

**Appendix A - SPDES General Permit GP-0-06-002**



**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION**  
**SPDES MULTI-SECTOR GENERAL PERMIT**  
**FOR STORMWATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY**

Permit No. GP-0-06-002

Issued Pursuant to Article 17, Titles 7, 8 and Article 70  
of the Environmental Conservation Law

Effective Date: March 28, 2007

Expiration Date: March 27, 2012

William R. Adriance  
Chief Permit Administrator

Address: NYSDEC, 625 Broadway  
Albany, NY 12233-1750

William R. Adriance

Authorized Signature

Date: 12/27/2006



## PREFACE

The Clean Water Act (CWA)<sup>(1)</sup> provides that stormwater discharges associated with industrial activity from a point source<sup>(2)</sup> (including discharges through a municipal separate storm sewer system) to waters of the United States<sup>(3)</sup> are unlawful, unless authorized by a National Pollutant Discharge Elimination System (NPDES) permit. In New York, EPA has approved the state program which is enacted through the administration of the State Pollutant Discharge Elimination System (SPDES) program.

A discharger who is subject to the stormwater SPDES regulations may be eligible to obtain coverage under a general permit by submitting a Notice of Intent or Termination (NOIT) form to the address provided on the form. Blank NOIT forms are available by calling (518) 402-8109 or can be downloaded from the NYSDEC website at: [www.dec.state.ny.us/website/dow/mainpage.htm](http://www.dec.state.ny.us/website/dow/mainpage.htm). There are no application fee(s), but there is an annual regulatory fee which the Department will bill at a later time (normally towards the end of each summer).

There are several major changes from the previous permit that will affect permittees. Please be sure to review and understand the requirements that apply to your facility. The permit format has changed to include general requirements applicable to all facilities with permit coverage (Parts I through VII) and industry specific requirements in Part VIII which address 31 different industrial activities. These industry specific requirements account for the increased size of the permit, but it is important to note that combining the general requirements in Parts I-VII and applicable industry specific requirements in Part VIII will result in a general permit that is approximately the same size as the existing general permit (GP-98-03). It is also important to

<sup>1</sup> Also known as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972 (Pub.L. 92-500, as amended Pub. L. 92-217, Pub. L. 95-576, Pub. L. 96-483 and Pub. L. 97-117, 33 U.S.C. 1251 et.seq.)

<sup>2</sup> "Point Source" means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged.

<sup>3</sup> "Waters of the United States" means:

- (a) All waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;
- (b) All interstate waters, including interstate "wetlands";
- (c) All other waters such as interstate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters:
  - (1) Which are or could be used by interstate or foreign travelers for recreational or other purposes; or
  - (2) From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or
  - (3) Which are used or could be used for industrial purposes by industries in interstate commerce;
- (d) All impoundments of waters otherwise defined as waters of the United States under this definition;
- (e) Tributaries of waters identified in paragraphs (a) through (d) of this definition;
- (f) The territorial sea; and
- (g) Wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs (a) through (f) of this definition.

note that requirements are no longer based only on the primary Standard Industrial Code (SIC) or narrative description. If more than one industrial activity occurs at the facility, those industrial activities are considered to be co-located and the facility must comply with all of the applicable industrial requirements for those activities. Other significant changes under this permit include:

- an expanded Notice of Intent or Termination (NOIT) form to provide the necessary level of information;
- a requirement to perform quarterly visual inspections of stormwater discharges;
- a requirement to perform annual dry weather flow inspections at stormwater discharge outfalls;
- a requirement that all facilities must submit an annual certification report form;
- stormwater monitoring parameters for specific industrial facilities have been revised;
- sampling guidelines (referred to as benchmark monitoring cut-off concentrations) have been added to the monitoring requirements;
- the sampling frequency for analytical testing has been revised to once per year;
- sampling requirements have been revised to require only grab samples;
- additional monitoring requirements for several EPA Point Source Categorical industries subject to effluent limitation guidelines for stormwater discharges (similar to coal pile run-off);
- a requirement that all analytical testing must be reported on specific forms and be submitted to the Department once per year with the annual certification form;
- permit authorization will begin 30 calendar days from receipt of the NOIT (not 2 days from postmark);
- revisions to requirements for facilities subject to EPCRA Section 313 reporting;
- new requirements for facilities with secondary containment areas for storage and transfer areas;
- a revised Best Management Practice (BMP) that salt piles will require enclosure or covers regardless of whether there is a demonstrated discharge to surface or groundwater;

- a new sampling waiver referred to as the Alternative Certification of “Not Present” or “No Exposure”; and
- sectors AD and AE have been added to allow for permit coverage of stormwater discharges from industrial activities designated by the Department as needing a stormwater permit where coverage under a general permit would be more suitable than requiring an individual industrial SPDES permit.
- In response to the types of industrial operations being conducted at mining and landfill facilities, sectors J, L and M can be used to authorize stormwater discharges from construction activities.

Copies of the Notice of Intent or Termination and Annual Certification Report are included in the appendices of the permit.

Coverage under this general permit is available effective March 28, 2007 and will expire on March 27, 2012.

SPDES Multi-Sector General Permit  
for Stormwater Discharges Associated with Industrial Activity  
except Construction Activity

Table of Contents

- Part I. COVERAGE UNDER THIS PERMIT (Page 1)
  - A. Permit Area (Page 1)
  - B. Maintaining Water Quality (Page 1)
  - C. Eligibility (Page 2)
  - D. Activities Which are Ineligible for Coverage under this General Permit (Page 7)
  - E. How to Obtain Authorization Under this Permit (Page 7)
  - F. Deadlines for Notification (Page 8)
  - G. Interim Permit Coverage for Facilities Covered Under GP-98-03 (Page 8)
  - H. Conditional Exclusion for No Exposure (Page 9)
  
- Part II. SPECIAL CONDITIONS (Page 10)
  - A. New Stormwater Discharges (Page 10)
  - B. Releases of Hazardous Substances or Petroleum (Page 10)
  - C. Impaired Waters (303(d) and TMDL) (Page 11)
  
- Part III. STORMWATER POLLUTION PREVENTION PLANS (Page 11)
  - A. Stormwater Pollution Plan Requirements (Page 11)
  - B. Deadlines for SWPPP Preparation and Compliance (Page 12)
  - C. Contents of the Plan (Page 12)
  - D. Maintenance (Page 18)
  - E. Non-stormwater Discharges (Page 18)
  - F. Documentation of Permit Eligibility Related to Endangered Species (Page 19)
  - G. Documentation of Permit Eligibility Related to Historic Places (Page 20)
  - H. Copy of Permit Requirements (Page 20)
  - I. Comprehensive Site Compliance Evaluation (Page 20)
  - J. Signature and Plan Review (Page 22)
  - K. Keeping SWPPPs Current (Page 22)
  - L. Special Pollution Prevention Plan Requirements (Page 23)
  
- Part IV. MONITORING AND REPORTING REQUIREMENTS (Page 26)
  - A. Monitoring Requirements (Page 26)
  - B. Reporting Monitoring Results and Annual Certification Reporting (Page 35)
  - C. Retention of Monitoring Records (Page 36)

Part V. STANDARD PERMIT CONDITIONS (Page 37)

- A. Duty to Comply (Page 37)
- B. Continuation of the Expired General Permit (Page 38)
- C. Penalties for Violations of Permit Conditions (Page 38)
- D. Need to Halt or Reduce Activity Not a Defense (Page 38)
- E. Duty to Mitigate (Page 38)
- F. Duty to Provide Information (Page 38)
- G. Other Information (Page 38)
- H. Signatory Requirements (Page 38)
- I. Penalties for Falsification of Reports (Page 40)
- J. Penalties for Falsification of Monitoring Systems (Page 40)
- K. Oil and Hazardous Substance Liability (Page 40)
- L. Property Rights (Page 40)
- M. Severability (Page 40)
- N. Requiring an Individual Permit or an Alternative General Permit (Page 40)
- O. State/Environmental Laws (Page 41)
- P. Proper Operation and Maintenance (Page 41)
- Q. Inspection and Entry (Page 41)
- R. Permit Actions (Page 41)
- S. Definitions (Page 41)

Part VI. REOPENER CLAUSE (Page 42)

Part VII. TERMINATION OF COVERAGE (Page 42)

- A. Notice of Intent or Termination (NOIT) Form (Page 42)
- B. Addresses (Page 43)

Part VIII. SECTOR SPECIFIC PERMIT REQUIREMENTS (Page 43)

- A. Timber Products (Page VIII.A-1)
- B. Paper and Allied Products Manufacturing (Page VIII.B-1)
- C. Chemical and Allied Products Manufacturing (Page VIII.C-1)
- D. Asphalt Paving and Roofing Materials and Lubricant Manufacturers (Page VIII.D-1)
- E. Glass, Clay, Cement, Concrete, and Gypsum Products (Page VIII.E-1)
- F. Primary Metals (Page VIII.F-1)
- G. Metal Mining (Ore Mining and Dressing) (Page VIII.G-1)
- H. [Reserved]
- I. Oil and Gas Extraction and Refining (Page VIII.I-1)
- J. Mineral Mining and Dressing (Page VIII.J-1)
- K. Hazardous Waste Treatment, Storage, or Disposal Facilities (Page VIII.K-1)
- L. Landfills, Land Application Sites and Non-Compliant Landfills (Page VIII.L-1)
- M. Automobile Salvage Yards (Page VIII.M-1)
- N. Scrap Recycling and Waste Recycling Facilities (Page VIII.N-1)
- O. Steam Electric Generating Facilities (Page VIII.O-1)
- P. Land Transportation and Warehousing (Page VIII.P-1)
- Q. Water Transportation (Page VIII.Q-1)

Part VIII. SECTOR SPECIFIC PERMIT REQUIREMENTS (continued)

- R. Ship and Boat Building or Repair Yards (Page VIII.R-1)
- S. Air Transportation (Page VIII.S-1)
- T. Treatment Works (Page VIII.T-1)
- U. Food and Kindred Products (Page VIII.U-1)
- V. Textile Mills, Apparel, and Other Fabric Products (Page VIII.V-1)
- W. Furniture and Fixtures (Page VIII.W-1)
- X. Printing and Publishing (Page VIII.X-1)
- Y. Rubber, Miscellaneous Plastic Products, and Misc. Manufacturing (Page VIII.Y-1)
- Z. Leather Tanning and Finishing (Page VIII.Z-1)
- AA. Fabricated Metal Products (Page VIII.AA-1)
- AB. Transportation Equipment, Industrial or Commercial Machinery (Page VIII.AB-1)
- AC. Electronic, Electrical Equipment and Components, Photographic and Optical Goods (Page VIII.AC-1)
- AD. Non-classified Facilities/Stormwater Discharges Designated by the Department as Requiring Permit Coverage (Page VIII.AD-1)
- AE. Non-classified Facilities/Stormwater Discharges Designated by the Department as Requiring Permit Coverage for Department of Public Works and Highway Maintenance Facilities (Page VIII.AE-1)

Appendix A - Definitions

Appendix B - Notice of Intent or Termination

Appendix C - Annual Certification Report

Appendix D - Example Quarterly Visual Monitoring Form

Appendix E - Discharge Monitoring Report

Appendix F - Additional Information for New Discharges

Appendix G - List of DEC Regional Offices

## **Part I. COVERAGE UNDER THIS PERMIT**

**A. Permit Area** - This permit is intended to provide SPDES Permit coverage to facilities with stormwater discharges to waters of the United States from a point source that conduct industrial activities identified within 40 CFR Part 122.26(b)(14)(i) through (ix) and (xi), as well as other miscellaneous industrial activities designated by the Department on a case by case basis. This Permit covers all areas of New York State where New York State implements Section 402 of the CWA. Except as in compliance with this general permit or with a duly authorized individual permit from DEC, stormwater "discharges associated with industrial activity"<sup>(4)</sup> by any person shall be unlawful.

### **B. Maintaining Water Quality**

1. Under the terms and conditions of this permit, the permittee must develop and implement a Stormwater Pollution Prevention Plan (SWPPP) which identifies specific best management practices (BMPs) to be selected, installed, implemented and maintained at the facility to minimize the presence of pollutants in the stormwater discharges.
2. It shall be a violation of this general permit and the Environmental Conservation Law ("ECL") for any discharge authorized by this general permit to either cause or contribute to a violation of water quality standards as contained in Parts 700-705 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York including, but not limited to:
  - a. There shall be no increase in turbidity that will cause a substantial visible contrast to natural conditions;
  - b. There shall be no suspended, colloidal and settleable solids from sewage, industrial wastes or other wastes that will cause deposition or impair the waters for their best usages; and
  - c. There shall be no residue from oil and floating substances attributable to sewage, industrial wastes or other wastes, nor visible oil film nor globules or grease.
3. If there is evidence indicating that the stormwater discharges authorized by this permit are causing, have the reasonable potential to cause, or are contributing to an excursion above an applicable water quality standard, the permittee must take appropriate corrective action and notify DEC of corrective actions taken. The Department may require the permittee to conduct follow-up monitoring or provide additional information, may require the permittee to include and implement appropriate controls in the SWPPP to correct the problem, may require the permittee to obtain an individual permit and/or may take appropriate enforcement action.

<sup>4</sup> A "discharge associated with industrial activity" covered under this general permit, includes those defined in 40 CFR Section 122.26(b)(14)(i) through (ix) and (xi).

**C. Eligibility** - The Permittee must maintain permit eligibility to discharge under this permit. Any discharges that are not compliant with the eligibility conditions of this permit are not authorized by the permit and the Permittee must either apply for a separate permit to cover those ineligible discharges or take steps necessary to make the discharge eligible for coverage.

1. **Facilities Covered** - Permit eligibility is limited to the discharge of stormwater associated with industrial activities defined in 40 CFR 122.26(b)(14)(i-ix and xi) which identifies categories of industrial activity based on Standard Industrial Classification (SIC) codes; industrial activity codes; or non-classified discharges covered under sectors AD and AE of this general permit which have been designated by the Department (via written notification) as needing a stormwater permit and determined to be suitable for coverage under this permit. These industrial activities have been organized into specific industrial sectors A through AE that are summarized in Table I-1. Reference to "sectors" in this permit (e.g., sector specific monitoring requirements, etc.) refer to these sectors.

a. **Co-located industrial activity** - If more than one industrial activity occurs at the facility which is described in Table I-1, those industrial activities are considered to be co-located. Stormwater discharges from co-located industrial activities are authorized by this permit, provided that the permittee complies with any and all additional sector specific requirements from Part VIII applicable to each industrial activity at the facility.

b. **Industrial sector determination** - If a permittee can provide adequate justification to the Department, and the Department agrees, the permittee may utilize another industrial sector which better reflects the industrial activities occurring at the facility than the industrial sector associated with the facility's SIC code. The Department reserves its right to classify such facilities in Sector AD instead.

c. **Municipally owned facilities** - An industrial facility that is owned and operated by a municipality covered by the Phase II Municipal Separate Storm Sewer (MS4) General Permit may not need coverage under a separate MSGP permit provided that the Phase II MS4 permit has implemented an O&M plan and the facility is operated in accordance with the six minimum stormwater control measures required by the Phase II permit.

2. **Discharges Covered** - Subject to compliance with terms and conditions of this permit, the following stormwater discharges are authorized:

a. Stormwater associated with industrial activity to waters of the United States, except ineligible stormwater discharges identified under Part I.D or under the sector specific requirements of Part VIII;

b. Stormwater discharges associated with industrial activity that are mixed with stormwater discharges from construction activities<sup>(5)</sup>, a different SPDES general permit or an individual SPDES permit provided that all discharges are in compliance with the terms and conditions of the various permits;

c. Stormwater discharges associated with industrial activity which are authorized by this permit may be combined with other sources of stormwater which are not classified as associated with industrial activity pursuant to 40 CFR 122.26(b)(14), provided that the discharge is in compliance with this permit and the discharges have not been designated by the Department as requiring an individual SPDES Permit;

d. Discharge subject to effluent guidelines listed in Tables IV-2 or IV-3 that also meet all other eligibility requirements of the permit;

e. Discharges designated by the Department as needing a stormwater permit and determined to be suitable for coverage under sectors AD & AE of this general permit; and

f. Non-stormwater discharges explicitly listed in Part I.C.3.

3. **Non-Stormwater Discharges** - The following non-stormwater discharges may be authorized by this permit provided that the non-stormwater component of the discharge is in compliance with Part III.E:

a. Discharges from fire fighting activities;

b. Fire hydrant flushings;

c. Potable water sources including waterline flushings;

d. Uncontaminated air conditioning or compressor condensate, and other uncontaminated condensate such as condensate from the surface of pressurized gas cylinders stored outside;

e. Irrigation drainage;

f. Landscape watering provided that all pesticides<sup>(6)</sup> and fertilizers have been applied in accordance with manufacturer's instructions;

<sup>5</sup> See definition of "discharges associated with industrial activity" for the construction category, 40 CFR Section 122.26(b)(14)(x).

<sup>6</sup> All pesticide, herbicide and fungicide products used at the facility must be registered with New York State and applied in accordance with the label directions. Any use contrary to the legal label is considered a violation of Federal and State Pesticide Law. Certification of pesticide applicators may be required. (See <http://www.dec.state.ny.us/website/dshn/pesticid/appman.htm>)

**TABLE I-1  
SECTORS OF INDUSTRIAL ACTIVITY COVERED BY THIS PERMIT**

SIC Code or Activity Code	Activity Represented
<b>Sector A: Timber Products</b>	
2411 .....	Log Storage and Handling (Wet deck storage areas are only authorized if no chemical additives are used in the spray water or applied to the logs).
2421 .....	General Sawmills and Planning Mills.
2426 .....	Hardwood Dimension and Flooring Mills.
2429 .....	Special Product Sawmills, Not Elsewhere Classified.
2431-2439 (except 2434 - see ..... Sector W)	Millwork, Veneer, Plywood, and Structural Wood.
2441, 2448, 2449 .....	Wood Containers.
2451, 2452 .....	Wood Buildings and Mobile Homes.
2491 .....	Wood Preserving.
2493 .....	Reconstituted Wood Products.
2499 .....	Wood Products, Not Elsewhere Classified.
<b>Sector B: Paper and Allied Products</b>	
2611 .....	Pulp Mills.
2621 .....	Paper Mills.
2631 .....	Paperboard Mills.
2652-2657 .....	Paperboard Containers and Boxes.
2671-2679 .....	Converted Paper and Paperboard Products, Except Containers and Boxes.
<b>Sector C: Chemical and Allied Products</b>	
2812-2819 .....	Industrial Inorganic Chemicals.
2821-2824 .....	Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers Except Glass.
2833-2836 .....	Medicinal Chemicals and Botanical Products; Pharmaceutical Preparations; In Vitro and In Vivo Diagnostic Substances; Biological Products, Except Diagnostic Substances.
2841-2844 .....	Soaps, Detergents, and Cleaning Preparations; Perfumes, Cosmetics, and Other Toilet Preparations.
2851 .....	Paints, Varnishes, Lacquers, Enamels, and Allied Products.
2861-2869 .....	Industrial Organic Chemicals.
2873-2879 .....	Agricultural Chemicals.
2891-2899 .....	Miscellaneous Chemical Products.
3952 (limited to list) .....	Inks and Paints, Including China Painting Enamels, India Ink, Drawing Ink, Platinum Paints for Burnt Wood or Leather Work, Paints for China Painting, Artist's Paints and Artist's Watercolors.
<b>Sector D: Asphalt Paving and Roofing Materials and Lubricants</b>	
2951, 2952 .....	Asphalt Paving and Roofing Materials.
2992, 2999 .....	Miscellaneous Products of Petroleum and Coal.
<b>Sector E: Glass Clay, Cement, Concrete, and Gypsum Products</b>	
3211 .....	Flat Glass.
3221, 3229 .....	Glass and Glassware, Pressed or Blown.
3231 .....	Glass Products Made of Purchased Glass.
3241 .....	Hydraulic Cement.
3251-3259 .....	Structural Clay Products.
3261-3269 .....	Pottery and Related Products.
3271-3275 .....	Concrete, Gypsum and Plaster Products.
3281 .....	Cut Stone and Stone Products.
3291-3299 .....	Abrasive, Asbestos, and Miscellaneous Non-metallic Mineral Products.
<b>Sector F: Primary Metals</b>	
3312-3317 .....	Steel Works, Blast Furnaces, and Rolling and Finishing Mills.
3321-3325 .....	Iron and Steel Foundries.
3331-3339 .....	Primary Smelting and Refining of Nonferrous Metals.
3341 .....	Secondary Smelting and Refining of Nonferrous Metals.
3351-3357 .....	Rolling, Drawing, and Extruding of Nonferrous Metals.
3363-3369 .....	Nonferrous Foundries (Castings).
3398, 3399 .....	Miscellaneous Primary Metal Products.

<b>Sector G: Metal Mining (Ore Mining and Dressing)</b>	
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 I: [Reserved]</b>	
<b>Sector I: Oil and Gas Extraction and Refining</b>	
1311 .....	Crude Petroleum and Natural Gas.
1321 .....	Natural Gas Liquids.
1381-1389 .....	Oil and Gas Field Services.
2911 .....	Petroleum Refineries.
<b>Sector J: Mineral Mining and Dressing</b>	
1411 .....	Dimension Stone.
1422-1429 .....	Crushed and Broken Stone, Including Rip Rap.
1442, 1446 .....	Sand and Gravel
1455, 1459 .....	Clay, Ceramic, and Refractory Materials.
1474-1479 .....	Chemical and Fertilizer Mineral Mining.
1481 .....	Nonmetallic Minerals Services, Except Fuels.
1499 .....	Miscellaneous Nonmetallic Minerals, Except Fuels.
<b>Sector K: Hazardous Waste Treatment, Storage, or Disposal Facilities</b>	
HZ .....	Hazardous Waste Treatment Storage or Disposal.
<b>Sector L: Landfills and Land Application Sites</b>	
LF .....	Landfills, Land Application Sites, and Non-Compliant Landfills.
<b>Sector M: Automobile Salvage Yards</b>	
5015 .....	Automobile Salvage Yards.
<b>Sector N: Scrap Recycling Facilities</b>	
5093 .....	Scrap Recycling Facilities.
4499 (limited to list) .....	Dismantling Ships, Marine Salvaging, and Marine Wrecking - Ships For Scrap
<b>Sector O: Steam Electric Generating Facilities</b>	
SE .....	Steam Electric Generating Facilities.
<b>Sector P: Land Transportation and Warehousing</b>	
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>	
4412-4499 (except 4499 facilities as specified in Sector N)	Water Transportation.
<b>Sector R: Ship and Boat Building or Repairing Yards</b>	
3731, 3732 .....	Ship and Boat Building or Repairing Yards.
<b>Sector S: Air Transportation</b>	
4512-4581 .....	Air Transportation Facilities.
<b>Sector T: Treatment Works</b>	
TW .....	Treatment Works.
<b>Sector U: Food and Kindred Products</b>	
2011-2015 .....	Meat Products.
2021-2026 .....	Dairy Products.
2032-2038 .....	Canned, Frozen and Preserved Fruits, Vegetables and Food Specialties.
2041-2048 .....	Grain Mill Products.
2051-2053 .....	Bakery Products.
2061-2068 .....	Sugar and Confectionery Products.
2074-2079 .....	Fats and Oils.
2082-2087 .....	Beverages.
2091-2099 .....	Miscellaneous Food Preparations and Kindred Products.
2111-2141 .....	Tobacco Products.

<b>Sector V: Textile Mills, Apparel, and Other Fabric Product Manufacturing, Leather and Leather Products</b>	
2211-2299 .....	Textile Mill Products.
2311-2399 .....	Apparel and Other Finished Products Made From Fabrics and Similar Materials.
3131-3199 (except 3111 - see Sector Z)	Leather and Leather Products, except Leather Tanning and Finishing.
<b>Sector W: Furniture and Fixtures</b>	
2434 .....	Wood Kitchen Cabinets.
2511-2599 .....	Furniture and Fixtures.
<b>Sector X: Printing and Publishing</b>	
2711-2796 .....	Printing, Publishing, and Allied Industries.
<b>Sector Y: Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries.</b>	
3011 .....	Tires and Inner Tubes.
3021 .....	Rubber and Plastics Footwear.
3052, 3053 .....	Gaskets, Packing, and Sealing Devices and Rubber and Plastics Hose and Belting.
3061, 3069 .....	Fabricated Rubber Products, Not Elsewhere Classified.
3081-3089 .....	Miscellaneous Plastics Products.
3931 .....	Musical Instruments.
3942-3949 .....	Dolls, Toys, Games and Sporting and Athletic Goods.
3951-3955 (except 3952 facilities as specified in Sector C).	Pens, Pencils, and Other Artists' Materials.
3961, 3965 .....	Costume Jewelry, Costume Novelties, Buttons, and Miscellaneous Notions, Except Precious Metal.
3991-3999 .....	Miscellaneous Manufacturing Industries.
<b>Sector Z: Leather Tanning and Finishing</b>	
3111 .....	Leather Tanning, Currying and Finishing.
<b>Sector AA: Fabricated Metal Products</b>	
3411-3499 .....	Fabricated Metal Products, Except Machinery and Transportation Equipment.
3911-3915 .....	Jewelry, Silverware, and Plated Ware.
<b>Sector AB: Transportation Equipment, Industrial or Commercial Machinery</b>	
3511-3599 (except 3571-3579 - see Sector AC)	Industrial and Commercial Machinery (Except Computer and Office Equipment).
3711-3799 (except 3731, 3732 - see Sector R)	Transportation Equipment (Except Ship and Boat Building and Repairing).
<b>Sector AC: Electronic, Electrical, Photographic, and Optical Goods</b>	
3571-3579 .....	Computer and Office Equipment.
3612-3699 .....	Electronic, Electrical Equipment and Components, Except Computer Equipment.
3812-3873 .....	Measuring, Analyzing and Controlling Instrument; Photographic and Optical Goods.
<b>Sectors AD &amp; AE: Non-Classified Facilities/Stormwater Discharges Designated By the Department As Requiring Permits</b>	
N/A.....	Other Stormwater Discharges Designated By the Department As Needing a Permit 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 & AE. Only the Department may assign a facility to Sector AD & AE.

- g. Routine external building washdown which does not use detergents;
- h. Pavement wash waters where detergents are not used and where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed);
- i. Uncontaminated ground water or spring water;
- k. Foundation or footing drains where flows are not contaminated with process

materials such as solvents; and

l. Incidental windblown mist from cooling towers that collect on rooftops or adjacent portions of the facility, but not intentional discharges from cooling tower (e.g.; “piped” cooling tower blowdown or drains).

**D. Activities Which are Ineligible for Coverage under this General Permit** - The following discharges from industrial activity are not authorized by this permit:

1. Discharges from industrial activity that are mixed with sources of non-stormwater other than those expressly authorized under either this permit or a different SPDES permit.
2. Discharges from industrial activity that are subject to an existing SPDES individual or general permit located at a facility where a SPDES permit has been terminated or denied; or which are issued an individual or alternative general permit;
3. Discharges from industrial activity which are subject to an existing effluent limitation guideline addressing stormwater which are not included in Table IV-2 or IV-3 (or a combination of stormwater and process water);
4. Discharges from industrial activity from construction activities, except stormwater discharges from portions of a construction site that can be classified as an industrial activity under 40 CFR 122.26(b)(14)(i) through (ix) or (xi) (including stormwater discharges from mobile asphalt plants and mobile concrete plants);
5. Discharges from industrial activity that adversely affect a listed or proposed to be listed endangered or threatened species or its critical habitat;
6. Discharges from industrial activity that adversely affect a property that is listed or is eligible for listing on the National Register of Historic Places; and
7. Discharges occurring on federal lands from industrial activity from either inactive mining, inactive landfills, or inactive oil and gas operations where an owner or operator cannot be identified.

**E. How to Obtain Authorization Under this Permit**

1. **Eligibility** - A discharger of stormwater associated with industrial activity may be authorized under this permit only if the discharge from the facility meets the eligibility requirements in Part I.C. of this permit.

2. **Stormwater Pollution Prevention Plan** - A discharger of stormwater associated with industrial activity may be authorized under this permit only if the owner or operator has developed and implemented a Stormwater Pollution Prevention Plan (SWPPP) according to the requirements in Part III. and applicable sections of Part VIII. of this permit.

**3. Notice of Intent or Termination** - A discharger of stormwater associated with industrial activity may be authorized under this permit only if the owner or operator has submitted a complete Notice of Intent or Termination (NOIT) form approved and provided by the Department <sup>(7)</sup> (or photocopy thereof) to:

Industrial Stormwater General Permit Coordinator  
NYSDEC, Bureau of Water Permits  
625 Broadway  
Albany, New York 12233-3505

- a. Unless notified by the Department to the contrary, owner or operators<sup>(8)</sup> who submit an NOIT in accordance with the requirements of this permit are authorized to discharge storm water under the terms and conditions of this permit 30 calendar days after the date that the NOIT is received. An exception to this is for transfers of ownership for which permits are effective once the conditions of I.F.3 and VII are met.
- b. The Department may deny coverage under this permit and require submittal of an application for an individual SPDES permit based on a review of the NOIT or other information pursuant to Part V.N.

**F. Deadlines for Notification**

1. Owners or operators of existing facilities that have permit coverage under GP-98-03 shall submit a complete NOIT in accordance with I.G.
2. Owners or operators of facilities who intend to obtain coverage under this general permit shall submit a complete NOIT in accordance with the requirements of this Part at least 30 calendar days prior to the commencement of the industrial activity at the facility;
3. Where the owner or operator of a facility with stormwater discharge associated with industrial activity which is covered by this permit changes, both the previous and new owners or operators of the facility must submit NOITs in accordance with Part VII. (Termination of Coverage); and

**G. Interim Permit Coverage for Facilities Covered Under GP-98-03** - Facilities that have coverage under the SPDES General Permit for Stormwater Discharges Associated with Industrial Activity (GP-98-03) may be eligible for continued permit coverage on an interim basis as follows:

<sup>7</sup> A copy of the NOIT form is provided in Appendix B of this permit.

<sup>8</sup> For the purposes of this permit, the term "owner or operator" means owner or operator of any facility or activity subject to regulation under 6 NYCRR Part 750. In accordance with 6 NYCRR Part 750-1.6(a) When a facility or activity is owned by one person but is operated by another person, it is the operator's duty to obtain a permit.

1. For facilities with coverage under the SPDES General Permit for Stormwater Discharges Associated with Industrial Activities (GP-98-03) as of the date this permit becomes effective, authorization will be automatically continued on an interim basis for up to one hundred twenty (120) calendar days. Please note that submission of a completed NOIT is necessary within ninety (90) calendar days from the date this permit becomes effective as authorization will occur 30 calendar days after receipt of a completed NOIT. Interim coverage will terminate once a complete NOIT has been submitted and coverage is granted;

2. If a facility is covered by the SPDES General Permit for Stormwater Discharges Associated with Industrial Activity (GP-98-03), but cannot meet (or the facility cannot immediately determine if they meet) the eligibility requirements of this permit, the permittee may be granted interim authorization until eligibility is determined by DEC or an individual SPDES Permit or alternative permit is issued under the following schedule. Upon submission of the NOIT, the applicant shall notify the Department that eligibility for coverage has not yet been determined. Within 90 days from receipt of the NOIT, the Department shall notify the applicant whether application for an individual permit, or coverage under an alternate SPDES permit, is necessary. The applicant must submit an application for an individual permit or an alternate SPDES permit.

3. Interim Coverage Permit Requirements - To obtain interim coverage status, a facility must:

- a. Submit a complete NOIT within ninety (90) calendar days from the date this permit becomes effective;
- b. Comply with the terms and conditions of the SPDES General Permit for Stormwater Discharges Associated with Industrial Activity (GP-98-03); and
- c. Update the facility's SWPPP to comply with the requirements of this permit within 150 days after the effective date of this permit.

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

1. Facilities may qualify for a "Conditional Exclusion for No Exposure" where industrial activities and materials are completely sheltered from exposure to rain, snow, snowmelt and/or runoff. Facilities qualifying for this exclusion are not required to obtain a general permit for stormwater discharges associated with industrial activity. This exclusion is available on a facility-wide basis only and is not applicable to individual outfalls. To obtain the conditional no exposure exclusion, the owner or operator must submit a certification to the Department attesting to the condition of "no exposure". This certification must be completed and submitted once every 5 years and is non-transferable. Facilities must maintain the condition of no exposure. If changes at a facility result in

industrial activities or materials becoming exposed, the no exposure exclusion ceases to apply. Owners or operators who certified that their facilities qualify for the conditional no exposure exclusion may, nonetheless, be required by the Department to obtain permit coverage, based on a determination that stormwater discharges are likely to have an adverse impact on water quality. More information regarding the Conditional Exclusion for No Exposure is available at:  
<http://www.dec.state.ny.us/website/dow/noexpexplanation.html>

## **Part II. SPECIAL CONDITIONS**

**A. New Stormwater Discharges** - New stormwater discharges associated with industrial activity which require any other Uniform Procedures Act permits (Environmental Conservation Law, 6 NYCRR Part 621) cannot be covered under this permit until the other required permits are obtained (see Appendix F). Upon satisfying the State Environmental Quality Review Act (SEQRA) requirements and obtaining the necessary permits, the applicant may submit a NOIT to obtain coverage under this general permit (see Appendix F). In order to facilitate the Department's review of a multi-permitted project, an applicant should submit, at a minimum, a copy of the SWPPP which contains the information specified in Appendix F. This information will assist the Department in determining whether or not coverage under this general permit or another SPDES permit is the more appropriate option.

### **B. Releases of Hazardous Substances or Petroleum**

1. This permit does not authorize the discharge of hazardous substances (as listed in 6 NYCRR Part 597) or petroleum. The discharge of hazardous substances or petroleum in the stormwater discharge(s) from the facility shall be prevented or minimized in accordance with the stormwater pollution prevention plan for the facility. Any spill of petroleum must be reported in accordance with 6 NYCRR Part 613.8. Any spill of a hazardous substance must be reported in accordance with 6 NYCRR Part 595.3. Notification must be reported to the DEC hotline (1-800- 457-7362) within two hours of the release. Additional notifications may be required for Federal level notification through the National Response Center (NRC) at 1-800-424-8802.
2. Where a release enters a municipal separate storm sewer system (MS4), the permittee shall also notify the owner of the MS4 within 2 hours of the time at which facility staff becomes aware of the release; and
3. Following any release incident, the permittee must evaluate the facility's stormwater pollution prevention plan to identify measures preventing reoccurrence and to improve the emergency response to such releases. The plan must be modified where appropriate.

### **C. Impaired Waters (303(d) and TMDL)**<sup>9</sup>

1. **303(d) Listed Waters** - If stormwater discharges to a 303(d) listed water, the Permittee must, by modification and application of its SWPPP, ensure no increase of the listed pollutant of concern to the 303(d) listed water. The 303(d) list is updated approximately every two years and is available on the Department's website at: [www.dec.state.ny.us/website/dow/303dcalm.pdf](http://www.dec.state.ny.us/website/dow/303dcalm.pdf).

2. **Total Maximum Daily Load (TMDL) Strategy** - If a TMDL has been approved by EPA for any waterbody or watershed into which the facility discharges, the Permittee must, within two calendar months of notification from the Department, review the applicable TMDL to see if the facility meets the requirements for control of stormwater discharges. If a facility is not meeting the TMDL stormwater allocations for the pollutant of concern it must, within 8 months of the above noted notification from the Department, modify its SWPPP to ensure that reduction of the pollutant of concern specified in the TMDL is achieved. The Department may grant additional time beyond the 8 months after notification to comply with the storm water TMDL reductions if the permittee demonstrates to the satisfaction of Department that this additional time is necessary.

### **Part III. STORMWATER POLLUTION PREVENTION PLANS**

**A. Stormwater Pollution Prevention Plan Requirements** - A stormwater pollution prevention plan (SWPPP) shall be developed and implemented by the owner or operator for each facility covered by this permit. SWPPPs shall be prepared in accordance with good engineering practices and in accordance with the factors outlined in 40 CFR 125.3(d)(2) or (3) as appropriate. This plan does not necessarily have to be developed or certified by a licensed Professional Engineer. The SWPPP shall identify potential sources of pollution which may reasonably be expected to affect the quality of stormwater discharges associated with industrial activity from the facility. In addition, the plan shall describe and ensure the implementation of practices which are to be used to reduce the pollutants in stormwater discharges associated with industrial activity at the facility and to assure compliance with the terms and conditions of this permit. Facilities must implement the provisions of the SWPPP required under this Part as a condition of this permit.

The SWPPP requirements of this general permit may be fulfilled by incorporating by reference other plans or documents such as an Erosion and Sediment Control (ESC) plan, a Mined Land Use Plan, a spill prevention control and countermeasure (SPCC) plan developed

<sup>9</sup> Section 303(d) of the federal Clean Water Act requires the Department to periodically to prepare a list of all surface waters in the state for which beneficial uses of the water – such as for drinking, recreation, aquatic habitat, and industrial use – are impaired by pollutants. These are water quality-limited estuaries, lakes, and streams that fall short of state surface water quality standards, and are not expected to improve within the next two years.

Waters placed on the 303(d) list require the preparation of Total Maximum Daily Loads (TMDLs), a key tool in the work to clean up polluted waters. TMDLs identify the maximum amount of a pollutant to be allowed to be released into a waterbody so as not to impair uses of the water. TMDLs allocate that amount among various sources. In addition, even before a TMDL is completed, the inclusion of a water on the 303(d) list can reduce the amount of pollutants allowed to be released under permits issued by the Department.

for the facility or best management practices (BMP) programs otherwise required for the facility provided that the incorporated plan meets or exceeds the plan requirements of Part III.C (Contents of the Plan). All plans incorporated by reference into the SWPPP become enforceable under this permit; however, this enforcement is limited only to those aspects of these other plans that are specifically referenced to provide information or practices required for the SWPPP.

EPA has developed guidance documents entitled, Stormwater Management for Industrial Activities: Developing Pollution Prevention Plans and Best Management Practices and Stormwater Management for Industrial Activities: Summary Guidance on Developing Pollution Prevention Plans and Best Management Practices to assist facilities in developing SWPPPs. These guidance documents are available at EPA's website at the following address: <http://cfpub.epa.gov/npdes/stormwater/swppp-msgp.cfm>

#### **B. Deadlines for Preparation and Compliance**

1. The SWPPP shall be prepared and provide for compliance with the terms of this permit on or before the date of submission of an NOIT to be covered under this permit (except as provided in Part I.G.3.c.); and
2. Upon showing of good cause, the Department may establish a later date in writing for preparing and compliance with the SWPPP for a stormwater discharge associated with industrial activity that submits an NOIT in accordance with Part I.F.

**C. Contents of the Plan** - The contents of the SWPPP shall comply with the requirements listed below and those in the appropriate sectors of Part VIII. These requirements are cumulative. If a facility has co-located activities that are covered in more than one sector of Part VIII, that facility's SWPPP must comply with the requirements listed in all applicable sectors. The following requirements are applicable to all SWPPPs developed under this general permit. The plan shall include, at a minimum, the following items:

1. **Pollution Prevention Team** - The plan shall identify the staff individuals (by name or title) that comprise the facility's stormwater pollution prevention team. The pollution prevention team is responsible for assisting the facility or plant manager in developing, implementing, maintaining, and revising the facility's SWPPP. Responsibilities of each staff individual on the team must be listed. The activities and responsibilities of the team shall address all aspects of the facility's SWPPP.

2. **Site Description** - The SWPPP shall include the following:

- a. **Activities at the facility** - A description of the nature of the industrial activity(ies) at the facility.
- b. **General location map** - A general location map (e.g., USGS quadrangle or other map) with enough detail to identify the location of the facility and the receiving waters within one mile of the facility.

c. Site map - A site map identifying the following:

- (1) Directions of stormwater flow (e.g., use arrows to show which ways stormwater will flow);
- (2) Locations of all existing structural BMPs;
- (3) Locations of all surface water bodies;
- (4) Locations of potential pollutant sources identified under Part III.C.3 and where significant materials are exposed to precipitation;
- (5) Locations where major spills or leaks identified under Part III.C.4 have occurred;
- (6) Locations of the following activities where such activities are exposed to precipitation: fueling stations; vehicle and equipment maintenance and/or cleaning areas; loading/unloading areas; locations used for the treatment, storage or disposal of wastes; and liquid storage tanks;
- (7) Locations of stormwater outfalls and an approximate outline of the area draining to each outfall or sufficient density of flow arrows to show the drainage area outline;
- (8) Location and description of non-stormwater discharges, including but not limited to those listed in Part I.C.3;
- (9) Locations of stormwater flows with significant potential for causing erosion;
- (10) Locations of the following activities where such activities are exposed to precipitation: processing and storage areas; access roads, rail cars and tracks; the location of transfer of substance in bulk; and machinery; and
- (11) Location and source of runoff from adjacent property containing significant quantities of pollutants of concern to the facility (the permittee may include an evaluation of how the quality of the stormwater running onto the facility impacts the facility's stormwater discharges).

d. Receiving waters - The name of the nearest receiving water(s), including intermittent streams and the areal extent and description of wetlands (mapped and federally regulated wetlands) that may receive discharges from the facility.

e. Municipal separate storm sewer systems - If stormwater is discharged to a municipal separate storm sewer systems (MS4), the SWPPP must identify the MS4 operator and the receiving water to which the MS4 discharges.

f. Other SPDES permitted discharges - The SWPPP must describe any discharges that are currently covered by another SPDES permit at the facility (e.g., process wastewater, sanitary wastewater, non-contact cooling water, etc.).

g. Impervious surface estimate - Provide an estimate of the percent imperviousness of your site:

$$\frac{(\text{Area of Roofs} + \text{Area of Paved and Other Impervious Surfaces})}{\text{Total Area of Facility}} \times 100$$

3. **Summary of Potential Pollutant Sources** - The plan shall identify each separate area at the facility where industrial materials or activities are exposed to stormwater. Industrial materials or activities include, but are not limited to material handling equipment or activities, industrial machinery, raw materials, intermediate products, byproducts, final products, or waste products. Material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product or waste product. For each separate area identified, the description must include:

a. Activities in area - A list of the activities (e.g., material storage, equipment fueling and cleaning, cutting steel beams); and

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

c. Potential for presence in stormwater - For each area of the facility that generates stormwater discharges associated with industrial activity with a reasonable potential to contaminate stormwater, a prediction of the direction of flow, and an identification of the types of pollutants which are likely to be present in stormwater discharges associated with industrial activity. Factors to consider include the toxicity of chemicals; quantity of chemicals used, produced or discharged; the likelihood of contact with stormwater; and history of reportable leaks or spills of toxic or hazardous pollutants.

4. **Spills and Releases** - The SWPPP must clearly identify areas where potential spills or releases can contribute to pollutants in stormwater discharges and their accompanying drainage points. For areas that are exposed to precipitation or that otherwise drain to a stormwater conveyance at the facility to be covered under this permit, the plan must include a list of reportable spills or releases<sup>(10)</sup> of petroleum and hazardous substances or other pollutants that may adversely effect water quality that occurred during the three-year period prior to the date of the submission of a NOIT. The list must be updated if

<sup>10</sup> This may also include releases of petroleum or hazardous substances that are not in excess of reporting quantities but which may still cause or contribute to significant water quality impairment. For example, the reportable quantity for ammonia is listed to be 100 pounds and releases well below this threshold will cause water quality impairment and must be addressed.

reportable spills or releases occur in exposed areas of the facility during the term of the permit. This permit does not relieve the Permittee of any reporting or other requirements related to spills or other releases of petroleum or hazardous substances.

5. **Sampling Data** - The plan must include a summary of existing stormwater discharge sampling data taken at the facility, and must also include a summary of all stormwater sampling data collected during the term of this permit.

6. **Stormwater Controls** - The SWPPP shall include a description of stormwater management controls appropriate for the facility. The description of controls shall address the following minimum components:

a. **Description of existing and planned BMPs** - The plan shall describe the type and location of existing nonstructural and structural best management practices (BMPs) selected for each of the areas where industrial materials or activities are exposed to stormwater. All the areas identified in Part III.C.3 (summary of potential pollutant

sources) should have a BMP(s) identified for the areas discharges. For areas where BMPs are not currently in place, include a description of appropriate BMPs that will be used to control pollutants in stormwater discharges. Selection of BMPs should take into consideration:

(1) The quantity and nature of the pollutants, and their potential to impact the water quality of receiving waters;

(2) Opportunities to combine the dual purposes of water quality protection and local flood control benefits, including physical impacts of high flows on streams (e.g., bank erosion, impairment of aquatic habitat, etc.);

(3) Opportunities to offset the impact of impervious areas of the facility on ground water recharge and base flows in local streams, taking into account the potential for ground water contamination.

b. **BMP types to be considered** - The permittee must consider the following types of structural, nonstructural and other BMPs for implementation at the facility. The SWPPP shall describe how each BMP is, or will be, implemented. If this requirement was fulfilled with the area-specific BMPs identified under Part III.C.6.a., then the previous description is sufficient. However, many of the following BMPs may be more generalized or non-site-specific and therefore not previously considered. If the permittee determines that any of these BMPs are not appropriate for the facility, an explanation of why they are not appropriate shall be included in the plan. The BMP examples listed below are not intended to be an exclusive list of BMPs that may be used. The permittee is encouraged to keep abreast of new BMPs or new applications of existing BMPs to find the most cost effective means of permit compliance for the

facility. If BMPs are being used or planned at the facility that are not listed here (e.g., replacing a chemical with a less toxic alternative, adopting a new or innovative BMP, etc.), descriptions of them shall be included in this section of the SWPPP.

(1) Nonstructural BMPs

(a) Good housekeeping - The permittee must keep all exposed areas of the facility in a clean, orderly manner where such exposed areas could contribute pollutants to stormwater discharges. Common problem areas include around trash containers, storage areas and loading docks. Measures must also include a schedule for regular pickup and disposal of garbage and waste materials; routine inspections for leaks and conditions of drums, tanks and containers.

(b) Minimizing exposure - Where practicable, industrial materials and activities should be protected by a storm-resistant shelter to prevent exposure to rain, snow, snowmelt, or runoff.

Note: Eliminating exposure at all industrial areas may make the facility eligible for the "Conditional Exclusion for No Exposure" provision, thereby eliminating the need to have a permit (See Part I.H.).

(c) Preventive maintenance - The permittee must have a preventive maintenance program that includes timely inspection and maintenance of stormwater management devices (e.g., cleaning oil/water separators, catch basins), as well as inspection, testing, maintenance and repairing of facility equipment and systems to avoid breakdowns or failures that could result in discharges of pollutants to surface waters.

(d) Spill prevention and response procedures - The plan must describe the procedures that will be followed for cleaning up spills or leaks. The procedures and necessary spill response equipment must be made available to those employees who may cause or detect a spill or leak. Where appropriate, the plan must include an explanation of existing or planned material handling procedures, storage requirements, secondary containment, and equipment (e.g., diversion valves), that are intended to minimize spills or leaks at the facility. Measures for cleaning up spills or leaks must be consistent with applicable petroleum bulk storage, chemical bulk storage or hazardous waste management regulations at 6 NYCRR Parts 595-599, 612-614 and 370-373.

(e) Routine facility inspections - In addition to or as part of the comprehensive site evaluation required under Part III.I, qualified facility personnel (trained in accordance with condition f below) must inspect all areas of the facility where industrial materials or activities are exposed to stormwater. The inspections must include an evaluation of the existing stormwater BMPs. The inspection frequency shall be specified in the plan based upon the frequency identified under the SWPPP requirements for your specific industrial sector. If an inspection frequency is not indicated under the industrial sector, one should be

established based upon a consideration of the level of industrial activity at the facility. Quarterly inspections are suggested as a minimum frequency for those that don't have a frequency set for the specific industrial sectors. Any deficiencies in the implementation of the SWPPP must be corrected as soon as practicable, but not later than within 14 days of the inspection for items that can be readily resolved. More complicated maintenance or repairs shall be performed in accordance with the timeframes described under Sections III.D - Maintenance or III.I.2 - Follow-up Actions. The results of the inspections must be documented in the SWPPP, along with any corrective actions that were taken in response to any deficiencies or opportunities for improvement that were identified.

(f) Employee training - The SWPPP must describe the stormwater employee training program for the facility. The description should include the topics to be covered, such as spill response, good housekeeping, material management practices, and must identify periodic dates for such training (e.g., annually, every six months during the months of July and January). Employee training must be provided for all employees who work in areas where industrial materials or activities are exposed to stormwater, and for employees who are responsible for implementing activities identified in the SWPPP (e.g., inspectors, sampling personnel, maintenance people). The training should inform employees of the components and goals of the SWPPP.

## (2) Structural BMPs

(a) Sediment and erosion control - The plan shall identify areas at the facility which, due to topography, land disturbance (e.g., construction) or other factors, have potential for significant soil erosion. The plan must identify structural, vegetative, and/or stabilization BMPs that will be implemented to limit erosion. The Department has developed a document entitled, New York Standards and Specifications for Erosion and Sediment Control to assist in the design and selection of appropriate controls. This document is available at: <http://www.dec.state.ny.us/website/dow/toolbox/techstan.html>

(b) Management of runoff - The plan shall describe the traditional stormwater management practices (permanent structural BMPs other than those that control the generation or source(s) of pollutants) that currently exist or that are planned for the facility. These types of BMPs are typically used to divert, infiltrate, reuse, or otherwise reduce pollutants in stormwater discharges from the site. The plan shall provide that all measures that the permittee determines to be reasonable and appropriate, or are required by a state or local authority, shall be implemented and maintained. Factors for the permittee to consider when selecting appropriate BMPs should include:

(i) The industrial materials and activities that are exposed to stormwater, and the associated pollutant potential of those materials and activities; and

(ii) The beneficial and potential detrimental effects on surface water quality, ground water quality, receiving water base flow (dry weather stream flow), and physical integrity of receiving waters. Structural measures should be placed on upland soils, avoiding wetlands and floodplains, if possible. Structural BMPs may require a separate permit under section 404 of the CWA before installation begins.

(c) Example BMPs - BMPs that could be used include but are not limited to: stormwater detention structures (including wet ponds); stormwater retention structures; flow attenuation by use of open vegetated swales and natural depressions; infiltration of runoff on-site; and sequential systems (which combine several practices).

(d) Other Controls - No solid materials, including floating debris, may be discharged to waters of the United States, except as authorized by a permit issued under section 404 of the CWA. Off-site vehicle tracking of raw, final, or waste materials or sediments, and the generation of dust must be minimized. Tracking or blowing of raw, final, or waste materials from areas of no exposure to exposed areas must be minimized. Velocity dissipation devices (or equivalent measures) must be placed at discharge locations and along the length of any outfall channel if they are necessary to provide a nonerosive flow velocity from the structure to a water course.

**D. Maintenance** - All BMPs identified in the SWPPP must be maintained in effective operating condition. If site inspections required by Part III.C.6.b(1)(e) or Part III.I. identify BMPs that are not operating effectively, maintenance must be performed before the next anticipated storm event, or as necessary to maintain the continued effectiveness of stormwater controls. If maintenance prior to the next anticipated storm event is impracticable, maintenance must be scheduled and accomplished as soon as practicable, but not more than 12 weeks after completion of the routine facility inspection or the comprehensive site evaluation, unless permission for a later date is granted in writing by the Department. In the case of nonstructural BMPs, the effectiveness of the BMP must be maintained by appropriate means (e.g., spill response supplies available and personnel trained, etc.).

#### **E. Non-stormwater Discharges**

##### **1. Certification of Non-Stormwater Discharges**

a. The SWPPP must include a certification that all discharges (i.e., outfalls) have been tested or evaluated for the presence of nonstormwater. The certification must be signed in accordance with Part V.H. of this permit, and include:

- (1) The date of any testing and/or evaluation;
- (2) Identification of potential significant sources of nonstormwater at the site;

(3) A description of the results of any test and/or evaluation for the presence of nonstormwater discharges;

(4) A description of the evaluation criteria or testing method used; and

(5) A list of the outfalls or on-site drainage points that were directly observed during the test.

b. A copy of the certification must be included in the SWPPP at the facility. Nonstormwater discharges to waters of the United States which are not authorized by a SPDES permit are unlawful, and must be terminated.

## **2. Allowable Non-Stormwater Discharges**

a. The sources of nonstormwater listed in Part I.C.3. (allowable nonstormwater discharges) are allowable discharges under this permit provided the permittee includes the following information in the SWPPP:

(1) Identification of each allowable nonstormwater source (flows from fire fighting activities do not need to be identified);

(2) The location where the nonstormwater is likely to be discharged; and

(3) Descriptions of appropriate BMPs for each source.

b. If mist blown from cooling towers is included as one of the allowable nonstormwater discharges from the facility, the permittee must specifically evaluate the potential for the discharges to be contaminated by chemicals used in the cooling tower and must select and implement BMPs to control such discharges so that the levels of cooling tower chemicals in the discharges would not cause or contribute to a violation of an applicable water quality standard.

**F. Documentation of Permit Eligibility Related to Endangered Species** - For new facilities and facilities expanding the perimeter of operations (onto adjoining or additional parcels that will result in a 1 acre or greater ground disturbance), the SWPPP must include documentation supporting the determination of permit eligibility with regard to Part I.D.5. (Endangered Species), including:

1. Information on whether listed endangered or threatened species, or critical habitat, are found in proximity to the facility;

2. Whether such species may be affected by the facility's stormwater discharges or stormwater discharge-related activities;

3. Results of endangered species screening determinations; and

4. A description of measures necessary to protect listed endangered or threatened species, or critical habitat. If the permittee fails to describe and implement such measures, the stormwater discharge is ineligible for coverage under this permit.

5. Information regarding the presence of rare, threatened and endangered species may be obtained from the appropriate regional Division of Fish, Wildlife and Marine Resources office or from consultation with Information Services, New York Natural Heritage Program. Regional Division of Fish, Wildlife and Marine Resources contact information may be obtained at <http://www.dec.state.ny.us/website/about/abtrull3.html>. The New York Natural Heritage Program may be reached at 518-402-8935 or at [www.dec.state.ny.us/website/dfwmr/heritage/inforeq.htm](http://www.dec.state.ny.us/website/dfwmr/heritage/inforeq.htm).

**G. Documentation of Permit Eligibility Related to Historic Places** - For new facilities and facilities expanding the perimeter of operations (onto adjoining or additional parcels that will result in a 1 acre or greater ground disturbance), the SWPPP must include documentation supporting the determination of permit eligibility with regard to Part I.D.6. (Historic Places), including:

1. Information on whether the stormwater discharges or stormwater discharge-related activities would have an effect on a property that is listed or eligible for listing on the National Register of Historic Places;

2. Where effects may occur, any written agreements that the permittee has made with the State Historic Preservation Office to mitigate those effects;

3. Results of historic places screening determinations;

4. A description of measures necessary to avoid or minimize adverse impacts on places listed, or eligible for listing, on the National Register of Historic Places. If the permittee fails to describe and implement such measures, the stormwater discharge is ineligible for coverage under this permit; and

5. As a minimum, information regarding the location of places listed, or eligible for listing, on the National Register of Historic Places should be obtained by consulting with New York State Historic Preservation Office, Peebles Island Resource Center, P.O. Box 189, Waterford, NY 12188-0189, Phone: (518) 237-8643, or using the GIS online resources available at: <http://nysparks.state.ny.us/shpo/>

**H. Copy of Permit Requirements** - The permittee must maintain a copy of the permit on file at the facility along with a copy of the SWPPP.

**I. Comprehensive Site Compliance Evaluation** - The permittee shall conduct facility inspections (site compliance evaluations) at least once a year. The inspections must be done by qualified personnel who may be either facility employees or outside consultants hired by the facility. The inspectors must be familiar with the industrial activity, the BMPs, the SWPPP, and must possess the skills to assess conditions at the facility that could impact stormwater quality and assess the effectiveness of the BMPs that have been chosen to control

the quality of the stormwater discharges. If more frequent inspections are conducted, the SWPPP must specify the frequency of inspections.

1. **Scope of the Compliance Evaluation** - Inspections must include all areas where industrial materials or activities are exposed to stormwater, as identified in Part III.C.3., and areas where spills and leaks have occurred within the past three years. Inspectors should look for but not limited to:

- a. Industrial materials, residue or trash on the ground that could contaminate or be washed away in stormwater;
- b. Leaks or spills from industrial equipment, drums, barrels, tanks or similar containers;
- c. Unauthorized non-stormwater discharges or allowable non-stormwater discharges that are not certified in accordance with Part III.E.1.;
- d. Off-site tracking of industrial materials or sediment where vehicles enter or exit the site;
- e. Tracking or blowing of raw, final, or waste materials from areas of no exposure to exposed areas; and
- f. Evidence of, or the potential for, pollutants entering the drainage system. Results of both visual and any analytical monitoring done during the year must be taken into consideration during the evaluation. Stormwater BMPs identified in the SWPPP must be observed to ensure that they are operating correctly. Where discharge locations or points are accessible, they must be inspected to see whether BMPs are effective in preventing significant impacts to receiving waters. Where discharge locations are inaccessible, nearby downstream locations must be inspected if possible.

2. **Follow-up Actions** - Based on the results of the inspection, the SWPPP shall be modified as necessary (e.g., show additional controls on the map required by Part III.C.2(c); revise the description of controls required by Part III.C.6. to include additional or modified BMPs designed to correct problems identified). Revisions to the SWPPP shall be completed within 14 calendar days following the inspection, unless permission for a later date is granted in writing by the Department. If existing BMPs need to be modified or if additional BMPs are necessary, implementation must be completed before the next anticipated storm event, if practicable, but not more than 12 weeks after completion of the comprehensive site evaluation, unless permission for a later date is granted in writing by the Department. For structural BMPs that will take longer than 12 weeks to implement, the written notification to the Department must include a schedule for completing the proposed project.

3. **Compliance evaluation report** - A report summarizing the scope of the inspection, name(s) of personnel making the inspection, the date(s) of the inspection, and major observations relating to the implementation of the SWPPP, and actions taken shall be made and retained as part of the SWPPP for at least one (1) year from the date permit coverage expires or is terminated. Major observations should include: the location(s) of discharges of pollutants from the site; location(s) of BMPs that need to be maintained; location(s) of BMPs that failed to operate as designed or proved inadequate for a particular location; and location(s) where additional BMPs are needed that did not exist at the time of inspection. The reports must identify any incidents of noncompliance. Where a report does not identify any incidents of noncompliance, the report shall contain a certification that the facility is in compliance with the SWPPP and this permit. The report shall be signed in accordance with Part V.H.; and

4. **Credit as a Routine Facility Inspection** - Where compliance evaluation schedules overlap with routine inspections required under Part III.C.6.b(1)(e), the annual compliance evaluation may be used as one of the routine inspections.

#### J. **Signature and Plan Review**

1. **Signature/Location** - The SWPPP shall be signed in accordance with Part V.H. and retained on-site at the facility covered by this permit in accordance with Part III.J.2. For inactive facilities, the plan may be kept at the nearest office of the permittee.

2. **Availability** - The permittee must keep a copy of the SWPPP on-site or locally available to the Department for review at the time of an on-site inspection. The SWPPP must be made available upon request to the Department, local agency approving stormwater management plans, or the owner of a municipal separate storm sewer receiving discharge from the site. Also, in the interest of the public's right to know, the permittee must make a copy of the SWPPP available to the public upon written request. (Note: A facility may withhold justifiable portions of the SWPPP from public review that contain trade secrets, confidential commercial information or critical infrastructure information in accordance with 6 NYCRR Part 616.7).

3. **Required Modifications** - The Department may notify the permittee at any time that the plan does not meet one or more of the minimum requirements of this permit. The notification shall identify those provisions of the permit that are not being met, as well as the required modifications. The permittee shall make the required changes to the SWPPP within 30 days of receipt of such notification, unless permission for a later date is granted in writing by the Department, and shall submit a written certification to the Department that the requested changes have been made.

K. **Keeping SWPPPs Current** - The permittee shall amend the SWPPP whenever:

1. There is a change in design, construction, operation, or maintenance at the facility which may have an effect on the potential for the discharge of pollutants from the facility which has not otherwise been addressed in the SWPPP; or

2. During inspections, monitoring, or investigations by facility personnel or by local, state, or federal officials it is determined that the SWPPP is ineffective in eliminating or significantly minimizing pollutants from sources identified under Part III.C.3., or is otherwise not achieving the general objectives of controlling pollutants in discharges from the facility.

#### **L. Special Stormwater Pollution Prevention Plan Requirements**

1. Additional requirements for stormwater discharges associated with industrial activity that discharge into or through municipal separate storm sewer systems.

a. In addition to the applicable requirements of this permit, facilities covered by this permit must comply with applicable requirements in municipal stormwater management programs developed under SPDES permits issued for the discharge of the municipal separate storm sewer system that receives the facility's discharge, provided that the permittee has been notified of such conditions.

b. Permittees that discharge stormwater associated with industrial activity through a municipal separate storm sewer system, or a municipal system designated by the Department shall make their SWPPP available to the municipal operator of the system upon request.

2. **Additional requirements for stormwater discharges associated with industrial activity from facilities subject to EPCRA Section 313 reporting requirements<sup>(11)</sup> for Water Priority Chemicals** - Any potential pollutant sources for which the facility has reporting requirements under EPCRA 313 must be identified in the SWPPP in Part III.C.3. (Summary of Potential Pollutant Sources).

3. **Additional requirements for facilities with Secondary Containment at Storage and Transfer Areas** - Compliance must be maintained with all applicable regulations including, but not limited to, those involving releases, registration, handling and storage of petroleum, chemical bulk and hazardous waste storage facilities (6 NYCRR 595-599, 612-614 and 370-373). Stormwater discharges from handling and storage areas should be eliminated where practical. Where this is not feasible, the permittee shall comply with the following BMPs:

<sup>11</sup> Pursuant to Section 313 of Title III of the Emergency Planning and Community Right-to-Know Act (EPCRA) (also known as Title III of the Superfund Amendments and Reauthorization Act (SARA) of 1986), a facility is subject to the annual reporting provisions of Section 313 if it meets all three of the following criteria for a calendar year: it is included in SIC codes 20-39; it has 10 or more full-time employees; and it manufactures (including imports), processes or otherwise uses chemicals listed in 40 CFR 372.65 in amounts greater than the "threshold" quantities specified in 40 CFR 372.25. Section 313 water priority chemicals are defined as chemical or chemical categories that: 1) are listed at 40 CFR 372.65; 2) are manufactured, processed or otherwise used at or above threshold levels at a facility subject to EPCRA Section 313 reporting requirements; and 3) that meet at least one of the following criteria: (i) are listed in Appendix D of 40 CFR 122 on either Table II (organic priority pollutants), Table III (certain metals, cyanides and phenols) or Table V (certain toxic pollutants and hazardous substances); (ii) are listed as a hazardous substance pursuant to section 311(b)(2)(A) of the CWA at 40 CFR 116.4; or (iii) are pollutants for which EPA has established acute or chronic water quality criteria.

a. Loading/Unloading Areas - Loading and unloading areas shall be operated to minimize spills, leaks or the discharge of pollutants in stormwater. Protection such as roofs, overhangs or door skirts to enclose trailer ends at truck loading/unloading docks shall be provided as appropriate. Where this is not feasible, the permittee shall comply with the following BMPs:

(1) During deliveries, having station personnel familiar with spill prevention and response procedures present to ensure that any leaks/spills are immediately contained and cleaned up; and

(2) Use of spill and overflow protection (e.g., drip pans, drip diapers, and/or other containment devices placed beneath fuel oil connectors to contain potential spillage during deliveries or from leaks at the connectors).

b. Spill Cleanup - All spilled or leaked substances must be removed from secondary containment systems as soon as practical and for CBS storage areas within 24 hours of the owner or operator discovering the spill, unless authorization is received from the Department. This permit does not relieve the Permittee of any reporting or other requirement related to spills or other releases of petroleum or hazardous substances. [Also See Part II Special Condition B regarding releases of hazardous substances or petroleum.] The containment system must be thoroughly cleaned to remove any residual contamination which could cause contamination of stormwater and the resulting discharge of pollutants to waters of the State<sup>(12)</sup>. Following spill cleanup the affected area must be completely flushed with clean water three times and the water removed after each flushing for proper disposal in an on-site or off-site wastewater treatment plant designed to treat such water and permitted to discharge such wastewater. Alternately, the permittee may test the first batch of stormwater following the spill cleanup to determine discharge acceptability. If the water contains no pollutants it may be discharged, otherwise it must be disposed of as noted above. (See the Discharge Monitoring section below for the list of parameters to be sampled for.)

c. Discharge Operation - Stormwater must be removed before it compromises the required containment system capacity. Each discharge may only proceed with the prior approval of the facility representative responsible for ensuring SPDES permit compliance. Bulk storage secondary containment drainage systems must be locked in

<sup>12</sup> "Waters or waters of the state" shall be construed to include lakes, bays, sounds, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Atlantic ocean within the territorial seas of the state of New York and all other bodies of surface or underground water, natural or artificial, inland or coastal, fresh or salt, public or private (except those private waters that do not combine or effect a junction with natural surface or underground waters), which are wholly or partially within or bordering the state or within its jurisdiction. Waters of the state are further defined in Parts 800 to 941 of this Title.

Storm sewers are not waters of the state unless they are classified in Parts 800 to 941 of this Title. Nonetheless, a discharge to a storm sewer shall be regulated as a discharge at the point where the storm sewer discharges to waters of the state.

Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of the Act and Environmental Conservation Law (other than cooling ponds as defined in 40 CFR 423.11(m)(see section 750 - 1.24) which also meet the criteria of this definition are not waters of the state. This exclusion applies only to manmade bodies of water which neither were originally created in waters of the state (such as a disposal area in wetlands) nor resulted from impoundment of waters of the state.

a closed position except when the owner or operator is in the process of draining accumulated stormwater. Transfer area secondary containment drainage systems must be locked in a closed position during all transfers and must not be reopened unless the transfer area is clean of contaminants. Stormwater discharges from secondary containment systems should be avoided during periods of precipitation. A logbook shall be maintained on site noting the date, time and personnel supervising each discharge.

d. Discharge Screening. - Prior to each discharge<sup>(13)</sup> from a secondary containment system the stormwater must be screened for contamination. (Note: All stormwater must be inspected for visible evidence of contamination.) Additional screening methods shall be developed by the permittee as part of the overall BMP Plan (e.g., the use of volatile gas meters to detect the presence of gross levels of gasoline or volatile organic compounds). If the screening indicates contamination, the permittee must collect and analyze a representative sample<sup>(14)</sup> of the stormwater. If the water contains no pollutants, the stormwater may be discharged. Otherwise it must either be disposed of in an onsite or off-site wastewater treatment plant designed to treat and permitted to discharge such wastewater, or the Regional Water Manager can be contacted to determine if it may be discharged without treatment.

e. Discharge Monitoring. - Unless the discharge from any containment system outlet is permitted by an individual SPDES permit as an outfall with explicit effluent and monitoring requirements, the permittee shall monitor the outlet as follows:

(1) Storage Area Secondary Containment Systems - The volume of each discharge from each outlet must be monitored. Discharge volume may be calculated by measuring the depth of water within the containment area times the wetted area converted to gallons or by other suitable methods. A representative sample shall be collected of the first discharge (*See footnote 13*) following any cleaned up spill or leak. The sample must be analyzed for pH, the substance(s) stored within the containment area and any other pollutants the permittee knows or has reason to believe are present (*See footnote 14*).

(2) Transfer Area Secondary Containment Systems - The first discharge (*See footnote 13*) following any spill or leak must be sampled for flow, pH, the substance(s) transferred in that area and any other pollutants the permittee knows or has reason to believe are present (*See footnote 14*).

<sup>13</sup> Note: Discharge includes stormwater discharges and snow and ice removal. If applicable, a representative sample of snow and/or ice should be collected and allowed to melt prior to assessment.

<sup>14</sup> If the stored substance is gasoline or aviation fuel then sample for oil & grease, benzene, ethylbenzene, naphthalene, toluene and total xylenes (EPA method 602). If the stored substance is kerosene, diesel fuel, fuel oil, or lubricating oil then sample for oil & grease and polynuclear aromatic hydrocarbons (EPA method 610). In all cases an estimated discharge volume and pH monitoring is required.

f. Discharge Reporting - Any results of monitoring required above, must be maintained with the facility's SWPPP and retained in accordance with Part IV.C. Failure to perform the required monitoring shall constitute a violation of the terms of this permit.

g. Prohibited Discharges - In all cases, any discharge which contains a visible sheen, foam, or odor, or may cause or contribute to a violation of water quality is prohibited.

4. Additional Requirements for Salt Storage - Storage piles of salt used for deicing or other commercial or industrial purposes shall be enclosed or covered to prevent exposure to precipitation, except during active operations to add or remove materials from the pile.

#### **Part IV. MONITORING, REPORTING AND RETENTION OF RECORDS**

A. Monitoring Requirements - There are six individual and separate categories of monitoring requirements that a facility may be subject to under this permit. The monitoring requirements applicable to a facility depend on the types of industrial activities generating stormwater runoff from the facility. Part VIII of the permit identifies monitoring requirements applicable to specific sectors of industrial activity. The permittee must review Parts III, IV and VIII of the permit to determine which monitoring requirements and/or numeric limitations apply to the facility. Unless otherwise specified, monitoring requirements under Parts III, IV and VIII are additive.

Specific monitoring requirements and limitations are applied to each discharge at a facility. Where stormwater from co-located activities are commingled, the monitoring requirements and limitations are additive. Where more than one numeric limitation for a specific parameter applies to a discharge, compliance with the more restrictive limitation is required. Where monitoring requirements for a monitoring period overlap (e.g., need to monitor TSS once/year for compliance monitoring and also once/year for benchmark monitoring), the permittee may use a single sample to satisfy both monitoring requirements.

##### **1. Types of Monitoring Requirements and Limitations**

a. Quarterly visual monitoring - The requirements and procedures for quarterly visual monitoring are applicable to all facilities covered under this permit, regardless of the facility's sector of industrial activity.

(1) The permittee must perform and document a quarterly visual examination of a stormwater discharge associated with industrial activity from each outfall, except discharges exempted below. The examination(s) must be made at least once in each of the following three month periods: January through March, April through June, July through September, and October through December. No analytical tests are required to be performed on the samples for the purpose of meeting the visual monitoring requirements. The examination must document observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and

any other obvious indicators of stormwater pollution. The visual examination must be made during daylight hours (e.g., normal working hours). The examination must be conducted in a well-lit area. Where practicable, the same individual should carry out the collection and examination of discharges for the entire permit term for consistency.

(2) Visual examinations must be made of samples collected within the first 30 minutes (or as soon thereafter as practical, but not to exceed one hour) of when the runoff or snowmelt begins discharging from the facility. All samples (except snowmelt samples) must be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. The 72-hour storm interval is waived if the preceding measurable storm did not result in a stormwater discharge (e.g., a storm events in excess of 0.1 inches may not result in a stormwater discharge at some facilities). If no qualifying storm event resulted in runoff from the facility during a monitoring quarter, the permittee is excused from visual monitoring for that quarter provided that documentation is included with the monitoring records indicating that no qualifying storm event occurred that resulted in stormwater runoff during that quarter. If a visual examination was performed and the storm event was later determined not to be a measurable (greater than 0.1 inch rainfall) storm event, the visual examination should be included in the SWPPP records. All documentation must be signed and certified in accordance with Part V.H. A Quarterly Visual Monitoring Form has been included in Appendix D as guidance and may be used by the permittee.

(3) If the visual examination indicates the presence of stormwater pollution (e.g., color, odor, floating solids, settled solids, suspended solids, foam, oil sheen, or other indicators), the permittee must evaluate the facility for potential sources of stormwater contamination. Any sources of contamination that are identified must be remedied. Such remedies may include implementation of non-structural or structural BMPs to prevent recurrence. The facility's SWPPP must be updated to reflect these revisions within 14 days of the inspection for items that can be readily resolved. More complicated maintenance or repairs shall be performed in accordance with the timeframes for more complicated maintenance and repairs described under Sections III.D - Maintenance or III.I.2 - Follow-up Actions.

(4) The visual examination must be documented and maintained on-site with the Stormwater Pollution Prevention Plan (SWPPP) in accordance with Part IV.C. The report must include the outfall location, the examination date and time, examination personnel, the nature of the discharge (i.e., runoff or snow melt), visual quality of the stormwater discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of stormwater pollution), probable sources of any observed stormwater contamination and actions taken to eliminate these sources.

(5) Inactive and unstaffed sites - When the permittee is unable to conduct visual stormwater examinations at an inactive and unstaffed site, a waiver of the monitoring requirement may be exercised as long as the facility remains inactive and unstaffed. If this waiver is exercised, the permittee must maintain a certification with the SWPPP stating that the site is inactive and unstaffed and that performing visual examinations during a qualifying event is not feasible. The waiver must be signed and certified in accordance with Part V.H.

b. Annual dry weather flow monitoring - The requirements and procedures for annual dry weather flow monitoring are applicable to all facilities covered under this permit, regardless of the facility's sector of industrial activity.

(1) The permittee must perform and document at least one dry weather flow inspection each year after at least three (3) consecutive days of no precipitation. The dry weather flow inspection shall be conducted to determine the presence of nonstormwater discharges to the stormwater drainage system.

(2) If a nonstormwater discharge is discovered, the Permittee shall identify its source to determine whether it is an authorized discharge (e.g. a discharge covered by another SPDES permit or an authorized non-stormwater discharge addressed under Part I.C.3). The Permittee shall modify the SWPPP to address any newly identified allowable non-stormwater discharges identified in Part I.C.3 that were not previously certified in accordance with Part III.E.1.

(3) The Permittee shall notify the Department within 14 days of any non-authorized discharge that cannot be easily eliminated. Appropriate actions may require coverage under an individual industrial SPDES permit or connection to the sanitary sewer system.

(4) Results of the dry weather flow inspections must be documented and retained on-site with the Stormwater Pollution Prevention Plan (SWPPP) in accordance with Part IV.C. The report must include the outfall locations, the inspection date and time, inspection personnel, description of discharges identified, the source of any discharges and actions taken to address any newly identified allowable non-stormwater discharges or elimination of non-authorized discharges.

(5) Inactive and unstaffed sites - If the permittee is unable to conduct a dry weather flow inspection at an inactive and unstaffed site, a waiver of the monitoring requirement may be exercised as long as the facility remains inactive and unstaffed. If this waiver is exercised, the permittee must maintain a certification with the SWPPP stating that the site is inactive and unstaffed and that performing visual examinations during a qualifying event is not feasible. The waiver must be signed and certified in accordance with Part V.H.

c. Benchmark monitoring of discharges associated with specific industrial activities - Table IV-1 identifies the specific industrial sectors subject to the benchmark monitoring requirements of this permit and the industry-specific pollutants of concern. The permittee must refer to the tables found in the individual sectors in Part VIII for benchmark monitoring cut-off concentrations. Co-located industrial activities at the facility that are described in more than one sector in Part VIII must comply with all applicable benchmark monitoring requirements from each sector.

The benchmark monitoring cut-off concentrations are intended as a guideline for the permittee to determine the overall effectiveness of the SWPPP in controlling the discharge of pollutants to receiving waters. The benchmark concentrations do not constitute direct numeric effluent limitations; a benchmark exceedance, therefore in and of itself, is not a permit violation. It does, however, signal the need for the permittee to evaluate potential sources of stormwater contaminants at the facility. Any sources of contamination that are identified must be remedied. Such remedies may include implementation of non-structural or structural BMPs to prevent recurrence. The facility's SWPPP must be updated to reflect these revisions within 14 days of the inspection for items that can be readily resolved. More complicated maintenance or repairs shall be performed in accordance with the timeframes for more complicated maintenance and repairs described under Sections III.D - Maintenance or III.I.2 - Follow-up Actions. If corrective actions at a facility do not result in achieving benchmark monitoring cut-off concentrations, the facility must continue efforts to implement additional BMPs. Failure to undertake and document the review or take the necessary corrective actions are violations of the permit. Continued exceedance of benchmark monitoring cut-off concentrations may identify facilities that would be more appropriately covered under an individual SPDES permit.

(1) Monitoring periods for benchmark monitoring - If a facility falls within a sector(s) required to conduct benchmark monitoring, monitoring must be performed annually during the calendar year.

(2) Samples must be collected in accordance with Part IV.A.2.b. Monitoring results must be reported in accordance with Part IV.B. and retained in accordance with Part IV.C.

(3) Inactive and unstaffed sites - If the permittee is unable to conduct benchmark monitoring at an inactive and unstaffed site, a waiver of the monitoring requirement may be exercised as long as the facility remains inactive and unstaffed. If the permittee exercises this waiver, a certification must be submitted to the Department and maintained with the SWPPP stating that the site is inactive and unstaffed and that performing benchmark monitoring during a qualifying storm event is not feasible. The waiver must be signed and certified in accordance with Part V.H.

TABLE IV-1.  
INDUSTRIAL SECTORS SUBJECT TO BENCHMARK MONITORING

Industry Sector <sup>1</sup>	Industry Sub-sector	Benchmark Monitoring Parameters
A .....	General Sawmills and Planing Mills ..... Wood Preserving Facilities ..... Log Storage and Handling ..... Hardwood Dimension and Flooring Mills ..... .....	TSS, COD, Zinc, TN, Phosphorus Arsenic, Chromium, Copper TSS TSS, COD
B .....	Paperboard Mills .....	COD
C .....	Industrial Inorganic Chemicals ..... Plastics, Synthetic Resins, etc. .... Soaps, Detergents, Cosmetics, Perfumes ... Agricultural Chemicals .....	Aluminum, Iron, TN Zinc TN, Zinc TN, Iron, Lead, Zinc, Phosphorus
D .....	Asphalt Paving and Roofing Materials.....	TSS
E .....	Clay Products ..... Concrete Products .....	Aluminum TSS, pH, Iron
F .....	Steel Works, Blast Furnaces, and Rolling .... and Finishing Mills. Iron and Steel Foundries ..... Nonferrous Rolling, Drawing & Extruding .. Nonferrous Foundries (Castings) .....	Aluminum, Zinc  Aluminum, TSS, Copper, Iron, Zinc Copper, Zinc Copper, Zinc
G <sup>2</sup> .....	Ore Mining and Dressing .....	TSS, COD, pH, turbidity, metals
H .....	[Reserved]	
I .....	Oil and Gas Extraction ..... Petroleum Refining .....	TSS, Chlorides, pH Oil & Grease, Lead, Zinc, BTEX <sup>4</sup>
J .....	Sand and Gravel Mining ..... Dimension and Crushed Stone and Non- ..... metallic Minerals (except fuels)	TSS, TN, Iron, Zinc, Phosphorus TSS
K .....	Hazardous Waste Treatment, Storage or ..... Disposal	TSS, COD, TN, Arsenic, Cadmium, Cyanide, Lead, Magnesium, Mercury, Selenium, Silver
L .....	Landfills, Land Application Sites, and Open.. Dumps. Landfills, Land Application Sites and Open .. Dumps, Except Municipal Solid Waste Landfill Sites Closed in accordance with 40 CFR 258.60	Iron, TSS, TN, Phosphorus  Iron, TSS
M .....	Automobile Salvage Yards .....	TSS, Oil & Grease, Aluminum, Iron, Lead, BTEX <sup>4</sup>
N .....	Scrap Recycling/Waste Recycling Facilities .. and Facilities Engaged in Ship Dismantling, Marine Salvaging & Marine Wrecking for Scrap. Scrap & Waste Recycling Facilities which .... include Stormwater Discharges from Shredder Fluff Storage Areas.	TSS, COD, Oil & Grease, Aluminum, Cadmium, Copper, Chromium, Iron, Lead, Zinc  TSS, COD, Oil & Grease, Aluminum, Cadmium, Copper, Chromium, Iron, Lead, Zinc, Mercury, PCBs, BTEX <sup>4</sup>
O .....	Steam Electric Generating Facilities .....	Iron, Oil & Grease, PCBs
P .....	Land Transportation and Warehousing .....	Oil & Grease, COD, BTEX <sup>4</sup>
Q.....	Water Transportation Facilities .....	Aluminum, Iron, Zinc, Lead
S .....	Airports with deicing activities <sup>3</sup> .....	COD, BOD, TN, pH
T .....	Treatment Works .....	COD
U .....	Grain Mill Products ..... Fats and Oils Products .....	TSS, TN, Phosphorus BOD, COD, TSS, TN, Phosphorus
Y .....	Rubber Products .....	Zinc

Z .....	Leather Tanning and Finishing .....	TN, Chromium
AA .....	Fabricated Metal Products Except Coating .. Fabricated Metal Coating and Engraving .....	TN, Aluminum, Iron, Zinc TN, Zinc
AC .....	Electronic, Electrical Equipment and Components, Photographic & Optical Goods	TSS, Copper, Lead
AD .....	Non-classified Facilities Designated by the Department	TSS, COD, Oil & Grease, TN, Iron, Zinc
AE .....	Non-Classified Facilities Designated by the Department for DPW and Highway Maintenance Facilities	TSS, COD, Oil & Grease, BTEX <sup>4</sup>

1 Table does not include parameters for compliance monitoring under effluent limitations guidelines.

2 See Sector G (Part VIII.G) for additional monitoring discharges from waste rock and overburden piles from active ore mining or dressing facilities which includes TSS, COD, turbidity, pH, hardness, and metals.

3 Monitoring requirement for airports with deicing activities utilizing more than 100 tons of urea or more than 100,000 gallons of glycol per year.

4 BTEX is Benzene, Ethylbenzene, Toluene and Xylene.

#### d. Coal pile runoff

(1) Facilities with discharges of stormwater from coal storage piles must comply with the limitations and monitoring requirements of Table IV-2 for all discharges containing the coal pile runoff, regardless of the facility's sector of industrial activity. Permittees shall monitor such stormwater discharges at least annually (once per year).

(2) The coal pile runoff must not be diluted with stormwater or other flows in order to meet this limitation.

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

(4) Samples must be collected in accordance with Part IV.A.2.b. Monitoring results must be reported in accordance with Part IV.B. and retained in accordance with Part IV.C.

TABLE IV-2.  
NUMERIC LIMITATIONS FOR COAL PILE RUNOFF

Parameter	Limit	Monitoring Frequency	Sample Type
Total Suspended Solids (TSS)...	50 mg/l, max .....	1/year .....	Grab
pH .....	6.0 - 9.0 min. and max.	1/year .....	Grab

#### e. Compliance monitoring for discharges subject to numerical effluent limitation guidelines

(1) Facilities subject to stormwater effluent limitation guidelines are required to monitor such discharges to evaluate compliance with numerical effluent limitations and are identified in Table IV-3. Industry-specific numerical

limitations and compliance monitoring requirements are described in Part VIII of the permit. Co-located industrial activities at the facility that are described in more than one sector in Part VIII must comply on a discharge-by-discharge basis with all applicable effluent limitations from each sector. Permittees shall monitor the discharges for the presence of the pollutant subject to the effluent limitation at least annually (once per year).

(2) Samples must be collected in accordance with Part IV.A.2.b. The representative outfalls provision of Part IV.A.2.d and the alternative certification provision of Part IV.A.4.b, are not applicable to stormwater discharge monitoring for compliance with effluent limitations. Results of all compliance monitoring must be reported in accordance with Part IV.B. and retained in accordance with Part II.C.

f. Secondary Containment Areas for Storage and Transfer Areas - Discharge screening and monitoring for storage and transfer area secondary containment systems shall be in accordance with Part III.L.3.

TABLE IV-3.  
EFFLUENT LIMITATION GUIDELINES APPLICABLE TO DISCHARGES  
THAT MAY BE ELIGIBLE FOR PERMIT COVERAGE

<b>Effluent Limitation Guideline</b>	<b>Sectors With Affected Facilities</b>
Runoff from material storage piles at cement manufacturing facilities (40 CFR Part 411 Subpart C (2002) (established February 23, 1977))	E
Contaminated runoff from phosphate fertilizer manufacturing facilities (40 CFR Part 418 Subpart A (2002) (established April 8, 1974))	C
Coal pile runoff at steam electric generating facilities (40 CFR Part 423 (2002) (established November 19, 1982))	O
Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas (40 CFR Part 429, Subpart I (2002) (established January 26, 1981))	A
Mine dewatering discharges at crushed stone mines (40 CFR Part 436, Subpart B)	J
Mine dewatering discharges at construction sand and gravel mines (40 CFR Part 436, Subpart C)	J
Mine dewatering discharges at industrial sand mines (40 CFR Part 436, Subpart D)	J
Runoff from asphalt emulsion facilities (40 CFR Part 443 Subpart A (2002) (established July 24, 1975))	D
Runoff from landfills, (40 CFR Part 445, Subpart A and B (2002) (established February 2, 2000))	K & L

## 2. Monitoring Instructions

a. Monitoring periods - Permittees that are required to conduct monitoring on an annual or quarterly basis must collect samples within the following time periods (unless otherwise specified in Part IV):

(1) The monitoring year is from January 1 to December 31.

(2) If a facility's permit coverage was effective less than one month from the end of a quarterly or yearly monitoring period, the first monitoring period starts with the next respective monitoring period (e.g., if permit coverage begins September 5, the permittee would not need to start quarterly sampling until the October to December quarter, but the permittee would only have from September 5 to December 31 to complete that year's annual monitoring).

b. Collection and analysis of samples - Sampling requirements must be assessed on an outfall by outfall basis. Samples must be collected as follows:

(1) When and How to Sample - A minimum of one grab sample must be taken from the discharge associated with industrial activity resulting from a storm event with at least 0.1 inch of precipitation (defined as a "measurable" event), providing the interval from the preceding measurable storm is at least 72 hours. The 72-hour storm interval is waived if the preceding measurable storm did not result in a stormwater discharge (e.g., a storm events in excess of 0.1 inches may not result in a stormwater discharge at some facilities), or if the permittee is able to document that less than a 72 hour interval is representative for local storm events during the sampling period. The grab sample must be taken during the first 30 minutes (or as soon thereafter as practical, but not to exceed one hour) of the discharge. If the sampled discharge commingles with process or nonprocess water, the permittee must attempt to sample the stormwater discharge before it mixes with the nonstormwater.

(2) Sample Analysis - Monitoring and analysis must be conducted according to test procedures approved under 40 CFR Part 136, or equivalent, unless other test procedures have been specified in this permit.

(3) Any laboratory test or sample analysis required by this permit for which the State Commissioner of Health issues certificates of approval pursuant to section 502 of the Public Health Law shall be conducted by a laboratory that has been issued a certificate of approval.

c. Storm event data - Along with the monitoring results, the permittee must provide the date and duration (in hours) of the storm event(s) sampled; rainfall measurements or estimates (in inches) of the storm event that generated the sampled runoff; the duration between the storm event sampled and the end of the previous measurable (greater than 0.1 inch rainfall) storm event; and an estimate of the total volume (in gallons) of the discharge sampled.

d. Representative outfalls - If a facility has two or more outfalls that discharge substantially identical effluents, based on similarities of the industrial activities, significant materials or stormwater management practices occurring within the drainage areas of the outfalls, the permittee may test the effluent of just one of the outfalls and report that the quantitative data also applies to the substantially identical

outfall(s). This outfall monitoring waiver for substantially identical discharges applies to quarterly visual monitoring as well, but does not apply to compliance monitoring for discharges subject to numerical effluent limitation guidelines (see Part IV.A.1.c. and Part IV.A.1.d. The permittee should collect a sample from the anticipated "worst case" outfall as indicated by the area or level of industrial activity. If the drainage areas are similar, or if all past monitoring has been below benchmark monitoring cut-off concentrations, permittee may vary which outfall is sampled as part of the monitoring program. The permittee must include the following information in the SWPPP, and in any SWMRs that are required to be submitted to the department:

- (1) The locations of the outfalls;
- (2) Why the outfalls are expected to discharge substantially identical effluents;
- (3) Estimates of the size of the drainage area (in square feet) for each of the outfalls; and
- (4) An estimate of the runoff coefficient of the drainage areas (low: under 40%; medium: 40% to 65%; high: above 65%).

**3. Monitoring Required by the Department** - The Department may provide written notice to any facility including those otherwise exempt from the sampling requiring discharge sampling for specific parameters and a specific monitoring frequency. Any such notice will briefly state the reason for the monitoring, parameters to be monitored, frequency and period of monitoring, sample types and reporting requirements.

**4. Monitoring Waivers** - Unless specifically stated otherwise, the following waivers may be applied to any monitoring required under this permit.

a. Adverse climatic conditions waiver - When adverse weather conditions prevent the collection of samples, a substitute sample may be taken during a qualifying storm event in the next monitoring period. Adverse weather conditions are those that are dangerous or create inaccessibility for personnel, and may include such things as local flooding, high winds, electrical storms, or situations that otherwise make sampling impracticable, such as drought or extended frozen conditions.

b. Alternative certification of "Not Present" or "No Exposure" - The permittee will not be subject to the continued benchmark monitoring requirements of Parts IV and VIII provided that:

- (1) A certification is made for a given outfall, or on a pollutant-by-pollutant basis in lieu of monitoring required under Part VIII, that material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, industrial machinery or operations, or significant materials from past industrial activity that are located in areas of the facility within the drainage area

of the outfall are not exposed to stormwater and are not expected to be exposed to stormwater for the certification period;

(2) The certification must be signed in accordance with Part V.H., submitted to the Department with the annual certification report and a copy retained with the SWPPP;

(3) At least one annual sampling event for benchmark parameters must be conducted and documented to be at or below the Practical Quantitation Limit<sup>15</sup> prior to making this certification in order to confirm that sources of stormwater contamination do not exist that the permittee was not aware of. A copy of this monitoring must be attached to the certification in subparagraph (2) above;

(4) If certification cannot be made for an entire period, the permittee must document the date exposure was eliminated and must perform any monitoring required up until that date; and

(5) This monitoring waiver is not applicable to compliance monitoring of coal pile run-off or discharges subject to numerical effluent limitations established in Parts IV and VIII.

## **B. Reporting Monitoring Results and Annual Certification Reporting**

1. **Annual Certification Report** - The annual certification report is the primary mechanism for reporting to the Department. A copy of the annual certification report form is provided in Appendix C of this permit.

a. Every facility covered by this general permit must complete and submit an annual certification report form in accordance with the submission deadlines in Table IV-4.

b. Monitoring results for benchmark parameters and numeric effluent limitations must be reported on Discharge Monitoring Report (DMR) forms that will be provided by the Department. The completed DMR forms and any additional monitoring requested by the Department, where applicable, must be submitted along with the annual certification report as described in Table IV-4.

c. Permittees shall submit results for each outfall associated with industrial activity. For each outfall, one signed Discharge Monitoring Report (DMR) form must be submitted to the Department per storm event sampled.

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<sup>15</sup> For the purpose of the alternative certification of "Not Present" monitoring waiver, at least one annual sampling event for benchmark parameters must be conducted and documented to be at or below the Practical Quantitation Limit (PQL), which is typically 3 times the analytical Method Detection Levels (MDL). An exception to using the PQL would be a condition where the benchmark monitoring cut-off concentration is less than the PQL. Under these circumstances, the sample result must be below the MDL to qualify for the monitoring waiver.

TABLE IV-4.  
Monitoring Reporting Requirements

Monitoring type	Submission Deadline
Visual Monitoring	Retain documentation with SWPPP. Answer applicable questions on the Annual Certification Report Form and submit by March 31st.
Dry Weather Flow Inspection	Retain documentation with SWPPP. Answer applicable questions on the Annual Certification Report Form and submit by March 31st.
Benchmark Monitoring	Submit results on a Discharge Monitoring Report form (see Appendix E) along with the Annual Certification Report by March 31st.
Coal Pile Run-off	Submit results on a Discharge Monitoring Report form (see Appendix E) along with the Annual Certification Report by March 31st.
Monitoring for Effluent Numeric Limitation	Submit results on a Discharge Monitoring Report form (see Appendix E) along with the Annual Certification Report by March 31st.
Monitoring for Bulk Storage and Loading/Unloading Areas	Retain documentation with SWPPP. Answer applicable questions on the Annual Certification Report Form and submit by March 31st.

d. The annual certification reports and monitoring reports must be submitted to:

Industrial Stormwater General Permit Coordinator  
NYSDEC, Bureau of Water Permits  
625 Broadway  
Albany, New York 12233-3505

e. Monitoring waivers - Any sampling waivers (including representative outfalls or monitoring at inactive/unstaffed sites) should be described in a cover letter accompanying the annual certification report and discharge monitoring report forms. Information should describe the sampling waiver being claimed, the affected outfall(s) and specific parameters (in the case of the alternative certification for "not present" or "no exposure").

f. Additional reporting - In addition to filing the annual certification reports and discharge monitoring reports, permittees with at least one stormwater discharge associated with industrial activity through a municipal separate storm sewer system (MS4), or a municipal system designated by the Department, must submit signed copies of annual certification reports and discharge monitoring reports to the MS4 operator at the same time.

C. Retention of Monitoring Records - Monitoring records must be retained to meet both of the following requirements:

1. Stormwater Pollution Prevention Plan (SWPPP) - The permittee shall retain the SWPPP developed in accordance with Part III of this permit until at least one year after coverage under this permit terminates. The permittee shall retain all records of monitoring information, copies of all reports required by this permit, and records of all data used to complete the NOIT form to be covered by this permit, until at least one year after

coverage under this permit terminates. This period may be explicitly modified by or extended by request of the Department at any time; and

**2. Recording of Monitoring Activities and Results** - Records must be maintained as follows in accordance with 6 NYCRR Part 750-2.5(c):

a. The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by a SPDES permit, and records of all data used to complete the application for the permit, for a period of at least 5 years from the date of the sample, measurement, report or application. This period may be extended by written request of the Department, provided that the extension is necessary to implement the provisions of this Part or ECL and that the reason or reasons for the extension are provided in the request.

b. Records of monitoring information shall 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;
- (6) the results of such analyses; and
- (7) Quality assurance/quality control documentation.

c. When records are stored electronically, the records must be preserved in a manner that reasonably assures their integrity and are acceptable to the Department. Such records must also be in a format which is accessible to the Department.

d. The permittee shall make available to the Department for inspection and copying or furnish to the Department within 25 business days of receipt of a Department request for such information, any information retained in accordance with this subdivision.

## **Part V. STANDARD PERMIT CONDITIONS**

**A. Duty to Comply** - The permittee must comply with all terms and conditions of the permit. Any permit noncompliance constitutes a violation of the Environmental Conservation Law and the Clean Water Act and is grounds for enforcement action, permit suspension, revocation, modification or denial of a permit renewal application.

**B. Continuation of the Expired General Permit** - This permit shall expire on March 27, 2012. In the event a new general permit is not issued prior to termination of this general permit, then the permittee may continue to operate and discharge in accordance with the terms and conditions of this general permit until such time that a new general permit is issued.

**C. Penalties for Violations of Permit Conditions** - There are substantial criminal, civil, and administrative penalties associated with violating the provisions of this permit. Fines of up to \$37,500 per day for each violation and imprisonment for up to fifteen (15) years may be assessed depending upon the nature and degree of the offense.

**D. Need to Halt or Reduce Activity Not a Defense** - It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

**E. Duty to Mitigate** - The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

**F. Duty to Provide Information** - The permittee shall furnish to the Department, within a specified time, any information requested to determine compliance with this permit in accordance with 6 NYCRR Part 750-2.1(i). The permittee shall also furnish upon request, copies of records required by this permit.

**G. Other Information** - When the permittee becomes aware that he or she failed to submit any relevant facts or submitted incorrect information in the Notice of Intent or Termination (NOIT) form or in any other report to the Department, he or she shall promptly submit corrected facts or information.

**H. Signatory Requirements** - All Notices of Intent or Termination (NOIT) forms, stormwater pollution prevention plans, reports, certifications or information submitted to the Department (and/or the operator of a large or medium municipal separate storm sewer system), or records that this permit requires to be maintained by the permittee, shall be signed as follows:

1. All Notices of Intent or Termination (NOIT) forms shall be signed as follows:

a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:

(1) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

(2) 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.

b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

c. For a municipality: State, Federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes (1) the chief executive officer of the agency, or (2) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g. Regional Administrators of EPA).

2. All reports required by the permit and other information requested by the Department shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

a. The authorization is made in writing by a person described above and submitted to the Department.

b. 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 manager, owner or operator, superintendent, or 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).

c. Changes to authorization - If an authorization under Part VI.G.1. is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, letter notification satisfying the requirements above must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.

d. Certification - Any person signing documents under this section shall make the following certification: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly 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.

**I. Penalties for Falsification of Reports** - In accordance with 6 NYCRR Part 750-2.4(f) any person who knowingly makes any false material statement, representation, or certification in any application, record, report or other document filed or required to be maintained under this permit, including reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than \$37,500, or by imprisonment for not more than 2 years, or by both.

**J. Penalties for Falsification of Monitoring Systems** - In accordance with 6 NYCRR Part 750-2.5(a)(6) 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 fines and imprisonment.

**K. Oil and Hazardous Substance Liability** - Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under section 311 of the CWA or section 106 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 ("CERCLA").

**L. Property Rights** - The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

**M. Severability** - The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

**N. Requiring an Individual Permit or an Alternative General Permit**

1. At its sole discretion, the Department may require any person authorized by this general permit to apply for and/or obtain either an individual SPDES permit or an alternative SPDES general permit in accordance with 6 NYCRR Part 750-1.21(e).

2. Any owner or operator authorized by this permit may request to be excluded from the coverage of this permit by applying for an individual permit. The owner or operator shall submit an individual application (Form 1 and Form 2F) with reasons supporting the request to the Department. Individual permit applications shall be submitted to the address of the appropriate DEC Office (see Appendix G of this permit). The request may be granted by the issuance of any individual permit or an alternative general permit if the reasons cited by the owner or operator are adequate to support the request.

3. When an individual SPDES permit is issued to a discharger authorized to discharge under a general SPDES permit for the same discharge(s), the general permit authorization for outfalls authorized under the individual permit is automatically terminated on the effective date of the individual permit unless termination is earlier in accordance with 6 NYCRR Part 750.

**O. State/Environmental Laws**

1. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by section 510 of the Clean Water Act.
2. No condition of this permit shall release the permittee from any responsibility or requirements under other environmental statutes or regulations.

**P. Proper Operation and Maintenance** - The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit and with the requirements of stormwater pollution prevention plans. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the operation of backup or auxiliary facilities or similar systems installed by a permittee only when necessary to achieve compliance with the conditions of the permit.

**Q. Inspection and Entry** - The permittee shall allow the Department or an authorized representative of EPA, the State, or, in the case of a facility which discharges through a municipal separate storm sewer, an authorized representative of the municipal operator of the separate storm sewer receiving the discharge, upon the presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;
2. Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit: and
3. Inspect at reasonable times any facilities or equipment (including monitoring and control equipment).

**R. Permit Actions** - At the Department's sole discretion, this permit may, at any time, be modified, revoked or renewed. The filing of a request by the permittee for a permit modification, reissuance, termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

**S. Definitions** - Definitions are included in Appendix A of this permit. Additional definitions are provided within the Part VIII industrial sectors for definitions that are specific to those industries.

## **Part VI. REOPENER CLAUSE**

A. If there is evidence indicating potential or realized impacts on water quality due to any stormwater discharge associated with industrial activity covered by this permit, the owner or operator of such discharge may be required to obtain an individual permit or an alternative general permit in accordance with Part VI.N (requiring an individual permit or alternative general permit) of this permit or the permit may be modified to include different limitations and/or requirements.

B. Permit modification or revocation will be conducted according to 6 NYCRR Part 621 and 6 NYCRR Part 750-1.18.

## **Part VII. TERMINATION OR TRANSFER OF COVERAGE**

A. **Notice of Intent or Termination (NOIT) Form** - Where all stormwater discharges associated with industrial activity that are authorized by this permit are eliminated, or where the owner or operator of the stormwater discharges associated with industrial activity at a facility changes, the owner or operator of the facility may submit a Notice of Intent or Termination (NOIT) form that is signed in accordance with Part V.H. (signatory requirements) of this permit. Additionally, the owner or operator must notify the new owner or operator of the possible requirement to submit a new NOIT in order to obtain coverage under this permit. The terminating NOIT should include the following information, as appropriate, in order to define the activity for which permit authority under this general permit to discharge stormwater is terminated:

1. Name, mailing address, and location of the facility for which the notification is submitted. Where a street address for the site is not available, the location of the approximate center of the site must be described in terms of the latitude and longitude of the facility to the nearest 15 seconds;
2. The name, address and telephone number of the owner or operator addressed by the NOIT form;
3. The SPDES permit number for the stormwater discharge associated with industrial activity identified by the NOIT;
4. An indication of whether the stormwater discharges associated with industrial activity have been eliminated or the owner or operator of the discharges has changed; and
5. The certification signed in accordance with Part V.H (signatory requirements) of this permit.

**B. Addresses**

All Notices of Intent or Termination (NOIT) forms are to be sent, using the form provided by the Department (or a photocopy thereof), to the address indicated on the form which (as of the issuance date of this permit) is:

Industrial Stormwater General Permit Coordinator  
NYS DEC, Division of Water  
Bureau of Water Permits  
625 Broadway  
Albany, NY 12233-3505

**PART VIII. SECTOR SPECIFIC PERMIT REQUIREMENTS**

The permittee must comply with the additional requirements of Part VIII that apply to the specific industrial activity located at the permittee's facility. These requirements are in addition to the general requirements specified in the previous sections of this permit. The industry-specific requirements are broken down into sections referred to as industrial sectors A through AE.

If the facility has more than one industrial activity occurring on-site, those industrial activities are considered to be co-located. Stormwater discharges from co-located industrial activities are authorized by this permit, provided that the permittee complies with any and all of the requirements applicable to each industrial activity at the facility.





## Sector L - Landfills, Land Application Sites and Non-Compliant Landfills

1. **Discharges Covered Under This Section** - The requirements listed under this section apply to stormwater discharges associated with industrial activity from waste disposal at landfills, land application sites, and non-compliant landfills (Industrial Activity Code "LF") that receive or have received industrial wastes (waste that is received from industrial activities at any of the facilities described under 40 CFR Part 122.26(b)(14) categories (i) - (xi)). The requirements listed under this section are intended to apply to initial, as well as ongoing construction activities at landfills. [Note: Non-compliant landfills are solid waste disposal units that are not in compliance with state/federal criteria established under RCRA Subtitle D.] Landfills that have been closed in accordance with 6 NYCRR Part 360 are not required to maintain SPDES permit coverage for stormwater discharges provided that the landfill is or has been maintained under a post closure care program.

### 2. **Special Conditions**

a. **Prohibition of Non-stormwater Discharges** - In addition to the general non-stormwater prohibition in Paragraph I.D.1, the discharges not covered by this permit include, but are not limited to: leachate, gas collection condensate, drained free liquids, contaminated ground water, laboratory wastewater, and contact washwater from washing truck, railcar and equipment exteriors and surface areas that have come in direct contact with solid waste or daily cover at the landfill facility.

b. **Stormwater Discharges from Construction Activities** - A comprehensive Stormwater Pollution Prevention Plan (SWPPP) addressing the storm water run-on and run-off control systems needed during the landfill's construction, operation and closure phases must be prepared prior to the commencement of any construction activity that will result in a land disturbance of one or more acres of land. The plan must be prepared in accordance with the New York Standards and Specifications for Erosion and Sediment Control, dated August 2005; and the New York State Stormwater Management Design Manual. If alternative erosion and sedimentation controls or stormwater management practices are proposed, the owner or operator must demonstrate equivalence to these technical standards.

The SWPPP must be kept current and should address effective stormwater controls for all appurtenances and components associated with the landfill, including but not limited to, haul roads, paved areas, associated buildings and structures, landfill surfaces, perimeter ditches, and berms.

### 3. **Definitions**

"Contaminated groundwater" means water below the land surface in the zone of saturation which has been contaminated by activities associated with waste disposal.

"*Contaminated stormwater*" means stormwater that comes in direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater as defined below. Some specific areas of a landfill that may produce contaminated stormwater include, but are not limited to: the open face of an active landfill with exposed waste (including areas with daily cover); the areas around wastewater treatment operations; trucks, equipment or machinery that has been in direct contact with the waste; and waste dumping areas.

"*Drained free liquids*" means aqueous wastes drained from waste containers (e.g., drums, etc.) prior to landfilling.

"*Land application facility*" means a site where solid waste is applied to the soil surface or injected into the upper layer of the soil to improve soil quality or provide plant nutrients. Solid waste suitable for this purpose includes, but is not limited to, certain food processing waste, sewage treatment plant sludge and septage.

"*Landfill*" means land or a disposal facility or part of one where solid waste or its residue after treatment is intentionally placed and which is not a land application facility, surface impoundment, injection well or waste pile.

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

"*Leachate*" means any solid waste in the form of a liquid, including any suspended components in the liquid, that results from contact with or passage through solid waste.

"*Noncontaminated stormwater*" means stormwater that does not come into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater as defined above. Noncontaminated stormwater includes stormwater that flows off the final cover of the landfill, runoff from intermediate cover that has not come in contact with leachate or waste and runoff from portions of the landfill where waste has not yet been disposed of and which are segregated from active portions of the landfill.

"*Surface impoundment*" means a solid waste management facility or part of one that is a natural topographical depression, excavation, or diked area formed primarily of earthen materials (although it may be lined with synthetic materials), that is designed to hold solid waste in semisolid or liquid form and that is not an injection well. Examples of surface impoundments are holding, storage, settling, and aeration pits, ponds and lagoons.

4. **Stormwater Pollution Prevention Plan Requirements** - In addition to the requirements in Part III, the SWPPP shall include, at a minimum, the following items.

a. Site description

(1) Site map - The site map shall identify where any of the following may be exposed to precipitation/surface runoff: active and closed landfill cells or trenches; active and closed land application areas; locations where open dumping is occurring or has occurred; locations of any known leachate breakouts or other areas where uncontrolled leachate may commingle with runoff; and leachate collection and handling systems.

(2) Summary of potential pollutant sources - The SWPPP shall also include a description of potential pollutant sources associated with any of the following: fertilizer, herbicide and pesticide application; earth/soil moving; waste hauling and loading/unloading; outdoor storage of significant materials including daily, interim and final cover material stockpiles, as well as, temporary waste storage areas; exposure of active and inactive landfill and land application areas; uncontrolled leachate flows; and failure or leaks from leachate collection and treatment systems.

b. Stormwater controls.

(1) Preventive maintenance program - As part of the preventive maintenance program, the permittee shall maintain: all containers used for outdoor chemical/significant materials storage to prevent leaking; all elements of leachate collection and treatment systems to prevent commingling of leachate with stormwater; and the integrity and effectiveness of any intermediate or final cover (including making repairs to the cover as necessary to minimize the effects of settlement, sinking, and erosion).

(2) Good housekeeping measures - As part of the good housekeeping program, the permittee shall consider providing protected storage areas for pesticides, herbicides, fertilizer and other significant materials.

(3) Routine facility inspections

(a) Inspections of active sites - Operating landfills, non-compliant landfills, and land application sites shall be inspected at least once every seven days. Qualified personnel shall inspect areas of landfills that have not yet been finally stabilized, active land application areas, areas used for storage of materials/wastes that are exposed to precipitation, stabilization and structural control measures, leachate collection and treatment systems, and locations where equipment and waste trucks enter and exit the site. Erosion and sediment control measures shall be observed to ensure they are operating correctly. For stabilized sites and areas where land

application has been completed, inspections shall be conducted at least once every month.

(b) Inspections of inactive sites - Inactive landfills, non-compliant landfills, and land application sites shall be inspected at least quarterly. Qualified personnel shall inspect landfill stabilization and structural erosion control measures and leachate collection and treatment systems, and all closed land application areas.

(4) Non-stormwater discharge test certification - The discharge test and certification must also be conducted for the presence of leachate and vehicle washwater.

(5) Erosion and sediment control plan - The plan shall include details of temporary and permanent structural and vegetative measures that will be used to control erosion and sedimentation for each phase of landfill construction, operation and closure. The design, installation, maintenance and repair of erosion and sediment controls shall conform to the New York State Standards and Specifications for Erosion and Sediment Control dated August 2005, or the most current version or its successor. If alternative erosion and sedimentation controls are proposed, the owner or operator must demonstrate equivalence to this technical standard.

If any phase of the landfill construction or closure will result in the disturbance of five (5) or more acres of land at any one time, the owner or operator must obtain approval from the Regional Office stormwater contact person prior to disturbing more than five acres.

(6) Post-construction Stormwater Management Controls - Stormwater runoff from all disturbed areas that is not handled as leachate shall be captured and treated by a post-construction stormwater management control(s). The design, construction and maintenance of all post-construction stormwater management controls shall conform to the New York State Stormwater Management Design Manual. All controls shall be designed to meet the Unified Stormwater Sizing Criteria in Chapter 4 of the New York State Stormwater Management Design Manual. If alternative post-construction controls are proposed, the owner or operator must demonstrate equivalence to this technical standard.

(7) Comprehensive site compliance evaluation - Areas contributing to a stormwater discharge associated with industrial activities at landfills, non-compliant landfills and land application sites shall be evaluated for evidence of, or the potential for, pollutants entering the drainage system.

5. **Numeric Effluent Limitations** - As set forth at 40 CFR Part 445 Subpart B, the numeric effluent limitations in Table VIII-L-1 apply to contaminated stormwater discharges from municipal solid waste landfills (MSWLFs) that have not been closed in accordance with 40 CFR 258.60, and contaminated stormwater discharges from those landfills that are subject to the provisions of 40 CFR Part 257 except for discharges from any of the facilities described in subdivisions "a" through "d" of this subsection:

- a. Landfills operated in conjunction with other industrial or commercial operations when the landfill receives only wastes generated by the industrial or commercial operation directly associated with the landfill;
- b. Landfills operated in conjunction with other industrial or commercial operations when the landfill receives wastes generated by the industrial or commercial operation directly associated with the landfill and also receives other wastes provided the other wastes received for disposal are generated by a facility that is subject to the same provisions in 40 CFR Subchapter N as the industrial or commercial operation or the other wastes received are of a nature similar to the wastes generated by the industrial or commercial operation;
- c. Landfills operated in conjunction with centralized waste treatment (CWT) facilities subject to 40 CFR Part 437 so long as the CWT facility commingles the landfill wastewater with other non-landfill wastewater for discharge. A landfill directly associated with a CWT facility is subject to this part if the CWT facility discharges landfill wastewater separately from other CWT wastewater or commingles the wastewater from its landfill only with wastewater from other landfills; or
- d. Landfills operated in conjunction with other industrial or commercial operations when the landfill receives wastes from public service activities so long as the company owning the landfill does not receive a fee or other remuneration for the disposal service.

Table VIII-L-1.  
Sector L - Numeric Effluent Limitations

Parameter	Effluent Limitations	
	Daily Maximum	30-day Average
<b>Landfills (Industrial Activity Code "LF") That Are Subject to the Point Source Category Provisions of 40 CFR Part 445 Subpart B.</b>		
Biochemical Oxygen Demand (BOD5)	140 mg/L	37 mg/L
Total Suspended Solids (TSS)	88 mg/L	27 mg/L
Ammonia	10 mg/L	4.9 mg/L
Alpha Terpineol	0.033 mg/L	0.016 mg/L
Benzoic Acid	0.12 mg/L	0.071 mg/L
p-Cresol	0.025 mg/L	0.014 mg/L
Phenol	0.026 mg/L	0.015 mg/L
Zinc (Total)	0.20 mg/L	0.11 mg/L
pH	Within the range of 6.0 - 9.0 s.u.	

6. **Benchmark Monitoring and Reporting Requirements** - Landfill and land application sites are required to monitor their stormwater discharges for the pollutants of concern listed in Table VIII-L-2. These benchmark monitoring cutoff concentrations apply to stormwater discharges associated with industrial activity other than contaminated stormwater discharges from landfills subject to the numeric effluent limitations set forth in Table VIII-L-1.

Table VIII-L-2.  
Sector L - Benchmark Monitoring Requirements

Pollutants of Concern	Analytical Method	Benchmark Monitoring Cut-Off Concentration
<b>Landfills, Land Application Sites and Non-Compliant Landfills (Industrial Activity Code "LF").</b>		
Total Suspended Solids (TSS)	EPA 160.2	100 mg/L
Total Nitrogen (TN)	EPA 350.1, 351.2, 353.2	6 mg/L
Total Phosphorus (TP)	EPA 365.1	2 mg/L
Total Recoverable Iron	EPA 200.7	1 mg/L
<b>Landfills, Land Application Sites and Non-Compliant Landfills, Except Municipal Solid Waste Landfill Areas Closed in Accordance With 40 CFR 258.60 (Industrial Activity Code "LF")</b>		
Total Suspended Solids (TSS)	EPA 160.2	100 mg/L
Total Recoverable Iron	EPA 200.7	1 mg/L

\* Total Nitrogen is calculated as the sum of ammonia, nitrate-nitrite and organic nitrogen.



# APPENDIX A

## Definitions



## Definitions and Acronyms

*Note: Additional definitions are provided within the Part VIII industrial sectors for definitions that are specific for those industries.*

**Best Management Practices (BMPs)** - means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the state. BMPs also include treatment requirements (if determined necessary by the permittee), operating procedures, and practices to control plant site runoff, spillage and leaks, sludge or waste disposal, or drainage from raw material storage.

**Co-located Industrial Activities** - occurs when a facility has industrial activities included in more than one industrial sector. Stormwater discharges from co-located activities must comply with requirements for all relevant sectors.

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

**Department** - means the New York State Department of Environmental Conservation as well as meaning the department's designated agent.

**Discharge** - means any addition of any pollutant to waters of the State through an outlet or point source.

**Discharge Authorized by a SPDES Permit** - means discharges of wastewater or stormwater from sources listed in the permit, that do not violate ECL Section 17-0501, that are through outfalls listed in the permit, and that are:

- (i) discharges within permit limitations of pollutants limited in the SPDES permit;
- (ii) discharges within permit limitations of pollutants limited by an indicator limit in the SPDES permit;
- (iii) discharges of pollutants subject to action level requirements in the SPDES permit;
- (iv) discharges of pollutants not explicitly listed in the SPDES permit, but reported in the SPDES permit application record as detected in the discharge or as something the permittee knows or has reason to believe to be present in the discharge, provided the special conditions section of the applicable SPDES permit does not otherwise forbid such a discharge and provided that such discharge does not exceed, by an amount in excess of normal effluent variability, the level of discharge that may reasonably be expected for that pollutant from information provided in the SPDES permit application record;
- (v) discharges of pollutants not required to be reported on the appropriate and current New York State SPDES permit application; provided the special conditions section of the permit does not otherwise forbid such a discharge. The Department may, in accordance with law and regulation, modify the permit to include limits for any pollutant even if that pollutant is not required to be reported on the SPDES permit application; or
- (vi) discharges from fire fighting activities; fire hydrant flushings; testing of fire fighting equipment, provided that such equipment is for water only fire suppression; potable water

sources including waterline flushings; irrigation drainage; lawn watering; uncontaminated infiltration and inflow; leakage from raw water conveyance systems; routine external building washdown and vehicle washing which does not use detergents or other compounds; pavement washwaters where spills or leaks of toxic or hazardous materials, other than minor and routine releases from motor vehicles, have not occurred (unless such material has been removed) and where detergents are not used; air conditioning and steam condensate; springs; uncontaminated groundwater; and foundation or footing drains where flows are not contaminated with process materials such as solvents provided that the permittee has implemented an effective plan for minimizing the discharge of pollutants from all of the sources listed in this subparagraph.

**Discharge Monitoring Report (DMR)** - means a report submitted by a permittee to the department summarizing the effluent monitoring results obtained by the permittee over periods of time as specified in the SPDES permit.

**Environmental Conservation Law (ECL)** - means chapter 43-B of the Consolidated Laws of the State of New York, entitled the Environmental Conservation Law.

**Effluent Limitation** - means any restriction on quantities, quality, rates and concentrations of chemical, physical, biological, and other constituents of effluents that are discharged into waters of the state.

**Effluent Limitation Guideline (ELG)** - means toxic or pretreatment effluent limitations contained in 40 CFR Parts 405 to 471 (see 6 NYCRR 750-1.24 of this Part).

**General SPDES permit** - means a SPDES permit issued pursuant to 6 NYCRR Part 750-1.21 authorizing a category of discharges.

**Groundwater** - means waters in the saturated zone. The saturated zone is a subsurface zone in which all the interstices are filled with water under pressure greater than that of the atmosphere. Although the zone may contain gas-filled interstices or interstices filled with fluids other than water, it is still considered saturated.

**Impaired Water** - a water is impaired if it does not meet its designated use(s). For purposes of this permit 'impaired' refers to threatened and impaired waters in categories 4a (those for which TMDLs have been established), 4b (those for which existing controls such as permits are expected to resolve the impairment), and 5 (those needing a TMDL) of a state's or tribe's integrated report on water quality. Impaired waters compilations are also sometimes referred to as 303(d) lists; 303(d) lists generally include only waters for which TMDLs have not yet been developed. States will generally have associated, but separate lists of impaired waters for which TMDLs have already been established.

**Individual SPDES Permit** - means an SPDES "permit" issued to a single facility in one location in accordance with this Part (as distinguished from a general SPDES permit).

**Industrial Activity** - the 11 categories of industrial activities included in the definition of "stormwater discharges associated with industrial activity."

**Industrial Stormwater** - stormwater runoff associated with the definition of "stormwater discharges associated with industrial activity."

**Industrial Waste** - means any liquid, gaseous, solid or waste substance or a combination thereof resulting from any process of industry, manufacturing, trade, or business or from the development or recovery of any natural resources, which may cause or might reasonably be expected to cause pollution of the waters of the state in contravention of the standards adopted as provided herein.

**Method Detection Level** - means the level at which the analytical procedure referenced is capable of determining with a 99 percent probability that the substance is present. The precision at this level is plus or minus 100 percent.

**Municipality** - means any county, town, city, village, district corporation, special improvement district, sewer authority or agency thereof.

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

- (i) 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;
- (ii) Designed or used for collecting or conveying stormwater;
- (iii) Which is not a combined sewer; and
- (iv) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

**National Pollutant Discharge Elimination System (NPDES)** - means the national system for the issuance of wastewater and stormwater permits under the Federal Water Pollution Control Act (Clean Water Act).

**No exposure** - all industrial materials or activities are protected by a storm-resistant shelter to prevent exposure to rain, snow, snowmelt, and/or runoff.

**Outfall** - means the terminus of a sewer system, or the point of emergence of any waterborne sewage, industrial waste or other wastes or the effluent therefrom, into the waters of the state.

**Owner or operator** - means the owner or operator of any facility or activity subject to regulation under this Part.

**Permittee** - means the holder of a SPDES permit.

**Person or persons** - means any individual, public or private corporation, political subdivision, government agency, municipality, partnership, association, firm, trust, estate or any other legal entity whatsoever.

**Point source** - means any discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, vessel or other floating craft, or landfill leachate collection system from which pollutants are or may be discharged.

**Pollutant** - means dredged spoil, filter backwash, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand and industrial, municipal, agricultural waste and ballast discharged into water; which may cause or might reasonably be expected to cause pollution of the waters of the state in contravention of the standards or guidance values adopted as provided in Parts 700 et seq of this Title.

**Qualified Personnel** - Qualified personnel are those who possess the knowledge and skills to assess conditions and activities that could impact stormwater quality at your facility, and who can also evaluate the effectiveness of BMPs.

**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, 177, and 302 for complete definitions and reportable quantities for which notification is required.

**Runoff coefficient** - the fraction of total rainfall that will appear at the conveyance as runoff.

**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.

**State** - means the State of New York.

**State Pollutant Discharge Elimination System (SPDES)** - means the system established pursuant to Article 17 of the ECL and this Part for issuance of permits authorizing discharges to the waters of the state.

**Stormwater** - means that portion of precipitation that, once having fallen to the ground, is in excess of the evaporative or infiltrative capacity of soils, or the retentive capacity of surface features, which flows or will flow off the land by surface runoff to waters of the state.

**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 40 CFR 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 Appendix D of this permit. The term also includes those facilities designated under the provisions of 40 CFR 122.26(a)(1)(v).

**Total Maximum Daily Loads (TMDLs)** - A TMDL is the sum of the allowable loads of a single pollutant from all contributing point and nonpoint sources. It is a calculation of the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards, and an allocation of that amount to the pollutant's sources. A TMDL stipulates wasteload allocations (WLAs) for point source discharges, load allocations (LAs) for nonpoint sources, and a margin of safety (MOS).

**Waters of the United States - means:**

- (i) All waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters that are subject to the ebb and flow of the tide;
- (ii) All interstate waters, including interstate "wetlands";
- (iii) All other waters, such as interstate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce, including any such waters:
  - a. Which are or could be used by interstate or foreign travelers for recreational or other purposes;
  - b. From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or
  - c. Which are or could be used for industrial purposes by industries in interstate commerce;
- (iv) All impoundments of waters otherwise defined as waters of the United States under this definition;
- (v) Tributaries of waters identified in paragraphs (1) through (4) of this definition;
- (vi) The territorial sea; and
- (vii) Wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs 1 through 6 of this definition.

**Waters or Waters of the State** - shall be construed to include lakes, bays, sounds, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Atlantic ocean within the territorial seas of the state of New York and all other bodies of surface or underground water, natural or artificial, inland or coastal, fresh or salt, public or private (except those private waters that do not combine or effect a junction with natural surface or underground waters), which are wholly or partially within or bordering the state or within its jurisdiction. Waters of the state are further defined in 6 NYCRR Parts 800 to 941.

**Water Quality Standard** - means such measures of purity or quality for any waters in relation to their reasonable and necessary use as promulgated in 6 NYCRR Part 700 et seq.

## ACRONYMS

BOD5 – Biochemical Oxygen Demand (5-day test)  
BMP – Best Management Practice  
CBS - Chemical Bulk Storage  
COD – Chemical Oxygen Demand  
CWA – Clean Water Act (or the Federal Water Pollution Control Act, 33 U.S.C. §1251 et seq)  
DMR – Discharge Monitoring Report  
ECL - Environmental Conservation Law  
ELG – Effluent Limitations Guidelines  
EPA – U. S. Environmental Protection Agency  
EPCRA – Emergency Planning and Community Right-to-know Act  
MDL - Method Detection Limit  
MGD – Million Gallons per Day  
MS4 – Municipal Separate Storm Sewer System  
MSGP – Multi-Sector General Permit  
NOIT – Notice of Intent or Termination  
NPDES – National Pollutant Discharge Elimination System  
NRC – National Response Center  
NTU – Nephelometric Turbidity Unit  
PBS - Petroleum Bulk Storage  
PQL - Practical Quantitation Limit  
RCRA – Resource Conservation and Recovery Act  
RQ – Reportable Quantity  
SIC – Standard Industrial Classification  
SPCC – Spill Prevention, Control, and Countermeasure  
SWPPP – Stormwater Pollution Prevention Plan  
TMDL – Total Maximum Daily Load  
TSS – Total Suspended Solids  
USGS – United States Geological Survey



## APPENDIX B

### Notice of Intent or Termination







4. Identify all applicable Industrial Activities from the Industrial Sectors shown below that are located within areas subject to the stormwater discharges covered under this permit. Check all that apply to your facility.

Sampling Notes	Mark all that apply	SIC Code or Activity Code	Activity Represented
<b>Sector A: Timber Products</b>			
B, C	<input type="radio"/>	2411 .....	Log Storage and Handling (Wet deck storage areas are only authorized if no chemical additives are used in the spray water or applied to the logs).
B	<input type="radio"/>	2421 .....	General Sawmills and Planning Mills
B	<input type="radio"/>	2426 .....	Hardwood Dimension and Flooring Mills
B	<input type="radio"/>	2429 .....	Special Product Sawmills, Not Elsewhere
B	<input type="radio"/>	2431-2439 (except 2434 - see sector W)	Millwork, Veneer, Plywood, and Structural Wood.
B	<input type="radio"/>	2441, 2448, 2449 .....	Wood Containers
B	<input type="radio"/>	2451, 2452 .....	Wood Buildings and Mobile Homes
B	<input type="radio"/>	2491 .....	Wood Preserving
B	<input type="radio"/>	2493 .....	Reconstituted Wood Products
B	<input type="radio"/>	2499 .....	Wood Products, Not Elsewhere Classified
<b>Sector B: Paper and Allied Products</b>			
B	<input type="radio"/>	2611 .....	Pulp Mills
	<input type="radio"/>	2621 .....	Paper Mills
	<input type="radio"/>	2631 .....	Paperboard Mills
	<input type="radio"/>	2652-2657 .....	Paperboard Containers and Boxes
	<input type="radio"/>	2671-2679 .....	Converted Paper and Paperboard Products, Except Containers and Boxes
<b>Sector C: Chemical and Allied Products</b>			
B	<input type="radio"/>	2812-2819 .....	Industrial Inorganic Chemicals.
B	<input type="radio"/>	2821-2824 .....	Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers Except Glass.
B	<input type="radio"/>	2833-2836 .....	Medicinal Chemicals and Botanical Products; Pharmaceutical Preparations; In Vitro and In Vivo Diagnostic Substances; Biological Products, Except Diagnostic Substances.
	<input type="radio"/>	2841-2844 .....	Soaps, Detergents, and Cleaning Preparations; Perfumes, Cosmetics, and Other Toilet Preparations.
	<input type="radio"/>	2851 .....	Paints, Varnishes, Lacquers, Enamels, and Allied Products.
B, C	<input type="radio"/>	2861-2869 .....	Industrial Organic Chemicals.
	<input type="radio"/>	2873-2879 .....	Agricultural Chemicals.
	<input type="radio"/>	2891-2899 .....	Miscellaneous Chemical Products.
	<input type="radio"/>	3952 (limited to list).....	Inks and Paints, Including China Painting Enamels, India Ink, Drawing Ink, Platinum Paints for Burnt Wood or Leather Work, Paints for China Painting, Artist's Paints and Artist's Watercolors.
<b>Sector D: Asphalt Paving and Roofing Materials and Lubricants</b>			
B, C	<input type="radio"/>	2951, 2952 .....	Asphalt Paving and Roofing Materials
	<input type="radio"/>	2992, 2999 .....	Miscellaneous Products of Petroleum and Coal
<b>Sector E: Glass Clay, Cement, Concrete, and Gypsum Products</b>			
C	<input type="radio"/>	3211 .....	Flat Glass
	<input type="radio"/>	3221, 3229 .....	Glass and Glassware, Pressed or Blown
	<input type="radio"/>	3231 .....	Glass Products Made of Purchased Glass
	<input type="radio"/>	3241 .....	Hydraulic Cement
	<input type="radio"/>	3251-3259 .....	Structural Clay Products
B	<input type="radio"/>	3261-3269 .....	Pottery and Related Products
B, C	<input type="radio"/>	3271-3275 .....	Concrete, Gypsum and Plaster
	<input type="radio"/>	3281 .....	Cut Stone and Stone Products
	<input type="radio"/>	3291-3299 .....	Abrasive, Asbestos, and Miscellaneous Non-metallic Mineral Products

Sampling Notes	Mark all that apply	SIC Code or Activity Code	Activity Represented
<b>Sector F: Primary Metals</b>			
B	<input type="radio"/>	3312-3317 .....	Steel Works, Blast Furnaces, and Rolling and Finishing Mills
B	<input type="radio"/>	3321-3325 .....	Iron and Steel Foundries
	<input type="radio"/>	3331-3339 .....	Primary Smelting and Refining of Nonferrous Metals
	<input type="radio"/>	3341 .....	Secondary Smelting and Refining of Nonferrous Metals
B	<input type="radio"/>	3351-3357 .....	Rolling, Drawing, and Extruding of Nonferrous
B	<input type="radio"/>	3363-3369 .....	Nonferrous Foundries (Castings)
	<input type="radio"/>	3398, 3399 .....	Miscellaneous Primary Metal Products
<b>Sector G: Metal Mining (Ore Mining and Dressing)</b>			
B	<input type="radio"/>	1011 .....	Iron Ores
B	<input type="radio"/>	1021 .....	Copper Ores
B	<input type="radio"/>	1031 .....	Lead and Zinc Ores
B	<input type="radio"/>	1041, 1044 .....	Gold and Silver Ores
B	<input type="radio"/>	1061 .....	Ferroalloy Ores, Except Vanadium
B	<input type="radio"/>	1081 .....	Metal Mining Services
B	<input type="radio"/>	1094, 1099 .....	Miscellaneous Metal Ores
<b>Sector H: Coal Mines and Coal Mining Related Facilities</b>			
<b>Sector I: Oil and Gas Extraction and Refining</b>			
B	<input type="radio"/>	1311 .....	Crude Petroleum and Natural Gas
B	<input type="radio"/>	1321 .....	Natural Gas Liquids
B	<input type="radio"/>	1381-1389 .....	Oil and Gas Field Services
B	<input type="radio"/>	2911 .....	Petroleum Refineries
<b>Sector J: Mineral Mining and Dressing</b>			
B	<input type="radio"/>	1411 .....	Dimension Stone
B,C	<input type="radio"/>	1422-1429 .....	Crushed and Broken Stone, Including Rip Rap
B,C	<input type="radio"/>	1442, 1446 .....	Sand and Gravel
	<input type="radio"/>	1455, 1459 .....	Clay, Ceramic, and Refractory Materials
	<input type="radio"/>	1474-1479 .....	Chemical and Fertilizer Mineral Mining
B	<input type="radio"/>	1481 .....	Nonmetallic Minerals Services, Except Fuels
B	<input type="radio"/>	1499 .....	Miscellaneous Nonmetallic Minerals, Except Fuels
<b>Sector K: Hazardous Waste Treatment, Storage, or Disposal Facilities</b>			
B,C	<input type="radio"/>	HZ .....	Hazardous Waste Treatment, Storage or Disposal
<b>Sector L: Land Fills and Land Application Sites</b>			
B,C	<input type="radio"/>	LF .....	Landfills, Land Application Sites, and Open Dumps
<b>Sector M: Automobile Salvage Yards</b>			
B	<input type="radio"/>	5015 .....	Automobile Salvage Yards
<b>Sector N: Scrap Recycling Facilities</b>			
B	<input type="radio"/>	5093 .....	Scrap Recycling Facilities
B	<input type="radio"/>	4499 (limited to list) .....	Dismantling Ships, Marine Salvaging, and Marine Wrecking - Ships for Scrap
<b>Sector O: Steam Electric Generating Facilities</b>			
B,C	<input type="radio"/>	SE .....	Steam Electric Generating Facilities

Sampling Notes	Mark all that apply	SIC Code or Activity Code	Activity Represented
		Sector P: Land Transportation and Warehousing	
B	<input type="radio"/>	4011, 4013 .....	Railroad Transportation
B	<input type="radio"/>	4111-4173 .....	Local and Highway Passenger Transportation
B	<input type="radio"/>	4212-4231 .....	Motor Freight Transportation and Warehousing
B	<input type="radio"/>	4311 .....	United States Postal Service
B	<input type="radio"/>	5171 .....	Petroleum Bulk Stations and Terminals
<b>Sector Q: Water Transportation</b>			
B	<input type="radio"/>	4412-4499 (except 4499 as specified in Sector N) .....	Water Transportation
<b>Sector R: Ship and Boat Building or Repairing Yards</b>			
	<input type="radio"/>	3731, 3732 .....	Ship and Boat Building or Repair Yards
<b>Sector S: Air Transportation</b>			
B	<input type="radio"/>	4512-4581 .....	Air Transportation Facilities
<b>Sector T: Treatment Works</b>			
B	<input type="radio"/>	TW .....	Treatment Works
<b>Sector U: Food and Kindred Products</b>			
B	<input type="radio"/>	2011-2015 .....	Meat Products
	<input type="radio"/>	2021-2026 .....	Dairy Products
	<input type="radio"/>	2032-2038 .....	Canned, Frozen and Preserved Fruits, Vegetables and Food Specialties
	<input type="radio"/>	2041-2048 .....	Grain Mill Products
	<input type="radio"/>	2051-2053 .....	Bakery Products
	<input type="radio"/>	2061-2068 .....	Sugar and Confectionery Products
	<input type="radio"/>	2074-2079 .....	Fats and Oils
	<input type="radio"/>	2082-2087 .....	Beverages
B	<input type="radio"/>	2091-2099 .....	Miscellaneous Food Preparations and Kindred Products
	<input type="radio"/>	2111-2141 .....	Tobacco Products
	<b>Sector V: Textile Mills, Apparel, and Other Fabric Product Manufacturing, Leather and Leather Products</b>		
	<input type="radio"/>	2211-2299 .....	Textile Mill Products
	<input type="radio"/>	2311-2399 .....	Apparel and Other Finished Products Made From Fabrics and Similar Materials
	<input type="radio"/>	3131-3199 (except 3111- see sector Z) .....	Leather and Leather Products, except Leather Tanning and Finishing
<b>Sector W: Furniture and Fixtures</b>			
	<input type="radio"/>	2434 .....	Wood Kitchen Cabinets
	<input type="radio"/>	2511-2599 .....	Furniture and Fixtures
<b>Sector X: Printing and Publishing</b>			
	<input type="radio"/>	2711-2796 .....	Printing, Publishing, and Allied Industries
<b>Sector Y: Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries</b>			
B	<input type="radio"/>	3011 .....	Tires and Inner Tubes
B	<input type="radio"/>	3021 .....	Rubber and Plastics Footwear
B	<input type="radio"/>	3052, 3053 .....	Gaskets, Packing, and Sealing Devices and rubber and Plastics Hose and Belting
B	<input type="radio"/>	3061, 3069 .....	Fabricated Rubber Products, Not Elsewhere Classified
B	<input type="radio"/>	3081-3089 .....	Miscellaneous Plastics Products
	<input type="radio"/>	3931 .....	Musical Instruments
	<input type="radio"/>	3942-3949 .....	Dolls, Toys, Games and Sporting and Athletic Goods
	<input type="radio"/>	3951-3955 .....	Pens, Pencils, and Other Artists' Materials
	<input type="radio"/>	3961, 3965 .....	Costume Jewelry, Costume Novelties, Buttons, and Miscellaneous Notions, Except Precious Metal
	<input type="radio"/>	3991-3999 .....	Miscellaneous Manufacturing Industries

Sampling Notes	Mark all that apply	SIC Code or Activity Code	Activity Represented
<b>Sector Z: Leather Tanning and Finishing</b>			
B	<input type="radio"/>	3111 .....	Leather Tanning, Currying and Finishing
<b>Sector AA: Fabricated Metal Products</b>			
B	<input type="radio"/>	3411-3499 .....	Fabricated Metal Products, Except Machinery and Transportation Equipment
B	<input type="radio"/>	3911-3915 .....	Jewelry, Silverware, and Plated Ware
<b>Sector AB: Transportation Equipment, Industrial or Commercial Machinery</b>			
	<input type="radio"/>	3511-3599 (except 3571-3579 see Sector AC)	Industrial and Commercial Machinery (Except Computer and Office Equipment)
	<input type="radio"/>	3711-3799 (except 3731 & 3732 see Sector R)	Transportation Equipment (Except Ship and Boat Building and Repairing)
<b>Sector AC: Electronic, Electrical, Photographic, and Optical Goods</b>			
B	<input type="radio"/>	3571-3579 .....	Computer and Office Equipment
B	<input type="radio"/>	3612-3699 .....	Electronic, Electrical Equipment and Components, Except Computer Equipment
B	<input type="radio"/>	3812-3873 .....	Measuring, Analyzing and Controlling Instrument; Photographic and Optical Goods
<b>Sector AD &amp; AE: Non-Classified Facilities/Storm Water Discharges Designated By the Board As Requiring Permits</b>			
B	<input type="radio"/>	Sector AD .....	Other Storm Water Discharges Designated By the Department As Needing a Permit or Any Facility Discharging Storm Water Associated With Industrial Activity Not Described By Any of Sectors A-AC. Note: Facilities may not elect to be covered under Sector AD. Only the Department may assign a facility to Sector AD.
B	<input type="radio"/>	Sector AE .....	

Notes: B - Benchmark Monitoring Required  
C - Compliance Monitoring for Point Source Category Effluent Limitations

5. Has a Stormwater Pollution Prevention Plan (SWPPP) been prepared for this facility in accordance with the requirements of the SPDES Multi-Sector General Permit? Please be advised that you cannot obtain coverage under this permit without having first prepared a SWPPP.  Yes  No

6. For each stormwater discharge associated with industrial activity at your facility identify the outfall number (e.g., 001, 002, etc.); the four digit Standard Industrial Classification (SIC) codes or 2-letter Industrial Activity Codes that best represent the principal products or services rendered by the facility for that drainage area; and the acreage of industrial activity exposed to stormwater for each outfall (round to nearest tenth of an acre):

Outfall No.	Industrial Activities (SIC or 2-letter Codes)			Acreage
	A	B	C	
1				
2				
3				
4				
5				
6				
7				
8				
9				
<b>Total Acreage</b>				

(Note: SIC information can be obtained at the following web sites: <http://www.osha.gov/pls/imis/sicsearch.html> and <http://www.softshare.com/tables/sic/>. The 2-letter Industrial Activity Codes are: HZ - hazardous waste treatment, storage or disposal facilities; LF - landfills/disposal facilities that receive or have received any industrial waste; SE - steam electric power generating facilities; or TW - treatment works for treating domestic sewage.)

7. Does this facility have coal piles that are exposed to precipitation? .....  Yes  No

8. Does this facility discharge have salt piles that are exposed to precipitation? .....  Yes  No

9. Does this facility discharge stormwater from secondary containment areas for liquid bulk storage or transfer areas? .....  Yes  No

10. Is the facility subject to any of the following EPA Point Source Category Effluent Limitations?

- Runoff from material storage piles at cement manufacturing facilities (40 CFR Part 411 Subpart C)? .....  Yes  No

If yes, list Outfall Nos.

- Contaminated runoff from phosphate fertilizer manufacturing facilities (40 CFR Part 418 Subpart A)? .....  Yes  No

If yes, list Outfall Nos.

- Coal Pile runoff at steam electric power generating facilities (40 CFR Part 423)? .....  Yes  No

If yes, list Outfall Nos.

- Discharges resulting from spraydown or intentional wetting of logs at wet deck storage areas (40 CFR Part 429 Subpart I)? .....  Yes  No

If yes, list Outfall Nos.

- Mine dewatering discharges at crushed stone, construction sand and gravel, and industrial sand mines (40 CFR Part 436)? .....  Yes  No

If yes, list Outfall Nos.

- Runoff from asphalt emulsion facilities (40 CFR Part 443 Subpart A)? .....  Yes  No

If yes, list Outfall Nos.

- Runoff from landfills (40 CFR 445 Subpart A and B)? .....  Yes  No

If yes, list Outfall Nos.

11. Provide the name(s) of the surface waterbody(ies) into which site runoff will discharge:

12 (a) . Does site runoff enter a Municipal Separate Storm Sewer System including roadside drains, swales, ditches, culverts, etc.? .....  Yes  No

12 (b) . If yes, what is the name of the municipality/entity that owns the Municipal Separate Storm Sewer System?



## APPENDIX C

### Annual Certification Report





**SECTION IV: STORMWATER MONITORING - BENCHMARK PARAMETERS:**

- 11. Is the permittee required to monitor stormwater at the facility for benchmark parameters? (If no, skip to Section V) .....  Yes  No
- 12. Were there any of the sampling results from this year higher than the cut-off values listed in the permit? .....  Yes  No
- 13. Were there any monitoring problems? (Answer "Yes" if storm event criteria was not met or if the laboratory indicated quality assurance/quality control problems) .....  Yes  No
- 14. If any of the sampling results were higher than the benchmark values listed in the permit, was the facility inspected to identify the source? .....  Yes  No  NA
- 15. Did this result in modification of the SWPPP? .....  Yes  No

**SECTION IV: STORMWATER MONITORING - COMPLIANCE MONITORING**

- 16. Is the permittee required to conduct compliance monitoring for storm water discharges subject to Point Source Category Effluent Limitation? .....  Yes  No
- 17. Is the permittee required to conduct compliance monitoring for storm water discharges from coal piles? (If no to questions 16 & 17, go to Section VI) .....  Yes  No
- 18. Were there any monitoring problems? (Answer "Yes" if storm event criteria was not met or if the laboratory indicated quality assurance/quality control problems) .....  Yes  No
- 19. Were any of the sampling results from this year higher than the effluent limitation listed in the permit? .....  Yes  No
- 20. If any of the sampling results were higher than the effluent limitations listed in the permit, was the facility inspected to identify the source? .....  Yes  No  NA
- 21. Did this result in modification of the SWPPP? .....  Yes  No

**SECTION VI: SUMMARY**

Provide a brief description of any facility changes; problems identified during comprehensive compliance evaluations, quarterly visual observations or monitoring results; and action taken to improve the quality of the stormwater discharge.

**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.

\_\_\_\_\_  
Owner/Operator First Name (please print or type)

\_\_\_\_\_  
MI

\_\_\_\_/\_\_\_\_/\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner/Operator Last Name (please print or type)

\_\_\_\_\_  
Signature

## APPENDIX D

### Example Quarterly Visual Monitoring Report



## Quarterly Visual Monitoring Form

*Example*

*Fill out a separate form for each sample you collect (one form per quarter per outfall)*

<b>Facility:</b>		<b>Permit ID: NYR00</b> _ _ _ _	
<b>Outfall No.:</b>		<b>Examiner's Name &amp; Title:</b>	
<b>Quarter/Year:</b>		<b>Date/Time Collected:</b>	<b>Date/Time Examined:</b>
<b>Rainfall Amount:</b>		<b>Qualifying Storm?</b> Yes    No	<b>Runoff Source:</b> Rainfall Snowmelt
Parameter	Parameter Description	Parameter Characteristics	
<b>Color</b>	Does the stormwater appear to be colored? <b>Yes</b> <b>No</b>	<b>Describe:</b>	
<b>Clarity</b>	Is the stormwater clear or transparent? <b>Yes</b> <b>No</b>	Which of the following best describes the clarity of the stormwater? <b>Clear</b> <b>Milky</b> <b>Opaque</b>	
<b>Oil Sheen</b>	Can you see a rainbow effect or sheen on the water surface? <b>Yes</b> <b>No</b>	Which best describes the sheen? <b>Rainbow sheen</b> <b>Floating Oil globules</b>	
<b>Odor</b>	Does the sample have an odor? <b>Yes</b> <b>No</b>	<b>Describe:</b>	
<b>Floating Solids</b>	Is there something floating on the surface of the sample? <b>Yes</b> <b>No</b>	<b>Describe:</b>	
<b>Suspended Solids</b>	Is there something suspended in the water column of the sample? <b>Yes</b> <b>No</b>	<b>Describe:</b>	
<b>Settled Solids</b>	Is there something settled on the bottom of the sample? <b>Yes</b> <b>No</b>	<b>Describe:</b>	
<b>Foam</b>	Is there foam or material forming on the top of the sample surface? <b>Yes</b> <b>No</b>	<b>Describe:</b>	
<i>Detail any concerns, corrective actions taken and any other indicators of pollution present in the sample:</i>			
<b>Stormwater Examiner's Signature:</b>			



## APPENDIX E

*Example* Discharge Monitoring Report  
(For Effluent Guideline Limitations and Benchmark Monitoring Cut-Off  
Concentrations)







# APPENDIX F

## Additional Information for New Discharges



## ***Appendix F - Additional Information For New Stormwater Discharges***

(See General Permit Part II.A on page 9)

Any facility with new stormwater discharges associated with industrial activity which require any other Uniform Procedures Act permit(s) (Environmental Conservation Law, 6 NYCRR Part 621) are not initially eligible for coverage under this general permit. The discharger must first complete a Short Environmental Assessment Form which can be found in Appendix C of 6 NYCRR Part 617. Upon a review of the Short Environmental Assessment Form and the information specified below, the Department may authorize the applicant to submit a Notice of Intent or Termination (NOIT) to obtain coverage under this general permit or, alternatively, require an application for an individual SPDES permit.

### Additional Information

1. A site map showing topography (or indicating the outline of drainage areas served by the outfall(s) for which discharge authorization and permit coverage is being sought if a topographic map is unavailable) of the facility including: each of its drainage and discharge structures; the drainage area of each stormwater outfall; paved areas and buildings within the drainage area of each stormwater outfall; areas used for outdoor storage or disposal of significant materials; structural control measure(s) to reduce pollutants in stormwater runoff; material loading and access areas; areas where pesticides, herbicides, soil conditioners and fertilizers are applied; each hazardous waste treatment, storage or disposal facility (including each area not required to have a RCRA permit which is used for accumulating hazardous waste under 40 CFR 262.34); each well where fluids from the facility are injected underground; and springs, and surface and/or groundwater bodies which will receive stormwater discharges from the facility.
2. An estimate of the area of impervious surfaces (including paved areas and building roofs) and the total area drained by each outfall and a narrative description of the following: significant materials that, in the three years prior to the submittal of this information, have been treated, stored or disposed of in a manner which will allow exposure to stormwater; methods of treatment, storage or disposal of such materials; materials management practices employed to minimize contact of these materials with stormwater runoff; materials loading and access areas; the location, manner and frequency of application of pesticides, herbicides, soil conditioners and fertilizers; the location and description of structural and non-structural control measures being used to reduce pollutants in stormwater runoff; and a description of the stormwater treatment, including the ultimate disposal of any solid or fluid wastes other than by discharge.
3. A certification that all outfalls that could contain stormwater discharges associated with industrial activity have been tested or evaluated for the presence of non-stormwater discharges which are not covered by an existing SPDES permit; tests for such non-stormwater discharges may include smoke tests, fluorometric, analysis of accurate schematics, as well as other appropriate tests. The certification shall include a description of the method used, the date of any testing, and the on-site drainage points that were directly observed during a test.
4. Existing information regarding reportable leaks or spills of toxic or hazardous pollutants at the facility that have occurred within the three years prior to the submittal of this information.
5. Estimates for the following parameters for all outfalls:
  - Any pollutant limited in an effluent limitations guideline for which the facility is subject;
  - Any pollutant listed in the facility's existing SPDES permit, if any;
  - Oil and grease, pH, BOD5, COD, TSS, total phosphorus, total Kjeldahl nitrogen, and nitrate plus nitrite nitrogen;
  - Any information on the discharge required under paragraph §122.21.21(g)(7)(iii) and (iv) of 40 CFR Part 122; and
  - The flow rate and total amount of discharge for stormwater event(s) and the method of estimation.

Other information as the State Director may reasonably require to determine whether coverage under this general permit or, alternatively, under an individual permit is acceptable.



## APPENDIX G

### List of DEC Regional Offices



**APPENDIX G**  
**List of NYS DEC Regional Offices**

Region	Covering the following counties:	DIVISION OF ENVIRONMENTAL PERMITS (DEP) Permit Administrators	DIVISION OF WATER (DOW) Water (SPDES) Program
1	Nassau and Suffolk	SUNY @ Stony Brook 50 Circle Road Stony Brook, NY 11790-3409 Tel. (631) 444-0365	SUNY @ Stony Brook 50 Circle Road Stony Brook, NY 11790-3409 Tel. (631) 444-0405
2	Bronx, Kings, New York, Queens and Richmond	1 Hunters Point Plaza, 47-40 21st St. Long Island City, NY 11101-5407 Tel. (718) 482-4997	1 Hunters Point Plaza, 47-40 21st St. Long Island City, NY 11101-5407 Tel. (718) 482-4933
3	Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster and Westchester	21 South Putt Corners Road New Paltz, NY 12561-1696 Tel. (845) 256-3059	100 Hillside Ave., Suite 1W Whiteplains, NY 10603-2860 Tel. (914) 428-2505
4	Albany, Columbia, Delaware, Greene, Montgomery, Otsego, Rensselaer, Schenectady and Schoharie	1130 North Westcott Road Schenectady, NY 12306-2014 Tel. (518) 357-2069	1130 North Westcott Road Schenectady, NY 12306-2014 Tel. (518) 357-2045
5	Clinton, Essex, Franklin, Fulton, Hamilton, Saratoga, Warren and Washington	1115 NYS Route 86, PO Box 296 Ray Brook, NY 12977-0296 Tel. (518) 897-1234	232 Golf Course Road, PO Box 220 Warrensburg, NY 12885-0220 Tel. (518) 623-1200
6	Herkimer, Jefferson, Lewis, Oneida and St. Lawrence	State Office Building 317 Washington Street Watertown, NY 13601-3787 Tel. (315) 785-2245	State Office Building 207 Genesee Street Utica, NY 13501-2885 Tel. (315) 793-2554
7	Broome, Cayuga, Chenango, Cortland, Madison, Onondaga, Oswego, Tioga and Tompkins	615 Erie Blvd. West Syracuse, NY 13204-2400 Tel. (315) 426-7438	615 Erie Blvd. West Syracuse, NY 13204-2400 Tel. (315) 426-7500
8	Chemung, Genesee, Livingston, Monroe, Ontario, Orleans, Schuyler, Seneca, Steuben, Wayne and Yates	6274 East Avon-Lima Road Avon, NY 14414-9519 Tel. (585) 226-2466	6274 East Avon-Lima Rd. Avon, NY 14414-9519 Tel. (585) 226-2466
9	Allegany, Cattaraugus, Chautauqua, Erie, Niagara and Wyoming	270 Michigan Avenue Buffalo, NY 14203-2999 Tel. (716) 851-7165	270 Michigan Ave. Buffalo, NY 14203-2999 Tel. (716) 851-7070



**Appendix B - Notice of Intent and Termination (NOIT)**

**New York State Department of Environmental Conservation  
Division of Water**



**Bureau of Water Permits, 4th Floor**  
625 Broadway, Albany, New York 12233-3505  
Phone: (518) 402-8111 . Fax: (518) 402-9029  
Website: [www.dec.state.ny.us](http://www.dec.state.ny.us)

**NYR**        
(for DEC use only)

**Notice of Intent or Termination**

For Stormwater Discharges Associated with Industrial Activity under the State Pollutant Discharge Elimination System (SPDES) Multi-Sector General Permit GP-0-06-002

All Sections must be completed unless otherwise noted. Failure to complete all items may result in this form being returned to you, thereby delaying your coverage under this General Permit. Applicants must read and understand the conditions of the permit and prepare a Stormwater Pollution Prevention Plan prior to submitting this Notice of Intent or Termination (NOIT) Form. Applicants are responsible for identifying and obtaining other DEC permits that may be required.

**"IMPORTANT - PRINT CAPITAL LETTERS USING BLACK INK. AVOID CONTACT WITH THE EDGE OF THE BOXES. FILL IN CIRCLES COMPLETELY AND DO NOT USE CHECK MARKS. OWNER/OPERATOR MUST SIGN FORM."**

**Owner/Operator Information**

O/O Name

W A S T E M A N A G E M E N T O F N E W Y O R K , L L C

O/O Street Address

3 0 3 B R E W R O A D

O/O City

B E R G E N

O/O State

N Y

O/O Zip

1 4 4 1 6 -

**Contact Information**

Contact First Name

S A N D R A

Contact Last Name

D I S A L V O

Contact Phone

5 8 5 - 4 9 4 - 3 0 0 0

Contact Fax

5 8 5 - -

Contact eMail

S D I S A L V O @ W M . C O M

Facility Information

Facility Name

M i L L S E A T L A N D F I L L

Facility Street Address

3 0 3 B R E W R O A D

Facility City

B E R G E N

Facility State

N Y

Facility Zip

1 4 4 1 6 -

Facility County

M O N R O E

Name of Nearest Cross Street

C H I L I R I G A C E N T E R R O A D

Distance to Nearest Cross Street (feet)

3 0 0 0

Direction to Nearest Cross Street

North  South  East  West

1. Permit I.D Number (for renewals, modifications or terminations)

**NYR** 0 0 B 0 7 6

2. Reason for Submittal:

- Coverage for a new facility (not previously permitted)
- Permit Renewal
- Modification (There has been a change in information since the earlier submission)
- Want to terminate general stormwater permit coverage

3. Provide the Geographic Coordinates for the facility in NYTM units.

2 6 1 0 3 8  
X Coordinates (Easting)

4 7 7 1 3 9 5  
Y Coordinates (Northing)

These coordinates can be obtained through the NYSDEC Stormwater Interactive Map on the DEC Website at: <http://www.dec.state.ny.us/website/imsmaps/stormwater/viewer.htm>  
 Directions: Go to the above website. Zoom into your project location such that you can accurately click on the center of your facility. Once you have located your facility, go to the drop-down menu on the left and choose "Get Coordinates". Click on the center of your facility and a small window containing the X, Y coordinates in NYTM units will pop up. Transcribe these coordinates into the spaces above. For problems with the interactive map, please try the help function.

4. Identify all applicable Industrial Activities from the Industrial Sectors shown below that are located within areas subject to the stormwater discharges covered under this permit. Check all that apply to your facility.

Sampling Notes	Mark all that apply	SIC Code or Activity Code	Activity Represented	
<b>Sector A: Timber Products</b>				
B, C	<input type="radio"/>	2411 .....	Log Storage and Handling (Wet deck storage areas are only authorized if no chemical additives are used in the spray water or applied to the logs).	
B	<input type="radio"/>	2421 .....	General Sawmills and Planning Mills	
B	<input type="radio"/>	2426 .....	Hardwood Dimension and Flooring Mills	
B	<input type="radio"/>	2429 .....	Special Product Sawmills, Not Elsewhere	
B	<input type="radio"/>	2431-2439 (except 2434 - see sector W)	Millwork, Veneer, Plywood, and Structural Wood.	
B	<input type="radio"/>	2441, 2448, 2449 .....	Wood Containers	
B	<input type="radio"/>	2451, 2452 .....	Wood Buildings and Mobile Homes	
B	<input type="radio"/>	2491 .....	Wood Preserving	
B	<input type="radio"/>	2493 .....	Reconstituted Wood Products	
B	<input type="radio"/>	2499 .....	Wood Products, Not Elsewhere Classified	
<b>Sector B: Paper and Allied Products</b>				
B	<input type="radio"/>	2611 .....	Pulp Mills	
	<input type="radio"/>	2621 .....	Paper Mills	
	<input type="radio"/>	2631 .....	Paperboard Mills	
	<input type="radio"/>	2652-2657 .....	Paperboard Containers and Boxes	
	<input type="radio"/>	2671-2679 .....	Converted Paper and Paperboard Products, Except Containers and Boxes	
<b>Sector C: Chemical and Allied Products</b>				
B	<input type="radio"/>	2812-2819 .....	Industrial Inorganic Chemicals.	
B	<input type="radio"/>	2821-2824 .....	Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers Except Glass.	
B	<input type="radio"/>	2833-2836 .....	Medicinal Chemicals and Botanical Products; Pharmaceutical Preparations; In Vitro and In Vivo Diagnostic Substances; Biological Products, Except Diagnostic Substances.	
	<input type="radio"/>	2841-2844 .....	Soaps, Detergents, and Cleaning Preparations; Perfumes, Cosmetics, and Other Toilet Preparations.	
	<input type="radio"/>	2851 .....	Paints, Varnishes, Lacquers, Enamels, and Allied Products.	
B, C	<input type="radio"/>	2861-2869 .....	Industrial Organic Chemicals.	
	<input type="radio"/>	2873-2879 .....	Agricultural Chemicals.	
	<input type="radio"/>	2891-2899 .....	Miscellaneous Chemical Products.	
	<input type="radio"/>	3952 (limited to list) .....	Inks and Paints, Including China Painting Enamels, India Ink, Drawing Ink, Platinum Paints for Burnt Wood or Leather Work, Paints for China Painting, Artist's Paints and Artist's Watercolors.	
<b>Sector D: Asphalt Paving and Roofing Materials and Lubricants</b>				
B, C	<input type="radio"/>	2951, 2952 .....	Asphalt Paving and Roofing Materials	
	<input type="radio"/>	2992, 2999 .....	Miscellaneous Products of Petroleum and Coal	
<b>Sector E: Glass Clay, Cement, Concrete, and Gypsum Products</b>				
C	<input type="radio"/>	3211 .....	Flat Glass	
	<input type="radio"/>	3221, 3229 .....	Glass and Glassware, Pressed or Blown	
	<input type="radio"/>	3231 .....	Glass Products Made of Purchased Glass	
	<input type="radio"/>	3241 .....	Hydraulic Cement	
	B	<input type="radio"/>	3251-3259 .....	Structural Clay Products
	B	<input type="radio"/>	3261-3269 .....	Pottery and Related Products
	B, C	<input type="radio"/>	3271-3275 .....	Concrete, Gypsum and Plaster
		<input type="radio"/>	3281 .....	Cut Stone and Stone Products
		<input type="radio"/>	3291-3299 .....	Abrasive, Asbestos, and Miscellaneous Non-metallic Mineral Products

Sampling Notes	Mark all that apply	SIC Code or Activity Code	Activity Represented
<b>Sector F: Primary Metals</b>			
B	<input type="radio"/>	3312-3317 .....	Steel Works, Blast Furnaces, and Rolling and Finishing Mills
B	<input type="radio"/>	3321-3325 .....	Iron and Steel Foundries
	<input type="radio"/>	3331-3339 .....	Primary Smelting and Refining of Nonferrous Metals
	<input type="radio"/>	3341 .....	Secondary Smelting and Refining of Nonferrous Metals
B	<input type="radio"/>	3351-3357 .....	Rolling, Drawing, and Extruding of Nonferrous
B	<input type="radio"/>	3363-3369 .....	Nonferrous Foundries (Castings)
	<input type="radio"/>	3398, 3399 .....	Miscellaneous Primary Metal Products
<b>Sector G: Metal Mining (Ore Mining and Dressing)</b>			
B	<input type="radio"/>	1011 .....	Iron Ores
B	<input type="radio"/>	1021 .....	Copper Ores
B	<input type="radio"/>	1031 .....	Lead and Zinc Ores
B	<input type="radio"/>	1041, 1044 .....	Gold and Silver Ores
B	<input type="radio"/>	1061 .....	Ferroalloy Ores, Except Vanadium
B	<input type="radio"/>	1081 .....	Metal Mining Services
B	<input type="radio"/>	1094, 1099 .....	Miscellaneous Metal Ores
<b>Sector H: Coal Mines and Coal Mining Related Facilities</b>			
<b>Sector I: Oil and Gas Extraction and Refining</b>			
B	<input type="radio"/>	1311 .....	Crude Petroleum and Natural Gas
B	<input type="radio"/>	1321 .....	Natural Gas Liquids
B	<input type="radio"/>	1381-1389 .....	Oil and Gas Field Services
B	<input type="radio"/>	2911 .....	Petroleum Refineries
<b>Sector J: Mineral Mining and Dressing</b>			
B	<input type="radio"/>	1411 .....	Dimension Stone
B,C	<input type="radio"/>	1422-1429 .....	Crushed and Broken Stone, Including Rip Rap
B,C	<input type="radio"/>	1442, 1446 .....	Sand and Gravel
	<input type="radio"/>	1455, 1459 .....	Clay, Ceramic, and Refractory Materials
	<input type="radio"/>	1474-1479 .....	Chemical and Fertilizer Mineral Mining
B	<input type="radio"/>	1481 .....	Nonmetallic Minerals Services, Except Fuels
B	<input type="radio"/>	1499 .....	Miscellaneous Nonmetallic Minerals, Except Fuels
<b>Sector K: Hazardous Waste Treatment, Storage, or Disposal Facilities</b>			
B,C	<input type="radio"/>	HZ .....	Hazardous Waste Treatment, Storage or Disposal
<b>Sector L: Land Fills and Land Application Sites</b>			
B,C	<input checked="" type="radio"/>	LF .....	Landfills, Land Application Sites, and Open Dumps
<b>Sector M: Automobile Salvage Yards</b>			
B	<input type="radio"/>	5015 .....	Automobile Salvage Yards
<b>Sector N: Scrap Recycling Facilities</b>			
B	<input type="radio"/>	5093 .....	Scrap Recycling Facilities
B	<input type="radio"/>	4499 (limited to list) .....	Dismantling Ships, Marine Salvaging, and Marine Wrecking - Ships for Scrap
<b>Sector O: Steam Electric Generating Facilities</b>			
B,C	<input type="radio"/>	SE .....	Steam Electric Generating Facilities

Sampling Notes	Mark all that apply	SIC Code or Activity Code	Activity Represented
<b>Sector P: Land Transportation and Warehousing</b>			
B	<input type="radio"/>	4011, 4013 .....	Railroad Transportation
B	<input type="radio"/>	4111-4173 .....	Local and Highway Passenger Transportation
B	<input type="radio"/>	4212-4231 .....	Motor Freight Transportation and Warehousing
B	<input type="radio"/>	4311 .....	United States Postal Service
B	<input type="radio"/>	5171 .....	Petroleum Bulk Stations and Terminals
<b>Sector Q: Water Transportation</b>			
B	<input type="radio"/>	4412-4499 (except 4499 as specified in Sector N) .....	Water Transportation
<b>Sector R: Ship and Boat Building or Repairing Yards</b>			
	<input type="radio"/>	3731, 3732 .....	Ship and Boat Building or Repair Yards
<b>Sector S: Air Transportation</b>			
B	<input type="radio"/>	4512-4581 .....	Air Transportation Facilities
<b>Sector T: Treatment Works</b>			
B	<input type="radio"/>	TW .....	Treatment Works
<b>Sector U: Food and Kindred Products</b>			
B	<input type="radio"/>	2011-2015 .....	Meat Products
	<input type="radio"/>	2021-2026 .....	Dairy Products
	<input type="radio"/>	2032-2038 .....	Canned, Frozen and Preserved Fruits, Vegetables and Food Specialties
	<input type="radio"/>	2041-2048 .....	Grain Mill Products
	<input type="radio"/>	2051-2053 .....	Bakery Products
B	<input type="radio"/>	2061-2068 .....	Sugar and Confectionery Products
	<input type="radio"/>	2074-2079 .....	Fats and Oils
	<input type="radio"/>	2082-2087 .....	Beverages
	<input type="radio"/>	2091-2099 .....	Miscellaneous Food Preparations and Kindred Products
	<input type="radio"/>	2111-2141 .....	Tobacco Products
<b>Sector V: Textile Mills, Apparel, and Other Fabric Product Manufacturing, Leather and Leather Products</b>			
	<input type="radio"/>	2211-2299 .....	Textile Mill Products
	<input type="radio"/>	2311-2399 .....	Apparel and Other Finished Products Made From Fabrics and Similar Materials
	<input type="radio"/>	3131-3199 (except 3111- see sector Z) .....	Leather and Leather Products, except Leather Tanning and Finishing
<b>Sector W: Furniture and Fixtures</b>			
	<input type="radio"/>	2434 .....	Wood Kitchen Cabinets
	<input type="radio"/>	2511-2599 .....	Furniture and Fixtures
<b>Sector X: Printing and Publishing</b>			
	<input type="radio"/>	2711-2796 .....	Printing, Publishing, and Allied Industries
<b>Sector Y: Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries</b>			
B	<input type="radio"/>	3011 .....	Tires and Inner Tubes
B	<input type="radio"/>	3021 .....	Rubber and Plastics Footwear
B	<input type="radio"/>	3052, 3053 .....	Gaskets, Packing, and Sealing Devices and rubber and Plastics Hose and Belting
B	<input type="radio"/>	3061, 3069 .....	Fabricated Rubber Products, Not Elsewhere Classified
B	<input type="radio"/>	3081-3089 .....	Miscellaneous Plastics Products
	<input type="radio"/>	3931 .....	Musical Instruments
	<input type="radio"/>	3942-3949 .....	Dolls, Toys, Games and Sporting and Athletic Goods
	<input type="radio"/>	3951-3955 .....	Pens, Pencils, and Other Artists' Materials
	<input type="radio"/>	3961, 3965 .....	Costume Jewelry, Costume Novelties, Buttons, and Miscellaneous Notions, Except Precious Metal
	<input type="radio"/>	3991-3999 .....	Miscellaneous Manufacturing Industries

Sampling Notes	Mark all that apply	SIC Code or Activity Code	Activity Represented
<b>Sector Z: Leather Tanning and Finishing</b>			
B	<input type="radio"/>	3111 .....	Leather Tanning, Currying and Finishing
<b>Sector AA: Fabricated Metal Products</b>			
B	<input type="radio"/>	3411-3499 .....	Fabricated Metal Products, Except Machinery and Transportation Equipment
B	<input type="radio"/>	3911-3915 .....	Jewelry, Silverware, and Plated Ware
<b>Sector AB: Transportation Equipment, Industrial or Commercial Machinery</b>			
	<input type="radio"/>	3511-3599 (except 3571-3579 see Sector AC)	Industrial and Commercial Machinery (Except Computer and Office Equipment)
	<input type="radio"/>	3711-3799 (except 3731 & 3732 see Sector R)	Transportation Equipment (Except Ship and Boat Building and Repairing)
<b>Sector AC: Electronic, Electrical, Photographic, and Optical Goods</b>			
B	<input type="radio"/>	3571-3579 .....	Computer and Office Equipment
B	<input type="radio"/>	3612-3699 .....	Electronic, Electrical Equipment and Components, Except Computer Equipment
B	<input type="radio"/>	3812-3873 .....	Measuring, Analyzing and Controlling Instrument; Photographic and Optical Goods
<b>Sector AD &amp; AE: Non-Classified Facilities/Storm Water Discharges Designated By the Board As Requiring Permits</b>			
B	<input type="radio"/>	Sector AD .....	Other Storm Water Discharges Designated By the Department As Needing a Permit or Any Facility Discharging Storm Water Associated With Industrial Activity Not Described By Any of Sectors A-AC. Note: Facilities may not elect to be covered under Sector AD. Only the Department may assign a facility to Sector AD.
B	<input type="radio"/>	Sector AE .....	

Notes: B - Benchmark Monitoring Required  
C - Compliance Monitoring for Point Source Category Effluent Limitations

5. Has a Stormwater Pollution Prevention Plan (SWPPP) been prepared for this facility in accordance with the requirements of the SPDES Multi-Sector General Permit? Please be advised that you cannot obtain coverage under this permit without having first prepared a SWPPP. ....  Yes  No
6. For each stormwater discharge associated with industrial activity at your facility identify the outfall number (e.g., 001, 002, etc.); the four digit Standard Industrial Classification (SIC) codes or 2-letter Industrial Activity Codes that best represent the principal products or services rendered by the facility for that drainage area; and the acreage of industrial activity exposed to stormwater for each outfall (round to nearest tenth of an acre):

Outfall No.	Industrial Activities (SIC or 2-letter Codes)												Acreage		
	A		B		C		A		B		C		Tenths	Hundredths	
<u>1</u>	0	0	1	L	F								4	8	.8
<u>2</u>	0	0	2	L	F								2	2	.2
<u>3</u>	0	0	3	L	F								1	9	.7
<u>4</u>	0	0	4	L	F									1	.9
<u>5</u>	0	0	5	L	F									9	.9
<u>6</u>	0	0	6	L	F									8	.4
<u>7</u>															
<u>8</u>															
<u>9</u>															
<b>Total Acreage</b>												1	1	0	.9

(Note: SIC information can be obtained at the following web sites: <http://www.osha.gov/pls/imis/sicsearch.html> and <http://www.softshare.com/tables/sic/>. The 2-letter Industrial Activity Codes are: HZ - hazardous waste treatment, storage or disposal facilities; LF - landfills/disposal facilities that receive or have received any industrial waste; SE - steam electric power generating facilities; or TW - treatment works for treating domestic sewage.)

7. Does this facility have coal piles that are exposed to precipitation? .....  Yes  No
8. Does this facility discharge have salt piles that are exposed to precipitation? .....  Yes  No
9. Does this facility discharge stormwater from secondary containment areas for liquid bulk storage or transfer areas? .....  Yes  No

10. Is the facility subject to any of the following EPA Point Source Category Effluent Limitations?

- Runoff from material storage piles at cement manufacturing facilities (40 CFR Part 411 Subpart C)? .....  Yes  No

If yes, list Outfall Nos.

- Contaminated runoff from phosphate fertilizer manufacturing facilities (40 CFR Part 418 Subpart A)? .....  Yes  No

If yes, list Outfall Nos.

- Coal Pile runoff at steam electric power generating facilities (40 CFR Part 423)? .....  Yes  No

If yes, list Outfall Nos.

- Discharges resulting from spraydown or intentional wetting of logs at wet deck storage areas (40 CFR Part 429 Subpart I)? .....  Yes  No

If yes, list Outfall Nos.

- Mine dewatering discharges at crushed stone, construction sand and gravel, and industrial sand mines (40 CFR Part 436)? .....  Yes  No

If yes, list Outfall Nos.

- Runoff from asphalt emulsion facilities (40 CFR Part 443 Subpart A)? .....  Yes  No

If yes, list Outfall Nos.

- Runoff from landfills (40 CFR 445 Subpart A and B)? .....  Yes  No

If yes, list Outfall Nos.

11. Provide the name(s) of the surface waterbody(ies) into which site runoff will discharge:

H O T E L C R E E K

12 (a) . Does site runoff enter a Municipal Separate Storm Sewer System including roadside drains, swales, ditches, culverts, etc.? .....  Yes  No

12 (b) . If yes, what is the name of the municipality/entity that owns the Municipal Separate Storm Sewer System?



**Appendix C – Inventory of Reportable non-Petroleum Spills**

**APPENDIX C**

**NON-PETROLEUM SPILL RESPONSE PROCEDURES**

**MILL SEAT LANDFILL**

Completed by:.....

Title:.....

Date:.....

Instructions: In the event of a spill at the facility the following steps should be implemented immediately to prevent contact of stormwater with spilled material.

1.	<b>Assure the safety of the employees in the area.</b> Never compromise the safety of an employee. If an employee is injured, immediately contact the supervisor or SWP3 Team Coordinator for further instructions. For spills/releases of hazardous materials or wastes, initiate the facility's emergency contingency or response plan.
2.	All attempts should be made to <b>stop the spill at its source</b> . If no danger to an employee exists, attempt to stop the spill at its source. Many times turning valves, plugging leaks, or righting a drum can stop the flow at its source.
3.	<b>Identify the spilled material.</b> It is important to identify the spilled material so that the Material Safety Data Sheet (MSDS) can be used to identify health hazards, environmental warnings, and material compatibility
4.	Report the incident to the SWP3 Team Coordinator immediately, who will act as the Emergency Response Coordinator in the event of a spill.
5.	<b>Contain the material</b> in the smallest possible area. A liquid spill should be contained by using absorbent materials located at the facility.
6.	<b>Begin the Notification Procedures.</b> The SWP3 Team Coordinator shall determine if outside contractors are needed to help clean a spill or if agency reporting is required. If the amount of the spill is equal to or in excess of the reportable quantities established under 40 CFR Part 110, 40 CFR Part 117, or 40 CFR Part 302 then the Emergency Coordinator is required to notify the National Response Center (NRC) at 800-424-8802 as soon as he or she has knowledge of the incident. The New York State Department of Environmental Conservation shall also be notified directly (1-800-457-7362) or through the Regional Office at 1-716-851-7220.
7.	<b>Recover or clean up</b> the spilled material. As much material as possible should be recovered and reused where appropriate. Liquids absorbed by solid materials shall be shoveled into open-top drums. Decontaminate all equipment used in the clean up procedures. When drums are filled or the clean up is finished, the drum lids shall be secured and the drums shall be appropriately labeled identifying the contents. Avoid mixing wastes. Arrange for proper disposal of the waste in accordance with applicable federal and state regulations.
8.	<b>Prepare an Internal Report.</b> After the spill has been controlled and/or cleaned, the SWP3 Team Coordinator will complete the Sill Report form, provided in Appendix C, recording the details of the incident. If the spill is equal to or in excess of a reportable quantity, a copy of the Spill record form should be submitted to the USEPA.
9.	<b>Evaluate the Plan</b> and amend if necessary. Determine the cause of the incident and evaluate the spill response procedures. Correct any deficiencies and amend the Plan accordingly. Update Spill History of SWP3 and SPCC as necessary, to describe the event after each significant spill incident.

# SPILL REPORT

## Spill History

Complete this form for any reportable spill(s) that have occurred from this facility.

	Incident 1	Incident 2	Incident 3
Date:			
Volume:			
Cause:			
Navigable Affected:      Water			
Corrective Taken:      Action			
Plans for Preventing Recurrence:			
Signature of SPCC Coordinator:	_____	_____	

**Appendix D – Example Discharge Monitoring Report Form**



**Appendix E - Employee Training Sign-In Sheet and Agenda**



**Appendix F – Erosion and Sediment Control Plan (Under Separate Cover by Contractor)**

<p align="center"><b>APPENDIX F</b>  <b>EROSION AND SEDIMENT CONTROL PLAN</b>  <b>(Under Separate Cover)</b></p>	<p align="center"><b>MILL SEAT LANDFILL</b></p>
<p><b>Instructions:</b> This form must be completed to document the name of the contractor responsible for developing the erosion and sediment control plan (ESCP) for each landfill construction project as well as the contractor responsible for inspecting the erosion and sediment control practices during construction. The completed form is to be placed in the SWPPP.</p>	
<p><b>Project Name:</b></p>	<p><b>5 Acres or More DEC Approval Date:</b></p>
<p><b>Construction Start Date:</b></p>	
<p><b>Contractor Responsible for Developing ESCP:</b></p>	
<p><b>Contractor(s) or Subcontractor(s) Responsible for Implementing ESCP:</b></p>	
<p><b>Contractor or Subcontractor Responsible for Inspecting ESCP Practices During Construction:</b></p>	
<p><b>Comments:</b></p>	

**Appendix G – Annual Dry Weather Flow Monitoring Reporting Form  
and  
Non-Stormwater Discharge Certification**



**APPENDIX G**

**NON-STORMWATER DISCHARGE CERTIFICATION**

**MILL SEAT LANDFILL**

Completed by:.....  
 Title:.....  
 Date:.....

**Instructions:** This certification must be retained in the storm water pollution prevention plan, updated on an annual basis, and submitted only if notified in writing by the State Director.

Date of Test or Evaluation	Outfall Observed	Method of Evaluation	Describe Results	ID Potential Significant Sources	Person Completing

**CERTIFICATION**

I, ....., (Responsible Corporate Official), certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name & Title:

Phone No.:

Signature:

Date Signed:

**Appendix H – Annual Comprehensive Site Compliance Evaluation Form**

**Annual Comprehensive Site Compliance Evaluation Summary Report**

Scope of this evaluation includes site observations, review of the SWPPP, review of inspection records and monitoring results.

Site Name: _____	Completed by: _____ Title: _____ Date: _____
------------------	--

- 1. All sections of the SWPPP contain current and accurate information. \_\_\_\_\_
- 2. Facility site map shows current and accurate information. \_\_\_\_\_
- 3. Preventative maintenance procedures are being performed. \_\_\_\_\_
- 4. Good housekeeping measures are being performed. \_\_\_\_\_
- 5. All quarterly inspections have been completed \_\_\_\_\_
- 6. Any BMP deficiencies have been corrected and are noted on the inspection forms. \_\_\_\_\_
- 7. Employee training has been completed \_\_\_\_\_
- 8. Samples have been collected as required in the SWPPP \_\_\_\_\_
- 9. Annual monitoring results have been reviewed and submitted to NYSDEC \_\_\_\_\_

**Comments:**

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Area Inspected	Procedure	Comments	Action Required
Equipment Fueling	Check for staining or spillage in containment area, on tank and near dispenser. Inspect locks, spill kits, and make sure hose is secure and away from vehicle path. Check that secondary containment discharge monitoring is documented.		
Fuel Tanker Truck Unloading	Check for staining or spillage in containment area, on tank and near dispenser. Inspect locks, spill kits, and make sure hose is secure and away from vehicle path.		
Equipment Washing	Check oil storage area for leaks or previous staining. Check for potential leaks or spills that may leave the building. Also check for tracking of waste materials or residues where vehicles leave the wash area		
Equipment Maintenance	Check for tracking of petroleum products and other fluids out of the maintenance area. Check maintenance area for potential leaks or spills that might leave the building.		
Vehicle Parking Area	Check for signs of leaking fluids or previous staining. Check to see that BMP's such as drip pans are in place for leaking vehicles.		
Outfalls	Examine outfalls for presence of non-stormwater discharges that are not allowed and evidence of storm water pollution (i.e., sheen).		
Disturbed Areas	Check for proper implementation of erosion and sediment control measures.		
BMPs	Inspect site BMPs (i.e., hay bales, silt fencing, storm drain filters, etc.) to insure proper operation.		

Certification: I certify that this facility is in compliance with the stormwater permit and the stormwater pollution prevention plan that has been prepared.

"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."

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**Appendix I - Routine Facility Inspection Form for Sector L**

<b>APPENDIX I</b>  <b>ROUTINE INSPECTION FORM</b>  <b>SECTOR L</b>	<b>MILL SEAT LANDFILL</b>
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**Instructions:** This form should be completed on a 7-day basis for active landfill operations. This form should be completed on a monthly basis for stabilized portions of the landfill. A copy of this completed form must be kept on file with the SWP3. If action is required, then this form, next period's form and the Plan must reflect the actions taken.

<b>Date</b>	<b>Inspected by</b>	<b>Others Present</b>

Area Inspected	Procedure	Comments	Action Required
Stormwater basins	Observe for clarity, odors, sheens and debris, note condition of outlets		
Diversion ditches, berms pavement and pads	Observe for obstructions, cracking, and breaks		
Drain pipes, culverts, and culvert gates	Observe for obstructions, cracking, ensure free and clear flow		
Vegetated areas and swales	Observe condition of plants, evidence of erosion		
Facility access roads	Observe incoming vehicles to ensure they are properly contained. Observe for litter and waste or spills and releases of petroleum and non-petroleum materials. Verify that BMPs are being followed.		
Leachate storage and load out areas	Check above ground leachate storage tanks, containment systems and load out areas for leaks or releases, block return lines, and broken connectors.		
Erosion and sediment control practices	Observe erosion and sediment control practices to ob		

**APPENDIX I****MILL SEAT LANDFILL****ROUTINE INSPECTION FORM  
SECTOR L**

Instructions: This form should be completed on a 7-day basis for active landfill operations. This form should be completed on a monthly basis for stabilized portions of the landfill. A copy of this completed form must be kept on file with the SWP3. If action is required, then this form, next period's form and the Plan must reflect the actions taken.

<b>Area Inspected</b>	<b>Procedure</b>	<b>Comments</b>	<b>Action Required</b>
Material stockpiles	Visually check that materials are contained within the stockpile area. Verify that BMPs are in place.		
Petroleum Storage Tanks	Complete Monthly inspection form if required by PBS permit. Check for staining or spillage, on tank and near dispenser. Inspect locks, spill kits and make sure hose is secure and away from vehicle path.		
Equipment, Truck and Employee Parking Areas	On a quarterly basis, check for signs of leaking fluids or previous staining.		
Container storage areas	On a quarterly basis visually check that containers are free of waste materials or are tarped or covered. Visual check for staining or release of liquids from the containers that contain waste materials.		
Maintenance Building	On a quarterly basis, check oil storage area for leaks or previous staining. Check for potential leaks or spills that may leave the building.		

<b>APPENDIX I</b>		<b>MILL SEAT LANDFILL</b>	
<b>ROUTINE INSPECTION FORM</b>			
<b>SECTOR L</b>			
<p><b>Instructions:</b> This form should be completed on a 7-day basis for active landfill operations. This form should be completed on a monthly basis for stabilized portions of the landfill. A copy of this completed form must be kept on file with the SWP3. If action is required, then this form, next period's form and the Plan must reflect the actions taken.</p>			
<b>Area Inspected</b>	<b>Procedure</b>	<b>Comments</b>	<b>Action Required</b>
Equipment Wash Area	On a quarterly basis check the equipment wash area for drag out onto paved areas, accumulated mud and sediment and blocked drains.		



**Appendix J – Secondary Containment Discharge Screening Form**



**Appendix K - Quarterly Facility Visual Stormwater Inspection Form**

<b>APPENDIX K</b>  <b>QUARTERLY VISUAL MONITORING FORM</b>	<b>MILL SEAT LANDFILL</b>  Completed by:.....  Title:.....
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Instructions: One form is to be completed per quarter for each outfall sampled. If action is required, then this form and the Plan must reflect the actions taken.

<b>Outfall #:</b>	<b>Date/Time Sample Collected:</b>	
<b>Quarter/Year:</b>	<b>Date/Time Outfall Examined:</b>	
<b>Rainfall Amount:</b>	<b>Qualifying Storm? Yes No</b>	<b>Runoff Source:</b>

Parameter	Parameter Description	Parameter Characteristics
<b>Color</b>	Does the stormwater appear to be colored? <b>Yes No</b>	<b>Describe:</b>
<b>Clarity</b>	Is the stormwater clear or transparent? <b>Yes No</b>	Which of the following best describes the clarity of the stormwater? <b>Clear Milky Opaque</b>
<b>Oil Sheen</b>	Can you see a rainbow effect or sheen on the water surface? <b>Yes No</b>	Which best describes the sheen? <b>Rainbow Sheen Floating Oil Globules</b>
<b>Odor</b>	Does the sample have an odor? <b>Yes No</b>	<b>Describe:</b>
<b>Floating Solids</b>	Is there something floating on the surface of the sample? <b>Yes No</b>	<b>Describe:</b>
<b>Suspended Solids</b>	Is there something suspended in the water column of the sample? <b>Yes No</b>	<b>Describe:</b>
<b>Settled Solids</b>	Is there something settled in the bottom of the sample? <b>Yes No</b>	<b>Describe:</b>
<b>Foam</b>	Is there foam forming on the surface of the sample? <b>Yes No</b>	<b>Describe:</b>

*Detail concerns, corrective actions taken and other indicators of pollution present in the sample:*

**Stormwater Examiner's Signature:**

**Appendix L - Annual Certification Report Form**

Annual Certification Report
SPDES Multi-Sector General Permit for Stormwater
Discharges Associated with Industrial Activity (GP-0-06-002)

The permittee shall complete this Annual Certification Report form by answering the following questions, describing improvements to the facility's Stormwater Pollution Prevention Plan (SWPPP), provide copies of monitoring results on appropriate Monitoring Reports Forms and signing the certification at the end of this form. This completed report is to be submitted each calendar year by March 31st of the following year to: Industrial Stormwater General Permit Coordinator, NYSDEC, Bureau of Water Permits, 625 Broadway, Albany, NY, 12233-3505

SECTION I: FACILITY INFORMATION

Permit I.D. No.: NYR00

Grid for Permit I.D. No. extension

Report for Calendar Year:

Grid for Report for Calendar Year extension

Owner Name

Grid for Owner Name

Facility Name

Grid for Facility Name

SECTION II: GENERAL INFORMATION:

1. List the number of stormwater outfalls at the facility that are from areas of industrial activity. ....

Grid for question 1

2. Is the facility claiming any monitoring waivers? [describe and certify in your cover letter] Yes No

- Representative Outfall
Inactive or Unstaffed Site
Adverse Climatic Conditions
Alternate Certification of "Not Present" or "No Exposure"

3. Is the information provided in your original Notice of Intent or Termination (NOIT) submission still accurate and up to date? If not, please submit an updated NOIT indicating the correct facility information. Yes No

4. Has a comprehensive site compliance evaluation been conducted at the facility in the past year? Yes No

5. Is the facility's Stormwater Pollution Prevention Plan (SWPPP) kept up to date and modified when necessary? Yes No

SECTION III: QUARTERLY VISUAL EXAMINATIONS AND DRY WEATHER FLOW INSPECTIONS:

6. Have the required quarterly visual examinations of stormwater at the facility been performed during this reporting period? Yes No

7. Did any of the quarterly visual examinations result in observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, or other indicators of stormwater pollution and contamination? Yes No

8. Was the annual dry weather flow inspection performed during this reporting period? Yes No NA

9. Were any indicators of stormwater pollution or unauthorized discharges identified? Yes No NA

10. Did any of these findings result in modification of the SWPPP? Yes No NA

**SECTION IV: STORMWATER MONITORING - BENCHMARK PARAMETERS:**

- 11. Is the permittee required to monitor stormwater at the facility for benchmark parameters? (If no, skip to Section V) .....  Yes  No
- 12. Were there any of the sampling results from this year higher than the cut-off values listed in the permit? .....  Yes  No
- 13. Were there any monitoring problems?(Answer "Yes" if storm event criteria was not met or if the laboratory indicated quality assurance/quality control problems) .....  Yes  No
- 14. If any of the sampling results were higher than the benchmark values listed in the permit, was the facility inspected to identify the source? .....  Yes  No  NA
- 15. Did this result in modification of the SWPPP? .....  Yes  No

**SECTION IV: STORMWATER MONITORING - COMPLIANCE MONITORING**

- 16. Is the permittee required to conduct compliance monitoring for storm water discharges subject to Point Source Category Effluent Limitation? .....  Yes  No
- 17. Is the permittee required to conduct compliance monitoring for storm water discharges from coal piles? (If no to questions 16 & 17, go to Section VI) .....  Yes  No
- 18. Were there any monitoring problems? (Answer "Yes" if storm event criteria was not met or if the laboratory indicated quality assurance/quality control problems) .....  Yes  No
- 19. Were any of the sampling results from this year higher than the effluent limitation listed in the permit? .....  Yes  No
- 20. If any of the sampling results were higher than the effluent limitations listed in the permit, was the facility inspected to identify the source? .....  Yes  No  NA
- 21. Did this result in modification of the SWPPP? .....  Yes  No

**SECTION VI: SUMMARY**

Provide a brief description of any facility changes; problems identified during comprehensive compliance evaluations, quarterly visual observations or monitoring results; and action taken to improve the quality of the stormwater discharge.

**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.

Owner/Operator First Name (please print or type)

MI

Date / /

Owner/Operator Last Name (please print or type)

Signature