section 101(14) to include: a) any substance designated pursuant to the CWA section 311(b)(2)(A); b) any element, compound, mixture, solution or substance designated pursuant to section 102 of CERCLA; c) any hazardous waste having the characteristics identified under or listed pursuant to section 3001 of the Resource Conservation and Recovery Act (RCRA); d) any toxic pollutant listed under CWA section 307(a); e) any hazardous air pollutant listed under section 112 of the Clean Air Act; and f) any imminently hazardous chemical substance or mixture with respect to which the Administrator has taken action pursuant to section 7 of the Toxic Substances Control Act. See 40 CFR 302.4 for the list of such hazardous substances.

**Historic Property** – as defined in the National Historic Preservation Act regulations means any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places maintained by the Secretary of the Interior. This term includes artifacts, records, and remains that are related to and located within such properties. The term includes properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization and that meet the National Register criteria.

**Impaired Water** (or “Water Quality Impaired Water” or “Water Quality Limited Segment”) – for the purposes of this permit, waters identified by a state, tribe, or EPA as not meeting an applicable water quality standard, and require development of a total maximum daily load (TMDL) (pursuant to Section 303(d) of the CWA), or are addressed by an EPA-approved or established TMDL, or are covered by pollution controls requirements that meet the requirements of 40 FR 130.7(b)(1). For discharges that enter a separate storm sewer system prior to discharge, the first water of the U.S. to which you discharge is the waterbody that receives the stormwater discharge from the storm sewer system.

Indian Country or Indian Country Lands – defined at 40 CFR 122.2 as:

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

**Infeasible** – for the purposes of this permit, infeasible means not technologically possible or not economically practicable and achievable in light of best industry practices. EPA notes that it does not intend for any permit requirement to conflict with state water rights law.

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

**Industrial Stormwater** – stormwater runoff from industrial activity.

**Measurable Storm Event** – a precipitation event that results in a measurable amount of precipitation (i.e., a storm event that results in an actual discharge) and that follows the preceding storm event by at least 72 hours (3-days). The 72-hour storm interval does not apply if you document that less than a 72-hour interval is representative for local storm events.

**Minimize** – 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.

**Municipal Separate Storm Sewer (MS4)** – defined at 40 CFR §122.26(b)(8) as a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains):

1. Owned or operated by a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States;
2. Designed or used for collecting or conveying stormwater;
3. Which is not a combined sewer; and
4. Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2. See 40 CFR 122.26(b)(4) and (b)(7).

**National Pollutant Discharge Elimination System (NPDES)** – defined at 40 CFR §122.2 as the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of CWA. The term includes an ‘approved program.’

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

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

- after promulgation of standards of performance under section 306 of the CWA which are applicable to such source, or

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

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

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

**Non-Stormwater Discharges** – discharges that do not originate from storm events. They can include, but are not limited to, discharges of process water, air conditioner condensate, non-contact cooling water, pavement wash water, external building washdown, irrigation water, or uncontaminated ground water or spring water.

**Notice of Intent (NOI)** – the form (electronic or paper) required for authorization of coverage under the Multi-Sector General Permit.

**Notice of Termination (NOT)** – the form (electronic or paper) required for terminating coverage under the Multi-Sector General Permit.

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

1. The entity has operational control over industrial activities, including the ability to make modifications to those activities; or
2. 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.”

**Permitting Authority** – for the purposes of this permit, EPA, a Regional Administrator of EPA, or an authorized representative.

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

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

**Pollutant** – defined at 40 CFR §122.2. A partial listing from this definition includes: dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal and agricultural waste discharged into water. See 40 CFR 122.2.

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

**Primary Industrial Activity** – includes any activities performed on-site which are (1) identified by the facility's primary SIC code and included in the descriptions of 122.26(b)(14)(ii), (iii), (vi), (viii),

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

**Qualified Personnel** – qualified personnel are those who are knowledgeable in the principles and practices of industrial stormwater controls and pollution prevention, and who possess the education and ability to assess conditions at the industrial facility that could impact stormwater quality, and the education and ability to assess the effectiveness of stormwater controls selected and installed to meet the requirements of the permit.

**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.

**Restricted Information** – for the purposes of this permit, information that is privileged or that is otherwise protected from disclosure pursuant to applicable statutes, Executive Orders, or regulations. Such information includes, but is not limited to: classified national security information, protected critical infrastructure information, sensitive security information, and proprietary business information.

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

**Run-On** – sources of stormwater that drain from land located upslope or upstream from the regulated facility in question.

**Saline Water or Saltwater** – for the purposes of this permit, a waterbody with salinity that is equal to or exceeds 10 parts per thousand 95 percent or more of the time, unless otherwise defined as a coastal or marine water by the applicable state or tribal surface water quality standards.

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

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

**Special Aquatic Sites** – sites identified in 40 CFR 230 Subpart E. These are geographic areas, large or small, possessing special ecological characteristics of productivity, habitat, wildlife protection, or other important and easily disrupted ecological values. These areas are generally recognized

as significantly influencing or positively contributing to the general overall environmental health or vitality of the entire ecosystem of a region.

**Spill** – for the purpose of this permit, the release of a hazardous or toxic substance from its container or containment.

**Stormwater** – stormwater runoff, snow melt runoff, and surface runoff and drainage. See 40 CFR 122.26(b)(13).

**Stormwater Controls** – see “Control Measures.”

**Stormwater Discharges Associated with Construction Activity** – as used in this permit, a discharge of pollutants in stormwater runoff from areas where land-disturbing activities (e.g., clearing, grading, or excavating) occur, or where 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. See 40 CFR 122.26(b)(14)(x) and 40 CFR 122.26(b)(15).

**Stormwater Discharges Associated with Industrial Activity** – the discharge from any conveyance that is used for collecting and conveying stormwater and that is directly related to manufacturing, processing or raw materials storage areas at an industrial plant. The term does not include discharges from facilities or activities excluded from the NPDES program under Part 122. For the categories of industries identified in this section, the term includes, but is not limited to, 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 by-products used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process waste waters (as defined at part 401 of this chapter); sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials, and intermediate and final products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to stormwater. For the purposes of this paragraph, material handling activities include storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product, by-product or waste product. The term excludes areas located on plant lands separate from the plant's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with stormwater drained from the above described areas. Industrial facilities include those that are federally, state, or municipally owned or operated that meet the description of the facilities listed in 40 CFR 122.26(b)(14). The term also includes those facilities designated under the provisions of 40 CFR 122.26(a)(1)(v). See 40 CFR 122.26(b)(14).

**Stormwater Pollution Prevention Team** – the stormwater pollution prevention team is responsible for overseeing development of the SWPPP, any modifications to it, and for implementing and maintaining stormwater 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 SWPPP, and other relevant documents or information that must be kept with the SWPPP. The individuals on the “Stormwater Team” must be identified in the SWPPP.

**Storm Event** – a precipitation event that results in a measurable amount of precipitation.

**Threatened Species** – defined in the Endangered Species Act at 16 U.S.C. 1531 as any species which is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.

**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 requiring a level of protection equal to and above that given to Tier 2 waters, but less than that given Tier 3 waters. States have special requirements for these waters.

**Tier 3 Waters** – for antidegradation purposes, pursuant to 40 CFR 131.12(a)(3), Tier 3 waters are identified by states as having high quality waters constituting an Outstanding National Resource Water (ONRW), such as waters of National Parks and State Parks, wildlife refuges, and waters of exceptional recreational or ecological significance.

**Total Maximum Daily Loads (TMDLs)** – the sum of the individual wasteload allocations (WLAs) for point sources and load allocations (LAs) for nonpoint sources and natural background. If receiving water has only one point source discharger, the TMDL is the sum of that point source WLA plus the LAs for any nonpoint sources of pollution and natural background sources, tributaries, or adjacent segments. TMDLs can be expressed in terms of either mass per time, toxicity, or other appropriate measure. (See section 303(d) of the Clean Water Act and 40 CFR 130.2 and 130.7).

**Toxic Waste** – see “Hazardous Materials.”

**Uncontaminated Discharge** – a discharge that does not cause or contribute to an exceedance of applicable water quality standards.

**Upset** – upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond your reasonable control. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation. See 40 CFR 122.41(n)(1).

**Water Quality Impaired** – see “Impaired Water.”

**Water Quality Standards** – defined in 40 CFR § 131.3, and are provisions of State or Federal law which consist of a designated use or uses for the waters of the United States, water quality criteria for such waters based upon such uses, and an antidegradation policy to protect high-quality waters. Water quality standards protect the public health or welfare, enhance the quality of water and serve the purposes of the Act.

**Waters of the United States** – see definition at 40 CFR § 122.2.



**A.2. ABBREVIATIONS AND ACRONYMS**

AIM – Advanced Implementation Measures

BAT – Best Available Technology Economically Achievable

BOD5 – Biochemical Oxygen Demand (5-day test)

BMP – Best Management Practice

BPJ – Best Professional Judgment

CERCLA – Comprehensive Environmental Response, Compensation and Liability Act

CGP – Construction General Permit

CFR – Code of Federal Regulations

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

ELG – Effluent Limitations Guideline

EPA – U. S. Environmental Protection Agency

ESA – Endangered Species Act

FWS – U. S. Fish and Wildlife Service

LA – Load Allocations

MGD – Million Gallons per Day

MOS – Margin of Safety

MS4 – Municipal Separate Storm Sewer System

MSGP – Multi-Sector General Permit

NAICS – North American Industry Classification System

NEPA – National Environmental Policy Act

NET – NPDES eReporting Tool

NHPA – National Historic Preservation Act

NMFS – U. S. National Marine Fisheries Service

NOI – Notice of Intent

NOE – No Exposure

NOT – Notice of Termination

NPDES – National Pollutant Discharge Elimination System

NRC – National Response Center

NRHP – National Register of Historic Places

NSPS – New Source Performance Standard

NTU – Nephelometric Turbidity Unit

OMB – U. S. Office of Management and Budget

ORW – Outstanding Resource Water

OSM – U. S. Office of Surface Mining

POTW – Publicly Owned Treatment Works

RCRA – Resource Conservation and Recovery Act

RQ – Reportable Quantity

SARA – Superfund Amendments and Reauthorization Act

SDS – Safety Data Sheet

SHPO – State Historic Preservation Officer

SIC – Standard Industrial Classification

SMCRA – Surface Mining Control and Reclamation Act

SPCC – Spill Prevention, Control, and Countermeasures

SWPPP – Stormwater Pollution Prevention Plan

THPO – Tribal Historic Preservation Officer

TMDL – Total Maximum Daily Load

TSDf – Treatment, Storage, or Disposal Facility

TSS – Total Suspended Solids

USGS – United States Geological Survey

WLA – Wasteload Allocation

WQS – Water Quality Standard

## Appendix B - Standard Permit Conditions

Standard permit conditions in Appendix B are consistent with the general permit provisions required under 40 CFR 122.41.

### B.1. Duty To Comply.

You must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

- A. You must comply with effluent standards or prohibitions established under section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards, even if the permit has not yet been modified to incorporate the requirement.
- B. Penalties for Violations of Permit Conditions: EPA and other federal agencies are required to adjust their maximum and minimum statutory civil penalty amounts through rulemaking by January 15 each year to account for inflation. EPA's annual rulemaking adjustments, codified in 40 C.F.R. § 19.4, are mandated by the Federal Civil Penalties Inflation Adjustment Act of 1990, as amended through the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (28 U.S.C. § 2461 note). As such, the civil penalty amounts below may change in the future due to inflation. See 40 C.F.R. § 19.4 for the most up-to-date civil penalty amounts.

#### 1. Criminal Penalties.

- 1.1. *Negligent Violations.* The CWA provides that any person who negligently violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to criminal penalties of not less than \$2,500 nor more than \$25,000 per day of violation, or imprisonment of not more than one year, or both. In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than \$50,000 per day of violation or by imprisonment of not more than two years, or both.
- 1.2. *Knowing Violations.* The CWA provides that any person who knowingly violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a fine of not less than \$5,000 nor more than \$50,000 per day of violation, or by imprisonment for not more than 3 years, or both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than \$100,000 per day of violation, or imprisonment of not more than 6 years, or both.
- 1.3. *Knowing Endangerment.* The CWA provides that any person who knowingly violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act and who knows at that time that he or she is placing another person in imminent danger of death or serious bodily injury shall upon conviction be subject to a fine of not more than \$250,000 or by imprisonment of not more than 15 years, or both. In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than \$500,000 or by imprisonment of not more than 30 years, or both. An organization, as defined in section 309(c)(3)(B)(iii) of the Act, shall, upon conviction of violating the imminent danger provision be subject to a fine of not more than \$1,000,000 and can be fined up to \$2,000,000 for second or subsequent convictions.

- 1.4. *False Statement.* 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 not more than \$10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than 4 years, or both. The Act further provides that any person who knowingly makes any false statement, 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 non-compliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.
2. *Civil Penalties.* The CWA provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a civil penalty not to exceed the maximum amounts authorized by Section 309(d) of the Act and the Federal Civil Penalties Inflation Adjustment Act of 1990, as amended by Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (28 U.S.C. § 2461 note), and codified at 40 CFR § 19.4.
3. *Administrative Penalties.* The CWA provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to an administrative penalty, as follows
  - 3.1 *Class I Penalty.* Not to exceed the maximum amounts authorized by Section 309(g)(2)(A) of the Act and the Federal Civil Penalties Inflation Adjustment Act of 1990 as amended by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (28 U.S.C. § 2461 note), and codified at 40 CFR § 19.4.
  - 3.2 *Class II Penalty.* Not to exceed the maximum amounts authorized by Section 309(g)(2)(B) of the Act and the Federal Civil Penalties Inflation Adjustment Act of 1990, as amended by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (28 U.S.C. § 2461 note), and codified at 40 CFR § 19.4.

## **B.2. Duty to Reapply.**

If you wish to continue an activity regulated by this permit after the expiration date of this permit, you must apply for and obtain authorization as required by the new permit once EPA issues it.

## **B.3. Need to Halt or Reduce Activity Not a Defense.**

It shall not be a defense for you 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.

## **B.4. Duty to Mitigate.**

You must 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.

**B.5. Proper Operation and Maintenance.**

You must at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by you to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems which are installed by you only when the operation is necessary to achieve compliance with the conditions of this permit.

**B.6. Permit Actions.**

This permit may be modified, revoked and reissued, or terminated for cause. Your filing of a request for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

**B.7. Property Rights.**

This permit does not convey any property rights of any sort, or any exclusive privileges.

**B.8. Duty to Provide Information.**

You must furnish to EPA or an authorized representative (including an authorized contractor acting as a representative of EPA), within a reasonable time, any information which EPA may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. You must also furnish to EPA or an authorized representative upon request, copies of records required to be kept by this permit.

**B.9. Inspection and Entry.**

You must allow EPA or an authorized representative (including an authorized contractor acting as a representative of EPA), upon presentation of credentials and other documents as may be required by law, to:

- A. Enter upon your premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- B. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- C. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- D. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

**B.10. Monitoring and Records.**

- A. Samples and measurements taken for the purpose of monitoring must be representative of the volume and nature of the monitored activity.
- B. You must retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least three years from the date the permit expires or the date the permittee's authorization is terminated. This period may be extended by request of EPA at any time.
- C. Records of monitoring information must include:

1. The date, exact place, and time of sampling or measurements;
  2. The individual(s) who performed the sampling or measurements;
  3. The date(s) analyses were performed
  4. The individual(s) who performed the analyses;
  5. The analytical techniques or methods used; and
  6. The results of such analyses.
- D. Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in the permit.
- E. The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than 4 years, or both.

**B.11. Signatory Requirements.**

- A. NOIs, NOTs, and NOEs must be signed as follows:
1. For a corporation: By a responsible corporate officer. For the purpose of this subsection, a responsible corporate officer means: (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
  2. For a partnership or sole proprietorship: By a general partner or the proprietor, respectively; or
  3. For a municipality, state, federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this subsection, a principal executive officer of a federal agency includes (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator of EPA).
- B. Your SWPPP, including changes to your SWPPP to document any corrective actions or advanced implementation measures taken as required by Part 5, and any other compliance documentation required under this permit, including the Annual Report, DMRs, and inspection reports, must be signed by a person described in Appendix B, Subsection 11.A above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

1. The authorization is made in writing by a person described in Appendix B, Subsection 11.A;
  2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position); and
  3. The signed and dated written authorization is included in the SWPPP. A copy must be submitted to EPA, if requested.
- C. All other changes to your SWPPP, and other compliance documentation required under Part 5.3, must be signed and dated by the person preparing the change or documentation.
- D. Changes to Authorization. If an authorization under this permit is no longer accurate because the industrial facility has been purchased by a different entity, a new NOI satisfying the requirements of Part 1.3 must be submitted to EPA. See Table 1-2 in Part 1.3.3 of the permit. However, if the only change that is occurring is a change in contact information or a change in the facility's address, the operator need only make a modification to the existing NOI submitted for authorization.
- E. Any person signing documents in accordance with Appendix B, Subsections 11.A or 11.B above must include the following certification:
- "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information contained therein. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information contained 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."
- F. For persons signing documents electronically, in addition to meeting other applicable requirements in Appendix I, Subsection B.11, such signatures must be legally dependable with no less evidentiary value than their paperequivalent.
- G. The CWA provides that any person who knowingly makes any false statement, 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 non-compliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

**B.12. Reporting Requirements.**

- A. Planned changes. You must give notice to EPA as soon as possible, but no fewer than 30 days, of any planned physical alterations or additions to the permitted facility. Notice is required only when:
1. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b); or
  2. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under 40 CFR 122.42(a)(1).

- B. Anticipated noncompliance. You must give advance notice to EPA of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
- C. Transfers. This permit is not transferable to any person except after notice to EPA. Where a facility wants to change the name of the permittee, the original permittee (the first owner or operators) must submit a Notice of Termination pursuant to Part 1.4. The new owner or operator must submit a Notice of Intent in accordance with Part 1.3.3 and Table 1-2. See also requirements in Appendix B, Subsections 11.B and 11.D.
- D. Monitoring reports. Monitoring results must be reported at the intervals specified elsewhere in this permit.
1. Pursuant to Part 7.1, all monitoring data collected pursuant to Part 4 must be submitted to EPA using EPA's online DMR system (<http://www.epa.gov/netdmr/>).
  2. If you monitor any pollutant more frequently than required by the permit using test procedures approved under 40 CFR Part 136 or as specified in the permit, the results of this monitoring must be included in the calculation and reporting of the data submitted in the DMR.
  3. Calculations for all limitations which require averaging of measurements must use an arithmetic mean. For averaging purposes, use a value of zero for any individual sample parameter, which is determined to be less than the method detection limit. For sample values that fall between the method detection level and the quantitation limit (i.e., a confirmed detection but below the level that can be reliably quantified), use a value halfway between zero and the quantitation limit.
- E. 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.
- F. Twenty-four hour reporting.
1. You must report any noncompliance which may endanger health or the environment. Any information must be provided orally within 24 hours from the time you become aware of the circumstances. A written submission must also be provided within five days of the time you become aware of the circumstances. The written submission must contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance 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 noncompliance.
  2. The following shall be included as information which must be reported within 24 hours under this paragraph.
    - a. Any unanticipated bypass which exceeds any effluent limitation in the permit. (See 40 CFR 122.41(m)(3)(ii))
    - b. Any upset which exceeds any effluent limitation in the permit
    - c. Violation of a maximum daily discharge limit for any numeric effluent limitation. (See 40 CFR 122.44(g).)
  3. EPA may waive the written report on a case-by-case basis for reports under Appendix B, Subsection 12.F.2 if the oral report has been received within 24 hours.



- G. Other noncompliance. You must report all instances of noncompliance not reported under Appendix B, Subsections 12.D, 12.E, and 12.F, at the time monitoring reports are submitted. The reports must contain the information listed in Appendix B, Subsection 12.F.
- H. Other information. Where you become aware that you failed to submit any relevant facts in your NOI, or submitted incorrect information in your NOI or in any report to the Permitting Authority, you must promptly submit such facts or information.

**B.13. Bypass.**

- A. Definitions.
  - 1. Bypass means the intentional diversion of waste streams from any portion of a treatment facility See 40 CFR 122.41 (m)(1)(i).
  - 2. Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production. See 40 CFR 122.41 (m)(1)(ii).
- B. Bypass not exceeding limitations. You may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Appendix B, Subsections 13.C and 13.D. See 40 CFR 122.41 (m)(2).
- C. Notice.
  - 1. Anticipated bypass. If you know in advance of the need for a bypass, you must submit prior notice, if possible at least ten days before the date of the bypass. See 40 CFR 122.41 (m)(3)(i).
  - 2. Unanticipated bypass. You must submit notice of an unanticipated bypass as required in Appendix B, Subsection 12.F (24-hour notice). See 40 CFR 122.41 (m)(3)(ii).
- D. Prohibition of bypass. See 40 CFR 122.41 (m)(4).
  - 1. Bypass is prohibited, and EPA may take enforcement action against you for bypass, unless:
    - a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
    - b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
    - c. You submitted notices as required under Appendix B, Subsection 13.C.
  - 2. EPA may approve an anticipated bypass, after considering its adverse effects, if EPA determines that it will meet the three conditions listed above in Appendix B, Subsection 13.D.1.

**B.14. Upset.**

- A. Definition. Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond your reasonable control. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation. See 40 CFR 122.41(n)(1).
- B. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of Appendix B, Subsection 14.C are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review. See 40 CFR 122.41(n)(2).
- C. Conditions necessary for a demonstration of upset. See 40 CFR 122.41(n)(3). A permittee who wishes to establish the affirmative defense of upset must demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
  - 1. An upset occurred and that you can identify the cause(s) of the upset;
  - 2. The permitted facility was at the time being properly operated; and
  - 3. You submitted notice of the upset as required in Appendix B, Subsection 12.F.2.b (24 hour notice).
  - 4. You complied with any remedial measures required under Appendix B, Subsection 4.
- D. Burden of proof. In any enforcement proceeding, you, as the one seeking to establish the occurrence of an upset, have the burden of proof. See 40 CFR 122.41(n)(4).

**B.15. Retention of Records.**

Copies of the SWPPP and all documentation required by this permit, including records of all data used to complete the NOI to be covered by this permit, must be retained for at least three years from the date that permit coverage expires or is terminated. This period may be extended by request of EPA at any time.

**B.16. Reopener Clause.**

- A. Procedures for modification or revocation. Permit modification or revocation will be conducted according to 40 CFR § 122.62, § 122.63, § 122.64 and § 124.5. This includes reasons such as new information which was not available at the time of permit issuance and would have justified the application of different permit conditions at the time of issuance, including but not limited to any Reasonable and Prudent Alternatives or Reasonable and Prudent Measures developed in Endangered Species Act consultation, and/or future monitoring results.
- B. Water quality protection. If there is evidence indicating that the stormwater discharges authorized by this permit cause, have the reasonable potential to cause or contribute to an excursion above any applicable water quality standard, you may be required to obtain an individual permit, or the permit may be modified to include different limitations and/or requirements.
- C. Timing of permit modification. EPA may elect to modify the permit prior to its expiration (rather than waiting for the new permit cycle) to comply with any new statutory or regulatory requirements, such as for effluent limitation guidelines that may be promulgated in the course of the current permit cycle.

### Appendix C - Areas Eligible for Permit Coverage

EPA can only provide permit coverage in these areas and for classes of discharges that are outside the scope of a state's NPDES program authorization.

#### C.1 EPA Region 1: Connecticut, Massachusetts, Maine, New Hampshire, Rhode Island, Vermont.

This permit offers NPDES permit coverage for stormwater discharges associated with industrial activity from the following areas in EPA Region 1:

Master Permit Number	Areas of Coverage/Where EPA Is Permitting Authority
CTR05I000	Indian Country within the State of Connecticut
MAR050000	Commonwealth of Massachusetts, except Indian country
MAR05I000	Indian country within the Commonwealth of Massachusetts
NHR050000	State of New Hampshire
RIR05I000	Indian country within the State of Rhode Island
VTR05F000	Areas in the State of Vermont subject to industrial activity by a Federal Operator

For stormwater discharges in EPA Region 1 outside the areas of coverage identified above, please contact your state NPDES permitting authority to obtain coverage under a state-issued NPDES permit.

#### C.2 EPA Region 2: New Jersey, New York, Puerto Rico, Virgin Islands.

This permit offers NPDES permit coverage for stormwater discharges associated with industrial activity from the following areas in EPA Region 2:

Master Permit Number	Areas of Coverage/Where EPA Is Permitting Authority
PRR050000	Commonwealth of Puerto Rico
NYR05I000	Indian country within the State of New York, except the lands of the St. Regis Mohawk Tribe

For stormwater discharges in EPA Region 2 outside the areas of coverage identified above, please contact your state NPDES permitting authority to obtain coverage under a state-issued NPDES permit.

#### C.3 EPA Region 3: Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia.

This permit offers NPDES permit coverage for stormwater discharges associated with industrial activity from the following areas in EPA Region 3:

Master Permit Number	Areas of Coverage/Where EPA Is Permitting Authority
DCR050000	District of Columbia
DER05F000	Areas in the State of Delaware subject to industrial activity by a Federal Operator
VAR05I000	Indian country within the State of Virginia

For stormwater discharges in EPA Region 3 outside the areas of coverage identified above, please contact your state NPDES permitting authority to obtain coverage under a state-issued NPDES permit.

#### **C.4 EPA Region 4: Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee.**

This permit offers NPDES permit coverage for stormwater discharges associated with industrial activity from the following areas in EPA Region 4:

<b>Master Permit Number</b>	<b>Areas of Coverage/Where EPA Is Permitting Authority</b>
ALR05I000	Indian country within the State of Alabama
FLR05I000	Indian country within the State of Florida (except for facilities on the Miccosukee and Seminole Tribe lands, contact EPA Region 4 for an individual permit application)
MSR05I000	Indian country within the State of Mississippi
NCR05I000	Indian country within the State of North Carolina
SCR05I000	Indian country within the State of South Carolina

For stormwater discharges in EPA Region 4 outside the areas of coverage identified above, please contact your state NPDES permitting authority to obtain coverage under a state-issued NPDES permit.

#### **C.5 EPA Region 5: Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin.**

This permit offers NPDES permit coverage for stormwater discharges associated with industrial activity from the following areas in EPA Region 5:

<b>Master Permit Number</b>	<b>Areas of Coverage/Where EPA Is Permitting Authority</b>
MIR05I000	Indian country within the State of Michigan
MNR05I000	Indian country within the State of Minnesota
WIR05I000	Indian country within the State of Wisconsin (except for facilities on Sokaogon Chippewa Community lands and Bad River Band of Lake Superior Tribe of Chippewa Indians lands, see EPA Region 5 for an individual permit application).

For stormwater discharges in EPA Region 5 outside the areas of coverage identified above, please contact your state NPDES permitting authority to obtain coverage under a state-issued NPDES permit.

#### **C.6 EPA Region 6: Arkansas, Louisiana, Oklahoma, Texas, and New Mexico (except see Region 9 for Navajo lands, and see Region 8 for Ute Mountain Reservation lands).**

This permit offers NPDES permit coverage for stormwater discharges associated with industrial activity from the following areas in EPA Region 6:

<b>Master Permit Number</b>	<b>Areas of Coverage/Where EPA Is Permitting Authority</b>
LAR05I000	Indian country within the State of Louisiana
NMR050000	The State of New Mexico, except Indian country

<b>Master Permit Number</b>	<b>Areas of Coverage/Where EPA Is Permitting Authority</b>
NMR05I000	Indian country within the State of New Mexico, except Ute Mountain Reservation lands that are covered under Colorado permit COR05I000 and Navajo Reservation lands that are covered under Arizona permit AZR05I000
OKR05I000	Indian country within the State of Oklahoma
OKR05F000	Facilities in the State of Oklahoma not under the jurisdiction of the Oklahoma Department of Environmental Quality or the Oklahoma Department of Agriculture, Food and Forestry, except those on Indian Country. EPA jurisdiction facilities include SIC Codes 1311, 1381, 1382, 1389, and 5171.
TXR05F000	Facilities in the State of Texas not under the jurisdiction of the Texas Commission on Environmental Quality, except those on Indian Country. EPA-jurisdiction facilities include SIC Codes 1311, 1321, 1381, 1382, 1389, and 5171 (other than oil field service company "home base" facilities).
TXR05I000	Indian country within the State of Texas

For stormwater discharges in EPA Region 6 outside the areas of coverage identified above, please contact your state NPDES permitting authority to obtain coverage under a state-issued NPDES permit.

**C.7 EPA Region 7: Iowa, Kansas, Missouri, Nebraska (except see Region 8 for Pine Ridge Reservation Lands).**

This permit offer NPDES permit coverage for stormwater discharges associated with industrial activity from the following areas in EPA Region 7:

<b>Master Permit Number</b>	<b>Areas of Coverage/Where EPA Is Permitting Authority</b>
IAR05I000	Indian country within the State of Iowa
KSR05I000	Indian country within the State of Kansas
NER05I000	Indian country within the State of Nebraska, except Pine Ridge Reservation lands (see Region 8)

For stormwater discharges in EPA Region 7 outside the areas of coverage identified above, please contact your state NPDES permitting authority to obtain coverage under a state-issued NPDES permit.

**C.8 EPA Region 8: Colorado, Montana, North Dakota, South Dakota, Wyoming, Utah (except see Region 9 for Goshute Reservation and Navajo Reservation Lands), the Ute Mountain Reservation in NM, and the Pine Ridge Reservation in NE.**

This permit offers NPDES permit coverage for stormwater discharges associated with industrial activity from the following areas in EPA Region 8:

<b>Master Permit Number</b>	<b>Areas of Coverage/Where EPA Is Permitting Authority</b>
COR05F000	Areas in the State of Colorado, except those located on Indian country, subject to industrial activity by a Federal Operator

<b>Master Permit Number</b>	<b>Areas of Coverage/Where EPA Is Permitting Authority</b>
COR051000	Indian country within the State of Colorado, as well as the portion of the Ute Mountain Reservation located in New Mexico
MTR051000	Indian country within the State of Montana
NDR051000	Indian country within the State of North Dakota, as well as that portion of the Standing Rock Reservation located in South Dakota (except for the portion of the lands within the former boundaries of the Lake Traverse Reservation, which is covered under South Dakota permit SDR051000 listed below)
SDR051000	Indian country within the State of South Dakota, as well as the portion of the Pine Ridge Reservation located in Nebraska and the portion of the lands within the former boundaries of the Lake Traverse Reservation located in North Dakota (except for the Standing Rock Reservation, which is covered under North Dakota permit NDR051000 listed above)
UTR051000	Indian country within the State of Utah, except Goshute and Navajo Reservation lands (see Region 9)
WYR051000	Indian country within the State of Wyoming

For stormwater discharges in EPA Region 8 outside the areas of coverage identified above, please contact your state NPDES permitting authority to obtain coverage under a state-issued NPDES permit.

**C.9 EPA Region 9: California, Hawaii, Nevada, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Confederated Tribes of the Goshute Reservation in Utah and Nevada, Indian Country within the State of Arizona including the Navajo Reservation in Utah and New Mexico and Arizona, the Duck Valley Reservation in Idaho, and the Fort McDermitt Reservation in Oregon.**

This permit offers NPDES permit coverage for stormwater discharges associated with industrial activity from the following areas in EPA Region 9:

<b>Master Permit Number</b>	<b>Areas of Coverage/Where EPA Is Permitting Authority</b>
ASR050000	American Samoa
AZR051000	Indian country within the State of Arizona, including Navajo Reservation lands in New Mexico and Utah
CAR051000	Indian country within the State of California (facilities on the Hoopa Valley Reservation must contact EPA Region 9 for an individual permit)
GUR050000	Island of Guam
JAR050000	Johnston Atoll
MWR050000	Midway Island and Wake Island
MPR050000	Commonwealth of the Northern Mariana Islands
NVR051000	Indian country within the State of Nevada, including the Duck Valley Reservation in Idaho, the Fort McDermitt Reservation in Oregon and the Confederated Tribes of the Goshute Reservation in Utah

For stormwater discharges in EPA Region 9 outside the areas of coverage identified above, please contact your state NPDES permitting authority to obtain coverage under a state-issued NPDES permit.

**C.10 Region 10: Alaska, Idaho (except see Region 9 for Duck Valley Reservation lands), Oregon (except see Region 9 for Fort McDermitt Reservation), Washington.**

This permit offers NPDES permit coverage for stormwater discharges associated with industrial activity from the following areas in EPA Region 10:

<b>Master Permit Number</b>	<b>Areas of Coverage/Where EPA Is Permitting Authority</b>
AKR05F000	Denali National Park and Preserve
AKR05I000	Indian country lands as defined in 18 U.S.C. 1151 within the State of Alaska
IDR050000	The State of Idaho, except Indian country lands
IDR05I000	Indian country lands within the State of Idaho, except Duck Valley Reservation lands, which are covered under Nevada permit NVR05I000
ORR05I000	Indian country lands within the State of Oregon, except Fort McDermitt Reservation lands, which are covered under Nevada permit NVR05I000
WAR05I000	Indian country lands within the State of Washington (facilities on the Swinomish Reservation must contact EPA Region 10 for an individual permit)
WAR05F000	Areas in the State of Washington, except those located on Indian country lands, subject to industrial activity by a Federal Operator

For stormwater discharges in EPA Region 10 outside the areas of coverage identified above, please contact your state NPDES permitting authority to obtain coverage under a state-issued NPDES permit.

### Appendix D - Facilities and Activities Covered

Your permit eligibility is limited to discharges from facilities in the “sectors” of industrial activity summarized in Table D-1. These sector descriptions are based on Standard Industrial Classification (SIC) Codes and Industrial Activity Codes. References to “sectors” in this permit (e.g., sector-specific monitoring requirements) refer to these groupings.

<b>Table D-1. Sectors of Industrial Activity Covered by This Permit</b>		
<b>Subsector (May be subject to more than one)</b>	<b>SIC Code or Activity Code<sup>1</sup></b>	<b>Activity Represented</b>
<b>SECTOR A: TIMBER PRODUCTS</b>		
A1	2421	General Sawmills and Planing Mills
A2	2491	Wood Preserving
A3	2411	Log Storage and Handling
A4	2426	Hardwood Dimension and Flooring Mills
	2429	Special Product Sawmills, Not Elsewhere Classified
	2431-2439 (except 2434)	Millwork, Veneer, Plywood, and Structural Wood (see Sector W)
	2448	Wood Pallets and Skids
	2449	Wood Containers, Not Elsewhere Classified
	2451, 2452	Wood Buildings and Mobile Homes
	2493	Reconstituted Wood Products
	2499	Wood Products, Not Elsewhere Classified
	2441	Nailed and Lock Corner Wood Boxes and Shook
<b>SECTOR B: PAPER AND ALLIED PRODUCTS</b>		
B1	2631	Paperboard Mills
B2	2611	Pulp Mills
	2621	Paper Mills
	2652-2657	Paperboard Containers and Boxes
	2671-2679	Converted Paper and Paperboard Products, Except Containers and Boxes
<b>SECTOR C: CHEMICALS AND ALLIED PRODUCTS</b>		
C1	2873-2879	Agricultural Chemicals
C2	2812-2819	Industrial Inorganic Chemicals
C3	2841-2844	Soaps, Detergents, and Cleaning Preparations; Perfumes, Cosmetics, and Other Toilet Preparations
C4	2821-2824	Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers Except Glass



<b>Table D-1. Sectors of Industrial Activity Covered by This Permit</b>		
<b>Subsector (May be subject to more than one)</b>	<b>SIC Code or Activity Code<sup>1</sup></b>	<b>Activity Represented</b>
C5	2833-2836	Medicinal Chemicals and Botanical Products; Pharmaceutical Preparations; in vitro and in vivo Diagnostic Substances; and Biological Products, Except Diagnostic Substances
	2851	Paints, Varnishes, Lacquers, Enamels, and Allied Products
	2861-2869	Industrial Organic Chemicals
	2891-2899	Miscellaneous Chemical Products
	3952 (limited to list of inks and paints)	Inks and Paints, Including China Painting Enamels, India Ink, Drawing Ink, Platinum Paints for Burnt Wood or Leather Work, Paints for China Painting, Artist's Paints and Artist's Watercolors
	2911	Petroleum Refining
<b>SECTOR D: ASPHALT PAVING AND ROOFING MATERIALS AND LUBRICANTS</b>		
D1	2951, 2952	Asphalt Paving and Roofing Materials
D2	2992, 2999	Miscellaneous Products of Petroleum and Coal
<b>SECTOR E: GLASS, CLAY, CEMENT, CONCRETE, AND GYPSUM PRODUCTS</b>		
E1	3251-3259	Structural Clay Products
	3261-3269	Pottery and Related Products
E2	3271-3275	Concrete, Gypsum, and Plaster Products
E3	3211	Flat Glass
	3221, 3229	Glass and Glassware, Pressed or Blown
	3231	Glass Products Made of Purchased Glass
	3241	Hydraulic Cement
	3281	Cut Stone and Stone Products
	3291-3299	Abrasive, Asbestos, and Miscellaneous Nonmetallic Mineral Products
<b>SECTOR F: PRIMARY METALS</b>		
F1	3312-3317	Steel Works, Blast Furnaces, and Rolling and Finishing Mills
F2	3321-3325	Iron and Steel Foundries
F3	3351-3357	Rolling, Drawing, and Extruding of Nonferrous Metals
F4	3363-3369	Nonferrous Foundries (Castings)
F5	3331-3339	Primary Smelting and Refining of Nonferrous Metals
	3341	Secondary Smelting and Refining of Nonferrous Metals
	3398, 3399	Miscellaneous Primary Metal Products

<b>Table D-1. Sectors of Industrial Activity Covered by This Permit</b>		
<b>Subsector (May be subject to more than one)</b>	<b>SIC Code or Activity Code<sup>1</sup></b>	<b>Activity Represented</b>
<b>SECTOR G: METAL MINING (ORE MINING AND DRESSING)</b>		
G1	1021	Copper Ore and Mining Dressing Facilities
G2	1011	Iron Ores
	1021	Copper Ores
	1031	Lead and Zinc Ores
	1041, 1044	Gold and Silver Ores
	1061	Ferroalloy Ores, Except Vanadium
	1081	Metal Mining Services
	1094, 1099	Miscellaneous Metal Ores
<b>SECTOR H: COAL MINES AND COAL MINING-RELATED FACILITIES</b>		
H1	1221-1241	Coal Mines and Coal Mining-Related Facilities
<b>SECTOR I: OIL AND GAS EXTRACTION</b>		
I1	1311	Crude Petroleum and Natural Gas
	1321	Natural Gas Liquids
	1381-1389	Oil and Gas Field Services
<b>SECTOR J: MINERAL MINING AND DRESSING</b>		
J1	1442	Construction Sand and Gravel
	1446	Industrial Sand
J2	1411	Dimension Stone
	1422-1429	Crushed and Broken Stone, Including Rip Rap
	1481	Nonmetallic Minerals Services, Except Fuels
	1499	Miscellaneous Nonmetallic Minerals, Except Fuels
J3	1455, 1459	Clay, Ceramic, and Refractory Materials
	1474-1479	Chemical and Fertilizer Mineral Mining
<b>SECTOR K: HAZARDOUS WASTE TREATMENT, STORAGE, OR DISPOSAL FACILITIES</b>		
K1	HZ	Hazardous Waste Treatment, Storage, or Disposal Facilities, including those that are operating under interim status or a permit under subtitle C of RCRA
<b>SECTOR L: LANDFILLS, LAND APPLICATION SITES, AND OPEN DUMPS</b>		
L1	LF	All Landfill, Land Application Sites and Open Dumps
L2	LF	All Landfill, Land Application Sites and Open Dumps, except Municipal Solid Waste Landfill (MSWLF) Areas Closed in Accordance with 40 CFR 258.60
<b>SECTOR M: AUTOMOBILE SALVAGE YARDS</b>		
M1	5015	Automobile Salvage Yards

<b>Table D-1. Sectors of Industrial Activity Covered by This Permit</b>		
<b>Subsector (May be subject to more than one)</b>	<b>SIC Code or Activity Code<sup>1</sup></b>	<b>Activity Represented</b>
<b>SECTOR N: SCRAP RECYCLING FACILITIES</b>		
N1	5093	Scrap Recycling and Waste Recycling Facilities except Source-Separated Recycling
N2	5093	Source-separated Recycling Facility
<b>SECTOR O: STEAM ELECTRIC GENERATING FACILITIES</b>		
O1	SE	Steam Electric Generating Facilities, including coal handling sites
<b>SECTOR P: LAND TRANSPORTATION AND WAREHOUSING</b>		
P1	4011, 4013	Railroad Transportation
	4111-4173	Local and Highway Passenger Transportation
	4212-4231	Motor Freight Transportation and Warehousing
	4311	United States Postal Service
	5171	Petroleum Bulk Stations and Terminals
<b>SECTOR Q: WATER TRANSPORTATION</b>		
Q1	4412-4499	Water Transportation Facilities
<b>SECTOR R: SHIP AND BOAT BUILDING AND REPAIRING YARDS</b>		
R1	3731, 3732	Ship and Boat Building or Repairing Yards
<b>SECTOR S: AIR TRANSPORTATION FACILITIES</b>		
S1	4512-4581	Air Transportation Facilities
<b>SECTOR T: TREATMENT WORKS</b>		
T1	TW	Treatment Works treating domestic sewage or any other sewage sludge or wastewater treatment device or system, used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated to the disposal of sewage sludge that are located within the confines of the facility, with a design flow of 1.0 mgd or more, or required to have an approved pretreatment program under 40 CFR Part 403. Not included are farm lands, domestic gardens or lands used for sludge management where sludge is beneficially reused and which are not physically located in the confines of the facility, or areas that are in compliance with section 405 of the CWA
<b>SECTOR U: FOOD AND KINDRED PRODUCTS</b>		
U1	2041-2048	Grain Mill Products
U2	2074-2079	Fats and Oils Products
U3	2011-2015	Meat Products
	2021-2026	Dairy Products

<b>Table D-1. Sectors of Industrial Activity Covered by This Permit</b>		
<b>Subsector (May be subject to more than one)</b>	<b>SIC Code or Activity Code<sup>1</sup></b>	<b>Activity Represented</b>
	2032-2038	Canned, Frozen, and Preserved Fruits, Vegetables, and Food Specialties
	2051-2053	Bakery Products
	2061-2068	Sugar and Confectionery Products
	2082-2087	Beverages
	2091-2099	Miscellaneous Food Preparations and Kindred Products
	2111-2141	Tobacco Products
<b>SECTOR V: TEXTILE MILLS, APPAREL, AND OTHER FABRIC PRODUCT MANUFACTURING; LEATHER AND LEATHER PRODUCTS</b>		
V1	2211-2299	Textile Mill Products
	2311-2399	Apparel and Other Finished Products Made from Fabrics and Similar Materials
	3131-3199	Leather and Leather Products (note: see Sector Z1 for Leather Tanning and Finishing)
<b>SECTOR W: FURNITURE AND FIXTURES</b>		
W1	2434	Wood Kitchen Cabinets
	2511-2599	Furniture and Fixtures
<b>SECTOR X: PRINTING AND PUBLISHING</b>		
X1	2711-2796	Printing, Publishing, and Allied Industries
<b>SECTOR Y: RUBBER, MISCELLANEOUS PLASTIC PRODUCTS, AND MISCELLANEOUS MANUFACTURING INDUSTRIES</b>		
Y1	3011	Tires and Inner Tubes
	3021	Rubber and Plastics Footwear
	3052, 3053	Gaskets, Packing and Sealing Devices, and Rubber and Plastic Hoses and Belting
	3061, 3069	Fabricated Rubber Products, Not Elsewhere Classified
Y2	3081-3089	Miscellaneous Plastics Products
	3931	Musical Instruments
	3942-3949	Dolls, Toys, Games, and Sporting and Athletic Goods
	3951-3955 (except 3952 – see Sector C)	Pens, Pencils, and Other Artists' Materials
	3961, 3965	Costume Jewelry, Costume Novelties, Buttons, and Miscellaneous Notions, Except Precious Metal
	3991-3999	Miscellaneous Manufacturing Industries

<b>Table D-1. Sectors of Industrial Activity Covered by This Permit</b>		
<b>Subsector (May be subject to more than one)</b>	<b>SIC Code or Activity Code<sup>1</sup></b>	<b>Activity Represented</b>
<b>SECTOR Z: LEATHER TANNING AND FINISHING</b>		
Z1	3111	Leather Tanning and Finishing
<b>SECTOR AA: FABRICATED METAL PRODUCTS</b>		
AA1	3411-3499 (except 3479)	Fabricated Metal Products, Except Machinery and Transportation Equipment, and Coating, Engraving, and Allied Services
	3911-3915	Jewelry, Silverware, and Plated Ware
AA2	3479	Fabricated Metal Coating and Engraving
<b>SECTOR AB: TRANSPORTATION EQUIPMENT, INDUSTRIAL OR COMMERCIAL MACHINERY</b>		
AB1	3511-3599 (except 3571-3579)	Industrial and Commercial Machinery, Except Computer and Office Equipment (see Sector AC)
	3711-3799 (except 3731, 3732)	Transportation Equipment Except Ship and Boat Building and Repairing (see Sector R)
<b>SECTOR AC: ELECTRONIC, ELECTRICAL, PHOTOGRAPHIC, AND OPTICAL GOODS</b>		
AC1	3571-3579	Computer and Office Equipment
	3812-3873	Measuring, Analyzing, and Controlling Instruments; Photographic and Optical Goods, Watches, and Clocks
	3612-3699	Electronic and Electrical Equipment and Components, Except Computer Equipment
<b>SECTOR AD: NON-CLASSIFIED FACILITIES</b>		
AD1	Other stormwater discharges designated by the 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.	

<sup>1</sup> A complete list of SIC Codes (and conversions from the newer North American Industry Classification System" (NAICS)) can be obtained from the Internet at [www.census.gov/epcd/www/naics.html](http://www.census.gov/epcd/www/naics.html) or in paper form from various locations in the document titled *Handbook of Standard Industrial Classifications*, Office of Management and Budget, 1987.

## Appendix E - Procedures Relating to Endangered Species Protection

### E.1 Assessing the Effects of Your Discharges and Discharge-Related Activities

In accordance with Part 1.1.4, you must follow the procedures in this appendix to determine which of the eligibility criteria (i.e., criterion A - E) you qualify under, if any, with respect to the protection of threatened or endangered species listed, and "critical habitat" designated, under the federal Endangered Species Act (ESA). If you do not meet one of these criteria, you are not eligible for coverage under this permit.

The procedures in this appendix will help you assess the potential effects of applicable stormwater discharges, discharge-related activities, and authorized non-stormwater discharges on federally listed threatened and endangered species and their designated critical habitat. In accordance with Part 6.2.6.1 of this permit, you must keep any documentation that supports your eligibility criteria determination, including the completed [Criterion Selection Worksheet](#) in Part E.4 of this appendix, with your Stormwater Pollution Prevention Plan (SWPPP).

**You must complete your eligibility determination outlined in the Endangered Species Protection section of the Notice of Intent (NOI) in the NPDES eReporting Tool (NeT-MSGP) and provide all information as required on your NOI that supports the Part 1.1.4 eligibility criterion you qualify under. Note that if you have determined that you may be eligible under Criterion C3 or Criterion F, you must complete additional questions in the Endangered Species Protection section of the NOI in NeT-MSGP, unless the EPA Regional Office grants you a waiver from electronic reporting, in which case you must submit a completed [Criterion C3 Eligibility Form](#) to EPA a minimum of 30 days prior to submitting your NOI for permit coverage.**

While coordination between you and the U.S. Fish and Wildlife Service (USFWS) and/or the National Marine Fisheries Service (NMFS) (together, the "Services") is not necessarily required in all cases, EPA encourages you to coordinate with the Services, to document that coordination, and to do so early in the planning process prior to submitting your NOI.

When evaluating the potential effects of your activities, you must consider effects to listed species or critical habitats within the "action area" of your industrial activity, as identified by the [USFWS IPaC](#) and/or the [NOAA Species Directory](#) (see Part E.4 of this appendix). Action area is defined in Appendix A of the MSGP and below:

**Action Area** – all areas to be affected directly or indirectly by the federal action and not merely the immediate area involved in the action. See 50 CFR 402. For the purposes of this permit and for application of Endangered Species Act requirements, the following areas are included in the definition of action area:

- The areas where stormwater discharges originate and flow from the industrial facility to the point of discharge into receiving waters. (Example: Where stormwater flows into a ditch, swale, or gully that leads to receiving waters and where listed species (such as listed amphibians) are found in the ditch, swale, or gully.)
- The areas where stormwater from industrial activities discharge into receiving waters and the areas in the immediate vicinity of the point of discharge. (Example: Where stormwater from industrial activities discharges into a stream segment that is known to harbor listed aquatic species.)

- The areas where stormwater controls will be constructed and operated, including any areas where stormwater flows to and from the stormwater controls. (Example: Where a stormwater retention pond would be built.)
- The areas upstream and/or downstream from the stormwater discharge into a stream segment that may be affected by these discharges. (Example: Where sediment discharged to a receiving stream settles downstream and impacts a breeding area of a listed aquatic species.)

## E.2 Eligibility Criterion

As required by Part 1.1.4, you must certify in your NOI that you meet one of the following criteria (A - E) to be eligible for coverage under the permit. Once you determine the applicable eligibility criterion, you must:

- Specify the basis for your selection of the applicable eligibility criterion, and if required, provide documentation that is the basis for your determination with the NOI form; and
- Provide documentation in your SWPPP that is sufficient to support your determination that you satisfy the requirements of the applicable criterion.

**NOTE: You must use the information from the [USFWS IPaC](#) and [NOAA Species Directory](#) (see Part E.4 of this appendix, Step 2 and 3) when determining the presence of ESA listed species and critical habitat. Attaching aerial image(s) of the site to this NOI is helpful to EPA, USFWS, and NMFS in confirming eligibility under this criterion. Please Note: NMFS' jurisdiction includes ESA-listed marine and estuarine species that spawn in inland rivers.**

**Criterion A. No ESA-listed species and/or critical habitat present in action area.** No ESA-listed species and designated critical habitat(s) are likely to occur in your facility's "action area" as defined in Appendix A. You must provide a description below of the basis for selecting this criterion and provide documentation supporting your eligibility determination in your SWPPP.

**Basis statement content:** A basis statement supporting the selection of this criterion must identify the USFWS and NMFS information sources used. State resources are not acceptable. Attaching aerial image(s) of the site to this NOI is helpful to EPA, USFWS, and NMFS in confirming eligibility under this criterion. Note that NMFS' jurisdiction includes ESA-listed marine and estuarine species that spawn in inland rivers.

**Criterion B. Eligibility requirements met by another operator under the 2021 MSGP.** Your industrial activity's discharges and discharge-related activities were already addressed in another operator's valid certification of eligibility for your "action area" under eligibility criteria A, C, D, or E of the 2021 MSGP and you have confirmed that no additional ESA-listed species and designated critical habitat not considered in that certification may be present or located in the "action area" (e.g., due to a new species listing or critical habitat designation). To certify your eligibility under this criterion, there must be no lapse of NPDES permit coverage in the other 2021 MSGP operator's certification. By certifying eligibility under this criterion, you must comply with any conditions upon which the other operator's certification was based. You must include in your NOI the NPDES ID assigned to the other 2021 MSGP operator's authorization under this permit. If your certification is based on another 2021 MSGP operator's certification under

criterion C, you must provide EPA with the relevant supporting information required (i.e., permit tracking number, industrial activity SWPPP, a description of the basis for the criterion selected) in your NOI form.

**Basis statement content:** A basis statement supporting the selection of this criterion must identify the eligibility criterion of the other MSGP NOI, the authorization date, and confirmation that the authorization is effective.

**Criterion C1. Facility eligible for Criterion C in the 2015 MSGP with NO CHANGE to listed species, critical habitat, or action area.** Your facility was eligible for Criterion C in the 2015 MSGP and there has been no change in your facility's action area and you have confirmed that there are no additional threatened or endangered species or designated critical habitat listed by USFWS and/or NMFS in your action area since your certification under Criterion C in the 2015 MSGP. You must provide a description of the basis of this criterion selected on your NOI form and provide documentation supporting your eligibility determination in your SWPPP.

**Basis statement content:** A basis statement supporting the selection of this criterion must provide the USFWS and/or NMFS resources consulted that helped you determine that there are no additional and/or critical habitat listed by under the jurisdiction of the Services in your action area.

**Criterion C2. Facility eligible for Criterion C in the 2015 MSGP with CHANGES to listed species, critical habitat, or action area.** Your facility was eligible for Criterion C in the 2015 MSGP, but there have been changes in your facility's action area, and/or additional threatened or endangered species and/or designated critical habitat have been listed by USFWS and/or NMFS in your action area since your certification under Criterion C under the 2015 MSGP. You must provide a description of the basis of this criterion selected on your NOI form and provide documentation supporting your eligibility determination in your SWPPP. You must submit your completed Criterion C2 Eligibility information at the same time that you submit your NOI, which will be held for 30 additional days prior to the standard 30-day review for all NOIs.

**Basis statement content:** A basis statement supporting the selection of this criterion must identify the following:

1. A description of the changes in the facility's action area (if applicable).
2. The USFWS and/or NMFS resources consulted that helped you determine that additional species and/or critical habitat have been listed/designated by either of the Services in your action area.
3. What ESA-listed species and/or designated critical habitat are located in your "action area".
4. Distance in miles between your site and the ESA-listed species and/or designated critical habitat within the action area (in miles, or state "on site" if the ESA-listed species and/or designated critical habitat is within the area to be disturbed).



5. A description of EPA approved measures you will implement or will continue to implement to ensure no likely adverse effects on ESA-listed species and/or critical habitat.

**Criterion C3. ESA-listed species and/or designated critical habitat likely to occur, but discharges not likely to adversely affect them.** ESA-listed threatened or endangered species or their designated critical habitat(s) under the jurisdiction of USFWS and/or NMFS are likely to occur in or near your facility's "action area," and you certify to EPA that your industrial activity's discharges and discharge-related activities are not likely to adversely affect ESA-listed and/or critical habitat. To certify your eligibility under this criterion, you must complete the Criterion C3 Eligibility Form, which you must complete additional questions in the Endangered Species Protection section of the NOI in Net-MSGP, unless the EPA Regional Office grants you a waiver from electronic reporting, in which case you must submit to EPA at least 30 days prior to filing your NOI for permit coverage. After evaluation of your Criterion C3 Eligibility Form, EPA may require additional measures that you must implement to avoid or eliminate likely adverse effects on ESA-listed species and/or critical habitat from discharges and discharge-related activities. You must submit your completed Criterion C3 Eligibility information at the same time that you submit your NOI, which will be held for 30 additional days prior to the standard 30-day review for all NOIs. You must also provide a description of the basis for the criterion you selected on your NOI form and provide documentation supporting your eligibility determination in your SWPPP.

**Basis statement content:** A basis statement supporting the selection of this criterion must identify the following:

1. The USFWS and NMFS information resources and expertise (e.g., state or federal biologists) used to arrive at this conclusion. Any supporting documentation should explicitly state that both ESA-listed species and designated critical habitat under the jurisdiction of the USFWS and/or NMFS were considered in the evaluation.
2. What ESA-listed species and/or designated critical habitat are located in your "action area".
3. Distance in miles between your site and the ESA-listed species and/or designated critical habitat within the action area (in miles, or state "on site" if the ESA-listed species and/or designated critical habitat is within the area to be disturbed).
4. A description of EPA approved measures you will implement to ensure no likely adverse effects on ESA-listed species and/or critical habitat.
5. A statement affirming that "I agree to implement any additional measures that were determined by EPA to be necessary to ensure that my discharges and/or discharge-related activities will not have likely adverse effects on listed species and critical habitat."
6. If the EPA Regional Office granted you a waiver from electronic reporting, date you sent completed Criterion C3 Eligibility form to EPA.

**Criterion D. ESA Section 7 consultation has successfully concluded.** Consultation between a Federal Agency and the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service under section 7 of the Endangered Species Act has concluded. The consultation must have addressed the effects of the facility's discharges and discharge-related activities on ESA-listed species and/or designated critical habitat under the jurisdiction of USFWS and/or NMFS. To certify eligibility under this criterion, indicate the result of the consultation:

- i. A biological opinion and/or conference opinion that concludes that the action in question (taking into account the effects of your facility's discharges and discharge-related activities) is not likely to jeopardize the continued existence of ESA-listed species, or result in the destruction or adverse modification of designated critical habitat; or
- ii. Written concurrence from the applicable Service(s) with a finding that your facility's discharges and discharge-related activities are not likely to adversely affect ESA-listed species or designated critical habitat.

You must verify that the consultation does not warrant reinitiation under 50 CFR §402.16. If reinitiation of consultation is required, in order to be eligible under this criterion you must ensure consultation is reinitiated and the result of the consultation must be consistent with Criterion D (i), or (ii) above.

If eligible under Criterion D, you must also provide supporting documentation for your determination in your NOI and SWPPP, including the Biological Opinion (or ECO tracking number) or concurrence letter. You must include copies of the correspondence between yourself and the USFWS and/or NMFS in your SWPPP and your NOI.

**Basis statement content:** A basis statement supporting the selection of this criterion should identify the federal action agency(ies) involved, the field office/regional office(s) providing that consultation, any tracking numbers of identifiers associated with that consultation (e.g., IPaC number, ECO number), and the date the consultation was completed.

**Criterion E. Issuance of section 10 permit.** Potential take is authorized through the issuance of a permit under section 10 of the ESA by the USFWS and/or NMFS, and this authorization addresses the effects of the facility's discharges and discharge-related activities on ESA-listed species and designated critical habitat. You must include copies of the correspondence between yourself and the participating agencies in your SWPPP and your NOI.

**Basis statement content:** A basis statement supporting the selection of this criterion should identify whether USFWS or NMFS or both agencies provided a section 10 permit, the field office/regional office(s) providing permit(s), any tracking numbers of identifiers associated with that consultation (e.g., IPaC number, ECO number), and the date the permit was granted.

### **E.3 Eligibility Compliance**

You must comply with any measures that formed the basis of your eligibility determination in Part 1.1.4 for the duration of your coverage under the MSGP in order to maintain your eligibility for coverage under the permit. These measures become permit requirements per Part 2.3. Documentation of these measures must be kept as part of your SWPPP (see Part 6.2.6.1).

#### E.4 Criterion Selection Worksheet

**Instructions:**

You must follow the step-by-step instructions in this worksheet in order to determine your eligibility under the Part 1.1.4. Alternatively, if you prefer to use a Biological Evaluation (or its equivalent) in making a determination of your eligibility, you should ensure all of the information requested below for the criterion you are selecting is fully addressed in the document and provided. You must attach this completed document or Biological Evaluation (or equivalent) to your SWPPP to support your Part 1.1.4 eligibility determination.

**You may need the following information in order to determine your eligibility:**

- 1) Your facility's draft Stormwater Pollution Prevention Plan (SWPPP), including information on receiving waters.
- 2) Any additional site-specific information related to your facility's discharges and discharge-related activities, such as the geographic location.
- 3) The list(s) of threatened and endangered species and/or any designated critical habitat in your action area, as acquired from the Fish and Wildlife Service and/or the National Marine Fisheries Service. Directions on how to acquire species lists is described in a subsequent section below.

Note that much of the information needed to complete this worksheet is also needed in order to prepare your NOI for permit coverage and is information that is part of your SWPPP. You may copy and paste any information that is already required and completed in your SWPPP into this worksheet. *(You may also decide to make minor changes or additions to your SWPPP while filling out the worksheet for clarification purposes or to address any concerns that are identified below.)*

**STEP 1: DETERMINE IF YOU MEET THE ELIGIBILITY REQUIREMENTS OF CRITERION B, D, or E.**

- I. You should first determine whether you are eligible under criterion B (because another operator has accounted for your action area in their valid certification of eligibility under the 2021 MSGP), criterion D (because of a previously completed ESA section 7 consultation), or criterion E (because of a previously issued ESA section 10 permit).
- II. If you determine that your facility does not meet criterion B, D, or E (e.g., due to difference in action area described, lack of analysis of appropriate effects, new listings or designation of critical habitat), proceed to [Step 2](#) below.

**Criterion B Eligibility Requirements**

If your industrial activities were already addressed in another operator's valid certification of eligibility under the current 2021 MSGP, you may be eligible for coverage under criterion B. In order to be eligible for coverage under criterion B, you must confirm that **all** three of the following are true:

- You have confirmed that the other operator's certification of eligibility accounted for your action area and that the eligibility determination was valid.
- There has been no lapse of NPDES permit coverage in the other operator's certification.

- You will comply with all measures that formed the basis of the other operator's valid certification of eligibility. Provide the operator's NPDES permit number and list any measures that you must comply with in the box below (or enter "N/A" if none exist):

- **If all three of the above are true, you may select criterion B on your NOI.** You must include in your NOI the NPDES ID assigned to the other operator's authorization under this permit, and a description of the basis for the criterion selected on your NOI form, including the eligibility criterion selected in the other operator's NOI. You must include this completed Worksheet in your SWPPP.
- **If any of the above are not true, you may not select criterion B and must proceed to [Step 2](#).** For example, if there are any listed species in your action area that were not addressed in the other operator's certification, you are not eligible under criterion B.

#### **Criterion D Eligibility Requirements**

If consultation under section 7 of the ESA has concluded, you may be eligible for coverage under criterion D. In order to be eligible for coverage under criterion D, you must confirm that **all** two of the following are true:

- A consultation between a federal agency and the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service under section 7 of the ESA has concluded. Consultations can be either formal or informal, and would have occurred only as a result of a separate federal action (e.g., during application for an individual wastewater discharge permit or the issuance of a wetlands dredge and fill permit), and the consultation must have addressed the effects of your industrial activity's discharges and discharge-related activities on all ESA-listed threatened or endangered species and all designated critical habitat in your action area. The result of this consultation must be either:
  - i. A biological opinion currently in effect that concludes that the action in question (taking into account the effects of your facility's discharges and discharge-related activities) is not likely to jeopardize the continued existence of listed species or result in the destruction or adverse modification of critical habitat. The biological opinion must have included the effects of your facility's discharges<sup>1</sup> and discharge-related activities on all the listed species and designated critical habitat in your action area. To be eligible under (i), any

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<sup>1</sup> Effects of discharge includes, but is not limited to, the analysis of the hydrological, chemical, and biological effects of the discharge on listed species, their prey, and their habitat, as well as critical habitat, where designated. For example, the effects analysis would have evaluated whether the various pollutants in the discharge (e.g., TSS, metals) would adversely affect listed species through exposure to the pollutants, or to their prey or habitat. Effects that look only at short-term effects unrelated to the stormwater discharge effects to listed species are not sufficient for these purposes.

reasonable and prudent measures specified in the incidental take statement must be implemented;

- ii. Written concurrence (e.g., letter of concurrence) from the applicable Service(s) with a finding that your facility's discharges and discharge-related activities are not likely to adversely affect ESA-listed species and/or designated critical habitat. The concurrence letter must have included the effects of your facility's discharges and discharge-related activities on all the ESA-listed species and/or designated critical habitat on your species list(s) acquired from the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service as part of this worksheet.
- The consultation does not warrant reinitiation under 50 CFR §402.16; or, if reinitiation of consultation is required (e.g., due to a new species listing or critical habitat designation; new information), you have reinitiated the consultation and the result of the consultation is consistent with the statements above. Attach a copy of any reinitiation documentation from the Services or other consulting federal agency.
- **If both of the above are true, you may select criterion D on your NOI.** You must also provide a description of the basis for the criterion selected on your NOI form and you must include this completed worksheet in your SWPPP. In both your SWPPP and NOI you must also provide the Biological Opinion (or ECO tracking number) or concurrence letter and any other documentation supporting your eligibility determination.
  - **If any of the above are not true, you may not select criterion D and must proceed to [Step 2](#).** For example, if the biological opinion or written concurrence did not include the effects of the discharge or discharge-related activities as described above (e.g., the previous consultation covered some but not all of the species or critical habitat in your action area as shown on your species list), or if the consultation is no longer valid (e.g., due to new species listings), you are not eligible under criterion D.

### **Criterion E Eligibility Requirements**

If your industrial activities are the subject of a permit under section 10 of the ESA, and this authorization addresses the effects of your facility's discharges and discharge-related activities on ESA-listed species and designated critical habitat in your action area, you may be eligible for coverage under criterion E. In order to be eligible for coverage under criterion E, you must confirm that the following is true:

- A permit has been issued under section 10 of the ESA. The permit authorization specifically addresses the effects of your facility's discharges and discharge-related activities (if applicable) on all federally-listed species and designated critical habitat in your action area.
- **If the above is true, you may select criterion E on your NOI.** You must also provide a description of the basis for the criterion selected on your NOI form and must include this completed worksheet in your SWPPP. In both your SWPPP and your NOI you must provide a copy of the section 10 permit issued by the Services.
  - **If the above is not true, you may not select criterion E and must proceed to [Step 2](#).** For example, if a permit has been issued under section 10 of the ESA, but the permit authorization did not address the effects of your facility's discharges and/or discharge-related activities on all federally-listed species and designated critical

habitat in your action area, you are not eligible under criterion E, but you should attach a copy of the permit to the SWPPP for reference.

### **E.5 STEP 2: DETERMINE THE EXTENT OF YOUR ACTION AREA**

You must determine whether species listed as either threatened or endangered, or their critical habitat(s) are located in your facility's [action area](#) (i.e., all areas to be affected directly or indirectly by the federal action and not merely the immediate area involved in the action, including areas beyond the footprint of the facility that are likely to be affected by stormwater discharges, discharge-related activities, and authorized non-stormwater discharges). Consider the following in determining the action area for your facility:

- Discharges of pollutants into downstream areas can expand the action area well beyond the footprint of your facility and the discharge point(s). Take into account the controls you will be implementing to minimize pollutants and the receiving waterbody characteristics (e.g., perennial, intermittent, ephemeral) in determining the extent of physical, chemical, and/or biotic effects of the discharges. All receiving waterbodies that could receive pollutants from your facility must be included in your action area.
- Discharge-related activities must also be accounted for in determining your action area. Discharge-related activities are any activities that cause, contribute to, or result in stormwater and authorized non-stormwater point source discharges, and measures such as the siting, construction, and operation of stormwater controls to control, reduce, or prevent pollutants from being discharged. For example, any new or modified stormwater controls that will have noise or other similar effects, and any disturbances associated with construction of controls, are part of your action area.

If you have any questions about determining the extent of your action area, you may contact EPA or the Services for assistance. <https://www.epa.gov/npdes/contact-us-stormwater#regional>

You must include a **map and a written description of** the action area of your facility in [Attachment 1](#) of this appendix. You may choose to include the map that is generated from the FWS' on-line mapping tool IPaC (the *Information, Planning, and Consultation System*) located at <http://ecos.fws.gov/ipac/> ([see Step 3 for information about using this tool](#)).

You must proceed to [Step 3](#) below.

### **E.6 STEP 3: DETERMINE IF LISTED THREATENED OR ENDANGERED SPECIES AND/OR CRITICAL HABITAT ARE PRESENT IN YOUR ACTION AREA.**

You must determine whether species listed as either threatened or endangered under the Endangered Species Act, and/or their designated critical habitat(s) (as defined in Appendix A), are located in your facility's action area. ESA listed species and designated critical habitat are under the purview of the National Marine Fisheries Service (NMFS) and the U.S. Fish and Wildlife Service (USFWS), and in many cases, you will need to acquire species and critical habitat lists from both Services.

- For NMFS species and critical habitat information, use the following webpages, which provide up-to-date information on listed species (<https://www.fisheries.noaa.gov/species-directory/threatened-endangered>) and critical habitat <https://www.fisheries.noaa.gov/national/endangered-species-conservation/critical-habitat>. To determine the field office that corresponds to your facility, go to <https://www.fisheries.noaa.gov/regions>. Choose the Region where the project is based from the left-hand column and the office from the About Us on the right-hand column.

If the action area includes coastal waters or waters used by species that migrate between fresh and salt waters (e.g., salmon, sturgeon), you must obtain a species list from NMFS field office.

- For FWS species information, use the on-line mapping tool IPaC (the *Information, Planning, and Consultation System*) located at <http://ecos.fws.gov/ipac/>, and follow these steps:
  - *Select Get Started.*
  - **Search or zoom to find your location:** Use an address, city name or other location to find your facility then use the zoom in/out feature to see the entire extent of your action area on the screen..
  - **Define you action area:** Use one of the mapping features (e.g., sketch, polygon or line drawing tool) to draw your entire action area.
    - For the aquatic portion of your action area, trace the waterbody(ies) with the tool to characterize your action area.
    - If your proposal will include any upland activities (i.e., discharge-related activities), or if there is some aspect of your discharge that would potentially result in effects to terrestrial species, include the corresponding upland areas within your action area.
    - When you are done, go to confirm and press *Continue*.
  - *Select Define Project* to request an Official Species List
  - Complete the fields on the Official Species List Request page and include "(MSGP)" at the end of the project description.
    - For Classification, select "Water Quality Modification".
    - Select the appropriate requesting agency/organization type (for most operators, this should be "Other").
  - Submit the request to acquire an Official Species List, which should show both listed species as well as any designated critical habitat that are present in the action area in the previous step.
  - *Note: If a link to an Official Species List is not available on the page, follow the web link of the office(s) indicated, or contact the office directly by mail or phone if a web link is not shown.*

The principle authority for critical habitat designations and associated requirements is found at [50 CFR Parts 17](#) and [226](#).

Attach a copy of the species and critical habitat list(s) from the Service(s) to [Attachment 2](#) of this appendix and use the list(s) to complete the rest of this worksheet. For FWS species, include the full printout from your IPaC query/Official Species List in Attachment 2. You can include the map from your IPaC query in Attachment 1. For NMFS species, include the full printout from the Species Directory with the correct Region selected.

If after following the steps you have determined that there are no listed species and/or designated critical habitat in your action area, you may be eligible for coverage under [criterion A](#).

If you have determined that there are or may be listed species and/or designated critical habitat in your action area, you are not eligible under criterion A and must proceed to [Step 4](#) below.

### **Criterion A Eligibility Requirements**

In order to be eligible for coverage under criterion A, you must confirm that the following is true:

I have confirmed there to be no ESA-listed species and no critical habitat in my action area.

- **If the above is true, you may select criterion A on your NOI form.** You must also provide a description of the basis for the criterion selected on your NOI form. You must include this completed worksheet in your SWPPP. *Note: If your Official Species List from the USFWS indicated no species or critical habitat were present in your action area, include the full consultation tracking code at the top of your Official Species List in your NOI in the basis statement for Criterion A. If an Official Species List was not available on IPaC, list the contact date and name of the Service staff with whom you corresponded to verify no USFWS species or critical habitat were present in your action area.*

Note: For existing dischargers that have previously obtained coverage under criterion A, you must verify whether ESA-protected species and/or critical habitat are expected to exist in your action area, as described above. Please note that if you now find that your action area overlaps with ESA-protected species or critical habitat, you must proceed to Step 4.

- If the above is not true, you may not select criterion A and must proceed to [Step 4](#) to determine if you can become eligible under criterion C.

### **STEP 4: DETERMINE IF YOUR INDUSTRIAL FACILITY'S DISCHARGES OR DISCHARGE-RELATED ACTIVITIES ARE LIKELY TO ADVERSELY AFFECT LISTED THREATENED OR ENDANGERED SPECIES OR DESIGNATED CRITICAL HABITAT AND ANY MEASURES THAT MUST BE IMPLEMENTED TO AVOID ADVERSE EFFECTS**

If in Step 3 you determined that listed species and/or designated critical habitat could exist in your action area, you must next assess whether your discharges and discharge-related activities are likely to adversely affect ESA-listed threatened or endangered species or designated critical habitat, and whether any additional measures are necessary to ensure no likely adverse effects. In order to make a determination of your facility's likelihood of adverse effects, you must complete additional questions in the Endangered Species Protection section of the NOI in NeT-MSGP, unless the EPA Regional Office grants you a waiver from electronic reporting, in which case you must complete the attached [Criterion C3 Eligibility Form](#) and must submit this form to EPA a minimum of 30 days prior to filing your NOI for permit coverage. After you submit your NOI containing Criterion C3 information or your [Criterion C3 Eligibility Form](#), you may be contacted by EPA with additional measures that you must implement in order to ensure your eligibility under criterion C3.



## Criterion C3 Eligibility Form

### Instructions:

In order to be eligible for coverage under criterion C3, **you must complete the Endangered Species Protection section of the Notice of Intent in the NPDES eReporting Tool (NeT-MSGP)**. Per Part 7.1, you must submit your NOI electronically via NeT-MSGP, unless the EPA Regional Office grants you a waiver from electronic reporting, in which case you may use this paper Criterion C3 form. If using the paper form, you must complete the following form and you must submit it to EPA following the instructions in Section VII a **minimum of 30 days prior to filing your NOI for permit coverage**. After you submit your form, you may be contacted by EPA with additional measures (e.g., additional stormwater controls or modifications to your discharge-related activities) that you must implement in order to ensure your eligibility under criterion C3.

If after completing this worksheet you cannot make a determination that your discharges and discharge-related activities are not likely to adversely affect ESA listed threatened or endangered species or designated critical habitat, you must submit this completed worksheet to EPA, and you may not file your NOI for permit coverage until you receive a determination from EPA that your discharges and/or discharge-related activities are not likely to adversely affect ESA-protected species and critical habitat.

**Note:** Much of the information needed for this form can be obtained from your draft SWPPP which will be needed when you file your NOI.

### SECTION I. OPERATOR, FACILITY, AND SITE LOCATION INFORMATION.

#### 1) Operator Information

a) **Operator Name:** \_\_\_\_\_

#### b) **Point of Contact**

**First Name:** \_\_\_\_\_ **Last Name:** \_\_\_\_\_

**Phone Number:** \_\_\_\_\_

**E-mail:** \_\_\_\_\_

#### 2) Facility Information

a) **Facility Name:** \_\_\_\_\_

#### b) **Check which of the following applies:**

- I am seeking coverage under the MSGP as a new discharger or as a new source
- I am seeking coverage under the MSGP as an existing discharger and my facility has modifications to its discharge characteristics (e.g., changes in discharge flow or area drained, different pollutants) and/or discharge-related activities (e.g., stormwater controls)

Indicate the number of years the facility has been in operation: \_\_\_\_\_ years

Provide your NPDES ID (i.e., permit tracking number) from your previous MSGP coverage: \_\_\_\_\_

- I am seeking coverage under the MSGP as an existing discharger and there are no modifications to my facility.

Indicate the number of year(s) the facility has been in operation: \_\_\_\_\_year(s)

Provide your NPDES ID (i.e., permit tracking number) from your previous MSGP coverage: \_\_\_\_\_

**c) Facility Address:**

**Address 1:** \_\_\_\_\_

**Address 2:** \_\_\_\_\_

**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip Code:** \_\_\_\_\_

**d) Identify the primary industrial sector to be covered under the 2021 MSGP:**

SIC Code \_\_\_\_\_ or Primary Activity Code \_\_\_\_\_

Sector \_\_\_\_\_ and Subsector \_\_\_\_\_

**e) Identify the sectors of any co-located activities to be covered under the 2021 MSGP:**

Sector \_\_\_\_\_ Subsector \_\_\_\_\_

Sector \_\_\_\_\_ Subsector \_\_\_\_\_

Sector \_\_\_\_\_ Subsector \_\_\_\_\_

Sector \_\_\_\_\_ Subsector \_\_\_\_\_

Sector \_\_\_\_\_ Subsector \_\_\_\_\_

Sector \_\_\_\_\_ Subsector \_\_\_\_\_

**f) Estimated area of industrial activity exposed to stormwater: \_\_\_\_\_ acres**

**g) Provide a general description of the industrial activities that are taking place at this facility:**

**3) Receiving Waters Information**

List all the stormwater outfalls from your facility.				For each outfall, provide the following receiving water information:	
Discharge Point ID	Design Capacity (if known)	Latitude (decimal degrees)	Longitude (decimal degrees)	Name of the receiving water that receives stormwater from the discharge point and/or from the MS4 that the discharge point discharges to	Type of Waterbody (e.g., lake, pond, river/stream/creek, estuarine/marine water)
		---.---	---.---		
		---.---	---.---		
		---.---	---.---		
		---.---	---.---		
		---.---	---.---		

**SECTION II. ACTION AREA**

As required in [Step 2 of Section E.4 of Appendix E](#), You must include a map and a written description of the action area of your facility in Attachment 1 of this appendix.

**SECTION III. LISTED SPECIES AND CRITICAL HABITAT LIST**

As required in [Step 3 of Section E.4 of Appendix E](#), attach a copy of the species and critical habitat list(s) from the Service(s) to [Attachment 2](#) of this appendix and use the list(s) to complete the rest of this worksheet. For FWS species, include the full printout from your IPaC query/Official Species List in Attachment 2. You can include the map from your IPaC query in Attachment 1.

Review your species list in Attachment 2, choose one of the following three statements, and follow the corresponding instructions:

**Note:** For the purposes of this permit, "terrestrial species" would not include animal or plant species that 1) spends any portion of its life cycle in a waterbody or wetland, or 2) if an animal, depends on prey or habitat that occurs in a waterbody or wetland. For example, shorebirds, wading birds, amphibians, and certain reptiles would not be considered terrestrial species under this definition. Please also be aware that some terrestrial animals (e.g., certain insects, amphibians) may have an aquatic egg or larval/juvenile phase.

The species list includes only terrestrial species and/or their designated critical habitat. No aquatic or aquatic-dependent species or their critical habitat are present in the action area. **You may skip to [Section IV](#) of this form. You are not required to fill out [Section V](#).**

The species list includes only aquatic and/or aquatic-dependent species and/or their designated critical habitat. No terrestrial species or their critical habitat are present in the action area. **You may skip to [Section V](#) of this form and are not required to fill out [Section IV](#).**

The species list includes both terrestrial and aquatic or aquatic-dependent species and/or their designated critical habitat. **You must fill out both [Sections IV](#) and [V](#) of this form.**

**SECTION IV. EVALUATION OF DISCHARGE-RELATED ACTIVITIES EFFECTS**

Note: You are only required to fill out this section if your facility's action area contains terrestrial species and/or their designated critical habitat. If your action area only contains aquatic and/or aquatic-dependent species and/or their designated critical habitat, you can skip directly to [Section V](#).

Most of the potential effects related to coverage under the MSGP are assumed to occur to aquatic and/or aquatic-dependent species. However, in some cases, potential effects to terrestrial species and/or their critical habitat should be considered as well from any discharge-related activities that occur during coverage under the MSGP. Examples of discharge-related activities that could have potential effects on listed terrestrial species or their critical habitat include the storage of materials and land disturbances associated with stormwater management-related activities (e.g., the installation or placement of stormwater control measures).

**A. Select the applicable statement(s) below and follow the corresponding instructions:**

- There are no discharge-related activities that are planned to occur during my coverage under the 2021 MSGP. You can conclude that your discharge-related activities will have no likely adverse effects, and:
- If there are any aquatic or aquatic-dependent species and/or their critical habitat in your action area, you must skip to [Section V](#), *Evaluation of Discharge Effects*, below.
  - If there are no aquatic or aquatic-dependent species, you may skip to [Section VI](#) and verify that your activities will have no likely adverse effects. You must submit this form to EPA as specified in [Section VII](#) of this form. You may select criterion C on your NOI form and may submit your NOI for permit coverage 30 days after you have submitted this *Criterion C Eligibility Form*. You must also provide a description of the basis for the criterion you selected on your NOI form, **including the species and critical habitat list(s) in your action area**, as well as any other documentation supporting your eligibility. You must also include this completed *Criterion C Eligibility Form* in your SWPPP.
- There are discharge-related activities planned as part of the proposal. Describe your discharge-related activities in the following box and continue to (b) below.

**B. In order to ensure any discharge-related activities will have no likely adverse effects on ESA-listed threatened and endangered species and/or their designated critical habitat, you must certify that all the following are true:**

- Discharge-related activities will occur:
  - on previously cleared/developed areas of the site where maintenance and operation of the facility are currently occurring or where existing conditions of the area(s) in which the discharge-related activities will occur precludes its use by listed species (e.g., work on existing impervious surfaces, work occurring inside buildings, area is not used by species), and
  - if discharge-related activities will include the establishment of structures (including, but not limited to, infiltration ponds and other controls) or any related disturbances, these structures and/or disturbances will be sited in areas that will not result in isolation or degradation of nesting, breeding, or foraging habitat or other habitat functions for listed animal species (or their designated critical habitat), and will avoid the destruction of native vegetation (including listed plant species).
- If vegetation removal (e.g., brush clearing) or other similar activities will occur, no terrestrial listed species that use these areas for habitat would be expected to be present during vegetation removal and these activities will not occur within critical habitat.

**If all the above are true, you can conclude that your discharge-related activities will have no likely adverse effects, and:**

- If there are any aquatic or aquatic-dependent species and/or critical habitat in your action area, you must skip to [Section V](#), *Evaluation of Discharge Effects*, below.
- If there are no aquatic or aquatic-dependent species, you may skip to [Section VI](#) and verify that your activities will have no likely adverse effects. You must submit this form to EPA as specified in [Section VII](#) of this form. You may select criterion C on your NOI and may submit your NOI for permit coverage 30 days after you have submitted this completed form. You must also provide a description of the basis for the criterion you selected on your NOI form, **including the species and critical habitat list(s)**, and any other documentation supporting your eligibility. You must also include this completed *Criterion C Eligibility Form* in your SWPPP.
- **If any of the above are not true**, you cannot conclude that your discharge-related activities will have no likely adverse effects. You must complete the rest of this form (if applicable) and must submit the form to EPA for assistance in determining your eligibility for coverage.

## SECTION V. EVALUATION OF DISCHARGE EFFECTS

**Note:** You are only required to fill out this section if your facility's action area includes aquatic and/or aquatic-dependent species and/or their critical habitat.

In this section, you will evaluate the likelihood of adverse effects from your facility's discharges. The scope of effects to consider will vary with each facility and species/critical habitat characteristics. The following are examples of discharge affects you should consider:

- *Hydrological Effects.* Stormwater discharges may adversely affect receiving waters by causing changes in water quality parameters such as turbidity, temperature, salinity, or pH. Stormwater discharges may adversely affect the immediate vicinity of the discharge point through streambank erosion and scour. These effects will vary with the amount of stormwater

discharged and the volume and condition of the receiving water. Where a stormwater discharge constitutes a minute portion of the total volume of the receiving water, adverse hydrological effects are less likely.

- *Toxicity of Pollutants.* Pollutants in stormwater may have toxic effects on listed species and may adversely affect critical habitat. Exceedances of benchmarks, effluent limitation guidelines, or state or tribal water quality requirements may be indicative of potential adverse effects on listed species or critical habitat. However, some listed species may be adversely affected at pollutant concentrations below benchmarks, effluent limitation guidelines, and state or tribal water quality standards due to exposures to multiple stressors at the same time. In addition, stormwater pollutants identified in Part 6.2.3.2 of your SWPPP, but not monitored as benchmarks or effluent limitation guidelines, may also adversely affect listed species and critical habitat.

As these effects are difficult to analyze for listed species, their prey, habitat, and designated critical habitat, this form helps you to analyze your discharges to make a determination of whether your discharges will likely have adverse effects and whether there are any additional controls you can implement to ensure no likely adverse effects.

<b>A. Evaluation of Pollutants and Controls to Avoid Adverse Effects.</b> In this section, you must document <u>all</u> of your pollutant sources and pollutants expected to be discharged in stormwater (see Part 8). You must also document the controls you will implement to avoid adverse effects on listed aquatic and aquatic-dependent species and critical habitat. You must include specific details about the expected effectiveness of the controls in avoiding adverse effects to the listed aquatic-and aquatic-dependent species and critical habitat. Attach additional pages if needed.		
Potential Pollutant Source	Potential Pollutants	<b>Controls to Avoid Adverse Effects on Listed Aquatic and Aquatic-Dependent Species and Critical Habitat.</b> Include information supporting why the control(s) will ensure no adverse effects, including any data you have about the effectiveness of the control(s) in reducing pollutant concentrations. You may also attach photos of
e.g., vehicle and equipment fueling	e.g., <ul style="list-style-type: none"> <li>• Oil &amp; grease</li> <li>• Diesel</li> <li>• Gasoline</li> <li>• TSS</li> <li>• Antifreeze</li> </ul>	e.g., <ul style="list-style-type: none"> <li>• Fueling operators (including the transfer of fuel from tank trucks) will be conducted on an impervious or contained pad or under cover</li> <li>• Drip pans will be used where leaks or spills of fuel can occur and where making and breaking hose connections</li> <li>• Spill kit will be kept on-site in close proximity to potential spill areas</li> <li>• Any spills will be cleaned-up immediately using dry clean-up methods</li> <li>• Stormwater runoff will be diverted around fueling areas using diversion dikes and curbing</li> </ul>

<b>Potential Pollutant Source</b>	<b>Potential Pollutants</b>	<b>Controls to Avoid Adverse Effects on Listed Aquatic and Aquatic-Dependent Species and Critical Habitat.</b>

Potential Pollutant Source	Potential Pollutants	Controls to Avoid Adverse Effects on Listed Aquatic and Aquatic-Dependent Species and Critical Habitat.
<p><input type="checkbox"/> Check if you are not able to make a preliminary determination that any of your pollutants will be controlled to a level necessary to avoid adverse effects on aquatic and/or aquatic-dependent listed species and their designated critical habitat. You must check in <a href="#">Section VI</a> that you are unable to make a determination of no likely adverse effects and must complete the rest of the form. You must submit your completed form to EPA for assistance in determining your eligibility for coverage.</p>		



**B. Analysis of Effects Based on Past Monitoring Data.** Select which of the following applies to your facility:

- I have no previous monitoring data for my facility because there are no applicable monitoring requirements for my facility's sector(s).
- I have no previous monitoring data for my facility because I am a new discharger or a new source, but I am subject to monitoring under the 2021 MSGP. You must provide information to support a conclusion that your facility's discharges are not expected to result in benchmark or numeric effluent limit exceedances that will adversely affect listed species or their critical habitat:

- My facility has not had any exceedances under the 2015 MSGP of any required benchmark(s) or numeric effluent limits. I comply with the applicable monitoring requirements and have not had any exceedances
- My facility has had exceedances of one or more benchmark(s) or numeric effluent limits under the 2015 MSGP, but I have addressed them during my coverage under the 2015 MSGP, or in my evaluation of controls to avoid adverse effects in (A) above. Describe all actions (including specific controls) that you will implement to ensure that the pollutants in your discharge(s) will not result in likely adverse effects from future exceedances.

- Check if your facility has had exceedances of one or more benchmarks or numeric effluent limits under the 2015 MSGP and you have not been able to address them to avoid adverse effects from future exceedances, or if you are a new discharger or a new source but you are not sure if you can avoid adverse effects from possible exceedances. You must check in [Section VI](#) that you are unable to make a determination of no likely adverse effects. You must submit your completed form to EPA for assistance in determining your eligibility for coverage. You may not file your NOI for permit coverage until you are able to make a determination that your discharges will avoid adverse effects on listed species and designated critical habitat.

**SECTION VI VERIFICATION OF PRELIMINARY EFFECTS DETERMINATION**

Based on Steps I – V of this form, you must verify your preliminary determination of effects on listed species and designated critical habitat from your discharges and/or discharge-related activities:

- Following the applicable Steps in I – V above, I have provided information supporting a preliminary determination that my discharges and/or discharge-related activities are not likely to adversely affect listed species and designated critical habitats.
- Following the applicable Steps in I – V above, I am **not** able to provide information supporting a preliminary determination that my discharges and/or discharge-related activities are not likely to adversely affect listed species and designated critical habitats.

**Certification Information**

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 violations.

First Name, Middle initial, Last Name

Title

Signature: \_\_\_\_\_

Date:

E-mail:

**SECTION VII CRITERION C ELIGIBILITY FORM SUBMISSION INSTRUCTIONS**

**Only if the applicable EPA Regional Office has granted you a waiver from electronic reporting,** you must submit this completed form to EPA at [msgpesa@epa.gov](mailto:msgpesa@epa.gov), including any attachments and any additional information that demonstrates how you will avoid or eliminate adverse effects to listed threatened and endangered species or designated critical habitat (e.g., specific controls you will implement to avoid or eliminate adverse effects). **Any missing or incomplete information may result in a delay of your coverage under the permit.**

If you have made a preliminary determination that your discharges and/or discharge-related activities are not likely to adversely affect listed species and critical habitat, this form must be submitted a minimum of 30 days prior to submitting your NOI for permit coverage under criterion C. Please note that during either the 30-day *Criterion C Eligibility Form* review period prior to your NOI submission, or within 30 days after your NOI submission and before you have been

authorized for permit coverage, EPA may advise you that additional information is needed, or that there are additional measures you must implement to avoid likely adverse effects.

If you are unable to make a preliminary determination that your discharges and/or discharge-related activities are not likely to adversely affect listed species and critical habitat, this worksheet must be submitted to EPA, but you may not file your NOI for permit coverage until you have received a determination from EPA that your discharges and/or discharge-related activities are not likely to adversely affect listed species and critical habitat.

### **Attachment 1**

Include a **map and a written description** of the action area of your facility, as required in [Step 2 of Section E.4 of Appendix E](#). You may choose to include the map that is generated from the FWS' on-line mapping tool IPaC (the *Information, Planning, and Consultation System*) located at <http://ecos.fws.gov/ipac/>.

The written description of your action area that accompanies your action area map must explain your rationale for the extent of the action area drawn on your map. For example, your action area written description may look something like this:

*The action area for the (name of your facility)'s stormwater discharges extends downstream from the outfall(s) in (name of receiving waterbody) (# of meters/feet/kilometers/miles). The downstream limit of the action area reflects the approximate distance at which the discharge waters and any pollutants would be expected to cause potential adverse effects to listed species and/or critical habitat because (insert rationale). The action area does/does not extend to the (name of receiving waterbody)'s confluence with (name of confluence waterbody) because (insert rationale).*

Note that your action area written description will be highly site-specific, depending on the expected effects of your facility's discharges and discharge-related activities, receiving waterbody characteristics, etc.

**Attachment 2**

List or attach the list(s) of species and critical habitat in your action area on this sheet, as required in [Step 3 of Section E.4 of Appendix E](#). You must include a list for applicable listed NMFS and USFWS species and critical habitat. If there are listed species and/or critical habitat for only one Service, you must include a statement confirming there are no listed species and/or critical habitat for the other Service. For USFWS species, include the USFWS Official Species List full printout from your IPaC query (including the consultation code and event code at the top of the FWS printout). *Note: If your Official Species List from the USFWS indicated no species or critical habitat were present in your action area, include the consultation code and event code that can be found at the top of your Official Species List in your NOI basis statement. If an Official Species List was not available on IPaC, list the contact date, the ecological services field office and the name of the Service staff with whom you corresponded to identify the existence of any USFWS species or critical habitat present in your action area.*



**Instructions:**

In order to be eligible for coverage under Criterion C3, **you must complete the Endangered Species Protection section of the Notice of Intent in the NPDES eReporting Tool (NeT-MSGP)**. Per Part 7.1, you must submit your NOI electronically via NeT-MSGP, unless the EPA Regional Office grants you a waiver from electronic reporting, in which case you may use this paper Criterion C3 form. If using the paper form, you must complete the following form and you must submit it to EPA following the instructions in Section VII **a minimum of 30 days prior to filing your NOI for permit coverage**. After you submit your form, you may be contacted by EPA with additional measures (e.g., additional stormwater controls or modifications to your discharge-related activities) that you must implement in order to ensure your eligibility under Criterion C3.

If after completing this worksheet you cannot make a determination that your discharges and discharge-related activities are not likely to adversely affect ESA listed threatened or endangered species or designated critical habitat, you must submit this completed worksheet to EPA, and you may not file your NOI for permit coverage until you receive a determination from EPA that your discharges and/or discharge-related activities are not likely to adversely affect ESA-protected species and critical habitat.

**Note:** Much of the information needed for this form can be obtained from your draft SWPPP which will be needed when you file your NOI.

**Section I. Operator, Facility, and Site Location Information**

**1) Operator Information:**

a) Operator Name:

b) Point of Contact

Phone:  -  -  Ext.

E-mail:

**2) Facility Information**

a) Facility Name:

b) Check which of the following applies:

I am seeking coverage under the MSGP as a new discharger or as a new source

I am seeking coverage under the MSGP as an existing discharger and my facility has modifications to its discharge characteristics (e.g., changes in discharge flow or area drained, different pollutants) and/or discharge-related activities (e.g., stormwater controls)

Indicate the number of years the facility has been in operation: \_\_\_\_\_ years

Provide your NPDES ID (i.e., permit tracking number) from your previous MSGP coverage: \_\_\_\_\_

I am seeking coverage under the MSGP as an existing discharger and there are no modifications to my facility.

Indicate the number of years the facility has been in operation: \_\_\_\_\_ years

Provide your NPDES ID (i.e., permit tracking number) from your previous MSGP coverage: \_\_\_\_\_

**c) Facility Address:**

Address 1  
Street/ Location:

Address 2:

City:  State:  ZIP Code:

**d) Identify the primary industrial sector to be covered under the 2021 MSGP:**

SIC Code  or Primary Activity Code

Sector  and Subsector

e) Identify the sectors of any co-located activities to be covered under the 2021 MSGP:

Sector	<input type="text"/>	and	Subsector	<input type="text"/>
Sector	<input type="text"/>	and	Subsector	<input type="text"/>
Sector	<input type="text"/>	and	Subsector	<input type="text"/>
Sector	<input type="text"/>	and	Subsector	<input type="text"/>
Sector	<input type="text"/>	and	Subsector	<input type="text"/>
Sector	<input type="text"/>	and	Subsector	<input type="text"/>

f) Estimated area of industrial activity exposed to stormwater: \_\_\_\_\_ acres

g) Provide a general description of the industrial activities that are taking place at this facility:

**3) Receiving Waters Information**

List all the stormwater outfalls from your facility				For each outfall, provide the following receiving water information:	
Discharge Point ID	Design Capacity (if known)	Latitude (decimal degrees)	Longitude (decimal degrees)	Name of the receiving water that receives stormwater from the discharge point and/or from the MS4 that the discharge point discharges to	Type of Waterbody (e.g., lake, pond, river/stream/creek, estuarine/marine water)
		____.____.____° N	____.____.____° W		
		____.____.____° N	____.____.____° W		
		____.____.____° N	____.____.____° W		
		____.____.____° N	____.____.____° W		
		____.____.____° N	____.____.____° W		

**Section II. Action Area**

As required in Step 2 of Section E.4 of Appendix E, you must include a map and a written description of the action area of your facility in Attachment 1 of this appendix.

**Section III. Listed Species and Critical Habitat**

As required in Step 3 of Section E.4 of Appendix E, attach a copy of the species and critical habitat list(s) from the Service(s) to [Attachment 2](#) of this appendix and use the list(s) to complete the rest of this worksheet. For FWS species, include the full printout from your IPaC query/Official Species List in Attachment 2. You can include the map from your IPaC query in Attachment 1.

**Note:** For the purposes of this permit, "terrestrial species" would not include animal or plant species that 1) spends any portion of its life cycle in a waterbody or wetland, or 2) if an animal, depends on prey or habitat that occurs in a waterbody or wetland. For example, shorebirds, wading birds, amphibians, and certain reptiles would not be considered terrestrial species under this definition. Please also be aware that some terrestrial animals (e.g., certain insects, amphibians) may have an aquatic egg or larval/juvenile phase.

Review your species list in Attachment 2, choose one of the following three statements, and follow the corresponding instructions:

- The species list includes only terrestrial species and/or their designated critical habitat. No aquatic or aquatic-dependent species or their critical habitat are present in the action area. **You may skip to [Section IV](#) of this form. You are not required to fill out [Section V](#).**
- The species list includes only aquatic and/or aquatic-dependent species and/or their designated critical habitat. No terrestrial species or their critical habitat are present in the action area. **You may skip to [Section V](#) of this form and are not required to fill out [Section IV](#).**
- The species list includes both terrestrial and aquatic or aquatic-dependent species and/or their designated critical habitat. **You must fill out both [Sections IV](#) and [V](#) of this form.**

## Section IV. Evaluation of Discharge-Related Activities Effects

Note: You are only required to fill out this section if your facility's action area contains terrestrial species and/or their designated critical habitat. If your action area only contains aquatic and/or aquatic-dependent species and/or their designated critical habitat, you can skip directly to [Section V](#).

Most of the potential effects related to coverage under the MSGP are assumed to occur to aquatic and/or aquatic-dependent species. However, in some cases, potential effects to terrestrial species and/or their critical habitat should be considered as well from any discharge-related activities that occur during coverage under the MSGP. Examples of discharge-related activities that could have potential effects on listed terrestrial species or their critical habitat include the storage of materials and land disturbances associated with stormwater management-related activities (e.g., the installation or placement of stormwater control measures).

### A. Select the applicable statement(s) below and follow the corresponding instructions:

- There are no discharge-related activities that are planned to occur during my coverage under the 2021 MSGP. You can conclude that your discharge-related activities will have no likely adverse effects, and:
- If there are any aquatic or aquatic-dependent species and/or their critical habitat in your action area, you must skip to [Section V](#), Evaluation of Discharge Effects, below.
  - If there are no aquatic or aquatic-dependent species, you may skip to [Section VI](#) and verify that your activities will have no likely adverse effects. You must submit this form to EPA as specified in [Section VII](#) of this form. You may select criterion C on your NOI form and may submit your NOI for permit coverage 30 days after you have submitted this Criterion C Eligibility Form. You must also provide a description of the basis for the criterion you selected on your NOI form, **including the species and critical habitat list(s) in your action area**, as well as any other documentation supporting your eligibility. You must also include this completed Criterion C Eligibility Form in your SWPPP.
- There are discharge-related activities planned as part of the proposal. Describe your discharge-related activities in the following box and continue to (b) below.

### B. In order to ensure any discharge-related activities will have no likely adverse effects on ESA- listed threatened and endangered species and/or their designated critical habitat, you must certify that all the following are true:

- Discharge-related activities will occur:
- on previously cleared/developed areas of the site where maintenance and operation of the facility are currently occurring or where existing conditions of the area(s) in which the discharge-related activities will occur precludes its use by listed species (e.g., work on existing impervious surfaces, work occurring inside buildings, area is not used by species), and
  - if discharge-related activities will include the establishment of structures (including, but not limited to, infiltration ponds and other controls) or any related disturbances, these structures and/or disturbances will be sited in areas that will not result in isolation or degradation of nesting, breeding, or foraging habitat or other habitat functions for listed animal species (or their designated critical habitat), and will avoid the destruction of native vegetation (including listed plant species).
- If vegetation removal (e.g., brush clearing) or other similar activities will occur, no terrestrial listed species that use these areas for habitat would be expected to be present during vegetation removal and these activities will not occur within critical habitat.

### If all the above are true, you can conclude that your discharge-related activities will have no likely adverse effects, and:

- If there are any aquatic or aquatic-dependent species and/or critical habitat in your action area, you must skip to [Section V](#), Evaluation of Discharge Effects, below.
- If there are no aquatic or aquatic-dependent species, you may skip to [Section VI](#) and verify that your activities will have no likely adverse effects. You must submit this form to EPA as specified in [Section VII](#) of this form. You may select criterion C on your NOI and may submit your NOI for permit coverage 30 days after you have submitted this completed form. You must also provide a description of the basis for the criterion you selected on your NOI form, **including the species and critical habitat list(s)**, and any other documentation supporting your eligibility. You must also include this completed Criterion C Eligibility Form in your SWPPP.
- **If any of the above are not true**, you cannot conclude that your discharge-related activities will have no likely adverse effects. You must complete the rest of this form (if applicable) and must submit the form to EPA for assistance in determining your eligibility for coverage.

## Section V. Evaluation of Discharge Effects

Note: You are only required to fill out this section if your facility's action area includes aquatic and/or aquatic-dependent species and/or their critical habitat.

In this section, you will evaluate the likelihood of adverse effects from your facility's discharges. The scope of effects to consider will vary with each facility and species/critical habitat characteristics. The following are examples of discharge effects you should consider:

- *Hydrological Effects.* Stormwater discharges may adversely affect receiving waters by causing changes in water quality parameters such as turbidity, temperature, salinity, or pH. Stormwater discharges may adversely affect the immediate vicinity of the discharge point through streambank erosion and scour. These effects will vary with the amount of stormwater discharged and the volume and condition of the receiving water. Where a stormwater discharge constitutes a minute portion of the total volume of the receiving water, adverse hydrological effects are less likely.

- *Toxicity of Pollutants.* Pollutants in stormwater may have toxic effects on listed species and may adversely affect critical habitat. Exceedances of benchmarks, effluent limitation guidelines, or state or tribal water quality requirements may be indicative of potential adverse effects on listed species or critical habitat. However, some listed species may be adversely affected at pollutant concentrations below benchmarks, effluent limitation guidelines, and state or tribal water quality standards due to exposures to multiple stressors at the same time. In addition, stormwater pollutants identified in Part 6.2.3.2 of your SWPPP, but not monitored as benchmarks or effluent limitation guidelines, may also adversely affect listed species and critical habitat.

As these effects are difficult to analyze for listed species, their prey, habitat, and designated critical habitat, this form helps you to analyze your discharges to make a determination of whether your discharges will likely have adverse effects and whether there are any additional controls you can implement to ensure no likely adverse effects.

**A. Evaluation of Pollutants and Controls to Avoid Adverse Effects.** In this section, you must document **all** of your pollutant sources and pollutants expected to be discharged in stormwater (see Part 8). You must also document the controls you will implement to avoid adverse effects on listed aquatic and aquatic-dependent species and critical habitat. You must include specific details about the expected effectiveness of the controls in avoiding adverse effects to the listed aquatic-and aquatic-dependent species and critical habitat. Attach additional pages if needed.

Potential Pollutant Source	Potential Pollutants	<b>Controls to Avoid Adverse Effects on Listed Aquatic and Aquatic-Dependent Species and Critical Habitat.</b> Include information supporting why the control(s) will ensure no adverse effects, including any data you have about the effectiveness of the control(s) in reducing pollutant concentrations. You may also attach photos of your controls to this form
<i>e.g., vehicle and equipment fueling</i>	<i>e.g.,</i> <ul style="list-style-type: none"> <li>• Oil &amp; grease</li> <li>• Diesel</li> <li>• Gasoline</li> <li>• TSS</li> <li>• Antifreeze</li> </ul>	<i>e.g.,</i> <ul style="list-style-type: none"> <li>• Fueling operators (including the transfer of fuel from tank trucks) will be conducted on an impervious or contained pad or under cover</li> <li>• Drip pans will be used where leaks or spills of fuel can occur and where making and breaking hose connections</li> <li>• Spill kit will be kept on-site in close proximity to potential spill areas</li> <li>• Any spills will be cleaned-up immediately using dry clean-up methods</li> <li>• Stormwater runoff will be diverted around fueling areas using diversion dikes and curbing</li> </ul>



Potential Pollutant Source	Potential Pollutants	Controls to Avoid Adverse Effects on Listed Aquatic and Aquatic-Dependent Species and Critical Habitat.

Check if you are not able to make a preliminary determination that any of your pollutants will be controlled to a level necessary to avoid adverse effects on aquatic and/or aquatic-dependent listed species and their designated critical habitat. You must check in [Section VI](#) that you are unable to make a determination of no likely adverse effects and must complete the rest of the form. You must submit your completed form to EPA for assistance in determining your eligibility for coverage.

**B. Analysis of Effects Based on Past Monitoring Data. Select which of the following applies to your facility:**

- I have no previous monitoring data for my facility because there are no applicable monitoring requirements for my facility's sector(s).
- I have no previous monitoring data for my facility because I am a new discharger or a new source, but I am subject to monitoring under the 2021 MSGP. You must provide information to support a conclusion that your facility's discharges are not expected to result in benchmark or numeric effluent limit exceedances that will adversely affect listed species or their critical habitat:
  
- My facility has not had any exceedances under the 2015 MSGP of any required benchmark(s) or numeric effluent limits. I comply with the applicable monitoring requirements and have not had any exceedances
- My facility has had exceedances of one or more benchmark(s) or numeric effluent limits under the 2015 MSGP, but I have addressed them during my coverage under the 2015 MSGP, or in my evaluation of controls to avoid adverse effects in (A) above. Describe all actions (including specific controls) that you will implement to ensure that the pollutants in your discharge(s) will not result in likely adverse effects from future exceedances.
  
- Check if your facility has had exceedances of one or more benchmarks or numeric effluent limits under the 2015 MSGP and you have not been able to address them to avoid adverse effects from future exceedances, or if you are a new discharger or a new source but you are not sure if you can avoid adverse effects from possible exceedances. You must check in [Section VI](#) that you are unable to make a determination of no likely adverse effects. You must submit your completed form to EPA for assistance in determining your eligibility for coverage. You may not file your NOI for permit coverage until you are able to make a determination that your discharges will avoid adverse effects on listed species and designated critical habitat.

**Section VI. Verification of Preliminary Effects Determination**

Based on Steps I – V of this form, you must verify your preliminary determination of effects on listed species and designated critical habitat from your discharges and/or discharge-related activities:

- Following the applicable Steps in I – V above, I have provided information supporting a preliminary determination that my discharges and/or discharge-related activities are not likely to adversely affect listed species and designated critical habitats.
- Following the applicable Steps in I – V above, I am **not** able to provide information supporting a preliminary determination that my discharges and/or discharge-related activities are not likely to adversely affect listed species and designated critical habitats.

**I. Certification Information**

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 violations.

First Name, Middle, Last Name

Title

Signature: \_\_\_\_\_

Date:

E-mail:

## Section VII. Criterion C Eligibility Form Submission Instructions

**Only if the applicable EPA Regional Office has granted you a waiver from electronic reporting**, you must submit this completed form to EPA at [msapesa@epa.gov](mailto:msapesa@epa.gov), including any attachments and any additional information that demonstrates how you will avoid or eliminate adverse effects to listed threatened and endangered species or designated critical habitat (e.g., specific controls you will implement to avoid or eliminate adverse effects). **Any missing or incomplete information may result in a delay of your coverage under the permit.**

If you have made a preliminary determination that your discharges and/or discharge-related activities are not likely to adversely affect listed species and critical habitat, this form must be submitted a minimum of 30 days prior to submitting your NOI for permit coverage under criterion C. Please note that during either the 30-day Criterion C Eligibility Form review period prior to your NOI submission, or within 30 days after your NOI submission and before you have been authorized for permit coverage, EPA may advise you that additional information is needed, or that there are additional measures you must implement to avoid likely adverse effects.

If you are unable to make a preliminary determination that your discharges and/or discharge-related activities are not likely to adversely affect listed species and critical habitat, this worksheet must be submitted to EPA, but you may not file your NOI for permit coverage until you have received a determination from EPA that your discharges and/or discharge-related activities are not likely to adversely affect listed species and critical habitat.

### Attachment 1

Include a **map and a written description** of the action area of your facility, as required in Step 2 of Section E.4 of Appendix E. You may choose to include the map that is generated from the FWS' on-line mapping tool IPaC (the Information, Planning, and Consultation System) located at <http://ecos.fws.gov/ipac/>.

The written description of your action area that accompanies your action area map must explain your rationale for the extent of the action area drawn on your map. For example, your action area written description may look something like this:

*The action area for the (name of your facility)'s stormwater discharges extends downstream from the outfall(s) in (name of receiving waterbody) (# of meters/feet/kilometers/miles). The downstream limit of the action area reflects the approximate distance at which the discharge waters and any pollutants would be expected to cause potential adverse effects to listed species and/or critical habitat because (insert rationale). The action area does/does not extend to the (name of receiving waterbody)'s confluence with (name of confluence waterbody) because (insert rationale).*

Note that your action area written description will be highly site-specific, depending on the expected effects of your facility's discharges and discharge-related activities, receiving waterbody characteristics, etc.

### Attachment 2

List or attach the list(s) of species and critical habitat in your action area on this sheet, as required in Step 3 of Section E.4 of Appendix E. You must include a list for applicable listed NMFS and USFWS species and critical habitat. If there are listed species and/or critical habitat for only one Service, you must include a statement confirming there are no listed species and/or critical habitat for the other Service. For USFWS species, include the USFWS Official Species List full printout from your IPaC query (including the consultation code and event code at the top of the FWS printout). *Note: If your Official Species List from the USFWS indicated no species or critical habitat were present in your action area, include the consultation code and event code that can be found at the top of your Official Species List in your NOI basis statement. If an Official Species List was not available on IPaC, list the contact date, the ecological services field office and the name of the Service staff with whom you corresponded to identify the existence of any USFWS species or critical habitat present in your action area.*

### Paperwork Reduction Act Notice

This collection of information is approved by OMB under the Paperwork Reduction Act, 44 U.S.C. 3501 et seq. (OMB Control No. 2040-0300). Responses to this collection of information are mandatory (40 CFR 122.26). An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The public reporting and recordkeeping burden for this collection of information is estimated to range from 2.5 to 3 hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates and any suggested methods for minimizing respondent burden to the Regulatory Support Division Director, U.S. Environmental Protection Agency (2821T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

## Appendix F - Procedures Relating to Historic Properties Preservation

### F.1 Background

Section 106 of the National Historic Preservation Act (NHPA) requires Federal agencies to take into account the effects of Federal “undertakings”, such as the issuance of this permit, on historic properties that are either listed or eligible for listing on the National Register of Historic Places. To address any issues relating to historic properties in connection with the issuance of this permit, EPA has developed the screening process in this appendix that enables facility operators to appropriately consider the potential impacts, if any, from the installation of stormwater controls that involve subsurface disturbance, on historic properties and to determine whether actions can be taken, if applicable, to mitigate any such impacts. Although the coverage of individual industrial facilities under this permit does not constitute separate Federal undertakings, the screening process in this appendix provides an appropriate site-specific means of addressing historic property issues in connection with EPA’s issuance of the permit.

Before an operator is eligible for coverage under the 2020 MSGP (unless otherwise noted, all references to “eligible” or “eligibility” refer only to coverage under the 2020 MSGP), the operator must meet one of the certification criteria related to historic properties included in the permit. In the event an operator cannot meet any of the certification criteria included in the permit relating to historic properties, the operator must apply for an individual permit.

You must meet one or more of the four criteria (A-D), which are also included in Part 1.1.5, to be eligible for coverage under this permit.

#### Activities with No Potential to Have an Effect on Historic Properties

A determination that a Federal undertaking has no potential to have an effect on historic properties fulfills an agency’s obligations under the NHPA. EPA has reason to believe that the vast majority of activities authorized under the MSGP have no potential to have effects on historic properties. The purpose of this permit is to control pollutants that may be transported in stormwater runoff from industrial facilities. EPA does not anticipate effects on historic properties from the pollutants in the stormwater and allowable non-stormwater discharges from these industrial facilities. Thus, to the extent EPA’s issuance of this general permit authorizes discharges of such constituents, confined to existing stormwater channels or natural drainage areas; the permitting action does not have the potential to cause effects on historic properties.

In addition, the overwhelming majority of sources covered under this permit will be facilities that are seeking renewal of previous permit coverage. These existing dischargers should have already addressed NHPA issues in the 2015 MSGP as they were required to certify that they were either not affecting historic properties or they had obtained written agreement from the applicable State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Officer (THPO)

#### Key Terms

**Historic Property** – Prehistoric or historic districts, sites, buildings, structures, or objects that are included in or eligible for inclusion in the National Register of Historic Places, including artifacts, records, and remains that are related to and located within such properties.

**ACHP – Advisory Council on Historic Preservation**; an independent Federal agency.

**SHPO** – The State Historic Preservation Officer for a particular state.

**THPO or Authorized Tribal Representative** – The Tribal Historic Preservation Officer for a particular Tribe, or if there is no THPO, the representative designated by such Tribe for NHPA purposes. Historic properties could have significance to more than one Indian tribe; therefore, all Indian tribes that attach religious and cultural significance to a historic property must be identified and included in the historic properties screening process.

**Area of Potential Effects (APE)** – The geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties, if any such properties exist. The area of potential effects is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking.

regarding methods of mitigating potential impacts. Both existing and new dischargers must follow the historic property screening procedures to determine their eligibility. Therefore, to the extent this permit authorizes renewal of prior coverage without relevant changes in operations, it has no potential to have an effect on historic properties.

### **Activities with Potential to Have an Effect on Historic Properties**

EPA believes this permit may have some potential to have an effect on historic properties where permittees construct and/or install stormwater control measures that involve subsurface disturbance and impact less than one (1) acre of land to comply with this permit. (Ground disturbances of one (1) acre or more require coverage under a different permit, the Construction General Permit.) Where you have to disturb the land through the construction and/or installation of control measures, there is a possibility that artifacts, records, or remains associated with historic properties could be impacted. Therefore, if you are establishing new or altering existing control measures to manage your stormwater that will involve subsurface ground disturbance of less than one (1) acre, you will need to ensure (1) that historic properties will not be impacted by your activities or (2) that you have consulted with the appropriate SHPO, THPO, or other tribal representative regarding measures that would mitigate or prevent any adverse effects on historic properties.

### **Examples of Control Measures Which Involve Subsurface Disturbance**

EPA reviewed typical control measures currently employed to determine which practices involve some level of earth disturbance. The types of control measures that are presumptively expected to cause subsurface ground disturbance include:

- Dikes
- Berms
- Catch Basins
- Ponds
- Ditches
- Trenches
- Culverts
- Land manipulation: contouring, sloping, and grading
- Channels
- Perimeter Drains
- Swales

EPA cautions dischargers that this list is non-inclusive. Other control measures that involve earth disturbing activities that are not on this list must also be examined for the potential to affect historic properties.

### **Historic Property Screening Process**

You should follow the following screening process in order to certify your compliance with historic property eligibility requirements under this permit (see Part 1.1.5). The following four steps describe how applicants can meet the permit eligibility criteria for protection of historic properties under this permit:

**Step One: Are you an existing facility that is resubmitting for certification under the 2021 MSGP?**

If you are an existing facility you should have already addressed NHPA issues. To gain coverage under the 2015 MSGP, you were required to certify that you were either not affecting historic properties or had obtained written agreement from the relevant SHPO or THPO regarding methods of mitigating potential impacts. As long as you are not constructing or installing any new stormwater control measures then you have met eligibility Criterion A of the MSGP. After you submit your NOI, there is a 30-day waiting period during which the SHPO, THPO, or other tribal representative may review your NOI. The SHPO, THPO, or other tribal representative may request that EPA hold up authorization based on concerns about potential adverse impacts to historic properties. EPA will evaluate any such request and notify you if any additional measures to address adverse impacts to historic properties are necessary.

If you are an existing facility and will construct or install stormwater control measures that will disturb less than one (1) acre, then you should proceed to Step Three. (Note: Stormwater discharges from your facility associated with construction activity disturbing one acre or more, or that are part of a larger common plan of development or sale if the larger common plan will ultimately disturb one acre or more, are not covered under the 2021 MSGP unless in conjunction with mining activities or certain oil and gas extraction activities as specified in Sectors G, H, I, and J of this permit.) Construction activities disturbing one (1) acre or more are not eligible for coverage under this permit and may seek separate coverage under the Construction General Permit (CGP).)

If you are a new facility then you should proceed to Step Two.

**Step Two: Are you constructing or installing any stormwater control measures that require subsurface disturbance, and that disturbance will be less than one (1) acre?** (Note: Stormwater discharges from your facility associated with construction activity disturbing one acre or more, or that are part of a larger common plan of development or sale if the larger common plan will ultimately disturb one acre or more, are not covered under the 2021 MSGP unless in conjunction with mining activities or certain oil and gas extraction activities as specified in Sectors G, H, I, and J of this permit.) Construction activities disturbing one (1) acre or more are not eligible for coverage under this permit and may seek separate coverage under the Construction General Permit (CGP)).

If, as part of your coverage under this permit, you are not building or installing control measures on your site that cause less than one (1) acre of subsurface disturbance, then your discharge-related activities do not have the potential to have an effect on historic properties. You have no further obligations relating to historic properties. You have met eligibility Criterion A of the MSGP. After you submit your NOI, there is a 30-day waiting period during which the SHPO, THPO, or other tribal representative may review your NOI. The SHPO, THPO, or other tribal representative may request that EPA hold up authorization based on concerns about potential adverse impacts to historic properties. EPA will evaluate any such request and notify you if any additional measures to address adverse impacts to historic properties are necessary.

If the answer to the Step Two question is yes, then you should proceed to Step Three.

**Step Three: Have prior earth disturbances determined that historic properties do not exist, or have prior disturbances precluded the existence of historic properties?**

If previous construction either revealed the absence of historic properties or prior disturbances preclude the existence of historic properties, then you have no further obligations relating to historic properties. You have met eligibility Criterion B of the MSGP. After you submit your NOI, there is a 30-day waiting period during which the SHPO, THPO, or other tribal representative may

review your NOI. The SHPO, THPO, or other tribal representative may request that EPA hold up authorization based on concerns about potential adverse impacts to historic properties. EPA will evaluate any such request and notify you if any additional measures to address adverse impacts to historic properties are necessary.

If the answer to the Step Three question is no, then you should proceed to Step Four.

#### **Step Four: Contact the appropriate historic preservation authorities**

Where you are building and/or installing control measures affecting less than one (1) acre of land to control stormwater or authorized non-stormwater discharges associated with this permit, and the answer to Step Three is no, then you should contact the relevant SHPO, THPO, or other tribal representative to determine the likelihood that artifacts, records, or remains are potentially present on your site. This may involve examining local records to determine if historic artifacts have been found in nearby areas, as well as limited surface and subsurface examination carried out by qualified professionals.

If through this process it is determined that such historic properties potentially exist and may be impacted by your construction or installation of control measures, you should contact the relevant SHPO, THPO, or tribal representative in writing and request to discuss mitigation or prevention of any adverse effects. The letter should describe your facility, the nature and location of subsurface disturbance activities that are contemplated, any known or suspected historic properties in the area, and any anticipated effects on such properties. The letter should state that if the SHPO, THPO, or tribal representative does not respond within 30 days of receiving your letter, you may submit your NOI without further consultation. EPA encourages applicants to contact the appropriate authorities as soon as possible in the event of a potential adverse effect to an historic property.

If the SHPO, THPO, or tribal representative sent you a response within 30 days of receiving your letter and you enter into, and comply with, a written agreement with the SHPO, THPO, or other tribal representative regarding how to address any adverse impacts on historic properties, you have met eligibility Criterion C. In this case, you should retain a copy of the written agreement consistent with Part 6.2.6.2 of the MSGP. After you submit your NOI, there is a 30-day waiting period during which the SHPO, THPO, or other tribal representative may review your NOI. The SHPO, THPO, or other tribal representative may request that EPA delay authorization based on concerns about potential adverse impacts to historic properties. However, EPA would generally accept any written agreement as fully addressing such concerns unless new information was brought to the Agency's attention that was not considered in your previous discussions with the SHPO, THPO or other tribal representative.

If you receive a response within 30 days after the SHPO, THPO, or tribal representative received your letter and you consult with the SHPO, THPO or tribal representative regarding adverse impacts to historic properties and measures to mitigate them but an agreement cannot be reached between you and the SHPO, THPO, or other tribal representative, you have still met the eligibility for Criterion C. In this case you should include in your SWPPP a brief description of potential effects to historic properties, the consultation process, any measures you will adopt to address the potential adverse impacts, and any significant remaining disagreements between you and the SHPO, THPO or other tribal representative. After you submit your NOI, there is a 30-day waiting period during which the SHPO, THPO, or other tribal representative may review your NOI. The SHPO, THPO, or other tribal representative may request that EPA delay authorization based on concerns about potential adverse impacts to historic properties. EPA will evaluate any such request and notify you if any additional measures to address adverse impacts to historic properties are necessary.

If you have contacted the SHPO, THPO, or tribal representative in writing regarding your potential to have an effect on historic properties and the SHPO, THPO, or tribal representative did not respond within 30 days of receiving your letter, you have met eligibility Criterion D. You are advised to get a receipt from the post office or other carrier confirming the date on which your letter was received. In this case, you should submit a copy of your letter notifying the SHPO, THPO or tribal representative of potential impacts with your NOI. After you submit your NOI, there is a 30-day waiting period during which the SHPO, THPO, or other tribal representative may review your NOI. The SHPO, THPO, or other tribal representative may request that EPA hold up authorization based on concerns about potential adverse impacts to historic properties. EPA will evaluate any such request and notify you if any additional measures to address adverse impacts to historic properties are necessary.

Addresses for State Historic Preservation Officers and Tribal Historic Preservation Officers may be found on the Advisory Council on Historic Preservation's website (<https://ncshpo.org/directory/>). In instances where a Tribe does not have a Tribal Historic Preservation Officer, you should contact the appropriate Tribal government office when responding to this permit eligibility condition.

For more information about your State Historic Preservation Office (SHPO) or Tribal Historic Preservation Office (THPO), please visit the National Park Service (NPS) websites at:

**SHPO:** <https://www.nps.gov/subjects/nationalregister/state-historic-preservation-offices.htm>

**THPO:** [https://www.nps.gov/history/tribes/Tribal\\_Historic\\_Preservation\\_Officers\\_Program.htm](https://www.nps.gov/history/tribes/Tribal_Historic_Preservation_Officers_Program.htm)  
[https://grantsdev.cr.nps.gov/THPO\\_Review/index.cfm](https://grantsdev.cr.nps.gov/THPO_Review/index.cfm)



**Appendix G - Notice of Intent (NOI) Form**

Part 7.2 requires you to use the NPDES eReporting Tool, or "NeT", to prepare and submit your Notice of Intent (NOI). However, if the applicable EPA Regional office grants you a waiver to use a paper NOI form, and you elect to use it, you must complete and submit the following form.

Submission of this NOI constitutes notice that the operator identified in Section C of this form requests authorization to discharge pursuant to the NPDES Multi-Sector General Permit (MSGP) permit number identified in Section B of this form. Submission of this NOI also constitutes notice that the operator identified in Section C of this form meets the eligibility conditions of Part 1.1 of the MSGP for the facility identified in Section D of this form. To obtain authorization, you must submit a complete and accurate NOI form. Discharges are not authorized if your NOI is incomplete or inaccurate or if you were never eligible for permit coverage. Refer to the instructions at the end of this form to complete your NOI.

<b>NPDES FORM 3510-6</b>		<b>UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460</b> <b>NOTICE OF INTENT (NOI) FOR STORMWATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY UNDER THE NPDES MULTI-SECTOR GENERAL PERMIT</b>	OMB No. 2040-0300 Exp. Date: 3/31/2024
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Submission of this Notice of Intent (NOI) constitutes notice that the operator identified in Section C of this form requests authorization to discharge pursuant to the NPDES Stormwater Multi-Sector General Permit (MSGP) permit number identified in Section B of this form. Submission of this NOI also constitutes notice that the operator identified in Section C of this form meets the eligibility conditions of Part 1.1 of the MSGP for the facility identified in Section D of this form. To obtain authorization, you must submit a complete and accurate NOI form. Discharges are not authorized if your NOI is incomplete or inaccurate or if you were never eligible for permit coverage. Refer to the instructions at the end of this form to complete your NOI.

**A. Approval to Use Paper NOI Form**

1. Have you been granted a waiver from electronic reporting from the EPA Regional Office\*?  YES  NO  
 If yes, check which waiver you have been granted, the name of the EPA Regional Office staff person who granted the waiver, and the date of approval:

Waiver granted:  The owner/operator's headquarters is physically located in a geographic area (i.e., ZIP code or census tract) that is identified as under-served for broadband Internet access in the most recent report from the Federal Communications Commission.

The owner/operator has issues regarding available computer access or computer capability

Name of EPA staff person that granted the waiver:

Date approval obtained:

**\* Note: You are required to obtain approval from the applicable EPA Regional Office prior to using this paper NOI form. If you have not obtained a waiver, you must file this form electronically using the NPDES eReporting Tool (NeT) at <http://water.epa.gov/polwaste/npdes/stormwater/Stormwater-eNOI-System-for-EPAs-MultiSector-General-Permit.cfm>**

**B. Permit Information**

**NPDES ID (EPA Use Only):**

1. Master Permit Number:  (see Appendix C of the MSGP for the list of eligible master permit numbers)

2. Are you a new discharger or a new source as defined in Appendix A?  YES  NO (If yes, skip to Part C of this form).

3. If you are not a new discharger or a new source, have stormwater discharges from your facility been covered previously under an NPDES permit?  
 YES  NO

If yes, provide the NPDES ID if you had coverage under EPA's 2015 MSGP or the NPDES ID if you had coverage under an EPA individual permit:

4. Do you have a pending enforcement action related to industrial stormwater by EPA, a state, or a citizen (to include both notices of violation (NOVs) by EPA or a state and notices of intent to bring a citizen suit)?  YES  NO

**C. Facility Operator Information**

1. Operator Information:

Operator Name:

2. Mailing Address:

Street:

City:  State:  ZIP Code:

County or Similar Government Subdivision:

Phone:  Ext.

E-mail:

2. Operator Point of Contact Information:

First Name, Middle Initial, Last Name

Title:

3. NOI Preparer Information (Complete if NOI was prepared by someone other than the certifier):

First Name, Middle Initial, Last Name

Organization:

Phone:  Ext.

E-mail:

D. Facility Information

1. Facility Name:

[Grid for Facility Name]

2. Facility Address:

Street/Location:

[Grid for Street/Location]

City:

[Grid for City]

State:

[Grid for State]

ZIP Code:

[Grid for ZIP Code]

[Grid for ZIP Code]

County or Similar Government Subdivision:

[Grid for County or Similar Government Subdivision]

3. Latitude/Longitude for the facility:

Latitude: \_\_\_\_\_ ° N (decimal degrees)

Longitude: \_\_\_\_\_ ° W (decimal degrees)

Latitude/Longitude Data Source:

Maps

GPS

Other \_\_\_\_\_

If you used a USGS topographic map, what was the scale? \_\_\_\_\_

Horizontal Reference Datum:

NAD 27

NAD 83

WGS 84

4. Is your facility located on Indian Country lands?  YES  NO

If yes, provide the name of the Indian tribe associated with the area of Indian country (including name of Indian reservation, if applicable): \_\_\_\_\_

5. Are you requesting coverage under this NOI as a "federal operator" as defined in Appendix A?  YES  NO

6. What is the ownership type of the facility?

Federal Facility  
(U.S. Government)

Privately Owned Facility

Municipality

County Government

Corporation

State Government

Tribal Government

School District

District

Mixed Ownership (e.g.,  
Public/Private)

Municipal or Water  
District

7. Estimated area of industrial activity at your facility exposed to stormwater: \_\_\_\_\_ (to the nearest quarter acre)

8. Sector-Specific Information

Identify the 4-digit Standard Industrial Classification (SIC) code or 2-letter Activity Code that best represents the products produced or services rendered for which your facility is primarily engaged, as defined in the MSGP, and the applicable sector and subsector of your primary industrial activity (See Appendix D):

Primary SIC Code [Grid] OR Primary Activity Code: [Grid]

Sector: [Grid] Subsector: [Grid]

Identify the applicable sector(s) and subsector(s), SIC codes, and activity codes of any co-located industrial activity for which you are requesting permit

Sector: [Grid] Subsector: [Grid] Sector: [Grid] Subsector: [Grid] Sector: [Grid] Subsector: [Grid]

Sector: [Grid] Subsector: [Grid] Sector: [Grid] Subsector: [Grid] Sector: [Grid] Subsector: [Grid]

If you are a Sector S (Air Transportation) facility, do you anticipate using more than 100,000 gallons of pure glycol in glycol-based deicing fluids and/or 100 tons or more of urea on an average annual basis?  YES  NO

If you are a Sector G (Metal Mining) facility, do you have discharges from waste rock and overburden piles?  YES  NO

Check the type of ore you mine at your facility:

Tungsten Ore

Nickel Ore

Aluminum Ore

Mercury Ore

Iron Ore

Platinum Ore

Titanium Ore

Vanadium Ore

Molybdenum

Uranium, Radium, and/or Vanadium Ore

Ore not listed

9. Is your facility presently inactive and unstaffed and are there no industrial materials or activities exposed to stormwater?\*  YES  NO  
 \*The requirement for benchmark monitoring does not apply at a facility that is inactive and unstaffed, provided that there are no industrial materials or activities exposed to stormwater. Note that if your facility becomes inactive and unstaffed and/or industrial materials or activities become exposed to stormwater during the permit term, you must submit an NOI modification to reflect the change.

**E. Discharge Information**

1. By indicating "Yes" below, I confirm that I understand that the MSGP only authorizes the authorized stormwater discharges in Part 1.2.1 and the allowable non-stormwater discharges listed in Part 1.2.2. Any discharges not expressly authorized in this permit cannot become authorized or shielded from liability under CWA section 402(k) by disclosure to EPA, state, or local authorities after issuance of this permit via any means, including the Notice of Intent (NOI) to be covered by the permit, the Stormwater Pollution Prevention Plan (SWPPP), during an inspection, etc. If any discharges requiring NPDES permit coverage other than the authorized stormwater and non-stormwater discharges listed in Parts 1.2.1 and 1.2.2 will be discharged, they must be covered under another NPDES permit.  YES

2. Federal Effluent Limitation Guidelines

Are you requesting permit coverage for any stormwater discharges subject to effluent limitation guidelines?  YES  NO

If yes, which effluent limitation guidelines apply to your stormwater discharges?

40 CFR Part/Subpart	Eligible Discharges	Affected MSGP Sector	New Source Date	Check if Applicable
Part 411, Subpart C	Runoff from material storage piles at cement manufacturing facilities	E	2/20/1974	<input type="checkbox"/>
Part 418 Subpart A	Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished product, by-products or waste products (SIC 2874)	C	4/8/1974	<input type="checkbox"/>
Part 423	Coal pile runoff at steam electric generating facilities	O	11/19/1982 10/8/1974 <sup>1</sup>	<input type="checkbox"/>
Part 429, Subpart I	Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas	A	1/26/1981	<input type="checkbox"/>
Part 436, Subpart B, C, or D	Mine dewatering discharges at crushed stone mines, construction sand and gravel mines, or industrial sand mines	J	N/A	<input type="checkbox"/>
Part 443, Subpart A	Runoff from asphalt emulsion facilities	D	7/28/1975	<input type="checkbox"/>
Part 445, Subparts A & B	Runoff from hazardous waste and non-hazardous waste landfills	K, L	2/2/2000	<input type="checkbox"/>
Part 449	Runoff containing urea from airfield pavement deicing at existing and new primary airports with 1,000 or more annual non-propeller aircraft departures	S	6/15/2012	<input type="checkbox"/>

<sup>1</sup>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.

3. Receiving Waters Information: (Attach a separate list if necessary)

List all of the stormwater discharge points from your facility. Each discharge point must be identified by a unique 3-digit ID (e.g., 001, 002). Also provide the latitude and longitude in degrees decimal for each discharge point.	For each outfall, provide the following receiving water information:					
	Provide the name of the first water of the U.S. that receives stormwater directly from the discharge point and/or from the MS4 that the outfall discharges to:	If the receiving water is impaired (on the CWA 303(d) list), list the pollutants that are causing the impairment:	If a TMDL has been completed for this receiving waterbody, providing the following information:	Is this receiving water saltwater or freshwater?	Is this receiving water designated by the state or tribal authority under its antidegradation policy as a Tier 2 (or Tier 2.5) water (water quality exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water) or as a Tier 3 water (Outstanding National Resource Water)?	For freshwater discharges from operators in subsectors K1 and G2 only: is this receiving water still/standing (lentic) (e.g., lake or impoundment) or flowing (lotic) (e.g., river or stream)?
Discharge Point ID			TMDL ID: _____ Pollutants for which there is a TMDL: _____	<input type="checkbox"/> Freshwater <input type="checkbox"/> Saltwater	<input type="checkbox"/> Tier 2/2.5 <input type="checkbox"/> Tier 3 (Outstanding National Resource Waters)*	<input type="checkbox"/> Still/standing <input type="checkbox"/> Flowing
Latitude						
Longitude						
Discharge Point ID			TMDL ID: _____ Pollutants for which there is a TMDL: _____	<input type="checkbox"/> Freshwater <input type="checkbox"/> Saltwater	<input type="checkbox"/> Tier 2/2.5 <input type="checkbox"/> Tier 3 (Outstanding National Resource Waters)*	<input type="checkbox"/> Still/standing <input type="checkbox"/> Flowing
Latitude						
Longitude						
<b>If substantially identical to other discharge point, list identical discharge point ID:</b>						
Discharge Point ID			TMDL ID: _____ Pollutants for which there is a TMDL: _____	<input type="checkbox"/> Freshwater <input type="checkbox"/> Saltwater	<input type="checkbox"/> Tier 2/2.5 <input type="checkbox"/> Tier 3 (Outstanding National Resource Waters)*	<input type="checkbox"/> Still/standing <input type="checkbox"/> Flowing
Latitude						
Longitude						

\*Note: You are ineligible for coverage if you are a new discharger or new source to waters designated as Tier 3 (Outstanding National Resource Waters) for antidegradation purposes under 40 CFR 131.13(a)(3).

4. Provide the following Information about your discharge point latitude/longitude:

Latitude/Longitude Data Source: \_\_\_\_\_

If you used a USGS topographic map, what was the scale? \_\_\_\_\_

Horizontal Reference Datum:  NAD 27  NAD 83  WGS 84

5. Does your facility discharge into a Municipal Separate Storm Sewer System (MS4)?  YES  NO

If yes, provide the name of the MS4 operator: \_\_\_\_\_

6. If you are subject to benchmark monitoring requirements for a hardness-dependent metal, what is the hardness of your receiving water(s) (see Appendix J)? \_\_\_\_\_ (mg/L)

7. For facilities in EPA Region 10: Does your facility discharge to a federal CERCLA site listed in Appendix P?  YES  NO

7.a. If yes, did you notify the EPA Regional Office in advance of filing your NOI, and did the EPA Regional Office determine that you are eligible for permit coverage pursuant to Part 1.1.7\*?  YES  NO

**\* Note: If you discharge to a federal CERCLA site listed in Appendix P, you are ineligible for coverage under this permit unless you notify the EPA Regional Office in advance and the EPA Regional Office determines you are eligible coverage under this permit. In determining your eligibility for coverage under this Part, the EPA Regional Office may evaluate whether you have included adequate controls and/or procedures to ensure that your discharges will not lead to recontamination of aquatic media at the CERCLA Site such that it will cause or contribute to an exceedance of a water quality standard.**

8. For operators in New Mexico only: Do you anticipate the discharge of groundwater or spring water from your facility?  YES  NO

\*If yes, below you are asked to provide information on flow and potential to encounter impacted ground or spring water such that there is a potential for contamination. If potential for contamination exists, you will be asked to provide test result data to EPA Region 6 and the NMED Surface Water Quality Bureau. If the test data exceed State Water Quality Standards, the ground or spring water cannot be discharged from the facility into surface waters under this permit. Discharge to surface waters must be conducted under a separate NPDES individual permit to ensure proper treatment and disposal. If disposal will be to the ground surface or in an unlined pond, you must submit a Notice of Intent to Discharge (NOI) to the NMED Ground Water Quality Bureau. For further assistance determining whether your facility may encounter impacted groundwater, the permittee may contact the NMED Ground Water Quality Bureau at (505) 827-2965.

8.a. If yes, what is the anticipated flow rate of the groundwater or spring water? \_\_\_\_\_

8.b. Provide information on the potential to encounter impacted ground or spring water in the space provided below:

8.c. Using the Mapper tool located at <https://gis.web.env.nm.gov/oem/> for reference, check if the following groundwater pollutant sources are located nearby the anticipated source of groundwater or spring water such that there is potential for contamination:

Project Location Relative to a Source of Potential Groundwater Contamination	Constituents likely to be required for testing	Check if applicable
Within 0.5 mile of an open Leaking Tank site	BTEX (Benzene, Toluene, Ethylbenzene, and Xylene) plus additional parameters depending on site conditions.	<input type="checkbox"/>
Within 0.5 mile of an open Voluntary Remediation site	All parameters listed in 20.6.4.900 NMAC, hardness and pH (or an alternate list approved by the NMED SWQB)	<input type="checkbox"/>
Within 0.5 mile of an open RCRA Corrective Action site	All parameters listed in 20.6.4.900 NMAC, hardness and pH (or an alternate list approved by the NMED SWQB)	<input type="checkbox"/>
Within 0.5 mile of an open Abatement site	All parameters listed in 20.6.4.900 NMAC, hardness and pH (or an alternate list approved by the NMED SWQB)	<input type="checkbox"/>
Within 0.5 mile of an open Brownfield site	All parameters listed in 20.6.4.900 NMAC, hardness and pH (or an alternate list approved by the NMED SWQB)	<input type="checkbox"/>
Within 1.0 mile of a Superfund site with associated groundwater contamination	All parameters listed in 20.6.4.900 NMAC, hardness and pH (or an alternate list approved by the NMED SWQB)	<input type="checkbox"/>

EPA approved-sufficiently sensitive methods must be used – approved methods are listed in 40 C.F.R. 136.3.

8.d. If any of the above are applicable, provide a summary of test data indicating the quality of the groundwater or spring water to be discharged:

**F. Stormwater Pollution Prevention Plan (SWPPP) Information**

1. Has the SWPPP been prepared in advance of filing this NOI, as required?

2. SWPPP Contact Information:

First Name, Middle Initial, Last Name:

Professional Title:

Phone:  -  -  Ext.

E-mail:

3. SWPPP Availability:

Your current SWPPP or certain information from your SWPPP must be made available through one of the following two options. Select one of the options and provide the required information\*:

**\* Note: You are not required to post any confidential business information (CBI) or restricted information (as defined in Appendix A) (such information may be redacted), but you must clearly identify those portions of the SWPPP that are being withheld from public access.**

**Option 1:** Maintain a current copy of your SWPPP on an Internet page (Universal Resource Locator or URL).

Provide the web address URL: \_\_\_\_\_

**Option 2:** Provide the following information from your SWPPP:

A. Describe your onsite industrial activities exposed to stormwater (e.g., material storage; equipment fueling, maintenance, and cleaning; cutting steel beams), and potential spill and leak areas:

B. List the pollutant(s) or pollutant constituent(s) associated with each industrial activity exposed to stormwater that could be discharged in stormwater and any authorized non-stormwater discharges listed in Part 1.2.2:

C. Describe the control measures you will employ to comply with the non-numeric technology-based effluent limits required in Part 2.1.2 and Part 8, and any other measures taken to comply with the requirements in Part 2.2 Water Quality-Based Effluent Limitations (see Part 6.2.4):

D. Provide a schedule for good housekeeping and maintenance (see Part 6.2.5.1) and a schedule for all inspections required in Part 3 (see Part 6.2.5.2):

**G. Endangered Species Protection**

Using the instructions in Appendix E of the MSGP and the Criterion Selection Worksheet in Appendix E, Part E.4, under which criterion listed below are you eligible for coverage under this permit? \* You must consider Endangered Species Act listed (ESA-listed) threatened or endangered species and/or designated critical habitat(s) under the jurisdiction of both the U.S. Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS) and check only the 1 box that is the most conservative criterion that applies to your facility stormwater discharge.

\*Note: You must use the information from the [USFWS IPaC](#) and [NMFS Species Directory](#) (see MSGP Appendix E, Part E.4, Step 2 and 3) when determining the presence of ESA-listed species and critical habitat. Attaching aerial image(s) of the site to this NOI is helpful to EPA, USFWS, and NMFS in confirming eligibility under this criterion. Please Note: NMFS' jurisdiction includes ESA-listed marine and estuarine species that spawn in inland rivers.

**After you submit your NOI and before your NOI is authorized, EPA may notify you if any additional controls are necessary to ensure your discharges have no likely adverse effects on ESA-listed species and critical habitat.**

**A. No ESA-listed species and/or critical habitat present in action area.** No ESA-listed species and designated critical habitat(s) are likely to occur in your facility's "action area" as defined in Appendix A. You must provide a description below of the basis for selecting this criterion and provide documentation supporting your eligibility determination in your SWPPP. **[Basis statement content: A basis statement supporting the selection of this criterion should identify the USFWS and NMFS information sources used. State resources are not acceptable. Attaching aerial image(s) of the site to this NOI is helpful to EPA, USFWS, and NMFS in confirming eligibility under this criterion. Note that NMFS' jurisdiction includes ESA-listed marine and estuarine species that spawn in inland rivers.]**

**B. Eligibility requirements met by another operator under the 2021 MSGP.** Your industrial activity's discharges and discharge-related activities were already addressed in another operator's valid certification of eligibility for your "action area" under eligibility criteria A, C, D, or E of the 2021 MSGP and you have confirmed that no additional ESA-listed species and designated critical habitat not considered in that certification may be present or located in the "action area" (e.g., due to a new species listing or critical habitat designation). To certify your eligibility under this criterion, there must be no lapse of NPDES permit coverage in the other 2021 MSGP operator's certification. By certifying eligibility under this criterion, you must comply with any conditions upon which the other operator's certification was based. You must include in your NOI the NPDES ID assigned to the other 2021 MSGP operator's authorization under this permit. If your certification is based on another 2021 MSGP operator's certification under criterion C, you must provide EPA with the relevant supporting information required (i.e., permit tracking number, industrial activity SWPPP, a description of the basis for the criterion selected) in your NOI form. **[Basis statement content: A basis statement supporting the selection of this criterion must identify the eligibility criterion of the other MSGP NOI, the authorization date, and confirmation that the authorization is effective.]**

If you select criterion B, provide the NPDES ID from the other operator's notification of authorization under this permit: \_\_\_\_\_

**C(1). Facility eligible for Criterion C in the 2015 MSGP with NO CHANGE to listed species, critical habitat, or action area.** Your facility was eligible for Criterion C in the 2015 MSGP and there has been no change in your facility's action area and you have confirmed that there are no additional threatened or endangered species or designated critical habitat under the jurisdiction of the USFWS and/or NMFS in your action area since your certification under Criterion C in the 2015 MSGP. You must provide a description of the basis of this criterion selected on your NOI form and provide documentation supporting your eligibility determination in your SWPPP. **[Basis statement content: A basis statement supporting the selection of this criterion must provide the USFWS and/or NMFS resources consulted that helped you determine that there are no additional species and/or critical habitat under the jurisdiction of the Services in your action area.]**

**C(2). Facility eligible for Criterion C in the 2015 MSGP with CHANGES to listed species, critical habitat, or action area.** Your facility was eligible for Criterion C in the 2015 MSGP, but there have been changes in your facility's action area, and/or there are additional threatened or endangered species and/or designated critical habitat under the jurisdiction of the USFWS and/or NMFS in your action area since your certification under Criterion C under the 2015 MSGP. You must provide a description of the basis of this criterion selected on your NOI form and provide documentation supporting your eligibility determination in your SWPPP. **[Basis statement content: A basis statement supporting the selection of this criterion must identify the following:**

1. A description of the changes in the facility's action area (if applicable).
2. The USFWS and/or NMFS resources consulted that helped you determine that additional species and/or critical habitat have been listed/designated by either of the Services in your action area.
3. What ESA-listed species and/or designated critical habitat are located in your "action area".
4. Distance in miles between your site and the ESA-listed species and/or designated critical habitat within the action area (in miles, state "on site" if the ESA-listed species and/or designated critical habitat is within the area to be disturbed).
5. A description of EPA approved measures you will implement or will continue to implement to ensure no likely adverse effects on ESA-listed species and/or critical habitat.]

**C(3). ESA-listed species and/or designated critical habitat likely to occur, but discharges not likely to adversely affect them.** ESA-listed threatened or endangered species or their designated critical habitat(s) under the jurisdiction of USFWS and/or NMFS are likely to occur in or near your facility's "action area," and you certify to EPA that your industrial activity's discharges and discharge-related activities are not likely to adversely affect ESA-listed and/or critical habitat. To certify your eligibility under this criterion, you must complete the Criterion C Eligibility Form, which you must submit to EPA at least 30 days prior to filing your NOI for permit coverage. After evaluation of your Criterion C Eligibility Form, EPA may require additional measures that you must implement to avoid or eliminate likely adverse effects on ESA-listed species and/or critical habitat from discharges and discharge-related activities. You may submit your NOI for permit coverage 30 days after submitting to EPA your completed Criterion C Eligibility Form. You must also provide a description of the basis for the criterion you selected on your NOI form and provide documentation supporting your eligibility determination in your SWPPP. **[Basis statement content: A basis statement supporting the selection of this criterion must identify the following:**

1. The USFWS and NMFS information resources and expertise (e.g., state or federal biologists) used to arrive at this conclusion. Any supporting documentation should explicitly state that both ESA-listed species and designated critical habitat under the jurisdiction of the USFWS and/or NMFS were considered in the evaluation.
2. What ESA-listed species and/or designated critical habitat are located in your "action area".
3. Distance in miles between your site and the ESA-listed species and/or designated critical habitat within the action area (in miles, state "on site" if the ESA-listed species and/or designated critical habitat is within the area to be disturbed).
4. A description of EPA approved measures you will implement to ensure no likely adverse effects on ESA-listed species and/or critical habitat
5. A statement affirming that "I submitted my completed Criterion C Eligibility Form to EPA at least 30 days prior to submitting this NOI and agree to implement any additional measures that were determined by EPA to be necessary to ensure that my discharges and/or discharge-related activities will not have likely adverse effects on listed species and critical habitat."
6. Date you sent completed Criterion C Eligibility form to EPA.]

**D. ESA Section 7 consultation has successfully concluded.** Consultation between a Federal Agency and the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service under section 7 of the Endangered Species Act has concluded. The consultation must have addressed the effects of the facility's discharges and discharge-related activities on ESA-listed species and/or designated critical habitat under the jurisdiction of USFWS and/or NMFS. To certify eligibility under this criterion, indicate the result of the consultation:

1. A biological opinion and/or conference opinion that concludes that the action in question (taking into account the effects of your facility's discharges and discharge-related activities) is not likely to jeopardize the continued existence of ESA-listed species, or result in the destruction or adverse modification of designated critical habitat; or

2. Written concurrence from the applicable Service(s) with a finding that your facility's discharges and discharge-related activities are not likely to adversely affect ESA-listed species or designated critical habitat.

You must verify that the consultation does not warrant reinitiation under 50 CFR §402.16. If reinitiation of consultation is required, in order to be eligible under this criterion you must ensure consultation is reinitiated and the result of the consultation must be consistent with Criterion D (i), or (ii) above.

If eligible under Criterion D, you must also provide supporting documentation for your determination in your NOI and SWPPP, including the Biological Opinion (or ECO tracking number) or concurrence letter. You must include copies of the correspondence between yourself and the USFWS and/or NMFS in your SWPPP and your NOI. **[Basis statement content: A basis statement supporting the selection of this criterion should identify the federal action agency(ies) involved, the field office/regional office(s) providing that consultation, any tracking numbers of identifiers associated with that consultation (e.g., IPaC number, ECO number), and the date the consultation was completed.]**

E. **Issuance of section 10 permit.** Potential take is authorized through the issuance of a permit under section 10 of the ESA by the USFWS and/or NMFS, and this authorization addresses the effects of the facility's discharges and discharge-related activities on ESA-listed species and designated critical habitat. You must include copies of the correspondence between yourself and the participating agencies in your SWPPP and your NOI. **[Basis statement content: A basis statement supporting the selection of this criterion should identify whether USFWS or NMFS or both agencies provided a section 10 permit, the field office/regional office(s) providing permit(s), any tracking numbers of identifiers associated with that consultation (e.g., IPaC number, ECO number), and the date the permit was granted.]**

**H. Historic Preservation**

1. If your facility is not located on Indian country lands, is your facility located on a property of religious or cultural significance to an Indian tribe?

YES  NO

If yes, provide the name of the Indian tribe associated with the property: \_\_\_\_\_

2. Using the instructions in Appendix F of the MSGP, under which historic properties preservation criterion listed in Part 1.1.4.6 are you eligible for coverage under this permit (only check 1 box)?

A  B  C  D

**I. Certification Information**

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 violations.

First Name, Middle, Last Name:

Title:

Signature: \_\_\_\_\_ Date:  /  /

E-mail:



## Instructions for Completing EPA Form 3510-6

**Notice of Intent (NOI) for Stormwater Discharges  
Associated with Industrial Activity Under the NPDES Multi-Sector General Permit**

This Form Replaces Form 3510-6 (06/15) Form Approved OMB No. 2040-0300

**Who Must File an NOI Form**

Under section 402(p) of the Clean Water Act (CWA) and regulations at 40 CFR Part 122, stormwater discharges associated with industrial activity are prohibited to waters of the United States unless authorized under a National Pollutant Discharge Elimination System (NPDES) permit. You can obtain coverage under the MSGP by submitting a completed Notice of Intent (NOI) if you are an operator of a facility:

- that is located in a jurisdiction where EPA is the permitting authority, listed in Appendix C of the MSGP,
- that discharges stormwater associated with industrial activities, identified in Appendix D of the MSGP,
- that meets the eligibility requirements in Part 1.1 of the permit,
- that has developed a stormwater pollution prevention plan (SWPPP) in accordance with Part 6 of the MSGP; and
- that installs and implements control measures in accordance with Part 2 and Part 8 to meet numeric and non-numeric effluent limits.

**Completing the Form**

Obtain and read a copy of the 2021 MSGP, viewable at <http://water.epa.gov/polwaste/npdes/stormwater/EPA-Multi-Sector-General-Permit-MSGP.cfm>. To complete this form, type or print, using uppercase letters, in the appropriate areas only. Please place each character between the marks. Abbreviate if necessary to stay within the number of characters allowed for each item. Use only one space for breaks between words, but not for punctuation marks unless they are needed to clarify your response. **Please submit original document with signature in ink - do not send a photocopied signature.**

**Section A. Approval to Use Paper NOI Form**

You must indicate whether you have been granted a waiver from electronic reporting from the EPA Regional Office. Note that you are not authorized to use this paper NOI form unless the EPA Regional Office has approved its use. Where you have obtained approval to use this form, indicate the waiver that you have been granted, the name of the EPA staff person who granted the waiver, and the date that approval was provided.

See <http://water.epa.gov/polwaste/npdes/stormwater/Stormwater-Contacts.cfm> for a list of EPA Regional Office contacts.

**Section B. Permit Information**

Provide the master permit number of the permit under which you are applying for coverage (see Appendix C of the general permit for the list of eligible master permit numbers).

You must indicate whether you are a new discharger or a new source (see Appendix A for the definitions). If you are not a new discharger or a new source, you must indicate whether stormwater discharges from your facility have been previously covered under another NPDES permit. If yes, you must provide the unique NPDES ID (i.e., permit tracking number) for the previous permit your facility was covered under.

You must also indicate whether you have a pending enforcement action by EPA, a state, or a citizen, related to industrial stormwater.

**Section C. Facility Operator Information**

Provide the legal name of the person, firm, public organization, or any other entity that operates the facility described in this NOI. An operator of a facility is the legal entity that controls the operation of the facility. Refer to Appendix A of the permit for the definition of "operator". Provide the operator's mailing address, phone number,

and e-mail. Correspondence for the NOI will be sent to this address. Also provide the name and title for the operator point of contact (note that the point of contact name may be the same as the operator name).

If the NOI was prepared by someone other than the certifier (for example, if the NOI was prepared by the facility SWPPP contact or a consultant for the certifier's signature), include the full name, organization, phone number, and e-mail address of the NOI preparer.

**Section D. Facility Information**

Enter the official or legal name and complete address, including city, state, ZIP code, and county or similar government subdivision of the facility. If the facility lacks a street address, indicate the general location of the facility (e.g., intersection of State Highways 61 and 34). Complete facility information must be provided for permit coverage to be granted.

Provide the latitude and longitude of your facility in decimal degrees format. The latitude and longitude of your facility can be determined in several different ways, including through the use of global positioning system (GPS) receivers, U.S. Geological Survey (USGS) topographic or quadrangle maps. Refer to <http://transition.fcc.gov/mb/audio/bickel/DDDMSS-decimal.html/> for assistance in providing the proper latitude/longitude format. For consistency, EPA requests that measurements be taken from the approximate center of the facility. Specify which method you used to determine latitude and longitude. If a USGS topographic map is used, specify the scale of the map used. Enter the horizontal reference datum for your latitude and longitude. The horizontal reference datum used on USGS topographic maps is shown on the bottom left corner of USGS topographic maps; it is also available for GPS receivers.

Indicate whether the facility is on Indian country lands, and if so, provide the name of the Indian tribe associated with the area of Indian country (including name of Indian reservation, if applicable).

Indicate whether you are seeking coverage under this permit as a "federal operator" as defined in Appendix A. Also check the ownership type for the facility (e.g., Federal Facility, Privately Owned Facility, Municipality, County Government, Corporation, State Government, Tribal Government, School District, District, Mixed Ownership [e.g., public/private], Municipal or Water District).

Enter the estimated area of industrial activity at your facility exposed to stormwater to the nearest quarter acre.

Indicate whether, during coverage under this permit, there will be stormwater discharges from paved surfaces that will be sealed or re-sealed with coal-tar where industrial activities are located.

List the four-digit Standard Industrial Classification (SIC) code or two character activity code that best describes the primary industrial activities performed by your facility under which you are required to obtain permit coverage. Your primary industrial activity includes any activities performed on-site which are (1) identified by the facility's primary SIC code and included in the descriptions of 40 CFR 122.26(b)(14)(ii), (iii), (vi), or (viii); or (2) included in the narrative descriptions of 40 CFR 122.26(b)(14)(i), (iv), (v), (vii), or (ix). See Appendix D of the MSGP for a complete list of SIC codes and activities codes covered under the MSGP. Also provide the applicable sector and subsector associated with the SIC code or activity code for your primary industrial activities. For a complete list of sector and subsector codes, see Appendix D of the MSGP.

If your facility has co-located industrial activities that are not identified as your primary industrial activity, identify the sector, subsector, SIC, and

## Instructions for Completing EPA Form 3510-6

**Notice of Intent (NOI) for Stormwater Discharges  
Associated with Industrial Activity Under the NPDES Multi-Sector General Permit**

This Form Replaces Form 3510-6 (06/15) Form Approved OMB No. 2040-0300

For Sector A facilities (Timber Products), indicate whether you manufacture, use or store creosote or creosote treated wood in areas that are exposed to precipitation.

For Sector S facilities (Air Transportation), indicate whether you anticipate that the entire airport facility will use more than 100,000 gallons of pure glycol in glycol-based deicing fluids and/or 100 tons or more of urea on an average annual basis. If so, additional effluent limits and monitoring conditions apply to your discharge (see Part 8.S of the permit).

For Sector G facilities (Metal Mining), check the type of ore(s) mined at the facility.

Indicate whether your facility is currently inactive and unstaffed. Note that if your facility becomes inactive and unstaffed and/or industrial materials or activities become exposed to stormwater during the permit term, you must submit an NOI modification to reflect the change.

#### Section E. Discharge Information

You must confirm that you understand that the MSGP only authorizes the allowable stormwater discharges listed in Part 1.2.1 and the allowable non-stormwater discharges listed in Part 1.2.2. Any discharges not expressly authorized under the MSGP are not covered by the MSGP or the permit shield provision of the CWA Section 402(k) and they cannot become authorized or shielded by disclosure to EPA, state, or local authorities via the NOI to be covered by the permit or by any other means (e.g., in the SWPPP or during an inspection). If any discharges requiring NPDES permit coverage other than the allowable stormwater and non-stormwater discharges listed in Parts 1.2.1 and 1.2.2 will be discharged, they must either be eliminated or covered under another NPDES permit.

Depending on your industrial activities, your facility may be subject to federal effluent limitation guidelines which include additional effluent limits and monitoring requirements for your facility. Please review these requirements, described in Part 2.1.3 of the MSGP, and check any appropriate boxes on the NOI form.

You must identify all the discharge points from your facility that discharge stormwater. Each outfall must be assigned a unique 3-digit ID (e.g., 001, 002, 003). You must also provide the latitude and longitude for each discharge point from your facility. Indicate whether any discharge points are substantially identical to a discharge point already listed, and identify the discharge point it is identical to. For each unique discharge point you list, you must specify the name of the first water of the U.S. that receives stormwater directly from the discharge point and/or from the MS4 that the discharge point discharges to. You must specify whether any receiving waters that you discharge to are listed as "impaired" as defined in Appendix A, and the pollutants for which the water is impaired. You must also check identify any Total Maximum Daily Loads (TMDL) that have been completed for any of the waters of the U.S. that you discharge to. For each unique discharge point you must indicate whether the receiving water is saltwater or freshwater, and indicate whether discharges from the facility will enter into a water of the U.S that is designated as a Tier 2, Tier 2.5, or Tier 3 water. A list of Tier 2, 2.5, and 3 waters is provided as Appendix L. If the answer is "yes", name all waters designated as Tier 2, Tier 2.5, or Tier 3 to which the facility will discharge. Note that you are ineligible for coverage if you are a new discharger or a new source to waters designated as Tier 3 (outstanding national resource waters) for antidegradation purposes under 40 CFR 131.13(a)(3).

If your facility is in subsector K1 or G2, you must also indicate, for each unique discharge point, if the receiving water is still/standing (lentic) (e.g., a lake or impoundment) or flowing (lotic) (e.g., a river or stream).

You must also provide information about the discharge point latitude/longitude, including data source, the scale (if applicable), and the horizontal reference datum. See the instructions in Section D for more information about determining the latitude and longitude.

Identify whether your facility discharges into a Municipal Separate Storm Sewer System (MS4). If yes, provide the name of the MS4 operator. If you are uncertain of the MS4 operator, contact your local government for that information.

If you are subject to any benchmark monitoring requirements for metals (see the requirements applicable to your Sector(s) in Part 8 of the permit), indicate the hardness for your receiving water(s). See Appendix J of the permit for information about determining waterbody hardness.

If you are subject to benchmark monitoring requirements for hardness-dependent metals you must also answer whether your facility discharges into any saltwater receiving waters.

If our facility is located in EPA Region 10, indicate whether your facility will discharge to a federal CERCLA site listed in Appendix P. Note that if your facility will discharge into a federal CERCLA site listed in Appendix P, you are not eligible for coverage under this permit unless you notify the EPA Regional Office in advance and the EPA Regional Office authorizes coverage under this permit after you have included adequate controls and/or procedures designed to ensure that discharges will not lead to recontamination of aquatic media at the CERCLA site such that your discharge will cause or contribute to an exceedance of a water quality standard.

Operators in New Mexico, indicate whether you anticipate the discharge of groundwater or spring water from your facility. If yes, you must provide information on flow and potential to encounter impacted ground or spring water such that there is a potential for contamination. You must also use the mapper tool located at <https://gis.web.env.nm.gov/oem/> to determine if the groundwater sources listed are located near the anticipated source of groundwater or spring water such that there is potential for contamination. If potential for contamination exists, you must provide a summary of test data indicating the quality of the groundwater or spring water to be discharged.

#### Section F. Stormwater Pollution Prevention Plan (SWPPP) Information

All facilities eligible for coverage under this permit are required to prepare a SWPPP in advance of filing the NOI, in accordance with Part 6. Indicate whether the SWPPP has been prepared in advance of filing the NOI.

Indicate the contact information (name, phone, and e-mail) for the person who developed the SWPPP for this facility.

You identify how your SWPPP information will be made available, consistent with Part 5.4 and 7.3 of the permit. If you are making your SWPPP publicly available on a web site, check Option 1 and provide the appropriate Internet URL address. If you are not providing a URL, check Option 2 and provide the selected SWPPP information on this NOI form. You may copy and paste this information directly from your SWPPP.

## Instructions for Completing EPA Form 3510-6

**Notice of Intent (NOI) for Stormwater Discharges  
Associated with Industrial Activity Under the NPDES Multi-Sector General Permit**

This Form Replaces Form 3510-6 (06/15) Form Approved OMB No. 2040-0300

**Section G. Endangered Species Protection**

Using the instructions in Appendix E, indicate the Part 1.1.4.5 criterion (i.e., A, B, C, D, or E) you are eligible under with regard to the protection of federally listed endangered and threatened species and designated critical habitat. A description of the basis for the criterion selected must also be provided.

If criterion B is selected, provide the NPDES ID (i.e., permit tracking number) for the other operator who has certified their eligibility under this permit. The NPDES ID was assigned when the operator received coverage under this permit.

If criterion C is selected, you must specify the federally-listed species or designated critical habitat that are located in the "action area" of the facility. You must also indicate under which scenario you determined you were eligible to submit your NOI under criterion C using Appendix E, and answer any corresponding questions.

If criterion D or E is selected, attach copies of any communications between you and the U.S. Fish and Wildlife Service and National Marine Fisheries Service to this NOI.

**Section H. Historic Preservation**

If the project is not located in Indian country lands, indicate whether the project is located on a property of religious or cultural significance to an Indian tribe, and if so, provide the name of the Indian tribe associated with the property. Use the instructions in Appendix F to complete the questions on the NOI form regarding historic preservation.

**Section I. Certification**

Certification statement and signature (see Section B.11 of Appendix B of the MSGP for more information). Enter certifier's printed name, title and email address. Sign and date the form. (CAUTION: An unsigned or undated NOI form will prevent the granting of permit coverage.) Federal statutes provide for severe penalties for submitting false information on this application form. Federal regulations require this application to be signed as follows:

*For a corporation:* by a responsible corporate officer, which means: (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

*For a partnership or sole proprietorship:* By a general partner or the proprietor, respectively; or

*For a municipality, state, federal, or other public agency:* By either a principal executive officer or ranking elected official. For purposes of this Part, a principal executive officer of a federal agency includes (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator of EPA). Include the name and title of the person signing the form and the date of signing.

An unsigned or undated NOI form will not be considered eligible for permit coverage.

**Modifying Your NOI**

If you have been granted a waiver from your Regional Office from electronic reporting, and if after submitting your NOI you need to correct or update any fields on this NOI form, you may do so by indicating changes on this same form.

**Paperwork Reduction Act Notice**

This collection of information is approved by OMB under the Paperwork Reduction Act, 44 U.S.C. 3501 et seq. (OMB Control No. 2040-0300). Responses to this collection of information are mandatory (40 CFR 122.26). An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The public reporting and recordkeeping burden for this collection of information is estimated to be 4.1 hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates and any suggested methods for minimizing respondent burden to the Regulatory Support Division Director, U.S. Environmental Protection Agency (2821T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

**Submitting Your Form**

If you have been granted a waiver from your Regional Office to submit a paper NOI form, you must send your NOI by mail to one of the following addresses:

**For Regular U.S. Mail Delivery:**

Stormwater Notice Processing Center  
Mail Code 4203M, ATTN: 2021 MSGP Reports  
U.S. EPA  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460


**For Overnight/Express Mail Delivery:**

Stormwater Notice Processing Center  
William Jefferson Clinton East Building - Room 7420  
ATTN: 2021 MSGP Reports  
U.S. EPA  
1201 Constitution Avenue, NW  
Washington, DC 20004

Visit this website for instructions on how to submit electronically:  
<http://water.epa.gov/polwaste/npdes/stormwater/Stormwater-eNOI-System-for-EPAs-MultiSector-General-Permit.cfm>

**Appendix H - Notice of Termination (NOT) Form**

Part 7.2 requires you to use the NPDES eReporting Tool, or "NeT", to prepare and submit your No Exposure Certification (NEC) form. However, if you are given a waiver by the EPA Regional Office to use a paper NEC form, and you elect to use it, you must complete and submit the following form.

<b>NPDES FORM 3510-7</b>		<b>UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460</b> <b>NOTICE OF TERMINATION (NOT) FOR STORMWATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY UNDER THE NPDES MULTI-SECTOR GENERAL PERMIT</b>	OMB No. 2040-0300 Exp. Date: 3/31/2024
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Submission of this Notice of Termination constitutes notice that the operator identified in Section C of this form is no longer authorized to discharge pursuant to the NPDES Multi-Sector General Permit (MSGP) from the facility identified in Section D of this form. All necessary information must be included on this form. Refer to the instructions at the end of this form.

1. Have you been granted a waiver from electronic reporting from the EPA Regional Office\*?  YES  NO  
 If yes, check which waiver you have been granted, the name of the EPA Regional Office staff person who granted the waiver, and the date of approval:

- Waiver granted:  The owner/operator's headquarters is physically located in a geographic area (i.e., ZIP code or census tract) that is identified as under-served for broadband Internet access in the most recent report from the Federal Communications Commission.
- The owner/operator has issues regarding available computer access or computer capability

Name of EPA staff person that granted the waiver:

Date approval obtained:

**\* Note: You are required to obtain approval from the applicable Regional Office prior to using this paper NOT form. If you have not obtained a waiver, you must file this form electronically using the NPDES eReporting Tool (NeT) at <https://www.epa.gov/npdes/stormwater-discharges-industrial-activities>**

1. NPDES ID:

2. Reason for Termination (check one only):

- A new owner or operator has taken over responsibility for the facility.
- You have ceased operations 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 2.1.2.5.
- You are a Sector G, H, or J facility and you have met the applicable termination requirements.
- You obtained coverage under an individual or alternative general permit for all discharges required to be covered by an NPDES permit.

1. Operator Name:

2. Mailing Address:

Street:

City:  State:  ZIP Code:  -

3. Phone:  Ext.

4. E-mail:

1. Facility Name:

2. Facility Address:

Street:

City:  State:  ZIP Code:  -

County or Similar Government Subdivision:

**E. Certification Information**

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 violations.

First Name, Middle, Last Name

Title:

Signature: \_\_\_\_\_ Date:  /  /

E-mail:

Instructions for Completing EPA Form 3510-7

**Notice of Termination for Stormwater Discharges  
Associated with Industrial Activity Under the NPDES Multi-Sector General Permit**

This Form Replaces Form 3510-7 (06/15) Form OMB No. 2040-0300

**Who May File Notice of Termination (NOT) Form**

Permittees currently covered by EPA's NPDES Stormwater Multi-Sector General Permit (MSGP or permit) must submit a Notice of Termination (NOT) within 30 days after one or more of the following conditions have been met:

- A new owner or operator has assumed responsibility for the facility;
- You have ceased operations at the facility and 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 per Part 2.1.2.5;
- You are a Sector G, H, or J facility and you have met the applicable termination requirements; or
- You obtained coverage under an individual or alternative general permit for all discharges required to be covered by an NPDES permit.

See the MSGP Part 1.4.2 for more information.

**Completing the Form**

To complete this form, type or print, using uppercase letters, in the appropriate areas only. Please place each character between the marks. Abbreviate if necessary to stay within the number of characters allowed for each item. Use only one space for breaks between words, but not for punctuation marks unless they are needed to clarify your response. Please submit original document with signature in ink - do not send a photocopied signature.

**Section A. Approval to Use Paper NOT Form**

You must indicate whether you have been granted a waiver from electronic reporting from the EPA Regional Office. Note that you are not authorized to use this paper NOT form unless the EPA Regional Office has approved its use. Where you have obtained approval to use this form, indicate the waiver that you have been granted, the name of the EPA Regional Office staff person who granted the waiver, and the date that approval was provided. See <https://www.epa.gov/npdes/contact-us-stormwater> for a list of EPA Regional Office contacts.

**Section B. Permit Information**

Enter the existing NPDES ID (i.e., NOI tracking number) assigned to your permit authorization.

Indicate your reason for submitting this NOT by checking the appropriate box. Check only one box (see MSGP Part 1.4.2 for more information).

**Section C. Facility Operator Information**

Provide the legal name of the person, firm, public organization, or any other entity that operates the facility described in this NOT. An operator of a facility is the legal entity that controls the operation of the facility. Refer to Appendix A of the permit for the definition of "operator". Provide the operator's mailing address, phone number, and e-mail.

**Section D. Facility Information**

Enter the official or legal name and complete street address, including city, state, ZIP code, and county or similar government subdivision of the facility. If the facility lacks a street address, indicate the general location of the facility (e.g., Intersection of State Highways 61 and 34). Complete facility information must be provided for termination of permit coverage to be valid.

**Section E. Certification Information**

All NOTs must be signed as follows:

*For a corporation:* By a responsible corporate officer. For the purpose of this Section, a responsible corporate officer means: (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

*For a partnership or sole proprietorship:* By a general partner or the proprietor, respectively; or

*For a municipality, state, federal, or other public agency:* By either a principal executive officer or ranking elected official. For purposes of this Part, a principal executive officer of a federal agency includes (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator of EPA). Include the name and title of the person signing the form and the date of signing.

Include the name, title, and e-mail address of the person signing the form and the date of signing. An unsigned or undated NOT form will not be considered valid termination of permit coverage.

**Paperwork Reduction Act Notice**

This collection of information is approved by OMB under the Paperwork Reduction Act, 44 U.S.C. 3501 et seq. (OMB Control No. 2040-0300). Responses to this collection of information are mandatory (40 CFR 122.26). An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The public reporting and recordkeeping burden for this collection of information is estimated to be 0.5 hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates and any suggested methods for minimizing respondent burden to the Regulatory Support Division Director, U.S. Environmental Protection Agency (2821T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

Instructions for Completing EPA Form 3510-7

**Notice of Termination for Stormwater Discharges  
Associated with Industrial Activity Under the NPDES Multi-Sector General Permit**

This Form Replaces Form 3510-7 (06/15) Form OMB No. 2040-0300

**Submitting Your Form**

If you have been granted a waiver from your Regional Office to submit a paper NOT form, you must send your NOT by mail to one of the following addresses:

**For Regular U.S. Mail Delivery:**

Stormwater Notice Processing Center  
Mail Code 4203M, ATTN: 2020 MSGP Reports  
U.S. EPA  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

**For Overnight/Express Mail Delivery:**


Stormwater Notice Processing Center  
William Jefferson Clinton East Building - Room 7420  
ATTN: 2020 MSGP Reports  
U.S. EPA  
1201 Constitution Avenue, NW Washington, DC 20004

Visit this website for instructions on how to submit electronically:  
<https://www.epa.gov/npdes/stormwater-discharges-industrial-activities>



## **Appendix I - Annual Report Form**

Part 7.2 requires you to use the NPDES eReporting Tool, or “NeT”, to prepare and submit your Annual Report. However, if you are given a waiver by the EPA Regional Office to use a paper annual report form, and you elect to use it, you must complete and submit the following form.

NPDES FORM 6100-28		UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460 ANNUAL REPORT FOR STORMWATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY UNDER THE NPDES MULTI-SECTOR GENERAL PERMIT	OMB No. 2040-0300 Exp. Date: 3/31/2024
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**A. Approval to Use Paper Annual Report Form**

1. Have you been granted a waiver from electronic reporting from the EPA Regional Office\*?  YES  NO

If yes, check which waiver you have been granted, the name of the EPA Regional Office staff person who granted the waiver, and the date of approval:

Waiver granted:  The owner/operator's headquarters is physically located in a geographic area (i.e., ZIP code or census tract) that is identified as under-served for broadband Internet access in the most recent report from the Federal Communications Commission.

The owner/operator has issues regarding available computer access or computer capability

Name of EPA staff person that granted the waiver:

Date approval obtained:  /  /

**\* Note: You are required to obtain approval from the applicable EPA Regional Office prior to using this paper annual report form. If you have not obtained a waiver, you must file this form electronically using the NPDES eReporting Tool (NeT) at <https://www.epa.gov/npdes/stormwater-discharges-industrial-activities>**

**B. Permit Information**

1. NPDES ID:

**C. Facility Information**

1. Facility Name:

2. Facility Phone:  -  -  Ext.

3. Facility Mailing Address:

Street:

City:  State:  ZIP Code:  -

County or Similar Government Subdivision:

4. Point of Contact:

First Name, Middle Initial, Last Name

**D. General Findings**

1. Provide a summary of your past year's routine facility inspection documentation, including dates (see Part 3.1.6 of the permit). In addition, if you are an operator of an airport facility (Sector S) that is subject to the airport effluent limitations guidelines, and are complying with the MSGP Part 8.S.8.1 effluent limitation through the use of non-urea-containing deicers, provide a statement certifying that you do not use pavement deicers containing urea (e.g., "Urea was not used at [name of airport] for pavement deicing in the past year and will also not be used in 2021." (Note: Operators of airport facilities that are complying with Part 8.S.8.1 by meeting the numeric effluent limitation for ammonia do not need to include this statement.)

2. Provide a summary of your past year's quarterly visual assessment documentation, including dates (see Part 3.2.3 of the permit).

3. Provide a summary of your past year's corrective action and/or advanced implementation measures (AIM) documentation (See Part 5.1.3 of the permit). (Note: If corrective action is not yet completed at the time of submission of this annual report, you must describe the status of any outstanding corrective action(s).) Note that you must modify your SWPPP based on the corrective actions and deadlines required under Part 5. Also describe any incidents of noncompliance in the past year or currently ongoing, or if none, provide a statement that you are in compliance with the permit.

**E. Certification Information**

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 violations.

First Name, Middle, Last Name

Title:

Signature: \_\_\_\_\_

Date:  /  /

E-mail:

Instructions for Completing EPA Form 6100-28  
**Annual Report for Stormwater Discharges**  
**Associated with Industrial Activity Under the NPDES Multi-Sector General Permit**

This Form Replaces Form 6100-28 (06/15) OMB No. 2040-0300

**Who Must File an Annual Report**

Operators must submit an Annual Report to EPA electronically, per Part 7.4, by January 30<sup>th</sup> for each year of permit coverage containing information generated from the past calendar year.

**Completing the Form**

To complete this form, type or print, using uppercase letters, in the appropriate areas only. Please place each character between the marks. Abbreviate if necessary to stay within the number of characters allowed for each item. Use only one space for breaks between words, but not for punctuation marks unless they are needed to clarify your response. Please submit original document with signature in ink - do not send a photocopied signature.

**Section A. Approval to Use Paper Annual Report Form**

You must indicate whether you have been granted a waiver from electronic reporting from the EPA Regional Office. Note that you are not authorized to use this paper form unless the EPA Regional Office has approved its use. Where you have obtained approval to use this form, indicate the waiver that you have been granted, the name of the EPA staff person who granted the waiver, and the date that approval was provided. See <https://www.epa.gov/npdes/contact-us-stormwater> for a list of EPA Regional Office contacts.

**Section B. Permit Information**

Provide the NPDES ID (i.e., NOI tracking number) assigned to your facility.

**Section C. Facility Information**

Enter the official or legal name, phone number, and complete street address, including city, state, ZIP code, and county or similar government subdivision, for the facility that is covered by the NPDES ID identified in Section B. If the facility lacks a street address, indicate the general location of the facility (e.g., Intersection of State Highways 61 and 34). Also provide a point of contact name for the facility.

**Section D. General Findings**

To complete this section you must provide the following information in your annual report:

1. A summary of your past year's routine facility inspection documentation, including inspection dates, required by Part 3.1.6 of the permit.
2. A summary of your past year's quarterly visual assessment documentation, including visual assessment dates, required by Part 3.2.3 of the permit.
3. Information copied or summarized from the corrective action and/or advanced implementation measures (AIM) documentation required per Part 5.1.3 (if applicable). If corrective action and/or advanced implementation measures are not yet completed at the time of submission of this Annual Report, you must describe the status of any outstanding corrective action(s)/advanced implementation measures. You must also describe any incidents of noncompliance in the past year or currently ongoing, or if none, provide a statement that you are in compliance with the permit.

**Section E. Certification Information**

The Annual Report must be signed by a person described below, or by a duly authorized representative of that person.

*For a corporation:* By a responsible corporate officer. For the purpose of this Section, a responsible corporate officer means:

(i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

*For a partnership or sole proprietorship:* By a general partner or the proprietor, respectively; or

*For a municipality, state, federal, or other public agency:* By either a principal executive officer or ranking elected official. For purposes of this Part, a principal executive officer of a federal agency includes (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator of EPA). Include the name and title of the person signing the form and the date of signing.

A person is a duly authorized representative only if:

1. The authorization is made in writing by a person described above;
2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company, (A duly authorized representative may thus be either a named individual or any individual occupying a named position.) and
3. The written authorization is submitted to the Director.

An unsigned or undated Annual Report form will be considered incomplete.

**Paperwork Reduction Act Notice**

This collection of information is approved by OMB under the Paperwork Reduction Act, 44 U.S.C. 3501 et seq. (OMB Control No. 2040-0300). Responses to this collection of information are mandatory (40 CFR 122.26). An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The public reporting and recordkeeping burden for this collection of information is estimated to be 1 hour per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates and any suggested methods for minimizing respondent burden to the Regulatory Support Division Director, U.S. Environmental Protection Agency (2821T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

Instructions for Completing EPA Form 6100-28  
**Annual Report for Stormwater Discharges**  
**Associated with Industrial Activity Under the NPDES Multi-Sector General Permit**

This Form Replaces Form 6100-28 (06/15) OMB No. 2040-0300

**Submitting Your Form**

If you have been granted a waiver from your Regional Office to submit a paper Annual Report form, you must send your Annual Report form by mail to one of the following addresses:

**For Regular U.S. Mail Delivery:**

Stormwater Notice Processing Center  
Mail Code 4203M, ATTN: 2020 MSGP Reports  
U.S. EPA  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

**For Overnight/Express Mail Delivery:**

Stormwater Notice Processing Center  
William Jefferson Clinton East Building - Room 7420  
ATTN: 2020 MSGP Reports  
U.S. EPA  
1201 Constitution Avenue, NW  
Washington, DC 20004

Visit this website for instructions on how to submit electronically:  
<https://www.epa.gov/npdes/stormwater-discharges-industrial-activities>

## Appendix J - Calculating Hardness in Freshwater Receiving Waters for Hardness Dependent Metals

### Overview

For any sectors required to conduct benchmark samples for a hardness-dependent metal, EPA includes 'hardness ranges' from which benchmark values are determined. To determine which hardness range to use, you must collect data on the hardness of your receiving water(s). Once the site-specific hardness data have been collected, the corresponding benchmark value for each metal is determined by comparing where the hardness data fall within hardness ranges, as shown in Table 1. You only need to determine hardness for your discharges into freshwater as the benchmark values for metals do not vary for discharges to saline waters.

**Table 1. Hardness Ranges to Be Used to Determine Benchmark Values for Cadmium, Lead, Nickel, Silver, and Zinc.**

All Units (mg/L)	Benchmark Values (µg/L, total)				
	Cadmium	Lead	Nickel	Silver	Zinc
0-24.99	0.49	14	145	0.37	37
25-49.99	0.73	24	203	0.80	52
50-74.99	1.2	45	314	1.9	80
75-99.99	1.7	69	418	3.3	107
100-124.99	2.1	95	518	5.0	132
125-149.99	2.6	123	614	7.1	157
150-174.99	3.1	152	707	9.4	181
175-199.99	3.5	182	798	12	204
200-224.99	4.0	213	888	15	227
225-249.99	4.4	246	975	18	249
250+	4.7	262	1019	20	260

### How to Determine Hardness for Hardness-Dependent Parameters in Freshwater.

You may select one of three methods to determine hardness, including: individual grab sampling, grab sampling by a group of operators which discharge to the same receiving water, or using third-party data. Regardless of the method used, you are responsible for documenting the procedures used for determining hardness values. The hardness value is required to be submitted to EPA with your Notice of Intent (NOI) so that your electronic Discharge Monitoring Report (DMR) which you will submit through Net-DMR will include the appropriate limits. You must retain all report and monitoring data in accordance with Part 7.8 of the permit. The three method options for determining hardness are detailed in the following sections.

#### *i. Permittee Samples for Receiving Stream Hardness*

This method involves collecting samples in the receiving water and submitting these to a laboratory for analysis. If you elect to sample your receiving water(s) and submit samples for analysis, hardness must be determined from the closest intermittent or perennial stream downstream of your point of discharge. The sample can be collected during either dry or wet

weather. Collection of the sample during wet weather is more representative of conditions during stormwater discharges; however, collection of in-stream samples during wet weather events may be impracticable or present safety issues.

Hardness must be sampled and analyzed using approved methods as described in 40 CFR Part 136 (Guidelines Establishing Test Procedures for the Analysis of Pollutants).

ii. *Group Monitoring for Receiving Stream Hardness*

You can be part of a group of permittees discharging to the same receiving waters and collect samples that are representative of the hardness values for all members of the group. In this scenario, hardness of the receiving water must be determined using 40 CFR Part 136 procedures and the results shared by group members. To use the same results, hardness measurements must be taken on a stream reach within a reasonable distance of the discharge points of each of the group members.

iii. *Collection of Third-Party Hardness Data*

You can submit receiving stream hardness data collected by a third party provided the results are collected consistent with the approved 40 CFR Part 136 methods. These data may come from a local water utility, previously conducted stream reports, TMDLs, peer reviewed literature, other government publications, or data previously collected by the permittee. Data should be less than 10 years old.

Water quality data for many of the nation's surface waters are available on-line or by contacting EPA or a state environmental agency. EPA's data system STORET, short for STOrage and RETrieval, is a repository for receiving water quality, biological, and physical data and is used by state environmental agencies, EPA and other federal agencies, universities, private citizens, and many others. Similarly, state environmental agencies and the U.S. Geological Service (USGS) also have water quality data available that, in some instances, can be accessed online. "Legacy STORET" codes for hardness include: 259 hardness, carbonate; 260 hardness, noncarbonated; and 261 calcium + magnesium, while more recent, "Modern STORET" data codes include: 00900 hardness, 00901 carbonate hardness, and 00902 noncarbonate hardness; or the discrete measurements of calcium (00915) and magnesium (00925) can be used to calculate hardness. Hardness data historically has been reported as "carbonate," "noncarbonate," or "Ca + Mg." If these are unavailable, then individual results for calcium (Ca) and magnesium (Mg) may be used to calculate hardness using the following equation:

$$\text{mg/L CaCO}_3 = 2.497 (\text{Ca mg/L}) + 4.118 (\text{Mg mg/L})$$

When interpreting the data for carbonate and non-carbonate hardness, note that total hardness is equivalent to the sum of carbonate and noncarbonate hardness if both forms are reported. If only carbonate hardness is reported, it is more than likely that noncarbonate hardness is absent and the total hardness is equivalent to the available carbonate hardness.

**Appendix K - No Exposure Certification (NEC) Form**

Part 7.2 requires you to use the NPDES eReporting Tool, or "NeT", to prepare and submit your No Exposure Certification (NEC) form. However, if you are given a waiver by the EPA Regional Office to use a paper NEC form, and you elect to use it, you must complete and submit the following form.



<b>NPDES FORM 3510-11</b>		<b>UNITED STATES ENVIRONMENTAL PROTECTION AGENCY</b> <b>WASHINGTON, DC 20460</b> <b>NO EXPOSURE CERTIFICATION (NEC) FOR EXCLUSION FROM EPA'S MULTI-SECTOR GENERAL PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY (MSGP)</b>	OMB No. 2040-0300 Exp. Date: 3/31/2024
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Submission of this No Exposure Certification (NEC) constitutes notice that the operator identified in Section C does not require permit authorization under EPA's Stormwater Multi Sector General Permit for its stormwater discharges associated with industrial activity from the facility identified in Section D of this form due to the existence of a condition of no exposure.

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, snowmelt, 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 stormwater discharges (e.g., rock salt).

A NEC must be provided for each facility qualifying for the no exposure exclusion. In addition, the exclusion from NPDES 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 NEC form, the operator in Section C 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 40 CFR 122.26(g).

**A. Approval to Use Paper NEC Form**

1. Have you been granted a waiver from electronic reporting from the EPA Regional Office\*?  YES  NO

If yes, check which waiver you have been granted, the name of the EPA Regional Office staff person who granted the waiver, and the date of approval:

Waiver granted:  The owner/operator's headquarters is physically located in a geographic area (i.e., ZIP code or census tract) that is identified as under-served for broadband Internet access in the most recent report from the Federal Communications Commission.

The owner/operator has issues regarding available computer access or computer capability

Name of EPA staff person that granted the waiver:

Date approval obtained:  /  /

**\* Note: You are required to obtain approval from the applicable EPA Regional Office prior to using this paper NEC form. If you have not obtained a waiver, you must file this form electronically using the NPDES eReporting Tool (NeT) at <https://www.epa.gov/npdes/stormwater-discharges-industrial-activities>**

**B. Reason for Submission**

Select the purpose for filling out this form (check only 1).

**To obtain a new NEC.** Fill in Sections C, D, E and F.

**To discontinue an existing NEC.** Select this option if you would like to discontinue an existing NEC because your facility is no longer subject to regulation under 40 CFR 122.26 (e.g., the facility has ceased the industrial activity that necessitated the NEC)\*. Provide the following information and fill out Section G.

Provide the existing NPDES ID for the NEC that you would like to discontinue:

1. Are you a new discharger or a new source as defined in Appendix A?  YES  NO (If yes, skip to Part C of this form).

**\* Note that if your facility no longer qualifies for the NEC because permit coverage is required for exposed industrial materials or activities, you should not check this box, and must instead file for coverage under the Multi-Sector General Permit (MSGP) or an individual permit. Your NEC will be automatically discontinued after you obtain coverage under the MSGP or an individual permit.**

**C. Facility Operator Information**

1. Operator Name:

2. Mailing Address:

Street:

City:  State:  ZIP Code:  -

3. Phone:  -  -  Ext.

4. E-mail:

5. Operator Point of Contact Information:

First Name, Middle Initial, Last Name

Title:

**D. Facility Information**

1. Facility Name:

2. Facility Address:

Street/Location:

City:  State:  ZIP Code:  -

County or Similar Government Subdivision:

3. Latitude/Longitude for the facility:

Latitude:  ° N (decimal degrees) Longitude:  ° W (decimal degrees)

Latitude/Longitude Data Source:  Maps  GPS  Other \_\_\_\_\_

If you used a USGS topographic map, what was the scale? \_\_\_\_\_

Horizontal Reference Datum:  NAD 27  NAD 83  WGS 84

4. Is your facility located on Indian Country lands?  YES  NO

If yes, provide the name of the Indian tribe associated with the area of Indian country (including name of Indian reservation, if applicable): \_\_\_\_\_

5. Are you a "federal operator" as defined in Appendix A?  YES  NO

6. What is the ownership type of the facility?  Federal Facility (U.S. Government)  Privately Owned Facility  Municipality  County Government  
 Corporation  State Government  Tribal Government  School District  
 District  Mixed Ownership (e.g., Public/Private)  Municipal or Water District

7. Have stormwater discharges from your facility been covered previously under an NPDES permit?  YES  NO

If yes, provide the NPDES ID if you had coverage under EPA's MSGP or the NPDES permit number if you had coverage under an EPA individual permit: \_\_\_\_\_

8. Has your facility previously been covered by a noexposure exclusion?  YES  NO

If yes, provide the NPDES ID for your previous no exposure exclusion: \_\_\_\_\_

9. Identify the 4-digit Standard Industrial Classification (SIC) code or 2-letter Activity Code that best represents the products produced or services rendered for which your facility is primarily engaged, as defined in the MSGP, and the applicable sector and subsector of your primary industrial activity (See Appendix D):

Primary SIC Code  OR  Primary Activity Code

10. Total size of site associated with industrial activity: \_\_\_\_\_ (to the nearest quarter acre)

11. Have you paved or roofed over a formerly exposed, pervious area in order to qualify for the no exposure exclusion?  YES  NO

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, your permitting authority may use this information in considering whether stormwater 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 (1) acre  One (1) to five (5) acres  More than five (5) acres

<b>E. Exposure Checklist</b>		
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.) <b>If you answer "Yes" to any of these questions, you are <u>not</u> eligible for the no exposure exclusion.</b>		
	<b>Yes</b>	<b>No</b>
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	<input type="checkbox"/>	<input type="checkbox"/>
Materials or residuals on the ground or in stormwater inlets from spills/leaks	<input type="checkbox"/>	<input type="checkbox"/>
Materials or products from past industrial activity	<input type="checkbox"/>	<input type="checkbox"/>
Material handling equipment (except adequately maintained vehicles)	<input type="checkbox"/>	<input type="checkbox"/>
Materials or products during loading/unloading or transporting activities	<input type="checkbox"/>	<input type="checkbox"/>
Materials or products stored outdoors (except final products intended for outside use [e.g., new cars] where exposure to stormwater does not result in the discharge of pollutants)	<input type="checkbox"/>	<input type="checkbox"/>
Materials contained in open, deteriorated or leaking storage drums, barrels, tanks, and similar containers	<input type="checkbox"/>	<input type="checkbox"/>
Materials or products handled/stored on roads or railways owned or maintained by the discharger	<input type="checkbox"/>	<input type="checkbox"/>
Waste material (except waste in covered, non-leaking containers [e.g., dumpsters])	<input type="checkbox"/>	<input type="checkbox"/>
Application or disposal of process wastewater (unless otherwise permitted)	<input type="checkbox"/>	<input type="checkbox"/>
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 stormwater outflow	<input type="checkbox"/>	<input type="checkbox"/>

<b>F. Certification Information</b>	
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 NPDES stormwater permitting.	
I certify under penalty of law that there are no discharges of stormwater contaminated by exposure to industrial activities or materials from the industrial facility or site identified in this document (except as allowed under 40 CFR 122.26(g)(2)).	
I understand that I am obligated to submit a NEC form once every five years to the NPDES permitting authority 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 the NPDES permitting authority, 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 an NPDES permit prior to any point source discharge of stormwater 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 violations.	
First Name, Middle, Last Name:	<input type="text"/>
Title:	<input type="text"/>
Signature: _____	Date: <input type="text"/> / <input type="text"/> / <input type="text"/>
E-mail: <input type="text"/>	

<b>G. Discontinuation of NEC Information</b>	
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 violations.	
First Name, Middle, Last Name	<input type="text"/>
Title:	<input type="text"/>
Signature: _____	Date: <input type="text"/> / <input type="text"/> / <input type="text"/>
E-mail: <input type="text"/>	

## Instructions for Completing EPA Form 3510-11

**No Exposure Certification (NEC) for Exclusion from Stormwater Discharges  
Associated with Industrial Activity Under the NPDES Multi-Sector General Permit**

This Form Replaces Form 3510-11 (06/15) OMB No. 2040-0300

**Who May File a No Exposure Certification (NEC) Form**

Federal law at 40 CFR Part 122.26 prohibits point source discharges of stormwater associated with industrial activity to waters of the U.S. without a National Pollutant Discharge Elimination System (NPDES) permit. However, NPDES permit coverage is not required for discharges of stormwater associated with industrial activities identified at 40 CFR 122.26(b)(14)(i)-(ix) and (xi) if the discharger can certify that a condition of "no exposure" exists at the industrial facility or site.

Stormwater discharges from construction activities identified in 40 CFR 122.26(b)(14)(x) and (b)(15) are not eligible for the no exposure exclusion.

**Obtaining and Maintaining the No Exposure Exclusion**

This form is used to certify that a condition of no exposure exists at the industrial facility or site described herein. This certification is only applicable in jurisdictions where EPA is the NPDES permitting authority and must be re-submitted at least once every five years.

The industrial facility operator must maintain a condition of no exposure at its facility or site in order for the no exposure exclusion to remain applicable. If conditions change resulting in the exposure of materials and activities to stormwater, the facility operator must obtain coverage under an NPDES stormwater permit immediately.

**Completing the Form**

You must type or print, using uppercase letters, in appropriate areas only. Enter only one character per space (i.e., between the marks). Abbreviate if necessary to stay within the number of characters allowed for each item. Use one space for breaks between words, but not for punctuation marks unless they are needed to clarify your response. Please submit original document with signature in ink - do not send a photocopied signature. One form must be completed for each facility or site for which you are seeking to certify a condition of no exposure. **Please make sure you have addressed all applicable questions and have made a photocopy for your records before sending the completed form to the above address.**

**Section A. Approval to Use Paper NEC Form**

You must indicate whether you have been granted a waiver from electronic reporting from the EPA Regional Office. Note that you are not authorized to use this paper NEC form unless the EPA Regional Office has approved its use. Where you have obtained approval to use this form, indicate the waiver that you have been granted, the name of the EPA Regional Office staff person who granted the waiver, and the date that approval was provided. See <https://www.epa.gov/npdes/contact-us-stormwater> for a list of EPA Regional Office contacts.

**Section B. Reason for Submission**

You must check your reason for submitting this form. You may submit this form for obtaining a new NEC, for renewing a previous NEC, or for discontinuing an existing NEC (for facilities that no longer need the exclusion from permit coverage for industrial stormwater discharges).

**Section C. Facility Operator Information**

Provide the legal name of the person, firm, public organization, or any other entity that operates the facility described in this certification form. An operator of a facility is the legal entity that controls the operation of the facility. Refer to Appendix A of the

MSGP for the definition of "operator". Provide the operator's mailing address, phone number, and e-mail. Correspondence for the NEC will be sent to this address. Also provide the name and title for the operator point of contact (note that the point of contact name may be the same as the operator name).

**Section D. Facility Information**

Enter the official or legal name and complete street address, including city, state, ZIP code, and county or similar government subdivision of the facility. If the facility lacks a street address, indicate the general location of the facility (e.g., Intersection of State Highways 61 and 34). Complete facility information must be provided for permit coverage to be granted.

Provide the latitude and longitude of your facility in decimal degrees format. The latitude and longitude of your facility can be determined in several different ways, including through the use of global positioning system (GPS) receivers and U.S. Geological Survey (USGS) topographic or quadrangle maps. Refer to <http://transition.fcc.gov/mb/audio/bickel/DDDMSS-decimal.html/> for assistance in providing the proper latitude/longitude format. For consistency, EPA requests that measurements be taken from the approximate center of the facility. Specify which method you used to determine latitude and longitude. If a USGS topographic map is used, specify the scale of the map used. Enter the horizontal reference datum for your latitude and longitude. The horizontal reference datum used on USGS topographic maps is shown on the bottom left corner of USGS topographic maps; it is also available for GPS receivers.

Indicate whether the facility is on Indian country lands, and if so, provide the name of the Indian tribe associated with the area of Indian country (including name of Indian reservation, if applicable).

Indicate whether you are a "federal operator" as defined in Appendix A of the MSGP. Also check the facility's ownership type.

Indicate whether the facility was previously covered under an NPDES stormwater permit. If so, include the NPDES ID (i.e., NOI tracking number).

List the four-digit Standard Industrial Classification (SIC) code or two character activity code that best describes the primary industrial activities performed by your facility.

Enter the total size of the site associated with industrial activity in acres.

Check "Yes" or "No" as appropriate to indicate whether you have paved or roofed over a formerly exposed, pervious area (i.e., lawn, meadow, dirt or gravel road/parking lot) in order to qualify for no exposure. If yes, also indicate approximately how much area was paved or roofed over and is now impervious area.

## Instructions for Completing EPA Form 3510-11

**No Exposure Certification (NEC) for Exclusion from Stormwater Discharges  
Associated with Industrial Activity Under the NPDES Multi-Sector General Permit**

This Form Replaces Form 3510-11 (06/15) Form OMB No. 2040-0300

**Section E. Exposure Checklist**

Check "Yes" or "No" as appropriate to describe the exposure condition at your facility. If you answer "Yes" to **ANY** of the questions in this section, a potential for exposure exists at your site and you cannot certify to a condition of no exposure. You must obtain (or already have) coverage under an NPDES stormwater permit. After obtaining permit coverage, you can institute modifications to eliminate the potential for a discharge of stormwater exposed to industrial activity, and then certify to a condition of no exposure.

**Section F and G. Certification and Discontinuation of NEC Information**

The NEC form must be signed as follows:

*For a corporation:* By a responsible corporate officer. For the purpose of this Section, a responsible corporate officer means:

(i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

*For a partnership or sole proprietorship:* By a general partner or the proprietor, respectively; or

*For a municipality, state, federal, or other public agency:* By either a principal executive officer or ranking elected official. For purposes of this Part, a principal executive officer of a federal agency includes (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator of EPA). Include the name and title of the person signing the form and the date of signing.

Include the name, title, and e-mail address of the person signing the form and the date of signing.

An unsigned or undated NEC form will not be considered valid.

**Paperwork Reduction Act Notice**

This collection of information is approved by OMB under the Paperwork Reduction Act, 44 U.S.C. 3501 et seq. (OMB Control No. 2040-0300). Responses to this collection of information are mandatory (40 CFR 122.26). An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The public reporting and recordkeeping burden for this collection of information is estimated to be 45 minutes per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates and any suggested methods for minimizing respondent burden to the

Regulatory Support Division Director, U.S. Environmental Protection Agency (2821T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

**Submitting Your Form**

If you have been granted a waiver from your Regional Office to submit a paper NEC form, you must send your NEC form by mail to one of the following addresses:

**For Regular U.S. Mail Delivery:**

Stormwater Notice Processing Center  
Mail Code 4203M, ATTN: MSGP No Exposure  
U.S. EPA  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

**For Overnight/Express Mail Delivery:**

Stormwater Notice Processing Center  
William Jefferson Clinton East Building - Room 7420  
ATTN: MSGP No Exposure  
U.S. EPA  
1201 Constitution Avenue, NW  
Washington, DC 20004

Visit this website for instructions on how to submit electronically:  
<https://www.epa.gov/npdes/stormwater-discharges-industrial-activities>

**Appendix L - List of Tier 3, Tier 2, and Tier 2.5 Waters**

EPA's MSGP has special requirements for discharges to waters designated by a state or tribe as Tier 2/2.5 or Tier 3 for antidegradation purposes under 40 CFR 131.12(a). See Parts 1.1.6.2 and 1.1.7.

The list below is provided as a resource for operators who must determine whether they discharge to a Tier 2/2.5 or Tier 3 water. Only Tier 2/2.5 or Tier 3 waters specifically identified by a water quality standard authority (e.g., a state, territory, or tribe) are identified in the table below. Many authorities evaluate the existing and protected quality of the receiving water on a pollutant-by-pollutant basis and determine whether water quality is better than the applicable criteria that would be affected by a new discharger or a new source or an increase in an existing discharge of the pollutant. In instances where water quality is better, the authority may choose to allow lower water quality, where lower water quality is determined to be necessary to support important social and economic development. Permittees are not required to identify those waters which are evaluated on an individual basis.

Permit Number	Areas of Coverage/Where EPA Is Permitting Authority	
MAR050000	<b>Commonwealth of Massachusetts, except Indian Country lands</b>	
	Tier 2, Tier 2.5, and 3 waters are identified and listed in the Massachusetts Water Quality Standards 314 CMR 4.00. Surface water qualifiers that correspond with Tier classifications are defined at 314 CMR 4.06(1)(d) and listed in tables and figures at the end of 314 CMR 4.06. See MassDEP's web page at: <a href="https://www.mass.gov/doc/314-cmr-400-surface-water-quality-standards/download">https://www.mass.gov/doc/314-cmr-400-surface-water-quality-standards/download</a> .	
	Tier 2	Listed as "High Quality Waters", and all wetlands that are not designated as an Outstanding Resource Water
	Tier 2.5	Listed as "Outstanding Resource Water", "Public Water Supply", "Tributary to Public Water Supply", all wetlands bordering Outstanding Resource Waters, and vernal pools
Tier 3	Defined as "Special Resource Water". Note: No waters have been defined as a Special Resource Water as of the issuance of this permit.	

Permit Number	Areas of Coverage/Where EPA Is Permitting Authority	
NHR050000	<b>State of New Hampshire</b>	
	Tier 2	<p>All waters are Tier 2 except where listed as impaired for the most current approved assessment cycle. GIS maps are available in cycle specific Surface Water Quality Viewer at: <a href="https://nhdes.maps.arcgis.com/apps/webappviewer/index.html?id=aa5a11f8b8c341058fc031701a2fb3c9">https://nhdes.maps.arcgis.com/apps/webappviewer/index.html?id=aa5a11f8b8c341058fc031701a2fb3c9</a> and, using the NHDES Assessment Unit ID assigned to the waterbody, referencing the appropriate Watershed Report Card (based on the 305(b)/303(d) Assessment). Waterbodies included in Categories "4A-*" or "5-*" are impaired and therefore not designated as Tier 2 waters.</p> <p>The assessment status of waterbodies is also included in the biennial 303(d) Lists available in spreadsheet and PDF format at: <a href="https://www.des.nh.gov/resource-center/publications?keys=303%28d%29+List&amp;purpose=&amp;subcategory=Watershed+Management">https://www.des.nh.gov/resource-center/publications?keys=303%28d%29+List&amp;purpose=&amp;subcategory=Watershed+Management</a>. As of Effective Date of this Permit, the following assessment cycles are approved for the waterbodies indicated (however, operators must check for any more recently approved cycles at the time of filing an NOI; i.e., the 2020 303(d) List will apply to all waterbodies once approved):</p> <p>For discharges into the following waters, reference the 2012 305(b)/303(d) List:</p> <p>Little Bay, Bellamy River, Upper Piscataqua River, Portsmouth Harbor, Little Harbor/Back Channel and Great Bay assessment zones; and the Upper Portsmouth Harbor, Great Bay Prohib SZ2, and Great Bay-Cond Appr assessment units.</p> <p>For discharges into all other waters, reference the 2018 303(d) List available at: <a href="https://www.des.nh.gov/resource-center/publications?keys=2018+status&amp;purpose=&amp;subcategory=Watershed+Management">https://www.des.nh.gov/resource-center/publications?keys=2018+status&amp;purpose=&amp;subcategory=Watershed+Management</a></p> <p>Waterbodies not identified on the list or map are Tier 2.</p> <p>There is no list of Tier 2 or 2.5 waters in New Hampshire. New dischargers and new sources should contact David J. Gray (EPA Region 1's MSGP coordinator at <a href="mailto:gray.davidj@epa.gov">gray.davidj@epa.gov</a>).</p>
Tier 2.5	<p>There is no list of Tier 2 or 2.5 waters in New Hampshire. New dischargers and new sources should contact David J. Gray (EPA Region 1's MSGP coordinator at <a href="mailto:gray.davidj@epa.gov">gray.davidj@epa.gov</a>).</p>	

Permit Number	Areas of Coverage/Where EPA Is Permitting Authority	
	Tier 3	<p>Listed as an Outstanding Resource Water (ORW). Env-Ws 1708.04(a) describes that surface waters of national forests and surface waters designated as "natural" under RSA 483:7-a, I shall be considered outstanding resource waters (ORW). A list of ORWs/Tier 3 waters is available at:  <a href="https://www.des.nh.gov/resource-center/publications?keys=cgp&amp;purpose=&amp;subcategory=Watershed+Management">https://www.des.nh.gov/resource-center/publications?keys=cgp&amp;purpose=&amp;subcategory=Watershed+Management</a>. If so indicated on this list, review the NHDES OneStop Data Mapper at:  <a href="https://www4.des.state.nh.us/onestopdatamapper/onestopmapper.aspx">https://www4.des.state.nh.us/onestopdatamapper/onestopmapper.aspx</a>.</p> <p>Waterbodies not identified on the list or map are not ORWs.</p> <p>Env-Wq 1708.04(a) Surface waters of national forests and surface waters designated as "natural" under RSA 483:7-a, shall be considered outstanding resource waters (ORW). The New Hampshire waters listed as ORW can be found along with a list of impaired waters at <a href="https://www.des.nh.gov/organization/divisions/water/stormwater/documents/impaired-tmdl-orw-listcgp-msgp.xlsx">https://www.des.nh.gov/organization/divisions/water/stormwater/documents/impaired-tmdl-orw-listcgp-msgp.xlsx</a>. New dischargers and new sources should contact David J. Gray (EPA Region 1's MSGP coordinator at <a href="mailto:gray.davidj@epa.gov">gray.davidj@epa.gov</a>).</p>
PRR050000	<b>Commonwealth of Puerto Rico</b>	
	Tier 3	<p>Tier III waters are those which are classified as either Class SA or Class SE. Class SA waters are defined as "Coastal waters and estuarine waters of high quality and/or exceptional ecological or recreational value whose existing characteristics shall not be altered, except by natural causes, in order to preserve the existing natural phenomena." Class SA waters include bioluminescent lagoons and bays such as La Parguera and Monsio José on the Southern Coast, Bahía de Mosquito in Vieques, and any other coastal or estuarine waters of exceptional quality of high ecological value or recreational which may be designated by Puerto Rico, through Resolution, as requiring this classification for protection of the waters. Class SE waters are defined as "Surface waters and wetlands of exceptional ecological value, whose existing characteristics should not be altered in order to preserve the existing natural phenomena." Class SE waters include Laguna Tortuguero, Laguna Cartagena and any other surface water bodies of exceptional ecological value as may be designated by Puerto Rico through Resolution.</p>
DCR050000	<b>District of Columbia</b>	
	Tier 2/2.5	<p>Rule 1102.4 SPECIAL WATERS OF THE DISTRICT OF COLUMBIA (SWDC): Any segment or segments of the surface waters of the District that are of water quality better than needed for the current use or have scenic or aesthetic importance shall be designated as Special Waters of the District of Columbia (SWDC). Rock Creek and its tributaries and Battery Kemble Creek and its tributaries are considered Special Waters of the District of Columbia (SWDC) under its antidegradation program.</p>
MNR050001	<b>Fond du Lac Band of MN Chippewa</b>	
	Tier 3	<p>Six lakes are presently identified as Tier 3: (1) Dead Fish, (2) Jaskari, (3) Miller (Mud), (4) Perch, (5) Rice Portage, (6) Wild Rice.</p>



Permit Number	Areas of Coverage/Where EPA Is Permitting Authority	
	<b>Grand Portage Band of MN Chippewa</b>	
	Tier 2/2.5	All waters, not already classified as Tier 3, are high quality Tier 2 waters. (see Grand Portage Reservation Water Quality Standards, Section VI & VII, Pages 14-16).
	Tier 3	"The portion of Lake Superior north of latitude 47 degrees, 57 minutes, 13 seconds, east of Hat Point, south of the Minnesota-Ontario boundary, and west of the Minnesota-Michigan boundary." (see Section VII, Page 16).
WIR050001	<b>Lac du Flambeau Band of the Lake Superior Chippewa</b>	
	Tier 2	All named waters, including wetlands, not specified under an antidegradation classification.
	Tier 2.5	Bills Lake, Birch Lake, Bobidosh Lake, Bog Lake (SE SE Sec. 31, T40NR6E), Bolton Lake, Broken Bow Lake, Chewalah Lake, Clear Lake (Sec. 2, T39NR4E), Corn Great, Great, Corn Lake, Little "Least/Lesser", Crawling Stone Lake, Big, Crawling Stone Lake, Little, Crescent Lake, Crooked Lake, Big, David Lake, Ellerson Lake, Middle, Ellerson Lake, West, Elsie Lake "Boundary Lake", Fat Lake, Fence Lake, Gresham
		Creek, Green Lake (NW NW Sec. 19, T41R6E), Grey Lake, Gunlock Lake, Haskell Lake, Headflyer Lake (Sec. 19, T41NR5E), Highway Lake (NW NW Sec. 19, T41NR5E), Horsehead Lake (SE SW Sec. 9, T40NR5E), Hutton's Creek, Ike Walton Lake, Lily Lake (SE SW Sec. 35, T40NR5E), Little Ten Lake, Lodge Lake "L. Rice" (NW NW Sec. 8, T41NR6E), Lucy Lake, Mindys Lake (Sec. 8, T40NR5E), Minette Lake, Mitten Lake, Monk's Lake (Sec. 13, T40NR5E), Moving Cloud Lake, Mud Creek, Muskesin Lake, Patterson Lake, Placid Twin Lake (North), Placid Twin Lake (South), Plummer Lake, Poupart Lake, Prairie Lake (NE SW Sec. 13, T40NR4E), Raven Lake, Ross Allen Lake, Sand Lake, Little, Scott Lake (Sec. 22, T40N, R4E), Shishebogama Lake, Signal Lake, Snort Lake (Sec. 5, T41N, R6E), Spring Lake "Jerms", Squirrel Lake, Statenaker Lake "Hollow", Stearns Lake "Hourglass", Sugarbush "Hidden Lake" (NW NW Sec. 17, T41NR5E), Sugarbush Creek, Sugarbush Lake, Little, Sugarbush Lake, Lower, Sugarbush Lake, Middle, Sugarbush Lake, Upper, Sunfish Lake, Tippecanoe Lake, Tomahawk River, To-To Tom Lake, Toulish Lake, Trout River, Warrior Lake, White Sand Lake, Whitefish Lake "Cattail Lake" (Sec. 34, T40N5R), Wishow Lake, Wyandock Lake
	Tier 3	Bear River (1st bridge to Reservation boundary), Big Springs (Sec. 25, T40NR4E), Black Lake, Cranberry Lake, Doud Lake, Eagle Lake, Gene Lake, Johnson Springs, Little Trout Lake, Lost Lake (Sect. 1, T41NR4E), Mishonagon Creek, Munnomin (Jesse, Duck) Lake, Negani (Hegani) Lake, Reservation Line Lake, Spring Creek, Tank Lake, Thomas Lake, Wild Rice Lake, Zee Lake
	<b>Mole Lake Band of the Lake Superior Tribe of the Chippewa Indians, Sokaogon Chippewa Community</b>	
	Tier 2.9	One Tribal Water, Wetland 22, is classified as Exceptional High Quality Water (EHQW). It is a high-quality water body of significant cultural, religious, social, ecological and recreational attributes.
	Tier 3	All waters in the Sokaogon Chippewa Community (WI) as classified as Tier 3, with one exception (Wetland 22).

Permit Number	Areas of Coverage/Where EPA Is Permitting Authority	
COR0500I	<b>State of Colorado</b>	
	<b>Ute Mountain Ute Tribe</b>	
	Tier 3	<p>(2010 Proposed) Designations:</p> <p>(1) Ute Spring and unnamed creek from Ute Spring downstream within Section 12, TWP35N R18W (Colorado).</p> <p>(2) Allen Canyon Creek, Sections 17, 20, 29, 30, 31, TWP 35S, R21E (Utah)</p> <p>(3) "Lopez" Spring and unnamed creek tributary to and downstream from the spring, within Section 35, TWP 34N, R18W</p>
NMR050000	<b>State of New Mexico</b>	
	Tier 3	<p>(1) Rio Santa Barbara, including the west, middle and east forks from their headwaters downstream to the boundary of the Pecos Wilderness; and</p> <p>(2) the waters within the United States forest service Valle Vidal special management unit including:</p> <p>(a) Rio Costilla, including Comanche, La Cueva, Fernandez, Chuckwagon, Little Costilla, Holman, Gold, Grassy, LaBelle and Vidal creeks, from their headwaters downstream to the boundary of the United States forest service Valle Vidal special management unit;</p> <p>(b) Middle Ponil creek, including the waters of Greenwood Canyon, from their headwaters downstream to the boundary of the Elliott S. Barker wildlife management area;</p> <p>(c) Shuree lakes;</p> <p>(d) North Ponil creek, including McCrystal and Seally Canyon creeks, from their headwaters downstream to the boundary of the United States forest service Valle Vidal special management unit; and</p> <p>(e) Leandro creek from its headwaters downstream to the boundary of the United States forest service Valle Vidal special management unit.</p> <p>(3) the named perennial surface waters of the state, identified in Subparagraph (a) below, located within United States department of agriculture forest service wilderness. Wilderness are those lands designated by the United States congress as wilderness pursuant to the Wilderness Act. Wilderness areas included in this designation are the Aldo Leopold wilderness, Apache Kid wilderness, Blue Range wilderness, Chama River Canyon wilderness, Cruces Basin wilderness, Dome wilderness, Gila wilderness, Latir Peak wilderness, Pecos wilderness, San Pedro Parks wilderness, Wheeler Peak wilderness, and White Mountain wilderness.</p> <p>(a) The following waters are designated in the Rio Grande basin:</p> <p>(i) in the Aldo Leopold wilderness: Byers Run, Circle Seven creek, Flower canyon, Holden Prong, Indian canyon, Las Animas creek, Mud Spring canyon, North Fork Palomas creek, North Seco creek, Pretty canyon, Sids Prong, South Animas canyon, Victorio Park canyon, Water canyon;</p> <p>(ii) in the Apache Kid wilderness Indian creek and Smith canyon;</p> <p>(iii) in the Chama River Canyon wilderness: Chavez canyon, Ojitos canyon, Rio Chama;</p> <p>(iv) in the Cruces Basin wilderness: Beaver creek, Cruces creek, Diablo creek, Escondido creek, Lobo creek, Osha creek;</p> <p>(v) in the Dome wilderness: Capulin creek, Medio creek, Sanchez canyon/creek;</p> <p>(vi) in the Latir Peak wilderness: Bull creek, Bull Creek lake, Heart lake,</p>

Permit Number	Areas of Coverage/Where EPA Is Permitting Authority
	<p>Lagunitas Fork, Lake Fork creek, Rito del Medio, Rito Primero, West Latir creek;</p> <p>(vii) in the Pecos wilderness: Agua Sarca, Hidden lake, Horseshoe lake (Alamitos), Jose Vigil lake, Nambe lake, Nat lake IV, No Fish lake, North Fork Rio Quemado, Rinconada, Rio Capulin, Rio de las Trampas (Trampas creek), Rio de Truchas, Rio Frijoles, Rio Medio, Rio Molino, Rio Nambe, Rio San Leonardo, Rito con Agua, Rito Gallina, Rito Jaroso, Rito Quemado, San Leonardo lake, Santa Fe lake, Santa Fe river, Serpent lake, South Fork Rio Quemado, Trampas lake (East), Trampas lake (West);</p> <p>iii) in the San Pedro Parks wilderness: Agua Sarca, Cañon Madera, Cave creek, Cecilia Canyon creek, Clear creek (North SPP), Clear creek (South SPP), Corralitos creek, Dove creek, Jose Miguel creek, La Jara creek, Oso creek, Rio Capulin, Rio de las Vacas, Rio Gallina, Rio Puerco de Chama, Rito Anastacio East, Rito Anastacio West, Rito de las Palomas, Rito de las Perchas, Rito de los Pinos, Rito de los Utes, Rito Leche, Rito Redondo, Rito Resumidero, San Gregorio lake;</p> <p>(ix) in the Wheeler Peak wilderness: Black Copper canyon, East Fork Red river, Elk lake, Horseshoe lake, Lost lake, Sawmill creek, South Fork lake, South Fork Rio Hondo, Williams lake.</p> <p>(b) The following waters are designated in the Pecos River basin:</p> <p>(i) in the Pecos wilderness: Albright creek, Bear creek, Beatty creek, Beaver creek, Carpenter creek, Cascade canyon, Cave creek, El Porvenir creek, Hollinger creek, Holy Ghost creek, Horsethief creek, Jack's creek, Jarosa canyon/creek, Johnson lake, Lake Katherine, Lost Bear lake, Noisy brook, Panchuela creek, Pecos Baldy lake, Pecos river, Rio Mora, Rio Valdez, Rito Azul, Rito de los Chimayosos, Rito de los Esteros, Rito del Oso, Rito del Padre, Rito las Trampas, Rito Maestas, Rito Oscuro, Rito Perro, Rito Sebadillosos, South Fork Bear creek, South Fork Rito Azul, Spirit lake, Stewart lake, Truchas lake (North), Truchas lake (South), Winsor creek;</p> <p>(ii) in the White Mountain wilderness: Argentina creek, Aspen creek, Bonito creek, Little Bonito creek, Mills canyon/creek, Rodamaker creek, South Fork Rio Bonito, Turkey canyon/creek.</p> <p>(c) The following waters are designated in the Gila River basin:</p> <p>(i) in the Aldo Leopold wilderness: Aspen canyon, Black Canyon creek, Bonner canyon, Burnt canyon, Diamond creek, Falls canyon, Fisherman canyon, Running Water canyon, South Diamond creek;</p> <p>(ii) in the Gila wilderness: Apache creek, Black Canyon creek, Brush canyon, Canyon creek, Chicken Coop canyon, Clear creek, Cooper canyon, Cow creek, Cub creek, Diamond creek, East Fork Gila river, Gila river, Gilita creek, Indian creek, Iron creek, Langstroth canyon, Lilley canyon, Little creek, Little Turkey creek, Lookout canyon, McKenna creek, Middle Fork Gila river, Miller Spring canyon, Mogollon creek, Panther canyon, Prior creek, Rain creek, Raw Meat creek, Rocky canyon, Sacaton creek, Sapillo creek, Sheep Corral canyon, Skeleton canyon, Squaw creek, Sycamore canyon, Trail canyon, Trail creek, Trout creek, Turkey creek, Turkey Feather creek, Turnbo canyon, West Fork Gila river, West Fork Mogollon creek, White creek, Willow creek, Woodrow canyon.</p> <p>(d) The following waters are designated in the Canadian River basin: in the Pecos wilderness Daily creek, Johns canyon, Middle Fork Lake of Rio de la Casa, Middle Fork Rio de la Casa, North Fork Lake of Rio de la Casa, Rito de Gascon, Rito San Jose, Sapello river, South Fork Rio de la</p>

Permit Number	Areas of Coverage/Where EPA Is Permitting Authority	
		<p>Casa, Sparks creek (Manuelitas creek).</p> <p>(e) The following waters are designated in the San Francisco River basin:</p> <p>(i) in the Blue Range wilderness: Pueblo creek;</p> <p>in the Gila wilderness: Big Dry creek, Lipsey canyon, Little Dry creek, Little Whitewater creek, South Fork Whitewater creek, Spider creek, Spruce creek, Whitewater creek.</p> <p>(f) The following waters are designated in the Mimbres Closed basin: in the Aldo Leopold wilderness Corral canyon, Mimbres river, North Fork Mimbres river, South Fork Mimbres river.</p> <p>(g) The following waters are designated in the Tularosa Closed basin: in the White Mountain wilderness Indian creek, Nogal Arroyo, Three Rivers.</p> <p>(h) The wetlands designated are identified on the maps and list of wetlands within United States forest service wilderness areas designated as outstanding national resource waters published at the New Mexico state library and available on the department's website.</p>
CAR050001	<b>Hualapai Tribe</b>	
	Tier 3	<p>Spencer, Meriwhitica, Willow Spring, Upper Milkweed Spring, Bridge Canyon, Travertine Spring, Travertine Falls, Diamond Creek, Diamond Creek Spring, Blue Mountain, Metuck, Peach Springs Spring, Westwater, Clay Tank, Hockey Puck, Pocamote Spring, Mohawk Spring, Granite Spring, Three Spring, Warm Spring, Honga Spring, National Canyon Spring, National Canyon, Moss Spring</p>
	<b>White Mountain Apache Tribe of the Fort Apache Indian Reservation</b>	
	Tier 2/2.5	<p>East Fork White River, above R52 Road, East Fork White River below R52 Road, above Rock Cr., Paradise Creek, above Wohlenberg, Ord Creek, Smith Cienega, Bull Cienega, Smith Creek, Big Bonito , Tonto Creek, below Y47 Crossing, Crooked Creek, Boggy Creek, Lofer Cienego Creek, Little Bonito Creek, above Y55 Crossing, Flash Creek, Squaw Creek, Hurricane Lake, Hurricane Creek, Hughey Creek, Bonito Cienega, West Fork Black River, Hall Cienega, Purcell Cienega, Thompson Creek, Carrizo Creek below Corduroy, Carrizo Creek above Corduroy, Cedar Creek, Big Canyon (E. Cedar Creek), Middle Cedar Creek, West Cedar Creek, Cibecue Creek in Box Canyon to Salt river, Cibecue Creek, Box CallYon up to confluence with Salt Creek, Spring Creek, Salt Creek, Cibecue Creek, from confluence w/Salt Cr, to Big Springs, Cibecue Creek, above Big Springs, Rock Springs Creek, Salt Draw, Canyon Creek S. of Chediski Farms, Willow Creek (Lower Canyon Cr), Oak Creek, Canyon Creek. N. of Chedlski Fanns,</p>
	Tier 3	<p>East Fork While River, in Wilderness Area, Pumpkin Lake</p>
IDR050000	<b>State of Idaho</b>	
	<p>For Tier 2 and Tier 3 waters, please consult the Idaho Integrated Report, available at: <a href="http://www.deq.idaho.gov/water-quality/surface-water/monitoring-assessment/integrated-report.aspx">http://www.deq.idaho.gov/water-quality/surface-water/monitoring-assessment/integrated-report.aspx</a> and the closest regional office of the Idaho Department of Environmental Quality: <a href="http://www.deq.idaho.gov/regional-offices-issues.aspx">http://www.deq.idaho.gov/regional-offices-issues.aspx</a>.</p>	

**Appendix M - Discharge Monitoring Report (DMR) Form**

Part 7.2 requires you to use the electronic DMR system to prepare and submit your Discharge Monitoring Report (DMR) form. However, if you are given approval by the EPA Regional Office to use a paper DMR form, and you elect to use it, you must complete and submit the following form.

<b>NPDES FORM 6100-29</b>		<b>UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460 MSGP INDUSTRIAL DISCHARGE MONITORING REPORT (DMR) FORM</b>	OMB No. 2040-0300 Exp. Date: 3/31/2024
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**A. Approval to Use Paper NOI Form**

1. Have you been granted a waiver from electronic reporting from the EPA Regional Office\*?  YES  NO

If yes, check which waiver you have been granted, the name of the EPA Regional Office staff person who granted the waiver, and the date of approval:

Waiver granted:  The owner/operator's headquarters is physically located in a geographic area (i.e., ZIP code or census tract) that is identified as under-served for broadband Internet access in the most recent report from the Federal Communications Commission.

The owner/operator has issues regarding available computer access or computer capability

Name of EPA staff person that granted the waiver:

Date approval obtained:  /  /

**\* Note: Note: You are required to obtain approval from the applicable EPA Regional Office prior to using this paper DMR form. If you have not obtained a waiver, you must file this form electronically using the NetDMR at <http://www.epa.gov/netdmr/>**

**1. NPDES ID:**

2. Reason(s) for Submission (Check all that apply):

Submitting monitoring data (Fill in all Sections).

Reporting no discharge for all discharge points for this monitoring period (Fill in Sections A, B, C, D, E.1, and G).

Reporting that your site status has changed to inactive and unstaffed and there are no industrial materials or activities exposed to stormwater (Fill in Sections A, B, C, D, and F.4 (include date of status change in comment field).

Reporting that your site status has changed to active and/or there are industrial materials or activities exposed to stormwater (Fill in all Sections and include date of status change in comment field in Section F.4).

**1. Operator Information:**

Operator Name:

Mailing Address:

Street:

City:  State:  ZIP Code:  -

Phone:  -  -  Ext.

E-mail:

**2. DMR Preparer (Complete if DMR was prepared by someone other than the certifier):**

First Name, Middle Initial, Last Name

Organization:

Phone:  -  -  Ext.

E-mail:

**D. Facility Information**

1. Facility Name:

2. Facility Address:  
 Street/Location:

City:  State:  ZIP Code:

County or Similar Government Subdivision:

**E. Discharge Information**

1. Identify monitoring period:  Check here if proposing alternative monitoring periods due to irregular stormwater runoff. Identify alternative monitoring schedule and indicate for which alternative monitoring period you are reporting monitoring data:

Quarter 1 (January 1 – March 31)     Quarter 1: From  /  To  /

Quarter 2 (April 1 – June 30)         Quarter 2: From  /  To  /

Quarter 3 (July 1 – September 30)     Quarter 3: From  /  To  /

Quarter 4 (October 1 – December 31)  Quarter 4: From  /  To  /

2. Are you required to monitor for cadmium, chromium, lead, nickel, silver, or zinc in freshwater?     YES (Skip to 3)     NO (Skip to 4)

3. What is the hardness level of the receiving water?  (mg/L)

4. Does your facility discharge into any saltwater receiving waters?     YES     NO

	UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460 MSGP INDUSTRIAL DISCHARGE MONITORING REPORT (DMR) FORM	OMB No. 2040-0300
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**F. Monitoring Information** Note: Make additional copies of this form as necessary.

1. Nature of Discharge:  Rainfall (Complete line items 2.a., 2.b., & 2.c.)  Snowmelt

2.a. Duration of the rainfall event (hours):    2.b. Rainfall amount (inches):    .  2.c. Time since previous measurable storm event (days):

3.a. Discharge Point ID (list the same 3- digit discharge points identified on the NOI form	3.b. Check if Any Discharge Points are Substantially Identical to Other Discharge Points Listed	3.c. Check if No Discharge	3.d. Monitoring Type IM, BM, ELG, S/T, I, O*	3.e. Parameter	3.f. Quantity or Concentration	3.g. Units	3.h. Results Description	3.i. Collection Date	3.j. Exceedance solely attributable to natural background pollutant levels per Part 5.2.6.1	3.k. Exceedance due to run-on per Part 5.2.6.2	3.l Exceedance due to an abnormal event per 5.2.6.3	3.m Exceedance but discharge does not result in any exceedance of water quality standards per Part 5.2.6.5	3.n Aluminum Exceedance demonstrated to not result in an exceedance of your facility- specific criteria per Part 5.2.6.4.a	3.o Copper Exceedance demonstrated to not result in an exceedance of your facility- specific criteria per Part 5.2.6.4.b
	<input type="checkbox"/> Substantially identical to discharge point: _____	<input type="checkbox"/>									<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/> Substantially identical to discharge point: _____	<input type="checkbox"/>									<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/> Substantially identical to discharge point: _____	<input type="checkbox"/>									<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/> Substantially identical to discharge point: _____	<input type="checkbox"/>									<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\* IM - Indicator monitoring; BM - Benchmark monitoring; (ELG) - Annual effluent limitations guidelines monitoring; (S/T) - State- or tribal-specific monitoring; (I) - Impaired waters monitoring; (O) - Other monitoring as required by EPA

4. Comment and/or Explanation of Any Violations (Reference all attachments here)



**G. 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 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 violations.

First Name, Middle, Last Name

Title:

Signature: \_\_\_\_\_

Date:  /  /

E-mail:

## Instructions for Completing EPA Form 6100-29

**Discharge Monitoring Report (DMR) for Stormwater Discharges  
Associated with Industrial Activity Under the NPDES Multi-Sector General Permit**

OMB No. 2040-0300

**Who Must Submit A Discharge Monitoring Report to EPA?**

Facilities covered under EPA's NPDES Stormwater Multi-Sector General Permit (MSGP or permit) that are required to monitor pursuant to Parts 4.2 and 8 of the permit must submit Discharge Monitoring Reports (DMRs) consistent with the reporting requirements specified in Part 7.1 of the permit.

**Completing the Form**

Obtain and read a copy of the 2021 MSGP, viewable at <https://www.epa.gov/npdes/stormwater-discharges-industrial-activities>. To complete this form, type or print, using uppercase letters, in the appropriate areas only. Please place each character between the marks. Abbreviate if necessary to stay within the number of characters allowed for each item. Use only one space for breaks between words, but not for punctuation marks unless they are needed to clarify your response. Please submit original document with signature in ink - do not send a photocopied signature. **Photocopy your DMR form for your records before you send the completed original form to the appropriate address.**

**Section A. Approval to Use Paper DMR Form**

You must indicate whether you have been granted a waiver from electronic reporting from the EPA Regional Office. Note that you are not authorized to use this paper DMR form unless the EPA Regional Office has approved its use. Where you have obtained approval to use this form, indicate the waiver that you have been granted, the name of the EPA staff person who granted the waiver, and the date that approval was provided. See <https://www.epa.gov/npdes/contact-us-stormwater> for a list of EPA Regional Office contacts.

**Section B. Permit Information**

Provide the NPDES ID (i.e., NOI tracking number) assigned to the facility for which this DMR is being submitted.

Indicate your reason(s) for submitting this DMR by checking all boxes that apply. The reasons for submission are defined as follows:

- *Submitting monitoring data:* For each storm sampled, submit one DMR form with data for all discharge points sampled. Select this reason even if you only have monitoring data for some of your discharge points (i.e., some discharge points did not discharge). If you select this reason you are required to complete all Sections of the form.
- *Reporting no discharge for all discharge points for this monitoring period:* Indicates that there were no discharges from all discharge points during this monitoring period. If you select this reason you are only required to complete Sections A, B, C, D, E.1, and G.
- *Reporting that your site status has changed to inactive and unstaffed and there are no industrial materials or activities exposed to stormwater:* Indicates that your facility is currently inactive and unstaffed and there are no industrial materials or activities exposed to stormwater (See Part 4.2.1.3 of the permit for more information). If you select this reason you are only required to complete Sections A, B, C, D, and F.4 (include date of status change in comment field).

- *Reporting that your site status has changed from inactive to active and/or there are industrial materials or activities exposed to stormwater:* Indicates that your facility is currently active (See Part 4.2.1.3 of the permit for more information). If you select this reason you are required to complete all Sections of the form and include date of status change in the comment field in Section F.4.

**Section C. Facility Operator Information.**

Provide the legal name of the person, firm, public organization, or any other entity that operates the facility for which this DMR is being submitted. An operator of a facility is the legal entity that controls the operation of the facility. Refer to Appendix A of the permit for the definition of "operator". Provide the operator's mailing address, phone number, and e-mail. The operator information in this Section should match the operator information provided on your NOI form.

Provide the name, organization, phone number, an e-mail address for the person who prepared this DMR form.

**Section D. Facility Information**

Enter the official or legal name and complete street address, including city, state, ZIP code, and county or similar government subdivision of the facility. If the facility lacks a street address, indicate the general location of the facility (e.g., Intersection of State Highways 61 and 34). Complete facility information must be provided for permit coverage to be granted. The facility information in this Section should match the facility information provided on your NOI form.

**Section E. Discharge Information.**

Indicate the appropriate monitoring period (Quarter 1, 2, 3, or 4) covered by the DMR. "Alternative" monitoring periods can apply to facilities located in arid and semi-arid climates, or in areas subject to snow or prolonged freezing. To use alternative monitoring periods, you must provide a revised monitoring schedule here. If using alternative monitoring periods, identify the first day of the monitoring period through the last day of the monitoring period for each of the four periods. The dates should be displayed as month (Mo) / day (Day). See Parts 4.1.6 and 4.1.7 of the permit for more information.

If you are submitting benchmark monitoring data, identify if your facility is required to collect benchmark samples for one or more hardness-dependent metals (i.e., cadmium, lead, nickel, silver, and zinc). If you select "yes" to this question provide the hardness level of the receiving water (in mg/L). If you select "no" to this question, you must identify if your facility discharges into any saltwater receiving waters.

## Instructions for Completing EPA Form 6100-29

**Discharge Monitoring Report (DMR) for Stormwater Discharges  
Associated with Industrial Activity Under the NPDES Multi-Sector General Permit**

OMB No. 2040-0300

**Section F. Monitoring Information**

For the reported monitoring event indicate whether the discharge was from a rainfall or snowmelt event. If you select "rainfall" then indicate the 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 in line items 2.a-c. For both rainfall and snowmelt monitoring, you must identify the date of collection for the monitoring event in column 3.i. of the table. If the discharge occurs during a period of both rainfall and snowmelt, check both the rainfall and snowmelt boxes and report the appropriate rainfall information in item 2.a-c. To report multiple monitoring events in the same reporting period, copy this form and enter each monitoring event separately with data for all discharge points sampled.

Identify all the discharge points from your facility that discharge stormwater. Each discharge point must be assigned a unique 3-digit number (e.g., 001, 002, 003), and should match the discharge points identified on your NOI form.

If any discharge points are substantially identical, check the box in 3.b and identify the discharge point that the discharge point in 3.a is substantially identical to. In 3.d – k, you only need to provide benchmark monitoring data for one of the discharge points if it is substantially identical.

For any discharge point for which there was no discharge during the monitoring period, check the box in 3.c.

In 3.d, identify the type of monitoring using the specified codes, in parentheses, below:

- (IM) – Indicator monitoring
- (BM) – Benchmark monitoring
- (ELG) – Annual effluent limitations guidelines monitoring;
- (S/T) – State- or Tribal-specific monitoring;
- (I) – Impaired waters monitoring; or
- (O) – Other monitoring as required by EPA.

In 3.e, enter each "parameter" (or "pollutant") monitored. For BM and ELG monitoring, use the same parameter name as in Part 8 of the permit.

In 3.f., enter a sample measurement value for each parameter analyzed and required to be reported. Enter "ND" (i.e., not detected) for any sample results below the method detection limit or "BQL" (i.e., below quantitation limit) for sample results above the detection limit but below the quantitation limit.

In 3.g., enter the units for sample measurement values (i.e., "mg/L" for milligrams per liter) for each parameter analyzed and required to be reported. For monitoring results reported as ND or BQL this space will be left blank and the units will be reported in Column 3.f.

3.h. must be completed for any monitoring results reported as ND or BQL in the "Quality or Concentration" column. For ND, report the laboratory detection level and units in this column. For BQL, report the laboratory quantitation limit and units in this column.

In 3.i. identify the sampling date for each parameter monitoring result reported on this form.

3.j. *Exceedance solely attributable to natural background pollutant levels:* Check box if following the first 4 quarters of benchmark monitoring (or sooner if the exceedance is triggered by less than 4 quarters of data) you have determined that the exceedance of the benchmark is attributable solely to the presence of that pollutant in the natural background for that discharge point and any substantially identical discharge points, or for impaired waters

monitoring, the presence of the pollutant is caused solely by natural background, provided that all of the conditions in Part 5.2.6.1 are met.

3.k. *Exceedance due to run-on:* Check box if you can demonstrate and obtain EPA agreement that run-on from a neighboring source (e.g., a source external to your facility) is the cause of the exceedance, provided that the conditions in Part 5.2.6.2 are met.

3.l. *Exceedance due to an abnormal event:* Check box if one single sampling event is abnormal and you have immediately documented per Part 5.3 that the single event was abnormal and met all other conditions in Part 5.2.6.3.

3.m. *Exceedance but discharge does not result in any exceedance of water quality standards per Part 5.2.6.5:* Check box if you can demonstrate through an analysis that an exceedance triggering AIM requirements does not result in any exceedance of applicable water quality standards, provided that all the conditions in Part 5.2.6.5 are met.

3.n. *Aluminum exceedance demonstrated to not result in an exceedance of your facility-specific criteria per Part 5.2.6.4.a:* Check box if you can demonstrate through an analysis that an aluminum exceedance does not result in an exceedance of your facility-specific criteria using the national recommended water quality criteria in-lieu of the applicable MSGP benchmark threshold.

3.o. *Copper exceedance demonstrated to not result in an exceedance of your facility-specific criteria per Part 5.2.6.4.b:* Check box if you can demonstrate through an analysis that a copper exceedance does not result in an exceedance of your facility-specific criteria using the national recommended water quality criteria in-lieu of the applicable MSGP benchmark threshold.

Where violations of the permit requirements are reported, include a brief explanation to describe the cause and corrective actions taken, and reference each violation by date. Also, this section should include any additional comments such as are required when changing site status from inactive and unstaffed to active or vice versa. Attach additional pages if you need more space.

Attach additional copies of Section F as necessary to address all discharge points and parameters.

**Section G. Certification Information**

DMRs must be signed by a person described below, or by a duly authorized representative of that person.

*For a corporation:* By a responsible corporate officer. For the purpose of this Section, a responsible corporate officer means:

(i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated

Appendix N - List of SIC and NAICS Codes

Sector A. Timber Products					
Sub-sector	SIC Codes		NAICS Codes		Notes
A3	2411	Logging (log storage and handling activities only; wet deck storage areas only authorized if no chemical additives are used in the spray water or applied to the logs.)	113310	Logging	
A1	2421	General Sawmills and Planing Mills (sawmills)	321113	Sawmills	
		(lumber manufacturing from purchased lumber, softwood cut stock, wood lath, fence pickets, and planing mill products)	321912	Cut Stock, Resawing Lumber, and Planing	
		(softwood flooring)	321918	Other Millwork (including Flooring)	
		(box lumber made from purchased lumber)	321920	Wood Container and Pallet Manufacturing	
		(kiln drying)	321999	All Other Miscellaneous Wood Product Manufacturing	
A4	2426	Hardwood Dimension and Flooring Mills (hardwood dimension lumber made from logs or bolts)	321113	Sawmills	
		(hardwood cut stock, resawing hardwood lumber, and planing purchased hardwood lumber except flooring)	321912	Cut Stock, Resawing Lumber, and Planing	
		(hardwood flooring)	321918	Other Millwork (including Flooring)	
		(wood furniture frames and finished furniture parts)	337215	Showcase, Partition, Shelving, and Locker Manufacturing	
	2429	Special Product Sawmills, Not Elsewhere Classified (shingle mills, shakes)	321113	Sawmills	
		(stave manufacturing from purchased lumber)	321912	Cut Stock, Resawing Lumber, and Planing	
		(cooperage stock)	321920	Wood Container and Pallet Manufacturing	
		(excelsior)	321999	All Other Miscellaneous Wood Product Manufacturing	
	2431	Millwork (wood windows and doors)	321911	Wood Window and Door Manufacturing	

<b>Sector A. Timber Products</b>				
<b>Sub-sector</b>	<b>SIC Codes</b>	<b>NAICS Codes</b>	<b>Notes</b>	
	(except wood windows and doors)	<b>321918</b>	Other Millwork (including Flooring)	
	<b>2435</b> Hardwood Veneer and Plywood	<b>321211</b>	Hardwood Veneer and Plywood Manufacturing	
	<b>2436</b> Softwood Veneer and Plywood	<b>321212</b>	Softwood Veneer and Plywood Manufacturing	
	<b>2439</b> Structural Wood Members, Not Elsewhere Classified			
	(except trusses)	<b>321213</b>	Engineered Wood Member (except Truss) Manufacturing	
	(trusses)	<b>321214</b>	Truss Manufacturing	
<b>A5</b>	<b>2441</b> Nailed and Lock Corner Wood Boxes and Shook	<b>321920</b>	Wood Container and Pallet Manufacturing	
<b>A4</b>	<b>2448</b> Wood Pallets and Skids	<b>321920</b>	Wood Container and Pallet Manufacturing	
	<b>2449</b> Wood Containers, Not Elsewhere Classified	<b>321920</b>	Wood Container and Pallet Manufacturing	
	<b>2451</b> Mobil Homes	<b>321991</b>	Manufactured Home (Mobil Home) Manufacturing	
	<b>2452</b> Prefabricated Wood Buildings and Components	<b>321992</b>	Prefabricated Wood Building Manufacturing	
<b>A2</b>	<b>2491</b> Wood Preserving	<b>321114</b>	Wood Preservation	
<b>A4</b>	<b>2493</b> Reconstituted Wood Products	<b>321219</b>	Reconstituted Wood Product Manufacturing	
	<b>2499</b> Wood Products, Not Elsewhere Classified			
	(wood containers, such as noncoopered vats and reed or straw baskets)	<b>321920</b>	Wood Container and Pallet Manufacturing	
	(except wood containers, wood cooling towers, cork life preservers, mirror or picture frames, and laundry hampers of reed, rattan, and willow)	<b>321999</b>	All Other Miscellaneous Wood Product Manufacturing	
	(wood cooling towers)	<b>333415</b>	Air-Conditioning and Warm Air Heating Equipment and Commercial and Industrial Refrigeration Equipment Manufacturing	
	(laundry hampers of reed, rattan, and willow)	<b>337125</b>	Household Furniture (except Wood and Metal) Manufacturing	
	(cork life preservers)	<b>339113</b>	Surgical Appliance and Supplies Manufacturing	
	(mirror and picture frames)	<b>339999</b>	All Other Miscellaneous Manufacturing	

<b>Sector B. Paper and Allied Products Manufacturing</b>						
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>	
<b>B2</b>	<b>2611</b>	Pulp Mills	<b>322110</b>	Pulp Mills		
		(pulp producing mills only)		<b>322121</b>		Paper (except Newsprint) Mills
		(producing paper except newsprint)		<b>322122</b>		Newsprint Mills
		(producing newsprint)		<b>322130</b>		Paperboard Mills
	<b>2621</b>	Paper Mills	<b>322121</b>	Paper (except Newsprint) Mills		
		(except newsprint mills)		<b>322122</b>		Newsprint Mills
<b>B1</b>	<b>2631</b>	Paperboard Mills	<b>322130</b>	Paperboard Mills		
<b>B2</b>	<b>2652</b>	Setup Paperboard Boxes	<b>322213</b>	Setup Paperboard Box Manufacturing		
	<b>2653</b>	Corrugated and Solid Fiber Boxes	<b>322211</b>	Corrugated and Solid Fiber Boxes Manufacturing		
	<b>2655</b>	Fiber Cans, Tubes, Drums, and Similar Products	<b>322214</b>	Fiber Can, Tube, Drum, and Similar Products Manufacturing		
	<b>2656</b>	Sanitary Food Containers, Except Folding	<b>322215</b>	Nonfolding Sanitary Food Container Manufacturing		
	<b>2657</b>	Folding Paperwork Boxes	<b>322212</b>	Folding Paperboard Box Manufacturing		
	<b>2671</b>	Packaging Paper and Plastics Film, Coated and Laminated	<b>322221</b>	Coated and Laminated Packaging Paper and Plastics Film Manufacturing		
		(except single-web and multi-web plastics packaging film and sheets)		<b>326112</b>		Plastics Packaging Film and Sheet (including Laminated) Manufacturing
			(single-web and multi-web plastics packaging film and sheets)			Any facility whose primary activity is manufacturing single-web and multi-web plastics packaging film and sheets (SIC 2671 / NAICS 326112) should be regulated under Sector Y, but may continue to be regulated under Sector B, or alternatively, under Sector AD. Sectors Y, B, and AD do not have specific requirements for facilities manufacturing single-web and multi-web plastics packaging film and sheets. However, under Sector AD EPA could establish additional facility-specific monitoring and reporting requirements.
	<b>2672</b>	Coated and Laminated Paper, NEC	<b>322222</b>	Coated and Laminated Paper Manufacturing	Regulatory burden would not differ between Sectors B and Y.	

<b>Sector B. Paper and Allied Products Manufacturing</b>				
<b>Sub-sector</b>	<b>SIC Codes</b>	<b>NAICS Codes</b>		<b>Notes</b>
	<b>2673</b> Plastics, Foil, and Coated Paper Bags (except single-web or multi-web plastics bags)	<b>322223</b>	Plastics, Foil, and Coated Paper Bags Manufacturing	Any facility whose primary activity is manufacturing single-web and multi-web plastics bags (SIC 2673 / NAICS 326111) should be regulated under Sector Y, but may continue to be regulated under Sector B, or alternatively, under Sector AD. Sectors Y, B, and AD do not have specific requirements for facilities manufacturing single-web and multi- web plastics bags. However, under Sector AD EPA could establish additional facility-specific monitoring and reporting requirements.  Regulatory burden would not differ between Sectors B and Y.
	single-web and multi-web plastics bags)	<b>326111</b>	Plastics Bag Manufacturing	
	<b>2674</b> Uncoated Paper and Multiwall Bags	<b>322224</b>	Uncoated Paper and Multiwall Bags Manufacturing	
	<b>2675</b> Die Cut Paper and Paperboard and Cardboard (pasted, lined, laminated, or surface-coated paperboard)	<b>322226</b>	Surface-Coated Paperboard Manufacturing	
	(die cut paper and paperboard office supplies, such as file folders, tabulating cards, and report covers)	<b>322231</b>	Die Cut Paper and Paperboard Office Supplies Manufacturing	
	(except pasted, lined, laminated, or surface-coated paperboard and die-cut paper and paperboard office supplies)	<b>322299</b>	All Other Converted Paper Product Manufacturing	
	<b>2676</b> Sanitary Paper Products	<b>322291</b>	Sanitary Paper Product Manufacturing	
	<b>2677</b> Envelopes	<b>322232</b>	Envelope Manufacturing	
	<b>2678</b> Stationery, Tablets, and Related Products	<b>322233</b>	Stationery, Tablets, and Related Product Manufacturing	
	<b>2679</b> Converted Paper and Paperboard Products, NEC (corrugated paper)	<b>322211</b>	Corrugated and Solid Fiber Box Manufacturing	
	(wallpaper and gift wrap paper)	<b>322222</b>	Coated and Laminated Paper Manufacturing	

<b>Sector B. Paper and Allied Products Manufacturing</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
		(paper supplies for business machines, such as adding machine tape, and other paper office supplies)	<b>322231</b>	Die Cut Paper and Paperboard Office Supplies Manufacturing	
		(except corrugated paper, wall paper, gift wrap paper, paper supplies for business machines, and other paper office supplies)	<b>322299</b>	All Other Converted Paper Product Manufacturing	

<b>Sector C. Chemical and Allied Products Manufacturing</b>						
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>	
<b>C2</b>	<b>2812</b>	Alkalies and Chlorine	<b>325181</b>	Alkalies and Chlorine Manufacturing		
	<b>2813</b>	Industrial Gases	<b>325120</b>	Industrial Gas Manufacturing		
	<b>2816</b>	Inorganic Pigments				
		(except bone and lamp black)	<b>325131</b>	Inorganic Dye and Pigment Manufacturing		
		(bone and lamp black)	<b>325182</b>	Carbon Black Manufacturing		
	<b>2819</b>	Industrial Inorganic Chemicals, Not Elsewhere Classified				
		(recovering sulfur from natural gas)	<b>211112</b>	Natural Gas Liquid Extraction		
		(inorganic dyes)	<b>325131</b>	Inorganic Dye and Pigment Manufacturing		
		(other)	<b>325131</b>	All Other Basic Inorganic Chemical Manufacturing		
		(activated carbon and charcoal)	<b>325998</b>	All Other Miscellaneous Chemical Product and Preparation Manufacturing		
	(alumina)	<b>331311</b>	Alumina Refining	Any facility whose primary activity is alumina refining (NAICS 331311) should be regulated under Sector F, but may continue to be regulated under Sector C. Sector C requires sector/subsector specific benchmark monitoring for total aluminum, total iron, and nitrate plus nitrite nitrogen. Sector F applies additional technology-based effluent limits comprised of good housekeeping measures; additional SWPPP requirements; and additional inspection requirements.		



<b>Sector C. Chemical and Allied Products Manufacturing</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
					Regulatory burdens differ between Sectors C and F but determining which sector would be more burdensome would depend on the regulated facility.
<b>C4</b>	<b>2821</b>	Plastics Materials, Synthetic Resins, and Nonvulcanizable Elastomers	<b>325211</b>	Plastics Material and Resin Manufacturing	
	<b>2822</b>	Synthetic Rubber	<b>325212</b>	Synthetic Rubber Manufacturing	
	<b>2823</b>	Cellulosic Manmade Fibers	<b>325221</b>	Cellulosic Organic Fiber Manufacturing	
	<b>2824</b>	Manmade Organic Fibers, Except Cellulosic	<b>325222</b>	Noncellulosic Organic Fiber Manufacturing	
<b>C5</b>	<b>2833</b>	Medicinal Chemicals and Botanical Products	<b>325411</b>	Medicinal and Botanical Manufacturing	
	<b>2834</b>	Pharmaceutical Preparations	<b>325412</b>	Pharmaceutical Preparation Manufacturing	
	<b>2835</b>	In Vitro and In Vivo Diagnostic Substances (except in vitro diagnostic)	<b>325412</b>	Pharmaceutical Preparation Manufacturing	
		(in vitro diagnostic substances)	<b>325413</b>	In Vitro Diagnostic Substance Manufacturing	
<b>2836</b>	Biological Products, Except Diagnostic Substances	<b>325414</b>	Biological Product (except Diagnostic) Manufacturing		
<b>C3</b>	<b>2841</b>	Soaps and Other Detergents, Except Specialty Cleaners	<b>325611</b>	Soap and Other Detergent Manufacturing	
	<b>2842</b>	Specialty Cleaning, Polishing, and Sanitation Preparations	<b>325612</b>	Polish and Other Sanitation Good Manufacturing	
	<b>2843</b>	Surface Active Agents, Finishing Agents, Sulfonated Oils, and Assistants	<b>325613</b>	Surface Active Agent Manufacturing	
	<b>2844</b>	Perfumes, Cosmetics, and Other Toilet Preparations (toothpaste, gel and dentifrice powders)	<b>325611</b>	Soap and Other Detergent Manufacturing	
		(except toothpaste, gel and dentifrice powders)	<b>325620</b>	Toilet Preparation Manufacturing	
<b>C5</b>	<b>2851</b>	Paints, Varnishes, Lacquers, Enamels, and Allied Products	<b>325510</b>	Paint and Coating Manufacturing	
	<b>2861</b>	Gum and Wood Chemicals	<b>325191</b>	Gum and Wood Chemical Manufacturing	
	<b>2865</b>	Cyclic Organic Crudes and Intermediates, and Organic Dyes and Pigments (aromatics)	<b>325110</b>	Petrochemical Manufacturing	
		(organic dyes and pigments)	<b>325132</b>	Synthetic Organic Dye and Pigment Manufacturing	

<b>Sector C. Chemical and Allied Products Manufacturing</b>						
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>	
		(except aromatics and organic dyes and pigments)	<b>325192</b>	Cyclic Crude and Intermediate Manufacturing		
	<b>2869</b>	Industrial Organic Chemicals, Not Elsewhere Classified (aliphatics)	<b>325110</b>	Petrochemical Manufacturing		
		(fluorocarbon gases)	<b>325120</b>	Industrial Gas Manufacturing		
		(carbon bisulfide)	<b>325188</b>	All Other Basic Inorganic Chemical Manufacturing		
		(cyclopropane, diethylcyclohexane, naphthalene sulfonic acid)	<b>325192</b>	Cyclic Crude and Intermediate Manufacturing		
		(ethyl alcohol)	<b>325193</b>	Ethyl Alcohol Manufacturing		
		(except aliphatics, carbon bisulfide, ethyl alcohol, cyclopropane, diethylcyclohexane, naphthalene sulfonic acid, synthetic hydraulic fluids, and fluorocarbon gases)	<b>325199</b>	All Other Basic Organic Chemical Manufacturing		
		(synthetic hydraulic fluids)	<b>325998</b>	All Other Miscellaneous Chemical Product and Preparation Manufacturing		
<b>C1</b>	<b>2873</b>	Nitrogenous Fertilizers	<b>325311</b>	Nitrogenous Fertilizer Manufacturing		
	<b>2874</b>	Phosphatic Fertilizers	<b>325312</b>	Phosphatic Fertilizer Manufacturing		
	<b>2875</b>	Fertilizers, Mixing Only	<b>325314</b>	Fertilizers (Mixing Only) Manufacturing		
	<b>2879</b>	Pesticides and Agricultural Chemicals, NEC	<b>325320</b>	Pesticides and Other Agricultural Chemical Manufacturing		
<b>C5</b>	<b>2891</b>	Adhesives and Sealants	<b>325520</b>	Adhesive Manufacturing		
	<b>2892</b>	Explosives	<b>325920</b>	Explosives Manufacturing		
	<b>2893</b>	Printing Ink	<b>325910</b>	Printing Ink Manufacturing		
	<b>2895</b>	Carbon Black	<b>325182</b>	Carbon Black Manufacturing		
	<b>2899</b>	Chemicals and Chemical Preparations, NEC	(table salt)	<b>311942</b>	Spice and Extract Manufacturing (table salt only)	
			(fatty acids)	<b>325199</b>	All Other Basic Organic Chemical Manufacturing	
			(frit and plastic wood fillers)	<b>325510</b>	Paint and Coating Manufacturing	
			(except frit, plastic wood fillers, fatty acids, and table salt)	<b>325998</b>	All Other Miscellaneous Chemical Product and Preparation Manufacturing	
	<b>2911</b>	Petroleum Refining	<b>324110</b>	Petroleum Refineries		
	<b>3952</b>	Lead Pencils, Crayons, and Artists' Materials (limited to inks and paints, including china painting enamels)				
(drawing inks and india ink)			<b>325998</b>	All Other Miscellaneous Chemical Product and Preparation Manufacturing		

<b>Sector C. Chemical and Allied Products Manufacturing</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
		(china painting enamels, platinum paint for burnt wood or leather work, paints for china painting, artist's paints, and artist's watercolors)	<b>339942</b>	Lead Pencil and Art Good Manufacturing	

<b>Sector D. Asphalt Paving and Roofing Materials Manufacturers and Lubricant Manufacturers</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
<b>D1</b>	<b>2951</b>	Asphalt Paving Mixtures and Blocks	<b>324121</b>	Asphalt Paving Mixture and Block Manufacturing	
	<b>2952</b>	Asphalt Felt and Coatings	<b>324122</b>	Asphalt Shingle and Coating Materials Manufacturing	
<b>D2</b>	<b>2992</b>	Lubricating Oils and Greases	<b>324191</b>	Petroleum Lubricating Oil and Grease Manufacturing	
	<b>2999</b>	Products of Petroleum and Coal, Not Elsewhere Classified	<b>324199</b>	All Other Petroleum and Coal Products Manufacturing	

<b>Sector E. Glass, Clay, Cement, Concrete, and Gypsum Product Manufacturing</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
<b>E3</b>	<b>3211</b>	Flat Glass	<b>327211</b>	Flat Glass Manufacturing	
	<b>3221</b>	Glass Containers	<b>327213</b>	Glass Container Manufacturing	
	<b>3229</b>	Pressed and Blown Glass and Glassware, Not Elsewhere Classified	<b>327212</b>	Other Pressed and Blown Glass and Glassware Manufacturing	
	<b>3231</b>	Glass Product Manufacturing Made of Purchased Glass	<b>327215</b>	Glass Product Manufacturing Made of Purchased Glass	
	<b>3241</b>	Hydraulic Cement	<b>327310</b>	Cement Manufacturing	
<b>E1</b>	<b>3251</b>	Brick and Structural Clay Tile (except slumped brick)	<b>327121</b>	Brick and Structural Clay Tile Manufacturing	
		(slumped brick)	<b>327331</b>	Concrete Block and Brick Manufacturing	
	<b>3253</b>	Ceramic Wall and Floor Tile	<b>327122</b>	Ceramic Wall and Floor Tile Manufacturing	
	<b>3255</b>	Clay Refractories	<b>327124</b>	Clay Refractory Manufacturing	
	<b>3259</b>	Structural Clay Products, Not Elsewhere Classified	<b>327123</b>	Other Structural Clay Product Manufacturing	
<b>3261</b>	Vitreous China Plumbing Fixtures and China and Earthenware Fittings and Bathroom Accessories	<b>327111</b>	Vitreous China Plumbing Fixture and China and Earthenware Bathroom Accessories Manufacturing		

<b>Sector E. Glass, Clay, Cement, Concrete, and Gypsum Product Manufacturing</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
	<b>3262</b>	Vitreous China Table and Kitchen Articles	<b>327112</b>	Vitreous China, Fine Earthenware, and Other Pottery Product Manufacturing	
	<b>3263</b>	Fine Earthenware (Whiteware) Table and Kitchen Articles	<b>327112</b>	Vitreous China, Fine Earthenware, and Other Pottery Product Manufacturing	
	<b>3264</b>	Porcelain Electrical Supplies	<b>327113</b>	Porcelain Electrical Supply Manufacturing	
	<b>3269</b>	Pottery Products, Not Elsewhere Classified	<b>327112</b>	Vitreous China, Fine Earthenware, and Other Pottery Product Manufacturing	
<b>E2</b>	<b>3271</b>	Concrete Block and Brick	<b>327331</b>	Concrete Block and Brick Manufacturing	
	<b>3272</b>	Concrete Products, Except Block and Brick			
		(concrete pipe)	<b>327332</b>	Concrete Pipe Manufacturing	
		(concrete products, except dry mix concrete and pipe)	<b>327390</b>	Other Concrete Product Manufacturing	
		(dry mixture concrete)	<b>327999</b>	All Other Miscellaneous Nonmetallic Mineral Product Manufacturing	
	<b>3273</b>	Ready-Mixed Concrete	<b>327320</b>	Ready-Mix Concrete Manufacturing	
	<b>3274</b>	Lime Manufacturing			
		Calcium hydroxide (i.e., hydrated lime) manufacturing	<b>327410</b>	Lime Manufacturing	
		Calcium oxide (i.e., quicklime) manufacturing	<b>327410</b>	Lime Manufacturing	
		Dolomite, dead-burned, manufacturing	<b>327410</b>	Lime Manufacturing	
		Hydrated lime (i.e., calcium hydroxide) manufacturing	<b>327410</b>	Lime Manufacturing	
		Quicklime (i.e., calcium oxide) manufacturing	<b>327410</b>	Lime Manufacturing	
		Agricultural lime manufacturing	<b>327410</b>	Lime Manufacturing	
	Dolomitic lime manufacturing	<b>327410</b>	Lime Manufacturing		
	<b>3275</b>	Gypsum Products	<b>327420</b>	Gypsum Product Manufacturing	

<b>Sector E. Glass, Clay, Cement, Concrete, and Gypsum Product Manufacturing</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
<b>E3</b>	<b>3281</b>	Cut Stone and Stone Products	<b>327991</b>	Cut Stone and Stone Product Manufacturing	
		Abrasive Products (except steel wool manufacturing)	<b>327910</b>	Abrasive Product Manufacturing	
	<b>3291</b>	(steel wool manufacturing)	<b>332999</b>	All Other Miscellaneous Fabricated Metal Product Manufacturing	Any facility whose primary activity is steel wool manufacturing (NAICS 332999) should be regulated under Sector AA, but may continue to be regulated under Sector E. Sector AA applies additional technology-based effluent limits comprised of good housekeeping measures, spill prevention and response procedures, and spills and leaks; additional SWPPP requirements; and additional inspection requirements. Sector E applies additional technology-based effluent limits comprised of good housekeeping measures, and additional SWPPP requirements.
				Regulatory burden would likely be greater under Sector AA.	
	<b>3292</b>	Asbestos Products (except brake pads and linings)	<b>327999</b>	All Other Miscellaneous Nonmetallic Mineral Product Manufacturing	
		(asbestos brake linings and pads)	<b>336340</b>	Motor Vehicle Brake System Manufacturing	
		(asbestos clutch facings, motor vehicle)	<b>336350</b>	Motor Vehicle Transmission and Power Train Parts Manufacturing	
	<b>3295</b>	Minerals and Earths, Ground or Otherwise Treated (grinding, washing, separating, etc. of kaolin and ball clay)	<b>212324</b>	Kaolin and Ball Clay Mining	
		(grinding, washing, separating, etc. of clay, ceramic, and refractory minerals not elsewhere classified)	<b>212325</b>	Clay and Ceramic and Refractory Minerals Mining	
		(grinding, washing, separating, etc. of chemical and fertilizer minerals, not elsewhere classified)	<b>212393</b>	Other Chemical and Fertilizer Mineral Mining	
		(grinding, washing, separating, etc. of nonmetallic minerals, not elsewhere classified)	<b>212399</b>	All Other Nonmetallic Mineral Mining	
		(except grinding, washing, separating, etc. of nonmetallic minerals)	<b>327992</b>	Ground or Treated Mineral and Earth Manufacturing	

<b>Sector E. Glass, Clay, Cement, Concrete, and Gypsum Product Manufacturing</b>							
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>		
	<b>3296</b>	Mineral Wool	<b>327993</b>	Mineral Wool Manufacturing			
	<b>3297</b>	Nonclay Refractories	<b>327125</b>	Nonclay Refractory Manufacturing			
	<b>3299</b>	Nonmetallic Mineral Products, Not Elsewhere Classified					
		(clay statuary)				<b>327112</b>	Vitreous China, Fine Earthenware, and Other Pottery Product Manufacturing
		(moldings, ornamental and architectural plaster work, and gypsum statuary)				<b>327420</b>	Gypsum Product Manufacturing
		(except moldings, ornamental and architectural plaster work, clay statuary, and gypsum statuary)				<b>327999</b>	All Other Miscellaneous Nonmetallic Mineral Product Manufacturing

<b>Sector F. Primary Metals</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
<b>F1</b>	<b>3312</b>	Steel Works, Blast Furnaces (Including Coke Ovens), and Rolling Mills			
		(coke oven products [e.g., coke, gases, tars] made in coke oven establishments)	<b>324199</b>	All Other Petroleum and Coal Products Manufacturing	Any facility whose primary activity is manufacturing coke oven products (e.g., coke, gases, tars) made in coke oven establishments should be regulated under Sector D, but may continue to be regulated under Sector F. Sector F requires sector-specific benchmark monitoring requirements for total aluminum and total zinc, Sector D does not require benchmark monitoring from these facilities.  Regulatory burden would be greater under Sector F.
		(except coke ovens not integrated with steel mills and hot-rolling purchased steel)	<b>331111</b>	Iron and Steel Mills	
		(hot-rolling purchased steel)	<b>331221</b>	Rolled Steel Shape Manufacturing	
	<b>3313</b>	Electrometallurgical Products, Except Steel	<b>331112</b>	Electrometallurgical Ferroalloy Product Manufacturing	

Sector F. Primary Metals					
Sub-sector	SIC Codes		NAICS Codes		Notes
	3315	Steel Wire Drawing and Steel Nails and Spikes	331222	Steel Wire Drawing	
		(steel wire drawing)			
	3316	Cold-Rolled Steel Sheet, Strip, and Bars	331221	Rolled Steel Shape Manufacturing	
	3317	Steel Pipe and Tubes	331210	Iron and Steel Pipe and Tube Manufacturing from Purchased Steel	
F2	3321	Gray and Ductile Iron Foundries	331511	Iron Foundries	
	3322	Malleable Iron Foundries	331511	Iron Foundries	
	3324	Steel Investment Foundries	331512	Steel Investment Foundries	
	3325	Steel Foundries, NEC	331513	Steel Foundries (except Investment)	
F5	3331	Primary Smelting and Refining of Copper	331411	Primary Smelting and Refining of Copper	
	3334	Primary Production of Aluminum	331312	Primary Aluminum Production	
	3339	Primary Smelting and Refining of Nonferrous Metals, Except Copper and Aluminum	331419	Primary Smelting and Refining of Nonferrous Metal (except Copper and Aluminum)	
	3341	Secondary Smelting and Refining of Nonferrous Metals (aluminum)	331314	Secondary Smelting and Alloying of Aluminum	
		(copper)	331423	Secondary Smelting, Refining and Alloying of Copper	
	(except copper and aluminum)	331492	Secondary Smelting, Refining and Alloying of Nonferrous Metal (except Copper and Aluminum)		
F3	3351	Rolling, Drawing, and Extruding of Copper	331421	Copper Rolling, Drawing, and Extruding	
	3353	Aluminum Sheet, Plate, and Foil	331315	Aluminum Sheet, Plate, and Foil Manufacturing	
	3354	Aluminum Extruded Products	331316	Aluminum Extruded Product Manufacturing	
	3355	Aluminum Rolling and Drawing, Not Elsewhere Classified	331319	Other Aluminum Rolling and Drawing	
	3356	Rolling, Drawing, and Extruding of Nonferrous Metals, Except Copper and Aluminum	331491	Nonferrous Metal (Except Copper and Aluminum) Rolling, Drawing, and Extruding	
	3357	Drawing and Insulating of Nonferrous Wire (aluminum wire drawing)	331319	Other Aluminum Rolling and Drawing	
		(copper wire drawing)	331422	Copper Wire (except Mechanical) Drawing	
(wire drawing except copper or aluminum)		331491	Nonferrous Metal (except Copper and Aluminum) Rolling, Drawing, and Extruding		

<b>Sector F. Primary Metals</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
		(fiber optic cable-insulating only)	<b>335921</b>	Fiber Optic Cable Manufacturing	
		(communication and energy wire, except fiber optic-insulating only)	<b>335929</b>	Other Communication and Energy Wire Manufacturing	
<b>F4</b>	<b>3363</b>	Aluminum Die Castings	<b>331521</b>	Aluminum Die Casting Foundries	
	<b>3364</b>	Nonferrous Die Castings, Except Aluminum	<b>331522</b>	Nonferrous (Except Aluminum) Die Casting Foundries	
	<b>3365</b>	Aluminum Foundries	<b>331524</b>	Aluminum Foundries (Except Die-Casting)	
	<b>3366</b>	Copper Foundries	<b>331525</b>	Copper Foundries (Except Die-Casting)	
	<b>3369</b>	Nonferrous Foundries, Except Copper and Aluminum	<b>331528</b>	Other Nonferrous Foundries (Except Die-Casting)	
<b>F5</b>	<b>3398</b>	Metal Heat Treating	<b>332811</b>	Metal Heat Treating	
	<b>3399</b>	Primary Metal Products, Not Elsewhere Classified			
		(iron ore recovery from open hearth slag)	<b>331111</b>	Iron and Steel Mills	
		(ferrous powder, paste, flakes, etc.)	<b>331221</b>	Rolled Steel Shape Manufacturing	
		(aluminum powder, paste, flakes, etc.)	<b>331314</b>	Secondary Smelting and Alloying of Aluminum	
		(copper powder, paste, flakes, etc.)	<b>331423</b>	Secondary Smelting, Refining, and Alloying of Copper	
(nonferrous powder, paste, flakes, etc. except copper and aluminum)	<b>331492</b>	Secondary Smelting, Refining, and Alloying of Nonferrous Metal (except Copper and Aluminum)			
(nonferrous nails, brads, staples, tacks, etc. made from purchased nonferrous wire)	<b>332618</b>	Other Fabricated Wire Product Manufacturing			

<b>Sector G. Metal Mining (Ore Mining and Dressing)</b>						
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>	
<b>G1</b>	<b>1021</b>	Copper Ores	<b>212234</b>	Copper Ore and Nickel Ore Mining		
<b>G2</b>	<b>1011</b>	Iron Ores	<b>212210</b>	Iron Ore Mining		
	<b>1021</b>	Copper Ores	<b>212234</b>	Copper Ore and Nickel Ore Mining		
	<b>1031</b>	Lead and Zinc Ores	<b>212231</b>	Lead Ore and Zinc Ore Mining		
	<b>1041</b>	Gold Ores	<b>212221</b>	Gold Ore Mining		
	<b>1044</b>	Silver Ores	<b>212222</b>	Silver Ore Mining		
	<b>1061</b>	Ferroalloy Ores, Except Vanadium				
		(nickel)	<b>212234</b>	Copper Ore and Nickel Ore Mining		
	(other ferroalloys except nickel)	<b>212299</b>	All Other Metal Ore Mining			
	Metal Mining Services					



<b>Sector G. Metal Mining (Ore Mining and Dressing)</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
	<b>1081</b>	(except site preparation and related activities performed on a contract or fee basis and geophysical surveying and mapping)	<b>213114</b>	Support Activities for Metal Mining	
		(site preparation and related construction activities on a contract basis)	<b>238910</b>	Site Preparation Contractors	
	<b>1094</b>	Uranium-Radium-Vanadium Ores	<b>212291</b>	Uranium-Radium-Vanadium Ore Mining	
	<b>1099</b>	Miscellaneous Metal Ores, Not Elsewhere Classified	<b>212299</b>	All Other Metal Ore Mining	

<b>Sector H. Coal Mines and Coal Mining-Related Facilities</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
<b>H1</b>	<b>1221</b>	Bituminous Coal and Lignite Surface Mining	<b>212111</b>	Bituminous Coal and Lignite Surface Mining	
	<b>1222</b>	Bituminous Coal Underground Mining	<b>212112</b>	Bituminous Coal Underground Mining	
	<b>1231</b>	Anthracite Mining	<b>212113</b>	Anthracite Mining	
	<b>1241</b>	Coal Mining Services (except site preparation and related construction activities on a contract basis)	<b>213113</b>	Support Activities for Coal Mining	
		(site preparation and related construction activities on a contract basis)	<b>238910</b>	Site Preparation Contractors	

<b>Sector I. Oil and Gas Extraction</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
I1	1311	Crude Petroleum and Natural Gas	211111	Crude Petroleum and Natural Gas Extraction	
	1321	Natural Gas Liquids	211112	Natural Gas Liquid Extraction	
	1381	Drilling Oil and Gas Wells	213111	Drilling Oil and Gas Wells	
	1382	Oil and Gas Field Exploration Services	213112	Support Activities for Oil and Gas Operations	
	1389	Oil and Gas Field Services, Not Elsewhere Classified (except construction of field gathering lines, site preparation and related construction activities performed on a contract or fee basis)	213112	Support Activities for Oil and Gas Operations	
		(construction of field gathering lines on a contract or fee basis)	237120	Oil and Gas Pipeline and Related Structures Construction	
(site preparation and related construction activities on a contract basis)		238910	Site Preparation Contractors		

<b>Sector J. Mineral Mining and Dressing</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
J2	1411	Dimension Stone	212311	Dimension Stone Mining and Quarrying	
	1422	Crushed and Broken Limestone	212312	Crushed and Broken Limestone Mining and Quarrying	
	1423	Crushed and Broken Granite	212313	Crushed and Broken Granite Mining and Quarrying	
	1429	Crushed and Broken Stone, Not Elsewhere Classified	212319	Other Crushed and Broken Stone Mining and Quarrying	
J1	1442	Construction Sand and Gravel	212321	Construction Sand and Gravel Mining	
	1446	Industrial Sand	212322	Industrial Sand Mining	
J3	1455	Kaolin and Ball Clay	212324	Kaolin and Ball Clay Mining	
	1459	Clay, Ceramic, and Refractory Minerals, Not Elsewhere Classified	212325	Clay, Ceramic, and Refractory Minerals Mining	
	1474	Potash, Soda, and Borate Minerals	212391	Potash, Soda, and Borate Mineral Mining	
	1475	Phosphate Rock	212392	Phosphate Rock Mining	
	1479	Chemical and Fertilizer Mineral Mining, Not Elsewhere Classified	212393	Other Chemical and Fertilizer Mineral Mining	

<b>Sector J. Mineral Mining and Dressing</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
<b>J2</b>	<b>1481</b>	Nonmetallic Minerals Services, Except Fuels			
		(except geophysical surveying and mapping and site preparation and related construction activities performed on a contract or fee basis)	<b>213115</b>	Support Activities for Nonmetallic Minerals (except Fuels)	
		(site preparation and related construction activities on a contract basis)	<b>238910</b>	Site Preparation Contractors	
	<b>1499</b>	Miscellaneous Nonmetallic Minerals, Except Fuels			
(except bituminous limestone and bituminous sandstone)		<b>212399</b>	All Other Nonmetallic Mineral Mining		

<b>Sector K. Hazardous Waste Treatment, Storage or Disposal Facilities</b>			
<b>Sub-Sector</b>	<b>Activity Code</b>	<b>Narrative Description</b>	<b>Notes</b>
<b>K1</b>	<b>HZ</b>	<ul style="list-style-type: none"> <li>Hazardous waste treatment</li> <li>Hazardous waste storage</li> <li>Hazardous waste disposal</li> <li>Hazardous waste facilities operating under interim status</li> <li>Hazardous waste facilities operating under a permit under Subtitle C of RCRA</li> </ul>	<p>HZ is the Activity Code (i.e., non-SIC / non-NAICS designation) for this Sector. It potentially applies to any facility regardless of SIC / NAICS Code, in addition to these specifically related to hazardous waste:</p> <ul style="list-style-type: none"> <li>SIC 4953 Refuse Systems (hazardous waste treatment and disposal);</li> <li>NAICS 562211 Hazardous Waste Treatment and Disposal;</li> <li>NAICS 562112 Hazardous Waste Collection (hazardous waste transfer stations).</li> </ul>

<b>Sector L. Landfills and Land Application Sites</b>			
<b>Sub-Sector</b>	<b>Activity Code</b>	<b>Narrative Description</b>	<b>Notes</b>
<b>L1</b>	<b>LF</b>	<ul style="list-style-type: none"> <li>All Landfill, Land Application Sites and Open Dumps</li> </ul>	<p>LF is the Activity Code (i.e., non-SIC and non-NAICS designation) for this Sector. It may apply to any facility / SIC Code / NAICS Code, in addition to these specifically related to landfills and landfill application sites:</p> <ul style="list-style-type: none"> <li>SIC 4953 Refuse Systems (solid waste landfills);</li> <li>NAICS 562212 Solid Waste Landfill.</li> </ul> <p>Industrial waste is waste from any of the facilities covered by the MSGP (also described in 40 CFR 122.26(b)(14)).</p>
<b>L2</b>	<b>LF</b>	All Landfill, Land Application Sites and Open Dumps, except Municipal Solid Waste Landfill (MSWLF) Areas Closed in Accordance with 40 CFR 258.	

<b>Sector M. Automobile Salvage Yards</b>				
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>	<b>Notes</b>
<b>M1</b>	<b>5015</b>	Motor Vehicle Parts, Used (merchant wholesalers except those selling via retail method)	<b>423140</b>	Motor Vehicle Parts (Used) Merchant Wholesalers

<b>Sector N. Scrap Recycling Facilities</b>				
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>	<b>Notes</b>
<b>N1</b>	<b>5093</b>	Scrap and Waste Materials (merchant wholesalers except Source-Separated Recycling)	<b>423930</b>	Recyclable Material Merchant Wholesalers
<b>N2</b>	<b>5093</b>	Scrap and Waste Materials (Source-Separated Recycling)	<b>423930</b>	Recyclable Material Merchant Wholesalers

<b>Sector O. Steam Electric Generating Facilities</b>			
<b>Sub-Sector</b>	<b>Activity Code</b>	<b>Narrative Description</b>	<b>Notes</b>
<b>O1</b>	<b>SE</b>	<ul style="list-style-type: none"> <li>steam electric power generation using coal, including coal handling areas</li> <li>steam electric power generation using natural gas</li> <li>steam electric power generation using oil</li> <li>steam electric power generation using nuclear energy</li> <li>steam electric power generation using any other fuel to produce a steam source</li> <li>coal pile runoff (includes effluent limitations established by 40 CFR 423)</li> <li>dual fuel co-generation (i.e., steam generation using fossil fuel to augment a heat-capture generation system)</li> </ul>	SE is the Activity Code (i.e., non-SIC and non-NAICS designation) for this Sector. It may apply to any facility / SIC Code / NAICS Code, in addition to these specifically related to steam electric generation: <ul style="list-style-type: none"> <li>SIC 4911 Electric Services (fossil fuel power generation, nuclear electric power generation &amp; other electric power generation)</li> <li>NAICS 221112 Fossil Fuel Electric Power Generation</li> <li>NAICS 221113 Nuclear Electric Power Generation</li> </ul>

Sector P. Land Transportation					
Sub-sector	SIC Codes		NAICS Codes		Notes
P1	4011	Railroads, Line-Haul Operating	482111	Line-Haul Railroads	
	4013	Railroad Switching and Terminal Establishments			
		(short line railroads) (except short line railroads)	482112 488210	Short Line Railroads Support Activities for Rail Transportation	
	4111	Local and Suburban Transit (mixed mode)	485111	Mixed Mode Transit Systems	
		(commuter rail)	485112	Commuter Rail Systems	
		(bus and motor vehicle)	485113	Bus and Other Motor Vehicle Transit Systems	
		(except mixed mode, commuter rail, airport transportation service, and bus and motor vehicle)	485119	Other Urban Transit Systems	
		(airport transportation service)	485999	All Other Transit and Ground Passenger Transportation	
	4119	Local Passenger Transportation, Not Elsewhere Classified			
		(limousine rental with driver and automobile rental with driver)	485320	Limousine Service	
	(employee transportation)	485410	School and Employee Bus Transportation		
	(special needs transportation)	485991	Special Needs Transportation		
	(hearse rental with driver and carpool and vanpool operation)	485999	All Other Transit and Ground Passenger Transportation		
	(sightseeing buses and cable and cog railways, except scenic)	487110	Scenic and Sightseeing Transportation, Land		
	(land ambulance)	621910	Ambulance Services		
4121	Taxicabs	485310	Taxi Service		
4221	Farm Product Warehousing and Storage				
4222	Refrigerated Warehousing and Storage				
4225	General Warehousing and Storage				
4131	Intercity and Rural Bus Transportation	485210	Interurban and Rural Bus Transportation		
4141	Local Bus Charter Service	485510	Charter Bus Industry		
4142	Bus Charter Service, Except Local	485510	Charter Bus Industry		
4151	School Buses	485410	School and Employee Bus Transportation		
4173	Terminal and Service Facilities for Motor Vehicle Passenger Transportation	488490	Other Support Activities for Road Transportation		
4212	Local Trucking Without Storage (general freight)	484110	General Freight Trucking, Local		
	(household goods moving)	484210	Used Household and Office Goods Moving		

<b>Sector P. Land Transportation</b>				
<b>Sub-sector</b>	<b>SIC Codes</b>	<b>NAICS Codes</b>	<b>Notes</b>	
	(specialized freight)	<b>484220</b>	Specialized Freight (except Used Goods) Trucking, Local	
	(solid waste collection without disposal)	<b>562111</b>	Solid Waste Collection	
	(hazardous waste collection without disposal)	<b>562112</b>	Hazardous Waste Collection	
	(other waste collection without disposal)	<b>562119</b>	Other Waste Collection	
<b>4213</b>	Trucking, Except Local			
	(general freight, truckload)	<b>484121</b>	General Freight Trucking, Long-Distance, Truckload	
	(general freight, less than truckload)	<b>484122</b>	General Freight Trucking, Long-Distance, Less Than Truckload	
	(household goods moving)	<b>484210</b>	Used Household and Office Goods Moving	
	(specialized freight)	<b>484230</b>	Specialized Freight (except Used Goods) Trucking, Long-Distance	
<b>4214</b>	Local Trucking With Storage			
	(general freight)	<b>484110</b>	General Freight Trucking, Local	
	(household goods moving)	<b>484210</b>	Used Household and Office Goods Moving	
	(specialized freight)	<b>484220</b>	Specialized Freight (except Used Goods) Trucking, Local	
<b>4215</b>	Courier Services, Except by Air			
	(hub and spoke intercity delivery)	<b>492110</b>	Couriers	
	(local delivery)	<b>492210</b>	Local Messengers and local Delivery	
<b>4226</b>	Special Warehousing and Storage, Not Elsewhere Classified			
	(warehousing in foreign trade zones)	<b>493110</b>	General Warehousing and Storage	
	(fur storage)	<b>493120</b>	Refrigerated Warehousing and Storage	
	(except fur storage and warehousing in foreign trade zones)	<b>493190</b>	Other Warehousing and Storage	
<b>4231</b>	Terminal and Joint Terminal Maintenance Facilities for Motor Freight Transportation	<b>488490</b>	Other Support Activities for Road Transportation	
<b>4311</b>	United States Postal Service	<b>491110</b>	Postal Service	
<b>5171</b>	Petroleum Bulk Stations and Terminals			
	(except petroleum sold via retail method)	<b>424710</b>	Petroleum Bulk Stations and Terminals	
	(heating oil sold to final consumer)	<b>454311</b>	Heating Oil Dealers	
	(LP gas sold to final consumer)	<b>454312</b>	Liquefied Petroleum Gas (Bottled Gas) Dealers	

<b>Sector Q. Water Transportation</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
<b>Q1</b>	<b>4412</b>	Deep Sea Foreign Transportation of Freight	<b>483111</b>	Deep Sea Freight Transportation	
	<b>4424</b>	Deep Sea Domestic Transportation of Freight	<b>483113</b>	Coastal and Great Lakes Freight Transportation	
	<b>4432</b>	Freight Transportation on the Great Lakes - St. Lawrence Seaway	<b>483113</b>	Coastal and Great Lakes Freight Transportation	
	<b>4449</b>	Water Transportation of Freight, Not Elsewhere Classified	<b>483211</b>	Inland Water Freight Transportation	
	<b>4481</b>	Deep Sea Transportation of Passengers, Except by Ferry (deep sea activities)	<b>483112</b>	Deep Sea Passenger Transportation	
			<b>483114</b>	Coastal and Great Lakes Passenger Transportation	
	<b>4482</b>	Ferries (coastal and Great Lakes)	<b>483114</b>	Coastal and Great Lakes Passenger Transportation	
<b>483212</b>			Inland Water Passenger Transportation		
	<b>4489</b>	Water Transportation of Passengers, Not Elsewhere Classified (water taxis) (airboats, excursion boats, and sightseeing boats)	<b>483212</b>	Inland Water Passenger Transportation	
			<b>487210</b>	Scenic and Sightseeing Transportation, Water	
	<b>4491</b>	Marine Cargo Handling (dock and pier operations) (all but dock and pier operations)	<b>488310</b>	Port and Harbor Operations	
			<b>488320</b>	Marine Cargo Handling	
	<b>4492</b>	Towing and Tugboat Services	<b>488330</b>	Navigational Services to Shipping	
	<b>4493</b>	Marinas	<b>713930</b>	Marinas	
	<b>4499</b>	Water Transportation Services, Not Elsewhere Classified (lighterage) (lighthouse and canal operations) (piloting vessels in and out of harbors and marine salvage) (all but lighthouse operations, piloting vessels in and out of harbors, boat and ship rental, marine salvage, lighterage, marine surveyor services, and canal operations) (boat and ship rental, commercial)	<b>483211</b>	Inland Water Freight Transportation	
			<b>488310</b>	Port and Harbor Operations	
			<b>488330</b>	Navigational Services to Shipping	
			<b>488390</b>	Other Support Activities for Water Transportation	
			<b>532411</b>	Commercial Air, Rail, and Water Transportation Equipment Rental and Leasing	

<b>Sector R. Ship and Boat Building and Repair Yards</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
<b>R1</b>	<b>3731</b>	Ship Building and Repairing (except repairs in floating drydocks)	<b>336611</b>	Ship Building and Repairing	
		(repair services provided by floating drydocks)	<b>488390</b>	Other Support Activities for Water Transportation (includes ship scaling facilities)	
	<b>3732</b>	Boat Building and Repairing (boat building)	<b>336612</b>	Boat Building	
		(pleasure boat repair and maintenance services without retailing new boats)	<b>811490</b>	Other Personal and Household Goods Repair and Maintenance	
		(ship scaling)	<b>488390</b>	Other Support Activities for Water Transportation (drydocks, floating [i.e., routine repair and maintenance of ships]; other support activities for water transportation; ship dismantling at floating drydock; ship scaling services not done at a shipyard)	
	(motorboat [i.e., inboard and outboard] repair and maintenance services; outboard motor repair shops)	<b>811490</b>	Other Personal and Household Goods Repair and Maintenance		

<b>Sector S. Air Transportation Facilities</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
<b>S1</b>	<b>4512</b>	Air Transportation, Scheduled			
		(passenger)	<b>481111</b>	Scheduled Passenger Air Transportation	
		(freight)	<b>481112</b>	Scheduled Freight Air Transportation	
	<b>4513</b>	Air Courier Services	<b>492110</b>	Couriers	
	<b>4522</b>	Air Transportation, Nonscheduled			
		(passenger)	<b>481211</b>	Nonscheduled Chartered Passenger Air Transportation	
	(freight)	<b>481212</b>	Nonscheduled Chartered Freight Air Transportation		



<b>Sector S. Air Transportation Facilities</b>				
<b>Sub-sector</b>	<b>SIC Codes</b>	<b>NAICS Codes</b>	<b>Notes</b>	
	(using general purpose aircraft for a variety of passenger, freight, courier, and other uses)	<b>481219</b>	Other Nonscheduled Air Transportation	
	(sightseeing planes)	<b>487990</b>	Scenic and Sightseeing Transportation, Other	
	(air ambulance)	<b>621910</b>	Ambulance Services	
<b>4581</b>	Airports, Flying Fields, and Airport Terminal Services (air freight handling at airports, hangar operations, airport terminal services, aircraft storage, airports, and flying fields)	<b>488119</b>	Other Airport Operations	
	(aircraft servicing and repairing)	<b>488190</b>	Other Support Activities for Air Transportation	

<b>Sector T. Treatment Works</b>			
<b>Sub-sector</b>	<b>Activity Code</b>	<b>Narrative Description</b>	<b>Notes</b>
<b>T1</b>	<b>TW</b>	<ul style="list-style-type: none"> <li>treatment works with a design flow of 1.0 MGD or more treating domestic sewage or any other sewage sludge;</li> <li>wastewater treatment devices or system used by the treatment works for the storage, treatment, recycling and reclamation of municipal or domestic sewage;</li> <li>land located within the confines of the treatment works that is dedicated to the disposal of sewage sludge;</li> <li>treatment works required to have an approved pretreatment program under 40 CFR Part 403</li> </ul>	TW is the Activity Code (i.e., non-SIC and non-NAICS designation) for this Sector. It may apply to any facility / SIC Code / NAICS Code, in addition to these specifically related to treatment works: <ul style="list-style-type: none"> <li>SIC 4952 Sewerage Systems</li> <li>NAICS 221320 Sewage Treatment Facilities</li> </ul>

<b>Sector U. Food and Kindred Products</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
<b>U3</b>	<b>2011</b>	Meat Packing Plants	<b>311611</b>	Animal (except Poultry) Slaughtering	
	<b>2013</b>	Sausages and Other Prepared Meat Products (except lard made from purchased materials)	<b>311612</b>	Meat Processed from Carcasses	
		(lard made from purchased materials)	<b>311613</b>	Rendering and Meat Byproduct Processing	
	<b>2015</b>	Poultry Slaughtering and Processing (poultry slaughtering and processing)	<b>311615</b>	Poultry Processing	
		(egg processing)	<b>311999</b>	All Other Miscellaneous Food Manufacturing	
	<b>2021</b>	Creamery Butter	<b>311512</b>	Creamery Butter Manufacturing	
	<b>2022</b>	Natural, Processed, and Imitation Cheese	<b>311513</b>	Cheese Manufacturing	
	<b>2023</b>	Dry, Condensed and Evaporated Dairy Products (liquid non-dairy creamer)	<b>311511</b>	Fluid Milk Manufacturing	
		(except liquid non-dairy creamer)	<b>311514</b>	Dry, Condensed, and Evaporated Dairy Product Manufacturing	
	<b>2024</b>	Ice Cream and Frozen Deserts	<b>311520</b>	Ice Cream and Frozen Desert Manufacturing	
	<b>2026</b>	Fluid Milk (except ultra-high temperature)	<b>311511</b>	Fluid Milk Manufacturing	
		(ultra-high temperature)	<b>311514</b>	Dry, Condensed, and Evaporated Dairy Product Manufacturing	
	<b>2032</b>	Canned Specialties (except canned puddings)	<b>311422</b>	Specialty Canning	
		(canned puddings)	<b>311999</b>	All Other Miscellaneous Food Manufacturing	
	<b>2033</b>	Canned Fruits, Vegetables, Preserves, Jams, and Jellies	<b>311421</b>	Fruit and Vegetable Canning	
<b>2034</b>	Dried and Dehydrated Fruits, Vegetables and Soup Mixes (vegetable flour)	<b>311211</b>	Flour Milling		
	(except vegetable flour and soup mixes made from purchased dried and dehydrated ingredients)	<b>311423</b>	Dried and Dehydrated Food Manufacturing		
	(soup mixes made from purchased dehydrated ingredients)	<b>311999</b>	All Other Miscellaneous Food Manufacturing		
<b>2035</b>	Pickled Fruits and Vegetables, Vegetable Sauces and Seasonings, and Salad Dressings (pickled fruits and vegetables)	<b>311421</b>	Fruit and Vegetable Canning		
	(sauces and salad dressings)	<b>311941</b>	Mayonnaise, Dressing, and Other Prepared Sauce Manufacturing		

<b>Sector U. Food and Kindred Products</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
	<b>2037</b>	Frozen Fruits, Fruit Juices, and Vegetables	<b>311411</b>	Frozen Fruit, Juice, and Vegetable Manufacturing	
	<b>2038</b>	Frozen Specialties, Not Elsewhere Classified	<b>311412</b>	Frozen Specialty Food Manufacturing	
<b>U1</b>	<b>2041</b>	Flour and Other Grain Mill Products	<b>311211</b>	Flour Milling	
	<b>2043</b>	Cereal Breakfast Foods (cereal breakfast foods and related preparations except grain based coffee substitutes) (grain based coffee substitutes)	<b>311230</b>	Breakfast Cereal Manufacturing	
			<b>311920</b>	Coffee and Tea Manufacturing	
	<b>2044</b>	Rice Milling	<b>311212</b>	Rice Milling	
	<b>2045</b>	Prepared Flour Mixes and Doughs	<b>311822</b>	Flour Mixes and Dough Manufacturing from Purchased Flour	
	<b>2046</b>	Wet Corn Milling (except refining purchased corn oil) (refining purchased corn oil)	<b>311221</b>	Wet Corn Milling	
			<b>311225</b>	Fats and Oils Refining and Blending	
	<b>2047</b>	Dog and Cat Food	<b>311111</b>	Dog and Cat Food Manufacturing	
	<b>2048</b>	Prepared Feeds and Feed Ingredients for Animals and Fowls, Except Dogs and Cats (except slaughtering animals for pet food) (slaughtering animals for pet food)	<b>311119</b>	Other Animal Food Manufacturing	
			<b>311611</b>	Animal (except Poultry) Slaughtering	
<b>U3</b>	<b>2051</b>	Bread and Other Bakery Products, Except Cookies and Crackers	<b>311812</b>	Commercial Bakeries	
	<b>2052</b>	Cookies and Crackers (unleavened bread and soft pretzels) (except unleavened bread and pretzels) (hard pretzels and snack pretzels, except soft)	<b>311812</b>	Commercial Bakeries	
<b>311821</b>			Cookie and Cracker Manufacturing		
	<b>2053</b>	Frozen Bakery Products, Except Bread	<b>311813</b>	Frozen Cakes, Pies, and Other Pastries Manufacturing	
	<b>2061</b>	Cane Sugar, Except Refining	<b>311311</b>	Sugarcane Mills	
	<b>2062</b>	Cane Sugar Refining	<b>311312</b>	Cane Sugar Refining	
	<b>2063</b>	Beet Sugar	<b>311313</b>	Beet Sugar Manufacturing	
	<b>2064</b>	Candy and Other Confectionery Products (chocolate confectionery) (nonchocolate confectionery)	<b>311330</b>	Confectionery Manufacturing from Purchased Chocolate	
<b>311340</b>			Nonchocolate Confectionery Manufacturing		

<b>Sector U. Food and Kindred Products</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
	<b>2066</b>	Chocolate and Cocoa Products	<b>311320</b>	Chocolate and Confectionery Manufacturing from Cacao Beans	
		(except chocolate products, made from purchased chocolate)			
		(chocolate products made from purchased chocolate)	<b>311330</b>	Confectionery Manufacturing from Purchased Chocolate	
	<b>2067</b>	Chewing Gum	<b>311340</b>	Nonchocolate Confectionery Manufacturing	
	<b>2068</b>	Salted and Roasted Nuts and Seeds	<b>311911</b>	Roasted Nuts and Peanut Butter Manufacturing	
<b>U2</b>	<b>2074</b>	Cottonseed Oil Mills	<b>311223</b>	Other Oilseed Processing	
		(cottonseed processing)			
		(processing purchased cottonseed oil)	<b>311225</b>	Fats and Oils Refining and Blending	
	<b>2075</b>	Soybean Oil Mills	<b>311222</b>	Soybean Processing	
		(soybean processing, except edible soybean oil)			
		(processing purchased soybean oil)	<b>311225</b>	Fats and Oils Refining and Blending	
	<b>2076</b>	Vegetable Oil Mills, Except Corn, Cottonseed, and Soybean	<b>311223</b>	Other Oilseed Processing	
		(oilseed processing)			
		(processing purchased vegetable and oilseed oils)	<b>311225</b>	Fats and Oils Refining and Blending	
	<b>2077</b>	Animal and Marine Fats and Oils	<b>311613</b>	Rendering and Meat Byproduct Processing	
(animal fats and oils)					
(canned marine fats and oils)		<b>311711</b>			Seafood Canning
	(fresh and frozen marine fats and oils)	<b>311712</b>	Fresh and Frozen Seafood Processing		
<b>2079</b>	Shortening, Table Oils, Margarine, and Other Edible Fats and Oils, Not Elsewhere Classified	<b>311222</b>	Soybean Processing		
	(processing soybean oil into edible cooking oils from soybeans crushed in the same establishment)				
	(processing vegetable oils, except soybean, into edible cooking oils from oilseeds and vegetables crushed in the same establishment)	<b>311223</b>	Other Oilseed Processing		
	(except processing vegetable and soybean oils into edible oils from oilseeds and vegetables crushed in the same establishment)	<b>311225</b>	Fats and Oils Refining and Blending		
<b>U3</b>	<b>2082</b>	Malt Beverages	<b>311942</b>	Spice and Extract Manufacturing	
		(malt extract)			
		(except malt extract)	<b>312120</b>	Breweries	
	<b>2083</b>	Malt	<b>311213</b>	Malt Manufacturing	

<b>Sector U. Food and Kindred Products</b>				
<b>Sub-sector</b>	<b>SIC Codes</b>	<b>NAICS Codes</b>		<b>Notes</b>
	<b>2084</b> Wines, Brandy and Brandy Spirits	<b>312130</b>	Wineries	
	<b>2085</b> Distilled and Blended Liquors			
	(apple jack)	<b>312130</b>	Wineries	
	(except apple jack)	<b>312140</b>	Distilleries	
	<b>2086</b> Bottled and Canned Soft Drinks and Carbonated Water			
	(except bottled water)	<b>312111</b>	Soft Drink Manufacturing	
	(bottled water)	<b>312112</b>	Bottled Water Manufacturing	
	<b>2087</b> Flavoring Extracts and Flavoring Syrups, Not Elsewhere Classified			
	(coffee flavoring and syrups)	<b>311920</b>	Coffee and Tea Manufacturing	
	(flavoring syrups and concentrates except coffee)	<b>311930</b>	Flavoring Syrup and Concentrate Manufacturing	
	(flavoring extracts and natural food colorings)	<b>311942</b>	Spice and Extract Manufacturing	
	(powered drink mix)	<b>311999</b>	All Other Miscellaneous Food Manufacturing	
	<b>2091</b> Canned and Cured Fish and Seafoods	<b>311711</b>	Seafood Canning	
	<b>2092</b> Prepared Fresh or Frozen Fish and Seafoods	<b>311712</b>	Fresh and Frozen Seafood Processing	
	<b>2095</b> Roasted Coffee	<b>311920</b>	Coffee and Tea Manufacturing	
	<b>2096</b> Potato Chips, Corn Chips, and Similar Snacks	<b>311919</b>	Other Snack Food Manufacturing	
	<b>2097</b> Manufactured Ice	<b>312113</b>	Ice manufacturing	
	<b>2098</b> Macaroni, Spaghetti, Vermicelli, and Noodles	<b>311823</b>	Dry Pasta Manufacturing	
	<b>2099</b> Food Preparations, Not Elsewhere Classified			
	(rice, uncooked and packaged with other ingredients made in rice mills)	<b>311212</b>	Rice Milling	
	(marshmallow creme)	<b>311340</b>	Nonchocolate Confectionery Manufacturing	
	(bouillon and potatoes dried and packaged with other ingredients produced in dehydrating plants)	<b>311423</b>	Dried and Dehydrated Food Manufacturing	
	(dry pasta packaged with other ingredients made in dry pasta plants)	<b>311823</b>	Dry Pasta Manufacturing	
	(tortillas)	<b>311830</b>	Tortilla Manufacturing	
	(peanut butter)	<b>311911</b>	Roasted Nuts and Peanut Butter Manufacturing	
	(tea)	<b>311920</b>	Coffee and Tea Manufacturing	
	(vinegar, prepared dip)	<b>311941</b>	Mayonnaise, Dressing, and Other Prepared Sauce Manufacturing	

<b>Sector U. Food and Kindred Products</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
		(spices, dry dip mix, dry salad dressing mix, and seasoning mix)	<b>311942</b>	Spice and Extract Manufacturing	
		(perishable prepared food)	<b>311991</b>	Perishable Prepared Food Manufacturing	
		(except bouillon, marshmallow creme, spices, peanut butter, perishable prepared foods, tortillas, tea and tea extracts, dry dip mix, prepared dips, dry salad dressing mix, seasoning mix, dried potatoes, pasta, and rice mixed with other ingredients in mills or dehydrating plants, reducing maple sap to maple syrup, wool grease, and vinegar)	<b>311999</b>	All Other Miscellaneous Food Manufacturing	
	<b>2111</b>	Cigarettes	<b>312221</b>	Cigarette Manufacturing	
	<b>2121</b>	Cigars	<b>312229</b>	Other Tobacco Product Manufacturing	
	<b>2131</b>	Chewing and Smoking Tobacco and Snuff	<b>312229</b>	Other Tobacco Product Manufacturing	
	<b>2141</b>	Tobacco Stemming and Redrying (stemming and redrying tobacco)	<b>312210</b>	Tobacco Stemming and Redrying	
		(reconstituted tobacco)	<b>312229</b>	Other Tobacco Product Manufacturing	

<b>Sector V. Textile Mills, Apparel, and Other Fabric Product Manufacturing</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
<b>V1</b>	<b>2211</b>	Broadwoven Fabric Mills, Cotton	<b>313210</b>	Broadwoven Fabric Mills	
	<b>2221</b>	Broadwoven Fabric Mills, Manmade Fiber and Silk	<b>313210</b>	Broadwoven Fabric Mills	
	<b>2231</b>	Broadwoven Fabric Mills, Wool (Including Dyeing and Finishing) (except finishing wool fabric without weaving wool fabric)	<b>313210</b>	Broadwoven Fabric Mills 2231	
(wool broadwoven fabric finishing without weaving fabric)		<b>313311</b>	Broadwoven Fabric Finishing Mills		
		(wool fabric, except broadwoven, finishing without weaving fabric)	<b>313312</b>	Textile and Fabric Finishing (except Broadwoven Fabric) Mills	
	<b>2241</b>	Narrow Fabric and Other Smallwares Mills: Cotton, Wool, Silk and Manmade Fiber	<b>313221</b>	Narrow Fabric Mills	
	<b>2251</b>	Women's Full-Length and Knee-Length Hosiery, Except Socks	<b>313312</b>	Textile and Fabric Finishing (except Broadwoven Fabric) Mills	

<b>Sector V. Textile Mills, Apparel, and Other Fabric Product Manufacturing</b>				
<b>Sub-sector</b>	<b>SIC Codes</b>	<b>NAICS Codes</b>		<b>Notes</b>
	(dyeing and finishing sheer hosiery without knitting sheer hosiery)			
	(except dyeing and finishing sheer hosiery without knitting sheer hosiery)	<b>315111</b>	Sheer Hosiery Mills	
<b>2252</b>	Hosiery, Not Elsewhere Classified (dyeing and finishing hosiery, except sheer, without knitting hosiery)	<b>313312</b>	Textile and Fabric Finishing (except Broadwoven Fabric) Mills	
	(girls' full length and knee length sheer hosiery)	<b>315111</b>	Sheer Hosiery Mills	
	(except girls' full-length and knee-length sheer hosiery and dyeing and finishing hosiery without knitting hosiery)	<b>315119</b>	Other Hosiery and Sock Mills	
<b>2253</b>	Knit Outerwear Mills (dyeing and finishing knit outerwear without knitting outerwear)	<b>313312</b>	Textile and Fabric Finishing (except Broadwoven Fabric) Mills	
	(except bath and lounging robes and dyeing and finish without knitting garments)	<b>315191</b>	Outerwear Knitting Mills	
	(knitting bath or lounging robes)	<b>315192</b>	Underwear and Nightwear Knitting Mills	
<b>2254</b>	Knit Underwear and Nightwear Mills (dyeing and finishing underwear and nightwear without knitting garments)	<b>313312</b>	Textile and Fabric Finishing (except Broadwoven Fabric) Mills	
	(except dyeing and finishing underwear and nightwear without knitting garments)	<b>315192</b>	Underwear and Nightwear Knitting Mills	
<b>2257</b>	Weft Knit Fabric Mills (except finishing without knitting weft fabric)	<b>313241</b>	Weft Knit Fabric Mills	
	(finishing weft fabric without knitting weft fabric)	<b>313312</b>	Textile and Fabric Finishing (except Broadwoven Fabric) Mills	
<b>2258</b>	Weft Knit Fabric Mills (except finishing without knitting weft fabric)	<b>313241</b>	Weft Knit Fabric Mills	
	(finishing weft fabric without knitting weft fabric)	<b>313312</b>	Textile and Fabric Finishing (except Broadwoven Fabric) Mills	
<b>2259</b>	Knitting Mills, Not Elsewhere Classified (knitting weft fabric and fabricating textile products, such as bedspreads, curtains, or towels)	<b>313241</b>	Weft Knit Fabric Mills	

<b>Sector V. Textile Mills, Apparel, and Other Fabric Product Manufacturing</b>			
<b>Sub-sector</b>	<b>SIC Codes</b>	<b>NAICS Codes</b>	<b>Notes</b>
	(knitting lace or warp fabric and fabricating textile products, such as bedspreads, curtains, or towels)	<b>313249</b>	Other Knit Fabric and Lace Mills
	(dyeing and finishing knit gloves and mittens without knitting gloves or mittens)	<b>313312</b>	Textile and Fabric Finishing (except Broadwoven Fabric) Mills
	(knitting gloves and mittens)	<b>315191</b>	Outerwear Knitting Mills
	(knitting girdles and allied foundation garments)	<b>315192</b>	Underwear and Nightwear Knitting Mills
<b>2261</b>	Finishers of Broadwoven Fabrics of Cotton	<b>313311</b>	Broadwoven Fabric Finishing Mills
<b>2262</b>	Finishers of Broadwoven Fabrics of Manmade Fibers and Silk	<b>313311</b>	Broadwoven Fabric Finishing Mills
<b>2269</b>	Finishers of Textiles, Not Elsewhere Classified		
	(linen fabric finishing)	<b>313311</b>	Broadwoven Fabric Finishing Mills
	(except linen fabric finishing)	<b>313312</b>	Textile and Fabric Finishing (except Broadwoven Fabric) Mills
<b>2273</b>	Carpets and Rugs	<b>314110</b>	Carpet and Rug Mills
<b>2281</b>	Yarn Spinning Mills	<b>313111</b>	Yarn Spinning Mills
<b>2282</b>	Yarn Texturizing, Throwing, Twisting and Spinning Mills	<b>313112</b>	Yarn Texturizing, Throwing, Twisting Mills
<b>2284</b>	Thread Mills		
	(except finishing thread without manufacturing thread)	<b>313113</b>	Thread Mills
	(finishing thread without manufacturing thread)	<b>313312</b>	Textile and Fabric Finishing (except Broadwoven Fabric) Mills
<b>2295</b>	Coated Fabrics, Not Rubberized	<b>313320</b>	Fabric Coating Mills
<b>2296</b>	Tire Cord and Fabrics	<b>314992</b>	Tire Cord and Tire fabric Mills
<b>2297</b>	Nonwoven Fabrics	<b>313230</b>	Nonwoven Fabric Mills
<b>2298</b>	Cordage and Twine		
	(hemp rope made in spinning mills)	<b>313111</b>	Yarn Spinning Mills
	(except hemp rope made in spinning mills)	<b>314991</b>	Rope, Cordage, and Twine Mills
<b>2299</b>	Textile Goods, Not Elsewhere Classified		
	(hemp bags made in spinning mills, & spinning yarn of flax, hemp, jute, and ramie)	<b>313111</b>	Yarn Spinning Mills
	(manufacturing thread of hemp, linen, and ramie)	<b>313113</b>	Thread Mills



<b>Sector V. Textile Mills, Apparel, and Other Fabric Product Manufacturing</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
		(broadwoven fabrics of jute, linen, hemp, and ramie and hand woven fabrics)	<b>313210</b>	Broadwoven Fabric Mills	
		(narrow woven fabric of jute, linen, hemp, and ramie)	<b>313221</b>	Narrow Fabric Mills	
		(nonwoven felt)	<b>313230</b>	Nonwoven Fabric Mills	
		(finishing hard fiber thread and yarn without manufacturing thread or yarn)	<b>313312</b>	Textile and Fabric Finishing (except Broadwoven Fabric) Mills	
		(manufacturing other textile products)	<b>314999</b>	All Other Miscellaneous Textile Product Mills	
<b>2311</b>		Men's and Boys' Suits, Coats, and Overcoats			
		(contractors)	<b>315211</b>	Men's and Boys' Cut and Sew Apparel Contractors	
		(except contractors)	<b>315222</b>	Men's and Boys' Cut and Sew Suit, Coat and Overcoat Manufacturing	
<b>2321</b>		Men's and Boys' Shirts, Except Work Shirts			
		(contractors)	<b>315211</b>	Men's and Boys' Cut and Sew Apparel Contractors	
		(except contractors)	<b>315223</b>	Men's and Boys' Cut and Sew Shirt (except Work Shirt) Manufacturing	
<b>2322</b>		Men's and Boys' Underwear and Nightwear			
		(contractors)	<b>315211</b>	Men's and Boys' Cut and Sew Apparel Contractors	
		(except contractors)	<b>315221</b>	Men's and Boys' Cut and Sew Underwear and Nightwear Manufacturing	
<b>2323</b>		Men's and Boys' Neckwear			
		(contractors)	<b>315211</b>	Men's and Boys' Cut and Sew Apparel Contractors	
		(except contractors)	<b>315993</b>	Men's and Boys' Neckwear Manufacturing	
<b>2325</b>		Men's and Boys' Separate Trousers and Slacks			
		(contractors)	<b>315211</b>	Men's and Boys' Cut and Sew Apparel Contractors	
		(except contractors)	<b>315224</b>	Men's and Boys' Cut and Sew Trouser, Slack and Jean Manufacturing	
<b>2326</b>		Men's and Boys' Work Clothing			
		(contractors)	<b>315211</b>	Men's and Boys' Cut and Sew Apparel Contractors	
		(except contractors)	<b>315225</b>	Men's and Boys' Cut and Sew Work Clothing Manufacturing	

<b>Sector V. Textile Mills, Apparel, and Other Fabric Product Manufacturing</b>				
<b>Sub-sector</b>	<b>SIC Codes</b>	<b>NAICS Codes</b>		<b>Notes</b>
	<b>2329</b> Men's and Boys' Clothing, Not Elsewhere Classified (contractors) (except team athletic uniforms and contractors) (team athletic uniforms except contractors)	<b>315211</b>	Men's and Boys' Cut and Sew Apparel Contractors	
		<b>315228</b>	Men's and Boys' Cut and Sew Other Outerwear Manufacturing	
		<b>315299</b>	All Other Cut and Sew Apparel Manufacturing	
	<b>2331</b> Women's, Misses', and Juniors' Blouses and Shirts (contractors) (except contractors)	<b>315212</b>	Women's, Girls', and Infants' Cut and Sew Apparel Contractors	
		<b>315232</b>	Women's and Girls' Cut and Sew Blouse and Shirt Manufacturing	
	<b>2335</b> Women's, Misses', and Juniors' Dresses (contractors) (except contractors)	<b>315212</b>	Women's, Girls', and Infants' Cut and Sew Apparel Contractors	
		<b>315233</b>	Women's and Girls' Cut and Sew Dress Manufacturing	
	<b>2337</b> Women's, Misses', and Juniors' Suits, Skirts, and Coats (contractors) (except contractors)	<b>315212</b>	Women's, Girls', and Infants' Cut and Sew Apparel Contractors	
		<b>315234</b>	Women's and Girls' Cut and Sew Suit, Coat, Tailored Jacket, and Skirt Manufacturing	
	<b>2339</b> Women's, Misses', and Juniors' Outerwear, Not Elsewhere Classified (contractors) (except team athletic uniforms, scarves, and contractors) (team athletic uniforms except contractors) (scarves except contractors)	<b>315212</b>	Women's, Girls', and Infants' Cut and Sew Apparel Contractors	
		<b>315239</b>	Women's and Girls' Cut and Sew Other Outerwear Manufacturing	
		<b>315299</b>	All Other Cut and Sew Apparel Manufacturing	
		<b>315999</b>	Other Apparel Accessories and Other Apparel Manufacturing	
	<b>2341</b> Women's, Misses', Children's, and Infants' Underwear and Nightwear (boys' contractors) (women's, girls', and infants' contractors)	<b>315211</b>	Men's and Boys' Cut and Sew Apparel Contractors	
		<b>315212</b>	Women's, Girls', and Infants' Cut and Sew Apparel Contractors	

<b>Sector V. Textile Mills, Apparel, and Other Fabric Product Manufacturing</b>				
<b>Sub-sector</b>	<b>SIC Codes</b>	<b>NAICS Codes</b>	<b>Notes</b>	
	(boys' except contractors)	<b>315221</b>	Men's and Boys' Cut and Sew Underwear and Nightwear Manufacturing	
	(women and girls' except contractors)	<b>315231</b>	Women's and Girls' Cut and Sew Lingerie, Loungewear, and Nightwear Manufacturing	
	(infants' except contractors)	<b>315291</b>	Infants' Cut and Sew Apparel Manufacturing	
<b>2342</b>	Brassieres, Girdles, and Allied Garments			
	(contractors)	<b>315212</b>	Women's, Girls', and Infants' Cut and Sew Apparel Contractors	
	(except contractors)	<b>315231</b>	Women's and Girls' Cut and Sew Lingerie, Loungewear, and Nightwear Manufacturing	
<b>2353</b>	Hats, Caps, and Millinery			
	(men's and boys' contractors)	<b>315211</b>	Men's and Boys' Cut and Sew Apparel Contractors	
	(women's, girls', and infants' contractors)	<b>315212</b>	Women's, Girls', and Infants' Cut and Sew Apparel Contractors	
	(except contractors)	<b>315991</b>	Hat, Cap, and Millinery Manufacturing	
<b>2361</b>	Girls', Children's, and Infants' Dresses, Blouses, and Shirts			
	(boys' contractors)	<b>315211</b>	Men's and Boys' Cut and Sew Apparel Contractors	
	(girls' and infants' contractors)	<b>315212</b>	Women's, Girls', and Infants' Cut and Sew Apparel Contractors	
	(boys' shirts except contractors)	<b>315223</b>	Men's and Boys' Cut and Sew Shirt (except Work Shirt) Manufacturing	
	(girls' blouses and shirts except contractors)	<b>315232</b>	Women's and Girls' Cut and Sew Blouse and Shirt Manufacturing	
	(girls' dresses except contractors)	<b>315233</b>	Women's and Girls' Cut and Sew Dress Manufacturing	
	(infants' except contractors)	<b>315291</b>	Infants' Cut and Sew Apparel Manufacturing	
<b>2369</b>	Girls', Children's, and Infants' Outerwear, Not Elsewhere Classified			
	(boys' contractors)	<b>315211</b>	Men's and Boys' Cut and Sew Apparel Contractors	
	(girls' and infants' contractors)	<b>315212</b>	Women's, Girls', and Infants' Cut and Sew Apparel Contractors	
	(boys' robes except contractors)	<b>315221</b>	Men's and Boys' Cut and Sew Underwear and Nightwear Manufacturing	
	(boys' suits and coats except contractors)	<b>315222</b>	Men's and Boys' Cut and Sew Suit, Coat, and Overcoat Manufacturing	
	(boys' trousers, slacks, and jeans except contractors)	<b>315224</b>	Men's and Boys' Cut and Sew Trouser, Slack and Jean Manufacturing	

<b>Sector V. Textile Mills, Apparel, and Other Fabric Product Manufacturing</b>			
<b>Sub-sector</b>	<b>SIC Codes</b>	<b>NAICS Codes</b>	<b>Notes</b>
	(boys' other outerwear except contractors)	<b>315228</b>	Men's and Boys' Cut and Sew Other Outerwear Manufacturing
	(girls' robes except contractors)	<b>315231</b>	Women's and Girls' Cut and Sew Lingerie, Loungewear, and Nightwear Manufacturing
	(girls' suits, coats, jackets, and skirts except contractors)	<b>315234</b>	Women's and Girls' Cut and Sew Suit, Coat, Tailored Jacket, and Skirt Manufacturing
	(girls' other outerwear except contractors)	<b>315239</b>	Women's and Girls' Cut and Sew Other Outerwear Manufacturing
	(infants' except contractors)	<b>315291</b>	Infants' Cut and Sew Apparel Manufacturing
<b>2371</b>	Fur Goods		
	(men's and boys' contractors)	<b>315211</b>	Men's and Boys' Cut and Sew Apparel Contractors
	(women's, girls', and infants' contractors)	<b>315212</b>	Women's, Girls', and Infants' Cut and Sew Apparel Contractors
	(except contractors)	<b>315292</b>	Fur and Leather Apparel Manufacturing
<b>2381</b>	Dress and Work Gloves, Except Knit and All-Leather		
	(men's and boys' contractors)	<b>315211</b>	Men's and Boys' Cut and Sew Apparel Contractors
	(women's, girls', and infants' contractors)	<b>315212</b>	Women's, Girls', and Infants' Cut and Sew Apparel Contractors
	(except contractors)	<b>315992</b>	Glove and Mitten Manufacturing
<b>2384</b>	Robes and Dressing Gowns		
	(men's and boys' contractors)	<b>315211</b>	Men's and Boys' Cut and Sew Apparel Contractors
	(women's, girls', and infants' contractors)	<b>315212</b>	Women's, Girls', and Infants' Cut and Sew Apparel Contractors
	(men's except contractors)	<b>315221</b>	Men's and Boys' Cut and Sew Underwear and Nightwear Manufacturing
	(women's except contractors)	<b>315231</b>	Women's and Girls' Cut and Sew Lingerie, Loungewear, and Nightwear Manufacturing
<b>2385</b>	Waterproof Outerwear		
	(men's and boys' contractors)	<b>315211</b>	Men's and Boys' Cut and Sew Apparel Contractors
	(women's, girls', and infants' contractors)	<b>315212</b>	Women's, Girls', and Infants' Cut and Sew Apparel Contractors
	(men's and boys' water resistant or water repellent tailored overcoats, except made from rubberized fabric, plastics, etc. and contractors)	<b>315222</b>	Men's and Boys' Cut and Sew Suit, Coat, and Overcoat Manufacturing

<b>Sector V. Textile Mills, Apparel, and Other Fabric Product Manufacturing</b>			
<b>Sub-sector</b>	<b>SIC Codes</b>	<b>NAICS Codes</b>	<b>Notes</b>
	(men's and boys' water resistant or water repellent nontailored outerwear, except made from rubberized fabric, plastics, etc. and contractors)	<b>315228</b>	Men's and Boys' Cut and Sew Other Outerwear Manufacturing
	(women's and girls' water resistant or water repellent tailored coats, except made from rubberized fabric, plastics, etc. and contractors)	<b>315234</b>	Women's and Girls' Cut and Sew Suit, Coat, Tailored Jacket, and Skirt Manufacturing"
	(other women's and girls' water resistant or water repellent nontailored outerwear, except made from rubberized fabric, plastics, etc. and contractors)	<b>315239</b>	Women's and Girls' Cut and Sew Other Outerwear Manufacturing
	(infants' waterproof outerwear made from rubberized fabric, plastics, etc. except contractors)	<b>315291</b>	Infants' Cut and Sew Apparel Manufacturing
	(men's, boys', women's, and girls' waterproof outerwear made from rubberized fabric, plastics, etc. except contractors)	<b>315299</b>	All Other Cut and Sew Apparel Manufacturing
	(accessories, such as aprons, bibs, and other miscellaneous waterproof items, made from rubberized fabric, plastics, etc. except contractors)	<b>315999</b>	Other Apparel Accessories and Other Apparel Manufacturing
<b>2386</b>	Leather and Sheep-Lined Clothing		
	(men's and boys' contractors)	<b>315211</b>	Men's and Boys' Cut and Sew Apparel Contractors
	(women's, girls', and infants' contractors)	<b>315212</b>	Women's, Girls', and Infants' Cut and Sew Apparel Contractors
	(except contractors)	<b>315292</b>	Fur and Leather Apparel Manufacturing
<b>2387</b>	Apparel Belts		
	(men's and boys' contractors)	<b>315211</b>	Men's and Boys' Cut and Sew Apparel Contractors
	(women's, girls', and infants' contractors)	<b>315212</b>	Women's, Girls', and Infants' Cut and Sew Apparel Contractors
	(except contractors)	<b>315999</b>	Other Apparel Accessories and Other Apparel Manufacturing
<b>2389</b>	Apparel and Accessories, Not Elsewhere Classified		
	(men's and boys' contractors)	<b>315211</b>	Men's and Boys' Cut and Sew Apparel Contractors
	(women's, girls', and infants' contractors)	<b>315212</b>	Women's, Girls', and Infants' Cut and Sew Apparel Contractors

<b>Sector V. Textile Mills, Apparel, and Other Fabric Product Manufacturing</b>				
<b>Sub-sector</b>	<b>SIC Codes</b>	<b>NAICS Codes</b>		<b>Notes</b>
	(garters and garter belts except contractors)	<b>315231</b>	Women's and Girls' Cut and Sew Lingerie, Loungewear, and Nightwear Manufacturing	
	(apparel, such as academic gowns, clerical outerwear, and band uniforms, except contractors)	<b>315299</b>	All Other Cut and Sew Apparel Manufacturing	
	(accessories such as, handkerchiefs, arm bands, cummerbunds, suspenders, etc., except contractors)	<b>315999</b>	Other Apparel Accessories and Other Apparel Manufacturing	
<b>2391</b>	Curtains and Draperies	<b>314121</b>	Curtain and Drapery Mills	
<b>2392</b>	Housefurnishings, Except Curtains and Draperies			
	(except mops, dust rags, and bags)	<b>314129</b>	Other Household Textile Product Mills	
	(blanket, laundry, and wardrobe bags)	<b>314911</b>	Textile Bag Mills	
	(dust rags)	<b>314999</b>	All Other Miscellaneous Textile Product Mills	
	(floor and dust mops)	<b>339994</b>	Broom, Brush, and Mop Manufacturing	
<b>2393</b>	Textile Bags	<b>314911</b>	Textile Bag Mills	
<b>2394</b>	Canvas and Related Products	<b>314912</b>	Canvas and Related Product Mills	
<b>2395</b>	Pleating, Decorative and Novelty Stitching, and Tucking for the Trade (except apparel contractors)	<b>314999</b>	All Other Miscellaneous Textile Product Mills	
	(men's and boy's apparel contractors)	<b>315211</b>	Men's and Boys' Cut and Sew Apparel Contractors	
	(women's, girls', and infants' apparel contractors)	<b>315212</b>	Women's, Girls', and Infants' Cut and Sew Apparel Contractors	
<b>2396</b>	Automotive Trimmings, Apparel Findings, and Related Products (textile products except automotive and apparel trimmings and findings, printing or embossing on apparel, and contractors)	<b>314999</b>	All Other Miscellaneous Textile Product Mills	
	(men's and boys' contractors)	<b>315211</b>	Men's and Boys' Cut and Sew Apparel Contractors	
	(women's, girls', and infants' contractors)	<b>315212</b>	Women's, Girls', and Infants' Cut and Sew Apparel Contractors	
	(apparel findings and trimmings, except contractors)	<b>315999</b>	Other Apparel Accessories and Other Apparel Manufacturing	
	(printing and embossing on fabric articles)	<b>323113</b>	Commercial Screen Printing	
	(textile motor vehicle trimming except contractors)	<b>336360</b>	Motor Vehicle Seating and Interior Trim Manufacturing	
<b>2397</b>	Schiffli Machine Embroideries	<b>313222</b>	Schiffli Machine Embroidery	

<b>Sector V. Textile Mills, Apparel, and Other Fabric Product Manufacturing</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
	<b>2399</b>	Fabricated Textile Products, Not Elsewhere Classified (except apparel and accessories, automotive seat belts, seat and tire covers, and contractors)	<b>314999</b>	All Other Miscellaneous Textile Product Mills	
		(men's and boys' contractors)	<b>315211</b>	Men's and Boys' Cut and Sew Apparel Contractors	
		(women's, girls', and infants' contractors)	<b>315212</b>	Women's, Girls', and Infants' Cut and Sew Apparel Contractors	
		(apparel and apparel accessories, except contractors)	<b>315999</b>	Other Apparel Accessories and Other Apparel Manufacturing	
		(seat belts, and seat and tire covers)	<b>336360</b>	Motor Vehicle Seating and Interior Trim Manufacturing	
<b>3131</b>	Boot and Shoe Cut Stock and Findings (except wood heels and metal buckles)	<b>316999</b>	All Other Leather Good Manufacturing		
	(heels, boot and shoe, finished wood, manufacturing)	<b>321999</b>	All Other Miscellaneous Wood Product Manufacturing	<p>A facility with the primary activity of NAICS 321999 "heels, boot and shoe, finished wood, manufacturing" can be regulated under Sector A or Sector V. Sector A requires additional technology-based effluent limits comprising good housekeeping; additional SWPPP requirements; additional inspection requirements; and benchmark monitoring for COD and TSS. Sector V requires additional technology-based effluent limits comprised of good housekeeping measures and employee training; additional SWPPP requirements; and additional inspection requirements.</p> <p>Regulatory burden would likely be greater under Sector A.</p>	

<b>Sector V. Textile Mills, Apparel, and Other Fabric Product Manufacturing</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
		(metal buckles)	<b>339993</b>	Fastener, Button, Needle, and Pin Manufacturing	Any facility whose primary activity is manufacturing metal buckles (SIC 3131 / NAICS 339993) should be regulated under Sector Y, but may continue to be regulated under Sector V, or alternatively, under Sector AD. Sector Y does not apply additional sector-specific requirements to metal buckle manufacturers. Sector V applies additional technology-based limitations comprised of good housekeeping measures for material storage areas and employee training. Under Sector AD EPA could establish additional facility-specific monitoring and reporting requirements.  Regulatory burden would likely be greater under Sector V.
	<b>3142</b>	House Slippers	<b>316212</b>	House Slipper Manufacturing	
	<b>3143</b>	Men's Footwear, Except Athletic	<b>316213</b>	Men's Footwear (except Athletic) Manufacturing	
	<b>3144</b>	Women's Footwear, Except Athletic	<b>316214</b>	Women's Footwear (except Athletic) Manufacturing	
	<b>3149</b>	Footwear, Except Rubber, Not Elsewhere Classified	<b>316219</b>	Other Footwear Manufacturing	
	<b>3151</b>	Leather Gloves and Mittens (men's and boys' contractors)	<b>315211</b>	Men's and Boys' Cut and Sew Apparel Contractors	
		(women's, girls', and infants' contractors)	<b>315212</b>	Women's, Girls', and Infants' Cut and Sew Apparel Contractors	
		(except contractors)	<b>315992</b>	Glove and Mitten Manufacturing	
	<b>3161</b>	Luggage	<b>316991</b>	Luggage Manufacturing	
	<b>3171</b>	Women's Handbags and Purses	<b>316992</b>	Women's Handbag and Purse Manufacturing	
	<b>3172</b>	Personal Leather Goods, Except Women's Handbags and Purses (except nonprecious metal personal goods, such as card cases, cigar cases, and comb cases)	<b>316993</b>	Personal Leather Good (except Women's Handbag and Purse) Manufacturing	



<b>Sector V. Textile Mills, Apparel, and Other Fabric Product Manufacturing</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
		(nonprecious metal personal goods, such as card cases, cigar cases, and comb cases)	<b>339914</b>	Costume Jewelry and Novelty Manufacturing	Any facility whose primary activity is manufacturing nonprecious metal personal goods, such as card cases, cigar cases, and comb cases (SIC 3172 / NAICS 339914) should be regulated under Sector Y, but may continue to be regulated under Sector V, or alternatively, under Sector AD. Sector Y does not apply additional sector-specific requirements to metal buckle manufacturers. Sector V applies additional technology-based limitations comprised of good
					housekeeping measures for material storage areas and employee training. Under Sector AD EPA could establish additional facility-specific monitoring and reporting requirements.  Regulatory burden would likely be greater under Sector V.
	<b>3199</b>	Leather Goods, Not Elsewhere Classified	<b>316999</b>	All Other Leather Good Manufacturing	

<b>Sector W. Furniture and Fixtures</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
<b>W1</b>	<b>2434</b>	Wood Kitchen Cabinets	<b>337110</b>	Wood Kitchen Cabinet and Countertop Manufacturing	
	<b>2511</b>	Wood Household Furniture, Except Upholstered	<b>337122</b>	Nonupholstered Wood Household Furniture Manufacturing	
		(except wood box spring frames)			
		(wood box spring frames (parts))	<b>337215</b>	Showcase, Partition, Shelving, and Locker Manufacturing	
	<b>2512</b>	Wood Household Furniture, Upholstered	<b>337121</b>	Upholstered Household Furniture Manufacturing	
	<b>2514</b>	Metal Household Furniture (upholstered)	<b>337121</b>	Upholstered Household Furniture Manufacturing	
(except upholstered metal furniture and metal box spring frames)		<b>337124</b>	Metal Household Furniture Manufacturing		

<b>Sector W. Furniture and Fixtures</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
		(metal box spring frames)	<b>337215</b>	Showcase, Partition, Shelving, and Locker Manufacturing	
	<b>2515</b>	Mattresses, Foundations, and Convertible Beds			
		(convertible beds)	<b>337121</b>	Upholstered Household Furniture Manufacturing	
		(mattresses and foundations)	<b>337910</b>	Mattress Manufacturing	
	<b>2517</b>	Wood, Television, Radio, Phonograph, and Sewing Machine Cabinets	<b>337129</b>	Wood, Television, Radio, Phonograph, and Sewing Machine Cabinet Manufacturing	
	<b>2519</b>	Household Furniture, Not Elsewhere Classified	<b>337125</b>	Household Furniture (except Wood and Metal) Manufacturing	
	<b>2521</b>	Wood Office Furniture	<b>337211</b>	Wood Office Furniture Manufacturing	
	<b>2522</b>	Office Furniture, Except Wood	<b>337214</b>	Office Furniture (Except Wood) Manufacturing	
	<b>2531</b>	Public Building and Related Furniture			
		(seats for motor vehicles)	<b>336360</b>	Motor Vehicle Seating and Interior Trim Manufacturing	
		(except motor vehicle seats and blackboards)	<b>337127</b>	Institutional Furniture Manufacturing	
		(blackboards)	<b>339942</b>	Lead Pencil and Art Good Manufacturing	
	<b>2541</b>	Wood Office and Store Fixtures, Partitions, Shelving, and Lockers			
		(counter tops)	<b>337110</b>	Wood Kitchen Cabinet and Countertop Manufacturing	
		(wood lunchroom tables and chairs)	<b>337127</b>	Institutional Furniture Manufacturing	
		(custom architectural millwork)	<b>337212</b>	Custom Architectural Woodwork and Millwork Manufacturing	
		(except custom architectural millwork, counter tops, and lunchroom tables and chairs)	<b>337215</b>	Showcase, Partition, Shelving, and Locker Manufacturing	
	<b>2542</b>	Office and Store Fixtures, Partitions, Shelving, and Lockers, Except Wood			
		(lunchroom tables and chairs)	<b>337127</b>	Institutional Furniture Manufacturing	
		(except lunchroom tables and chairs)	<b>337215</b>	Showcase, Partition, Shelving, and Locker Manufacturing	
	<b>2591</b>	Drapery Hardware and Window Blinds and Shades	<b>337920</b>	Blind and Shade Manufacturing	
	<b>2599</b>	Furniture and Fixtures, Not Elsewhere Classified			
		(except hospital beds)	<b>337127</b>	Institutional Furniture Manufacturing	
		(hospital beds)	<b>339111</b>	Laboratory Apparatus and Furniture Manufacturing	

<b>Sector X. Printing and Publishing</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
<b>X1</b>	<b>2711</b>	Newspapers: Publishing, or Publishing and Printing (except Internet newspaper publishing)	<b>511110</b>	Newspaper Publishers	
	<b>2721</b>	Periodicals: Publishing, or Publishing and Printing (except Internet periodical publishing)	<b>511120</b>	Periodical Publishers	
	<b>2731</b>	Books: Publishing, or Publishing and Printing (except Internet book publishing)			
		(except music books) (music books)	<b>511130</b> <b>512230</b>	Book Publishers Music Publishers	
	<b>2732</b>	Book Printing	<b>323117</b>	Book Printing	
	<b>2741</b>	Miscellaneous Publishing (except Internet publishers)			
		(shopping news and advertising periodical publishing or publishing and printing except Internet)	<b>511120</b>	Periodical Publishers	
		(technical manuals and books publishing or publishing and printing, except Internet)	<b>511130</b>	Book Publishers	
		(directory publishers, except Internet publishers)	<b>511140</b>	Directory and Mailing List Publishers	
		(except database, advertising periodicals, shopping news, technical manuals and books, and sheet music publishing or publishing and printing)	<b>511199</b>	All Other Publishers	
		(sheet music publishing or publishing and printing)	<b>512230</b>	Music Publishers	
	<b>2752</b>	Commercial Printing, Lithographic (except quick printing)	<b>323110</b>	Commercial Lithographic Printing	
		(quick printing)	<b>323114</b>	Quick Printing	
	<b>2754</b>	Commercial Printing, Gravure	<b>323111</b>	Commercial Gravure Printing	
	<b>2759</b>	Commercial Printing, NEC (flexographic printing)	<b>323112</b>	Commercial Flexographic Printing	
		(screen printing)	<b>323113</b>	Commercial Screen Printing	
		(digital printing, except quick printing)	<b>323115</b>	Digital Printing	
		(other commercial printing except flexographic, screen, digital, and quick printing)	<b>323119</b>	Other Commercial Printing	
	<b>2761</b>	Manifold Business Forms			

<b>Sector X. Printing and Publishing</b>							
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>		
	<b>2771</b>	Greeting Cards (except Internet greeting card publishers)	<b>323110</b>	Commercial Lithographic Printing			
		(lithographic printing of greeting cards)					
		(gravure printing of greeting cards)				<b>323111</b>	Commercial Gravure Printing
		(flexographic printing of greeting cards)				<b>323112</b>	Commercial Flexographic Printing
		(screen printing of greeting cards)				<b>323113</b>	Commercial Screen Printing
		(other printing of greeting cards)				<b>323119</b>	Other Commercial Printing
<b>2782</b>	Blankbooks, Looseleaf Binders and Devices	(publishing greeting cards)	<b>511191</b>	Greeting Card Publishers			
		(checkbooks)	<b>323116</b>	Manifold Business Form Printing			
		(except checkbooks)	<b>323118</b>	Blankbook, Loose-leaf Binder, and Device Manufacturing			
	<b>2789</b>	Bookbinding and Related Work	<b>323121</b>	Tradebinding and Related Work			
	<b>2791</b>	Typesetting	<b>323122</b>	Prepress Services			
	<b>2796</b>	Platemaking and Related Services	<b>323122</b>	Prepress Services			

<b>Sector Y. Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries</b>						
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>	
<b>Y1</b>	<b>3011</b>	Tires and Inner Tubes	<b>326211</b>	Tire Manufacturing (except Retreading)		
	<b>3021</b>	Rubber and Plastics Footwear	<b>316211</b>	Rubber and Plastics Footwear Manufacturing		
	<b>3052</b>	Rubber and Plastics Hose and Belting	<b>326220</b>	Rubber and Plastics Hoses and Belting Manufacturing		
	<b>3053</b>	Gaskets, Packing, and Sealing Devices	<b>339991</b>	Gaskets, Packing, and Sealing Device Manufacturing		
	<b>3061</b>	Molded, Extruded, and Lathe-Cut Mechanical Rubber Goods	<b>326291</b>	Rubber Product Manufacturing for Mechanical Use		
	<b>3069</b>	Fabricated Rubber Products, Not Elsewhere Classified	(rubberizing fabric or purchased textile products)	<b>313320</b>	Fabric Coating Mills	
			(bags made from rubberized fabric)	<b>314911</b>	Textile Bag Mills	
(rubber cut and sew outerwear)			<b>315299</b>	All Other Cut and Sew Apparel Manufacturing		

<b>Sector Y. Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
		(bibs, bathing caps, related rubber accessories) (rubber resilient floor coverings)	<b>315999</b> <b>326192</b>	Other Apparel Accessories and Other Apparel Manufacturing Resilient Floor Covering Manufacturing	
		(except rubberized fabric and garments, gloves, life vests, wet suits, accessories, such as bibs and bathing caps, rubber toys, bags made from rubberized fabric, rubber diaper covers, and rubber resilient floor coverings)	<b>326299</b>	All Other Rubber Product Manufacturing	
		(rubber gloves, inflatable rubber life jackets)	<b>339113</b>	Surgical and Appliance and Supplies Manufacturing	
		(wet suits)	<b>339920</b>	Sporting and Athletic Goods Manufacturing	
		(rubber toys, except dolls)	<b>339932</b>	Game, Toy, and Children's Vehicle Manufacturing	
<b>Y2</b>	<b>3081</b>	Unsupported Plastics Film and Sheet	<b>326113</b>	Unlaminated Plastics Film and Sheet (except Packaging) Manufacturing	
	<b>3082</b>	Unsupported Plastics Profile Shapes	<b>326121</b>	Unlaminated Plastics Profile Shape Manufacturing	
	<b>3083</b>	Laminated Plastics Plate, Sheet, and Profile Shapes	<b>326130</b>	Laminated Plastics Plate, Sheet (except Packaging), and Shape Manufacturing	
	<b>3084</b>	Plastics Pipe	<b>326122</b>	Plastics Pipe and Pipe Fitting Manufacturing	
	<b>3085</b>	Plastics Bottles	<b>326160</b>	Plastics Bottle Manufacturing	
	<b>3086</b>	Plastics Foam Products (polystyrene foam products)	<b>326140</b>	Polystyrene Foam Product Manufacturing	
		(except polystyrene foam products)	<b>326150</b>	Urethane and Other Foam Product (except Polystyrene) Manufacturing	
	<b>3087</b>	Custom Compounding of Purchased Plastics Resins	<b>325991</b>	Custom Compounding of Purchased Resins	
	<b>3088</b>	Plastics Plumbing Fixtures	<b>326191</b>	Plastics Plumbing Fixture Manufacturing	
	<b>3089</b>	Plastics Products, Not Elsewhere Classified			
		(plastics sausage casings)	<b>326121</b>	Unlaminated Plastics Profile Shape Manufacturing	
		(pipe fittings)	<b>326122</b>	Plastics Pipe and Pipe Fitting Manufacturing	
		(except plastics pipe fittings, inflatable plastics life jackets, plastics furniture parts, and plastics sausage casings)	<b>326199</b>	All Other Plastics Product Manufacturing	
		(finished plastic furniture parts)	<b>337215</b>	Showcase, Partition, Shelving, and Locker Manufacturing	

<b>Sector Y. Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
		(inflatable plastic life jackets)	<b>339113</b>	Surgical Appliance and Supplies Manufacturing	
	<b>3931</b>	Musical Instruments	<b>339992</b>	Musical Instrument Manufacturing	
	<b>3942</b>	Dolls and Stuffed Toys	<b>339931</b>	Doll and Stuffed Toy Manufacturing	
	<b>3944</b>	Games, Toys, and Children's Vehicles, Except Dolls and Bicycles			Any facility whose primary activity is manufacturing metal tricycles (SIC 3944 / NAICS 336991) should be regulated under Sector AB, but may continue to be regulated under Sector Y, or alternatively, under Sector AD. Sector AB applies additional SWPPP requirements. Sector Y does not apply additional sector-specific requirements to metal tricycle manufacturers and under Sector AD EPA could establish additional facility-specific monitoring and reporting requirements.  Regulatory burden would be greater under Sector AB.
		(metal tricycles)	<b>336991</b>	Motorcycle, Bicycle, and Parts Manufacturing	
		(except metal tricycles)	<b>339932</b>	Game, Toy, and Children's Vehicle Manufacturing	
	<b>3949</b>	Sporting and Athletic Goods, Not Elsewhere Classified	<b>339920</b>	Sporting and Athletic Goods Manufacturing	
	<b>3951</b>	Pens, Mechanical Pencils, and Parts	<b>339941</b>	Pens, Mechanical Pencil Manufacturing	
	<b>3953</b>	Marking Devices	<b>339943</b>	Marking Device Manufacturing	
	<b>3955</b>	Carbon Paper and Inked Ribbons	<b>339944</b>	Carbon Paper and Inked Ribbon Manufacturing	
	<b>3961</b>	Costume Jewelry and Costume Novelties, Except Precious Metal (except cuff links)	<b>339914</b>	Costume Jewelry and Novelty Manufacturing	
		(nonprecious cuff links)	<b>339993</b>	Fastener, Button, Needle, and Pin Manufacturing	
	<b>3965</b>	Fasteners, Buttons, Needles, and Pins	<b>339993</b>	Fastener, Button, Needle, and Pin Manufacturing	
	<b>3991</b>	Brooms and Brushes	<b>339994</b>	Broom, Brush, and Mop Manufacturing	

Sector Y. Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries				
Sub-sector	SIC Codes	NAICS Codes		Notes
	<p><b>3993</b> Signs and Advertising Specialties</p> <p>(screen printing purchased advertising specialties<sup>34</sup>)</p> <p>(signs)</p>	<b>323113</b>	Commercial Screen Printing	<p>Any facility whose primary activity is screen printing purchased advertising specialties (SIC 3993 / NAICS 323113) should be regulated under Sector X, but may continue to be regulated under Sector Y, or alternatively, under Sector AD. Sector X applies additional technology-based effluent limits comprised of good housekeeping measures for material storage areas, and additional SWPPP requirements. Sector Y does not apply additional requirements to these facilities and under Sector AD EPA could establish additional facility-specific monitoring and reporting requirements.</p> <p>Regulatory burden would be greater under Sector X.</p>
		<b>339950</b>	Sign Manufacturing	
	<b>3995</b> Burial Caskets	<b>339995</b>	Burial Casket Manufacturing	
	<b>3996</b> Linoleum, Asphalted-Felt-Base, and Other Hard Surface Floor Coverings, Not Elsewhere Classified	<b>326192</b>	Resilient Floor Covering Manufacturing	





<b>Sector Y. Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries</b>				
<b>Sub-sector</b>	<b>SIC Codes</b>	<b>NAICS Codes</b>		<b>Notes</b>
	(matches and match books manufacturing)	<b>325998</b>	All Other Miscellaneous Chemical Product and Preparation Manufacturing	Any facility whose primary activity is matches and match books manufacturing (SIC 3999 / NAICS 325998) should be regulated under Sector C, but may continue to be regulated under Sector Y, or alternatively, under Sector AD. Sectors C and Y do not require additional sector-specific requirements. EPA could establish additional facility-specific monitoring and reporting requirements under Sector AD.  Regulatory burden is not expected to differ between Sectors C and Y.
	(plastics products such as combs, hair curlers, etc.)	<b>326199</b>	All Other Plastics Product Manufacturing	
	(hand operated hair clippers for humans)	<b>332211</b>	Cutlery and Flatware (except Precious) Manufacturing	Any facility whose primary activity is manufacturing hand operated hair clippers for humans (SIC 3999 / NAICS 332211) should be regulated under Sector AA, but may continue to be regulated under Sector Y, or alternatively, under Sector AD. Sector AA applies additional technology-based effluent limits comprised of good housekeeping measures, spill prevention and response procedures, and spills and leaks; additional SWPPP requirements; and additional inspection requirements. Sector Y does not require additional sector-specific requirements. EPA could establish additional facility-specific monitoring and reporting requirements under Sector AD.  Regulatory burden would be greater under Sector AA.

Sector Y. Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries					
Sub-sector	SIC Codes		NAICS Codes		Notes
		(tape measures)	<b>332212</b>	Hand and Edge Tool Manufacturing	Any facility whose primary activity is manufacturing tape measures (SIC 3999 / NAICS 332212) should be regulated under Sector AA, but may continue to be regulated under Sector Y, or alternatively, under Sector AD. Sector AA applies additional
					technology-based effluent limits comprised of good housekeeping measures, spill prevention and response procedures, and spills and leaks; additional SWPPP requirements; and additional inspection requirements. Sector Y does not require additional sector- specific requirements. EPA could establish additional facility-specific monitoring and reporting requirements under Sector AD.  Regulatory burden would be greater under Sector AA.
		(flocking metal products for the trade)	<b>332812</b>	Metal Coating, Engraving (except Jewelry and Silverware), and Allied Services to Manufacturers	Any facility whose primary activity is manufacturing flocking metal products for the trade (SIC 3999 / NAICS 332812) should be regulated under Sector AA, but may continue to be regulated under Sector Y, or alternatively, under Sector AD. Sector AA applies additional technology- based effluent limits comprised of good housekeeping measures, spill prevention and response procedures, and spills and leaks; additional SWPPP requirements; and additional inspection requirements. Sector Y does not require additional sector- specific requirements. EPA could establish additional facility-specific monitoring and reporting requirements under Sector AD.  Regulatory burden would be greater under Sector AA.

<b>Sector Y. Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
		(other miscellaneous metal products, such as combs, hair curlers, etc.)	<b>332999</b>	All Other Miscellaneous Fabricated Metal Product Manufacturing	Any facility whose primary activity is manufacturing other miscellaneous metal products, such as combs, hair curlers, etc. (SIC 3999 / NAICS 332999) should be regulated under Sector AA, but may continue to be regulated under Sector Y, or alternatively, under Sector AD. Sector
					AA applies additional technology- based effluent limits comprised of good housekeeping measures, spill prevention and response procedures, and spills and leaks; additional SWPPP requirements; and additional inspection requirements. Sector Y does not require additional sector- specific requirements. EPA could establish additional facility-specific monitoring and reporting requirements under Sector AD.  Regulatory burden would be greater under Sector AA.
		(beauty and barber shop equipment, except chairs)	<b>333319</b>	Other Commercial and Service Industry Machinery Manufacturing	
		(lamp shades of paper or textile)	<b>335121</b>	Residential Electric Lighting Fixture Manufacturing	
		(electric hair clippers for humans)	<b>335211</b>	Electric Housewares and Household Fan Manufacturing	Any facility whose primary activity is manufacturing electric hair clippers for humans (SIC 3999 / NAICS 335211) should be regulated under Sector AC, but may continue to be regulated under Sector Y, or alternatively, under Sector AD. Sectors Y and AC do not apply sector-specific requirements to facilities manufacturing electric hair clippers for humans. EPA may establish facility-specific monitoring and reporting requirements under Sector AD.  Regulatory burden is not expected to differ between Sectors Y and AC.

<b>Sector Y. Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
		(beauty and barber chairs)	<b>337127</b>	Institutional Furniture Manufacturing	Any facility whose primary activity is manufacturing beauty and barber chairs (SIC 3999 / NAICS 337127) should be regulated under Sector W, but may continue to be regulated under Sector Y, or alternatively, under Sector AD. Sector W applies additional SWPPP requirements to facilities manufacturing beauty and barber chairs. Sector Y applies no additional requirements and under Sector AD EPA could establish additional facility-specific monitoring and reporting requirements.  Regulatory burden would be greater under Sector W.
		(embroidery kits)	<b>339932</b>	Game, Toy, and Children's Vehicle Manufacturing	
		(other miscellaneous products not specially provided for previously)	<b>339999</b>	All Other Miscellaneous Manufacturing	

<b>Sector Z. Leather Tanning and Finishing</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
<b>Z1</b>	<b>3111</b>	Leather Tanning and Finishing	<b>316110</b>	Leather and Hide Tanning and Finishing	

<b>Sector AA. Fabricated Metal Products</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
<b>AA1</b>	<b>3411</b>	Metal Cans	<b>332431</b>	Metal Can Manufacturing	
	<b>3412</b>	Metal Shipping Barrels, Drums, Kegs, and Pails	<b>332439</b>	Other Metal Container Manufacturing	
	<b>3421</b>	Cutlery (except hedge shears and trimmers, tinner's snips, and similar nonelectric hand tools)	<b>332211</b>	Cutlery and Flatware (except Precious) Manufacturing	
		(hedge shears and trimmers, tinner's snips, and similar nonelectric hand tools)			
	<b>3423</b>	Hand and Edge Tools, Except Machine Tools and Handsaws	<b>332212</b>	Hand and Edge Tool Manufacturing	
	<b>3425</b>	Saw Blades and Handsaws	<b>332213</b>	Saw Blade and Handsaw Manufacturing	
	<b>3429</b>	Hardware, Not Elsewhere Classified (vacuum and insulated bottles, jugs, and chests) (except fire hose nozzles, hose couplings, vacuum and insulated bottles, jugs and chests, fireplace fixtures, time locks, turnbuckles, pulleys, tackle blocks, luggage and utility racks, sleep sofa mechanisms and chair glides, traps, handcuffs and leg irons, ladder jacks, and other like metal products)	<b>332439</b>	Other Metal Container Manufacturing	
			<b>332510</b>	Hardware Manufacturing	
			(turnbuckles and hose clamps)	<b>332722</b>	Bolt, Nut, Screw, Rivet, and Washer Manufacturing
		(fire hose nozzles and hose couplings)	<b>332919</b>	Other Metal Valve and Pipe Fitting Manufacturing	
		(fireplace fixtures, traps, handcuffs and leg irons, ladder jacks, and other like metal products)	<b>332999</b>	All Other Miscellaneous Fabricated Metal Product Manufacturing	
		(pulleys, tackle blocks, block and tackle assemblies)	<b>333923</b>	Overhead Traveling Crane, Hoist, and Monorail System Manufacturing	
		(time locks)	<b>334518</b>	Watch, Clock, and Part Manufacturing	
		(luggage and utility racks)	<b>336399</b>	All Other Motor Vehicle Parts Manufacturing	
		(sleep sofa mechanisms and chair glides)	<b>337215</b>	Showcase, Partition, Shelving, and Locker Manufacturing	
<b>3431</b>	Enameled Iron and Metal Sanitary Ware	<b>332998</b>	Enameled Iron and Metal Sanitary Ware Manufacturing		
<b>3432</b>	Plumbing Fixture Fittings and Trim				

<b>Sector AA. Fabricated Metal Products</b>				
<b>Sub-sector</b>	<b>SIC Codes</b>	<b>NAICS Codes</b>	<b>Notes</b>	
	(except shower rods, lawn hose nozzles, and lawn sprinklers)	<b>332913</b>	Plumbing Fixture Fitting and Trim Manufacturing	
	(lawn hose nozzles and lawn sprinklers)	<b>332919</b>	Other Metal Valve and Pipe Fitting Manufacturing	
	(metal shower rods)	<b>332999</b>	All Other Miscellaneous Fabricated Metal Product Manufacturing	
<b>3442</b>	Metal Doors, Sash, Frames, Molding, and Trim Manufacturing			
<b>3443</b>	Fabricated Plate Work (Boiler Shops) (fabricated plate work and metal weldments)	<b>332313</b>	Plate Work Manufacturing	
	(power boilers and heat exchangers)	<b>332410</b>	Power Boiler and Heat Exchanger Manufacturing	
	(heavy gauge tanks)	<b>332420</b>	Metal Tank (Heavy Gauge) Manufacturing	
	(metal cooling towers)	<b>333415</b>	Air-Conditioning and Warm Air Heating Equipment and Commercial and Industrial Refrigeration Equipment Manufacturing (metal cooling towers)	
<b>3444</b>	Sheet Metal Work (stamped metal skylights)	<b>332321</b>	Metal Window and Door Manufacturing	
	(except sheet metal bins and vats, skylights, and sheet metal cooling towers)	<b>332322</b>	Sheet Metal Work Manufacturing	
	(metal bins and vats)	<b>332439</b>	Other Metal Container Manufacturing	
	(cooling towers, sheet metal)	<b>333415</b>	Air-Conditioning and Warm Air Heating Equipment and Commercial and Industrial Refrigeration Equipment Manufacturing	
<b>3446</b>	Architectural and Ornamental Ironwork	<b>332323</b>	Ornamental and Architectural Metal Work Manufacturing	
<b>3448</b>	Prefabricated Metal Buildings and Components	<b>332311</b>	Prefabricated Metal Building and Component Manufacturing	
<b>3449</b>	Miscellaneous Structural Metal Work (custom roll forming)	<b>332114</b>	Custom Roll Forming	
	(fabricated bar joists and concrete reinforcing bars)	<b>332312</b>	Fabricated Structural Metal Manufacturing	
	(curtain wall and metal plaster bases and lath)	<b>332323</b>	Ornamental and Architectural Metal Work Manufacturing	
<b>3451</b>	Screw Machine Products	<b>332721</b>	Precision Turned Product Manufacturing	
<b>3452</b>	Bolts, Nuts, Screws, Rivets, and Washers	<b>332722</b>	Bolt, Nut, Screw, Rivet, and Washer Manufacturing	
<b>3462</b>	Iron and Steel Forgings	<b>332111</b>	Iron and Steel Forging	
<b>3463</b>	Nonferrous Forgings	<b>332112</b>	Nonferrous Forging	

<b>Sector AA. Fabricated Metal Products</b>							
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>		
	<b>3465</b>	Automotive Stampings	<b>336370</b>	Motor Vehicle Metal Stamping			
	<b>3466</b>	Crowns and Closures	<b>332115</b>	Crown and Closure Manufacturing			
	<b>3469</b>	Metal Stampings, Not Elsewhere Classified (except kitchen utensils, pots and pans for cooking, coins, and stamped metal boxes)	<b>332116</b>	Metal Stamping			
		(kitchen utensils, pots, and pans for cooking)				<b>332214</b>	Kitchen Utensil, Pot, and Pan Manufacturing
		(stamped metal tool, cash, mail, and lunch boxes)				<b>332439</b>	Other Metal Container Manufacturing
	<b>3471</b>	Electroplating, Plating, Polishing, Anodizing, and Coloring	<b>332813</b>	Electroplating, Plating, Polishing, Anodizing, and Coloring			
<b>AA2</b>	<b>3479</b>	Coating, Engraving, and Allied Services, Not Elsewhere Classified (except jewelry, silverware, and flatware engraving and etching)	<b>332812</b>	Metal Coating, Engraving (except Jewelry and Silverware), and Allied Services to Manufacturers			
		(precious metal jewelry engraving and etching)			<b>339911</b>	Jewelry (except Costume) Manufacturing	
		(silver and plated ware engraving and etching)			<b>339912</b>	Silverware and Holloware Manufacturing	
		(costume jewelry engraving and etching)			<b>339914</b>	Costume Jewelry and Novelty Manufacturing	
<b>AA1</b>	<b>3482</b>	Small Arms Ammunition	<b>332992</b>	Small Arms Ammunition Manufacturing			
	<b>3483</b>	Ammunition, Except for Small Arms	<b>332993</b>	Ammunition (except for Small Arms) Manufacturing			
	<b>3484</b>	Small Arms	<b>332994</b>	Small Arms Manufacturing			

<b>Sector AA. Fabricated Metal Products</b>							
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>		
	<b>3489</b>	Ordinance and Accessories, Not Elsewhere Classified	<b>332995</b>	Other Ordinance and Accessories Manufacturing			
	<b>3491</b>	Industrial Valves	<b>332911</b>	Industrial Valve Manufacturing			
	<b>3492</b>	Fluid Power Valves and Hose Fittings	<b>332912</b>	Fluid Power Valve and Hose Fitting Manufacturing			
	<b>3493</b>	Steel Springs, Except Wire	<b>332611</b>	Spring (Heavy Gauge) Manufacturing			
	<b>3494</b>	Valves and Pipe Fittings, Not Elsewhere Classified (except metal pipe hangers and supports)	<b>332919</b>	Other Metal Valve and Pipe Fitting Manufacturing			
		(metal pipe hangers and supports)				<b>332999</b>	All Other Miscellaneous Fabricated Metal Product Manufacturing
	<b>3495</b>	Wire Springs (except watch and clock springs)	<b>332612</b>	Spring (Light Gauge) Manufacturing			
		(clock and watch springs)				<b>334518</b>	Watch, Clock, and Part Manufacturing
	<b>3496</b>	Miscellaneous Fabricated Wire Products (potato mashers)	<b>332214</b>	Kitchen Utensil, Pot, and Pan Manufacturing			
		(except shopping carts and potato mashers)				<b>332618</b>	Other Fabricated Wire Product Manufacturing
		(shopping carts made from purchased wire)				<b>333924</b>	Industrial Truck, Tractor, Trailer, and Stacker Machinery Manufacturing
	<b>3497</b>	Metal Foil and Leaf (laminated aluminum foil rolls and sheets for flexible packaging uses)	<b>322225</b>	Laminated Aluminum Foil Manufacturing for Flexible Packaging Uses			
		(foil and foil containers)				<b>332999</b>	All Other Miscellaneous Fabricated Metal Product Manufacturing
	<b>3498</b>	Fabricated Pipe and Pipe Fittings	<b>332996</b>	Fabricated Pipe and Pipe Fitting Manufacturing			
	<b>3499</b>	Fabricated Metal Products, Not Elsewhere Classified (powder metallurgy)	<b>332117</b>	Powder Metallurgy Part Manufacturing			
		(metal boxes)	<b>332439</b>	Other Metal Container Manufacturing			
		(safe and vault locks)	<b>332510</b>	Hardware Manufacturing			
		(metal aerosol valves)	<b>332919</b>	Other Metal Valve and Pipe Fitting Manufacturing			
		(other metal products)	<b>332999</b>	All Other Miscellaneous Fabricated Metal Product Manufacturing			
		(metal automobile seat frames)	<b>336360</b>	Motor Vehicle Seating and Interior Trim Manufacturing			
		(metal furniture frames)	<b>337215</b>	Showcase, Partition, Shelving, and Locker Manufacturing			
	<b>3911</b>	Jewelry, Precious Metal	<b>339911</b>	Jewelry (except Costume) Manufacturing			



<b>Sector AA. Fabricated Metal Products</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
	<b>3914</b>	Silverware, Plated Ware, and Stainless Steel Ware (cutlery and flatware, nonprecious and precious plated)	<b>332211</b>	Cutlery and Flatware (except Precious) Manufacturing	
		(precious metal plated hollowware)	<b>332999</b>	All Other Miscellaneous Fabricated Metal Product Manufacturing	
		(except nonprecious and precious plated metal cutlery, flatware, and hollowware)	<b>339912</b>	Silverware and Holloware Manufacturing	
	<b>3915</b>	Jewelers Findings and Materials and Lapidary Work  (watch jewels)	<b>334518</b>	Watch, Clock, and Part Manufacturing	Any facility whose primary activity is manufacturing watch jewels (SIC 3915 / NAICS 334518) should be regulated under Sector AC, but may continue to be regulated under Sector AA, or alternatively, under Sector AD. Sector AA applies additional technology- based effluent limits comprising good housekeeping measures, spill prevention and response, and spills and leaks; additional SWPPP requirements; and additional inspection requirements. Sector AC does not apply additional sector- specific requirements and EPA may establish facility-specific monitoring and reporting requirements under Sector AD.  Regulatory burden would be greater under Sector AA.
	(except watch jewels)	<b>339913</b>	Jewelers' Material and Lapidary Work Manufacturing		

<b>Sector AB. Transportation Equipment, Industrial or Commercial Machinery</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
<b>AB1</b>	<b>3511</b>	Steam, Gas, and Hydraulic Turbines, and Turbine Generator Set Units	<b>333611</b>	Turbine and Turbine Generator Set Units Manufacturing	
	<b>3519</b>	Internal Combustion Engines, Not Elsewhere Classified (except stationary engine radiators)	<b>333618</b>	Other Engine Equipment Manufacturing	
		(stationary engine radiators)	<b>336399</b>	All Other Motor Vehicle Parts Manufacturing	
	<b>3523</b>	Farm Machinery and Equipment (hand hair clippers for animals)	<b>332212</b>	Hand and Edge Tool Manufacturing	
		(corrals, stalls, and holding gates)	<b>332323</b>	Ornamental and Architectural Metal Work Manufacturing	
		(except corrals, stalls, holding gates, hand clippers for animals, and farm conveyors/elevators)	<b>333111</b>	Farm Machinery and Equipment Manufacturing	
		(farm conveyors and elevators)	<b>333922</b>	Conveyor and Conveying Equipment Manufacturing	
	<b>3524</b>	Lawn and Garden Tractors and Home Lawn and Garden Equipment (nonpowered lawnmowers)	<b>332212</b>	Hand and Edge Tool Manufacturing	
		(except nonpowered lawnmowers)	<b>333112</b>	Lawn and Garden Tractor and Home Lawn and Garden Equipment Manufacturing	
	<b>3531</b>	Construction Machinery and Equipment (except railway track maintenance equipment; winches, aerial work platforms; and automotive wrecker hoists)	<b>333120</b>	Construction Machinery Manufacturing	
		(winches, aerial work platforms, automobile wrecker hoists, locomotive cranes, and ship cranes)	<b>333923</b>	Overhead Traveling Crane, Hoist, and Monorail System Manufacturing	
		(railway track maintenance equipment)	<b>336510</b>	Railroad Rolling Stock Manufacturing	
	<b>3532</b>	Mining Machinery and Equipment, Except Oil and Gas Field Machinery and Equipment	<b>333131</b>	Mining Machinery and Equipment Manufacturing	
	<b>3533</b>	Oil and Gas Field Machinery and Equipment	<b>333132</b>	Oil and Gas Field Machinery and Equipment Manufacturing	
	<b>3534</b>	Elevators and Moving Stairways	<b>333921</b>	Elevators and Moving Stairway Manufacturing	
<b>3535</b>	Conveyors and Conveying Equipment	<b>333922</b>	Conveyors and Conveying Equipment Manufacturing		
<b>3536</b>	Overhead Traveling Cranes, Hoists, and Monorail Systems	<b>333923</b>	Overhead Traveling Cranes, Hoists, and Monorail System Manufacturing		

<b>Sector AB. Transportation Equipment, Industrial or Commercial Machinery</b>				
<b>Sub-sector</b>	<b>SIC Codes</b>	<b>NAICS Codes</b>		<b>Notes</b>
	<b>3537</b> Industrial Trucks, Tractors, Trailers, and Stackers (metal air cargo containers)	<b>332439</b>	Other Metal Container Manufacturing	
	(metal pallets)	<b>332999</b>	All Other Miscellaneous Fabricated Metal Product Manufacturing	
	(except metal pallets and metal air cargo containers)	<b>333924</b>	Industrial Truck, Tractor, Trailer, and Stacker Machinery Manufacturing	
<b>3541</b>	Machine Tools, Metal Cutting Types	<b>333512</b>	Machine Tool (Metal Cutting Types) Manufacturing	
<b>3542</b>	Machine Tools, Metal Forming Types	<b>333513</b>	Machine Tool (Metal Forming Types) Manufacturing	
<b>3543</b>	Industrial Patterns	<b>332997</b>	Industrial Pattern Manufacturing	
<b>3544</b>	Special Dies and Tools, Die Sets, Jigs and Fixtures, and Industrial Molds (industrial molds)	<b>333511</b>	Industrial Mold Manufacturing	
	(except molds)	<b>333514</b>	Special Die and Tool, Die Set, Jig, and Fixture Manufacturing	
<b>3545</b>	Cutting Tools, Machine Tool Accessories, and Machinist Precision Measuring Devices (precision measuring devices)	<b>332212</b>	Hand and Edge Tool Manufacturing	
	(except precision measuring devices)	<b>333515</b>	Cutting Tool and Machine Tool Accessory Manufacturing	
<b>3546</b>	Power-Driven Handtools	<b>333991</b>	Power-Driven Handtool Manufacturing	
<b>3547</b>	Rolling Mill Machinery and Equipment	<b>333516</b>	Rolling Mill Machinery and Equipment Manufacturing	
<b>3548</b>	Electric and Gas Welding and Soldering Equipment (except transformers for arc-welding)	<b>333992</b>	Welding and Soldering Equipment Manufacturing	
	(transformers for arc-welders)	<b>335311</b>	Power, Distribution, and Specialty Transformer Manufacturing	
<b>3549</b>	Metalworking Machinery, Not Elsewhere Classified	<b>333518</b>	Other Metalworking Machinery Manufacturing	
<b>3552</b>	Textile Machinery	<b>333292</b>	Textile Machinery Manufacturing	
<b>3553</b>	Woodworking Machinery	<b>333210</b>	Sawmill and Woodworking Machinery Manufacturing	
<b>3554</b>	Paper Industries Machinery	<b>333291</b>	Paper Industry Machinery Manufacturing	
<b>3555</b>	Printing Trades Machinery and Equipment	<b>333293</b>	Printing Machinery and Equipment Manufacturing	
<b>3556</b>	Food Products Machinery	<b>333294</b>	Food Product Machinery Manufacturing	

<b>Sector AB. Transportation Equipment, Industrial or Commercial Machinery</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
	<b>3559</b>	Special Industry Machinery, Not Elsewhere Classified (nuclear control rod drive mechanisms)	<b>332410</b>	Power Boiler and Heat Exchanger Manufacturing	
		(cotton ginning machinery)	<b>333111</b>	Farm Machinery and Equipment Manufacturing	
		(rubber and plastics manufacturing machinery)	<b>333220</b>	Plastics and Rubber Industry Machinery Manufacturing	
		(semiconductor machinery manufacturing)	<b>333295</b>	Semiconductor Machinery Manufacturing	
		(except rubber and plastics manufacturing machinery, semiconductor manufacturing machinery, and automotive maintenance equipment)	<b>333298</b>	All Other Industrial Machinery Manufacturing	
	(automotive maintenance equipment)	<b>333319</b>	Other Commercial and Service Industry Machinery Manufacturing		
	<b>3561</b>	Pumps and Pumping Equipment	<b>333911</b>	Pump and Pumping Equipment Manufacturing	
	<b>3562</b>	Ball and Roller Bearings	<b>332991</b>	Ball and Roller Bearing Manufacturing	
	<b>3563</b>	Air and Gas Compressors	<b>333912</b>	Air and Gas Compressor Manufacturing	
	<b>3564</b>	Industrial and Commercial Fans and Blowers and Air Purification Equipment (air purification equipment)	<b>333411</b>	Air Purification Equipment Manufacturing	
		(fans and blowers)	<b>333412</b>	Industrial and Commercial Fan and Blower Manufacturing	
		<b>3565</b>	Packaging Machinery	<b>333993</b>	Packaging Machinery Manufacturing
	<b>3566</b>	Speed Changers, Industrial High-Speed Drives, and Gears	<b>333612</b>	Speed Changer, Industrial High-Speed Drives, and Gear Manufacturing	
	<b>3567</b>	Industrial Process Furnaces and Ovens	<b>333994</b>	Industrial Process Furnace and Oven Manufacturing	
	<b>3568</b>	Mechanical Power Transmission Equipment, Not Elsewhere Classified	<b>333613</b>	Mechanical Power Transmission Equipment Manufacturing	
<b>3569</b>	General Industrial Machinery and Equipment, Not Elsewhere Classified (textile fire hose)	<b>314999</b>	All Other Miscellaneous Textile Product Mills		
	(electric swimming pool heaters)	<b>333414</b>	Heating Equipment (except Warm Air Furnaces) Manufacturing		
	(except fire hoses and electric swimming pool heaters)	<b>333999</b>	All Other Miscellaneous General Purpose Machinery Manufacturing		
<b>3581</b>	Automatic Vending Machines	<b>333311</b>	Automatic Vending Machine Manufacturing		
<b>3582</b>	Commercial Laundry, Drycleaning, and Pressing Machines	<b>333312</b>	Commercial Laundry, Drycleaning, and Pressing Machine Manufacturing		

<b>Sector AB. Transportation Equipment, Industrial or Commercial Machinery</b>			
<b>Sub-sector</b>	<b>SIC Codes</b>	<b>NAICS Codes</b>	<b>Notes</b>
	<b>3585</b> Air-Conditioning and Warm Air Heating Equipment and Commercial and Industrial Refrigeration Equipment  (except motor vehicle air-conditioning)  (motor vehicle air-conditioning)	<b>333415</b> Air-Conditioning and Warm Air Heating Equipment and Commercial and Industrial Refrigeration Equipment Manufacturing  <b>336391</b> Motor Vehicle Air-Conditioning Manufacturing	
	<b>3586</b> Measuring and Dispensing Pumps	<b>333913</b> Measuring and Dispensing Pump Manufacturing	
	<b>3589</b> Service Industry Machinery, Not Elsewhere Classified	<b>333319</b> Other Commercial and Service Industry Machinery Manufacturing	
	<b>3592</b> Carburetors, Pistons, Piston Rings, and Valves	<b>336311</b> Carburetor, Piston, Piston Ring, and Valve Manufacturing	
	<b>3593</b> Fluid Power Cylinders and Actuators	<b>333995</b> Fluid Power Cylinder and Actuator Manufacturing	
	<b>3594</b> Fluid Power Pumps and Motors	<b>333996</b> Fluid Power Pumps and Motors Manufacturing	
	<b>3596</b> Scales and Balances, Except Laboratory	<b>333997</b> Scale and Balance (except Laboratory) Manufacturing	
	<b>3599</b> Industrial and Commercial Machinery and Equipment, Not Elsewhere Classified  (machine shops)  (grinding castings for the trade)  (flexible metal hose)  (carnival amusement park equipment)  (other industrial and commercial machinery and equipment)  (water leak detectors)  (gasoline, oil, and intake filters for internal combustion engines, except for motor vehicles)	<b>332710</b> Machine Shops <b>332813</b> Electroplating, Plating, Polishing, Anodizing and Coloring <b>332999</b> All Other Miscellaneous Fabricated Metal Product Manufacturing <b>333319</b> Other Commercial and Service Industry Machinery Manufacturing <b>333999</b> All Other Miscellaneous General Purpose Machinery Manufacturing <b>334519</b> Other Measuring and Controlling Device Manufacturing <b>336399</b> All Other Motor Vehicle Parts Manufacturing	
	<b>3711</b> Motor Vehicles and Passenger Car Bodies  (automobiles)  (light trucks and utility vehicles)  (heavy duty trucks)  (kit car and other passenger car bodies)	<b>336111</b> Automobile Manufacturing <b>336112</b> Light Truck and Utility Vehicle Manufacturing <b>336120</b> Heavy Duty Truck Manufacturing <b>336211</b> Motor Vehicle Body Manufacturing	

<b>Sector AB. Transportation Equipment, Industrial or Commercial Machinery</b>				
<b>Sub-sector</b>	<b>SIC Codes</b>	<b>NAICS Codes</b>	<b>Notes</b>	
	(military armored vehicles)	<b>336992</b>	Military Armored Vehicle, Tank, and Tank Component Manufacturing	
<b>3713</b>	Truck and Bus Bodies	<b>336211</b>	Motor Vehicle Body Manufacturing	
<b>3714</b>	Motor Vehicle Parts and Accessories (dump truck lifting mechanisms and fifth wheels)	<b>336211</b>	Motor Vehicle Body Manufacturing	
	(gasoline engines and engine parts including rebuilt)	<b>336312</b>	Gasoline Engine and Engine Parts Manufacturing	
	(wiring harness sets, other than ignition; block heaters and battery heaters; instrument board assemblies; permanent defrosters; windshield washer-wiper mechanisms; cruise control mechanisms; and other electrical equipment for internal combustion engines)	<b>336322</b>	Other Motor Vehicle Electrical and Electronic Equipment Manufacturing	
	(steering and suspension parts)	<b>336330</b>	Motor Vehicle Steering and Suspension Components (except Spring) Manufacturing	
	(brake and brake systems, including assemblies)	<b>336340</b>	Motor Vehicle Brake System Manufacturing	
	(transmissions and power train parts, including rebuilding)	<b>336350</b>	Motor Vehicle Transmission and Power Train Parts Manufacturing	
	(except truck and bus bodies, trailers, engine and engine parts, motor vehicle electrical and electronic equipment, motor vehicle steering and suspension components, motor vehicle brake systems, and motor vehicle transmission and power train parts)	<b>336399</b>	All Other Motor Vehicle Parts Manufacturing	
<b>3715</b>	Truck Trailers	<b>336212</b>	Truck Trailer Manufacturing	
<b>3716</b>	Motor Homes	<b>336213</b>	Motor Home Manufacturing	
<b>3721</b>	Aircraft (except research and development not producing prototypes)	<b>336411</b>	Aircraft Manufacturing	
<b>3724</b>	Aircraft Engines and Engine Parts (except research and development not producing prototypes)	<b>336412</b>	Aircraft Engine and Engine Parts Manufacturing	
<b>3728</b>	Aircraft Parts and Auxiliary Equipment, Not Elsewhere Classified (fluid power aircraft subassemblies)	<b>332912</b>	Fluid Power Valve and Hose Fitting Manufacturing	
	(target drones)	<b>336411</b>	Aircraft Manufacturing	

<b>Sector AB. Transportation Equipment, Industrial or Commercial Machinery</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
	<b>3743</b>	(except fluid power aircraft subassemblies, target drones, and research and development not producing prototypes)	<b>336413</b>	Other Aircraft Part and Auxiliary Equipment Manufacturing	
		Railroad Equipment (locomotive fuel lubricating or cooling medium pumps)	<b>333911</b>	Pump and Pumping Equipment Manufacturing	
		(except locomotive fuel lubricating or cooling medium pumps)	<b>336510</b>	Railroad Rolling Stock Manufacturing	
	<b>3751</b>	Motorcycles, Bicycles, and Parts	<b>336991</b>	Motorcycle, Bicycle, and Parts Manufacturing	
	<b>3761</b>	Guided Missiles and Space Vehicles (except research and development not producing prototypes)	<b>336414</b>	Guided Missile and Space Vehicle Manufacturing	
	<b>3764</b>	Guided Missile and Space Vehicle Propulsion Units and Propulsion Unit Parts (except research and development not producing prototypes)	<b>336415</b>	Guided Missile and Space Vehicle Propulsion Unit and Propulsion Unit Parts Manufacturing	
	<b>3769</b>	Guided Missile and Space Vehicle Parts and Auxiliary Equipment, Not Elsewhere Classified (except research and development not producing prototypes)	<b>336419</b>	Other Guided Missile and Space Vehicle Parts and Auxiliary Equipment Manufacturing	
	<b>3792</b>	Travel Trailers and Campers	<b>336214</b>	Travel Trailer and Camper Manufacturing	
	<b>3795</b>	Tanks and Tank Components	<b>336992</b>	Military Armored Vehicle, Tank, and Tank Component Manufacturing	
	<b>3799</b>	Transportation Equipment, Not Elsewhere Classified (wheelbarrows)	<b>333924</b>	Industrial Truck, Tractor, Trailer, and Stacker Machinery Manufacturing	
		(automobile, boat, utility and light truck trailers)	<b>336214</b>	Travel Trailer and Camper Manufacturing	
		(trailer hitches)	<b>336399</b>	All Other Motor Vehicle Parts Manufacturing	
		(except automobile, boat, utility light truck trailers, trailer hitches, and wheelbarrows)	<b>336999</b>	All Other Transportation Equipment Manufacturing	

<b>Sector AC. Electronic, Electrical, Photographic and Optical Goods</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
<b>AC1</b>	<b>3571</b>	Electronic Computers	<b>334111</b>	Electronic Computer Manufacturing	
	<b>3572</b>	Computer Storage Devices	<b>334112</b>	Computer Storage Device Manufacturing	
	<b>3575</b>	Computer Terminals	<b>334113</b>	Computer Terminal Manufacturing	
	<b>3577</b>	Computer Peripheral Equipment, Not Elsewhere Classified (except plotter controllers and magnetic tape head cleaners)	<b>334119</b>	Other Computer Peripheral Equipment Manufacturing	
		(plotter controllers)	<b>334418</b>	Printed Circuit Assembly (Electronic Assembly) Manufacturing	
		(magnetic tape head cleaners)	<b>334613</b>	Magnetic and Optical Recording Media Manufacturing	
	<b>3578</b>	Calculating and Accounting Machinery, Except Electronic Computers (change making machines)	<b>333311</b>	Automatic Vending Machine Manufacturing	
		(except point of sales terminals, change making machines and funds transfer devices)	<b>333313</b>	Office Machinery Manufacturing	
		(point of sale terminals and fund transfer devices)	<b>334119</b>	Other Computer Peripheral Equipment Manufacturing	
	<b>3579</b>	Office Machines, Not Elsewhere Classified (except timeclocks, time stamps, pencil sharpeners, stapling machines, etc.)	<b>333313</b>	Office Machinery Manufacturing	
		(time clocks and other time recording devices)	<b>334518</b>	Watch, Clock, and Part Manufacturing	
		(pencil sharpeners, staplers and other office equipment)	<b>339942</b>	Lead Pencil and Art Good Manufacturing	
	<b>3612</b>	Power, Distribution, and Specialty Transformers	<b>335311</b>	Power, Distribution, and Specialty Transformer Manufacturing	
	<b>3613</b>	Switchgear and Switchboard Apparatus	<b>335313</b>	Switchgear and Switchboard Apparatus Manufacturing	
	<b>3621</b>	Motors and Generators	<b>335312</b>	Motors and Generator Manufacturing	
<b>3624</b>	Carbon and Graphite Products	<b>335991</b>	Carbon and Graphite Product Manufacturing		
<b>3625</b>	Relays and Industrial Controls	<b>335314</b>	Relay and Industrial Control Manufacturing		
<b>3629</b>	Electrical Industrial Apparatus, Not Elsewhere Classified	<b>335999</b>	All Other Miscellaneous Electrical Equipment and Component Manufacturing		
<b>3631</b>	Household Cooking Equipment	<b>335221</b>	Household Cooking Appliance Manufacturing		
<b>3632</b>	Household Refrigerators and Home and Farm Freezers	<b>335222</b>	Household Refrigerator and Home Freezer Manufacturing		



<b>Sector AC. Electronic, Electrical, Photographic and Optical Goods</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
	<b>3633</b>	Household Laundry Equipment	<b>335224</b>	Household Laundry Equipment Manufacturing	
	<b>3634</b>	Electric Housewares and Fans (wall and baseboard heating units for permanent installation)	<b>333414</b>	Heating Equipment (except Warm Air Furnaces) Manufacturing	
		(except wall and baseboard heating units for permanent installation, electronic cigarette lighters, and wall mount restroom hand dryers)	<b>335211</b>	Electric Housewares and Household Fan Manufacturing	
		(electronic cigarette lighters)	<b>339999</b>	All Other Miscellaneous Manufacturing	
		Household Vacuum Cleaners	<b>335212</b>	Household Vacuum Cleaner Manufacturing	
	<b>3639</b>	Household Appliances, Not Elsewhere Classified (household sewing machines)	<b>333298</b>	All Other Industrial Machinery Manufacturing	
		(floor waxing and floor polishing machines)	<b>335212</b>	Household Vacuum Cleaner Manufacturing	
		(except floor waxing and floor polishing machines, and household sewing machines)	<b>335228</b>	Other Major Household Appliance Manufacturing	
	<b>3641</b>	Electric Lamp Bulbs and Tubes	<b>335110</b>	Electric Lamp Bulbs and Part Manufacturing	
	<b>3643</b>	Current-Carrying Wiring Devices	<b>335931</b>	Current-Carrying Wiring Device Manufacturing	
	<b>3644</b>	Noncurrent-Carrying Wiring Devices  (fish wire, electrical wiring tool)	<b>332212</b>	Hand and Edge Tool Manufacturing	Any facility whose primary activity is manufacturing fish wire, electrical wiring tool (SIC 3644 / NAICS 332212) should be regulated under Sector AA, but may continue to be regulated under Sector AC, or alternatively, under Sector AD. Sector AA applies additional technology-based effluent limits comprising good housekeeping measures, spill prevention and response, and spills and leaks; additional SWPPP requirements; and additional inspection requirements. Sector AC does not apply additional sector-specific requirements and EPA may establish facility-specific monitoring and reporting requirements under Sector AD.
		(except fishwire, electrical wiring tool)	<b>335932</b>	Noncurrent-Carrying Wiring Device Manufacturing	Regulatory burden would be greater under Sector AA.

<b>Sector AC. Electronic, Electrical, Photographic and Optical Goods</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
	<b>3645</b>	Residential Electric Lighting Fixtures	<b>335121</b>	Residential Electric Lighting Fixture Manufacturing	
	<b>3646</b>	Commercial, Industrial, and Institutional Electric Lighting Fixtures	<b>335122</b>	Commercial, Industrial, and Institutional Electric Lighting Fixture Manufacturing	
	<b>3647</b>	Vehicular Lighting Equipment	<b>336321</b>	Vehicular Lighting Equipment Manufacturing	
	<b>3648</b>	Lighting Equipment, Not Elsewhere Classified	<b>335129</b>	Other Lighting Equipment Manufacturing	
	<b>3651</b>	Household Audio and Video Equipment	<b>334310</b>	Audio and Video Equipment Manufacturing	
	<b>3652</b>	Phonograph Records and Prerecorded Audio Tapes and Disks (reproduction of all other media except video)	<b>334612</b>	Prerecorded Compact Disc (except Software), Tape, and Record Reproducing	
	<b>3661</b>	Telephone and Telegraph Apparatus (except consumer external modems)	<b>334210</b>	Telephone Apparatus Manufacturing	
		(consumer external modems)	<b>334418</b>	Printed Circuit Assembly (Electronic Assembly) Manufacturing	
	<b>3663</b>	Radio and Television Broadcasting and Communications Equipment	<b>334220</b>	Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing	
	<b>3669</b>	Communications Equipment, Not Elsewhere Classified	<b>334290</b>	Other Communications Equipment Manufacturing	
	<b>3671</b>	Electron Tubes	<b>334411</b>	Electron Tube Manufacturing	
	<b>3672</b>	Printed Circuit Boards	<b>334412</b>	Bare Printed Circuit Board Manufacturing	
	<b>3674</b>	Semiconductors and Related Devices	<b>334413</b>	Semiconductor and Related Device Manufacturing	
	<b>3675</b>	Electronic Capacitors	<b>334414</b>	Electronic Capacitor Manufacturing	
	<b>3676</b>	Electronic Resistors	<b>334415</b>	Electronic Resistor Manufacturing	
	<b>3677</b>	Electronic Coils, Transformers, and Other Inductors	<b>334416</b>	Electronic Coil, Transformer, and Other Inductor Manufacturing	
	<b>3678</b>	Electronic Connectors	<b>334417</b>	Electronic Connector Manufacturing	
	<b>3679</b>	Electronic Components, Not Elsewhere Classified (antennas)	<b>334220</b>	Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing	
		(radio headphones)	<b>334310</b>	Audio and Video Equipment Manufacturing	
		(printed circuit/electronic assembly manufacturing)	<b>334418</b>	Printed Circuit Assembly (Electronic Assembly) Manufacturing	
		(other electronic components)	<b>334419</b>	Other Electronic Component Manufacturing	
	<b>3691</b>	Storage Batteries	<b>335911</b>	Storage Battery Manufacturing	
	<b>3692</b>	Primary Batteries, Dry and Wet	<b>335912</b>	Primary Battery Manufacturing	

<b>Sector AC. Electronic, Electrical, Photographic and Optical Goods</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
	<b>3694</b>	Electrical Equipment for Internal Combustion Engines	<b>336322</b>	Other Motor Vehicle Electrical and Electronic Equipment Manufacturing	
	<b>3695</b>	Magnetic and Optical Recording Media	<b>334613</b>	Magnetic and Optical Recording Media Manufacturing	
	<b>3699</b>	Electrical Machinery, Equipment, and Supplies, Not Elsewhere Classified (electronic teaching machines and flight simulators)	<b>333319</b>	Other Commercial and Service Industry Machinery Manufacturing	
		(outboard electric motors)	<b>333618</b>	Other Engine Equipment Manufacturing	Any facility whose primary activity is manufacturing outboard electric motors (SIC 3699 / NAICS 333618) should be regulated under Sector AB, but may continue to be regulated under Sector AC, or alternatively, under Sector AD. Sector AB applies additional sector-specific SWPPP requirements. Sector AC does not apply additional sector-specific requirements and EPA may establish facility-specific monitoring and reporting requirements under Sector AD.
					Regulatory burden would be greater under Sector AB.
		(laser welding and soldering equipment)	<b>333992</b>	Welding and Soldering Equipment Manufacturing	
		(Christmas tree lighting sets, electric insect lamps, electric fireplace logs, and trouble lights)	<b>335129</b>	Other Lighting Equipment Manufacturing	
		(other electrical industrial apparatus)	<b>335999</b>	All Other Miscellaneous Electrical Equipment and Component Manufacturing	
	<b>3812</b>	Search, Detection, Navigation, Guidance, Aeronautical, and Nautical Systems and Instruments	<b>334511</b>	Search, Detection, Navigation, Guidance, Aeronautical, and Nautical System and Instrument Manufacturing	
	<b>3821</b>	Laboratory Apparatus and Furniture	<b>339111</b>	Laboratory Apparatus and Furniture Manufacturing	
	<b>3822</b>	Automatic Controls for Regulating Residential and Commercial Environments and Appliances	<b>334512</b>	Automatic Environmental Control Manufacturing for Residential, Commercial, and Appliance Use	
	<b>3823</b>	Industrial Instruments for Measurement, Display, and Control of Process Variables; and Related Products	<b>334513</b>	Instruments and Related Products Manufacturing for Measuring, Displaying, and Controlling Industrial Process Variables	

<b>Sector AC. Electronic, Electrical, Photographic and Optical Goods</b>					
<b>Sub-sector</b>	<b>SIC Codes</b>		<b>NAICS Codes</b>		<b>Notes</b>
	<b>3824</b>	Totalizing Fluid Meters and Counting Devices	<b>334514</b>	Totalizing Fluid Meter and Counting Device Manufacturing	
	<b>3825</b>	Instruments for Measuring and Testing of Electricity and Electrical Signals	<b>334514</b>	Totalizing Fluid Meter and Counting Device Manufacturing	
		(automotive ammeters and voltmeters)			
		(except automotive instruments)	<b>334515</b>	Instrument Manufacturing for Measuring and Testing Electricity and Electrical Signals	
	<b>3826</b>	Laboratory Analytical Instruments	<b>334516</b>	Analytical Laboratory Instrument Manufacturing	
	<b>3827</b>	Optical Instruments and Lenses	<b>333314</b>	Optical Instruments and Lens Manufacturing	
	<b>3829</b>	Measuring and Controlling Devices, Not Elsewhere Classified			
		(motor vehicle gauges)	<b>334514</b>	Totalizing Fluid Meter and Counting Device Manufacturing	
		(electronic chronometers)	<b>334518</b>	Watch, Clock, and Part Manufacturing	
		(except medical thermometers, electronic chronometers and motor vehicle gauges)	<b>334519</b>	Other Measuring and Controlling Device Manufacturing	
		(medical thermometers)	<b>339112</b>	Surgical and Medical Instrument Manufacturing	
	<b>3841</b>	Surgical and Medical Instruments and Apparatus	<b>332994</b>	Small Arms Manufacturing	Any facility whose primary activity is manufacturing tranquilizer guns (SIC 3841 / NAICS 332994) should be regulated under Sector AA, but may continue to be regulated under Sector AC, or alternatively, under Sector AD. Sector AA applies additional technology-based effluent limits comprising good housekeeping measures, spill prevention and response, and spills and leaks; additional SWPPP requirements; and additional inspection requirements. Sector AC does not apply additional sector-specific requirements and EPA may establish facility-specific monitoring and reporting requirements under Sector AD.
		(tranquilizer guns)			
		(operating room tables)	<b>339111</b>	Laboratory Apparatus and Furniture Manufacturing	Regulatory burden would be greater under Sector AA.

<b>Sector AC. Electronic, Electrical, Photographic and Optical Goods</b>				
<b>Sub-sector</b>	<b>SIC Codes</b>	<b>NAICS Codes</b>	<b>Notes</b>	
	(except tranquilizer guns and operating room tables)	<b>339112</b>	Surgical and Medical Instrument Manufacturing	
<b>3842</b>	Orthopedic, Prosthetic, and Surgical Appliances and Supplies			Any facility whose primary activity is manufacturing incontinent pads and bed pads (SIC 3842 / NAICS 322291) should be regulated under Sector B, but may continue to be regulated under Sector AC, or alternatively, under Sector AD. Sectors B and AC do not apply additional sector-specific requirements. EPA may require additional facility-specific monitoring and reporting requirement under Sector AD.
	(incontinent pads and bed pads)	<b>322291</b>	Sanitary Paper Product Manufacturing	
	(electronic hearing aids)	<b>334510</b>	Electromedical and Electrotherapeutic Apparatus Manufacturing	
	(except electronic hearing aids, incontinent pads, anatomical models, and bed pads)	<b>339113</b>	Surgical Appliance and Supplies Manufacturing	
	(anatomical models)	<b>339999</b>	All Other Miscellaneous Manufacturing	
<b>3843</b>	Dental Equipment and Supplies	<b>339114</b>	Dental Equipment and Supplies Manufacturing	
<b>3844</b>	X-Ray Apparatus and Tubes and Related Irradiation Apparatus	<b>334517</b>	Irradiation Apparatus Manufacturing	
<b>3845</b>	Electromedical and Electrotherapeutic Apparatus			
	(except CT and CAT scanners)	<b>334510</b>	Electromedical and Electrotherapeutic Apparatus Manufacturing	
	(CT and CAT Scanners)	<b>334517</b>	Irradiation Apparatus Manufacturing	
<b>3851</b>	Ophthalmic Goods			
	(intraocular lenses, i.e., surgical implants)	<b>339113</b>	Surgical Appliance and Supplies Manufacturing	
	(except intraocular lenses)	<b>339115</b>	Ophthalmic Goods Manufacturing	
<b>3861</b>	Photographic Equipment and Supplies			
	(photographic films, paper, plates and chemicals)	<b>325992</b>	Photographic Film, Paper, Plate, and Chemical Manufacturing	
	(except photographic film, paper, plates, and chemicals)	<b>333315</b>	Photographic and Photocopying Equipment Manufacturing	
<b>3873</b>	Watches, Clocks, Clockwork Operated Devices, and Parts	<b>334518</b>	Watch, Clock, and Part Manufacturing	

<b>Sector AD. Non-Classified Facilities</b>		
<b>Sub-Sector</b>	<b>Narrative Description</b>	<b>Notes</b>
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.	

**Appendix O - Summary of Reports Permit Submittals**

<b>Permit Section</b>	<b>Applicable Operator</b>	<b>Report/Submittal</b>	<b>Frequency</b>	<b>Due Date(s)</b>	<b>Where to Submit</b>
Part 1.1.4	Only for operators seeking coverage under Part 1.1.4 eligibility criterion C3	<b>Procedures Relating to Endangered Species Protection Appendix E Criterion C3 Eligibility Form:</b> Submittal of Criterion C Form	Once, if applicable	At the same time as the NOI for permit coverage is submitted (an additional 30 calendar day review period will apply)	Electronically using the NPDES eReporting Tool (NeT) for MSGP
Part 1.3	<b>Operator operating consistent with EPA's No Action Assurance and submitted an Intent to Operate (ITO) form</b> [Operators of industrial activities who commenced discharging between June 4, 2020 and March 1, 2021 and have been operating consistent with EPA's June 3, 2020 'No Action Assurance for the NPDES Stormwater Multi-Sector General Permit for Industrial Activities.']	Submittal of Notice of Intent (NOI)	Once per permit term	As soon as possible, but see the June 3, 2020 'No Action Assurance for the NPDES Stormwater Multi-Sector General Permit for Industrial Activities' (and any updates to that document) for additional guidance on deadlines.	Electronically using the NPDES eReporting Tool (NeT) for MSGP
Part 1.3	<b>New facility without MSGP coverage</b> (Operators of industrial activities that will commence discharging after March 1, 2021)	Submittal of Notice of Intent (NOI)	Once per permit term	At least 30 calendar days prior to commencing discharge	Electronically using the NPDES eReporting Tool (NeT) for MSGP
Part 1.3	<b>Existing MSGP facility</b> [Operators of industrial activities whose stormwater discharges were covered under the 2015 MSGP]	Submittal of Notice of Intent (NOI)	Once per permit term	No later than May 30, 2021. However, if you have not previously obtained coverage under an NPDES permit, you must submit your NOI immediately.	Electronically using the NPDES eReporting Tool (NeT) for MSGP

Permit Section	Applicable Operator	Report/Submittal	Frequency	Due Date(s)	Where to Submit
Part 1.3	<b>Existing facility covered under an alternative permit</b> [Operators seeking coverage for stormwater discharges previously covered under an individual permit or an alternative general permit]	Submittal of Notice of Intent (NOI)	Once per permit term	At least 30 calendar days prior to commencing discharge	Electronically using the NPDES eReporting Tool (NeT) for MSGP
Part 1.3	<b>Existing MSGP facility with a new operator</b> [New operators of existing industrial activities with stormwater discharges previously authorized under the 2021 MSGP]	Submittal of Notice of Intent (NOI)	Once per permit term	At least 30 calendar days prior to the date of transfer of control to the new operator.	Electronically using the NPDES eReporting Tool (NeT) for MSGP
Part 1.3	<b>Existing facility without MSGP coverage</b> [Operators of industrial activities that commenced discharging prior to March 1, 2021, but whose stormwater discharges were not covered under the 2015 MSGP or another NPDES permit and have not been operating consistent with EPA's No Action Assurance for EPA's NPDES MSGP]	Submittal of Notice of Intent (NOI)	Once per permit term	Immediately; your stormwater discharges are currently unpermitted.	Electronically using the NPDES eReporting Tool (NeT) for MSGP



Permit Section	Applicable Operator	Report/Submittal	Frequency	Due Date(s)	Where to Submit
Part 1.3.4	<b>An operator needing to correct or update any NOI fields</b>	Submittal of a Change NOI	As applicable	<p>For existing operator, within 30 calendar days after the change occurs.</p> <p>Within 30 calendar days of the transfer in operator or a new operator taking over operational control at an existing facility, the new operator must submit a new NOI.</p> <p>No later than 30 calendar days after MSGP coverage becomes active for the new operator, the previous operator must submit a Notice of Termination (NOT) per Part 1.4.</p>	Electronically using the NPDES eReporting Tool (NeT) for MSGP
Part 1.4	<b>An operator seeking to terminate their permit coverage under the 2021 MSGP</b>	Notice of Termination	Once, if applicable	<p>Within 30 days after:</p> <ul style="list-style-type: none"> <li>• a new operator takes over responsibility for the facility; or</li> <li>• operations and stormwater discharges have ceased; or</li> <li>• for Sector G, H, or J facilities, the applicable termination requirements have been met; or</li> <li>• alternative permit coverage has been obtained</li> </ul>	Electronically using the NPDES eReporting Tool (NeT) for MSGP

Permit Section	Applicable Operator	Report/Submittal	Frequency	Due Date(s)	Where to Submit
Part 1.5	<b>An eligible operator seeking an exclusion from NPDES permitting per 40 CFR 122.26(g)</b>	Conditional "No Exposure" Certification Form (NEC)	If eligible, once every 5 years	As necessary	Electronically using the NPDES eReporting Tool (NeT) for MSGP
Part 3.1.6	<b>All operators, unless eligible for an exception</b>	Routine Inspection Documentation	At least quarterly	By the end of the quarter	Reports are kept with SWPPP
Part 3.2.3	<b>All operators, unless eligible for an exception</b>	Quarterly Visual Assessment Documentation	At least quarterly	By the end of the quarter	Reports are kept with SWPPP
Part 5.3	<b>Operators that must perform corrective action or Additional Implementation Measures per Parts 5.1 and 5.2</b>	Corrective Action and AIM Documentation	<ul style="list-style-type: none"> <li>Document existence of corrective action/AIM condition within 24 hours of becoming aware of the condition;</li> <li>Document corrective actions/AIMs taken or to be taken within 14 days from the time of discovery of the condition.</li> </ul>	As necessary	Reports are kept with SWPPP
Part 6 Part 7.3	<b>All operators</b>	<b>Stormwater Pollution Prevention Plan (SWPPP)</b>	<ul style="list-style-type: none"> <li>Attach SWPPP to NOI, provide URL for SWPPP, or provide SWPPP information directly on the NOI form.</li> <li>Update the on-site SWPPP as site conditions indicate. At minimum, the SWPPP must be modified based on corrective actions and deadlines required under Part 5.</li> </ul>	Develop initial SWPPP prior to the submittal of NOI form.  Update the SWPPP information included in attachment to NOI, on URL, or on NOI form, at a minimum, no later than 45 days after conducting the final routine facility inspection for the year.	Electronically using the NPDES eReporting Tool (NeT) for MSGP

Permit Section	Applicable Operator	Report/Submittal	Frequency	Due Date(s)	Where to Submit
Part 4 Part 7.4	<b>All operators</b>	Discharge Monitoring Reports (DMRs)	<ul style="list-style-type: none"> <li>• <u>Indicator Monitoring for pH, Total Suspended Solids (TSS), and Chemical Oxygen Demand (COD) (Part 4.2.1.1.a.)</u>: 1/quarter for entire permit coverage;</li> <li>• <u>Indicator Monitoring for Polycyclic Aromatic Hydrocarbons (PAHs) (Part 4.2.1.1.b.)</u>: 2/year in years 1 and 4 of permit coverage;</li> <li>• <u>Benchmark Monitoring (Part 4.2.2)</u>: 1/quarter in years 1 and 4 of permit coverage (additional monitoring may be required if exceedances occur);</li> <li>• <u>Effluent Limitations Monitoring (Part 4.2.3)</u>: 1/year for entire permit coverage;</li> <li>• <u>State or Tribal Monitoring (Part 4.2.4)</u>: See Part 9 of the permit for frequency;</li> <li>• <u>Impaired Waters Monitoring (Part 4.2.5)</u>: 1/year in years 1 and 4 of permit coverage for discharges to impaired waters without an EPA-approved or established total maximum daily load (TMDL)</li> </ul>	Within 30 days of receiving your full laboratory results for all monitored discharge points during the reporting period.	Electronically using EPA's electronic DMR tool (Net-DMR)

<b>Permit Section</b>	<b>Applicable Operator</b>	<b>Report/Submittal</b>	<b>Frequency</b>	<b>Due Date(s)</b>	<b>Where to Submit</b>
Part 7.4	<b>All operators</b>	Annual Report	1/year	By January 30th	Electronically using the NPDES eReporting Tool (NeT) for MSGP (NeT-MSGP)
Part 7.5	<b>Operators subject to follow-up monitoring per Part 4.2.3.3</b>	Exceedance Report for Numeric Effluent Limitations	If applicable	30 days after receiving laboratory results if 30-day follow-up monitoring indicates exceedance	Follow-up monitoring submitted Electronically using EPA's electronic DMR tool (Net-DMR)  Exceedance reports submitted directly to the applicable EPA Regional Office listed in Part 7.8 of the permit
Part 7.6	<b>Any applicable operator</b>	Additional Reporting (Noncompliance endangering health, reportable quantity spills, etc.)	As necessary	Varies – see Part 7.6	Varies – see Part 7.6

### Appendix P - List of Federal CERCLA Sites

Part 1.1.7 of the MSGP has special requirements for discharges to a federal CERCLA site.<sup>1</sup>

If your facility discharges to one of the federal CERCLA sites listed below, you must notify the EPA Regional Office when submitting your NOI and the EPA Regional Office must determine that you are eligible for permit coverage. In determining eligibility for coverage under Part 1.1.7, the EPA Regional Office may evaluate whether you are implementing or plan to implement adequate controls and/or procedures to ensure your discharge will not lead to recontamination of aquatic media at the CERCLA Site, (i.e., your stormwater discharge will not be controlled as necessary such that the receiving water of the United States will meet an applicable water quality standard. If it is determined that your facility discharges to a CERCLA Site listed below after you have obtained coverage under this permit, you must contact your EPA Regional Office and ensure that you have either implemented or will implement adequate controls and/or procedures to ensure that your discharges will not lead to recontamination of aquatic media at the CERCLA Site such that your stormwater discharge will be controlled as necessary such that the receiving water of the United States will meet an applicable water quality standard.

<b>EPA Region 10</b>		
<p>The CERCLA Sites and the receiving waters associated with these sites to which the requirements of Part 1.1.7 apply are listed in the table below. The areas where the permit applies are enumerated in Appendix C of the permit. Operators who discharge / intend to discharge into the receiving waters listed below must first contact the EPA Regional Office before submitting an NOI. Contact information is viewable at: <a href="https://www.epa.gov/npdes-permits/stormwater-discharges-industrial-activities-region-10">https://www.epa.gov/npdes-permits/stormwater-discharges-industrial-activities-region-10</a>.</p> <p>Similarly, if you have received notice from EPA that the facility to be covered under the MSGP is considered a potential source to a clean up site, you must first contact the Regional EPA office before submitting an NOI.</p>		
	<b>Waterbody (HUC code/Watershed)</b>	<b>Superfund Sites CERCLIS ID Latitude / Longitude Major Contaminants</b>
ID	St. Joe River; Coeur d'Alene Lake Basin	<a href="#">St. Maries Creosote</a> IDSFN1002095 47.191697 / -116.343000L PAHs, HPAHs
WA	Commencement Bay, Puget Sound	<a href="#">Commencement Bay, Near Shore/Tide Flats</a> WAD980726368 47.155998 / -122.245998 Dioxins, furans, arsenic, copper, lead, zinc, 4-methyl-phenol, Hex-CB, HPAHs, PCBs, PCE, cadmium, mercury, LPAHs
WA	Duwamish Waterway; Elliott Bay; Puget Sound	<a href="#">Harbor Island (Lead)</a> WAD980722839 47.344584 / -122.210792 Lead, arsenic, copper, HPAHs, LPAHs, mercury, PCBs, zinc, TBT

<sup>1</sup> "CERCLA site" means a facility as defined in Section 101(9) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. § 9601(9), that is undergoing a remedial investigation and feasibility study, or for which a Record of Decision for remedial action has been issued in accordance with the National Contingency Plan, 40 C.F.R. Part 300

<b>EPA Region 10</b>		
<p>The CERCLA Sites and the receiving waters associated with these sites to which the requirements of Part 1.1.7 apply are listed in the table below. The areas where the permit applies are enumerated in Appendix C of the permit. Operators who discharge / intend to discharge into the receiving waters listed below must first contact the EPA Regional Office before submitting an NOI. Contact information is viewable at: <a href="https://www.epa.gov/npdes-permits/stormwater-discharges-industrial-activities-region-10">https://www.epa.gov/npdes-permits/stormwater-discharges-industrial-activities-region-10</a>.</p> <p>Similarly, if you have received notice from EPA that the facility to be covered under the MSGP is considered a potential source to a clean up site, you must first contact the Regional EPA office before submitting an NOI.</p>		
	<b>Waterbody (HUC code/Watershed)</b>	<b>Superfund Sites CERCLIS ID Latitude / Longitude Major Contaminants</b>
WA	Clam Bay; Puget Sound	<a href="#">Old Navy Dump/ Manchester Lab</a> WA8680030931 47.342798 / -122.325298 PCBs, copper, lead, zinc, silver, 2,4-dimethyl-phenol, PCBs
WA	Elliott Bay; Puget Sound	<a href="#">Pacific Sound Resources</a> WAD009248287 47.345639 / -122.215998 LMW PAHs, HMWPAHs, PCBs
WA	Columbia River	<a href="#">Upper Columbia River</a> (T2) WASFN1002171 47.5722 / -118.5846
WA	Puget Sound	<a href="#">Puget Sound Naval Shipyard</a> WA2170023418 47.333298 / -122.384999 PCBs, mercury
WA	Puget Sound	<a href="#">Wycoff / Eagle Harbor</a> WAD009248295 47.371798 / -122.310012 Mercury, LPAHs, HPAHs
WA	Duwamish Waterway; Elliott Bay; Puget Sound	<a href="#">Lower Duwamish Waterway</a> (T2) WA0002329803 47.321608 / -122.194040 PCBs, PAHs, phthalates, inorganics, mercury, semi-VOCs

## APPENDIX B

# NOTICE OF INTENT (NOI) FOR STORMWATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY UNDER THE MULTI-SECTOR NPDES GENERAL PERMIT



Permit Information

Master Permit Number: NMR050000

NPDES ID: NMR053248

## Eligibility Information

State/territory where your facility is discharging: NM

Does your facility discharge to federally recognized Indian Country lands? No

Are you a "Federal Operator" as defined in Appendix A ([https://www.epa.gov/sites/production/files/2021-01/documents/2021\\_msgp\\_-\\_appendix\\_a\\_-\\_definitions.pdf](https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_a_-_definitions.pdf))?

No

Which type of form would you like to submit? Notice of Intent (NOI)

By indicating "Yes" below, I confirm that I understand that the MSGP only authorizes the stormwater discharges in Part 1.1.2 and the allowable non-stormwater discharges listed in Part 1.2.2. Any discharges not expressly authorized in this permit cannot become authorized or shielded from liability under CWA section 402(k) by disclosure to EPA, state, or local authorities after issuance of this permit via any means, including the Notice of Intent (NOI) to be covered by the permit, the Stormwater Pollution Prevention Plan (SWPPP), during an inspection, etc. If any discharges requiring NPDES permit coverage other than the allowable stormwater and non-stormwater discharges listed in Parts 1.2.1. and 1.2.2. will be discharged, they must be covered under another NPDES permit.

Yes

Are you a new discharger or a new source as defined in Appendix A ([https://www.epa.gov/sites/production/files/2021-01/documents/2021\\_msgp\\_-\\_appendix\\_a\\_-\\_definitions.pdf](https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_a_-_definitions.pdf))?

No

➔ Have stormwater discharges from your facility been covered previously under an NPDES permit? Yes

➔ If yes, provide your most current NPDES ID (i.e., permit tracking number) if you had coverage under EPA's MSGP or the NPDES permit number if you had coverage under an EPA individual permit:

NMR053248

➔ Are you discharging to any waters of the U.S. that are designated by the state or tribal authority under its antidegradation policy as a Tier 3 water (Outstanding National Resource water)? (See Appendix L ([https://www.epa.gov/sites/production/files/2021-01/documents/2021\\_msgp\\_-\\_appendix\\_l\\_-\\_list\\_of\\_tier\\_3\\_tier\\_2\\_and\\_tier\\_2.5\\_waters.pdf](https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_l_-_list_of_tier_3_tier_2_and_tier_2.5_waters.pdf)))

No

Do you anticipate the discharge of groundwater or spring water from your facility? No

What is the legal name of the Operator as defined in Appendix A ([https://www.epa.gov/sites/production/files/2021-01/documents/2021\\_msgp\\_-\\_appendix\\_a\\_-\\_definitions.pdf](https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_a_-_definitions.pdf))?

SANTA FE SOLID WASTE MANAGEMENT AGENCY

What is the name of your facility or activity as defined in Appendix A ([https://www.epa.gov/sites/production/files/2021-01/documents/2021\\_msgp\\_-\\_appendix\\_a\\_-\\_definitions.pdf](https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_a_-_definitions.pdf))?

BUCKMAN ROAD RECYCLING AND TRANSFER STATION

Operator Information

## Operator Information



**Operator Name:** SANTA FE SOLID WASTE MANAGEMENT AGENCY

## Operator Mailing Address

**Address Line 1:** 149 Wildlife Way

**Address Line 2:**

**City:** Santa Fe

**ZIP/Postal Code:** 87506

**State:** NM

**County or Similar Division:** Santa Fe

## Operator Point of Contact Information

**First Name Middle Initial Last Name:** Randall . Kippenbrock

**Title:** Executive Director

**Phone:** 5054241850

**Ext.:** 100

**Email:** rkippenbrock@sfswwa.org

## NOI Preparer Information

**This NOI is being prepared by someone other than the certifier.**

**First Name Middle Initial Last Name:** Joseph . Krasner

**Organization:** SCS Engineers

**Phone:** 817-572-2288

**Ext.:**

**Email:** JKrasner@SCSEngineers.com

Facility Information

## Facility Information

**Facility Name:** BUCKMAN ROAD RECYCLING AND TRANSFER STATION

## Facility Address

**Address Line 1:** 2600 BUCKMAN ROAD

**Address Line 2:**

**City:** SANTA FE

**ZIP/Postal Code:** 87507

**State:** NM

**County or Similar Division:** Santa Fe

## Latitude/Longitude for the Facility

**Latitude/Longitude:** 35.695°N, 105.977°W

**Latitude/Longitude Data Source:** Google Maps

**Horizontal Reference Datum:** NAD 83

## General Facility Information

What is the ownership type of the facility? District

Estimated area of industrial activity at your facility exposed to stormwater (rounded to the nearest quarter acre): 16

Is your facility presently inactive and unstaffed? No

Exception for Inactive and Unstaffed Facilities: The requirement for indicator monitoring, impaired waters monitoring, and/or 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.

If circumstances change during the permit term that affect your qualifications for this exception to monitoring requirements (i.e. industrial materials or activities exposure to stormwater or your facility's active/inactive and staffed/unstaffed status) you must submit a NOI notifying EPA of the change in circumstances.

## Sector-Specific Information

Primary Sector: N

Primary Subsector: N2

Primary SIC Code: 5093

Co-Located Sectors:

Co-Located Sector: P

Co-Located Subsector: P1

Co-Located SIC Code: 4212

### Discharge Information

By indicating "Yes" below, I confirm that I understand that the MSGP only authorizes the stormwater discharges in Part 1.2.1 and the allowable non-stormwater discharges listed in Part 1.2.2. Any discharges not expressly authorized in this permit cannot become authorized or shielded from liability under CWA section 402(k) by disclosure to EPA, state, or local authorities after issuance of this permit via any means, including the Notice of Intent (NOI) to be covered by the permit, the Stormwater Pollution Prevention Plan (SWPPP), during an inspection, etc. If any discharges requiring NPDES permit coverage other than the authorized stormwater and non-stormwater discharges listed in Parts 1.2.1 and 1.2.2 will be discharged, they must be covered under another NPDES permit.

Yes

## Federal Effluent Limitation Guidelines

Identify the Effluent Limitation Guideline(s) that apply to your stormwater discharges.

There are no guidelines associated with the sector(s) selected in the Facility Information section above.

Are you requesting permit coverage for any stormwater discharges subject to effluent limitation guidelines? No

## Other Discharge Information

Do you anticipate the discharge of groundwater or spring water from your facility? No

Does your facility discharge into a Municipal Separate Sewer System (MS4)? No

## Receiving Waters Information

List all of the stormwater discharge points from your facility.

**Discharge Point 001: Outfall 001 is located at the west end of the Site near the entrance**

## Applicable Sectors

Select the Sectors/Subsector(s) that apply to this discharge point.

	Sector	Subsector	SIC/Activity Code
<input checked="" type="checkbox"/>	N - SCRAP RECYCLING FACILITIES	N2 - Source-separated Recycling Facility	5093
<input checked="" type="checkbox"/>	P - LAND TRANSPORTATION AND WAREHOUSING	P1 - Railroad Transportation; Local and Highway Passenger Transportation; Motor Freight Transportation and Warehousing; United States Postal Service; Petroleum Bulk Stations and Terminals	4212

Latitude/Longitude: 35.692731°N, 105.979472°W

This discharge point is *Substantially Identical* to an existing discharge point.

## Receiving Water

GNIS Name:

n/a

Waterbody Name:

Unnamed Waterbody

Listed Water ID:

n/a

Is this receiving water saltwater or freshwater? Freshwater

Is this receiving water designated by the state or tribal authority under its antidegradation policy as a Tier 2 (or Tier 2.5) water (water quality exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water)?

No

Will you have stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit?

No

## Benchmark Monitoring

Are you subject to benchmark monitoring requirements for a hardness-dependent metal? No

## Impaired Waters Monitoring

NOTE: The information automatically populated in this section for determining if the receiving water is listed as impaired on the 303(d) list and in need of a TMDL, the cause(s) of the impairment if the receiving water is impaired on the CWA 303(d) list, if a TMDL has been completed for the receiving waterbody, and the TMDL ID and pollutants for which there is a TMDL may be outdated and inaccurate. It is recommended that you consult with your state's guidance for discharges into impaired waters to determine the correct pollutants and TMDLS and update the causes for the impairment and TMDL information accordingly.

Is the receiving water listed as impaired on the 303(d) list and in need of a TMDL? No

Has a TMDL been completed for this receiving waterbody? No

**Discharge Point 003: Outfall 003 is located at the east end of the Site near the Household Hazardous Waste (HHW) Collection Center**

## Applicable Sectors

Select the Sectors/Subsector(s) that apply to this discharge point.

	Sector	Subsector	SIC/Activity Code
<input checked="" type="checkbox"/>	N - SCRAP RECYCLING FACILITIES	N2 - Source-separated Recycling Facility	5093
<input checked="" type="checkbox"/>	P - LAND TRANSPORTATION AND WAREHOUSING	P1 - Railroad Transportation; Local and Highway Passenger Transportation; Motor Freight Transportation and Warehousing; United States Postal Service; Petroleum Bulk Stations and Terminals	4212

Latitude/Longitude: 35.695341°N, 105.975798°W

This discharge point is *Substantially Identical* to an existing discharge point.

## Receiving Water

GNIS Name:  
n/a

Waterbody Name:  
Unnamed Waterbody

Listed Water ID:  
n/a

Is this receiving water saltwater or freshwater? Freshwater

Is this receiving water designated by the state or tribal authority under its antidegradation policy as a Tier 2 (or Tier 2.5) water (water quality exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water)?

No

Will you have stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit?

No

## Benchmark Monitoring

Are you subject to benchmark monitoring requirements for a hardness-dependent metal? No

## Impaired Waters Monitoring

NOTE: The information automatically populated in this section for determining if the receiving water is listed as impaired on the 303(d) list and in need of a TMDL, the cause(s) of the impairment if the receiving water is impaired on the CWA 303(d) list, if a TMDL has been completed for the receiving waterbody, and the TMDL ID and pollutants for which there is a TMDL may be outdated and inaccurate. It is recommended that you consult with your state's guidance for discharges into impaired waters to determine the correct pollutants and TMDLS and update the causes for the impairment and TMDL information accordingly.

Is the receiving water listed as impaired on the 303(d) list and in need of a TMDL? No

Has a TMDL been completed for this receiving waterbody? No

## Discharge Point 002: Outfall 002 is centrally located

## Applicable Sectors

Select the Sectors/Subsector(s) that apply to this discharge point.

	Sector	Subsector	SIC/Activity Code
<input type="checkbox"/>			

<input checked="" type="checkbox"/>	<b>N - SCRAP RECYCLING FACILITIES</b>	<b>N2 - Source-separated Recycling Facility</b>	5093
<input checked="" type="checkbox"/>	<b>P - LAND TRANSPORTATION AND WAREHOUSING</b>	<b>P1 - Railroad Transportation; Local and Highway Passenger Transportation; Motor Freight Transportation and Warehousing; United States Postal Service; Petroleum Bulk Stations and Terminals</b>	4212

Latitude/Longitude: 35.693375°N, 105.978012°W

This discharge point is *Substantially Identical* to an existing discharge point.

## Receiving Water

**GNIS Name:**  
n/a

**Waterbody Name:**  
Unnamed Waterbody

**Listed Water ID:**  
n/a

Is this receiving water saltwater or freshwater? Freshwater

Is this receiving water designated by the state or tribal authority under its antidegradation policy as a Tier 2 (or Tier 2.5) water (water quality exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water)?

No

Will you have stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit?

No

## Benchmark Monitoring

Are you subject to benchmark monitoring requirements for a hardness-dependent metal? No

## Impaired Waters Monitoring

NOTE: The information automatically populated in this section for determining if the receiving water is listed as impaired on the 303(d) list and in need of a TMDL, the cause(s) of the impairment if the receiving water is impaired on the CWA 303(d) list, if a TMDL has been completed for the receiving waterbody, and the TMDL ID and pollutants for which there is a TMDL may be outdated and inaccurate. It is recommended that you consult with your state's guidance for discharges into impaired waters to determine the correct pollutants and TMDLS and update the causes for the impairment and TMDL information accordingly.

Is the receiving water listed as impaired on the 303(d) list and in need of a TMDL? No

Has a TMDL been completed for this receiving waterbody? No

### SWPPP Information

Has the SWPPP been prepared in advance of filing this NOI, as required? Yes

#### SWPPP Contact Information:

First Name Middle Initial Last Name: Danita , Boettner

Phone: 5054241850

Ext.: 110

Email: DBoettner@sfswma.org

### SWPPP Availability:

Your current SWPPP or certain information from your SWPPP must be made available through one of the following three options. Select one of the options and provide the required information.

**Note: you are not required to post any confidential business information (CBI) or restricted information (as defined in Appendix A ([https://www.epa.gov/sites/production/files/2021-01/documents/2021\\_msgp\\_-\\_appendix\\_a\\_-\\_definitions.pdf](https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_a_-_definitions.pdf))) (such information may be redacted), but you must clearly identify those portions of the SWPPP that are being withheld from public access.**

Option 1: Attach a current copy of your SWPPP to this NOI.

Option 2: Maintain a Current Copy of your SWPPP on an Internet page (Universal Resource Locator or URL).

Provide the web address URL (e.g. <http://www.example.com>): <http://www.sfwma.org/about-us/burrt-swppp-plan>

Option 3: Provide the following information from your SWPPP:

### Endangered Species Protection Worksheet: Criterion A

The following questions will help you determine your eligibility under Part 1.1.4 of the permit with respect to protection of Endangered Species Act (ESA) species and critical habitat(s). Please refer to Appendix E ([https://www.epa.gov/sites/production/files/2021-01/documents/2021\\_msgp\\_-\\_appendix\\_e\\_-\\_procedures\\_relating\\_to\\_endangered\\_species\\_protection.pdf](https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_e_-_procedures_relating_to_endangered_species_protection.pdf)) of the 2021 MSGP for important information regarding your obligations under this permit concerning ESA-protected species and critical habitat(s).

## Determine ESA Eligibility Criterion

Are your industrial activities already addressed in another operator's valid certification of eligibility for your "action area" under eligibility criteria A, C, D, or E of the 2021 MSGP?

No

Are your industrial activities the subject of a permit under section 10 of the ESA by the USFWS and/or NMFS, and this authorization addresses the effects of your facility's discharges and discharge-related activities on ESA-listed species and critical habitat?

No

You must determine whether species listed as either threatened or endangered under the Endangered Species Act, and/or their critical habitat are located in your facility's action area. ESA-listed species and critical habitat are under the purview of the NMFS and the USFWS.

## Determine Your Action Area

Your "action area" (as defined in Appendix A ([https://www.epa.gov/sites/production/files/2021-01/documents/2021\\_msgp\\_-\\_appendix\\_a\\_-\\_definitions.pdf](https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_a_-_definitions.pdf))) includes all areas to be affected directly or indirectly by the action and not merely the immediate area involved in the action, including areas beyond the footprint of the facility that are likely to be affected by stormwater discharges, discharge-related activities, and authorized non-stormwater discharges. You must select and confirm that all the following are true:

➔ In determining my "action area", I have considered that discharges of pollutants into downstream areas can expand the action area well beyond the footprint of my facility and the discharge point(s). I have taken into account the controls I will be implementing to minimize pollutants and the receiving waterbody characteristics (e.g. perennial, intermittent, ephemeral) in determining the extent of physical, chemical, and/or biotic effects of the discharges. I confirm that all receiving waterbodies that could receive pollutants from my facility are included in my action area.

True

➔ In determining my "action area", I have considered that discharge-related activities must also be accounted for in determining my action area. I understand that discharge-related activities are any activities that cause, contribute to, or result in stormwater and authorized non-stormwater point source discharges, and measures such as the siting, construction, and operation of stormwater controls to control, reduce, or prevent pollutants from being discharged. I understand that any new or modified stormwater controls that will have noise or other similar effects, and any disturbances associated with construction of controls, are part of my action area.

True

Provide a written description of your action area and explain your rationale for the extent of the action area drawn on your map. [Click here for an example.](#)

The action area for the Buckman Road Recycling and Transfer Station's stormwater generally drains from north to south. The site was developed north of an existing storm water channel with transition cut-slopes along the west, north, and east sides of the Site to transition from developed area of the Site back to natural terrain. All three outfall points discharge into the existing storm water channel south of site. The facility property does not appear to have features or habitat typically preferred by ESA-listed species provided by the United State Fish and Wildlife Services (USFWS) Endangered Species Database for Santa Fe County; New Mexico.

Attach a map of the action area for your facility. Mapping tool IPaC (the Information, Planning, and Consultation System) located at <http://ecos.fws.gov/ipac/> (<https://ecos.fws.gov/ipac/>) or click here ([/net-msgp/documents/action\\_area\\_example.pdf](/net-msgp/documents/action_area_example.pdf)) for an example.

Name	Uploaded Date	Size
 Species List New Mexico Ecological Services Field Office.pdf (attachment/715736)	05/26/2021	650.38 KB


## Determine if ESA-listed species and/or critical habitat are in your facility's action area.

ESA-listed species and critical habitat are under the purview of the NMFS and the USFWS, and in many cases, you will need to acquire species and critical habitat lists from both federal agencies.

## National Marine Fisheries Service (NMFS)

To obtain NMFS-listed species and critical habitat information, use the resources listed below:

### General Resources:

- NOAA Fisheries, Regions Page (<https://www.fisheries.noaa.gov/regions>) 

### For the Northeastern U.S.:

- NOAA Fisheries Greater Atlantic Region ESA Section 7 Mapper (<https://noaa.maps.arcgis.com/apps/webappviewer/index.html?id=1bc332edc5204e03b250ac11f9914a27>)

### For Puerto Rico:

- *Acropora* critical habitat map (<https://www.fisheries.noaa.gov/resource/map/acropora-elkhorn-and-staghorn-coral-critical-habitat-map-and-gis-data>)
- Green turtle critical habitat map (<https://www.fisheries.noaa.gov/resource/map/green-turtle-critical-habitat-map-and-gis-data>)
- Hawksbill Turtle critical habitat map (<https://www.fisheries.noaa.gov/resource/map/hawksbill-turtle-critical-habitat-map-and-gis-data>)

### Western U.S.:

- West Coast Region Protected Resources App (<https://www.webapps.nwfsc.noaa.gov/portal/apps/webappviewer/index.html?id=7514c715b8594944a6e468dd25aaacc9>)

### Pacific Islands:

- Contact the Pacific Islands Regional Office at (808) 725-5000 or [pirohonolulu@noaa.gov](mailto:pirohonolulu@noaa.gov) (<mailto:pirohonolulu@noaa.gov>)

I have checked the webpages listed above and confirmed that: There are no NMFS-listed species and/or critical habitat in my action area.

## U.S. Fish and Wildlife Service (USFWS)

To obtain FWS-listed species and critical habitat information, use the resources listed below:

- IPaC (the Information, Planning, and Consultation System) (<https://ecos.fws.gov/ipac/>)
- For instructions for using IPaC, click here.

I have checked the webpages listed above and confirmed that: There are no FWS-listed species and/or critical habitat in my action area.

You are eligible under **Criterion A**

Identify the USFWS and NMFS information sources used (Note: state resources are not acceptable):

US Fish and Wildlife Services - Official Species List and correspondence

You must attach copies of any letters or other communications with the USFWS or NMFS. Attaching aerial image(s) of the site to this NOI is helpful to EPA, USFWS, and NMFS in confirming eligibility under this criterion.

Name	Uploaded Date	Size
 Appendix G - Threatened and Endangered Species Review.pdf (attachment/716641)	05/27/2021	2.42 MB

Historic Preservation: Criterion A

The following questions will help you determine your eligibility under Part 1.1.5 of the permit with respect to preservation of historic properties. You may still use the paper instructions in Appendix F ([https://www.epa.gov/sites/production/files/2021-01/documents/2021\\_msgp\\_-\\_appendix\\_f\\_-\\_procedures\\_relatig\\_to\\_historic\\_properties\\_preservation.pdf](https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_f_-_procedures_relatig_to_historic_properties_preservation.pdf)) of the MSGP in advance or in conjunction with answering the questions in this section of the form. For more information about your State Historic Preservation Office (SHPO) or Tribal Historic Preservation Office (THPO), please visit the National Park Service (NPS) websites at:

- State Historic Preservation Office (SHPO) (<https://www.nps.gov/subjects/nationalregister/state-historic-preservation-offices.htm>)
- Tribal Historic Preservation Office (THPO) ([https://www.nps.gov/history/tribes/Tribal\\_Historic\\_Preservation\\_Officers\\_Program.htm](https://www.nps.gov/history/tribes/Tribal_Historic_Preservation_Officers_Program.htm))

Are you an existing facility that is resubmitting for certification under the 2021 MSGP? Yes

➔ If you are an existing facility you should have already addressed National Historic Preservation Act (NHPA) issues. To gain coverage under the 2015 MSGP, you were required to certify that you were either not affecting historic properties or had obtained written agreement from the relevant SHPO or THPO regarding methods of mitigating potential impacts.

Will you be constructing or installing any new stormwater control measures? No

You are eligible under **Criterion A**

Certification Information

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 have no personal knowledge that the information submitted is other than 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. Signing an electronic document on behalf of another person is subject to criminal, civil, administrative, or other lawful action.

**Certified By:** Randall Kippenbrock

**Certifier Title:** Executive Director

**Certifier Email:** rkippenbrock@sfswwa.org

**Certified On:** 05/27/2021 6:27 PM ET





APPENDIX C

CERTIFICATION OF STORMWATER POLLUTION  
PREVENTION PLAN

## APPENDIX C


### CERTIFICATION OF STORMWATER POLLUTION PLAN

I certify, under penalty of law, that this document and all attachments were prepared under my direct supervision 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 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 known violations.

**Responsible Official/Authorized Representative:**

**Name:** Randall Kippenbrock, P.E. **Title:** Executive Director

**Signature:**  **Date:** 5/25/2021



APPENDIX D  
STANDARD FORMS

**APPENDIX D-1  
STORMWATER POLLUTION PREVENTION PLAN  
INCIDENT REPORT**

1. Time problem discovered: \_\_\_\_\_ Date: \_\_\_\_\_
2. Time problem corrected: \_\_\_\_\_ Date: \_\_\_\_\_
3. Approximate location and type of accident (e.g. fire, explosion, spill, etc.):  
\_\_\_\_\_
4. Material spilled: \_\_\_\_\_  
  
Approximate amount: \_\_\_\_\_  
  
Is this amount reportable\*      Yes \_\_\_\_\_      No \_\_\_\_\_  
If "Yes" complete the rest of this form and contact the appropriate manager immediately.
5. Extent of injuries (If any): \_\_\_\_\_  
\_\_\_\_\_
6. Estimated Amount of Material Recovered: \_\_\_\_\_  
\_\_\_\_\_
7. What was done with the recovered material? \_\_\_\_\_  
\_\_\_\_\_
8. Action taken to control the problem and prevent further problems: \_\_\_\_\_  
\_\_\_\_\_

**Authorized Representative:**

**Name:** \_\_\_\_\_ **Title:** \_\_\_\_\_

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

\* Reportable quantities of oil defined by 40 CFR §112.4(a). Reportable quantities of other hazardous substances defined by 40 CFR §117 and 40 CFR §302.

**APPENDIX D-2  
NON-STORMWATER DISCHARGE ASSESSMENT AND CERTIFICATION**

Date of Test or Evaluation	Outfall Directly Observed During Test or Evaluation	Method Used to Test or Evaluate Discharge	Describe Results Test for the Presence of Non-Stormwater Discharge	Identify Potential Significant Sources	Name Person Who Conducted the Test or Evaluation

I certify, under penalty of law, that this document and all attachments were prepared under my direct supervision 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 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 known violations.

**Responsible Official/Authorized Representative:**

**Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**APPENDIX D-3**  
**SITE INSPECTION FORM AND SWPPP EVALUATION REPORT (PAGE 1 OF 3)**

**I. GENERAL DATA:**

Site: BuRRT

Location: Santa Fe, New Mexico Time/Date: \_\_\_\_\_

Weather  
Conditions: \_\_\_\_\_

Inspector: \_\_\_\_\_ Title: \_\_\_\_\_

This form is to be completed for the following areas (Part 3.1 unless otherwise noted):

1. Areas where industrial materials or activities are exposed to stormwater;
2. Areas identified in the SWPPP and those that are potential pollutant sources;
3. Areas where spills and leaks have occurred in the past three years;
4. Discharge points;
5. Control measures used to comply with the effluent limits contained in this permit;
6. All areas where waste is generated, received, stored, treated, or disposed of and that are exposed to either precipitation or stormwater (8.N.5.1); and
7. 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 operations (8.P.5)

**Any Discharging Occurring During Inspection:**                      **Yes**                      **No**

If yes, describe:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Any Previous Unidentified Discharges at the Site**                      **Yes**                      **No**

If yes, describe:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Any Evidence of Pollutants or Potential For Pollutants to Enter Drainage System:**                      **Yes**                      **No**

If yes, describe:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**APPENDIX D-3  
SITE INSPECTION FORM AND SWPPP EVALUATION REPORT (PAGE 2 OF 3)**

**Describe Condition of Outfall Area:**

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**Any Control Measures Needing Maintenance or Repair:**                      **Yes**                      **No**

If yes, describe:

---

---

---

---

**Any Incidents of Noncompliance:**                                              **Yes**                                              **No**

If yes, describe:

---

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---

---

I certify, under penalty of law, that this document and all attachments were prepared under my direct supervision 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 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 known violations.

**Responsible Official/Authorized Representative:**

**Name:** \_\_\_\_\_ **Title:** \_\_\_\_\_

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**APPENDIX D-3  
SITE INSPECTION FORM AND SWPPP EVALUATION REPORT (PAGE 3 OF 3)**

**ONLY UTILIZE THIS PAGE OF THE FORM IF SWPPP CHANGES ARE NECESSARY DUE TO THE INSPECTION**

**CORRECTIVE ACTIONS:** If any SWPPP changes are necessary as described in 2021 MSGP Part 5, describe change needed along with due date and date completed below. **Note: some corrective actions must be performed immediately and/or with 14 days of discovery of the corrective action condition.** Please refer to the MSGP Part 5 for acceptable timelines.

CORRECTIVE ACTION	DUE DATE	DATE COMPLETED

**Note: Upon completion of all necessary changes or repairs, certify the plan again. Attach this report and the updated compliance certification form (Appendix F) to the SWPPP if this inspection is part of the Annual Inspection Form.**

I certify, under penalty of law, that this document and all attachments were prepared under my direct supervision 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 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 known violations.

**Responsible Official/Authorized Representative:**

**Name:** \_\_\_\_\_ **Title:** \_\_\_\_\_

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_



**APPENDIX D-4  
EMPLOYEE TRAINING CHECKLIST**

Instructions: Describe the employee training program for your site below. The program should, at a minimum, address spill prevention and response, good housekeeping, and material management practices. Provide a schedule for the training program and list the employees who attend training sessions.

Training Topic	Brief Description of Training Program and Materials (e.g. Film, Newsletter, Course, etc.)	Schedule for Training (List Dates)
<b>Control Measures (BMPs)</b>		
<b>Visual Monitoring Requirements</b>		
<b>Inspection Requirements</b>		
<b>Planning</b>		
<b>Reporting Requirements</b>		
<b>Documentation Requirements</b>		

**Attendance List:**

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**Responsible Official/Authorized Representative:**

**Name:** \_\_\_\_\_ **Title:** \_\_\_\_\_

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**APPENDIX D-5**  
**QUARTERLY DISCHARGE MONITORING VISUAL EXAMINATION (PAGE 1 OF 3)**

Site Name: BuRRT Year: \_\_\_\_\_

Outfall No. (as shown on the Site Map): \_\_\_\_\_ Date Collected: \_\_\_\_\_

Collected By: \_\_\_\_\_ Quarter: 1 2 3 4

<b>STORM EVENT INFORMATION</b>		
Time flow began (24-hour clock):	Type of Runoff: Rainfall/Snowmelt	
Time sample was collected:	Size of drainage area (sq ft):	
Duration of the storm event (hours):	Total rainfall (inches):	
Days since last rainfall of >0.1 inches:	Estimate of total flow (gallons):	
<b>SAMPLE INFORMATION (no laboratory analysis required)</b>		
<b>Parameter</b>	<b>Evaluation (1 to 10 scale, 1=Good, 10=Bad)</b>	<b>Comments/Description/Potential Source</b>
Color	1 2 3 4 5 6 7 8 9 10 CLEAR DARK	
Odor	1 2 3 4 5 6 7 8 9 10 NONE PUNGENT	
Clarity	1 2 3 4 5 6 7 8 9 10 CLEAR OPAQUE	
Floating Solids	1 2 3 4 5 6 7 8 9 10 NONE COVERED	
Settle Solids*	1 2 3 4 5 6 7 8 9 10 NONE SIGNIFICANT	
Suspended Solids	1 2 3 4 5 6 7 8 9 10 NONE SIGNIFICANT	
Foam	1 2 3 4 5 6 7 8 9 10 NONE SIGNIFICANT	
Oil Sheen	1 2 3 4 5 6 7 8 9 10 NONE FREE PRODUCT	
Other (note each)	1 2 3 4 5 6 7 8 9 10 CLEAR DARK	

\* Evaluate after allowing sample to settle one hour

**APPENDIX D-5**  
**QUARTERLY DISCHARGE MONITORING VISUAL EXAMINATION (PAGE 2 OF 3)**

1. Was a sample collected at this Outfall in the previous quarter? Y N If No, Explain why not:

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2. Was sample collected within 30 minutes of the beginning of the storm event? Y N  
Within one hour? Y N If either answer is no, explain why not:

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3. Was storm event greater than 0.1 inch in magnitude and at least 72 hours after the previously measurable (greater than 0.1 inches discharge) storm event? Y N If no, explain why not:

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4. Did evaluation of stormwater show poor quality indicators? Y N If yes, below describe potential source(s), identify corrective actions, personnel responsible for corrective actions, and time schedule for completion of corrective actions. Document any follow-up actions and date corrective actions completed.

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**APPENDIX D-5**  
**QUARTERLY DISCHARGE MONITORING VISUAL EXAMINATION (PAGE 3 OF 3)**

I certify, under penalty of law, that this document and all attachments were prepared under my direct supervision 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 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 known violations.

**Responsible Official/Authorized Representative:**

**Name:** \_\_\_\_\_ **Title:** \_\_\_\_\_

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**APPENDIX D-6  
 QUARTERLY ASSESSMENT and/or MONITORING WAIVER FORM**

Quarter:      1<sup>st</sup> Quarter      2<sup>nd</sup> Quarter      3<sup>rd</sup> Quarter      4<sup>th</sup> Quarter  
 (Circle One)    (Jan – Mar)      (Apr – June)      (July – Sept)      (Oct – Dec)      Year: \_\_\_\_\_

**Quarterly visual assessment and monitoring required under the MSGP were not conducted for the following reason(s):**

- There was no discharge during the quarter due to inadequate rainfall.
  
- The following qualifying storm events occurred during this quarter, but were not sampled for the reason indicated:

Date	Rainfall Amount	Reason for Not Sampling (Flooding, High Winds, Electrical Storm, Storm Occurred During Night Hours, etc.)

“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 violations.”

**Responsible Official/Authorized Representative:**

**Name:** \_\_\_\_\_ **Title:** \_\_\_\_\_

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_



APPENDIX E

POLLUTION PREVENTION TEAM CONTACT LIST

**POLLUTION PREVENTION TEAM CONTACT LIST**

Title	Name	Position	Contact Information	
			Office	Mobile
Team Leader	Randall Kippenbrock	Executive Director	505.424.1850 X 100	505.780.0607
Team Member	Danita Boettner	Landfill Manager	505.424.1850 X110	505.629.3720
Team Member	Chris Francisco	BuRRT Superintendent	505.424.1850	505.780.0628
Team Member				



APPENDIX F

SWPPP AMENDMENT SCHEDULE



**APPENDIX F - SWPPP AMENDMENT SCHEDULE**

Number	Date	Amendment Description	Author	Certification Date:
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
15				

## APPENDIX G

### ENDANGERED SPECIES DOCUMENTATION

April 26, 2021  
SCS File No. 16221025.00 T2

## MEMORANDUM

To: File

From: Joseph Krasner, P.E.

SUBJECT: Threatened and Endangered Species Review for  
2021 MSGP NOI  
Buckman Road Recycling and Transfer Station

As part of the preparation of the 2021 MSGP NOI for the Buckman Road Recycling and Transfer Station, SCS Engineers reviewed the updated list of Threatened and Endangered (T&E) species located at the site. The only update from the 2015 list is the addition of the endangered New Mexico Meadow Jumping Mouse *Zapus hudsonius luteus*. This project does not impact any herbaceous riparian vegetation along any waterways. The final critical habitat for this species, per Federal Register Dock FWS-R2-ES-2013-0014, does not include Santa Fe County. As such, the T&E Review dated August 4, 2015 is still valid and included within the 2021 MSGP NOI.



## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
New Mexico Ecological Services Field Office  
2105 Osuna Road Ne  
Albuquerque, NM 87113-1001  
Phone: (505) 346-2525 Fax: (505) 346-2542  
<http://www.fws.gov/southwest/es/NewMexico/>  
[http://www.fws.gov/southwest/es/ES\\_Lists\\_Main2.html](http://www.fws.gov/southwest/es/ES_Lists_Main2.html)

In Reply Refer To:

May 26, 2021

Consultation Code: 02ENNM00-2021-SLI-1131

Event Code: 02ENNM00-2021-E-02657

Project Name: BuRRT (2021 Verification)

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

Thank you for your recent request for information on federally listed species and important wildlife habitats that may occur in your project area. The U.S. Fish and Wildlife Service (Service) has responsibility for certain species of New Mexico wildlife under the Endangered Species Act (ESA) of 1973 as amended (16 USC 1531 et seq.), the Migratory Bird Treaty Act (MBTA) as amended (16 USC 701-715), and the Bald and Golden Eagle Protection Act (BGEPA) as amended (16 USC 668-668c). We are providing the following guidance to assist you in determining which federally imperiled species may or may not occur within your project area and to recommend some conservation measures that can be included in your project design.

### **FEDERALLY-LISTED SPECIES AND DESIGNATED CRITICAL HABITAT**

Attached is a list of endangered, threatened, and proposed species that may occur in your project area. Your project area may not necessarily include all or any of these species. Under the ESA, it is the responsibility of the Federal action agency or its designated representative to determine if a proposed action "may affect" endangered, threatened, or proposed species, or designated critical habitat, and if so, to consult with the Service further. Similarly, it is the responsibility of the Federal action agency or project proponent, not the Service, to make "no effect" determinations. If you determine that your proposed action will have "no effect" on threatened or endangered species or their respective critical habitat, you do not need to seek concurrence with the Service. Nevertheless, it is a violation of Federal law to harm or harass any federally-listed threatened or endangered fish or wildlife species without the appropriate permit.

If you determine that your proposed action may affect federally-listed species, consultation with the Service will be necessary. Through the consultation process, we will analyze information contained in a biological assessment that you provide. If your proposed action is associated with

Federal funding or permitting, consultation will occur with the Federal agency under section 7(a)(2) of the ESA. Otherwise, an incidental take permit pursuant to section 10(a)(1)(B) of the ESA (also known as a habitat conservation plan) is necessary to harm or harass federally listed threatened or endangered fish or wildlife species. In either case, there is no mechanism for authorizing incidental take "after-the-fact." For more information regarding formal consultation and HCPs, please see the Service's Consultation Handbook and Habitat Conservation Plans at [www.fws.gov/endangered/esa-library/index.html#consultations](http://www.fws.gov/endangered/esa-library/index.html#consultations).

The scope of federally listed species compliance not only includes direct effects, but also any interrelated or interdependent project activities (e.g., equipment staging areas, offsite borrow material areas, or utility relocations) and any indirect or cumulative effects that may occur in the action area. The action area includes all areas to be affected, not merely the immediate area involved in the action. Large projects may have effects outside the immediate area to species not listed here that should be addressed. If your action area has suitable habitat for any of the attached species, we recommend that species-specific surveys be conducted during the flowering season for plants and at the appropriate time for wildlife to evaluate any possible project-related impacts.

### **Candidate Species and Other Sensitive Species**

A list of candidate and other sensitive species in your area is also attached. Candidate species and other sensitive species are species that have no legal protection under the ESA, although we recommend that candidate and other sensitive species be included in your surveys and considered for planning purposes. The Service monitors the status of these species. If significant declines occur, these species could potentially be listed. Therefore, actions that may contribute to their decline should be avoided.

Lists of sensitive species including State-listed endangered and threatened species are compiled by New Mexico state agencies. These lists, along with species information, can be found at the following websites:

Biota Information System of New Mexico (BISON-M): [www.bison-m.org](http://www.bison-m.org)

New Mexico State Forestry. The New Mexico Endangered Plant Program:  
[www.emnrd.state.nm.us/SFD/ForestMgt/Endangered.html](http://www.emnrd.state.nm.us/SFD/ForestMgt/Endangered.html)

New Mexico Rare Plant Technical Council, New Mexico Rare Plants: [nmrareplants.unm.edu](http://nmrareplants.unm.edu)

Natural Heritage New Mexico, online species database: [nhnm.unm.edu](http://nhnm.unm.edu)

### **WETLANDS AND FLOODPLAINS**

Under Executive Orders 11988 and 11990, Federal agencies are required to minimize the destruction, loss, or degradation of wetlands and floodplains, and preserve and enhance their natural and beneficial values. These habitats should be conserved through avoidance, or mitigated to ensure that there would be no net loss of wetlands function and value.

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We encourage you to use the National Wetland Inventory (NWI) maps in conjunction with ground-truthing to identify wetlands occurring in your project area. The Service's NWI program website, [www.fws.gov/wetlands/Data/Mapper.html](http://www.fws.gov/wetlands/Data/Mapper.html) integrates digital map data with other resource information. We also recommend you contact the U.S. Army Corps of Engineers for permitting requirements under section 404 of the Clean Water Act if your proposed action could impact floodplains or wetlands.

### **MIGRATORY BIRDS**

The MBTA prohibits the taking of migratory birds, nests, and eggs, except as permitted by the Service's Migratory Bird Office. To minimize the likelihood of adverse impacts to migratory birds, we recommend construction activities occur outside the general bird nesting season from March through August, or that areas proposed for construction during the nesting season be surveyed, and when occupied, avoided until the young have fledged.

We recommend review of Birds of Conservation Concern at website [www.fws.gov/migratorybirds/CurrentBirdIssues/Management/BCC.html](http://www.fws.gov/migratorybirds/CurrentBirdIssues/Management/BCC.html) to fully evaluate the effects to the birds at your site. This list identifies birds that are potentially threatened by disturbance and construction.

### **BALD AND GOLDEN EAGLES**

The bald eagle (*Haliaeetus leucocephalus*) was delisted under the ESA on August 9, 2007. Both the bald eagle and golden eagle (*Aquila chrysaetos*) are still protected under the MBTA and BGEPA. The BGEPA affords both eagles protection in addition to that provided by the MBTA, in particular, by making it unlawful to "disturb" eagles. Under the BGEPA, the Service may issue limited permits to incidentally "take" eagles (e.g., injury, interfering with normal breeding, feeding, or sheltering behavior nest abandonment). For information on bald and golden eagle management guidelines, we recommend you review information provided at [www.fws.gov/midwest/eagle/guidelines/bgepa.html](http://www.fws.gov/midwest/eagle/guidelines/bgepa.html).

On our web site [www.fws.gov/southwest/es/NewMexico/SBC\\_intro.cfm](http://www.fws.gov/southwest/es/NewMexico/SBC_intro.cfm), we have included conservation measures that can minimize impacts to federally listed and other sensitive species. These include measures for communication towers, power line safety for raptors, road and highway improvements, spring developments and livestock watering facilities, wastewater facilities, and trenching operations.

We also suggest you contact the New Mexico Department of Game and Fish, and the New Mexico Energy, Minerals, and Natural Resources Department, Forestry Division for information regarding State fish, wildlife, and plants.

Thank you for your concern for endangered and threatened species and New Mexico's wildlife habitats. We appreciate your efforts to identify and avoid impacts to listed and sensitive species in your project area. For further consultation on your proposed activity, please call 505-346-2525 or email [nmesfo@fws.gov](mailto:nmesfo@fws.gov) and reference your Service Consultation Tracking Number.

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Attachment(s):

- Official Species List
- Migratory Birds

## Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**New Mexico Ecological Services Field Office**

2105 Osuna Road Ne

Albuquerque, NM 87113-1001

(505) 346-2525

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## Project Summary

Consultation Code: 02ENNM00-2021-SLI-1131

Event Code: 02ENNM00-2021-E-02657

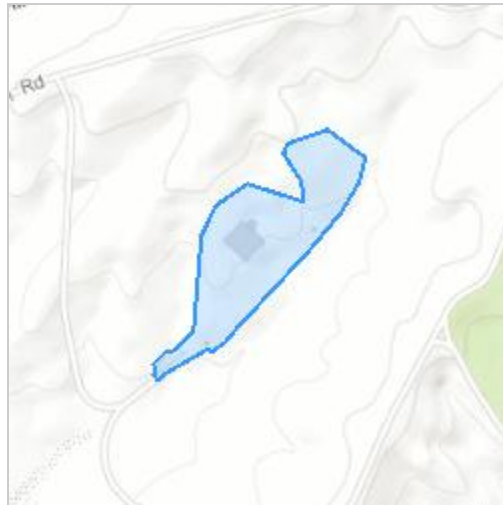
Project Name: BuRRT (2021 Verification)

Project Type: WATER QUALITY MODIFICATION

Project Description: Transfer station and MRF filing a NOI under 2021 MSGP.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@35.695147899999995,-105.97763012745591,14z>



Counties: Santa Fe County, New Mexico

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## Endangered Species Act Species

There is a total of 5 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 1 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

- 
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

## Mammals

NAME	STATUS
New Mexico Meadow Jumping Mouse <i>Zapus hudsonius luteus</i> There is <b>final</b> critical habitat for this species. The location of the critical habitat is not available. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> <li>▪ If project affects dense herbaceous riparian vegetation along waterways (stream, seep, canal/ditch).</li> </ul> Species profile: <a href="https://ecos.fws.gov/ecp/species/7965">https://ecos.fws.gov/ecp/species/7965</a>	Endangered

## Birds

NAME	STATUS
Mexican Spotted Owl <i>Strix occidentalis lucida</i> There is <b>final</b> critical habitat for this species. The location of the critical habitat is not available. Species profile: <a href="https://ecos.fws.gov/ecp/species/8196">https://ecos.fws.gov/ecp/species/8196</a>	Threatened
Southwestern Willow Flycatcher <i>Empidonax traillii extimus</i> There is <b>final</b> critical habitat for this species. The location of the critical habitat is not available. Species profile: <a href="https://ecos.fws.gov/ecp/species/6749">https://ecos.fws.gov/ecp/species/6749</a>	Endangered
Yellow-billed Cuckoo <i>Coccyzus americanus</i> Population: Western U.S. DPS There is <b>final</b> critical habitat for this species. The location of the critical habitat is not available. Species profile: <a href="https://ecos.fws.gov/ecp/species/3911">https://ecos.fws.gov/ecp/species/3911</a>	Threatened

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## Fishes

NAME	STATUS
Rio Grande Cutthroat Trout <i>Oncorhynchus clarkii virginalis</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/920">https://ecos.fws.gov/ecp/species/920</a>	Candidate

## Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

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## Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act<sup>1</sup> and the Bald and Golden Eagle Protection Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

- 
1. The [Migratory Birds Treaty Act](#) of 1918.
  2. The [Bald and Golden Eagle Protection Act](#) of 1940.
  3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern](#) (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Brewer's Sparrow <i>Spizella breweri</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA <a href="https://ecos.fws.gov/ecp/species/9291">https://ecos.fws.gov/ecp/species/9291</a>	Breeds May 15 to Aug 10
Burrowing Owl <i>Athene cunicularia</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA <a href="https://ecos.fws.gov/ecp/species/9737">https://ecos.fws.gov/ecp/species/9737</a>	Breeds Mar 15 to Aug 31
Grace's Warbler <i>Dendroica graciae</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds May 20 to Jul 20

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NAME	BREEDING SEASON
<p>Olive-sided Flycatcher <i>Contopus cooperi</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p> <p><a href="https://ecos.fws.gov/ecp/species/3914">https://ecos.fws.gov/ecp/species/3914</a></p>	Breeds May 20 to Aug 31
<p>Pinyon Jay <i>Gymnorhinus cyanocephalus</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p> <p><a href="https://ecos.fws.gov/ecp/species/9420">https://ecos.fws.gov/ecp/species/9420</a></p>	Breeds Feb 15 to Jul 15
<p>Rufous Hummingbird <i>selasphorus rufus</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p> <p><a href="https://ecos.fws.gov/ecp/species/8002">https://ecos.fws.gov/ecp/species/8002</a></p>	Breeds elsewhere
<p>Virginia's Warbler <i>Vermivora virginiae</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p> <p><a href="https://ecos.fws.gov/ecp/species/9441">https://ecos.fws.gov/ecp/species/9441</a></p>	Breeds May 1 to Jul 31

## Probability Of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

### Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12

(0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is  $0.25/0.25 = 1$ ; at week 20 it is  $0.05/0.25 = 0.2$ .

- The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

**Breeding Season (■)**

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

**Survey Effort (|)**

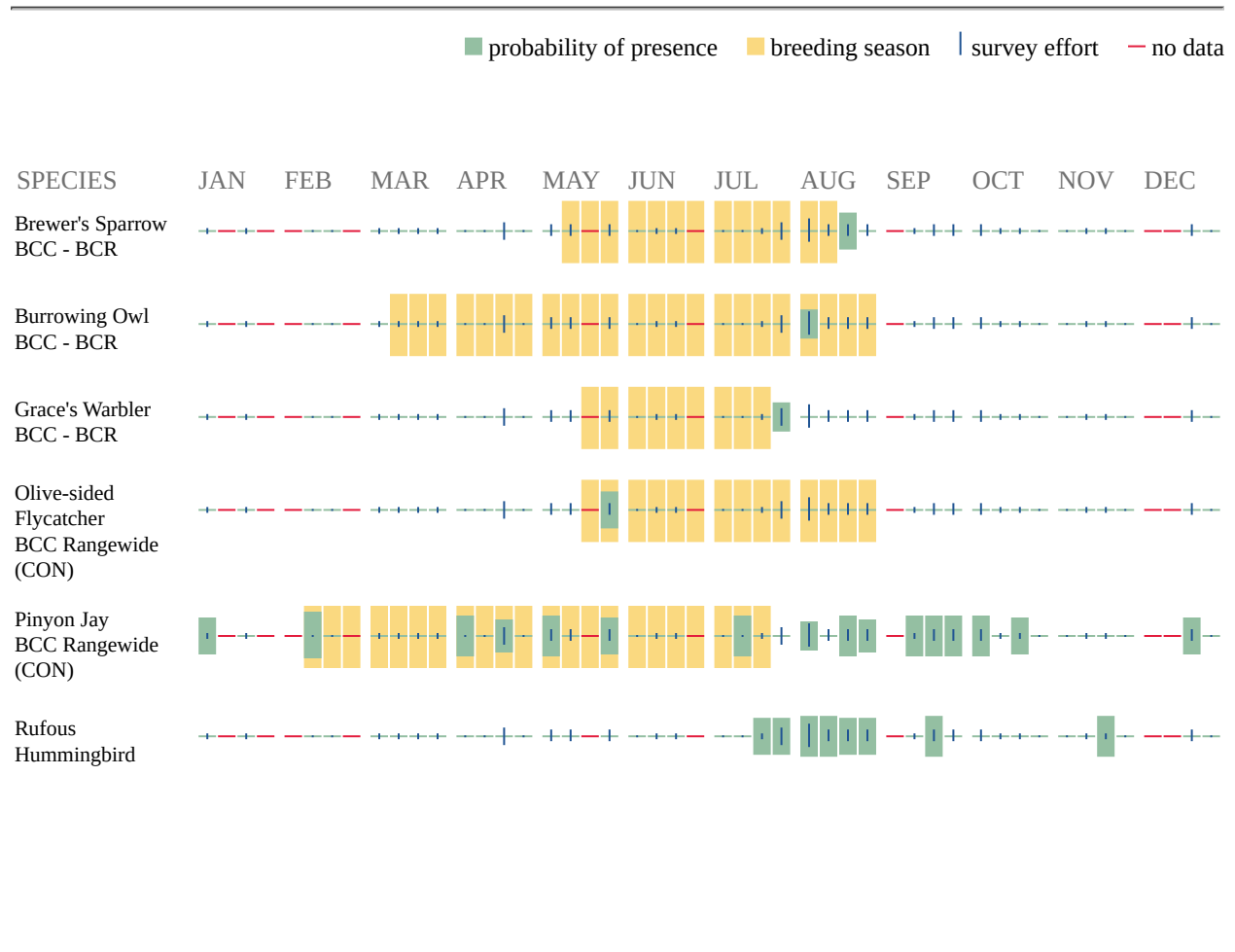
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

**No Data (-)**

A week is marked as having no data if there were no survey events for that week.

**Survey Timeframe**

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



BCC Rangewide  
(CON)

Virginia's Warbler  
BCC Rangewide  
(CON)



Additional information can be found using the following links:

- Birds of Conservation Concern <http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- Measures for avoiding and minimizing impacts to birds <http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- Nationwide conservation measures for birds <http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf>

## Migratory Birds FAQ

**Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.**

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

**What does IPaC use to generate the migratory birds potentially occurring in my specified location?**

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [AKN Phenology Tool](#).

### **What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?**

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go to the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

### **How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?**

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

### **What are the levels of concern for migratory birds?**

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

### **Details about birds that are potentially affected by offshore projects**

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical](#)

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[Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

### **What if I have eagles on my list?**

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

### **Proper Interpretation and Use of Your Migratory Bird Report**

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

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## SCS ENGINEERS

August 4, 2015

United States Fish and Wildlife Service  
Region 2  
P.O. Box 1306, Room 4012  
Albuquerque, NM 87102

Re: Threatened and Endangered Species Review  
Buckman Road Recycling and Transfer Station  
Santa Fe, New Mexico

Chief, Division of Endangered Species:

SCS Engineers (SCS) is performing a Threatened and Endangered Species Review for the above-referenced facility, as required for the facility's Stormwater Pollution Prevention Plan. The facility is a developed Recycling and Transfer Station located at 2600 Buckman Road, Santa Fe, NM, in Section 28, Township 17 North, Range 8 East (Latitude 35.695° N and Longitude 105.977° W).

According to information reviewed on the United State Fish and Wildlife Service (USFWS) Endangered Species Database for Santa Fe County, New Mexico, the following threatened or endangered species and listing status were identified:

### Santa Fe County

<u>Common Name</u>	<u>Scientific Name</u>	<u>Species Group</u>	<u>Listing Status</u>
bald eagle	<i>Haliaeetus leucocephalus</i>	Birds	DM
black-footed ferret	<i>Mustela nigripes</i>	Mammals	E, EXPN
Mexican spotted owl	<i>Strix occidentalis lucida</i>	Birds	T
Mountain plover	<i>Charadrius montanus</i>	Birds	PT
Rio Grande cutthroat trout	<i>Oncorhynchus clarki virginalis</i>	Fishes	C
Rio Grande silvery minnow	<i>Hybognathus amarus</i>	Fishes	E
southwestern willow flycatcher	<i>Empidonax traillii extimus</i>	Birds	E
yellow-billed Cuckoo	<i>Coccyzus americanus</i>	Birds	C

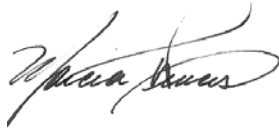
The facility property does not appear to have features or habitat typically preferred by these species. Based on the list of species identified within Santa Fe County, observations, current development of the property, and the immediate area, it is unlikely that the facility property serves as a habitat for threatened or endangered species. In the event that future development activities (i.e. renovation or expansion) occur, the potential for the impact to threatened or endangered species habitat will be reviewed prior to those activities occurring.

USFWS  
August 4, 2015  
Page 2

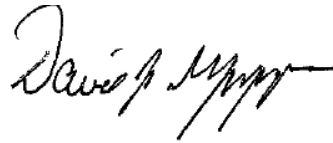
I have attached a copy of a site vicinity aerial photograph depicting the facility property location. SCS would appreciate a written response to the person and address listed below if the USFWS is not in concurrence with SCS' determination stated above. An email response would be accepted at [mpincus@scsengineers.com](mailto:mpincus@scsengineers.com) or sent to the address above.

Thank you for your assistance and if you have any questions or require additional information, please contact Marcia Pincus (505) 514-8759.

Sincerely,



Marcia Pincus, P.E.  
Project Manager  
**SCS Engineers**



David J. Mezzacappa, P.E.  
Vice President  
**SCS Engineers**

cc: Randall Kippenbrock, P.E., SFSWMA  
Danita Boettner, SFSWMA



# United States Department of the Interior



FISH AND WILDLIFE SERVICE  
New Mexico Ecological Services Field Office  
2105 OSUNA ROAD NE  
ALBUQUERQUE, NM 87113  
PHONE: (505)346-2525 FAX: (505)346-2542  
URL: [www.fws.gov/southwest/es/NewMexico/](http://www.fws.gov/southwest/es/NewMexico/);  
[www.fws.gov/southwest/es/ES\\_Lists\\_Main2.html](http://www.fws.gov/southwest/es/ES_Lists_Main2.html)

Consultation Code: 02ENNM00-2015-SLI-0632

August 25, 2015

Event Code: 02ENNM00-2015-E-00750

Project Name: Buckman Road Recycling and Transfer Station

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

Thank you for your recent request for information on federally listed species and important wildlife habitats that may occur in your project area. The U.S. Fish and Wildlife Service (Service) has responsibility for certain species of New Mexico wildlife under the Endangered Species Act (ESA) of 1973 as amended (16 USC 1531 et seq.), the Migratory Bird Treaty Act (MBTA) as amended (16 USC 701-715), and the Bald and Golden Eagle Protection Act (BGEPA) as amended (16 USC 668-668c). We are providing the following guidance to assist you in determining which federally imperiled species may or may not occur within your project area and to recommend some conservation measures that can be included in your project design.

## **FEDERALLY-LISTED SPECIES AND DESIGNATED CRITICAL HABITAT**

Attached is a list of endangered, threatened, and proposed species that may occur in your project area. Your project area may not necessarily include all or any of these species. Under the ESA, it is the responsibility of the Federal action agency or its designated representative to determine if a proposed action "may affect" endangered, threatened, or proposed species, or designated critical habitat, and if so, to consult with the Service further. Similarly, it is the responsibility of the Federal action agency or project proponent, not the Service, to make "no effect" determinations. If you determine that your proposed action will have "no effect" on threatened or endangered species or their respective critical habitat, you do not need to seek concurrence with the Service. Nevertheless, it is a violation of Federal law to harm or harass any federally-listed threatened or endangered fish or wildlife species without the appropriate permit.

If you determine that your proposed action may affect federally-listed species, consultation with the Service will be necessary. Through the consultation process, we will analyze information

contained in a biological assessment that you provide. If your proposed action is associated with Federal funding or permitting, consultation will occur with the Federal agency under section 7(a)(2) of the ESA. Otherwise, an incidental take permit pursuant to section 10(a)(1)(B) of the ESA (also known as a habitat conservation plan) is necessary to harm or harass federally listed threatened or endangered fish or wildlife species. In either case, there is no mechanism for authorizing incidental take "after-the-fact." For more information regarding formal consultation and HCPs, please see the Service's Consultation Handbook and Habitat Conservation Plans at [www.fws.gov/endangered/esa-library/index.html#consultations](http://www.fws.gov/endangered/esa-library/index.html#consultations).

The scope of federally listed species compliance not only includes direct effects, but also any interrelated or interdependent project activities (e.g., equipment staging areas, offsite borrow material areas, or utility relocations) and any indirect or cumulative effects that may occur in the action area. The action area includes all areas to be affected, not merely the immediate area involved in the action. Large projects may have effects outside the immediate area to species not listed here that should be addressed. If your action area has suitable habitat for any of the attached species, we recommend that species-specific surveys be conducted during the flowering season for plants and at the appropriate time for wildlife to evaluate any possible project-related impacts.

### **Candidate Species and Other Sensitive Species**

A list of candidate and other sensitive species in your area is also attached. Candidate species and other sensitive species are species that have no legal protection under the ESA, although we recommend that candidate and other sensitive species be included in your surveys and considered for planning purposes. The Service monitors the status of these species. If significant declines occur, these species could potentially be listed. Therefore, actions that may contribute to their decline should be avoided.

Lists of sensitive species including State-listed endangered and threatened species are compiled by New Mexico state agencies. These lists, along with species information, can be found at the following websites:

Biota Information System of New Mexico (BISON-M): [www.bison-m.org](http://www.bison-m.org)

New Mexico State Forestry. The New Mexico Endangered Plant Program: [www.emnrd.state.nm.us/SFD/ForestMgt/Endangered.html](http://www.emnrd.state.nm.us/SFD/ForestMgt/Endangered.html)

New Mexico Rare Plant Technical Council, New Mexico Rare Plants: [nmrareplants.unm.edu](http://nmrareplants.unm.edu)

Natural Heritage New Mexico, online species database: [nhnm.unm.edu](http://nhnm.unm.edu)

### **WETLANDS AND FLOODPLAINS**

Under Executive Orders 11988 and 11990, Federal agencies are required to minimize the destruction, loss, or degradation of wetlands and floodplains, and preserve and enhance their natural and beneficial values. These habitats should be conserved through avoidance, or mitigated to ensure that there would be no net loss of wetlands function and value.

We encourage you to use the National Wetland Inventory (NWI) maps in conjunction with ground-truthing to identify wetlands occurring in your project area. The Service's NWI program website, [www.fws.gov/wetlands/Data/Mapper.html](http://www.fws.gov/wetlands/Data/Mapper.html) integrates digital map data with other resource information. We also recommend you contact the U.S. Army Corps of Engineers for permitting requirements under section 404 of the Clean Water Act if your proposed action could impact floodplains or wetlands.

## **MIGRATORY BIRDS**

The MBTA prohibits the taking of migratory birds, nests, and eggs, except as permitted by the Service's Migratory Bird Office. To minimize the likelihood of adverse impacts to migratory birds, we recommend construction activities occur outside the general bird nesting season from March through August, or that areas proposed for construction during the nesting season be surveyed, and when occupied, avoided until the young have fledged.

We recommend review of Birds of Conservation Concern at website [www.fws.gov/migratorybirds/CurrentBirdIssues/Management/BCC.html](http://www.fws.gov/migratorybirds/CurrentBirdIssues/Management/BCC.html) to fully evaluate the effects to the birds at your site. This list identifies birds that are potentially threatened by disturbance and construction.

## **BALD AND GOLDEN EAGLES**

The bald eagle (*Haliaeetus leucocephalus*) was delisted under the ESA on August 9, 2007. Both the bald eagle and golden eagle (*Aquila chrysaetos*) are still protected under the MBTA and BGEPA. The BGEPA affords both eagles protection in addition to that provided by the MBTA, in particular, by making it unlawful to "disturb" eagles. Under the BGEPA, the Service may issue limited permits to incidentally "take" eagles (e.g., injury, interfering with normal breeding, feeding, or sheltering behavior nest abandonment). For information on bald and golden eagle management guidelines, we recommend you review information provided at [www.fws.gov/midwest/eagle/guidelines/bgepa.html](http://www.fws.gov/midwest/eagle/guidelines/bgepa.html).

On our web site [www.fws.gov/southwest/es/NewMexico/SBC\\_intro.cfm](http://www.fws.gov/southwest/es/NewMexico/SBC_intro.cfm), we have included conservation measures that can minimize impacts to federally listed and other sensitive species. These include measures for communication towers, power line safety for raptors, road and highway improvements, spring developments and livestock watering facilities, wastewater facilities, and trenching operations.

We also suggest you contact the New Mexico Department of Game and Fish, and the New Mexico Energy, Minerals, and Natural Resources Department, Forestry Division for information regarding State fish, wildlife, and plants.

Thank you for your concern for endangered and threatened species and New Mexico's wildlife habitats. We appreciate your efforts to identify and avoid impacts to listed and sensitive species in your project area. For further consultation on your proposed activity, please call 505-346-2525 or email [nmesfo@fws.gov](mailto:nmesfo@fws.gov) and reference your Service Consultation Tracking Number.

Attachment





United States Department of Interior  
Fish and Wildlife Service

Project name: Buckman Road Recycling and Transfer Station

## Official Species List

### Provided by:

New Mexico Ecological Services Field Office

2105 OSUNA ROAD NE

ALBUQUERQUE, NM 87113

(505) 346-2525

<http://www.fws.gov/southwest/es/NewMexico/>

[http://www.fws.gov/southwest/es/ES\\_Lists\\_Main2.html](http://www.fws.gov/southwest/es/ES_Lists_Main2.html)

**Consultation Code:** 02ENNM00-2015-SLI-0632

**Event Code:** 02ENNM00-2015-E-00750

**Project Type:** WATER QUALITY MODIFICATION

**Project Name:** Buckman Road Recycling and Transfer Station

**Project Description:** 2015 MSGP

**Please Note:** The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.

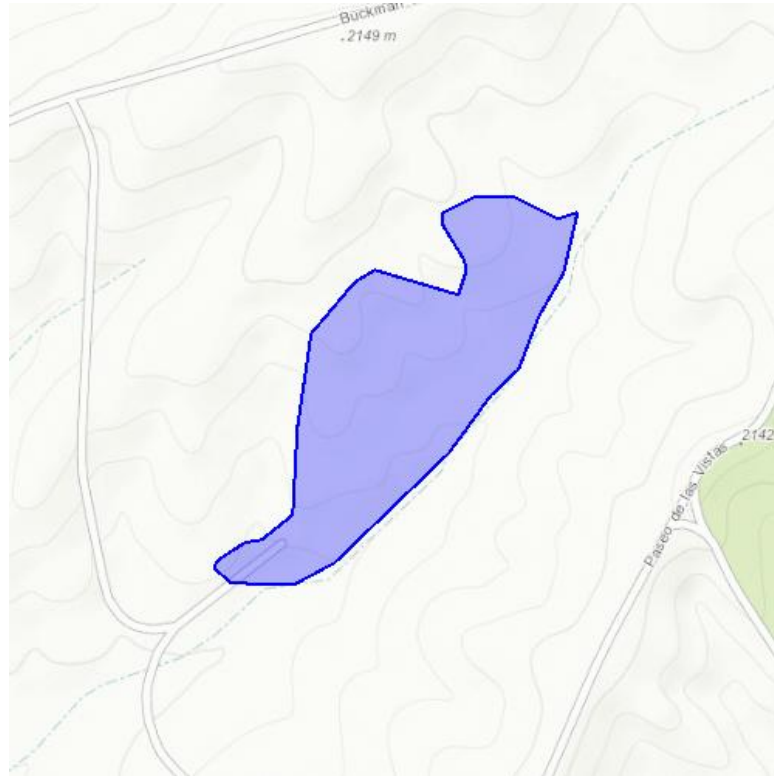




United States Department of Interior  
Fish and Wildlife Service

Project name: Buckman Road Recycling and Transfer Station

### Project Location Map:



**Project Coordinates:** MULTIPOLYGON (((-105.97560167312622 35.69755165007971, -105.97490429878235 35.69727283427865, -105.97458243370056 35.69735996432121, -105.97479701042175 35.696584503595766, -105.97519397735596 35.69602686425579, -105.9755265712738 35.695355949257, -105.97595572471619 35.69502484626842, -105.97661018371582 35.69429292952094, -105.97841262817383 35.69288135682466, -105.97906708717346 35.69260252469519, -105.98005414009094 35.69261995173182, -105.98032236099243 35.69282036237963, -105.98025798797606 35.69290749728681, -105.97983956336975 35.693125334138294, -105.9795606136322 35.69316890143718, -105.97907781600952 35.69349129870938, -105.97901344299316 35.694597895648705, -105.97877740859985 35.69580903532954, -105.97810149192809 35.69647123342043, -105.97779035568237 35.696619355925044, -105.97647070884703 35.6963056844132, -105.97634196281433 35.6966019297623, -105.97637414932251 35.69675005202417, -105.97671747207642 35.697194417158975, -105.97671747207642 35.69735996432121, -105.97623467445374 35.69756036305779, -105.97560167312622 35.69755165007971)))



United States Department of Interior  
Fish and Wildlife Service

Project name: Buckman Road Recycling and Transfer Station

**Project Counties:** Santa Fe, NM



United States Department of Interior  
Fish and Wildlife Service

Project name: Buckman Road Recycling and Transfer Station

## Endangered Species Act Species List

There are a total of 3 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Birds	Status	Has Critical Habitat	Condition(s)
Mexican Spotted owl ( <i>Strix occidentalis lucida</i> ) Population: Entire	Threatened	Final designated	
Southwestern Willow flycatcher ( <i>Empidonax traillii extimus</i> ) Population: Entire	Endangered	Final designated	
Yellow-Billed Cuckoo ( <i>Coccyzus americanus</i> ) Population: Western U.S. DPS	Threatened	Proposed	



United States Department of Interior  
Fish and Wildlife Service

Project name: Buckman Road Recycling and Transfer Station

## **Critical habitats that lie within your project area**

There are no critical habitats within your project area.



APPENDIX H

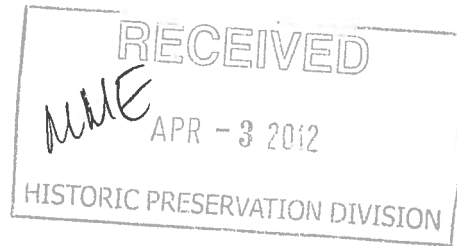
HISTORIC PRESERVATION DOCUMENTATION

## SCS ENGINEERS

March 29, 2012  
16211074.00

*GAZZA*

Ms. Jan V. Biella  
State Historic Preservation Office  
New Mexico Historic Preservation Division  
Department of Cultural Affairs  
Bataan Memorial Building  
407 Galisteo Street, Suite 236  
Santa Fe, NM 87501



Re: State Historic Cultural Properties Review  
Buckman Road Recycling and Transfer Station  
Santa Fe, New Mexico

Dear Ms. Biella:

SCS Engineers (SCS) is performing a Historic Cultural Properties Review for the above-referenced facility, as required for the facility's Stormwater Pollution Prevention Plan. The facility is a developed Recycling and Transfer Station located at 2600 Buckman Road, Santa Fe, NM, in Section 28, Township 17 North, Range 8 East (Latitude 35.695° N and Longitude 105.977° W). *wrong PLS this means for Caja Del Rio*

In accordance with Section 106 of the National Historic Preservation Act of 1966 (16 USC 470) as amended, I am requesting a historical review of the subject property. I have attached a copy of a site vicinity aerial photograph depicting the facility property location. As per section 106 of the National Historic Preservation Act, SCS requests that the following statements be confirmed in regard to the above referenced site.

- 1) The facility property does or does not affect districts, sites, buildings, structures or objects listed, or eligible for listing in the National Register of Historic Places.
- 2) This subject property does not affect Indian religious sites.

SCS requests that a written confirmation of this statement be forwarded to Ms. Gail Davis at the address shown below. An email confirmation would be accepted at [gdavis@scsengineers.com](mailto:gdavis@scsengineers.com).

## Ensey, Michelle, DCA

---

**From:** Ensey, Michelle, DCA  
**Sent:** Tuesday, April 24, 2012 1:25 PM  
**To:** 'gdavis@scsengineers.com'  
**Subject:** Buckman Road Recycling and Transfer Station  
**Attachments:** county tribal list updated 6-24-11.rtf; tribal officials 2011-2.pdf; 2011 Tribes outside NM(1).doc

Dear Ms. Davis,


I am writing in response to your letter, received at the State Historic Preservation Division on April 3, 2012 concerning a SWPPP for the Buckman Road Recycling and Transfer Station in Santa Fe. Although your letter indicates that the facility is located in Section 28, T17N, R8E, our records show that this location is the Caja Del Rio Landfill. The Buckman road Recycling And Transfer Station is located on unplatted land within the Santa Fe Grant. Nonetheless, we have determined that the facility property does not affect districts, sites, buildings, structures or objects listed or eligible for listing in the National Register of Historic Places. One archaeological site was documented at the location of the facility, but that site has probably been destroyed and was not relocated during an attempt to find the site in 2002.

Although the facility does not affect any properties listed or eligible for listing in the National Register of Historic Places, we do not have any information on whether the facility will affect Indian religious sites. You must send a separate letter to the tribes within Santa Fe County (list is attached) and request consultation with each tribe on whether Indian religious sites might be affected.

Please do not hesitate to contact me if you have any questions. This email constitutes the State Historic Preservation Officer's response to your letter. Please save or print this email as necessary. You will not receive a copy via US mail.

Sincerely,

Michelle M. Ensey  
Archaeologist  
NM Historic Preservation Division  
407 Galisteo Street, Suite 236  
Santa Fe, NM 87501  
Telephone: (505) 827-4064  
Fax: (505) 827-6338  
[www.nmhistoricpreservation.org](http://www.nmhistoricpreservation.org)



APPENDIX I  
RECORDKEEPING





## Annual Reports

## Discharge Monitoring Reports (DMRs)