



TPDES GENERAL PERMIT  
NO. TXR050000

This is a new general permit issued pursuant to Section 26.040 of the Texas Water Code and Section 402 of the Clean Water Act.

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION  
P.O. BOX 13087  
Austin, TX 78711-3087

GENERAL PERMIT TO DISPOSE OF WASTES

under provisions of  
Section 402 of the Clean Water Act  
and Chapter 26 of the Texas Water Code

Industrial facilities that discharge storm water associated with industrial activity

located in the state of Texas

may discharge directly to exceptional, high, intermediate, limited, or no significant aquatic life use receiving waters as designated in the Texas Surface Water Quality Standards

only according to effluent limitations, monitoring requirements and other conditions set forth in this general permit, as well as the rules of the Texas Natural Resource Conservation Commission (TNRCC), the laws of the State of Texas, and other orders of the Commission of the TNRCC (Commission). The issuance of this general permit does not grant to the permittee the right to use private or public property for conveyance of wastewater along the discharge route. This includes property belonging to but not limited to any individual, partnership, corporation or other entity. Neither does this general permit authorize any invasion of personal rights nor any violation of federal, state, or local laws or regulations. It is the responsibility of the permittee to acquire property rights as may be necessary to use the discharge route.

This general permit and the authorization contained herein shall expire at midnight five years after the date of issuance.

ISSUED AND EFFECTIVE DATE:

ATTEST: \_\_\_\_\_

For the Commission

# TNRCC GENERAL PERMIT NUMBER TXR050000 RELATING TO STORM WATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY

## Table of Contents

Part I.	Definitions .....	4
Part II.	Permit Applicability and Coverage .....	7
	Section A. Discharges Eligible for Authorization by General Permit .....	7
	Section B. Limitations on Permit Coverage .....	10
	Section C. Obtaining Authorization to Discharge .....	13
	Section D. Alternative Coverage Under an Individual TPDES Permit .....	17
Part III.	Permit Requirements and Conditions Common to All Industrial Activities .....	18
	Section A. Minimum Storm Water Pollution Prevention Plan Requirements .....	18
	Section B. Storm Water Pollution Prevention Plan Review .....	29
	Section C. General Monitoring, Reporting, and Records Requirements .....	29
	Section D. Numeric Effluent Limitations .....	32
	Section E. Standard Permit Conditions .....	35
Part IV.	Benchmark Monitoring Requirements Common to Many Industrial Activities .....	44
	Section A. Use of Benchmark Data .....	44
	Section B. Sectors Subject to Benchmark Monitoring .....	44
	Section C. Benchmark Monitoring Requirements .....	46
Part V.	Specific Requirements for Industrial Activities .....	47
	Section A. Sector A - Timber Products Facilities .....	47
	Section B. Sector B - Paper and Allied Products .....	51
	Section C. Sector C - Chemical and Allied Products .....	52
	Section D. Sector D - Asphalt Paving and Roofing Materials and Lubricants ...	55
	Section E. Sector E - Glass, Clay, Cement, Concrete, and Gypsum Products ...	57
	Section F. Sector F - Primary Metals .....	60
	Section G. Sector G - Metal Mining (Ore Mining and Dressing) .....	61
	Section H. Sector H - Coal Mines and Coal Mining Related Facilities .....	68
	Section I. Sector I - Oil and Gas Extraction .....	70
	Section J. Sector J - Mineral Mining and Dressing .....	71
	Section K. Sector K - Hazardous Waste Storage Facilities .....	73
	Section L. Sector L - Landfills and Land Application Facilities .....	74
	Section M. Sector M - Automobile Salvage Yards .....	77
	Section N. Sector N - Scrap Recycling Facilities .....	79
	Section O. Sector O - Steam Electric Generating Facilities .....	81
	Section P. Sector P - Land Transportation and Warehousing .....	83
	Section Q. Sector Q - Water Transportation .....	85

Section R	Sector R -	Ship and Boat Building or Repairing Yards . . . . .	86
Section S	Sector S -	Air Transportation . . . . .	88
Section T	Sector T -	Treatment Works . . . . .	90
Section U	Sector U -	Food and Kindred Products . . . . .	91
Section V	Sector V -	Textile Mills, Apparel, and Other Fabric Product Manufacturing, Leather and Leather Products . . . . .	93
Section W	Sector W -	Furniture and Fixtures . . . . .	94
Section X	Sector X -	Printing and Publishing . . . . .	95
Section Y	Sector Y-	Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries . . . . .	95
Section Z	Sector Z -	Leather Tanning and Finishing . . . . .	98
Section AA	Sector AA -	Fabricated Metal Products . . . . .	99
Section AB	Sector AB -	Transportation Equipment, Industrial or Commercial Machinery . . . . .	100
Section AC	Sector AC -	Electronic, Electrical, Photographic, and Optical Goods .	101
Section AD	Sector AD -	Miscellaneous Industrial Activities . . . . .	102

## **Part I. Definitions**

All definitions in Section 26.001 of the Texas Water Code and 30 TAC Chapter 305 shall apply to this permit and are incorporated by reference. Some specific definitions of words or phrases used in this permit are as follows:

Best management practices (BMPs) - schedules of activities, prohibitions of practices, maintenance procedures, and other techniques to control, prevent or reduce the discharge of pollutants to water in the state. BMPs also include treatment requirements, operating procedures, and practices to control site runoff, spills or leaks, sludge or waste disposal, or drainage from raw material storage areas.

Co-located industrial activities - Industrial activities, conducted at a single facility, that are described by two or more sectors of this general permit.

Co-located industrial facilities - Industrial facilities, having different owners and/or operators, that are located on a common property and conduct industrial activities that are described by one or more sectors of this general permit.

Daily maximum concentration - the maximum concentration measured on a single day, as determined by laboratory analysis of a grab sample.

Edwards Aquifer - As defined under Texas Administrative Code §213.3 of this title (relating to the Edwards Aquifer), that portion of an arcuate belt of porous, water-bearing, predominantly carbonate rocks known as the Edwards and Associated Limestones in the Balcones Fault Zone trending from west to east to northeast in Kinney, Uvalde, Medina, Bexar, Comal, Hays, Travis, and Williamson Counties; and composed of the Salmon Peak Limestone, McKnight Formation, West Nueces Formation, Devil's River Limestone, Person Formation, Kainer Formation, Edwards Formation, and Georgetown Formation. The permeable aquifer units generally overlie the less-permeable Glen Rose Formation to the south, overlie the less-permeable Comanche Peak and Walnut Formations north of the Colorado River, and underlie the less-permeable Del Rio Clay regionally.

Edwards Aquifer Recharge Zone - Generally, that area where the stratigraphic units constituting the Edwards Aquifer crop out, including the outcrops of other geologic formations in proximity to the Edwards Aquifer, where caves, sinkholes, faults, fractures, or other permeable features would create a potential for recharge of surface waters into the Edwards Aquifer. The recharge zone is identified as that area designated as such on official maps located in the offices of the Texas Natural Resource Conservation Commission and the appropriate underground water conservation district.

Grab sample - An individual sample collected in less than 15 minutes.

General permit - A permit issued to authorize the discharge of waste into or adjacent to water in the state for one or more categories of waste discharge within a geographical area of the state or the entire state as provided by §26.040, Texas Water Code.

Hyperchlorination of waterlines - Treatment of potable water lines or tanks with chlorine for disinfection purposes, typically following repair or partial replacement of the waterline or tank, and subsequently flushing the contents,

Inactive Industrial Facilities - A facility where all industrial activities that are described in Part II.A.1. of this permit are suspended, and where an authorization under this general permit is maintained.

Inland water - All surface water in the state other than those defined as a tidal water.

Municipal separate storm sewer system - A separate storm sewer system owned or operated by a state, city, town, county, district, association, or other public body (created by or pursuant to state law) have jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under state law such as a sewer district, flood control or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, that discharges to water in the state.

National Pollutant Discharge Elimination System (NPDES) - The federal program under which the administrator of the United States Environmental Protection Agency can authorize discharges of waste to waters of the United States according to the Section 402 of the Federal Water Pollution Control Act, and may also delegate this permitting authority to the State of Texas.

Non-structural controls - Pollution prevention methods that are not physically constructed, including best management practices, used to prevent or reduce the discharge of pollutants to water in the state.

Notice of Intent NOI) - A written submission to the executive director from an applicant requesting coverage under a general permit.

Notice of Termination (NOT) - A written submission to the executive director from a permittee authorized under a general permit requesting termination of coverage.

Operator - The owner or person that is responsible for the management of an industrial facility subject to the provisions of this general permit.

Reportable Quantity Spill - a discharge or spill of oil, petroleum product, used oil, hazardous substances, industrial solid waste, or other substances into the environment in a quantity equal to or greater than the reportable quantity listed in TAC §327.4 (relating to Reportable Quantities) in any 24-hour period.

Separate storm sewer system - A conveyance or system of conveyances (including roads with drainage systems, streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains), designed or used for collecting or conveying storm water; that is not a combined sewer, and that is not part of a publicly owned treatment works (POTW).

Significant materials - Including, but not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; final products that are not designed for outdoor use; raw materials that are used for food processing or production; hazardous substances designated under section 101(14) of CERCLA; any chemical the operator is required to report pursuant to section 313 of title II of SARA; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with storm water discharges.

Storm water and storm water runoff - Rainfall runoff, snow melt runoff, and surface runoff and drainage.

Storm water discharges associated with industrial activity - Storm water runoff that exits any system that is used for collecting and conveying storm water that originates from manufacturing, processing, material storage, and waste material disposal areas (and similar areas where storm water can contact industrial pollutants related to the industrial activity) at an industrial facility described by one or more of Sectors A through AD of this general permit. The definition is restricted, for the purposes of this general permit, to those storm water discharges that qualify for authorization under the provisions of this general permit (on an outfall by outfall consideration).

Structural control - Physical, constructed features, such as silt fencing, sediment traps, and detention/retention ponds, that prevent or reduce the discharge of pollutants to water in the state.

Texas Pollutant Discharge Elimination System (TPDES) - The state program for issuing, amending, terminating, monitoring, and enforcing permits, and imposing and enforcing pretreatment requirements, under Clean Water Act §§307, 402, 318 and 405, the Texas Water Code and Texas Administrative Code regulations.

Tidal water - those waters of the Gulf of Mexico within the jurisdiction of the State of Texas, bays and estuaries, and those portions of rivers and streams that are subject to the ebb and flow of the tides and that are subject to the intrusion of marine waters.

Water in the state - Groundwater, percolating or otherwise, lakes, bays, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Gulf of Mexico, inside the territorial limits of the state, and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, navigable or nonnavigable, and including the beds and banks of all watercourses and bodies of surface water, that are wholly or partially inside or bordering the state or inside the jurisdiction of the State.

## **Part II. Permit Applicability and Coverage**

This general permit provides authorization for point source discharges of storm water associated with industrial activity to water in the state (including direct discharges and discharges to a municipal separate storm sewer system). The permit contains effluent limitations and requirements applicable to all industrial activities that are eligible for coverage under this general permit. Industrial activities are subdivided into thirty sectors of industry.

### **Section A. Discharges Eligible for Authorization by General Permit**

#### **1. Industrial Activities Covered**

Industrial activities are grouped into thirty sectors of similar activities based on either Standard Industrial Classification (SIC) codes or Industrial Activity Codes. Coverage under this general permit may be obtained to authorize discharges of storm water associated with industrial activity, and certain other non-storm water discharges, from the following sectors:

Sector A	Timber Products
Sector B	Paper and Allied Products
Sector C	Chemical and Allied Products
Sector D	Asphalt Paving and Roofing Materials and Lubricants
Sector E	Glass, Clay, Cement, Concrete, and Gypsum Products
Sector F	Primary Metals
Sector G	Metal Mining (Ore Mining and Dressing)
Sector H	Coal Mines and Coal Mining Related Facilities
Sector I	Oil and Gas Extraction
Sector J	Mineral Mining and Dressing
Sector K	Hazardous Waste Storage Facilities
Sector L	Landfills and Land Application Sites
Sector M	Automobile Salvage Yards
Sector N	Scrap Recycling Facilities
Sector O	Steam Electric Generating Facilities
Sector P	Land Transportation and Warehousing
Sector Q	Water Transportation
Sector R	Ship and Boat Building or Repairing Yards
Sector S	Air Transportation
Sector T	Treatment Works
Sector U	Food and Kindred Products
Sector V	Textile Mills, Apparel, and Other Fabric Product Manufacturing, Leather and Leather Products
Sector W	Furniture and Fixtures
Sector X	Printing and Publishing
Sector Y	Rubber, Miscellaneous Plastic Products, and Miscellaneous

Manufacturing Industries  
Sector Z Leather Tanning and Finishing  
Sector AA Fabricated Metal Products  
Sector AB Transportation Equipment, Industrial or Commercial Machinery  
Sector AC Electronic, Electrical, Photographic, and Optical Goods  
Sector AD Miscellaneous Industrial Activities

The need for a permit, and the eligibility for coverage under this general permit, is determined either by the facility's primary SIC code or by an Industrial Activity Code that is described in this general permit. Sectors of industrial activity are divided into sub-sectors and further defined by SIC codes in Part V of this permit. Operators of facilities with a primary SIC code that is included in Part V of this general permit, or that conduct activities described by an Industrial Activity Code that is included in Part V of this general permit, must obtain authorization for discharges of storm water associated with industrial activity and are eligible for coverage under this general TPDES permit. Sector AD is used to provide permit coverage for facilities that are designated by the executive director as needing a permit to control pollution related to storm water discharges and that do not meet the description of an industrial activity covered by Sectors A-AC.

## **2. Co-located Industrial Activities**

Facilities are required to either obtain authorization under this general permit, or under an individual TPDES storm water permit, if the primary SIC code for the facility is one of those listed in Part V of this general permit, or if the facility conducts any of the industrial activities described by the Industrial Activity Codes listed in Part V. If these facilities conduct additional activities that are described by a secondary SIC code that is listed in Part V, these additional activities are described as co-located activities. Storm water discharges from co-located industrial activities may be authorized under this general permit, provided that the operator complies with all of the sector-specific requirements defined in Part V of this general permit for each of these activities. The sector-specific requirements apply only to the portion of the facility where that specific sector of activity occurs, except where runoff from different activities combine before leaving the property. In cases where these discharges combine, the monitoring requirements and effluent limitations from each sector that contributes runoff to the discharge must be met.

## **3. Co-located Industrial Facilities**

Facilities are required to either obtain authorization under this general permit, or under an individual TPDES storm water permit, if the primary SIC code for the facility is one of those listed in Part V of this general permit, or if the facility conducts any of the industrial activities described by the Industrial Activity Codes listed in Part V. Multiple industrial facilities with separate owners or operators but

located on a common property, such as tenants at an airport or seaport, must individually submit a notice of intent to obtain coverage under this general permit. Each applicant will be issued a distinct permit number. These co-located facilities may either develop separate SWP3s, or may participate in a shared SWP3. Co-located facilities that develop a shared SWP3 must develop the plan to meet the SWP3 requirements stated in Parts III and V of this general permit in addition to the following:

- (a) Participants - The SWP3 must clearly list the name and permit number for each facility that participates in the shared SWP3. Each participant in the shared plan must sign the SWP3 according to 30 TAC § 305.44 (relating to Application for Permit).
- (b) Responsibilities - The SWP3 must clearly indicate which permittee is responsible for satisfying each shared requirement of the SWP3. If the responsibility for satisfying a requirement is not described in the plan, then each permittee is entirely responsible for meeting the requirement within the boundaries of their facility. The SWP3 must clearly describe responsibilities for meeting each requirement in shared or common areas.
- (c) Site Map -The site map must clearly delineate the boundaries around each co-located facility, and the boundaries around shared or common areas that are used by two or more facilities.

#### **4. Requirements for Military Installations and Other Federal Facilities**

Storm water discharges from military installations and other federal facilities that conduct industrial activities described by a primary SIC code or Industrial Activity Code that is listed in Part V of this general permit must either obtain authorization under provisions of this general permit, or apply for an individual TPDES storm water permit.

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

Industrial facilities that qualify for coverage under this general permit may discharge the following non-storm water discharges, through outfalls identified in the storm water pollution prevention plan, according to the requirements of this general permit:

- (a) discharges from fire fighting activities and fire hydrant flushings (excluding discharges of hyperchlorinated water, unless the water is first dechlorinated and discharges are not expected to adversely affect aquatic life );
- (b) potable water sources (excluding discharges of hyperchlorinated water, unless the water is first dechlorinated and discharges are not expected to

adversely affect aquatic life );

- (c) lawn watering and similar irrigation drainage;
- (d) water from the routine external washing of buildings, conducted without the use of detergents or other chemicals;
- (e) water from the routine washing of pavement conducted without the use of detergents or other chemicals and where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed);
- (f) air conditioner condensate, compressor condensate, and condensate that externally forms on steam lines;
- (g) water from foundation or footing drains where flows are not contaminated with pollutants (e.g. process materials, solvents, and other pollutants);
- (h) springs and other uncontaminated ground water; and
- (i) other discharges described in Part V of this permit that are subject to effluent guidelines and effluent limitations.

## **Section B. Limitations on Permit Coverage**

### **1. Suspension or Revocation of Permit Coverage**

Authorization under this general permit may be suspended or revoked for cause. Filing a notice of planned changes or anticipated non-compliance by the permittee does not stay any permit condition. The permittee shall furnish to the executive director, upon request, any information necessary for the executive director to determine whether cause exists for revoking, suspending, or terminating authorization under this permit. Additionally, the permittee shall provide to the executive director, upon request, copies of all records that the permittee is required to maintain as a condition of the permit.

Failure to comply with any permit condition is a violation of the permit and the statutes under which it was issued, and is grounds for enforcement action, terminating coverage under this general permit, or requiring the permittee to apply for and obtain an individual TPDES permit or alternative general permit.

### **2. Discharges Authorized by Another TPDES Permit**

Discharges authorized by an individual TPDES permit, or another general TPDES permit, may only be authorized under this TPDES general permit if the following

conditions are met:

- (a) the discharges meet the applicability and eligibility requirements for coverage under this general permit;
- (b) the current individual or alternative general permit does not contain numeric water quality-based effluent limitations for the discharge (unless industrial activities that resulted in the limitations have ceased and any contamination that resulted in these limitations has been removed or remediated);
- (c) specific best management practice (BMP) requirements of the current individual permit are continued as a provision of the storm water pollution prevention plan;
- (d) the executive director has not determined that continued coverage under an individual permit is required based on consideration of a total maximum daily loading (TMDL) model, anti-backsliding policy, history of substantive non-compliance or other TAC 205 considerations and requirements, or other site-specific considerations; and
- (e) a previous application or permit for the discharges has not been denied, terminated, or revoked by the executive director as a result of enforcement or water quality related concerns. The executive director may provide a waiver to this provision based on new circumstances at the facility or if the operations of the facility have since passed to a new operator.

### **3. Storm Water Discharges from Construction Activity**

Discharges of storm water associated with construction activities are not eligible for authorization by this general permit. Discharges of storm water associated with industrial activity that combine with storm water from construction activities are not eligible for coverage by this general permit unless the construction related discharge is: authorized under a separate TPDES permit; authorized under a separate National Pollutant Discharge Elimination System (NPDES) permit; or does not require permit coverage.

### **4. Storm Water Discharges from Salt Storage Piles**

Storm water that contacts salt storage piles (e.g. salt for deicing or other commercial or industrial purposes) may not be discharged to water in the state under authority of this general permit. Storm water that contacts salt storage piles must be discharged under the authority of an individual TPDES permit, alternative general permit, or captured within a containment structure. Storm water that contacts salt storage piles, and is captured, must either be disposed of in a manner that does not allow a discharge into or adjacent to water in the state, or in a manner approved of

by the executive director.

**5. Discharges of Storm Water Mixed with Non-Storm Water**

Storm water discharges associated with industrial activity that combine with sources of non-storm water are not eligible for coverage by this general permit, unless either the non-storm water source is described in Part II.A.4 of this permit or the non-storm water source is authorized under a separate TPDES permit.

**6. Compliance With Water Quality Standards**

Discharges that would cause or contribute to a violation of water quality standards or that would fail to protect and maintain existing designated uses of receiving waters are not eligible for coverage under this general permit. The executive director may require an application for an individual permit or alternative general permit to authorize discharges of storm water from any industrial facility that is determined to cause a violation of water quality standards or is found to cause, or contribute to, the loss of a designated use of receiving waters.

**7. Discharges to Water Quality-Impaired Receiving Waters**

New sources or new discharges of the constituent(s) of concern to impaired waters are not authorized by this permit unless otherwise allowable under 30 TAC, Chapter 305 and applicable state law. Impaired waters are those that do not meet applicable water quality standard(s) and are listed on the Clean Water Act Section 303(d) list. Constituents of concern are those for which the water body is listed as impaired.

Discharges of the constituent(s) of concern to impaired water bodies for which there is a TMDL implementation plan are not eligible for this permit unless they are consistent with the approved TMDL and the implementation plan. Permitted facilities must incorporate the limitations, conditions and requirements applicable to their discharges, including monitoring frequency and reporting required by TNRCC rules, into their SWP3 in order to be eligible for permit coverage. For discharges not eligible for coverage under this permit, the discharger must apply for and receive an individual or other applicable general TPDES permit prior to discharging.

**8. Discharges to the Edwards Aquifer Recharge Zone**

Discharges of storm water associated with industrial activity, and other non-storm water discharges, can not be authorized by this general permit where those discharges are prohibited by 30 Texas Administrative Code (TAC) Chapter 213 (relating to Edwards Aquifer). New discharges located within the Edwards Aquifer Recharge Zone, or within that area upstream from the recharge zone and defined as the Contributing Zone, must meet all applicable requirements of, and operate according to, 30 TAC Chapter 213 (Edwards Aquifer Rule) in addition to the provisions and requirements of this general permit.

For existing discharges the requirements of the agency-approved Water Pollution Abatement Plan under the Edwards Aquifer Rules are in addition to the requirements of this general permit. BMPs and maintenance schedules for structural storm water controls, for example, may be required as a provision of the rule. All applicable requirements of the Edwards Aquifer Rule for reductions of suspended solids in storm water runoff are in addition to the effluent limitation requirements and benchmark goals in this general permit for this pollutant. A copy of the agency-approved Water Pollution Abatement Plans that are required by the Edwards Aquifer Rule shall be attached as a part of the SWP3.

**9. Discharges to Specific Watersheds and Water Quality Areas**

Discharges of storm water associated with industrial activity, and other non-storm water discharges, can not be authorized by this general permit where prohibited by 30 TAC Chapter 311 (relating to Watershed Protection) for water quality areas and watersheds.

**10. Protection of Streams and Watersheds by Home-Rule Municipalities**

This general permit does not limit the authority of a home-rule municipality provided by Section 401.002 of the Texas Local Government Code.

**Section C. Obtaining Authorization to Discharge**

**1. Conditional No Exposure Exclusion from Permit Requirements**

Facilities with industrial activities described by one or more sectors of this general permit may be excluded from permit requirements if there is no exposure of industrial materials or activities to precipitation or runoff. To qualify for a no exposure exclusion from permit requirements, the operator must provide certification that industrial activities and materials are isolated from storm water and storm water runoff by storm resistant shelters. The certification shall be submitted to the TNRCC on a form provided by the executive director or using a format approved by the executive director. The facility is subject to inspection by authorized TNRCC personnel to determine compliance with the no exposure exclusion. Facilities that qualify for this exclusion and that contribute storm water discharges to a municipal separate storm sewer system shall provide copies of the certification to, and shall allow inspection of the facility by, the operator of the municipal separate storm sewer system.

The following materials and activities are not required to be isolated from storm water and storm water runoff in order to meet the no exposure exclusion:

- (a) drums, barrels, and similar containers that are tightly sealed, in good

structural condition, without operational valves, and storage tanks in good structural condition without leaking valves;

- (b) final products designed for outdoor use, except products that could be transported by storm water runoff (e.g. rock salt, wood chips); and
- (c) vehicles used in material handling that are adequately maintained to prevent leaking fluids.

Facilities that qualify for a no exposure exclusion from permit requirements must obtain a permit to discharge storm water associated with industrial activity before changing operating or management procedures that would result in exposure of storm water to industrial activities.

## **2. Application for Coverage**

Applicants seeking authorization to discharge under this general permit shall submit a completed NOI on a form approved by the executive director. Provisional authorization begins 48 hours after a completed NOI is postmarked for delivery to the TNRCC. If the TNRCC provides for electronic submission of NOIs during the term of this permit, provisional authorization begins 24 hours following confirmation of receipt of the electronic NOI form by the TNRCC. Following review of the NOI, the executive director may determine the NOI is complete and confirm coverage by providing a notification and an authorization number, determine the NOI is incomplete and deny coverage until a completed NOI is submitted, or deny coverage and require an application for an individual permit be submitted. Application deadlines are as follows:

- (a) Existing Industrial Facilities - Facilities that are authorized under the existing National Pollutant Discharge Elimination System (NPDES) permit for discharges associated with industrial activity (TXR050000) may continue to operate under the provisions of TXR050000. This authorization will continue until the Commission takes final action to reissue this general permit as a TPDES general permit. Upon reissuance of the TPDES permit, permittees must submit an NOI within 90 days following the effective date. The Executive Director may grant a written request for extension for good cause if such written request is received no later than fifteen (15) days before the deadline for filing the NOI.
- (b) New Industrial Facilities - An NOI must be submitted at least 48 hours before a discharge of storm water associated with industrial activity occurs.
- (c) New Operator - Permit coverage may not be transferred. When the ownership of a facility changes, the new operator must submit an NOI at

least 10 days before the change in ownership. The previous owner must submit a NOT at least 10 days before the change in ownership.

### **3. Storm Water Pollution Prevention Plan (SWP3)**

A storm water pollution prevention plan must be developed according to the requirements of this permit before an NOI for permit coverage is submitted. The plan must be developed according to the requirements of Part III of this general permit, include all sector-specific requirements of Part V, and be signed according to requirements of Part III.E.3.(g) of this general permit.

### **4. Contents of the Notice of Intent**

The NOI must contain the following minimum information.

- (a) Operator Information - The NOI must include:
  - (1) the name, address, and telephone number of the operator filing the NOI for permit coverage; and
  - (2) the legal status of the operator (e.g. federal, state, tribal, private or public entity).
- (b) Owner Information - The NOI must include the name, address, and telephone number of the owner of the site.
- (c) Site Information - The NOI must include:
  - (1) the name, address, county, and latitude and longitude of the site;
  - (2) a determination of whether the site is located on Indian Land;
  - (3) the name of the receiving water;
  - (4) the name of the municipal operator, if the discharge is through a municipal separate storm sewer system;
  - (5) a certification that a SWP3 has been developed and implemented according to the provisions of this permit;
  - (6) the primary Standard Industrial Classification (SIC) code that best describes the industrial activity of the facility and any other SIC codes or Industrial Activity Codes that describe additional activities and that are listed in Part V of this permit; and

- (7) the industrial sector of this permit for which the applicant requests coverage.

## **5. Notice of Change (NOC)**

If the owner or operator becomes aware that it failed to submit any relevant facts, or submitted incorrect information, in an NOI, the correct information must be provided to the executive director in a NOC within 14 days after discovery. If relevant information provided in the NOI changes (for example, phone number or P.O. Box number) a NOC must be submitted within 14 days of the change.

## **6. Terminating Coverage**

A permittee may terminate coverage under this general permit by providing a Notice of Termination (NOT) on a form approved by the executive director. Authorization to discharge terminates at midnight on the day that an NOT is postmarked for delivery to the TNRCC. If TNRCC provides for electronic submission of NOTs during the term of this permit, authorization to discharge terminates 24 hours following confirmation of receipt of the electronic NOT form by the TNRCC. An NOT must be submitted within 10 days after the facility ceases discharging storm water associated with industrial activity, obtains coverage under an individual permit, obtains coverage under an alternative general permit, or within 10 days before transfer of ownership or responsibility of the facility.

## **7. Signatory Requirement for NOI, NOT, and NOC Forms**

NOI, NOT, and NOC forms must be signed according to 30 TAC § 305.44 (relating to Application for Permit).

## **8. Additional Notification**

Industrial facilities that contribute storm water discharges to a municipal separate storm sewer system must provide a copy of the completed NOI to the operator of the system. These facilities must also provide a copy of all NOCs and NOTs to the operator of the system.

## **9. Fees**

An application fee of \$100 must be submitted with each NOI. A fee is not required for submission of an NOT or NOC.

A facility authorized under this general permit must pay an annual waste treatment inspection fee of \$100 under Texas Water Code, §26.0291; and may be subject to an annual watershed monitoring and assessment fee under Texas Water Code,

§26.0135(h) consistent with 30 TAC §220.21 of this title (relating to Water Quality Assessment Fees).

## **10. Permit Expiration**

This general permit shall be issued for a term not to exceed five years. Following public notice and comment, as provided by 30 TAC §205.3 (relating to Public Notice, Public Meetings, and Public Comment), the commission may amend, revoke, cancel, or renew this general permit. If the TNRCC publishes a notice of its intent to renew or amend this general permit before the expiration date, the permit will remain in effect for existing, authorized, discharges until the commission takes final action on the permit. Upon issuance of a renewed or amended permit, permittees must submit an NOI within ninety days following the effective date of the renewed or amended permit.

In the event that the general permit is not renewed, discharges that are authorized under the general permit must obtain either a TPDES individual permit or coverage under an alternative general permit. Applications for an individual permit must be submitted at least 180 days before the expiration date of the general permit.

### **Section D. Alternative Coverage Under An Individual TPDES Permit**

#### **1. Individual Permit Alternative**

Any discharge eligible for coverage under this general permit may alternatively be authorized under an individual TPDES permit according to 30 TAC Chapter 305 (relating to Consolidated Permits).

#### **2. Individual Permit Required**

The executive director may require an operator of an industrial facility, authorized by this permit, to apply for an individual TPDES permit because of: a total maximum daily load (TMDL) model; the anti-backsliding policy; a history of substantive non-compliance or other TAC 205 considerations and requirements; or other site-specific considerations.

## **Part III. Permit Requirements and Conditions Common to all Industrial Activities**

### **Section A. Minimum Storm Water Pollution Prevention Plan (SWP3) Requirements**

A storm water pollution prevention plan (SWP3) must be developed and implemented before submitting an NOI for coverage under this general permit. The SWP3 must be maintained onsite or made readily available for review by authorized TNRCC personnel upon request. Facilities that contribute storm water discharges to a municipal separate

storm sewer system must provide a copy of the SWP3 to the operator of that system upon receiving a request from the operator of that system. The SWP3 shall be developed according to the requirements of this general permit to:

- (1) identify actual and potential sources of pollution that may reasonably be expected to affect the quality of storm water discharges from the facility;
- (2) establish practices and any necessary controls that will prevent or effectively reduce pollution in storm water discharges from the facility and that ensure compliance with the terms and conditions of this general permit;
- (3) describe how the selected practices and controls are appropriate for the facility and how each will effectively prevent or lessen pollution;
- (4) discuss how controls and practices relate to each other such that together they comprise an integrated, facility-wide approach for pollution prevention in storm water discharges. The discussion may include references to literature or site-specific performance information on the selected controls and practices to demonstrate the appropriateness of each.

#### **1. Consistency With Other Plans**

Existing plans and measures that stem from other regulatory requirements, such as Spill Prevention Control Countermeasures (SPCC plans required for certain operations under the federal guidelines of 40 CFR Part 112) may satisfy in whole or in part specific requirements of this general permit. These plans may either be attached as a component of the SWP3, or referenced in the SWP3 and made readily available for review by authorized TNRCC personnel upon request.

#### **2. Pollution Prevention Team**

A storm water Pollution Prevention Team shall be established. The SWP3 shall be kept readily available to the members of the team, as well as all employees.

- (a) Members of the Team - The SWP3 must identify a specific individual, or group of individual, within the facility as members of a storm water Pollution Prevention Team. If the facility is not staffed on a continuous or permanent basis, a company employee, or employees, from outside of the facility may be identified as a part of the team. Additional members of the team may include environmental professionals that are under contract to the permittee. The responsibilities for each member of the team shall be listed and clearly described.
- (b) Responsibility of the Team - The team is responsible for development of the SWP3, and for assisting the operator or the operator's designee in

implementation, maintenance, and revision of the SWP3.

### 3. Non-Storm Water Discharges

- (a) Permit Coverage for Non-Storm Water Discharges - Non-storm water discharges eligible for coverage are described in either Part II.A.4. or Part V of this general permit. All non-storm water discharges that qualify for permit coverage shall be identified in the SWP3. The SWP3 shall describe the discharge points and appropriate best management practices (BMPs) for these non-storm water discharges.
- (b) Investigation for Non-Storm Water Discharges - A survey of potential non-storm water sources shall be conducted. The separate storm sewer system shall be tested or inspected (e.g. screened for dry weather flows) for the presence of non-storm water flows. Procedures shall be evaluated and implemented to eliminate any potential sources that are discovered and that are not permitted. The SWP3 must ensure that non-storm water sources are not combined with storm water discharges from the facility, and are not allowed to enter the separate storm sewer system, unless they are authorized under a TPDES permit.
- (c) Certification - The SWP3 must include a certification, signed according to Part III.E.3.(g) of this general permit, relating to Signatory Requirements, that states that the separate storm sewer system has been evaluated for the presence of non-storm water discharges and that the discharge of non-permitted, non-storm water does not occur. The certification shall include documentation of how the evaluation was conducted, results of any testing, dates of evaluations or tests, and the points in the separate storm sewer system that were observed during the investigation. The investigation for non-storm water discharges must be completed and the certification must be prepared and made readily available for review by authorized TNRCC personnel upon request, within 90 days of filing a notice of intent for permit coverage.
- (d) Failure to Certify - If a part of the separate storm sewer system can not be accessed to complete the evaluation, certification shall be provided for the remainder of the system. Notice of this deficiency must be provided to the TNRCC within 180 days after the NOI is submitted. Facilities that contribute storm water discharges to a municipal separate storm sewer system must provide notice of this deficiency to the operator of that system upon request. The notice shall include an explanation of why the evaluation could not be performed and a list of all known potential, non-permitted, non-storm water sources that could not be included in the certification.

#### 4. Description of Potential Pollutants and Sources

The SWP3 shall identify and describe all activities and significant materials that may potentially be pollutant sources. The SWP3 shall include, at a minimum:

- (a) Inventory of Exposed Materials - An inventory shall be developed that lists materials currently handled at the facility that may be exposed to precipitation. The list must include all materials that are handled, stored, processed, treated, or disposed of in a manner that allows exposure to precipitation or runoff. Materials stored in drums, barrels, tanks, and similar containers that are tightly sealed, in good structural condition, and do not have leaking valves are not required to be listed in the inventory. The inventory of materials shall also include specific pollutants (e.g. oil and grease, copper, wood shavings, etc.) that can be attributed to those materials.

The inventory must be updated within 30 days following a significant change in the types of materials that are exposed to precipitation or runoff, or significant changes in material management practices that may affect the exposure of materials to precipitation or runoff. A significant change in the types of materials is exposure of a material, not already included in the inventory, that could be transported by precipitation or storm water runoff and subsequently discharged. A significant change in material management practices is a change that would result in either initial exposure of a material not already listed in the inventory, or increased exposure of a material to the extent that the material could be transported by precipitation or storm water runoff and subsequently discharged.

- (b) Narrative Description - A narrative description must be developed to describe all activities and potential sources of pollutants that may reasonably be expected to add pollutants to storm water discharges. or that may result in dry weather discharges from the storm sewer system. Examples include the following activities and potential sources when they are exposed to storm water:

- (1) loading and unloading areas (including areas where chemicals and other materials are transferred);
- (2) outdoor storage areas;
- (3) outdoor processing areas;
- (4) dust producing activities;
- (5) onsite waste disposal;

- (6) vehicle/equipment maintenance, cleaning, and fueling areas;
- (7) liquid storage tank areas;
- (8) railroad sidings, tracks, and rail cars; and
- (9) on-site waste disposal areas.

For each pollutant or material listed in the “Inventory of Exposed Materials,” the direction of flow or potential flow to the final permitted outfalls shall be identified. The outfall and direction of flow must either be narratively described or identified by referencing the location on the site map. Areas of the facility that have a high potential for significant soil erosion, due to topography, activities, or other factors, shall also be identified and either narratively described or identified by referencing the location on the site map.

The narrative description must be updated within 30 days following a change in the types or quantities of materials exposed to precipitation or runoff that, in the judgement of the storm water Pollution Prevention Team, may reasonably be expected to add pollutants to storm water discharges. The narrative description must be updated to describe changes in material management practices or other factors that may affect the exposure of materials to precipitation or runoff.

- (c) Site Map - A site map (or maps) shall be developed that depicts the following:
  - (1) the location of each outfall covered by the permit;
  - (2) an outline of the drainage area that is within the facility’s boundary and that contributes storm water to each permitted outfall;
  - (3) connections or discharges to municipal separate storm sewer systems;
  - (4) locations of all structures (e.g. buildings, garages, storage tanks);
  - (5) structural control devices that are designed to reduce pollution in storm water runoff;
  - (6) process wastewater treatment units (including ponds);
  - (7) bag house and other air treatment units exposed to precipitation or runoff;

- (8) landfills; scrapyards; surface water bodies (including wetlands);
- (9) vehicle and equipment maintenance areas;
- (10) physical features of the site that may influence storm water runoff or contribute a dry weather flow;
- (11) locations where reportable quantity spills or leaks have occurred during the three years before the NOI is submitted to obtain coverage under this general permit; and
- (12) processing areas, storage areas, material loading/unloading areas, and other locations where significant materials are exposed to precipitation or runoff.

The site map shall clearly show the flow of storm water runoff from each of these locations so that the final outfall where the discharge leaves the facility's boundary is apparent. A series of maps must be developed where the amount of information would cause a single map to be difficult to read and interpret.

- (d) Spills and Leaks - The SWP3 shall contain a list of reportable quantity spills and leaks of toxic or hazardous pollutants that occurred in areas that are exposed to precipitation or runoff, or that occurred within the drainage area that contributes to an outfall, during the three years before the NOI was submitted. The list shall be updated on a quarterly basis to include all additional spills and leaks. The list may be limited to spills and leaks that have occurred within the previous five years.
- (e) Sampling Data - All data from the laboratory analyses of storm water discharge samples shall be summarized. The summary shall be updated on an annual basis to include the results of all additional analyses. The data summary shall either be included as an attachment to the SWP3 or may be referenced and maintained separately. The data summary must be readily available for review by authorized TNRCC personnel upon request.

## **5. Pollution Prevention Measures and Controls**

Pollution prevention practices that are determined to be reasonable and effective by the Pollution Prevention Team, required by a state or local authority, or necessary to remain compliant with this general permit, shall be implemented. The SWP3 shall include detailed descriptions of the following minimum components and a schedule for implementation:

- (a) Good Housekeeping Measures - A section within the SWP3 shall be developed to ensure areas of the facility that contribute or potentially contribute pollutants to storm water discharges (e.g. areas around trash dumpsters, storage areas, loading docks, and outdoor processing areas) are maintained in a clean and orderly manner. Good housekeeping measures must include measures to eliminate or reduce exposure of garbage and refuse materials to precipitation or runoff prior to their disposal. Typical good housekeeping measures include activities that are performed on a daily basis by employees during the course of normal work activities. The good housekeeping measures shall be incorporated as a part of the employee training program.
  
- (b) Spill Prevention and Response Measures - A section within the SWP3 shall be developed and implemented to prevent spills and to provide for adequate spill response. This section must:
  - (1) Identify areas where spills could contribute pollutants to storm water discharges;
  - (2) develop and implement procedures to minimize or prevent contamination of storm water from spills (e.g. training equipment operators to inspect for leaks each day during operation of equipment; installation of secondary containment structures around liquid storage tanks and drums; installation of overfill prevention devices on pumps and tanks; modification of material handling techniques; and routine inspection of drums, tanks and other containers);
  - (3) require drums, tanks, and other containers to be clearly labeled;
  - (4) require that hazardous waste containers that require special handling, storage, use, and disposal be clearly marked;
  - (5) develop and implement specific spill prevention and clean up techniques;
  - (6) make available to facility personnel materials and equipment necessary for spill clean up;
  - (7) develop and maintain an inventory of spill cleanup materials and equipment; and
  - (8) incorporate these measures as a part of the employee training program.
  
- (c) Erosion Control Measures - A section within the SWP3 shall be developed

to address soil erosion. Erosion prevention measures and controls shall be evaluated and used as necessary to reduce soil erosion in areas of the facility that have ongoing erosion or potential for soil erosion. The following controls shall be evaluated, at a minimum: soil stabilization through vegetative cover; contouring slopes; paving; and installation of structural controls.

- (d) Maintenance Program for Structural Controls - A section within the SWP3 shall be developed to establish a maintenance program for storm water structural controls. Oil/water separators, catch basins, sediment ponds, grass swales, berms, and other structural controls shall be inspected on a regular basis.. Maintenance frequencies must be established for each of the controls at intervals that ensure effective operation. Mechanical equipment that is part of a structural control, such as a storm water pump, must also be inspected at intervals described in the SWP3 and maintained at intervals necessary to prevent failures that could result in a discharge of pollutants. This section of the SWP3 shall identify qualified personnel to conduct inspections and establish inspection and maintenance schedules. Records must document the estimated volumes of solids removed from catch basins, sediment ponds, and other similar control structures.
- (e) Best Management Practices - A section within the SWP3 shall be developed to establish BMPs to reduce the discharge and potential discharge of pollutants in storm water. Development of BMPs shall be based on the activities and potentials for contamination that are identified in of Part III.A.3. of this general permit, "Description of Potential Pollutants and Sources."
- (f) Employee Training Program and Employee Education - A section within the SWP3 shall be developed to establish a training program. Training shall be provided to all employees who are responsible for implementing or maintaining activities identified in the SWP3. Employee training shall include, at a minimum:
  - (1) proper material management and handling practices for specific chemicals, fluids, and other materials used or commonly encountered at the facility;
  - (2) spill prevention methods;
  - (3) the location of materials and equipment necessary for spill clean up;
  - (4) spill clean up techniques;

- (5) proper spill reporting procedures; and
- (6) familiarization with good housekeeping measures, BMPs, and goals of the SWP3.

The schedule for employee training sessions must be developed based on pollutant potential, employee turnover rate, and may include other factors. Training must be conducted at least once per year and records of training activities must be maintained.

Education must be provided to those employees at the facility that are not directly responsible for implementing or maintaining activities identified in the SWP3, and that do not participate in the employee training program. At a minimum, these employees must be informed of the basic goal of the SWP3 and how to contact the facility's storm water Pollution Prevention Team regarding storm water issues.

- (g) Periodic Inspections - Qualified personnel, who are familiar with the industrial activities performed at the facility, shall conduct periodic inspections to determine the effectiveness of the Good Housekeeping Measures, Spill Prevention and Response Measures, Erosion Control Measures, Maintenance Program for Structural Controls, Best Management Practices, and the Employee Training Program. Periodic inspections must be conducted on a frequency of once per quarter, unless otherwise specified in Part V of this permit, relating to Specific Requirements for Industrial Activities. The inspections must be documented through the use of a checklist that is developed to include each of the controls and measures that are evaluated. When revisions or additions to the SWP3 are recommended as a result of inspections, a summary description of these proposed changes must be attached to the inspection checklist. The summary must identify any necessary time frames required to implement the proposed changes. The periodic inspection checklists must be made readily available for inspection and review by authorized TNRCC personnel upon request.
- (h) Quarterly Visual Monitoring - Storm water discharges from each outfall authorized by this general permit must be visually examined on a quarterly basis. Where practicable, the same individual should carry out the collection and examination of discharges for the entire permit term to ensure consistency. Monitoring must be conducted during daylight hours, samples must be examined in a well lit area, and findings must document observations of color, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution. Any noticeable odors must also be noted. Some examinations, such as an examination for odor and foam, may necessarily be conducted immediately following

collection of the sample. All examinations must be performed within a time frame that ensures the sample is representative of the discharge.

Records of quarterly visual monitoring must include the date and time samples were collected and examined, names of personnel that collected and examined the samples, the nature of the discharge (e.g., runoff, snow melt), and the visual quality of the storm water discharge. Results of the examination shall be reviewed by the storm water Pollution Prevention Team. The team must investigate and identify probable sources of any observed storm water contamination. The SWP3 shall be modified as necessary to address the conclusions of the storm water Pollution Prevention Team.

- (i) Records - Records for each element in Part III.A.4.(a) through (h) of “Pollution Prevention Measures and Controls” shall either be included as an attachment to the SWP3 or be maintained and be readily available for review by authorized TNRCC personnel upon request. Records shall document and describe maintenance activities, inspections, spills, discharge quality, employee training activities, employee education activities, SWP3 updates/modifications, and other events relative to each element.

## **6. Management of Runoff with Structural Controls**

- (a) Structural Controls - Physical structures may be used in conjunction with other pollution prevention measures and controls, as necessary, to reduce pollutants in storm water discharges. Examples of structural controls that may be utilized include vegetated swales, oil/water separators, settling ponds, and other physical structures.
- (b) Velocity Dissipation Devices - Discharge velocities must be controlled to the extent necessary to prevent the destruction of the natural physical characteristics of receiving waters by erosion. Velocity dissipation devices may be constructed at discharge points or along channels and other storm water collection areas that lead to outfalls. Management alternatives to minimize runoff, such as limiting impervious cover, may also be considered.

## **7. Comprehensive Site Compliance Evaluation**

- (a) Description - The comprehensive site compliance evaluation is a required site inspection and an overall assessment of the effectiveness of the current SWP3. This evaluation is in addition to other routine inspections required by the permit (e.g. inspections of good housekeeping measures, structural controls, and for identification of non-storm water sources). This evaluation may, however, substitute for a periodic inspection (Part III.A.4.(g)) if it is

conducted during the regularly scheduled period for the periodic inspection.

- (b) General Requirements - The evaluation shall be conducted at least once per year by either one or more qualified employees or designated representatives, who are familiar with the industrial activities performed at the facility and the elements of the SWP3. The evaluation must include:
  - (1) inspection of all areas identified in the Inventory of Exposed Materials section of the SWP3;
  - (2) inspection of all structural controls, including the maintenance and effectiveness;
  - (3) inspection of all non-structural controls including BMP effectiveness, good housekeeping measures, and spill prevention;
  - (4) inspection of all reasonably accessible areas immediately downstream of each storm water outfall that is authorized under this general permit; and
  - (5) a review of all records required by this general permit.
- (c) Site Compliance Evaluation Report - The report must include a narrative discussion of the permittee's compliance with the current SWP3. The report shall document the personnel conducting the evaluation, the dates of the evaluation, and any incidents of non-compliance.
  - (1) For purposes of this inspection, a non-compliance incident is any instance where an element of the SWP3 is either not implemented, or where specific conditions of the permit are not met.
  - (2) If no incidents of non-compliance are discovered, the report shall contain a certification that the facility is in compliance with the SWP3.
  - (3) If the report indicates an incident of non-compliance, the operator shall complete all necessary actions to come into compliance as soon as practicable, but no later than twelve weeks following the evaluation.
  - (4) The report shall either be included as a part of the SWP3 or referenced in the SWP3 and be made readily available for inspection and review by authorized TNRCC personnel upon request.
- (d) Revision of the SWP3 - The SWP3 shall be revised to include and address the findings of the Site Compliance Evaluation Report within 30 days

following completion of the evaluation. Revisions must include all applicable changes that result from the comprehensive site compliance report and all applicable updates to:

- (1) elements of the SWP3 that require modification for effectiveness;
- (2) any additional elements (e.g. structural controls or BMPs) that should be added or modified for prevention of pollution;
- (3) the site map;
- (4) the inventory of exposed materials;
- (5) the description of the good housekeeping measures;
- (6) the description of structural and non-structural controls; and
- (7) any other element of the plan that was either found to be inaccurate or that will be modified.

## **Section B. Inspection of the Storm Water Pollution Prevention Plan and Site**

- (a) Site Inspection - Inspection and entry shall be allowed under Texas Water Code Chapters 26-28, Health and Safety Code §§361.032-361.033 and 361.037, and 40 Code of Federal Regulations (CFR) §122.41(i). The statement in Texas Water Code §26.014 that commission entry of a facility shall occur according to the facility's rules and regulations concerning safety, internal security, and fire protection is not grounds for denial or restriction of entry to any part of the facility, but merely describes the commission's duty to observe appropriate rules and regulations during an inspection.
- (b) SWP3 Review - The SWP3 shall be maintained, with a copy of this general permit, either at the site or be readily available for review by authorized TNRCC personnel upon request. The SWP3 must be modified as often as necessary. Each revision must be dated and all revisions must be retained according to Part III.C.6. The executive director may determine, following a review or site inspection, that the SWP3 is not sufficient and require that the SWP3 be revised to correct all deficiencies.

## **Section C. General Monitoring and Records Requirements**

### **1. Representative Storm Events**

Monitoring, sampling, examinations, and inspections of storm water discharges that

are required as a provision of this general permit shall be conducted on discharges of runoff from a representative storm event. For the purposes of this general permit, a representative storm event is an event with at least 0.1 inch of measured precipitation that occurs with a minimum interval from the preceding measurable storm of at least 72 hours. The 72-hour interval is not required if either the preceding storm event did not yield a discharge that was sufficient for obtaining a sample, or if it is documented in the SWP3 that a less than 72-hour interval is representative for local storm events for the sampling period.

## **2. Representative Discharges from Substantially Similar Outfalls**

If discharges of storm water through two or more outfalls are substantially the same, sampling and monitoring may be conducted at one of the outfalls, and the results may be reported as representative of the discharge from the substantially similar outfall. Before results may be submitted as representative of discharges from substantially similar outfalls, the SWP3 must include a description of outfall locations and provide a detailed justification of why the discharge qualities from the outfalls are substantially similar. To determine if outfalls are substantially similar, the following characteristics of each outfall must be compared:

- (1) the industrial activities that occur in the drainage area to each outfall;
- (2) significant materials stored or handled within the drainage area to each outfall; and
- (3) the management practices and pollution control structures that occur within the drainage area of each outfall.

Substantially similar outfalls may not be established for non-storm water discharges.

## **3. Representative Discharge Samples**

All samples must be representative of the discharge. Sampling should be completed within the first 30 minutes of discharge using a grab sample. If it is not practicable to take the sample, or to complete the sampling, within the first 30 minutes, sampling must be completed within the first hour of discharge. If sampling is not completed within the first 30 minutes of discharge, the reason must be documented and attached to all required reports and records of the sampling activity.

- (a) Sampling for Compliance with Specific Numeric Effluent Limitations - Any requirements specific to sampling for compliance with numeric effluent limitations are defined in the permit where the numeric effluent limitations are established.

- (b) Authorized Storm Water Discharges that Combine with Other Flows - If storm water discharges authorized under this general permit combine with either other storm or with wastewater authorized under a separate permit, sampling must be conducted at a point before the waters combine.
- (c) Analytical Test Procedures - All procedures must comply with the standards specified in 30 TAC §§319.11 - 319.12.

#### **4. Monitoring Periods**

Sampling, inspections, and examinations that are required on a quarterly basis shall be conducted during the following periods: first quarter - January through March; second quarter - April through June; third quarter - July through September; and fourth quarter - October through December. Monitoring, inspections, and examinations that are required on an annual basis shall be conducted before December 31<sup>st</sup> of each year. Applicants shall begin sampling, inspections and examinations in the first full quarter following submission of the NOI.

#### **5. Temporary Suspension and Waivers from Monitoring Requirements**

- (a) Temporary Suspension - Requirements to sample, inspect, examine or otherwise monitor storm water discharges within a prescribed monitoring period may be temporarily suspended for adverse weather conditions. Adverse weather conditions are conditions that are either dangerous to personnel (e.g. high wind, excessive lightning) or weather conditions that prohibit access to a discharge (e.g. flooding, freezing conditions, extended periods of drought). Adverse conditions that result in the temporary suspension of a permit requirement to sample, inspect, examine, or otherwise monitor storm water discharges must be documented and included as part of the SWP3. Documentation shall include the date, time, names of personnel that witnessed the adverse condition, and the nature of the adverse condition.

Waivers - When monitoring is temporarily suspended, that monitoring must be conducted in the next quarter, in addition to any monitoring required for that period. If the temporarily suspended monitoring requirement cannot be fulfilled during the next quarter, it is permanently waived.

- (b) Inactive Industrial Facilities - Permitted facilities in this inactive status must provide written notice to the executive director of this status. Following this notification, permit requirements to sample, inspect, examine, or otherwise monitor storm water discharges are waived during the period that a facility maintains inactive status unless the requirements in Part V. of this permit include specific requirements for inactive facilities. Inactive facilities must

notify the executive director in writing at least 30 days before commencing industrial activities and transferring to active status.

## **6. Records Retention**

Monitoring and reporting records, copies of all other records required by this general permit, and records of all data used to complete the application for this general permit shall be retained at the facility or shall be readily available for review by authorized TNRCC personnel upon request, for a period of three years from the date of the record or sample, measurement, report, application, or certification. This period may be extended at the request of the executive director. The SWP3 shall be maintained, and be made readily available for inspection and review by authorized TNRCC personnel upon request. Additionally, a copy of each revised SWP3 for the preceding three-year period must be maintained and made readily available for review. In circumstances where the number of revisions to the SWP3 make this requirement burdensome, a log or record of revisions for the preceding three-year period may be maintained. If the permit is terminated or allowed to expire without

renewal, the SWP3 must be maintained and made readily available for review for a minimum period of one year.

**Section D. Numeric Effluent Limitations**

**1. Discharges of Storm Water to Inland Waters**

(a) Numeric Limitations -

Hazardous Metal (Total)	Monthly Average (mg/l)	Daily Composite (mg/l)	Daily Maximum (mg/l)	Monitoring Frequency
Arsenic	0.1	0.2	0.3	1/Year
Barium	1.0	2.0	4.0	1/Year
Cadmium	0.05	0.1	0.2	1/Year
Chromium	0.5	1.0	5.0	1/Year
Copper	0.5	1.0	2.0	1/Year
Lead	0.5	1.0	1.5	1/Year
Manganese	1.0	2.0	3.0	1/Year
Mercury	0.005	0.005	0.01	1/Year
Nickel	1.0	2.0	3.0	1/Year
Selenium	0.05	0.1	0.2	1/Year
Silver	0.05	0.1	0.2	1/Year
Zinc	1.0	2.0	6.0	1/Year

(b) Daily Maximum Effluent Limitation - Grab samples of storm water discharges are required to be taken at a minimum frequency of once per year. Samples must be taken of discharges at the final outfall, either immediately prior to entering water in the state or immediately prior to leaving the permitted facility property. Analyses must be compared to the daily maximum numeric effluent limitation for compliance purposes.

Daily Composite Effluent Limitation - Sampling to meet these limitations is not required. These numeric effluent limitations shall apply to samples that are composed of a minimum of three grab samples taken throughout the storm water discharge period and combined proportional to flow into a single sample for laboratory analyses.

Monthly Average Effluent Limitation - Sampling to meet these limitations is not required. These numeric effluent limitations shall apply to the arithmetic average (weighted by flow) of laboratory results of analyses when more than one day of discharge is sampled and analyzed in a single month.

- (c) Reporting Requirements - Results of monitoring for determining compliance with numeric effluent limitations must be either retained at the facility or shall be readily available for review by authorized TNRCC personnel upon request. Results must be recorded on a discharge monitoring report (DMR). The DMR must either be an original EPA No. 3320-1 form, a duplicate of the form, or a self-generated form that is comparable. Monitoring must be conducted prior to December 31<sup>st</sup> for each annual monitoring period and the results must be recorded and available for review by March 31<sup>st</sup>.
- (d) Waiver from Numeric Effluent Limitation - Facilities qualify for a waiver from hazardous metal monitoring requirements if they do not use a raw material, produce an intermediate product, or produce a final product that contains one of these hazardous metals. Facilities may qualify for a waiver if the raw material, intermediate product, or final product contains a hazardous metal but it is not exposed to storm water or runoff. Final products are not considered to expose hazardous metals to storm water or runoff if the final product is designed for outdoor use, unless it is a product that could be transported by storm water runoff. The waiver must be obtained by certifying that these conditions exist. This certification must be completed on a form provided by the executive director and must be either maintained onsite or made readily available for review by authorized TNRCC personnel upon request.

## 2. Discharges of Storm Water to Tidal Waters

- (a) Numeric Limitations -

Hazardous Metal (Total)	Monthly Average (mg/l)	Daily Composite (mg/l)	Daily Maximum (mg/l)	Monitoring Frequency
Arsenic	0.1	0.2	0.3	1/Year
Barium	1.0	2.0	4.0	1/Year
Cadmium	0.1	0.2	0.3	1/Year
Chromium	0.5	1.0	5.0	1/Year
Copper	0.5	1.0	2.0	1/Year
Lead	0.5	1.0	1.5	1/Year
Manganese	1.0	2.0	3.0	1/Year
Mercury	0.005	0.005	0.01	1/Year
Nickel	1.0	2.0	3.0	1/Year
Selenium	0.1	0.2	0.3	1/Year
Silver	0.05	0.1	0.2	1/Year
Zinc	1.0	2.0	6.0	1/Year

- (b) Daily Maximum Effluent Limitation - Grab samples of storm water discharges are required to be taken at a minimum frequency of once per year. Samples must be taken of discharges at the final outfall, either immediately prior to entering water in the state or immediately prior to leaving the facility property. Analyses must be compared to the daily maximum numeric effluent limitation for compliance purposes.

Daily Composite Effluent Limitation - Sampling to meet these limitations is not required. These numeric effluent limitations shall apply to samples that are composed of a minimum of three grab samples taken throughout the storm water discharge period and combined proportional to flow into a single sample for laboratory analyses.

Monthly Average Effluent Limitation - Sampling to meet these limitations is not required. These numeric effluent limitations shall apply to the arithmetic average (weighted by flow) of laboratory results of analyses when more than one day of discharge is sampled and analyzed in a single month.

- (c) Reporting Requirements - Results of monitoring for determining compliance with numeric effluent limitations must be either retained at the facility or shall be readily available for review by authorized TNRCC personnel upon request. Results must be recorded on a discharge monitoring report (DMR). The DMR must either be an original EPA No. 3320-1 form, a duplicate of the form, or a self-generated form that is comparable. Monitoring must be conducted prior to December 31<sup>st</sup> for each annual monitoring period and the results must be recorded and available for review by March 31<sup>st</sup>.
- (d) Facilities qualify for a waiver from hazardous metal monitoring requirements if they do not use a raw material, produce an intermediate product, or produce a final product that contains one of these hazardous metals. Facilities may qualify for a waiver if the raw material, intermediate product, or final product contains a hazardous metal but it is not exposed to storm water or runoff. Final products are not considered to expose hazardous metals to storm water or runoff if the final product is designed for outdoor use, unless it is a product that could be transported by storm water runoff. The waiver must be obtained by certifying that these conditions exist. This certification must be completed on a form provided by the executive director and must be either maintained onsite or made readily available for review by authorized TNRCC personnel upon request.

### **3. Coal Pile Runoff**

- (a) Numeric Effluent Limitations - The following numeric effluent limitations apply to storm water runoff from coal pile storage areas located at a facility

that discharges storm water associated with industrial activity:

<u>Parameter</u>	<u>Limitations</u> <u>Daily Maximum</u>	<u>Monitoring</u> <u>Frequency</u>
Total Suspended Solids	50 mg/l	1/Year
pH	between 6 and 9 standard units	1/Year

- (b) Sample Type - At a minimum, one grab sample shall be taken, prior to combining with other flows, for analysis.
- (c) Reporting Requirements - Results of monitoring for determining compliance with numeric effluent limitations must be either retained at the facility or shall be readily available for review by authorized TNRCC personnel upon request. Results must be recorded on a discharge monitoring report (DMR). The DMR must either be an original EPA No. 3320-1 form, a duplicate of the form, or a self-generated form that is comparable. Monitoring must be conducted prior to December 31<sup>st</sup> for each annual monitoring period and the results must be recorded and available for review by March 31<sup>st</sup>.
- (d) Waiver from Numeric Effluent Limitations - Numeric effluent limitations for runoff from coal pile storage areas do not apply to discharges that overflow from structural control facilities that are designed to contain and treat runoff from a 10-year 24-hour storm event. Rainfall records are only required to document events that equal or exceed a 10-year 24-hour event. The operator shall maintain, as a part of the SWP3, the following information in order to receive this waiver:
  - (i) engineering design records that demonstrate structural controls are adequate to intercept, contain, and treat the volume of runoff from a 10-year, 24-hour storm event; and
  - (ii) records of rainfall from either a rain gauge that is located onsite or a rain gauge maintained in the immediate area of the facility.

**Section E. Standard Permit Conditions**

Title 30 Texas Administrative Code (TAC) Chapter 305 requires certain regulations appear as standard conditions in waste discharge permits. 30 TAC §§ 305.121 - 305.129, Subchapter F, "Permit Characteristics and Conditions," as promulgated under the Texas Water Code §§ 5.103 and 5.105, the Texas Health and Safety Code §§ 361.017 and 361.024(a), and those sections of 40 Code of Federal Regulations (CFR) Part 122 adopted by reference by the Commission, establish the characteristics and standards for waste discharge permits. This section of the general permit includes these conditions and incorporates them into this general permit.

More specific requirements for some of these standard permit conditions may be defined for specific Sectors of industrial activity that are authorized to discharge under this general permit.

**1. General Conditions**

**(a) Duty to Comply**

- (1) Submission of an NOI for permit coverage is an acknowledgment that the applicant agrees to comply with the conditions of the general permit. Acceptance of authorization under the provisions of this general permit constitutes acknowledgment and agreement that the permittee will comply with all the terms and conditions embodied in the permit, and the rules and other orders of the Commission.
- (2) The permittee has a duty to comply with all conditions of the permit. Failure to comply with any permit condition constitutes a violation of the permit and the Texas Water Code or the Texas Health and Safety Code, and is grounds for enforcement action, for revocation or suspension of coverage under this general permit, and for requiring a permittee to apply for a TPDES individual permit or coverage under an alternative general permit.

**(b) Toxic Pollutants**

- (1) If any toxic effluent standard or prohibition is promulgated according to the Texas Water Code §26.023 for a toxic pollutant that is present in the discharge and that standard or prohibition is more stringent than the conditions of this general permit, this general permit shall be modified or revoked and reissued to conform to the toxic effluent standard or prohibition.
- (2) The permittee shall comply with effluent standards or prohibitions established according to the Texas Water Code §26.023 for toxic pollutants within the time provided in the regulations that established those standards or prohibitions, even if this general permit has not yet been modified to incorporate the requirement.

**(c) Permit Flexibility**

Authorization under this general permit may be modified, suspended or revoked for cause according to 30 TAC §§ 305.62 and 305.66 and the Texas Water Code Section 7.302. The filing of a notice of planned changes or

anticipated noncompliance does not stay any permit condition.

**(d) Property Rights**

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

**(e) Duty to Provide Information**

The permittee shall furnish to the executive director, upon request, any information, including records that are maintained as a requirement of this permit, necessary to determine whether cause exists for revoking, suspending, or terminating authorization under this general permit.

**(f) Criminal and Civil Liability**

(1) As provided by state law, the permittee is subject to administrative, civil and criminal penalties, as applicable, for negligently or knowingly violating the Clean Water Act, the Texas Water Code, Chapters 26, 27, and 28, and Texas Health and Safety Code, Chapter 361, including but not limited to: knowingly making any false statement, representation, or certification on any report, record, or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance; falsifying or tampering with or knowingly rendering inaccurate any monitoring device or method required by this permit; or violating any other requirement imposed by state or federal regulations. Nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

(2) Any false or materially misleading representation or concealment of information required to be reported by the provisions of the permit or applicable regulation, which avoids or effectively defeats the regulatory purpose of this general permit, may subject the permittee to criminal enforcement.

**(g) Severability**

The provisions of this general 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 general permit, shall not be affected

thereby.

## **2. Proper Operation and Maintenance**

### **(a) Need to Halt or Reduce Not a Defense**

It is not 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 general permit. The permittee is responsible for maintaining adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failure either by means of alternate power sources, standby generators, or retention of inadequately treated effluent.

### **(b) Duty to Mitigate**

The permittee shall take all reasonable steps to minimize or prevent any discharge or other permit violation which has a reasonable likelihood of adversely affecting human health or the environment.

### **(c) Operation of Treatment and Control Systems**

(1) The permittee shall at all times ensure that the facility and all of its systems of collection, treatment, and disposal are properly operated and maintained in a manner that will minimize discharges of excessive pollutants and will achieve compliance with the conditions of this permit. Proper operation and maintenance also include adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary systems that are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

(2) The permittee shall provide an adequate operating staff that is duly qualified to carry out operation, maintenance, and testing functions required to ensure compliance with the conditions of this general permit.

### **(d) Anticipated Noncompliance**

The permittee shall give advance notice to the executive director of any planned changes in the permitted facility or activity that may result in noncompliance with permit requirements.

### **3. Monitoring and Records**

#### **(a) Inspection and Entry**

- (1) Inspection and entry shall be allowed as prescribed in the Texas Water Code Chapters 26, 27, and 28, and Texas Health and Safety Code Chapter 361.
- (2) The members of the Commission and employees and agents of the Commission are entitled to enter any public or private property at any reasonable time for the purpose of inspecting and investigating conditions relating to the quality of water in the state or the compliance with any rule, regulation, permit or other order of the Commission. Members, employees, or agents of the Commission and Commission contractors are entitled to enter public or private property at any reasonable time to investigate or monitor or, if the responsible party is not responsive or there is an immediate danger to public health or the environment, to remove or remediate a condition related to the quality of water in the state. Members, employees, Commission contractors, or agents acting under this authority who enter private property shall observe the establishment's rules and regulations concerning safety, internal security, and fire protection, and if the property has management in residence, shall notify management or the person then in charge of his presence and shall exhibit proper credentials. If any member, employee, Commission contractor, or agent is refused the right to enter in or on public or private property under this authority, the Executive Director may invoke the remedies authorized in Texas Water Code Section 7.002.

#### **(b) Representative Sampling**

Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

#### **(c) Monitoring Procedures**

Sampling, monitoring and analyses must be conducted according to procedures either specified in 30 TAC §§319.11 - 319.12 or 40 CFR Part 136 unless otherwise specified in this general permit.

#### **(d) Additional Monitoring by the Permittee**

If the permittee monitors any pollutant more frequently than required by this general permit, using approved analytical methods, all results of the monitoring shall be included in the calculation and reporting of the values recorded on the DMR form and shall be included in any other calculation, record, or reports required to be maintained as a provision of this general permit. Increased frequency of sampling shall be indicated on the DMR.

**(e) Retention of Records**

- (1) The period during which records are required to be kept shall be automatically extended to the date of the final disposition of any administrative or judicial enforcement action that maybe instituted against the permittee.
- (2) Monitoring and reporting records, including records of calibration and maintenance, and copies of all records and reports required by this permit, shall be retained at the facility or shall be readily available for review by a TNRCC representative for a period of three years from the date of the record or sample, measurement, report, application or certification unless otherwise specified in this permit. This period may be extended at the request of the Executive Director.

**(f) Record Contents**

Records of monitoring shall include, at a minimum, the following:

- (1) the date, time and place of sample or measurement;
- (2) identity of the individual who collected the sample, made the measurement or observation, or performed the analysis;
- (3) date and time the sample, measurement, or observation was made, and the analysis conducted;
- (4) identity of the individual and laboratory who performed the analysis;
- (5) the technique or method of analysis;
- (6) the results of the measurement, observation, or analysis; and
- (7) quality assurance/quality control records.

**(g) Signatory Requirements for Reports and Certifications**

All reports and certifications requested by the Executive Director shall be signed by the person and in the manner required by 30 TAC § 305.128 (relating to Signatories to Reports).

**4. Reporting Requirements**

**(a) Self-Reporting**

Monitoring results shall be provided at the intervals specified in this general permit. Unless otherwise specified in this general permit, or otherwise ordered by the Commission, the permittee shall conduct effluent sampling and reporting according to 30 TAC §§ 319.4 - 319.12 or 40 CFR Part 136. Results of analyses for determining compliance with numeric effluent limitations must be recorded on a discharge monitoring report (DMR). The DMR must either be an original EPA No. 3320-1 form, a duplicate of the form, or a self-generated form that is comparable. Monitoring must be conducted prior to December 31<sup>st</sup> for each annual monitoring period and the results must be recorded and available for review by March 31<sup>st</sup>.

**(b) Noncompliance Notification**

(1) According to 30 TAC § 305.125(9) any noncompliance which may endanger human health or safety, or the environment, shall be reported by the permittee to the TNRCC. Report of such information shall be provided orally or by electronic facsimile transmission (FAX) to the TNRCC regional office within 24 hours of becoming aware of the noncompliance. A written report shall be provided by the permittee to the TNRCC regional office and to the TNRCC Enforcement Division (MC-224) within five working days of becoming aware of the noncompliance. The written report shall contain:

- (i) a description of the noncompliance and its cause;
- (ii) the potential danger to human health or safety, or the environment;
- (iii) the period of noncompliance, including exact dates and times;
- (iv) if the noncompliance has not been corrected, the anticipated time it is expected to continue; and

(v) steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance, and to mitigate its adverse effects.

(2) In addition to the above, any violation which deviates from the permitted effluent limitation by more than 40% shall be reported in writing to the TNRCC regional office and to the Enforcement Division (MC 149) within 5 working days of becoming aware of the noncompliance.

**(c) Other Noncompliance**

Any noncompliance with permitted effluent limitations not specified in Part III.E.4.(b) shall be recorded on a DMR form provided at the intervals specified in this general permit.

**(d) Other Information**

When the permittee becomes aware that it either submitted incorrect information or failed to submit any relevant facts in an NOI, NOT, or NOC, or any other report, it shall promptly submit the facts or information to the executive director.

**5. Solid Waste**

Industrial facilities that generate industrial solid waste as defined in 30 TAC § 335.1 shall comply with these provisions:

(a) Any solid waste generated by the permittee during the management and treatment of storm water, as defined in 30 TAC § 335.1, must be managed according to all applicable provisions of 30 TAC Chapter 335, relating to Industrial Solid Waste Management.

(b) Storm water that is being collected, accumulated, stored, or processed within an industrial solid waste management unit, before discharge through any final outfall authorized by this permit, is considered to be industrial solid waste until the storm water passes through the actual point source discharge, and must be managed according to all applicable provisions of 30 TAC Chapter 335.

(c) The permittee shall provide written notification, pursuant to the requirements of 30 TAC § 335.6(g), to the Corrective Action Section (MC 127) of the Industrial and Hazardous Waste Division informing the Commission of any closure activity involving an Industrial Solid Waste Management Unit, at

least 90 days prior to conducting such an activity.

- (d) Construction of any industrial solid waste management unit requires the prior written notification of the proposed activity to the Waste Evaluation Section (MC 129) of the Industrial and Hazardous Waste Division. No person shall dispose of industrial solid waste, including sludge or other solids from storm water treatment processes, prior to fulfilling the deed recordation requirements of 30 TAC § 335.5.
- (e) The term "industrial solid waste management unit," for the purposes of this general permit, means a storm water detention pond, storm water retention pond, or other similar dedicated pond used for removal of suspended solids. Specifically excluded from this definition are other control structures including berms, grass swales, pipes and ditches or other similar storm water conveyances, and silt fences.
- (f) The permittee shall keep management records for all sludge or other waste removed from any storm water treatment process. These records shall fulfill all applicable requirements of 30 TAC Chapter 335 and must include the following, as it pertains to wastewater treatment and discharge:
  - (i) Volume of waste and date generated from treatment process;
  - (ii) Volume of waste disposed of on-site or shipped off-site;
  - (iii) Date of disposal;
  - (iv) Identity of hauler or transporter;
  - (v) Location of disposal site; and
  - (vi) Method of final disposal.

The above records shall be maintained on a monthly basis. The records shall be retained at the facility and/or shall be readily available for review by authorized representatives of the TNRCC for at least five years.

#### **Part IV. Benchmark Monitoring Requirements Common to Many Industrial Activities**

Benchmark monitoring requirements are included as a provision of this general permit for industrial activities. The following table defines the sectors and sub-sectors that are required to monitor and also identifies specific pollutants that must be monitored. The specific benchmark values are identified in Part IV of the permit with the other requirements that are specific to each sector or sub-sector of industrial activities.

**Section A. Use of Benchmark Data**

Analytical results of analyses must be compared to benchmark values, and the comparison must be included in the overall assessment of the SWP3's effectiveness. Analytical results that exceed a benchmark value are not a violation of this permit, as these values are not numeric effluent limitations. Results of analyses are indicators that modifications of the SWP3 may be necessary. The Pollution Prevention Team must investigate the cause for each exceedance and the results of this investigation must be documented in the SWP3. The Pollution Prevention Team investigation may identify additional potential sources of pollution, necessary revisions to the Good Housekeeping Measures section of the SWP3, additional BMPs, or identify other areas of the SWP3 that may require revision in order to meet the goal of the benchmark values. Background concentrations of specific pollutants may also be considered during the investigation. If the Pollution Prevention Team is able to relate the cause of the exceedance to background concentrations, subsequent exceedances of benchmark values for that pollutant may be resolved by referencing the earlier finding in the SWP3. Background concentrations may be identified by laboratory analyses of samples of storm water runoff to the permitted facility, by laboratory analyses of samples of storm water runoff from adjacent non-industrial areas, or by identifying the pollutant is a naturally occurring material in soils at the site.

**Section B. Sectors Subject to Benchmark Monitoring**

MSGP Sector	Industry Sub-sector	Required Parameters for Benchmark Monitoring
A	General Sawmills and Planing Mills	COD, TSS, Total Zinc
	Wood Preserving Facilities	Total Arsenic, Total Copper
	Log Storage and Handling	TSS
	Hardwood Dimension and Flooring Mills	COD, TSS
B	Paperboard Mills	COD
C	Industrial Inorganic Chemicals	Total Aluminum, Total Iron, Nitrate + Nitrite N
	Plastics, Synthetic Resins, etc.	Total Zinc
	Soaps, Detergents, Cosmetics, Perfumes	Nitrate + Nitrite N, Total Zinc
	Agricultural Chemicals	Nitrate + Nitrite N, Total Lead, Total Iron, Total Zinc, Total Phosphorus
D	Asphalt Paving and Roofing Materials	TSS
E	Clay Products	Total Aluminum
	Concrete Products	TSS, Total Iron
F	Steel Works, Blast Furnaces, and Rolling and Finishing Mills	Total Aluminum, Total Zinc

MSGP Sector	Industry Sub-sector	Required Parameters for Benchmark Monitoring
	Iron and Steel Foundries	Total Aluminum, TSS, Total Copper, Total Iron, Total Zinc
	Non-Ferrous Rolling and Drawing	Total Copper, Total Zinc
	Non-Ferrous Foundries (Castings)	Total Copper, Total Zinc
G	Metal Mining and Dressing	Refer to Part V Section G
H	Coal Mines and Coal-Mining Related Facilities	TSS, Total Aluminum, Total Iron
J	Dimension Stone, Crushed Stone, and Nonmetallic Minerals (except fuels)	TSS
	Sand and Gravel Mining	Nitrate + Nitrite N, TSS
K	Hazardous Waste Treatment Storage or Disposal	Ammonia, Total Magnesium, COD, Total Arsenic, Total Cadmium, Total Cyanide, Total Lead, Total Mercury, Total Selenium, Total Silver
L	Landfills, Land Application Sites, and Open Dumps	Total Iron, TSS
M	Automobile Salvage Yards	TSS, Total Aluminum, Total Iron, Total Lead
N	Scrap Recycling	Total Copper, Total Aluminum, Total Iron, Total Lead, Total Zinc, TSS, COD
O	Steam Electric Generating Facilities	Total Iron
Q	Water Transportation Facilities	Total Aluminum, Total Iron, Total Lead, Total Zinc
S	Airports with deicing activities <sup>1</sup>	BOD, COD, Ammonia, pH
U	Grain Mill Products	TSS
	Fats and Oils	BOD, COD, Nitrate + Nitrite N, TSS
Y	Rubber Products	Total Zinc
AA	Fabricated Metal Products Except Coating	Total Iron, Total Aluminum, Total Zinc, Nitrate + Nitrite N
	Fabricated Metal Coating and Engraving	Total Zinc, Nitrate + Nitrite N

<sup>1</sup> Monitoring is only required for airports with deicing activities that utilize for deicing more than 100 tons of urea or more than 100,000 gallons of ethylene glycol per year.

## **Section C. Benchmark Monitoring Requirements**

Benchmark monitoring must be conducted on a quarterly basis for two consecutive periods during the term of the permit.

### **1. Monitoring Periods**

Quarterly sampling must be conducted during the annual period of January 1, 2003 through December 31, 2003 (First Period), and during the annual period of January 1, 2004 through December 31, 2004 (Second Period).

### **2. Waiver From Benchmark Monitoring Requirements**

A waiver from benchmark monitoring may be obtained for the Second Period based on average results of the First Period. Waivers are allowable on a parameter by parameter basis and on an outfall by outfall basis. To qualify for a waiver for a specific pollutant at a specific outfall during the Second Period, the following conditions must be met:

- (a) a minimum of one sample is collected from the outfall, and analyzed for the specific pollutant, during each quarter of the First Period; and
- (b) the average of the four results for that pollutant is less than the benchmark value;
- (c) the current and projected potential pollutant sources of the particular benchmark parameter are not expected to significantly increase.

If sampling during any quarter of the first period is not conducted for a pollutant due to adverse weather conditions, and if the requirements in Part III.C.5. of this general permit for a waiver from a monitoring requirement are met, the average of results in Part IV.C.2.(a). above may be based on the results of three samples for that pollutant collected in three quarters of the First Period.

### **3. Reporting Requirements**

Results of analyses for sampling conducted during the First Period must be averaged and submitted to the TNRCC's Wastewater Permitting Section (MC-148) before March 31, 2004. Results of analyses for sampling conducted during the Second Period must be averaged and submitted to the TNRCC's Wastewater Permitting Section (MC-148) before March 31, 2005. The reported average values shall be the average result of analysis for each specific pollutant determined on a facility-wide, rather than an outfall-by-outfall, basis. The report may be completed on a form

provided by the executive director or on a self-generated form.

**Part V. Specific Requirements for Industrial Activities**

**Section A. Sector A of Industrial Activity - Timber Products Facilities**

The requirements in Part V of this general permit are sector-specific and are in addition to the requirements in Parts III and IV. Where co-located industrial activities occur (refer to Part II.A.2. of this general permit) the additional conditions and requirements in Part V of this general permit for each of these activities also apply.

**1. Description of Industrial Activity**

The requirements under this section apply to storm water discharges from activities identified and described as Sector A. Sector A industrial activities are described by the following Standard Industrial Classification (SIC) codes:

<b>SECTOR A: TIMBER PRODUCTS</b>	
<b>SIC Code</b>	<b>Description of Industry Sub-sector</b>
2421	General Sawmills and Planning Mills
2491	Wood Preserving
2411	Log Storage and Handling (Wet deck storage areas where no chemical additives are used in the spray water or applied to the logs)
2426	Hardwood Dimension and Flooring Mills
2429	Special Product Sawmills, Not Elsewhere Classified
2431-2439 (except 2434)	Millwork, Veneer, Plywood, and Structural Wood (2434 - Wood Kitchen Cabinets, see Sector W)
2441-2449	Wood Containers
2451,2452	Wood Buildings and Mobile Homes
2493	Reconstituted Wood Products
2499	Wood Products Not Elsewhere Classified

**2. Definitions**

Debris - For the purposes of Sector A of this general permit, debris is any woody material (e.g. bark, twigs, branches, heartwood or sapwood) that will not pass through a 1-inch diameter round opening.

Wet decking water - Water sprayed on timber storage piles to deter decay or infestation by insects.

### **3. Limitations on Permit Coverage**

This general permit does not authorize the discharge of storm water that has come in contact with areas where chemical formulations designed to provide wood surface protection and wood preservation were sprayed. Storm water discharges from these areas must either be captured within a containment structure and disposed of in a manner that does not allow a discharge into or adjacent to water in the state, or discharged under authority of an individual TPDES permit.

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

In addition to the non-storm water discharges allowed under Part II of this general permit, wet decking water may be discharged from lumber and wood storage yards where the wet decking process does not include chemical additives and where chemicals are not applied to the wood during storage.

### **5. Description of Potential Pollutants and Sources**

Facilities that use, or that have previously used, chlorophenolic compounds, creosote, chromium, copper, or arsenic formulations for surface protection of wood or wood preserving activities shall address these activities in the SWP3 according to the requirements of Part III.A.3. of this general permit. The following areas must be included in the inventory of exposed materials:

- (a) areas where treatment chemicals have contaminated soils;
- (b) areas where wood treatment equipment remains; and
- (c) areas where treatment chemicals and treated materials remain.

### **6. Pollution Prevention Measures and Controls/Management of Runoff with Structural Controls**

The following requirements shall be included in the SWP3 according to the requirements of Part III.A.4. and Part III.A.5. of this general permit:

- (a) BMPs and good housekeeping measures shall be implemented to limit the discharge of wood debris, minimize the leachate generated from decaying wood materials, and minimize the generation of dust.
- (b) Structural controls may be used to limit the discharge of wood debris, minimize the leachate generated from decaying wood materials, and minimize the generation of dust.
- (c) Facilities that surface protect or preserve wood products shall develop

specific BMPs, including an implementation schedule, to reduce pollution in runoff from these areas of industrial activity. The SWP3 must provide for monthly inspections of wood treatment areas, treated wood storage areas, and treated wood transport loading and unloading areas to assess the effectiveness of specific BMPs and controls. Runoff from wood treatment areas must be prevented or authorized by an individual TPDES permit.

- (d) Periodic Inspections - Periodic inspections for facilities that surface protect or preserve wood products shall include additional inspection procedures for processing areas, transport areas, and treated wood storage areas. The inspection procedures must provide an assessment of the effectiveness of BMPs in minimizing the amount of treatment chemicals that drip on unprotected soils and on other areas that come in contact with storm water.
  - (1) Although inspections are required on a quarterly basis, monthly inspections should be conducted, in the same manner as developed for quarterly inspections, whenever possible.
  - (2) Results and records of inspections shall be evaluated, maintained, and incorporated into the standard periodic inspection reports as described in Part III.A.4.(g), regardless of the frequency that the inspections are conducted.
  - (3) Follow-up procedures shall be identified to ensure that appropriate actions are taken in response to the evaluations of the inspections.

**7. Numeric Effluent Limitations**

The following numeric effluent limitations, based on guidelines from the Wet Storage Subcategory of the Timber Products Processing Point Source Category (40 CFR Part 429.103), apply to discharges of wet decking water. These discharges shall not exceed the following numeric effluent limitations:

<u>Parameter</u>	<u>Limitation</u>	<u>Monitoring Frequency</u>
Debris	Less than 1" diameter	1/Year
pH	between 6 and 9 standard units	1/Year

Sample Type - Grab samples shall be taken prior to combining with other flows, for analyses.

Reporting Requirements - Results of monitoring for determining compliance with numeric effluent limitations must be either retained at the facility or shall be readily available for review by authorized TNRCC personnel upon request. Results must be recorded on a discharge monitoring report (DMR). The DMR must either be an

original EPA No. 3320-1 form, a duplicate of the form, or a self-generated form that is comparable. Monitoring must be conducted prior to December 31<sup>st</sup> for each annual monitoring period and the results must be recorded and available for review by March 31<sup>st</sup>.

**8. Benchmark Monitoring Requirements**

The following subsectors must conduct benchmark monitoring on discharges of storm water associated with industrial activities according to the requirements in Part III of this general permit.

SIC Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value
2421	General Sawmills and Planing Mills	COD TSS Zinc, Total	120.0 mg/L 100 mg/L 0.117 mg/L
2491	Wood Preserving	Arsenic Copper, Total	0.16854 mg/L 0.0636 mg/L
2411	Log Storage and Handling (Wet deck storage areas where no chemical additives are used in the spray water or applied to the logs)	TSS	100 mg/L
2426	Hardwood Dimension and Flooring Mills	COD TSS	120.0 mg/L 100 mg/L

**Section B. Sector B of Industrial Activity - Paper and Allied Products Manufacturing Facilities.**

The requirements in Part V of this general permit are sector-specific and are in addition to the requirements in Parts III and IV. Where co-located industrial activities occur (refer to Part II.A.2. of this general permit) the additional conditions and requirements in Part V of this general permit for each of these activities also apply.

**1. Description of Industrial Activity**

There are no additional requirements under this section that apply to storm water discharges from activities identified and described as Sector B. Sector B industrial activities are described by the following Standard Industrial Classification (SIC) codes:

SECTOR B: PAPER AND ALLIED PRODUCTS	
SIC Code	Description of Industry Sub-sector
2611	Pulp Mills
2621	Paper Mills

<b>SECTOR B: PAPER AND ALLIED PRODUCTS</b>	
<b>SIC Code</b>	<b>Description of Industry Sub-sector</b>
2631	Paperboard Mills
2652 - 2657	Paperboard Containers and Boxes
2671 - 2679	Converted Paper and Paperboard Products, Including Plastic Bags Produced from Plastics Film

## 2. Benchmark Monitoring Requirements

The following subsectors must conduct benchmark monitoring according to the requirements in Part IV of this general permit and must conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

SIC Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value
2631	Paperboard Mills	COD	120.0 mg/L

### Section C. Sector C of Industrial Activity - Chemical and Allied Products Manufacturing Facilities.

The requirements in Part V of this general permit are sector-specific and are in addition to the requirements in Parts III and IV. Where co-located industrial activities occur (refer to Part II.A.2. of this general permit) the additional conditions and requirements in Part V of this general permit for each of these activities also apply.

#### 1. Description of Industrial Activity

The requirements under this section apply to storm water discharges from activities identified and described as Sector C. Sector C industrial activities are described by the following Standard Industrial Classification (SIC) codes:

<b>SECTOR C: CHEMICAL AND ALLIED PRODUCTS</b>	
<b>SIC Code</b>	<b>Description of Industry Sub-sector</b>
2812 - 2819	Basic Industrial Inorganic Chemicals
2821 - 2824	Plastic Materials, Synthetic Resins, Non-vulcanizable Elastomers (Synthetic Rubber), Cellulose Plastics Materials, 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).

<b>SECTOR C: CHEMICAL AND ALLIED PRODUCTS</b>	
<b>SIC Code</b>	<b>Description of Industry Sub-sector</b>
2841 - 2844	Soaps and Detergents; Specialty Cleaning, Polishing, and Sanitation Preparations; Surface Active Agents, Finishing Agents, Sulfonated Oils, and Assistants; Perfumes, Cosmetics, and Other Toilet Preparations;
2851	Paints, Varnishes, Lacquers, Enamels, and Allied Products
2861 - 2869	Industrial Organic Chemicals
2873 - 2879	Agricultural Chemicals (Including Fertilizers, Pesticides and Fertilizers Solely from Leather Scraps and Leather Dust)
2891 - 2899	Miscellaneous Chemical Products (Including Adhesives and Sealants, Explosives, Printing Ink, and Carbon Black)
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

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

Non-storm water discharges are not eligible for coverage except according to the conditions of Part II.A.4. of this general permit. The following non-storm water discharges are specifically prohibited: discharges containing inks, paints, and other substances resulting from an on-site spill; contents from drip pans; washwaters from material handling and processing areas; and washwaters/rinsewaters from drums, tanks, and other containers.

## **3. Pollution Prevention Measures and Controls/Management of Runoff with Structural Controls**

The following requirements shall be included in the SWP3 according to requirements of Part III.A.4. and Part III.A.5. of this general permit:

- (a) Security System - A security system shall be developed to prevent accidental or intentional discharges by unauthorized individuals. The system may include fences, lights, traffic controls, building security, and equipment security.
- (c) Practices for Material Handling and Storage Areas - Practices shall be developed to conform with the following:
  1. Diking, curbing, berms, or other appropriate controls shall be used in areas where liquid or powdered materials are stored to reduce the potential of contamination of storm water from these materials.
  2. Curbs, culverts, gutters, sewers, or other forms of drainage control

must be used to minimize contamination of storm water in all other outside storage areas, including areas for machinery, scrap and construction materials, and pallets.

3. Roofs, covers, or other types of protection shall be used in all other outside storage areas to limit or prevent exposure of materials to precipitation or runoff.
4. In areas where liquid or powdered materials are transferred in bulk from truck or rail cars, permittees shall develop and implement measures to minimize contact of materials with precipitation or runoff. Hose connection points at storage containers shall be located within containment areas and drip pans or other measures shall be used outside the containment area (e.g. at hose reels, connection points with rail cars, tank trucks) to prevent spills from contacting precipitation or runoff.
5. In areas where materials are transferred as packaged materials, permittees shall consider providing appropriate protection such as overhangs or door skirts to enclose trailer ends at truck loading docks, or equivalent controls.
6. Structures used to limit pollution at material handling and storage areas should control drainage through the use of manually operated valves or other similar positive control devices. Flapper-type gate valves are not allowed. Pumps may be used to empty containment areas, but pumps must not be automatically activated. If a facility is not engineered with such controls, the facility's separate storm sewer system should be equipped to prevent or divert a discharge of spilled materials until the materials can be recovered.

#### 4. Numeric Effluent Limitations

The following numeric effluent limitations, based on guidelines from the Phosphate Subcategory of the Fertilizer Manufacturing Point Source Category (40 CFR Part 418.13) shall apply to any storm water runoff that has come into contact with any raw materials, intermediate product, finished product, by-product or waste from areas of industrial activity described by SIC code 2874 (Phosphatic Fertilizers). Samples of these discharges shall be obtained before the runoff combines with other storm water runoff. Discharges shall not exceed the following numeric effluent limitations:

<u>Parameter</u>	<u>Limitations</u>		<u>Monitoring Frequency</u>
	<u>Daily Max</u>	<u>Daily Avg</u>	
Total Phosphorus (as P)	105 mg/l	35 mg/l	1/Year

Fluoride 75 mg/l 25 mg/l 1/Year

Sample Type - Grab samples shall be taken prior to combining with other flows, for analyses.

Reporting Requirements - Results of monitoring for determining compliance with numeric effluent limitations must be either retained at the facility or shall be readily available for review by authorized TNRCC personnel upon request. Results must be recorded on a discharge monitoring report (DMR). The DMR must either be an original EPA No. 3320-1 form, a duplicate of the form, or a self-generated form that is comparable. Monitoring must be conducted prior to December 31<sup>st</sup> for each annual monitoring period and the results must be recorded and available for review by March 31<sup>st</sup>.

**5. Benchmark Monitoring Requirements**

The following subsectors must conduct benchmark monitoring according to the requirements in Part III of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

SIC Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value
2812-2819	Basic Industrial Inorganic Chemicals	Aluminum Iron Nitrate + Nitrite N	0.75 mg/L 1.0 mg/L 0.68 mg/L
2821-2824	Plastics, Synthetic Resins, Non-vulcanized Elastomers (Synthetic Rubber), Cellulose Plastics Materials, and Other Manmade Fibers Except Glass.	Zinc	0.117 mg/L
2841-2844	Soaps and Detergents; Specialty Cleaning, Polishing, and Sanitation Preparations; Surface Active Agents, Finishing Agents, Sulfonated Oils, and Assistants; Perfumes, Cosmetics, and Other Toilet Preparations	Nitrate + Nitrite N Zinc	0.68 mg/L 0.117 mg/L
2873-2879	Agricultural Chemicals (Including Fertilizers, Pesticides and Fertilizers Solely from Leather Scraps and Leather Dust)	Nitrate + Nitrite N Lead Iron Zinc Phosphorus	0.68 mg/L 0.0816 mg/L 1.0 mg/L 0.117 mg/L 2.0 mg/L

**Section D. Sector D of Industrial Activity - Asphalt Paving and Roofing Materials and Lubricant Manufacturing Facilities.**

The requirements in Part V of this general permit are sector-specific and are in addition to the requirements in Parts III and IV. Where co-located industrial activities occur (refer to Part II.A.2. of this general permit) the additional conditions and requirements in Part V of this general permit for each of these activities also

apply.

### 1. Description of Industrial Activity

The requirements under this section apply to storm water discharges from activities identified and described as Sector D. Sector D industrial activities are described by the following Standard Industrial Classification (SIC) codes:

<b>SECTOR D: ASPHALT PAVING AND ROOFING MATERIALS AND LUBRICANTS</b>	
<b>SIC Code</b>	<b>Description of Industry Sub-sector</b>
2951,2952	Asphalt Paving and Roofing Materials, Portable Asphalt Plants
2992,2999	Miscellaneous Products of Petroleum and Coal Including Lubricating Oils and Greases

### 2. Limitations on Permit Coverage

The following facilities are not eligible for coverage under Section D of this general permit:

- (a) petroleum refining facilities, including those that manufacture asphalt or asphalt products, including facilities described by SIC 2911;
- (b) oil recycling facilities; and
- (c) fats and oils rendering facilities.

### 3. Pollution Prevention Measures and Controls

Periodic Inspections - Inspection procedures must be developed according to the standard periodic inspection requirements described in Part III.A.4.(g) of this general permit and conducted at least once per month in the following areas:

- (a) material storage and handling areas;
- (b) areas containing liquid storage tanks, hoppers or silos;
- (c) vehicle and equipment maintenance, cleaning, and fueling areas; and
- (d) material handling, equipment storage, and processing areas.

Results of the inspections shall be evaluated and records of inspections maintained. Follow-up procedures shall be identified to ensure that appropriate actions are taken in response to the inspector's findings.

**4. Numeric Effluent Limitations**

The following numeric effluent limitations, based on guidelines from the Asphalt Emulsion Subcategory of the Paving and Roofing Materials (Tars and Asphalt) Manufacturing Point Source Category (40 CFR Part 443.13) shall apply to all storm water runoff from asphalt paving and roofing emulsion production areas. Samples of these discharges shall be obtained before the runoff combines with other storm water runoff. Samples shall be analyzed, and must not exceed the following numeric effluent limitations:

<u>Parameter</u>	<u>Limitations</u>		<u>Monitoring Frequency</u>
	<u>Daily Max</u>	<u>Daily Avg</u>	
Total Suspended Solids	23 mg/l	15 mg/l	1/Year
Oil and Grease	15 mg/l	10 mg/l	1/Year
pH	between 6 and 9 S.U.		1/Year

Sample Type - Grab samples shall be taken prior to combining with other flows, for analyses.

Reporting Requirements - Results of monitoring for determining compliance with numeric effluent limitations must be either retained at the facility or shall be readily available for review by authorized TNRCC personnel upon request. Results must be recorded on a discharge monitoring report (DMR). The DMR must either be an original EPA No. 3320-1 form, a duplicate of the form, or a self-generated form that is comparable. Monitoring must be conducted prior to December 31<sup>st</sup> for each annual monitoring period and the results must be recorded and available for review by March 31<sup>st</sup>.

**5. Benchmark Monitoring Requirements**

The following subsectors must conduct benchmark monitoring on discharges of storm water associated with industrial activities according to the requirements in Part III of this general permit.

SIC Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value
2951, 2952	Asphalt Paving and Roofing Materials, Portable Asphalt Plants	TSS	100 mg/L

**Section E. Sector E of Industrial Activity - Glass, Clay, Cement Concrete, and Gypsum Product Manufacturing Facilities.**

The requirements in Part V of this general permit are sector-specific and are in addition to the requirements in Parts III and IV. Where co-located industrial

activities occur (refer to Part II.A.2. of this general permit) the additional conditions and requirements in Part V of this general permit for each of these activities also apply.

**1. Description of Industrial Activity**

The requirements under this section apply to storm water discharges from activities identified and described as Sector E. Sector E industrial activities are described by the following Standard Industrial Classification (SIC) codes:

<b>SECTOR E: GLASS CLAY, CEMENT, CONCRETE, AND GYPSUM PRODUCTS</b>	
<b>SIC Code</b>	<b>Description of Industry Sub-sector</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	Vitreous China Plumbing Fixtures and China Earthenware Fittings and Bathroom Accessories
3262-3269	Pottery and Related Products
3281	Cut Stone and Stone Products
3297	Non-Clay Refractories
3271-3273 3275	Concrete, Gypsum and Plaster Products
3291	Abrasive Products
3292	Asbestos Products
3295	Minerals and Earth's, Ground, or Otherwise Treated
3296	Mineral Wool
3299	Nonmetallic Mineral Products, Not Elsewhere Classified

**2. Non-Storm Water Discharges**

In addition to the certification requirements required by Part III.A.2.(c) of this general permit, facilities that produce ready-mix concrete, concrete block, and other concrete products shall provide additional certification that process wastewater resulting from washing of trucks, mixers, transport buckets, concrete forms, and other equipment is either not discharged, or is discharged under authority of a separate permit.

### 3. Pollution Prevention Measures and Controls

The following requirements shall be included in the SWP3 according to requirements of Part III.A.4. of this general permit:

- (a) Specific good housekeeping measures shall be developed to minimize and prevent exposure of spilled cement and aggregate, kiln dust, fly ash, and other dust to precipitation or runoff.
- (b) Wherever possible, fine solids such as cement, fly ash, and kiln dust must be stored in enclosed silos, hoppers, buildings or other structures to prevent exposure to precipitation or runoff.
- (c) Periodic Inspections - Inspection procedures must be developed according to the standard periodic inspection requirements described in Part III.A.4.(g) of this general permit, but inspections must be conducted at least once per month. This section of the SWP3 must contain a narrative discussion considering the benefit to the quality of the discharge from conducting more frequent inspections. The discussion must consider the level of industrial activity at the facility.

### 4. Numeric Effluent Limitations

The following numeric effluent limitations, based on guidelines from the Material Storage Piles Runoff Subcategory of the Cement Manufacturing Point Source Category (40 CFR Part 411.32) shall apply to any storm water runoff that has come into contact with raw materials, intermediate products, finished products, by-products or waste materials that are either used or derived from the manufacture of cement. Samples of these discharges shall be obtained before the runoff combines with other storm water runoff, analyzed, and shall not exceed the following numeric effluent limitations:

<u>Parameter</u>	<u>Limitations</u>	<u>Monitoring</u>
Total Suspended Solids	Daily Max 50 mg/l	Frequency 1/Year
pH	between 6 and 9 S.U.	1/Year

Sample Type - Grab samples shall be taken prior to combining with other flows, for analyses.

Reporting Requirements - Results of monitoring for determining compliance with numeric effluent limitations must be either retained at the facility or shall be readily available for review by authorized TNRCC personnel upon request. Results must be recorded on a discharge monitoring report (DMR). The DMR must either be an original EPA No. 3320-1 form, a duplicate of the form, or a self-generated form that

is comparable. Monitoring must be conducted prior to December 31<sup>st</sup> for each annual monitoring period and the results must be recorded and available for review by March 31<sup>st</sup>.

**5. Benchmark Monitoring Requirements**

The following subsectors must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

SIC Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value
3251-3259 3262-3269	Structural Clay Products Pottery and Related Products	Aluminum	0.75 mg/L
3271-3275	Concrete, Gypsum and Plaster Products	TSS Iron	100 mg/L 1.0 mg/L

**Section F. Sector F of Industrial Activity - Primary Metals Facilities.**

The requirements in Part V of this general permit are sector-specific and are in addition to the requirements in Parts III and IV. Where co-located industrial activities occur (refer to Part II.A.2. of this general permit) the additional conditions and requirements in Part V of this general permit for each of these activities also apply.

**1. Description of Industrial Activity**

The requirements under this section apply to storm water discharges from activities identified and described as Sector F. Sector F industrial activities are described by the following Standard Industrial Classification (SIC) codes:

<b>SECTOR F: PRIMARY METALS</b>	
<b>SIC Code</b>	<b>Description of Industry Sub-sector</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

**2. Description of Potential Pollutants and Sources**

The inventory of exposed materials must include areas where material handling and air emissions may result in deposits of particulate matter.

**3. Pollution Prevention Measures and Controls**

- (a) Good Housekeeping Measures - This section of the SWP3 must include a program for cleaning all impervious areas of the facility where dust, debris, or other particulate matter may accumulate. Areas where materials are stored, or where there is vehicular traffic, should be paved if vegetative and other stabilization methods are not practical. For areas where paving and vegetative measures are not practical, structural controls shall be developed to trap and limit transport of sediment offsite. Sediment traps, filter fabric fences, and other equivalent measures may be considered.
  
- (b) Periodic Inspections - The periodic inspections shall specifically include areas of the facility that contain air pollution control equipment, such as bag houses, electrostatic precipitators and scrubbers. Process material handling equipment must be inspected for leaks and problems that may result in material loss and spills. Material storage areas, such as piles or bins that contain coal, scrap, and slag, must be inspected for material loss due to wind and precipitation or runoff.

**4. Benchmark Monitoring Requirements**

The following subsectors must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

SIC Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value
3312-3317	Steel Works, Blast Furnaces, and Rolling and Finishing Mills	Aluminum Zinc	0.75 mg/L 0.117 mg/L
3321-3325	Iron and Steel Foundries	Aluminum TSS Copper Iron Zinc	0.75 mg/L 100 mg/L 0.0636 mg/L 1.0 mg/L 0.117 mg/L
3351-3357	Rolling, Drawing, and Extruding of Nonferrous Metals	Copper Zinc	0.0636 mg/L 0.117 mg/L

3363-3369	Nonferrous Foundries (Castings)	Copper Zinc	0.0636 mg/L 0.117 mg/L
-----------	---------------------------------	----------------	---------------------------

**Section G. Sector G of Industrial Activity - Metal Mining (Ore Mining and Dressing)**

The requirements in Part V of this general permit are sector-specific and are in addition to the requirements in Parts III and IV. Where co-located industrial activities occur (refer to Part II.A.2. of this general permit) the additional conditions and requirements in Part V of this general permit for each of these activities also apply.

**1. Description of Industrial Activity**

The requirements under this section apply to storm water discharges from activities identified and described as Sector G. Sector G industrial activities are described by the following Standard Industrial Classification (SIC) codes:

<b>SECTOR G: METAL MINING (ORE MINING AND DRESSING)</b>	
<b>SIC Code</b>	<b>Description of Industry Sub-sector</b>
1011	Iron Ores
1021	Copper Ore Mining and Dressing
1031	Lead and Zinc Ores
1041,1044	Gold and Silver Ores
1061	Ferro alloy Ores, Except Vanadium
1081	Metal Mining Services
1094,1099	Miscellaneous Metal Ores

The requirements of Section G apply to storm water discharges from active and inactive metal mining operations and from facilities engaged in developing mines or exploring for metallic ores if the storm water comes into contact with overburden, raw material, intermediate product, finished product, byproduct, or waste product. The requirements also apply to storm water discharges from ore dressing facilities and processing operations, whether performed at mills operated in conjunction with the mines or at separately operated “custom” mills, if the storm water comes into contact with overburden, raw material, intermediate product, finished product, byproduct, or waste product.

**2. Definitions**

The following definitions apply only to Section G of this general permit:

- (a) Active metal mining facility - a facility where work is conducted to extract, remove, or recover metal ore or where work directly related to the extraction, removal, or recovery of metal ore is conducted.
- (b) Inactive metal mining facility - a facility where metal mining or milling activities occurred in the past, but that does not meet the definition of an active metal mining facility, and for which there is no active mining permit issued by the Railroad Commission of Texas.
- (c) Temporarily inactive metal mining facility - a facility or portion of a facility where metal mining or milling activities occurred in the past, but currently are not taking place, and the facility has an active mining permit issued by the Railroad Commission of Texas.

### **3. Limitations on Permit Coverage**

- (a) For storm water discharges from active and temporarily inactive facilities, coverage under this section is limited to storm water that contacts the following areas:
  - (1) topsoil piles;
  - (2) haul or access roads not located on active areas, not constructed of waste rock or spent ore, and not where mine water is used for dust control;
  - (3) on-site haul and access roads not constructed of waste rock or spent ore, and where mine water is not used for dust control;
  - (4) runoff from tailings dams and dikes when not constructed of waste rock or tailings, and where no process fluids are present;
  - (5) concentration building and mill site, if no contact with material piles;
  - (6) chemical and explosive storage areas;
  - (7) docking areas, if the storm water does not contact any waste product; and
  - (8) reclaimed areas released from reclamation bonds before December 17, 1990, and partially or inadequately reclaimed areas or areas not release from reclamation bonds.
- (b) The following discharges are not covered by this general permit:

- (1) Discharges from active metal mining facilities subject to effluent limitation guidelines for the Ore Mining and Dressing Point Source Category (40 CFR Part 440); and
- (2) adit drainage, contaminated springs, and seeps from active, temporarily inactive, and inactive mines.

#### **4. Description of Potential Pollutants and Sources**

In addition to requirements of Part III.A.3. of this general permit, the following is required:

- (a) Inventory of Exposed Materials - This section of the SWP3 must contain a summary of any existing ore, waste rock, and overburden characterization data. The summary must include results of all testing for acid rock generation potential. The inventory and the SWP3 shall be updated if the characterization is updated due to a change in the type of ore mined. For inactive metal mining facilities the inventory must identify any significant materials that remain at the facility and include any available characterization data of the material.
- (b) Narrative Description - For inactive metal mining facilities, this section of the SWP3 must include a description of the mining and associated activities that took place at the site. The description shall define the dates of operation, total acreage within the mine, total acreage within the processing area, an estimate of the acres of remaining disturbed area, and any current activities at the site (e.g. reclamation).
- (c) Site Map - A topographic site map (or maps) shall be developed to indicate mining or milling site boundaries; access and haul roads; equipment storage, fueling, and maintenance areas; an outline of the overburden, materials, soils, tailings or wastes storage areas; points of discharge from the property of mine drainage or any other process wastewater, a depiction of the discharge route, and a listing of the type of wastewater; location of existing and proposed tailings piles and ponds; heap leach pads; locations of springs, streams, wetlands, and other surface waters; and boundaries of tributary areas that are subject to effluent limitations and guidelines for the Ore Mining and Dressing Point Source Category (40 CFR Part 440).

#### **5. Management of Runoff with Structural Controls**

The elimination of a contaminant source through capping of the source may be the most effective control measure. Where capping is used, the source being capped shall be identified and the materials and procedures used to cap the source shall be described within the SWP3.

**6. Benchmark Monitoring Requirements**

Active copper ore mining or dressing facilities must conduct benchmark monitoring according to the standard benchmark monitoring requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

SIC Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value
1021	Copper Ore Mining and Dressing	COD TSS Nitrate + Nitrite N	120 mg/L 100 mg/L 0.68 mg/L

All storm water discharges from waste rock and overburden piles, resulting from active ore mining or dressing operations included in Sector G, must conduct initial benchmark monitoring according to the requirements in Part IV of this general permit. Monitoring must be conducted twice annually for parameters measured above the benchmark value throughout the term of the permit.

Benchmark Parameter	Benchmark Value
TSS	100 mg/l
Turbidity (NTUs)	5 NTUs above background
pH	6.0 - 9.0 standard units
Hardness (as CaCO <sub>3</sub> )	no benchmark value
Total Antimony	0.636 mg/L
Total Arsenic	0.16854 mg/L
Total Beryllium	0.13 mg/L
Total Cadmium	0.0159 mg/L
Total Copper	0.0636 mg/L
Total Iron	1.0 mg/L
Total Lead	0.0816 mg/L
Total Manganese	1.0 mg/L
Total Mercury	0.0024 mg/L
Total Nickel	1.417 mg/L
Total Selenium	0.2385 mg/L
Total Silver	0.0318 mg/L
Total Zinc	0.117 mg/L

**7. Additional Requirements to Benchmark Monitoring**

All storm water discharges from waste rock and overburden piles from active tungsten ore mining or dressing operations and from active nickel ore mining or dressing operations included in Sector G must conduct the following analytical

monitoring for the following parameters on a biannual basis:

Parameter	Concentration mg/L
TSS	Report
pH	Report
Hardness (as CaCO <sub>3</sub> )	Report
Total Cadmium	Report
Total Copper	Report
Total Lead	Report
Total Zinc	Report

All storm water discharges from waste rock and overburden piles from active aluminum ore mining or dressing operations included in Sector G must conduct monitoring for the following parameters on a biannual basis:

Parameter	Concentration mg/L
TSS	Report
pH	Report
Iron	Report

All storm water discharges from waste rock and overburden piles from active mercury ore mining or dressing operations included in Sector G must conduct monitoring for the following parameters on a biannual basis:

Parameter	Concentration mg/L
TSS	Report
pH	Report
Hardness (as CaCO <sub>3</sub> )	Report
Total Nickel	Report

All storm water discharges from waste rock and overburden piles from active iron ore mining or dressing operations included in Sector G must conduct monitoring for the following parameters on a biannual basis:

Parameter	Concentration mg/L
TSS	Report
pH	Report
Dissolved Iron	Report

All storm water discharges from waste rock and overburden piles from active platinum ore mining or dressing operations included in Sector G must conduct

monitoring for the following parameters on a biannual basis:

Parameter	Concentration mg/L
Hardness (as CaCO <sub>3</sub> )	Report
Total Cadmium	Report
Total Copper	Report
Total Mercury	Report
Total Lead	Report
Total Zinc	Report

All storm water discharges from waste rock and overburden piles from active titanium ore mining or dressing operations included in Sector G must conduct monitoring for the following parameters on a biannual basis:

Parameter	Concentration mg/L
TSS	Report
Hardness (as CaCO <sub>3</sub> )	Report
pH	Report
Total Iron	Report
Total Nickel	Report
Total Zinc	Report

All storm water discharges from waste rock and overburden piles from active vanadium ore mining or dressing operations included in Sector G must conduct monitoring for the following parameters on a biannual basis:

Parameter	Concentration mg/L
TSS	Report
pH	Report
Hardness (as CaCO <sub>3</sub> )	Report
Total Arsenic	Report
Total Cadmium	Report
Total Copper	Report
Total Lead	Report
Total Zinc	Report

All storm water discharges from waste rock and overburden piles from active copper, lead, zinc, gold, silver, and molybdenum mining or dressing operations included in Sector G must conduct monitoring for the following parameters on a biannual basis:

Parameter	Concentration mg/L
TSS	Report
pH	Report
Hardness (as CaCO <sub>3</sub> )	Report
Total Arsenic	Report
Total Cadmium	Report
Total Copper	Report
Total Lead	Report
Total Mercury	Report
Total Zinc	Report

All storm water discharges from waste rock and overburden piles from active uranium, radium, and vanadium mining or dressing operations included in Sector G must conduct monitoring for the following parameters on a biannual basis:

Parameter	Concentration mg/L
TSS	Report
pH	Report
COD	Report
Hardness (as CaCO <sub>3</sub> )	Report
Total Arsenic	Report
Total Radium	Report
Dissolved Radium	Report
Uranium	Report
Total Zinc	Report

**Section H. Sector H of Industrial Activity - Coal Mines and Coal Mining Related Facilities**

The requirements in Part V of this general permit are sector-specific and are in addition to the requirements in Parts III and IV. Where co-located industrial activities occur (refer to Part II.A.2. of this general permit) the additional conditions and requirements in Part V of this general permit for each of these activities also apply.

**1. Description of Industrial Activity**

The requirements under this section apply to storm water discharges from activities identified and described as Sector H. Sector H industrial activities are described by the following Standard Industrial Classification (SIC) codes:

<b>SECTOR H: COAL MINES AND COAL MINING RELATED FACILITIES</b>	
<b>SIC Code</b>	<b>Description of Industry Sub-sector</b>
1221-1241	Coal Mines and Coal Mining-Related Facilities

The requirements of Section H apply to storm water discharges from the following portions of coal mining-related areas: haul roads; access roads; railroad spurs, sidings, and tracks used to transport coal; areas around conveyor belts, chutes, and trams that convey coal; equipment storage and maintenance areas; all coal handling areas, including buildings; waste disposal areas; inactive coal mines; and all on-site areas where coal mining/processing activities take place.

### **3. Limitations on Permit Coverage**

The following discharges are not covered by this general permit:

- (a) discharges from coal mining activities subject to effluent limitation guidelines for the Coal Mining Point Source Category (40 CFR Part 434);
- (b) seeps and underground drainage from inactive coal mines and refuse disposal areas that may constitute dry-weather flows and do not occur as a direct result of precipitation or runoff; and
- (c) discharges from floordrains in maintenance buildings and similar drains in mining and preparation plant areas.

### **4. Pollution Prevention Measures and Controls**

Erosion Control Measures - Erosion, siltation, dust, and other pollutant control regulations administered by the Railroad Commission of Texas shall either be included as components of this section of the SWP3, or shall be incorporated by reference. The Erosion Control Measures shall provide for minimizing disturbed areas and preserving vegetated areas to the maximum extent practicable and must include the following at a minimum:

- (a) **Stabilization Measures** - Temporary and permanent stabilization measures shall be employed to minimize erosion and may include: maintaining existing native vegetative cover; seeding for temporary or permanent cover; temporary mulching, matting, or netting; sodding; soil binding; using non-acid material for road surfacing; planting trees; and preserving existing trees.
- (b) **Structural Measures** - Structural measures may include: silt fences; earthen dikes; straw bales; graded terraces; pipe slope drains; porous rock check drains; sedimentation ponds; vegetated drainage swales; capping of contaminant sources; and physical or chemical treatment of storm water.

**5. Comprehensive Site Compliance Evaluation**

The SWP3 shall be revised to reflect the findings of the comprehensive site compliance evaluation within a maximum of twelve weeks following completion of the evaluation for inactive mining facilities.

**6. Benchmark Monitoring Requirements**

The following subsectors must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

SIC Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value
1221-1241	Coal Mines and Coal Mining-Related Facilities	TSS Aluminum Iron	100 mg/L 0.75 mg/L 1.0 mg/L

**Section I. Sector I of Industrial Activity - Oil and Gas Extraction Facilities**

The requirements in Part V of this general permit are sector-specific and are in addition to the requirements in Parts III and IV. Where co-located industrial activities occur (refer to Part II.A.2. of this general permit) the additional conditions and requirements in Part V of this general permit for each of these activities also apply.

**1. Description of Industrial Activity**

Sector I facilities include facilities with activities directly related to: oil and gas exploration, production, processing, or treatment operations; oil and gas transmission facilities prior to refining; and to oil and gas field service operations.

<b>SECTOR I: OIL AND GAS EXTRACTION FACILITIES</b>	
<b>SIC Code</b>	<b>Description of Industry Sub-sector</b>
1311	Crude Petroleum and Natural Gas
1321	Natural Gas Liquids
1381-1389	Oil and Gas Field Services
2911	Petroleum Refineries

**2. Limitations on Permit Coverage**

Permit coverage for industrial activities described by Sector I is limited to oil and gas

field service companies performing industrial activities described by SIC code 1389 and petroleum refineries performing industrial activities described by SIC code 2911. Permit coverage for oil and gas field service companies is limited to the industrial activities that occur at the service company headquarters, permanent offices, or similar base of operations.

Permit coverage for other storm water discharges associated with industrial activity described by Sector I are not eligible for coverage under this general permit.

- (a) Petroleum Refineries - Discharges of storm water from petroleum refineries subject to federal guidelines found at 40 CFR Part 419 must be authorized by an individual TPDES wastewater discharge permit.
- (b) This general permit does not cover storm water discharges from other oil and gas extraction activities or oil and gas described by Sector I. Authorization for these discharges must be obtained through application for a National Pollutant Discharge Elimination System (NPDES) permit and authorization from the Railroad Commission of Texas (if applicable).
- (c) This general permit does not cover storm water discharges from oil and gas field service activities described by SIC code 1389 that occur in the field. Authorization for these discharges must be obtained through application for a National Pollutant Discharge Elimination System (NPDES) permit and authorization from the Railroad Commission of Texas (if applicable).

**Section J. Sector J of Industrial Activity - Mineral Mining and Processing Facilities**

The requirements in Part V of this general permit are sector-specific and are in addition to the requirements in Parts III and IV. Where co-located industrial activities occur (refer to Part II.A.2. of this general permit) the additional conditions and requirements in Part V of this general permit for each of these activities also apply.

**1. Description of Industrial Activity**

The requirements under this section apply to storm water discharges from activities identified and described as Sector J. Sector J industrial activities are described by the following Standard Industrial Classification (SIC) codes:

<b>SECTOR J: MINERAL MINING AND DRESSING FACILITIES</b>	
<b>SIC Code</b>	<b>Description of Industry Sub-sector</b>
1411	Dimension Stone
1422-1429	Crushed and Broken Stone, Including Rip Rap

1481	Nonmetallic Minerals, Except Fuels
1442,1446	Sand and Gravel Mining
1455,1459	Clay, Ceramic, and Refractory Materials
1474-1479	Chemical and Fertilizer Mineral Mining
1499	Miscellaneous Nonmetallic Minerals, Except Fuels

**2. Comprehensive Site Compliance Evaluation**

The SWP3 shall be revised to reflect the findings of the comprehensive site compliance evaluation within a maximum of twelve weeks following completion of the evaluation for inactive mining facilities.

**3. Numeric Effluent Limitations**

The following numeric effluent limitations, based on guidelines for mine dewatering from the Processing Point Source Category (40 CFR Part 436), shall apply to mine dewatering operations (discharges from the mine pit of accumulated storm water and ground water seepage) at construction sand and gravel, industrial sand, or crushed stone mining facilities. Samples of these discharges shall be obtained before the runoff combines with other storm water runoff, analyzed, and shall not exceed the following numeric effluent limitations:

<u>Parameter</u>	<u>Limitations</u>		<u>Monitoring</u>
	<u>Daily Max</u>	<u>Daily Avg</u>	<u>Frequency</u>
Total Suspended Solids	45 mg/l	25 mg/l	1/Year
pH	between 6 and 9 S.U.		1/Year

Sample Type - Grab samples shall be taken prior to combining with other flows, for analyses.

Reporting Requirements - Results of monitoring for determining compliance with numeric effluent limitations must be either retained at the facility or shall be readily available for review by authorized TNRCC personnel upon request. Results must be recorded on a discharge monitoring report (DMR). The DMR must either be an original EPA No. 3320-1 form, a duplicate of the form, or a self-generated form that is comparable. Monitoring must be conducted prior to December 31<sup>st</sup> for each annual monitoring period and the results must be recorded and available for review by March 31<sup>st</sup>.

**4. Benchmark Monitoring Requirements**

The following subsectors must conduct benchmark monitoring on discharges of

storm water associated with industrial activities according to the requirements in Part III of this general permit.

SIC Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value
1411 1422-1429 1481	Dimension Stone Crushed and Broken Stone, Incl. Rip Rap Nonmetallic Minerals, Except Fuels	TSS	100 mg/L
1442,1446	Sand and Gravel Mining	Nitrate + Nitrite N TSS	0.68 mg/L 100 mg/L

## 5. Pollution Prevention Measures and Controls

Quarterly Visual Monitoring - Inactive industrial facilities must conduct visual examinations on at least an annual basis, instead of the regularly scheduled quarterly basis.

## Section K. Sector K of Industrial Activity - Hazardous Waste Storage Facilities

The requirements in Part V of this general permit are sector-specific and are in addition to the requirements in Parts III. and IV. Where co-located industrial activities occur (refer to Part II.A.2. of this general permit) the additional conditions and requirements in Part V of this general permit for each of these activities also apply.

### 1. Description of Industrial Activity

Sector K facilities include only those facilities with activities directly related to the storage of hazardous wastes, including those operating under subtitle C of the Resource Conservation and Recovery Act (RCRA).

SECTOR K: HAZARDOUS WASTE STORAGE FACILITIES	
Activity Code	Description of Industry Sub-sector
HZ	Limited to Hazardous Waste Storage

### 2. Limitations on Permit Coverage

Coverage is limited to those facilities that store hazardous waste. Facilities that treat or dispose of hazardous waste must be authorized under an individual TPDES permit.

### 3. Benchmark Monitoring Requirements

The following subsectors must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

Activity Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value
HZ	Hazardous Waste Storage	Ammonia	19.0 mg/L
		Magnesium	0.0636 mg/L
		COD	120.0 mg/L
		Arsenic	0.16854 mg/L
		Cadmium	0.0159 mg/L
		Cyanide	0.0636 mg/L
		Lead	0.0816 mg/L
		Mercury	0.0024 mg/L
		Selenium	0.2385 mg/L
		Silver	0.0318 mg/L

#### Section L. Sector L of Industrial Activity - Landfills and Land Application Sites

The requirements in Part V of this general permit are sector-specific and are in addition to the requirements in Parts III and IV. Where co-located industrial activities occur (refer to Part II.A.2. of this general permit) the additional conditions and requirements in Part V of this general permit for each of these activities also apply.

##### 1. Description of Industrial Activity

The requirements under this section apply to storm water discharges from activities identified and described as Sector L. Sector L industrial activities are described by the following Industrial Activity Code:

SECTOR L: LANDFILLS AND LAND APPLICATION SITES	
Activity Code	Description of Industry Sub-sector

LF	Limited to Landfills, Land Application Sites, and Open Dumps that Receive or Have Previously Received Industrial Waste, including sites subject to regulation under Subtitle D of the Resource Conservation and Recovery Act (RCRA).
----	--

## 2. Definitions

The following definition applies only to Section L of this general permit:

Inactive landfill - A facility that no longer receives waste and has completed closure according to all applicable federal, state, and local requirements.

## 3. Limitations on Permit Coverage

This general permit specifically does not authorize the discharge of landfill wastewater subject to federal effluent guidelines at 40 CFR Part 445 (Landfills Point Source Category), including but not limited to: leachate; gas collection condensate; drained free liquids; laboratory derived wastewater; contaminated storm water and contact washwater from washing truck, equipment and railcar exteriors; and storm water from surface areas that have come in direct contact with solid waste at the landfill facility. Discharges subject to federal effluent guidelines at 40 CFR Part 445 must be authorized under an individual TPDES permit.

## 4. Description of Potential Pollutants and Sources

Site Map - The site map shall depict the locations of active and closed landfill cells or trenches, locations of active and closed land application areas, and the locations of any known leachate springs or similar uncontrolled leachate sources that could contact storm water. The site map shall also depict the location of leachate collection and treatment systems.

## 5. Pollution Prevention Measures and Controls

### (a) Periodic Inspections -

- (1) For inactive landfills and land application sites, this section of the SWP3 must include inspection procedures for evaluation of stabilization and structural erosion control measures, and leachate collection and treatment systems.
- (2) For active landfills and land application sites:
  - (i) inspection procedures must be developed according to the standard periodic inspection requirements described in Part

III.A.4.(g) of this general permit, but inspections must be conducted at least once per week;

- (ii) inspection procedures must be developed according to the standard periodic inspection requirements described in Part III.A.4.(g) of this general permit, but inspections must be conducted at least once each month where sites are located in areas where annual average rainfall is less than or equal to 20 inches (based on long-term meteorological data).
- (3) For areas of landfill sites where landfill activities are completed and soils are finally stabilized, and for land application sites where land application has been completed, inspection procedures must be developed according to the standard periodic inspection requirements described in Part III.A.4.(g) of this general permit, but inspections must be conducted at least once every month.
- (b) Erosion Control Measures - Landfill operators shall provide temporary stabilization of all materials that are stockpiled and stored for future use. Inactive areas of the landfill with stockpiled materials that have intermediate cover, but no final cover, shall be stabilized. Inactive areas that have received final cover shall be temporarily stabilized until final stabilization measures are completed. Inactive land application areas shall be temporarily stabilized until final stabilization measures are completed.
- (c) Records - Land application site operators shall maintain a tracking system to define the types and quantities of wastes applied within specific areas of the application site. These records shall either be included in the SWP3 or be referenced and made readily available for review by authorized TNRCC personnel upon request.

**6. Benchmark Monitoring Requirements**

The following subsectors must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

Activity Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value
---------------	------------------------------------	---------------------	-----------------

LF	Landfills, Land Application Sites , and Open Dumps that Receive or Have Previously Received Industrial Waste, including sites subject to regulation under Subtitle D of the Resource Conservation and Recovery Act (RCRA).	Iron TSS	1.0 mg/L 100 mg/L
----	--	-------------	----------------------

**Section M. Sector M of Industrial Activity - Automobile Salvage Yards**

The requirements in Part V of this general permit are sector-specific and are in addition to the requirements in Parts III and IV. Where co-located industrial activities occur (refer to Part II.A.2. of this general permit) the additional conditions and requirements in Part V of this general permit for each of these activities also apply.

**1. Description of Industrial Activity**

The requirements under this section apply to storm water discharges from activities identified and described as Sector M. Sector M industrial activities are described by the following Standard Industrial Classification (SIC) codes:

<b>SECTOR M: AUTOMOBILE SALVAGE YARDS</b>	
<b>SIC Code</b>	<b>Description of Industry Sub-sector</b>
5015	Automobile Salvage Yards

**2. Description of Potential Pollutants and Sources**

Site Map - The site map must include the locations of the following activities if there is potential exposure to storm water:

- (a) vehicle and vehicle parts storage areas;
- (b) vehicle dismantling areas;
- (c) vehicle and equipment fueling and maintenance areas;
- (d) vehicle, parts, and equipment cleaning areas;
- (e) waste treatment, storage and disposal areas; and
- (f) areas where fluids or fuels are stored in drums, tanks, or other containers.

**3. Pollution Prevention Measures and Controls**

Spill Prevention and Response Measures - Vehicles shall be inspected for leaking fluids upon arrival at the facility. Actions shall be immediately taken to prevent the discharge of fluids according to specific measures established by the operator within the Spill Prevention and Response Measures section of the SWP3. All vehicles received for salvage shall be drained of fluids before being routed to crushers for disposal. Vehicles that are stored, and that are not drained of fluids, shall be inspected for leaks at least once per quarter. These inspections may be incorporated as part of the standard periodic inspections. The Spill Prevention and Response Measures shall be developed with specific guidelines for inspecting stored vehicles and measures to be taken when vehicles are identified as leaking or in danger of developing leaks. All fluids must be handled and disposed of according to all applicable state and federal regulations

Periodic Inspections - Equipment containing hydraulic or other fluids shall be inspected for leaks during the periodic inspections.

Good Housekeeping Measures Equipment operators must conduct inspections of equipment on a daily basis when equipment is in use.

Employee Training Program and Employee Education - The employee training program shall include training on the following operations at facilities where these activities occur or wastes are generated:

- (a) used oil and spent solvent management;
- (b) management of metal filings and dust from welding, grinding, and similar operations that produce metal waste; and
- (c) lead-acid battery management.

**4. Benchmark Monitoring Requirements**

The following subsectors must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

SIC Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value
----------	------------------------------------	---------------------	-----------------

5015	Automobile Salvage Yards	TSS	100.0 mg/L
		Aluminum	0.75 mg/L
		Iron	1.0 mg/L
		Lead	0.0816 mg/L

**Section N. Sector N of Industrial Activity - Scrap and Waste Recycling Facilities**

The requirements in Part V of this general permit are sector-specific and are in addition to the requirements in Parts III and IV. Where co-located industrial activities occur (refer to Part II.A.2. of this general permit) the additional conditions and requirements in Part V of this general permit for each of these activities also apply.

**1. Description of Industrial Activity**

The requirements under this section apply to storm water discharges from activities identified and described as Sector N. Sector N industrial activities are described by the following Industrial Activity Code:

<b>SECTOR N: SCRAP AND WASTE RECYCLING FACILITIES</b>	
<b>SIC Code</b>	<b>Description of Industry Sub-sector</b>
5093	Scrap Recycling Facilities (Scraps include metals, paper, plastic, cardboard, glass, animal hides, used oil, antifreeze, mineral spirits, industrial solvents and other materials)

**2. Limitations on Permit Coverage**

Storm water discharges from areas where metal turnings previously exposed to cutting oils are stored or stockpiled, and where these materials are not isolated from storm water by storm resistant shelters, are only eligible for coverage if:

- (a) dedicated containment areas are used that include a perimeter barrier to prevent storm water run-on and runoff;
- (b) containment areas and perimeter barriers are constructed of concrete, or other similar impermeable oil-resistant materials; and
- (c) if discharges only occur following treatment through an oil/water separator or similarly efficient treatment unit.

**3. Description of Potential Pollutants and Sources**

Site Map - The site map shall clearly show containment areas for metal turnings that

are exposed to cutting fluids.

#### **4. Pollution Prevention Measures and Controls**

Best Management Practices - A scrap material inspection procedure shall be developed for inbound scraps to minimize the receipt of materials that are significant sources of pollutants to storm water discharges. Procedures may include advising scrap suppliers which materials will not be accepted, educating scrap material providers to drain all residual fluids before delivery, and training personnel to recognize significant pollutant sources so that materials may either be rejected or handled in a manner so as to minimize the potential for contamination of storm water. Facilities that receive separated materials from the general public for recycling shall minimize the acceptance of hazardous scrap materials and non-recyclable scrap materials by clearly marking public drop-off containers. The Best Management Practices section of the SWP3 shall identify specific procedures for collecting, handling, and disposing of residual fluids that are recovered from scrap materials, including cutting fluids recovered before discharge from dedicated metal turnings containment areas, and for disposing of non-recyclable scrap materials.

BMPs shall be defined to minimize storm water contact with outdoor stockpiled materials, including any materials that may contain residual fluids. Measures may include permanent or semi-permanent covers, diversion of runoff away from materials through the use of berms, trenches, culverts, or similar controls.

Specific BMPs shall be defined to ensure proper handling, storage, and disposal of scrap lead-acid batteries. BMPs must minimize exposure of lead-acid batteries to storm water, and must provide procedures for handling cracked or leaking batteries.

#### **5. Benchmark Monitoring Requirements**

The following subsectors must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

SIC Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value
----------	------------------------------------	---------------------	-----------------

5093	Scrap Recycling Facilities (Scraps include metals, paper, plastic, cardboard, glass, animal hides, used oil, antifreeze, mineral spirits, industrial solvents and other materials)	Copper	0.0636 mg/L
		Aluminum	0.75 mg/L
		Iron	1.0 mg/L
		Lead	0.0816 mg/L
		Zinc	0.117 mg/L
		TSS	100 mg/L
		COD	120 mg/L

**Section O. Sector O of Industrial Activity - Steam Electric Generating Facilities**

The requirements in Part V of this general permit are sector-specific and are in addition to the requirements in Parts III and IV. Where co-located industrial activities occur (refer to Part II.A.2. of this general permit) the additional conditions and requirements in Part V of this general permit for each of these activities also apply.

**1. Description of Industrial Activity**

The requirements under this section apply to storm water discharges from activities identified and described as Sector O. Sector O industrial activities are described by the following Industrial Activity Code:

<b>SECTOR O: STEAM ELECTRIC GENERATING FACILITIES</b>	
<b>Activity Code</b>	<b>Description of Industry Sub-sector</b>
SE	Limited to Steam Electric Generating Facilities

The requirements of Section O apply to storm water discharges from steam electric power generating facilities, including dual fuel co-generation facilities, and to storm water discharges from coal handling areas located at these facilities.

**2. Limitations on Permit Coverage**

Heat capture co-generation facilities and ancillary facilities that are not contiguous to a facility that is covered by this sector (e.g. gas turbine stations, vehicle fleet centers) are not covered by this general permit.

**3. Pollution Prevention Measures and Controls**

Best Management Practices - Measures shall be implemented to limit fugitive dust emissions and offsite tracking of dust and residue from coal and ash handling areas. All residue hauling vehicles must have a proper cover over the load, adequate gate sealing, and good structural integrity to prevent spillage and to minimize fugitive

emissions. If the facility's storm water Pollution Prevention Team identifies wetting the surface of the load as an effective BMP for minimizing fugitive dust emissions, this practice may substitute for covering the load. The Best Management Practices section of the SWP3 shall define procedures to prevent or minimize contamination of storm water during delivery of fuel oil and other chemicals. Containment measures at the unloading areas (e.g. drip pans, perimeter containment) shall be used wherever appropriate and a facility employee familiar with spill prevention, containment, and clean-up shall be on site during deliveries. The Best Management Practices section of the SWP3 shall define measures to prevent or minimize contamination of storm water runoff from oil bearing equipment in switchyard areas.

Periodic Inspections - In addition to the standard periodic inspection requirements described in Part III.A.4.(g) of this general permit, visual inspections must be conducted at least once per week to determine the structural integrity of above-ground storage tanks, pipelines, pumps and other related equipment.

**4. Comprehensive Site Compliance Evaluation**

In addition to the standard site compliance inspections described in Part III.A.6 of this general permit, personnel must inspect coal handling areas, loading/unloading areas, switchyard, fueling areas, bulk storage areas, ash handling areas, disposal ponds and landfills, maintenance areas, liquid storage tanks, and material storage areas at a minimum frequency of once per month.

**5. Numeric Effluent Limitations**

The following numeric effluent limitations, based on guidelines from the Steam Electric Generating Point Source Category (40 CFR Part 423.12 (b)(1) and (9)) shall apply to any storm water runoff from coal pile storage areas. Samples of these discharges shall be obtained before the runoff combines with other storm water runoff, analyzed, and shall not exceed the following numeric effluent limitations:

<u>Parameter</u>	<u>Limitations</u> <u>Daily Max</u>	<u>Monitoring</u> <u>Frequency</u>
Total Suspended Solids	50 mg/l	1/Year
pH	between 6 and 9 standard units	1/Year

Sample Type - Grab samples shall be taken prior to combining with other flows, for analyses.

Reporting Requirements - Results of monitoring for determining compliance with numeric effluent limitations must be either retained at the facility or shall be readily available for review by authorized TNRCC personnel upon request. Results must be

recorded on a discharge monitoring report (DMR). The DMR must either be an original EPA No. 3320-1 form, a duplicate of the form, or a self-generated form that is comparable. Monitoring must be conducted prior to December 31<sup>st</sup> for each annual monitoring period and the results must be recorded and available for review by March 31<sup>st</sup>.

**6. Waivers for Numeric Effluent Limitations**

Numeric effluent limitations for runoff from coal pile storage areas do not apply to discharges that overflow from structural control facilities that are designed to contain and treat runoff from a 10-year, 24-hour storm event. The permittee shall maintain, as a part of the SWP3, the following information in order to receive this waiver: engineering design records that demonstrate structural controls are adequate to intercept, contain, and treat the volume of runoff from a 10-year, 24-hour storm event; and records of rainfall from either a rain gauge that is located onsite or a rain gauge maintained in the immediate area of the site. Rainfall records are only required to document events that equal or exceed a 10-year, 24-hour event.

**7. Benchmark Monitoring Requirements**

The following subsectors must conduct benchmark monitoring according to the requirements in Part III of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

Activity Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value
SE	Limited to Steam Electric Generating Facilities	Iron	1.0 mg/L

**Section P. Sector P of Industrial Activity - Motor Freight Transportation Facilities, Passenger Transportation Facilities, Petroleum Bulk Oil Stations and Terminals, Rail Transportation Facilities, and United States Postal Service Transportation Facilities**

The requirements in Part V of this general permit are sector-specific and are in addition to the requirements in Parts III and IV. Where co-located industrial activities occur (refer to Part II.A.2. of this general permit) the additional conditions and requirements in Part V of this general permit for each of these activities also apply.

**1. Description of Industrial Activity**

The requirements under this section apply to storm water discharges from activities

identified and described as Sector P. Sector P industrial activities are described by the following Standard Industrial Classification (SIC) codes:

<b>SECTOR P: LAND TRANSPORTATION AND WAREHOUSING</b>	
<b>Sic Code</b>	<b>Description of Industry Sub-sector</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

The requirements of Section P apply to storm water discharges from areas of Sector P facilities where vehicle and equipment maintenance activities, vehicle and equipment rehabilitation, mechanical repairs, painting, fueling and lubrication, and cleaning activities are performed. This general permit does not cover facilities described by SIC code 5171 that store crude oil and that under the authority of the Railroad Commission of Texas. Authorization for these discharges must be obtained through application for a National Pollutant Discharge Elimination System (NPDES) permit and authorization from the Railroad Commission of Texas.

## **2. Pollution Prevention Measures and Controls**

Spill Prevention and Response Measures - Vehicles and equipment that are scheduled for maintenance and that have potential fluid leaks shall be confined to a designated area. The Spill Prevention and Response Measures section of the SWP3 shall define specific measures to prevent spills (e.g. mandatory use of drip pans) and to confine spills (e.g. berms or dikes) within this area. This section of the SWP3 shall also define specific measures to prevent or minimize contamination of storm water from fueling areas.

Best Management Practices - This section of the SWP3 must identify specific measures to prevent or minimize contamination of storm water from vehicle and equipment cleaning and maintenance operations. The SWP3 must define specific procedures to ensure that vehicle wash water does not discharge to the storm water collection system or otherwise contact storm water runoff. Railroad transportation facilities that maintain stockpiles of sand to be used for traction purposes (locomotive sanding) shall define specific measures to reduce or prevent offsite transport of sand in storm water runoff.

## **Section Q. Sector Q of Industrial Activity - Water Transportation Facilities**

The requirements in Part V of this general permit are sector-specific and are in

addition to the requirements in Parts III and IV. Where co-located industrial activities occur (refer to Part II.A.2. of this general permit) the additional conditions and requirements in Part V of this general permit for each of these activities also apply.

**1. Description of Industrial Activity**

The requirements under this section apply to storm water discharges from activities identified and described as Sector Q. Sector Q industrial activities are described by the following Standard Industrial Classification (SIC) codes:

<b>SECTOR Q: WATER TRANSPORTATION</b>	
<b>Sic Code</b>	<b>Description of Industry Sub-sector</b>
4412-4499	Water Transportation

The requirements of Section Q apply to storm water discharges from areas of Sector Q facilities that perform vehicle and equipment maintenance or cleaning activities.

**2. Description of Potential Pollutants and Sources**

Site Map - The site map shall clearly show the locations of the following activities if the activities are exposed to precipitation or runoff: fueling; engine maintenance and repair; vessel maintenance and repair; pressure washing; painting; sanding; blasting; welding; metal fabrication; loading and unloading areas; locations used for the treatment, storage or disposal of wastes; liquid storage tanks; liquid storage areas (e.g., paint, solvents, resins); and material storage areas (e.g., blasting media, aluminum, steel, scrap iron).

**3. Pollution Prevention Measures and Controls**

Best Management Practices - This section of the SWP3 must define specific procedures to ensure that wash water, including high pressure wash water and solids that result from pressure washing vessel hulls, do not discharge to the storm water collection system or otherwise contact storm water runoff. This section must define specific procedures to prevent abrasives, paint chips, and paint overspray from contacting storm water runoff. Methods for collection, storage, and disposal of spent abrasives and other solids waste, resulting from blasting and painting activities, shall be described in this section of the SWP3.

**4. Pollution Prevention Measures and Controls**

Employee Training Program and Employee Education - The program shall include training on used oil management, spent solvent management, disposal of spent

abrasives and vessel wastewaters, fueling procedures, painting and blasting procedures, and lead-acid battery management.

Periodic Inspections - Inspection procedures must be developed according to the standard periodic inspection requirements described in Part III.A.4.(g) of this general permit and conducted at least once per month in the following areas:

- (a) pressure wash areas;
- (b) abrasive blasting, sanding and painting areas;
- (c) material storage or handling areas;
- (d) engine maintenance or repair areas;
- (e) drydock areas; and
- (f) the general yard area.

**5. Benchmark Monitoring Requirements**

The following subsectors must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

SIC Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value
4412-4499	Water Transportation	Aluminum Iron Lead Zinc	0.75 mg/L 1.0 mg/L 0.0816 mg/L 0.117 mg/L

**Section R. Sector R of Industrial Activity - Ship and Boat Building or Repair Yards**

The requirements in Part V of this general permit are sector-specific and are in addition to the requirements in Parts III and IV. Where co-located industrial activities occur (refer to Part II.A.2. of this general permit) the additional conditions and requirements in Part V of this general permit for each of these activities also apply.

**1. Description of Industrial Activity**

The requirements under this section apply to storm water discharges from activities identified and described as Sector R. Sector R industrial activities are described by the following Standard Industrial Classification (SIC) codes:

<b>SECTOR R: SHIP AND BOAT BUILDING OR REPAIRING YARDS</b>	
<b>SIC Code</b>	<b>Description of Industry Sub-sector</b>
3731,3732	Ship and Boat Building or Repairing Yards

**2. Description of Potential Pollutants and Sources**

Site Map - The site map shall clearly show the locations of the following activities where such activities are exposed to precipitation or runoff: fueling; engine maintenance and repair; vessel maintenance and repair; pressure washing; painting; sanding; blasting; welding; metal fabrication; loading and unloading areas; locations used for the treatment, storage or disposal of wastes; liquid storage tanks; liquid storage areas (e.g., paint, solvents, resins); and material storage areas (e.g., blasting media, aluminum, steel, scrap iron).

**3. Pollution Prevention Measures and Controls**

Best Management Practices - This section of the SWP3 must define specific procedures to ensure that wash water, including high pressure wash water and solids that result from pressure washing vessel hulls, does not discharge to the storm water collection system or otherwise contact storm water runoff. The SWP3 shall define specific procedures to prevent abrasives, paint chips, and paint overspray from contacting storm water runoff. Methods for collection, storage, and disposal of spent abrasives and other solids waste, resulting from blasting and painting activities, shall be established as BMPs.

**4. Pollution Prevention Measures and Controls**

Employee Training Program and Employee Education - The program shall include training on used oil management, spent solvent management, disposal of spent abrasives and vessel wastewaters, management of metal filings and dust from welding and grinding operations, fueling procedures, painting and blasting procedures, and lead-acid battery management.

Periodic Inspections - Inspection procedures must be developed according to the standard periodic inspection requirements described in Part III.A.4.(g) of this general permit and conducted at least once per month in the following areas:

- (a) pressure wash areas;

- (b) abrasive blasting, sanding and painting areas;
- (c) material storage or handling areas;
- (d) engine maintenance or repair areas;
- (e) drydock areas; and
- (f) the general yard area.

**Section S. Sector S of Industrial Activity - Vehicle Maintenance Areas, Equipment Cleaning Areas, or Deicing Areas located at Air Transportation Facilities**

The requirements in Part V of this general permit are sector-specific and are in addition to the requirements in Parts III and IV. Where co-located industrial activities occur (refer to Part II.A.2. of this general permit) the additional conditions and requirements in Part V of this general permit for each of these activities also apply.

**1. Description of Industrial Activity**

The requirements under this section apply to storm water discharges from activities identified and described as Sector S. Sector S industrial activities are described by the following Standard Industrial Classification (SIC) codes:

<b>SECTOR S: AIR TRANSPORTATION</b>	
<b>SIC Code</b>	<b>Description of Industry Sub-sector</b>
4512-4581	Air Transportation Facilities

The requirements of Section S apply to storm water discharges from those portions of facilities described by SIC codes 4512-4581 that are either involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling and lubrication), equipment cleaning operations, or deicing operations.

**2. Limitations on Permit Coverage**

This general permit does not authorize dry weather discharges of deicing chemicals. If these discharges occur, they must be covered by a separate TPDES permit.

**3. Description of Potential Pollutants and Sources**

Site Map - The site map shall clearly show the location of each tenant at the site that conducts industrial activity subject to coverage under this section of this general permit. The map shall clearly delineate areas where aircraft deicing and anti-icing activities occur.

**4. Pollution Prevention Measures and Controls/Management of Runoff with Structural Controls**

The following requirements shall be included in the SWP3 according to requirements of Part III.A.4. and Part III.A.5. of this general permit:

Good Housekeeping Measures - This section of the SWP3 must describe specific measures to prevent or minimize contamination of storm water from areas used for the maintenance or cleaning of equipment, aircraft, and other vehicles, and for areas where aircraft deicing and anti-icing activities occur. Cleaning shall occur in defined, designated areas only. The SWP3 must describe specific measures to prevent or minimize contamination of storm water, and discharges to the storm sewer system from fuel servicing activities and from other operations conducted in support of the airport fuel system.

Spill Prevention and Response Measures - The Spill Prevention and Response Measures section of the SWP3 must include specific measures to be taken in the event of fuel spills and accidental discharges of fuel to the storm sewer system. Measures shall be developed that will minimize and contain the spill, and that outline spill clean-up procedures.

Best Management Practices - Operators that conduct deicing or anti-icing operations shall evaluate operating procedures on an annual basis to consider alternative practices that may reduce the overall amount of chemical used, or otherwise lessen the environmental impact of the pollutant. This annual review must include a consideration of alternative chemicals for this use. The Best Management Practices section of the SWP3 shall include a narrative discussion of the annual alternative practices review that includes the rationale for changes in practices or the lack of changes in practices. BMPs shall be developed and implemented to ensure against over application of chemicals used as a part of deicing and anti-icing operations.

Periodic Inspections - Inspection procedures must be developed according to the standard periodic inspection requirements described in Part III.A.4.(g) of this general permit conducted at least once per week during deicing or anti-icing activities in the areas where these operations take place.

Records - Facilities that conduct deicing/anti-icing operations shall maintain a record of the types of chemicals used for these activities and maintain monthly records of

the amounts of chemicals used. The material safety data sheet (MSDS) for each chemical shall be included as a part of the record. Tenants that conduct deicing/anti-icing operations shall provide this information to the airport authority for inclusion in the SWP3. Records of weekly inspections, when they occur, shall be maintained.

Structural Controls - Operators that conduct deicing or anti-icing activities shall consider controls to capture and contain chemicals used in this activity. Containing activities to specific areas where runoff may be captured and either treated, hauled away for disposal, or disposed of to the sanitary sewer, shall be considered. A narrative description of these considerations, including a rationale for why certain alternatives were either chosen or rejected, shall be incorporated as an element of the SWP3.

**5. Benchmark Monitoring Requirements**

Benchmark monitoring is only required for airports with deicing activities that have used more than 100 tons of urea, or more than 100,000 gallons of ethylene glycol, in any calendar year in the three years prior to submittal of an NOI for coverage under this permit. These volumes of deicing materials refer to the combined activities and usage at the airport as a whole, and not independently to each carrier or operator. The following subsector must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

SIC Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value
4512-4581	Airports with Deicing Activities	BOD COD Ammonia pH	30 mg/L 120.0 mg/L 19 mg/L 6.0 to 9 s.u.

**Section T. Sector T of Industrial Activity - Treatment Works**

The requirements in Part V of this general permit are sector-specific and are in addition to the requirements in Parts III and IV. Where co-located industrial activities occur (refer to Part II.A.2. of this general permit) the additional conditions and requirements in Part V of this general permit for each of these activities also apply.

**1. Description of Industrial Activity**

The requirements under this section apply to storm water discharges from activities

identified and described as Sector T. There are no additional requirements under this section that apply to storm water discharges from activities identified and described as Sector T. Sector T industrial activities are described by the following Industrial Activity Code:

<b>SECTOR T: TREATMENT WORKS</b>	
<b>Activity Code</b>	<b>Description of Industry Sub-sector</b>
TW	Treatment Works

The requirements of Section T apply to storm water discharges from areas of Sector T facilities with: treatment plants or systems that treat, store, recycle, or reclaim domestic sewage, waste water or sewage sludge; dedicated lands for sewage sludge disposal located within the on-site property boundaries for facilities with a design flow of 1.0 million gallons per day or more; and to facilities required to have an approved pretreatment program (under 40 CFR Part 403).

**Section U. Sector U of Industrial Activity - Food and Kindred Products Facilities**

The requirements in Part V of this general permit are sector-specific and are in addition to the requirements in Parts III and IV. Where co-located industrial activities occur (refer to Part II.A.2. of this general permit) the additional conditions and requirements in Part V of this general permit for each of these activities also apply.

**1. Description of Industrial Activity**

The requirements under this section apply to storm water discharges from activities identified and described as Sector U. Sector U industrial activities are described by the following Standard Industrial Classification (SIC) codes:

<b>SECTOR U: FOOD AND KINDRED PRODUCTS FACILITIES</b>	
<b>SIC Code</b>	<b>Description of Industry Sub-sector</b>
2011-2015	Meat Products
2021-2026	Dairy Products
<b>SIC Code</b>	<b>Description of Industry Sub-sector (Continued)</b>
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

**2. Description of Potential Pollutants and Sources**

Inventory of Exposed Materials - The inventory shall include a list of the pesticides, herbicides, and fungicides applied or stored on the facility property.

Narrative Description - A narrative description of all activities and potential sources of pollutants that may reasonably be expected to add significant amounts of pollutants to storm water discharges from pest control and chemical storage procedures must be included.

Site Map - The site map shall clearly show the location of vent stacks for cooking, drying, and similar operations, dry product vacuum transfer lines; animal holding pens; spoiled product and broken product container storage areas; and any other processing or storage areas exposed to storm water.

**3. Pollution Prevention Measures and Controls**

Best Management Practices - This section of the SWP3 shall include BMPs to ensure that cleaning methods for vent hoods, storage and baking racks, bins and refuse containers, and other similar cleaning activities do not contribute pollutants to storm water runoff.

Employee Training Program and Employee Education - The program shall include training in pest control application procedures and chemical storage procedures.

**4. Benchmark Monitoring Requirements**

The following subsectors must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

SIC Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value
2041-2048	Grain Mill Products	TSS	100 mg/L

2074-2079	Fats and Oils	BOD	30 mg/L
		COD	120 mg/L
		Nitrate + Nitrite N	0.68 mg/L
		TSS	100 mg/L

**Section V. Sector V of Industrial Activity - Textile Mills, Apparel, and Other Fabric Product Manufacturing Facilities**

The requirements in Part V of this general permit are sector-specific and are in addition to the requirements in Parts II and IV. Where co-located industrial activities occur (refer to Part II.A.2. of this general permit) the additional conditions and requirements in Part V of this general permit for each of these activities also apply.

**1. Description of Industrial Activity**

The requirements under this section apply to storm water discharges from activities identified and described as Sector V. Sector V industrial activities are described by the following Standard Industrial Classification (SIC) codes:

<b>SECTOR V: TEXTILE MILLS, APPAREL, AND OTHER FABRIC PRODUCT MANUFACTURING FACILITIES</b>	
<b>SIC Code</b>	<b>Description of Industry Sub-sector</b>
2211-2299	Textile Mill Products
2311-2399	Apparel and Other Finished Products Made From Fabrics and Similar Materials
3131-3199 (except 3111)	Leather and Leather Products, except Leather Tanning and Finishing (see Sector Z)

**2. Description of Potential Pollutants and Sources**

Narrative Description - A narrative description of all activities and potential sources of pollutants that may reasonably be expected to add significant amounts of pollutants to storm water discharges from industry specific activities, including the following, shall be included: backwinding; beaming; bleaching; backing; bonding carbonizing; carding; cut and sew operations; desizing; drawing; dyeing; flocking; fulling; knitting; mercerizing; opening; packing; plying; scouring; slashing; spinning;

synthetic-felt processing; textile waste processing; tufting; turning; weaving; web forming; winging; yarn spinning; and yarn texturing.

**3. Pollution Prevention Measures and Controls**

Spill Prevention and Response Measures - This section of the SWP3 shall include measures to inspect, evaluate, and replace connections, valves, transfer lines and pipes that carry chemicals, dyes, or waste. All chemicals shall be stored in a protected area, away from drains, and clearly labeled. The SWP3 shall include specific measures to prevent or minimize contamination of storm water runoff from above ground storage tank areas.

Periodic Inspections - Inspection procedures must be developed according to the standard periodic inspection requirements described in Part III.A.4.(g) of this general permit, but must be conducted at least once per month in material storage areas, material transfer areas, and transmission areas.

Employee Training Program and Employee Education - Employee training shall include training in the management and disposal of any solvents, other petroleum products, dyes, and other chemicals used at the facility.

**Section W. Sector W of Industrial Activity - Wood and Metal Furniture and Fixture Manufacturing Facilities.**

The requirements in Part V of this general permit are sector-specific and are in addition to the requirements in Parts III and IV. Where co-located industrial activities occur (refer to Part II.A.2. of this general permit) the additional conditions and requirements in Part V of this general permit for each of these activities also apply.

**1. Description of Industrial Activity**

The requirements under this section apply to storm water discharges from activities identified and described as Sector W. There are no additional requirements under this section that apply to storm water discharges from activities identified and described as Sector W. Sector W industrial activities are described by the following Standard Industrial Classification (SIC) codes:

<b>SECTOR W: FURNITURE AND FIXTURES</b>	
<b>SIC Code</b>	<b>Description of Industry Sub-sector</b>
2511-2599	Furniture and Fixtures
2434	Wood Kitchen Cabinets

**Section X. Sector X of Industrial Activity - Printing and Publishing Facilities**

The requirements in Part V of this general permit are sector-specific and are in addition to the requirements in Parts III and IV. Where co-located industrial activities occur (refer to Part II.A.2. of this general permit) the additional conditions and requirements in Part IV of this general permit for each of these activities also apply.

**1. Description of Industrial Activity**

The requirements under this section apply to storm water discharges from activities identified and described as Sector X. Sector X industrial activities are described by the following Standard Industrial Classification (SIC) codes:

<b>SECTOR X: PRINTING AND PUBLISHING</b>	
<b>SIC Code</b>	<b>Description of Industry Sub-sector</b>
2711-2796	Printing, Publishing, and Allied Industries

**2. Description of Potential Pollutants and Sources**

Narrative Description - A narrative description of all activities and potential sources of pollutants that may reasonably be expected to add significant amounts of pollutants to storm water discharges from industry specific activities, including blanket wash and solvent mixing operations.

**3. Pollution Prevention Measures and Controls**

Spill Prevention and Response Measures - The Spill Prevention and Response Measures section of the SWP3 shall include measures to inspect, evaluate, and replace connections, valves, transfer lines and pipes that carry chemicals or wastes. All chemicals (e.g. fuels, solvents, dyes, inks) shall be stored in a protected area, away from drains, and clearly labeled. This section of the SWP3 shall include specific measures to prevent or minimize contamination of storm water runoff from above ground storage tank areas and fueling areas.

Employee Training Program and Employee Education - The program shall include training in the management and disposal of any solvents, other petroleum products, dyes, and other chemicals used at the facility.

**Section Y. Sector Y of Industrial Activity - Rubber and Miscellaneous Plastic Products, and Miscellaneous Manufacturing Facilities**

The requirements in Part V of this general permit are sector-specific and are in

addition to the requirements in Parts III and IV. Where co-located industrial activities occur (refer to Part II.A.2. of this general permit) the additional conditions and requirements in Part V of this general permit for each of these activities also apply.

**1. Description of Industrial Activity**

The requirements under this section apply to storm water discharges from activities identified and described as Sector Y. Sector Y industrial activities are described by the following Standard Industrial Classification (SIC) codes:

<b>SECTOR Y: RUBBER, MISCELLANEOUS PLASTIC PRODUCTS, AND MISCELLANEOUS MANUFACTURING FACILITIES</b>	
<b>SIC Code</b>	<b>Description of Industry Sub-sector</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

**2. Description of Potential Pollutants and Sources**

Narrative Description - The description shall include a review of the use of any zinc at the facility and possible pathways where zinc could contaminate storm water runoff.

### **3. Pollution Prevention Measures and Controls**

Good Housekeeping Measures - This section of the SWP3 shall include specific measures to minimize potential exposure of zinc to storm water and to minimize or prevent the discharge of plastic resin pellets in storm water..

Best Management Practices - This section of the SWP3 shall include BMPs to minimize or prevent the discharge of plastic resin pellets in storm water runoff. All rubber manufacturing facilities must include specific BMPs and controls to minimize the contamination of storm water from the handling and storage of zinc. Potential sources of zinc must be identified and the accompanying BMPs must be included in the SWP3:

- (a) zinc bags must be stored indoors;
- (b) the use of 2,500 lb bags of zinc, rather than 50 or 10 lb bags, must be evaluated;
- (c) the use of chemicals purchased in pre-weighed, sealed polyethylene bags;
- (d) the use of automatic dispensing and weighing equipment;
- (e) ensuring headspace in containers to minimize “puffing” losses when the containers are opened;
- (f) storing waste disposal dumpsters indoors, providing a cover and liner for the dumpster; and
- (g) using alternatives to zinc.

Spill Prevention and Response Measures - This section of the SWP3 shall address dust generation from rubber grinding operations and install dust collection systems where necessary to prevent the potential contamination of storm water. Specific measures shall be identified for cleanup of zinc spills so that the cleanup may be completed without washing the spill into the storm drain.

### **4. Benchmark Monitoring Requirements**

The following subsectors must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

SIC Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value
3011	Tires and Inner Tubes	Zinc	0.117 mg/L
3021	Rubber and Plastics Footwear	Zinc	0.117 mg/L
3052, 3053	Gaskets, Packing, and Sealing Devices and Rubber and Plastics Hose and Belting	Zinc	0.117 mg/L
3061, 3069	Fabricated Rubber Products, Not Elsewhere Classified	Zinc	0.117 mg/L

**Section Z. Sector Z of Industrial Activity - Leather Tanning and Finishing Facilities**

The requirements in Part V of this general permit are sector-specific and are in addition to the requirements in Parts III and IV. Where co-located industrial activities occur (refer to Part II.A.2. of this general permit) the additional conditions and requirements in Part V of this general permit for each of these activities also apply.

**1. Description of Industrial Activity**

The requirements under this section apply to storm water discharges from activities identified and described as Sector Z. Sector Z industrial activities are described by the following Standard Industrial Classification (SIC) codes:

<b>SECTOR Z: LEATHER TANNING AND FINISHING</b>	
<b>SIC Code</b>	<b>Description of Industry Sub-sector</b>
3111	Leather Tanning and Finishing

**2. Description of Potential Pollutants and Sources**

Site Map - The site map shall clearly show the location of the following activities, if these activities are exposed to storm water: beamhouse, tanyard, retan-wet and dry finishing operations; haul roads; access roads; and rail spurs.

**3. Pollution Prevention Measures and Controls**

Good Housekeeping Measures - Storage areas and storage containers must be labeled.

Best Management Practices - This section of the SWP3 must contain a narrative consideration of methods to isolate the following facility areas and materials from contacting storm water runoff:

- (a) raw, semiprocessed, and finished tannery byproducts;
- (b) leather dust from buffing or shaving operations;
- (c) receiving, unloading, and storage areas;
- (d) equipment that is contaminated with tannery process materials and from waste management operations (e.g. waste storage areas, dumpsters, waste piles).

**Section AA. Sector AA of Industrial Activity - Fabricated Metal Products Facilities**

The requirements in Part V of this general permit are sector-specific and are in addition to the requirements in Parts III and IV. Where co-located industrial activities occur (refer to Part II.A.2. of this general permit) the additional conditions and requirements in Part V of this general permit for each of these activities also apply.

**1. Description of Industrial Activity**

The requirements under this section apply to storm water discharges from activities identified and described as Sector AA. Sector AA industrial activities are described by the following Standard Industrial Classification (SIC) codes:

<b>SECTOR AA: FABRICATED METAL PRODUCTS FACILITIES</b>	
<b>SIC Code</b>	<b>Description of Industry Sub-sector</b>
3411-3499	Fabricated Metal Products, Except Machinery and Transportation Equipment
3911-3915	Jewelry, Silverware, and Plated Ware

**2. Pollution Prevention Measures and Controls**

Best Management Practices - This section of the SWP3 must define practices to prevent or minimize exposure of storm water to metal fines and iron dust, solvents and paints, and also from sand where sandblasting operations are conducted.

Spill Prevention and Response Measures - This section of the SWP3 shall include specific spill prevention and response guidelines to address chromium, toluene, pickle liquor, sulfuric acid, zinc, and other water priority/hazardous chemicals that are used at the facility. The installation of perimeter controls to contain spills (e.g.

berms, dikes) shall be considered for areas where lubricating and hydraulic fluids, chemicals, paints and other similar liquids are stored.

### 3. Benchmark Monitoring Requirements

The following subsectors must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

SIC Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value
3411-3471 (except 3479) 3482-3499 3911-3915	Fabricated Metal Products Except Coating	Iron Aluminum Zinc Nitrate + Nitrite N	1.0 mg/L 0.75 mg/L 0.117 mg/L 0.68 mg/L
3479	Fabricated Metal Coating and Engraving	Zinc Nitrate + Nitrite N	0.117 mg/L 0.68 mg/L

#### Section AB. Sector AB of Industrial Activity - Transportation Equipment and Industrial or Commercial Machinery Manufacturing Facilities

The requirements in Part V of this general permit are sector-specific and are in addition to the requirements in Parts III and IV. Where co-located industrial activities occur (refer to Part II.A.2. of this general permit) the additional conditions and requirements in Part V of this general permit for each of these activities also apply.

##### 1. Description of Industrial Activity

The requirements under this section apply to storm water discharges from activities identified and described as Sector AB. Sector AB industrial activities are described by the following Standard Industrial Classification (SIC) codes:

<b>SECTOR AB: TRANSPORTATION EQUIPMENT, INDUSTRIAL OR COMMERCIAL MACHINERY MANUFACTURING FACILITIES</b>	
<b>SIC Code</b>	<b>Description of Industry Sub-sector</b>
3511-3599 (except 3571-3579)	Industrial and Commercial Machinery (except Computer and Office Equipment) (see Sector AC)
3711-3799 (except 3731,3732)	Transportation Equipment (except Ship and Boat Building and Repairing) (see Sector R)

## 2. Description of Potential Pollutants and Sources

Site Map - The site map shall clearly show the location of vents and stacks from metal processing and similar areas.

### **Section AC. Sector AC of Industrial Activity - Electronic and Electrical Equipment/Components, and Photographic/Optical Goods Manufacturing Facilities**

The requirements in Part V of this general permit are sector-specific and are in addition to the requirements in Parts III and IV. Where co-located industrial activities occur (refer to Part II.A.2. of this general permit) the additional conditions and requirements in Part V of this general permit for each of these activities also apply.

## 1. Description of Industrial Activity

There are no additional requirements under this section that apply to storm water discharges from activities identified and described as Sector AC. Sector AC industrial activities are described by the following Standard Industrial Classification (SIC) codes:

<b>SECTOR AC: ELECTRONIC, ELECTRICAL, PHOTOGRAPHIC, AND OPTICAL GOODS</b>	
<b>SIC Code</b>	<b>Description of Industry Sub-sector</b>
3612-3699	Electronic, Electrical Equipment and Components, except Computer Equipment

<b>SIC Code</b>	<b>Description of Industry Sub-sector (Continued)</b>
3812 - 3873	Measuring, Analyzing and Controlling Instrument; Photographic and Optical Goods
3571-3579	Computer and Office Equipment

**Section AD. Sector AD of Industrial Activity - Miscellaneous Industrial Activities**

**1. Description of Industrial Activity**

Sector AD is used to provide permit coverage for facilities that are designated by the executive director as needing a permit to control pollution related to storm water discharges and that do not meet the description of an industrial activity covered by Sectors A-AC. Where co-located industrial activities occur (refer to Part II.A.2. of this general permit) the additional conditions and requirements in Part V of this general permit for each of these activities also apply.

**2. Limitations on Permit Coverage**

- (a) Facilities are not allowed to request general permit coverage under Sector AD. Coverage under this sector is reserved for those facilities that are designated by the executive director as eligible for coverage under this sector of this general permit.
- (b) Facilities that are determined by the executive director to need controls in addition to the requirements in Part II and Part III of this general permit shall be required to obtain an individual TPDES permit.