

**FACT SHEET AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION  
TPDES General Permit TXR050000 - Multi Sector General Permit**

For proposed Texas Pollutant Discharge Elimination System (TPDES) Multi Sector General Permit (MSGP) Number TXR050000 to discharge to surface water in the state.

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Permit Action: Amendment and Reissuance of a General Stormwater Permit for  
Industrial Activities

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## **I. Summary**

The Texas Commission on Environmental Quality (TCEQ) is proposing to renew TPDES Multi Sector General Permit (MSGP) TXR050000, issued August 14, 2011, which authorizes the discharge of stormwater associated with industrial activity. The draft MSGP specifies which facilities must obtain permit coverage, which are eligible for exclusion from permit requirements, which may be automatically authorized, and which may be required to obtain individual permit coverage.

The principal changes to the existing MSGP include:

- A.** Changed the Standard Industrial Classification (SIC) code and sector format in Part II Section A to clarify what facilities are regulated under the general permit by adding more details to the existing SIC codes and industrial activity descriptions.
- B.** Added narrative and numeric effluent limitations guidelines under Part V, Sector S (Air Transportation) to include deicing requirements based on final federal Effluent Limitation Guidelines at 40 Code of Federal Regulations (CFR) Part 449 for airport and airplane deicing operations.
- C.** Changes to benchmark values and sampling.

Based on Benchmark Monitoring Reports received from permittees during permit years 2011 – 2014, the following changes were made after data analysis:

1. Lowered Ammonia Nitrogen value from 2.5 milligrams per Liter (mg/L) to 1.7 mg/L.
  2. Lowered Total Suspended Solids (TSS) values from 100 mg/L to 50 mg/L for sector A (SIC codes 2426 – 2499), sector C (SIC codes 2873 – 2879), sector F (SIC codes 3321 -3325), and sector H (SIC codes 1221 – 1241).
  3. Lowered Biochemical Oxygen Demand (BOD) values from 30 mg/L to 20 mg/L for Sector T (Activity code TW)
  4. Added language to Part IV, Section B.1.(a) clarifying the sampling requirements for the waiver option for benchmark sampling during Years 3 and 4. If sampling during Years 1 and 2 demonstrates that the annual average result for all benchmark parameters is below the benchmark level for the regulated sector, then permittees can waiver out of sampling for Years 3 and 4.
- D.** Added SIC code 7699 (Ship scaling services not done at a ship yard; Motorboat repair and maintenance services) to Sector R (Ship and Boat Building or Repairing Yards) . This change is consistent with the EPA draft 2013 MSGP.
  - E.** Clarified permit language in Part V, Sector P (Land Transportation and Warehousing) regarding Petroleum Bulk Stations and Terminals with SIC code 5171, pertaining to the storage of crude oil. Modified language to clarify when permittees must be regulated under an EPA NPDES permit and when they qualify under the MSGP.
  - F.** Clarified permit language in Part V, Sector I (Oil and Gas Extraction Facilities) when facilities qualify for permit coverage under the EPA NPDES permit, or when they qualify under the MSGP.

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- G.** Clarified permit language in Part II, Section C.1(a) for above ground storage tanks (ASTs) requirements.
- H.** Added language to Part III, Section D.1 (c) to clarify how permittees should document zero rainfall totals, or no rain for sampling requirements.
- I.** Added clarification to the section "Impaired Water Bodies and Total Maximum Daily Load Requirements" to address when discharges are considered discharging to an impaired water body.
- J.** Pursuant to the October 23, 2013 Commissioner's Order on the Livestock Manure Composting General Permit, WQG200000, the draft permit was similarly revised to clarify that an applicant who owns or operates a facility classified as an "unsatisfactory performer" is entitled to a hearing before the commission prior to denial or suspension of authorization.

## **II. Executive Director's Recommendation**

The Executive Director has made a preliminary decision that this general permit, if reissued, meets all statutory and regulatory requirements. It is proposed that the general permit be reissued to expire five years from the effective date of August 14, 2016, in accordance with the requirements of 30 TAC §205.5(a).

## **III. Permit Applicability and Coverage**

### **A. Need for a Permit:**

The MSGP authorizes the discharge of stormwater associated with industrial activities into surface water in the state. "stormwater associated with industrial activity" is defined in federal rules at 40 CFR §122.26(b)(14), which TCEQ adopted in state rules at 30 TAC §281.25(a). The draft general permit specifies which facilities may be authorized under the general permit and which must be authorized by an individual permit or alternative general permit.

A facility must have authorization for stormwater discharges if it is defined as an industrial activity by 40 CFR §122.26(b)(14) or designated by the Executive Director. A regulated facility may obtain authorization under the MSGP if coverage is not otherwise prohibited:

1. The SIC code that describes the facility (i.e., the primary SIC code) is specifically listed in Section II.A. of the general permit (see Part II, Section A of the draft permit);
2. The facility conducts an activity described by one or more Industrial Activity Codes that are described in the general permit (See Sectors K, L, O, and T in Part II, Section A. of the draft permit, and Part V, Sections K, L, O, and T);
3. Stormwater discharges from the facility are subject to federal categorical effluent limitations at Title 40 of the CFR Subchapter N (Parts 400-471) (applicable to certain discharges within Sectors A, C, D, E, I, J, O, and S in Part V of the general permit); or

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4. The facility has been designated by the Executive Director as requiring coverage under Sector AD.

Regulated industrial activities are grouped into 30 sectors, A through AD, and each sector consists of a group of similar industrial activities. For this reason, the permit is referred to as the "Multi-Sector General Permit," or MSGP. Most sectors of activity are further divided into more specific subsectors through the use of standard industrial classification (SIC) codes; although some sectors include only one SIC code, and four sectors (K, L, O, and T) are defined only by an industrial activity code (HZ, LF, SE, and TW, respectively). In addition, Sector AD is reserved and will be used to provide permit coverage for facilities that are designated in writing by the Executive Director as needing a permit to control pollution related to stormwater discharges, but that are not described by Sectors A-AC.

Military installations and other federal facilities are also regulated under the MSGP if they have a potential to discharge stormwater that is regulated under the MSGP, even though the facility SIC code may not be listed. For example, the SIC code for a military base is 9711; however, permit coverage is required for any military base that conducts a regulated activity. Other public facilities are regulated under the MSGP if the facility is described in the general permit. For example, if a city operates a general warehousing operation, the city would need to determine the SIC code that best describes the actual facility rather than using the SIC code that describes the entire city.

**B. No Exposure:**

Facilities regulated under the MSGP may be excluded from permit requirements if there is no exposure of industrial materials or activities to precipitation or runoff. To qualify for this conditional exclusion from permit requirements, the operator of the facility must certify that industrial activities and materials are isolated from precipitation and runoff by storm resistant shelter. The certification must be submitted to the TCEQ on a No Exposure Certification (NEC) form, or other approved form.

Storm-resistant shelters include buildings or structures that have complete roofs and walls, as well as structures with only a top cover but no side coverings, as long as the materials or activities under the structure are not otherwise subject to any run-on and subsequent runoff of stormwater, or mobilization by wind.

Facilities operating under a conditional no-exposure exclusion are subject to inspection by authorized TCEQ personnel to determine compliance with the exclusion. In addition, operators of facilities that qualify for this exclusion and that discharge stormwater to a municipal separate storm sewer system (MS4) must provide a copy of their NEC form to the MS4 operator, even if not required by the MS4.

**Exceptions to Storm Resistant Shelters:**

1. A facility may be able to obtain a no-exposure exclusion even if the following materials and activities are not completely isolated from precipitation and runoff by a storm resistant shelter:
  - a. drums, barrels, tanks, and similar containers that are tightly sealed, provided those containers are not deteriorated and do not leak ("Sealed"

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means banded or otherwise secured and without operational taps or valves); and

- b. final products that are produced by the facility operator and that are designed for outdoor use (e.g., new cars, outdoor play-sets, lawn equipment), provided the final products have not deteriorated and are not otherwise a potential source of contaminants.

However, the following types of final products would be considered exposed, and not eligible for the exclusion, even if they are designed for outdoor use:

- (1) Final products that could be mobilized by wind or rain into stormwater discharges (e.g., rock salt, wood chips or shavings, compost, plastic pellets, or bricks). Final products that are sheltered from direct precipitation may still be considered exposed if the materials could be carried by wind;
  - (2) final products that may, when exposed, oxidize, deteriorate, leak or otherwise be a potential source of contaminants (e.g., scrap cars, stockpiled train rails, scrap metal, metal products); and
  - (3) final products that are actually intermediate products, i.e., that are used in the composition of yet another product (e.g., sheet metal, tubing and paint used in making tractors; plastic pellets; freshly chromed bumpers, creosoted railroad ties, galvanized building panels, galvanized fencing; and unfinished portions of a final product). Even if the intermediate product is "final" for a manufacturer and is intended to be included in a "final product intended for use outdoors," these products are still considered intermediate products for the purpose of the MSGP, and are considered exposed if they are not located in a storm resistant shelter;
- c. pallets used to store or transport final products intended for outdoor use, if the pallets are new or if they are used and do not contain pollutants;
  - d. vehicles used in material handling that are adequately maintained to prevent leaking fluids;
  - e. lidded dumpsters containing waste materials associated with the regulated activity, provided that the containers are completely covered, no pollutants can drain out, and no material can be lost while loading the contents into a refuse / trash vehicle (excludes trash compactors that handle waste materials associated with the regulated activity, unless the compactor is located indoors or protected by a storm-resistant shelter);
  - f. industrial refuse or trash that is stored in large roll-off containers located under a constructed cover or covered with securely-fastened heavy-duty tarps, provided that the tarps are properly maintained and in good condition. If tarps show any signs of beginning to deteriorate, they would need to be replaced before they deteriorate. Tarps must be fastened to the

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waste containers in such a way that they would need to be unfastened and refastened each time waste materials are added;

- g. particulate emissions from roof stacks or vents, provided that they are in compliance with other applicable TCEQ rules and do not contaminate stormwater; and
- h. above-ground storage tanks (ASTs) that are equipped with valves for dispensing materials that support facility operations (e.g., heating oil, propane, butane, chemical feedstocks for facility equipment) or that dispense fuel (e.g., gasoline, diesel, compressed natural gas) for delivery vehicles provided that:
  - (1) the ASTs are located away from vehicle maintenance areas;
  - (2) there are no leaks from pipes, pumps, or other equipment that could come into contact with stormwater; and
  - (3) the ASTs are surrounded by secondary containment (e.g., impervious berm, dike, or concrete retaining structure) to prevent exposure to stormwater runoff in the event of structural failure or leaks.

ASTs that are used to directly fuel vehicles other than delivery vehicles (e.g., ASTs at airports that are used to dispense fuel to airplanes) are considered exposed.

**2. Limitations on eligibility for the no-exposure exclusion:**

- a. The exclusion from permit requirements is only available facility-wide, and is not available for individual buildings, or individual outfalls. Generally, if any exposed industrial materials or activities exist on any portion of a regulated facility, the facility is not eligible for the no-exposure exclusion.
- b. If a facility with a no-exposure exclusion undergoes any change that results in industrial activities or materials becoming exposed, then the exclusion ceases to apply. In such a case, the operator must obtain coverage under the MSGP or other applicable water quality permit for stormwater discharges before making any changes that will expose industrial activities or materials.
- c. If the TCEQ or EPA determines that a facility's stormwater discharges have a reasonable potential to cause or contribute to a violation of applicable water quality standards, then TCEQ or EPA may deny the no exposure exclusion.

The TCEQ's Small Business and Environmental Assistance (SBEA) Division developed a guidance document, entitled "Conditional No-Exposure Exclusion for Stormwater Runoff (RG-467)," for determining if a facility may claim a conditional no-exposure exclusion from permit requirements when material and activities are not located under storm

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resistant shelter. The guidance document provides additional information on the no-exposure conditional exclusion.

A facility that is able to meet the condition of no exposure is not prohibited from obtaining permit coverage.

**C. Automatic Authorization:**

The existing MSGP designates certain general warehousing facilities in Sector P, related to Land Transportation and Warehousing, that do not have any vehicle or equipment maintenance, fueling, or rehabilitation activities for automatic coverage. The general permit designates certain facilities in Sector X, related to Printing and Publishing Facilities for coverage, as well as small facilities in other sectors that are located completely inside of a private residence, a shopping mall, or office building that is not exposed to stormwater.

Operators of the following industrial facilities are designated for coverage under the general permit, and are not be required to: prepare a SWP3, submit an NOI for coverage nor an NEC form for a conditional no exposure exclusion, perform any inspections, monitoring, or representative sampling, maintain any discharge-related records, or perform any self-reporting:

1. Facilities described in Part V, Section P, related to General Warehousing and Storage (SIC 4225), that do not have areas for vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication) or equipment cleaning activities.
2. Facilities described under Part V, Section X, that conduct publishing or design without printing.
3. Regulated facilities described in Part II, Section A, where the entire industrial activity is performed completely inside of a residential home, a shopping mall, or an office building.

Operators of the above facilities must meet all of the following requirements in order to retain the automatic authorization option and exception from permitting requirements, and must apply for coverage if any of the requirements are not met:

1. The industrial activity must not include a regulated industrial activity code (HZ, LF, SE, or TW);
2. The industrial activity must be conducted completely within fully enclosed building, such as a garage, an office building, or a retail shopping mall;
3. The regulated industrial activity must not be exposed to stormwater; and
4. The facility operator must comply with the MSGP's Standard Permit Conditions, except that references to submittal of an NOI or an NEC form are not applicable.

If the Executive Director determines that additional controls are required other than those listed above, or if there is a concern regarding the discharge of elevated levels of pollutants, then the TCEQ may require a facility otherwise eligible for automatic authorization to obtain coverage and meet all permit conditions through submittal of an NOI or an individual permit application.

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This provision is appropriate for these types of facilities, because they typically operate in such a way that industrial materials are not exposed to stormwater, and stormwater discharges are not expected to contain pollutants of concern. Facilities included under this provision of the permit are expected to contribute less pollutant loading than other facilities and it is appropriate for the TCEQ to automatically authorize these facilities. These facilities are hereby notified that they are regulated by the general permit even though they have not filed an NOI, in accordance with federal rules at 40 CFR §122.28(b)(2)(vi), and as adopted by TCEQ at 30 TAC §205.7. However, the TCEQ also recognizes that activities may occur at the site that do cause a water quality concern, in which case the TCEQ may require a facility otherwise eligible for automatic authorization to obtain coverage and meet all permit conditions through submittal of an NOI or an individual permit application.

A facility that is able to meet the requirements for automatic authorization would not be prohibited from obtaining permit coverage or a conditional no exposure exclusion by completing the NEC (based on having no exposure) or NOI application process for coverage.

- D.** Industrial facilities that qualify for coverage under the general permit may discharge the following non-stormwater discharges through outfalls identified in the SWP3, according to the requirements of the general permit:
1. discharges from emergency fire fighting activities and uncontaminated fire hydrant flushings (excluding discharges of hyperchlorinated water, unless the water is first dechlorinated and discharges are not expected to adversely affect aquatic life);
  2. potable water sources (excluding discharges of hyperchlorinated water, unless the water is first dechlorinated and discharges are not expected to adversely affect aquatic life);
  3. lawn watering and similar irrigation drainage, provided that all pesticides, herbicides, and fertilizer have been applied in accordance with the approved labeling;
  4. water from the routine external washing of buildings, conducted without the use of detergents or other chemicals;
  5. 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);
  6. uncontaminated air conditioner condensate, compressor condensate, and steam condensate, and condensate from the outside storage of refrigerated gases or liquids;
  7. water from foundation or footing drains where flows are not contaminated with pollutants, such as process materials, solvents, and other pollutants;
  8. uncontaminated water used for dust suppression (excludes reclaimed or reuse water used for dust suppression);
  9. springs and other uncontaminated ground water;

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10. incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of the facility, excluding intentional discharges of utility wastewater from the cooling tower (e.g., cooling tower blowdown); and
11. other allowable non-stormwater discharges specifically listed in individual sections of Part V of the MSGP.

The purpose of providing the list of approved non-stormwater discharges is to clarify that certain discharges that may occur during normal operations of an industrial facility or a commercial facility, and these discharges do not require additional permit coverage. Inclusion of this list in the draft general permit is not meant to prohibit the above discharges that would otherwise be allowed without a TPDES permit. In addition, a facility that has obtained a conditional exclusion from permit requirements based on no exposure may discharge the above non-stormwater flows provided they are not causing or contributing to contamination of water quality.

- E.** The following stormwater discharges are not eligible for general permit coverage:
1. Discharges prohibited by 30 TAC Chapter 311 (relating to Watershed Protection) and 30 TAC Chapter 213 (relating to the Edwards Aquifer).
  2. Discharges of the constituent(s) of concern to an impaired water body for which there is a TMDL implementation plan; however, the discharge may be eligible if it is consistent with the approved TMDL and the implementation plan. The TCEQ may amend the general permit or develop a separate general permit for discharges to these water bodies. For discharges not eligible for coverage under this permit, the discharger must apply for and receive an individual or other applicable general permit prior to discharging.
  3. Discharges from facilities that are regulated by the Railroad Commission (RRC) of Texas, including crude oil and natural gas facilities; except that the TCEQ regulates stormwater discharges from petroleum refineries, refined produce pipelines, and oil and gas field services activities that occur at a corporate headquarters or other similar base of operations, as described in the general permit. Additional information on which facilities the TCEQ regulates may be found in the Memorandum of Understanding (MOU) between the TCEQ and the RRC, 16 TAC §3.30.
  4. Discharges that the TCEQ determines is causing or contributing to a receiving water not maintaining its existing uses.
  5. Discharges that the TCEQ determines would adversely affect a listed endangered or threatened species or its critical habitat. Federal requirements related to endangered species apply to all TPDES permitted activities, and site-specific controls may be required via an individual stormwater permit to ensure that protection of endangered species is achieved.
  6. Contact stormwater from certain facilities, as specifically described in the relevant sections of Part V of the MSGP, related to sector-specific requirements.
- F.** Facilities that dispose of stormwater by any of the following practices would not be required to obtain coverage under the MSGP nor under an individual permit:

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1. Recycling of the stormwater with no resulting discharge into surface water in the state;
2. Pumping and hauling of the stormwater to an authorized disposal facility;
3. Discharge of the stormwater to a publicly-owned treatment works (POTW);
4. Underground injection of the stormwater in accordance with 30 TAC Chapter 331;
5. Discharge to above-ground storage tanks (ASTs) with no resulting discharge into surface water in the state; or
6. Containment of all stormwater within property boundaries, with no potential to discharge into surface water in the state, either during or as the result of any storm event.

The operator of the industrial activity may be required to demonstrate, using engineering calculations or other appropriate methods, that no discharge would occur from the site as a result of any storm event(s).

**IV. Permit Conditions and Effluent Limitations**

**A. Numeric Effluent Limitations (Industry-Specific):**

1. **Federal Effluent Guidelines and Standards:** The MSGP includes numeric effluent limits for stormwater discharges from industrial facilities as described in EPA's effluent guidelines and standards, or effluent limitations guidelines (ELGs), in 40 Code of Federal Regulations (CFR), Subchapter N (Chapters 400-471). These discharges are also required to submit DMRs on an annual basis, consistent with federal rules at 40 CFR §122.44 (i)(3), as adopted by reference in 30 TAC §281.25.

The following industrial sectors include numeric limits based on these ELGs, and include a sampling frequency of once per year (unless otherwise described below). For pollutants with a daily average or monthly average limit, the "average" limit only applies when more than one sample is collected and analyzed in a calendar month.

- a. **Sector A, Timber Products Facilities:** 40 CFR Part 429, Subpart I (40 CFR §429.103), *Timber Products Processing Point Source Category, Wet Storage Subcategory:*

**Table 1. Effluent Limitations for Discharges of Wet Decking Water**

<b>Pollutant</b>	<b>Limitations (mg/L)</b>
Debris	No Discharge*
pH	6 – 9 standard (std) units

*\*Debris includes woody material that will not pass through a one-inch diameter round opening.*

- b. **Sector C, Chemical and Allied Products Manufacturing Facilities:** 40 CFR Part 418, Subpart A (40 CFR §418.13), *Fertilizer Manufacturing Point Source Category, Phosphate Subcategory*

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**Table 2. Effluent Limitations for Discharges of Contact Stormwater from Facilities that Manufacture Phosphatic Fertilizers**

<b>Pollutant</b>	<b>Daily Average Limitations (mg/L)</b>	<b>Daily Maximum Limitations (mg/L)</b>
Phosphorus (as P)	35	105
Fluoride	25	75

- c. Sector D, Asphalt Paving and Roofing Materials and Lubricant Manufacturing Facilities: 40 CFR Part 443, Subpart A (40 CFR §443.13), *Paving and Roofing Materials (Tars and Asphalt) Point Source Category, Asphalt Emulsion Subcategory*

**Table 3. Effluent Limitations for Discharges of Stormwater Runoff from Facilities that Produce Asphalt Paving and Roofing Emulsions**

<b>Pollutant</b>	<b>Daily Average Limitations (mg/L)</b>	<b>Daily Maximum Limitations (mg/L)</b>
Total Suspended Solids (TSS)	15	23
Oil and Grease	10	15
pH		6 – 9 std units

- d. Sector E, Glass, Clay, Cement Concrete, and Gypsum Product Manufacturing Facilities: 40 CFR Part 411, Subpart C (40 CFR §411.32), *Cement Manufacturing Point Source Category, Materials Storage Piles Runoff Subcategory*

**Table 4. Effluent Limitations for Discharges of Stormwater Runoff from Material Storage Piles from Facilities that Manufacture Cement**

<b>Pollutant</b>	<b>Daily Maximum Limitations (mg/L)</b>
TSS	50
pH	6 – 9 std units

- e. Sector J, Mineral Mining and Processing Facilities: 40 CFR Part 436, Subparts B, C, and D (40 CFR §§436.22, 436.32, and 436.42), *Mineral Mining and Processing Point Source Category: Crushed Stone Subcategory, Construction Sand and Gravel Subcategory, and Industrial Sand Subcategory*

**Table 5. Effluent Limitations for Discharges of Stormwater and Ground Water Seepage from Mine Dewatering Activities at Construction Sand and Gravel, Industrial Sand, and Crushed Stone Mining Facilities**

<b>Pollutant</b>	<b>Daily Average Limitations (mg/L)</b>	<b>Daily Maximum Limitations (mg/L)</b>
TSS	25	45
pH		6 – 9 std units

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- f. Sector O, Steam Electric Generating Facilities: 40 CFR Part 423 [§§423.12(b)(1), (9) and (10)], *Steam Electric Power Generating Point Source Category*

**Table 6. Effluent Limitations for Facilities Discharging Coal Pile Runoff**

<b>Pollutant</b>	<b>Daily Maximum Limitations (mg/L)</b>
TSS	50
pH	6 – 9 std units

- g. Sector S, Air Transportation: 40 CFR Part 449, Subpart A (§§ 449.1 - 449.20), *Airport Deicing Point Source Category*, and Subpart B, Appendix to Part 449, *Sampling Protocol for Soluble COD*.

**Table 7. Effluent Limitations for Discharges of Stormwater Runoff from Airport Deicing Activities**

<b>Pollutant</b>	<b>Daily Maximum Limitations (mg/L)</b>
COD	271
Ammonia-Nitrogen	14.7

2. Other Numeric Effluent Limitations (Hazardous Metals):

- a. Effluent limits for hazardous metals are continued from the existing permit, and are consistent with TCEQ rules at 30 TAC Chapter 319, Subchapter B (related to Hazardous Metals). The monitoring frequency is once per year; therefore, only the daily maximum effluent limitations were included in the draft permit:

**Table 8. Effluent limits for hazardous metals discharging into inland and tidal waters**

<b>Parameter (Total)</b>	<b>Discharges to Inland Waters (mg/l)</b>	<b>Discharges to Tidal Waters (mg/l)</b>
Arsenic	0.3	0.3
Barium	4.0	4.0
Cadmium	0.2	0.3
Chromium	5.0	5.0
Copper	2.0	2.0
Lead	1.5	1.5
Manganese	3.0	3.0
Mercury	0.01	0.01
Nickel	3.0	3.0
Selenium	0.2	0.3
Silver	0.2	0.2
Zinc	6.0	6.0

- b. The renewed permit continues the reporting requirement for facilities that discharge in excess of the following numeric effluent limitations for hazardous metals to submit DMRs on an annual basis. This requirement

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is according to 40 CFR §122.44 (i)(5), as adopted by reference by TCEQ, and would apply to facilities described in the permit under any of the sectors of industrial activity.

**B. Stormwater Pollution Prevention Plan (SWP3, or plan):**

The draft general permit continues the existing requirement to develop and implement a SWP3 to control discharges of stormwater associated with industrial activities, in accordance with NPDES stormwater regulations at 40 CFR §122.26 (b)(14)(viii), and as adopted by reference in 30 TAC §281.25(a)(4) (relating to Additional Facilities and Projects for which TPDES Permits are Required). The draft permit includes specific provisions that must be incorporated into facility's SWP3. These include, at a minimum, the following elements:

1. Establish a Stormwater Pollution Prevention Team
2. Inspect facility for non-stormwater flows (e.g., process wastewater, vehicle or equipment cleaning water, contact or noncontact cooling water, boiler blowdown, cooling tower blowdown, hydrostatic testing water, groundwater.)
3. Describe potential pollutant sources:
  - (a) List an inventory of exposed materials;
  - (b) Develop a narrative description of activities and sources that may contribute to stormwater pollution;
  - (c) Develop a site map;
  - (d) List historical spills and leaks (including reportable quantity (RQ) spills required by 30 TAC Chapter 327), and keep log of any additional spills and leaks; and
  - (e) Summarize all sampling data.
4. Describe pollution prevention measures and controls, including:
  - (a) Good Housekeeping;
  - (b) Spill Prevention and Response;
  - (c) Erosion Control;
  - (d) Maintenance program for structural controls;
  - (e) BMPs used to reduce pollutants in runoff;
  - (f) Employee training and education programs;
  - (g) Monitoring activities; and
  - (h) Records of above.

**C. Additional Monitoring and Reporting:** The draft general permit continues the following monitoring requirements from the existing general permit, with revisions as noted:

1. **Benchmark Monitoring and Reporting:** The draft permit continues the requirement for certain industrial sectors to collect discharge samples for comparison to benchmark levels. The draft permit revises the levels of certain

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benchmark parameters, Ammonia-Nitrogen, Total Suspended Solids (TSS), and Biochemical Oxygen Demand (BOD). These changes are listed below (paragraph IV.C.1.(c) of this fact sheet) and are further described in Appendix A of this fact sheet:

- (a) The draft permit requires sampling once per six months for the first two years of the permit term. Monitoring requirements begin in the first full six month period, January 1<sup>st</sup> through June 30<sup>th</sup> or July 1<sup>st</sup> through December 31<sup>st</sup>. The permittee would not be required to conduct benchmark monitoring during the third and fourth year, if the results of the first two year's monitoring are below benchmark levels. Results of monitoring for the first and second reporting years would be reported to the TCEQ; and results of monitoring for the third and fourth years would be retained on site.

If sampling is performed for a pollutant in which a waiver was obtained, and the result for that pollutant is greater than the benchmark level, then the waiver ceases for that pollutant. In addition, any waivers obtained from benchmark sampling do not affect sampling that is required to comply with numeric effluent limits in the permit.

- (b) The draft permit includes revised benchmark levels for the following pollutants, which were established based on data evaluated during the 2011 through 2014 calendar years:

**Table 9. Benchmark Levels for Pollutants Evaluated in 2011 - 2014**

<b>Benchmark Parameter</b>	<b>2011 MSGP (mg/L)</b>	<b>Proposed 2016 (mg/L)</b>
TSS	100	50, for selected activities
Ammonia-nitrogen	2.5	1.7
Biochemical Oxygen Demand (BOD <sub>5</sub> )	30	20

- (c) Sector-Specific Changes to Benchmark Parameters:

**Sector A** (Timber Products): Lowered TSS from 100 mg/L to 50 mg/L for SIC codes (2426 – 2499),

**Sector C** (Chemical and Allied Products): Lowered TSS from 100 mg/L to 50 mg/L for SIC codes (2873-2879)

**Sector F** (Primary Metals): Lowered TSS from 100 mg/L to 50 mg/L for SIC codes (3321-3325)

**Sector H** (Coal Mines and Coal Mining Related Facilities): Lowered TSS from 100 mg/L to 50 mg/L for SIC codes (1221-1241)

**Sector T** (Treatment Works): Biochemical Oxygen Demand (BOD<sub>5</sub>) lowered from 30 to 20 mg/L for activity codes (TW).

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**Sector K** (Hazardous Waste Treatment, Storage, And Disposal Facilities): Ammonia-Nitrogen lowered from 2.5 to 1.7 mg/L for activity code (HZ).

**Sector S** (Air Transportation): Ammonia-Nitrogen lowered from 2.5 to 1.7 mg/L for SIC codes (4512- 4581).

The above changes to benchmark sampling are further described and explained in Part X.C. and Appendix A of this fact sheet.

2. Quarterly visual monitoring of discharges: The draft permit continues the existing requirement to conduct visual sampling of the discharge at least once per quarter, and adds that visual sampling is required only during normal operating hours.
3. Quarterly inspections of structural controls: The draft permit continues the existing requirement to inspect the structural controls used to control the discharge of pollutants in stormwater.
4. Annual Comprehensive Site Compliance Investigation and Report: The draft permit continues the existing requirement to perform a comprehensive site compliance evaluation and to prepare a report detailing the findings.

**V. Changes From Existing General Permit:**

A. The changes to the permit are listed below:

1. Changed the SIC code and sector format in Part II Section A to clarify what facilities are regulated under the general permit by adding more details to the existing SIC codes and industrial activity descriptions.
2. Added narrative and numeric effluent limitations guidelines under Part V, Sector S (Air Transportation) to include deicing requirements based on final federal Effluent Limitation Guidelines at 40 CFR Part 449 for airport and airplane deicing operations.
3. Changes to benchmark values and sampling.

Based on Benchmark Monitoring Reports received from permittees during permit years 2011 – 2014, the following changes were made after data analysis:

- a. Lowered Ammonia Nitrogen value from 2.5 mg/L to 1.7 mg/L.
- b. Lowered Total Suspended Solids (TSS) values from 100 mg/L to 50 mg/L for sector A (SIC codes 2426 – 2499), sector C (SIC codes 2873 – 2879), sector F (SIC codes 3321 -3325), and sector H (SIC codes 1221 – 1241).
- c. Lowered Biochemical Oxygen Demand (BOD) values from 30 mg/L to 20 mg/L for Sector T (Activity code TW)
- d. Added language to Part IV, Section B.1.(a) clarifying the sampling requirements for the waiver option for benchmark sampling during Years 3

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- and 4. If sampling during Years 1 and 2 demonstrates that the annual average result for all benchmark parameters is below the benchmark level for the regulated sector, then permittees can waiver out of sampling for Years 3 and 4.
4. Added SIC code 7699 (Ship scaling services not done at a ship yard; Motorboat repair and maintenance services) to Sector R (Ship and Boat Building or Repairing Yards). This change is consistent with the EPA draft 2013 MSGP.
  5. Clarified permit language in Part V, Sector P (Land Transportation and Warehousing) regarding Petroleum Bulk Stations and Terminals with SIC code 5171, pertaining to the storage of crude oil. Modified language to clarify when permittees must be regulated under an EPA NPDES permit and when they qualify under the MSGP.
  6. Clarified permit language in Part V, Sector I (Oil and Gas Extraction Facilities) which addresses when facilities qualify for permit coverage under the EPA NPDES permit, or when they qualify under the MSGP.
  7. Clarified permit language in Part II, Section C.1(a) for above ground storage tanks (ASTs) requirements.
  8. Added clarification language to Part III, Section D.1 (c) addressing how permittees should document zero rainfall totals, or no rain for sampling requirements.
  9. Added clarification to the section "Impaired Water Bodies and Total Maximum Daily Load Requirements" to address when discharges are considered discharging to an impaired water body.
  10. Added clarification language to "Impaired Water Bodies and Total Maximum Daily Load (TMDL) Requirements" Part II, Section B in the permit to reference not only the 303 (d) List of Impaired Waterbodies, but also the Texas Integrated Report Index of Water Quality Standards for CWA Sections 305(b) and 303(d).
  11. Pursuant to the October 23, 2013 Commissioner's Order on the Livestock Manure Composting General Permit, WQG200000, the draft permit was similarly revised to clarify that an applicant who owns or operates a facility classified as an "unsatisfactory performer" is entitled to a hearing before the commission prior to denial or suspension of authorization.
  12. Modified language in Part V, Sector J (Mineral Mining and Processing), section titled "Additional SWP3 Requirements" to include access and haul roads as a source of stormwater discharge.
  13. Modified title in Part III, Section B.1.(c) from "Certification" to "Inspection, Documentation, and Certification of Non-stormwater Discharges".
  14. Added language to Part IV, B.1 (Monitoring Periods), to clarify monitoring periods for benchmark sampling.
  15. Changed title in Part IV, Section A.3. from "Pollution Prevention Team", to "Investigations of Benchmark Exceedences" to clarify the content of this section.

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16. Modified language in Part II, C.1. (Conditional No Exposure Exclusion from Permit Requirements), to include local MS4 personnel to determine facilities compliance with No Exposure Certification (NEC).
17. Revised the permit language regarding the term "Control measure" in Part III, Section B.2.(c)(5-6), to include "Structural and non-structural".
18. Revised several definitions in Part I of the draft permit:
  - a. Added definitions for the following terms: "Infeasible", "Pollutant(s) of Concern", and "Benchmark".
  - b. Updated definitions for the following terms, in Part I of the draft general permit: "Impaired Water".
  - c. Added language to the "No Exposure" definition.
21. Clarified language in Part III, Section D (4.) pertaining to temporarily suspended monitoring due to adverse conditions.
22. Expounded and clarified the list of regulated SIC codes in Part II, Section A of the draft permit to be consistent with the SIC Code Manual.
23. Revised table format of the benchmark monitoring list of parameters and values in Part IV, Section A (1)(a) to include required sectors.
24. Revised the language in Part III, Section D.2, (b)(1) to use the term "similar" consistently regarding substantially similar outfalls.
25. Added certain sector-specific definitions in Part V of the draft permit to clarify the requirements of the section: Sector S – "Deicing", "Aircraft Deicing Fluid", "Centralized Deicing Pad", "Heating Degree Day", and "Primary Airport".
26. Modified Part III, Section C (Numeric Effluent Limitations) to incorporate new Minimum Analytical Levels (MALs).
27. Modified Part III, Section E (4.) (Monitoring and Sampling) to clarify where to sample for benchmark monitoring requirements.
28. Made additional changes throughout the permit that help to clarify the intent of the general permit.

## **VI. Addresses and Contact Information**

Questions or informal comments concerning this draft general permit should be directed to:

MC 148  
TCEQ, stormwater & Pretreatment Team Leader  
Wastewater Permitting Section  
P.O. Box 13087  
Austin, Texas 78711-3087  
(512) 239- 4671  
swgp@tceq.texas.gov

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**Comments regarding this general permit during the public comment period must be submitted either by mail to the following address, by fax followed by mail, or electronically as described below:**

By Mail:

MC 105  
Chief Clerk's Office (CCO)  
P.O. Box 13087  
Austin, Texas 78711-3087

By facsimile (fax): (512) 239-3311\*

\*Fax must be followed by hard copy in mail to CCO at address above within three days of fax date.

Electronically: <http://www14.tceq.texas.gov/epic/eComment/>

***Questions Regarding Public Comments Should Be Directed to CCO: (512) 239-3300***

Supplementary information on this fact sheet is organized as follows:

- VII. Legal Basis
- VIII. Regulatory Background
- IX. Permit Coverage
- X. Technology-based Requirements
- XI. Water Quality-based Requirements
- XII. Monitoring
- XIII. Procedures for Final Decision
- XIV. Administrative Record

## **VII. Legal Basis**

Section (§) 26.121 of the Texas Water Code (TWC) makes it unlawful to discharge pollutants into or adjacent to water in the state in the absence of authorizing permits. TWC §26.027 authorizes the commission to issue permits and amendments to permits for the discharge of waste or pollutants into or adjacent to water in the state. TWC §26.040 provides the commission with authority to amend rules adopted under §26.040 prior to amendment of the statute by House Bill (H.B.) 1542 in 1997, and to authorize waste discharges by general permit. On September 14, 1998, the TCEQ received authority from the U.S. Environmental Protection Agency (EPA) to administer the Texas Pollutant Discharge Elimination System (TPDES). The TCEQ and the EPA have signed a Memorandum of Agreement (MOA) that authorizes the administration of the TPDES program by the TCEQ as it applies to the State of Texas.

Clean Water Act (CWA) Sections 301, 304, and 401 (33 United States Code 1331, 1314 and 1341) include provisions which state that TPDES permits must include effluent limitations requiring authorized discharges to: (1) meet standards reflecting levels of technological capability, (2)

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comply with EPA-approved state water quality standards and (3) comply with other state requirements adopted under authority retained by states under CWA §510, 33 U.S.C. §1370.

Two types of technology-based effluent limitations must be included in the proposed general permit. With regard to conventional pollutants, CWA §301 (b)(1)(E) requires effluent limitations based on “best conventional pollution control technology” (BCT). With regard to nonconventional and toxic pollutants, CWA §301(b)(2)(A), (C), and (D) require effluent limitations based on “best available pollution control technology economically achievable” (BAT), a standard which generally represents the best performing existing technology in an industrial category or subcategory. BAT and BCT effluent limitations may never be less stringent than corresponding effluent limitations based on best practicable control technology (BPT), a standard applicable to similar discharges before March 31, 1989 under CWA §301(b)(1)(A).

## **VIII. Regulatory Background**

The 1972 amendments to the Federal Water Pollution Control Act, later referred to as the Clean Water Act (CWA), prohibit the discharge of any pollutant to navigable waters of the United States from a point source unless the discharge is authorized by a National Pollutant Discharge Elimination System (NPDES) permit. Efforts to improve water quality under the NPDES program traditionally have focused on reducing pollutants in industrial process wastewater and municipal sewage treatment plant discharges. Over time, it has become evident that more diffuse sources of water pollution, such as stormwater runoff from industrial facilities, construction sites, and municipal separate storm sewer systems (MS4s) are also significant contributors to water quality problems.

EPA promulgated rules establishing requirements for discharges of stormwater runoff associated with industrial activities, at 40 CFR §122.26. These rules were subsequently adopted by reference in TCEQ rules at 30 TAC §281.25(a) and are being implemented in part through reissuance of the MSGP.

TCEQ received authority to administer the TPDES permit program in Texas, for those discharges under the regulatory authority of the agency, on September 14, 1998. Under the MOA between the two agencies, EPA agreed to continue to administer the multi-sector general permit (MSGP) permit until the September 29, 2000 expiration date. The original TPDES permit was issued on August 20, 2001, and included the Phase II rules for the NPDES stormwater permit program which were finalized on December 8, 1999. The existing MSGP, which replaced the 2008 TPDES MSGP, was issued August 14, 2011 and expires on August 14, 2016. The renewed MSGP would continue the authorization for industrial facilities in Texas for five years from the effective date of the permit.

## **IX. Permit Coverage**

### **A. Scope of Permit Coverage**

This general permit applies to discharges of stormwater runoff associated with industrial activity, and certain non-stormwater discharges, into surface water in the state. The general permit specifies which particular industrial facilities are eligible for authorization by the general permit, which must be authorized by a separate permit, and the specific conditions that must be met in order to receive an exclusion from requirements to develop a SWP3 and to submit a notice of intent. The proposed general permit would

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provide authority for any facility currently authorized under the TPDES permit to continue to discharge. The general permit would also continue the requirements for certain oil exploration, production, processing, or treatment operations that are controlled under the authority of the Railroad Commission of Texas (RCT) to apply to EPA and the RCT for authorization to discharge stormwater runoff associated with industrial activities.

Permit applicability is based on the facility's primary SIC code, or by a listed Industrial Activity Code, and includes stormwater discharges regulated in federal guidelines in 40 CFR Parts 400-471 (effluent limitations guidelines, or ELGs). Industrial facilities that are required to obtain authorization to discharge stormwater runoff are grouped into 30 sectors, Sectors A through AD. A facility's SIC Code is the SIC code which best describes the main activity occurring at the site. EPA provided information regarding the primary SIC code by referencing the SIC Manual. According to the EPA, the SIC Manual recommends using the value of receipts or revenues to determine the primary activity. If such information is not available for a particular facility, then number of employees or production rate for each process may be compared. The operation that generates the most revenue or employs the most personnel is the operation in which the facility is primarily engaged. In the case of industrial activity codes, a facility is subject to permitting requirements regardless of whether the Industrial Activity Code describes the primary activity or only a minor activity occurring at the site. If a facility conducts secondary activities that are described by an SIC code that is listed in the table, then discharges from these additional activities are described as co-located activities and must be authorized. stormwater discharges from co-located industrial activities may be authorized under the general permit, provided that the operator complies with all of the sector specific requirements defined in the general permit for each of the co-located activities. Co-located activities are only required to be permitted at a facility that is already required to be regulated based on the primary SIC code or the Industrial Activity Code.

The following industrial activities are proposed to be eligible for authorization under the draft general permit:

**Table 10. SECTOR A: TIMBER PRODUCTS**

<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
2411	Logging
2421	Sawmills and Planning Mills, General
2426	Hardwood Dimension and Flooring Mills
2429	Special Product Sawmills, Not Elsewhere Classified
2431	Millwork, Veneer, Plywood, And Structural Wood
2435	Hardwood Veneer and Plywood
2436	Softwood Veneer and Plywood
2439	Structural Wood Members, Not Elsewhere Classified

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<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
2441	Nailed and Lock Corner Wood Boxes and Shook
2448	Wood Pallets and Skids
2449	Wood Containers, Not Elsewhere Classified
2451	Mobile Homes
2452	Prefabricated Wood Buildings and Components
2491	Wood Preserving
2493	Reconstituted Wood Products
2499	Wood Products, Not Elsewhere Classified

**Table 11. SECTOR B: PAPER AND ALLIED PRODUCTS**

<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
2611	Pulp Mills
2621	Paper Mills
2631	Paperboard Mills
2652	Setup Paperboard Boxes
2653	Corrugated and Solid Fiber Boxes
2655	Fiber Cans, Tubes, Drums, and Similar Products
2656	Sanitary Food Containers, Except Folding sanitary cartons
2657	Folding Paperboard Boxes, Including Sanitary folding cartons
2671	Packaging Paper and Plastics Film, Coated and Laminated
2672	Coated and Laminated Paper, Not Elsewhere Classified
2673	Plastics, Foil, and Coated Paper Bags
2674	Uncoated Paper and Multiwall Bags
2675	Die-Cut Paper and Paperboard and Cardboard
2676	Sanitary Paper Products
2677	Envelopes
2678	Stationery, Tablets, and Related Products
2679	Converted Paper and Paperboard Products, Not Elsewhere Classified

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**Table 12. SECTOR C: CHEMICAL AND ALLIED PRODUCTS**

<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
2812	Industrial Inorganic Chemicals Alkalies and Chlorine
2813	Industrial Inorganic Chemicals Industrial Gases
2816	Inorganic Pigments
2819	Industrial Inorganic Chemicals, Not Elsewhere Classified
2821	Plastics Materials, Synthetic Resins, and Nonvulcanizable Elastomers
2822	Synthetic Rubber (Vulcanizable Elastomers)
2823	Cellulosic Manmade Fibers
2824	Manmade Organic Fibers, Except Cellulosic
2833	Medicinal Chemicals and Botanical Products
2834	Pharmaceutical Preparations
2835	In Vitro and In Vivo Diagnostic Substances
2836	Biological Products, Except Diagnostic Substances
2841	Soap & Other Detergents, Except Specialty Cleaners
2842	Specialty Cleaning, Polishing, and Sanitation Preparations
2843	Surface Active Agents, Finishing Agents, Sulfonated Oils, and Assistants
2844	Perfumes, Cosmetics, and Other Toilet Preparations
2851	Paints, Varnishes, Lacquers, Enamels, and Allied Products
2861	Gum and Wood Chemicals
2865	Cyclic Organic Crudes and Intermediates, and Organic Dyes and Pigments
2869	Industrial Organic Chemicals, Not Elsewhere Classified
2873	Nitrogenous Fertilizers
2874	Phosphatic Fertilizers
2875	Fertilizers, Mixing Only Compost Fertilizers, mixed: made in plants not manufacturing fertilizer Potting soil, mixed

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<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
2879	Pesticides and Agricultural Chemicals, Not Elsewhere Classified
2891	Adhesives and Sealants
2892	Explosives
2893	Printing Ink
2895	Carbon Black
2899	Chemicals and Chemical Preparations, Not Elsewhere Classified
2911	Petroleum Refineries
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

**Table 13. SECTOR D: ASPHALT PAVING AND ROOFING MATERIALS AND LUBRICANTS**

<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
2951	Asphalt Paving Mixtures and Blocks
2952	Asphalt Felts and Coatings
2992	Lubricating Oils and Greases
2999	Products of Petroleum and Coal, Not Elsewhere Classified

**Table 14. SECTOR E: GLASS, CLAY, CEMENT, CONCRETE, AND GYPSUM PRODUCTS**

<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
3211	Flat Glass
3221	Glass Containers for commercial packing and bottling, and for home canning.
3229	Pressed and Blown Glass and Glassware, Not Elsewhere Classified
3231	Glass Products, Made of Purchased Glass

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<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
3241	Cement, Hydraulic
3251	Brick and Structural Clay Tile
3253	Ceramic Wall and Floor Tile
3255	Clay Refractories
3259	Structural Clay Products, Not Elsewhere Classified
3261	Vitreous China Plumbing Fixtures and China and Earthenware Fittings and Bathroom Accessories
3262	Vitreous China Table and Kitchen Articles
3263	Fine Earthenware (Whiteware) Table and Kitchen Articles
3264	Porcelain Electrical Supplies
3269	Pottery Products, Not Elsewhere Classified
3271	Concrete Block and Brick
3272	Concrete Products, Except Block and Brick
3273	Ready-Mixed Concrete
3274	Lime
3275	Gypsum Products
3281	Cut Stone and Stone Products
3291	Abrasive Products
3292	Asbestos Products
3295	Minerals and Earths, Ground or Otherwise Treated
3296	Mineral Wool
3297	Nonclay Refractories
3299	Nonmetallic Mineral Products, Not Elsewhere Classified

**Table 15. SECTOR F: PRIMARY METALS**

<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
3312	Steel Works, Blast Furnaces (Including Coke Ovens), and Rolling Mills
3313	Electrometallurgical Products, Except Steel
3315	Steel Wiredrawing and Steel Nails and Spikes

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<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
3316	Cold-Rolled Steel Sheet, Strip, and Bars
3317	Steel Pipe and Tubes
3321	Gray and Ductile Iron Foundries
3322	Malleable Iron Foundries
3324	Steel Investment Foundries
3325	Steel Foundries, Not Elsewhere Classified
3331	Primary Smelting and Refining of Copper
3334	Primary Production of Aluminum
3339	Primary Smelting and Refining of Nonferrous Metals, Except Copper and Aluminum
3341	Secondary Smelting and Refining of Nonferrous Metals
3351	Rolling, Drawing, and Extruding Of Copper
3353	Aluminum Sheet, Plate, and Foil
3354	Aluminum Extruded Products
3355	Aluminum Rolling and Drawing, Not Elsewhere Classified
3356	Rolling, Drawing, and Extruding of Nonferrous Metals, Except Copper and Aluminum
3357	Drawing and Insulating of Nonferrous Wire
3363	Aluminum Die-Castings
3364	Nonferrous Die-Castings, Except Aluminum
3365	Aluminum Foundries
3366	Copper Foundries
3369	Nonferrous Foundries, Except Aluminum and Copper
3398	Metal Heat Treating
3399	Primary Metal Products, Not Elsewhere Classified

**Table 16. SECTOR G: METAL MINING (ORE MINING AND DRESSING)**

<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
1011	Iron Ores
1021	Copper Ores

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<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
1031	Lead and Zinc Ores
1041	Gold Ores
1044	Silver Ores
1061	Ferrous Alloy Ores, Except Vanadium
1081	Metal Mining Services
1094	Uranium-Radium-Vanadium Ores
1099	Miscellaneous Metal Ores, Not Elsewhere Classified

**Table 17. SECTOR H: COAL MINES AND COAL MINING RELATED FACILITIES**

<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
1221	Bituminous Coal and Lignite Surface Mining
1222	Bituminous Coal Underground Mining
1231	Anthracite Mining
1241	Coal Mining Services

**Table 18. SECTOR I: OIL AND GAS EXTRACTION FACILITIES**

<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
<i>Industrial Activities Regulated under the EPA Region 6 NPDES Program:</i>	
1311	Crude Petroleum and Natural Gas
1321	Natural Gas Liquids
1381	Drilling Oil and Gas Wells
1382	Oil and Gas Field Exploration Services
1389	Oil and Gas Field Services, Not Elsewhere Classified (Applies to activities that occur in the field; (other than oil field service company "home base" facilities).
<i>Industrial Activities Regulated under this General Permit:</i>	
1389	Oil and Gas Field Services, (applies to activities that do not occur in the field); Not Elsewhere Classified, that occur at a company headquarters, permanent offices, or base of operations, or at oil field service company "home base" facilities).

**Table 19. SECTOR J: MINERAL MINING AND PROCESSING FACILITIES**

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<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
1411	Dimension Stone
1422	Crushed and Broken Limestone
1423	Crushed and Broken Granite
1429	Crushed and Broken Stone, Not Elsewhere Classified
1442	Construction Sand and Gravel
1446	Industrial Sand
1455	Kaolin and Ball Clay
1459	Clay, Ceramic, and Refractory Minerals, Not Elsewhere Classified
1474	Potash, Soda, and Borate Minerals
1475	Phosphate Rock
1479	Chemical and Fertilizer Mineral Mining, Not Elsewhere Classified
1481	Nonmetallic Minerals Services, Except Fuels
1499	Miscellaneous Nonmetallic Minerals, Except Fuels

**Table 20. SECTOR K: HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES**

<b>Activity Code</b>	<b>Description of the Industrial Activity</b>
HZ	HZ Hazardous Waste Treatment, Storage, and Disposal Facilities

**Table 21. SECTOR L: LANDFILLS AND LAND APPLICATION SITES**

<b>Activity Code</b>	<b>Description of the Industrial Activity</b>
L	Landfills, Land Application Sites, and Open Dumps that Receive or Have Previously Received Industrial Waste. under subtitle C of RCRA & including those that are subject to regulation under subtitle D of RCRA

**Table 22. SECTOR M: AUTOMOBILE SALVAGE YARDS**

<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
5015	Motor Vehicle Parts, Used

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**Table 23. SECTOR N: SCRAP AND WASTE RECYCLING FACILITIES**

<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
5093	Scrap and Waste Recycling Facilities (e.g., metals, paper, plastic, cardboard, glass, animal hides, used oil, antifreeze, mineral spirits, industrial solvents, computers, electronics, and other materials listed in the SIC Code Manual

**Table 24. SECTOR O: STEAM ELECTRIC GENERATING FACILITIES**

<b>Activity Code</b>	<b>Description of the Industrial Activity</b>
SE	Steam Electric Power Generating Facilities

**Table 25. SECTOR P: LAND TRANSPORTATION AND WAREHOUSING**

<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
4011	Railroads, Line-Haul Operating
4013	Railroad Switching and Terminal Establishments
4111	Local and Suburban Transit
4119	Local Passenger Transportation, Not Elsewhere Classified
4121	Taxicabs
4131	Intercity and Rural Bus Transportation
4141	Bus charter service, local
4142	Bus Charter Service, Except Local
4151	School Buses
4173	Terminal and Service Facilities for Motor Vehicle Passenger Transportation
4212	Local Trucking Without Storage
4213	Trucking, Except Local
4214	Local Trucking With Storage
4215	Courier Services, Except by Air
4221	Farm Product Warehousing and Storage
4222	Refrigerated Warehousing and Storage

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<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
4225	General Warehousing and Storage
4226	Special Warehousing and Storage, Not Elsewhere Classified
4231	Terminal and Joint Terminal Maintenance Facilities for Motor Freight Transportation
4311	United States Postal Service
5171	Petroleum Bulk stations and Terminals primarily engaged in the wholesale distribution of crude petroleum and petroleum products, including liquefied petroleum gas, from bulk liquid storage facilities

**Table 26. SECTOR Q: WATER TRANSPORTATION**

<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
4412	Deep Sea Foreign Transportation of Freight
4424	Deep Sea Domestic Transportation of Freight
4449	Water Transportation of Freight, Not Elsewhere Classified
4481	Deep Sea Transportation of Passengers, Except by Ferry
4482	Ferries
4489	Water Transportation of Passengers, Not Elsewhere Classified
4491	Marine Cargo Handling
4492	Towing and Tugboat Services
4493	Marinas
4499	Water Transportation Services, Not Elsewhere Classified

**Table 27. SECTOR R: SHIP AND BOAT BUILDING OR REPAIRING YARDS**

<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
3731	Ship Building and Repairing
3732	Boat Building and Repairing

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<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
7699	Ship scaling service not done at a ship yard <sup>1</sup> Motorboats (inboard and outboard) repair and maintenance services; outboard motor repair shops <sup>1</sup>
<sup>1</sup> Only the 2 activities whose SIC code is 7699 Repair Shops and Related Services Not Elsewhere Classified are covered by this general. All other activities associated with SIC code 7699 are not subject to this general permit	

**Table 28. SECTOR S: AIR TRANSPORTATION**

<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
4512	Air Transportation, Scheduled
4513	Air Courier Services
4522	Air Transportation, Nonscheduled
4581	Airports, Flying Fields, and Airport Terminal Services

**Table 29. SECTOR T: TREATMENT WORKS**

<b>Activity Code</b>	<b>Description of the Industrial Activity</b>
TW Certain Wastewater Treatment Plants	TW Certain Wastewater Treatment Plants

**Table 30. SECTOR U: FOOD AND KINDRED PRODUCTS FACILITIES**

<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
2011	Meat Packing Plants
2013	Sausages and Other Prepared Meat Products
2015	Poultry Slaughtering and Processing
2021	Creamery Butter
2022	Natural, Processed, and Imitation Cheese
2023	Dry, Condensed, and Evaporated Dairy Products
2024	Ice Cream and Frozen Desserts
2026	Fluid Milk
2032	Canned Specialties
2033	Canned Fruits, Vegetables, Preserves, Jams, and Jellies
2034	Dried and Dehydrated Fruits, Vegetables, and Soup Mixes

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<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
2035	Pickled Fruits and Vegetables, Vegetable Sauces and Seasonings, and Salad Dressing
2037	Frozen Fruits, Fruit Juices, and Vegetables
2038	Frozen Specialties, Not Elsewhere Classified
2041	Flour and Other Grain Mill Products
2043	Cereal Breakfast Foods
2044	Rice Milling
2045	Prepared Flour Mixes and Doughs
2046	Wet Corn Milling
2047	Dog and Cat Food
2048	Prepared Feed and Feed Ingredients for Animals and Fowls, Except Dogs and Cats
2051	Bread and Other Bakery Products, Except Cookies and Crackers
2052	Cookies and Crackers
2053	Frozen Bakery Products, Except Bread
2061	Cane Sugar, Except Refining
2062	Cane Sugar Refining
2063	Beet Sugar
2064	Candy and Other Confectionery Products
2066	Chocolate and Cocoa Products
2067	Chewing Gum
2068	Salted and Roasted Nuts and Seeds
2074	Cottonseed Oil Mills
2075	Soybean Oil Mills
2076	Vegetable Oil Mills, Except Corn, Cottonseed, and Soybean
2077	Animal and Marine Fats and Oils
2079	Shortening, Table Oils, Margarine, and Other Edible Fats and Oils, Not Elsewhere Classified
2082	Malt Beverages
2083	Malt

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<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
2084	Wines, Brandy, and Brandy Spirits
2085	Distilled and Blended Liquors
2086	Bottled and Canned Soft Drinks and Carbonated Waters
2087	Flavoring Extracts and Flavoring Syrups, Not Elsewhere Classified
2091	Canned and Cured Fish and Seafoods
2092	Prepared Fresh or Frozen Fish and Seafoods
2095	Roasted Coffee
2096	Potato Chips, Corn Chips, and Similar Snacks
2097	Manufactured Ice
2098	Macaroni, Spaghetti, Vermicelli, and Noodles
2099	Food Preparations, Not Elsewhere Classified
2111	Cigarettes
2121	Cigars
2131	Chewing and Smoking Tobacco and Snuff
2141	Tobacco Stemming and Redrying

**Table 31. SECTOR V: TEXTILE MILLS, APPAREL, AND OTHER FABRIC PRODUCT MANUFACTURING FACILITIES**

<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
2211	Broadwoven Fabric Mills, Cotton
2221	Broadwoven Fabric Mills, Manmade Fiber and Silk
2231	Broadwoven Fabric Mills, Wool (Including Dyeing and Finishing)
2241	Narrow Fabric and Other Smallware Mills: Cotton, Wool, Silk, and Manmade Fiber
2251	Women's Full-Length and Knee-Length Hosiery, Except Socks
2252	Hosiery, Not Elsewhere Classified
2253	Knit Outerwear Mills
2254	Knit Underwear and Nightwear Mills
2257	Weft Knit Fabric Mills

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<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
2258	Lace and Warp Knit Fabric Mills
2259	Knitting Mills, Not Elsewhere Classified
2261	Finishers of Broadwoven Fabrics of Cotton
2262	Finishers of Broadwoven Fabrics of Manmade Fiber and Silk
2269	Finishers of Textiles, Not elsewhere Classified
2273	Carpets and Rugs
2281	Yarn Spinning Mills
2282	Yarn Texturizing, Throwing, Twisting, and Winding Mills
2284	Thread Mills
2295	Coated Fabrics, Not Rubberized
2296	Tire Cord and Fabrics
2297	Non-woven Fabrics
2298	Cordage and Twine
2299	Textile goods, Not Elsewhere Classified
2311	Men's and Boys' Suits, Coats, and Overcoats
2321	Men's and Boys' Shirts, Except Work Shirts
2322	Men's and Boys' Underwear and Nightwear
2323	Men's and Boys' Neckwear
2325	Men's and Boys' Separate Trousers and Slacks
2326	Men's and Boys' Work Clothing
2329	Men's and Boys' Clothing, Not Elsewhere Classified
2331	Women's, Misses', and Juniors' Blouses and Shirts
2335	Women's, Misses', and Juniors' Dresses
2337	Women's, Misses', and Juniors' Suits, Skirts, and Coats
2339	Women's, Misses', and Juniors' Outerwear, Not Elsewhere Classified
2341	Women's, Misses', Children's, and Infants' Underwear and Nightwear

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<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
2342	Brassieres, Girdles, and Allied Garments
2353	Hats, Caps, and Millinery
2361	Girls', Children's, and Infants' Dresses, Blouses, and Shirts
2369	Girls', Children's, and Infants' Outerwear, Not Elsewhere Classified
2371	Fur Goods
2381	Dress and Work Gloves, Except Knit and All-Leather
2384	Robes and Dressing Gowns
2385	Waterproof Outerwear
2386	Leather and Sheep-Lined Clothing
2387	Apparel belts
2389	Apparel and Accessories, Not Elsewhere Classified
2391	Curtains and Draperies
2392	House furnishing, Except Curtains and Draperies
2393	Textile Bags
2394	Canvas and Related Products
2395	Pleating, Decorative and Novelty Stitching, and Tucking for the Trade
2396	Automotive Trimmings, Apparel Findings, and Related Products
2397	Schiffli Machine Embroideries
2399	Fabricated Textile Products, Not Elsewhere Classified
3131	Boot and Shoe Cut Stock and Findings
3142	House Slippers
3143	Men's Footwear, Except Athletic
3144	Women's Footwear, Except Athletic
3149	Footwear, Except Rubber, Not Elsewhere Classified
3151	Leather Gloves and Mittens
3161	Luggage
3171	Women's Handbags and Purses

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<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
3172	Personal Leather Goods, Except Women's Handbags and Purses
3199	Leather Goods, Not Elsewhere Classified

**Table 32. SECTOR W: FURNITURE AND FIXTURES**

<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
2434	Wood Kitchen Cabinets
2511	Wood Household Furniture, Except Upholstered
2512	Wood Household Furniture, Upholstered
2514	Metal Household Furniture
2115	Mattresses, Foundations, and Convertible Beds
2517	Wood Television, Radio, Phonograph, and Sewing Machine Cabinets
2519	Household Furniture, Not Elsewhere Classified
2521	Wood Office Furniture
2522	Office Furniture, Except Wood
2531	Public Building and Related Furniture
2541	2541 Wood Office and Store Fixtures, Partitions, Shelving, and Lockers
2542	Office and Store Fixtures, Partitions, Shelving, and Lockers, Except Wood
2591	Drapery Hardware and Window Blinds and Shades
2599	Furniture and Fixtures, Not Elsewhere Classified

**Table 33. SECTOR X: PRINTING AND PUBLISHING**

<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
2711	Newspapers: Publishing, or Publishing and Printing
2721	Periodicals: Publishing, or Publishing and Printing
2731	Books: Publishing, or Publishing and Printing
2732	Book Printing
2741	Miscellaneous Publishing
2752	Commercial Printing, Lithographic

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<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
2754	Commercial Printing, Gravure
2759	Commercial Printing, Not Elsewhere Classified
2761	Manifold Business Forms
2771	Greeting Cards
2782	Blankbooks, Looseleaf Binders and Devices
2789	Bookbinding and Related Work
2791	Typesetting
2796	Platemaking and Related Services

**Table 34. SECTOR Y: RUBBER, MISCELLANEOUS PLASTIC PRODUCTS, AND  
MISCELLANEOUS MANUFACTURING FACILITIES**

<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
3011	Tires and Inner Tubes
3021	Rubber and Plastics Footwear
3052	Rubber and Plastics Hose and Belting
3053	Gaskets, Packing, and Sealing Devices
3061	Molded, Extruded, and Lathe-Cut Mechanical Rubber Goods
3069	Fabricated Rubber Products, Not Elsewhere Classified
3081	Unsupported Plastics Film and Sheet
3082	Unsupported Plastics Profile Shapes
3083	Laminated Plastics Plate, Sheet, and Profile Shapes
3084	Plastics Pipe
3085	Plastics Bottles
3086	Plastics Foam Products
3087	Custom Compounding of Purchased Plastics Resins
3088	Plastics Plumbing Fixtures
3089	Plastics Products, Not Elsewhere Classified
3942	Dolls and Stuffed Toys
3944	Games, Toys, and Children's Vehicles, Except Dolls and Bicycles
3949	Sporting and Athletic Goods, Not Elsewhere Classified

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<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
3951	Pens, Mechanical Pencils, and Parts
3953	Marking Devices
3955	Carbon Paper and Inked Ribbons
3961	Costume Jewelry and Costume Novelties, Except Precious Metal
3965	Fasteners, Buttons, Needles, and Pins
3991	Brooms and Brushes
3993	Signs and Advertising Specialties
3995	Burial Caskets
3996	Linoleum, Asphalted-Felt-Base, and Other Hard Surface Floor Coverings, Not Elsewhere Classified
3999	Manufacturing Industries, Not Elsewhere Classified

**Table 35. SECTOR Z: LEATHER TANNING AND FINISHING**

<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
3111	Leather Tanning and Finishing

**Table 36. SECTOR AA: FABRICATED METAL PRODUCTS FACILITIES**

<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
3411	Metal Cans
3412	Metal Shipping Barrels, Drums, Kegs, and Pails
3421	Cutlery
3423	Hand and Edge Tools, Except Machine Tools and Handsaws
3425	Saw Blades and Handsaws
3429	Hardware, Not Elsewhere Classified
3431	Enameled Iron and Metal Sanitary Ware
3432	Plumbing Fixture Fittings and Trim
3433	Heating Equipment, Except Electric and Warm Air Furnaces
3441	Fabricated Structural Metal
3442	Metal Doors, Sash, Frames, Molding, and Trim Manufacturing

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<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
3443	Fabricated Plate Work (Boiler Shops)
3444	Sheet Metal Work
3446	Architectural and Ornamental Metal Work
3448	Prefabricated Metal Buildings and Components
3449	Miscellaneous Structural Metal Work
3451	Screw Machine Products
3452	Bolts, Nuts, Screws, Rivets, and Washers
3462	Iron and Steel Forgings
3463	Nonferrous Forgings
3465	Automotive Stampings
3466	Crowns and Closures
3469	Metal Stampings, Not Elsewhere Classified
3471	Electroplating, Plating, Polishing, Anodizing, and Coloring
3479	Coating, Engraving, and Allied Services, Not Elsewhere Classified
3482	Small Arms Ammunition
3483	Ammunition, Except for Small Arms
3484	Small Arms
3489	Ordnance and Accessories, Not Elsewhere Classified
3491	Industrial Valves
3492	Fluid Power Valves and Hose Fittings
3493	Steel Springs, Except Wire
3494	Valves and Pipe Fittings, Not Elsewhere Classified
3495	Wire Springs
3496	Miscellaneous Fabricated Wire Products
3497	Metal Foil and Leaf
3498	Fabricated Pipe and Pipe Fittings
3499	Fabricated Metal Products, Not Elsewhere Classified
3911	Jewelry, Precious Metal
3914	Silverware, Plated Ware, and Stainless Steel Ware

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<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
3915	Jewelers' Findings and Materials, and Lapidary Work
3931	Musical Instruments

**Table 37. SECTOR AB: TRANSPORTATION EQUIPMENT, INDUSTRIAL OR COMMERCIAL MACHINERY MANUFACTURING FACILITIES**

<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
3511	Steam, Gas, and Hydraulic Turbines, and Turbine Generator Set Units
3519	Internal Combustion Engines, Not Elsewhere Classified
3523	Farm Machinery and Equipment
3524	Lawn and Garden Tractors and Home Lawn and Garden Equipment
3531	Construction Machinery and Equipment
3532	Mining Machinery and Equipment, Except Oil and Gas Field Machinery and Equipment
3533	Oil and Gas Field Machinery and Equipment
3534	Elevators and Moving Stairways
3535	Conveyors and Conveying Equipment
3536	Overhead Traveling Cranes, Hoists, and Monorail Systems
3537	Industrial Trucks, Tractors, Trailers, and Stackers
3541	Machine Tools, Metal Cutting Types
3542	Machine Tools, Metal Forming Types
3543	Industrial Patterns
3544	Special Dies and Tools, Die Sets, Jigs and Fixtures, and Industrial Molds
3545	Cutting Tools, Machine Tool Accessories, and Machinists' Precision Measuring Devices
3546	Power-Driven Hand tools
3547	Rolling Mill Machinery and Equipment
3548	Electric and Gas Welding and Soldering Equipment
3549	Metalworking Machinery, Not Elsewhere Classified
3552	Textile Machinery

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<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
3553	Woodworking Machinery
3554	Paper Industries Machinery
3555	Printing Trades Machinery and Equipment
3556	Food Products Machinery
3559	Special Industry Machinery, Not Elsewhere Classified
3561	Pumps and Pumping Equipment
3562	Ball and Roller Bearings
3563	Air and Gas Compressors
3564	Industrial and Commercial Fans and Blowers and Air Purification Equipment
3565	Packaging Machinery
3566	Speed Changers, Industrial High-Speed Drives, and Gears
3567	Industrial Process Furnaces and Ovens
3568	Mechanical Power Transmission Equipment, Not Elsewhere Classified
3569	General Industrial Machinery and Equipment, Not Elsewhere
3581	Automatic Vending Machines
3582	Commercial Laundry, Drycleaning, and Pressing Machines
3585	Air-Conditioning and Warm Air Heating Equipment and Commercial and Industrial Refrigeration Equipment
3586	Measuring and Dispensing Pumps
3589	Service Industry Machinery, Not Elsewhere Classified
3592	Carburetors, Pistons, Piston Rings, and Valves
3593	Fluid Power Cylinders and Actuators
3594	Fluid Power Pumps and Motors
3596	Scales and Balances, Except Laboratory
3599	Industrial and Commercial Machinery and Equipment, Not Elsewhere Classified
3711	Motor Vehicles and Passenger Car Bodies

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<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
3713	Truck and Bus Bodies
3714	Motor Vehicle Parts and Accessories
3715	Truck Trailers
3716	Motor Homes
3721	Aircraft
3724	Aircraft Engines and Engine Parts
3728	Aircraft Parts and Auxiliary Equipment, Not Elsewhere Classified
3743	Railroad Equipment
3751	Motorcycles, Bicycles, and Parts
3761	Guided Missiles and Space Vehicles
3764	Guided Missile and Space Vehicle Propulsion Units and Propulsion Unit Parts
3769	Guided Missile Space Vehicle Parts and Auxiliary Equipment, Not Elsewhere Classified
3792	Travel Trailers and Campers
3795	Tanks and Tank Components
3799	Transportation Equipment, Not Elsewhere Classified

**Table 38. SECTOR AC: ELECTRONIC, ELECTRICAL, PHOTOGRAPHIC, AND OPTICAL GOODS**

<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
3571	Electronic Computers
3572	Computer Storage Devices
3575	Computer Terminals
3577	Computer Peripheral Equipment, Not Elsewhere Classified
3578	Calculating and Accounting Machines, Except Electronic Computers
3579	Office Machines, Not Elsewhere Classified
3612	Power, Distribution, and Specialty Transformers
3613	Switchgear and Switchboard Apparatus
3621	Motors and Generators

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<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
3624	Carbon and Graphite Products
3625	Relays and Industrial Controls
3629	Electrical Industrial Apparatus, Not Elsewhere Classified
3631	Household Cooking Equipment
3632	Household Refrigerators and Home and Farm Freezers
3633	Household Laundry Equipment
3634	Electric Housewares and Fans
3635	Household Vacuum Cleaners
3639	Household Appliances, Not Elsewhere Classified
3641	Electric Lamp Bulbs and Tubes
3643	Current-Carrying Wiring Devices
3644	Noncurrent-Carrying Wiring Devices
3645	Residential Electric Lighting Fixtures
3646	Commercial, Industrial, and Institutional Electric Lighting Fixtures
3647	Vehicular Lighting Equipment
3648	Lighting Equipment, Not Elsewhere Classified
3651	Household Audio and Video Equipment
3652	Phonograph Records and Prerecorded Audio Tapes and Disks
3661	Telephone and Telegraph Apparatus
3663	Radio and Television Broadcasting and Communications Equipment
3669	Communications Equipment, Not Elsewhere Classified
3671	Electron Tubes
3672	Printed Circuit Boards
3674	Semiconductors and Related Devices
3675	Electronic Capacitors
3676	Electronic Resistors
3677	Electronic Coils, Transformers, and Other Inductors

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<b>SIC Code</b>	<b>Description of the Industrial Activity</b>
3678	Electronic Connectors
3679	Electronic Components, Not Elsewhere Classified
3691	Storage Batteries
3692	Primary Batteries, Dry and Wet
3694	Electrical Equipment for Internal Combustion Engines
3695	Magnetic And Optical Recording Media
3699	Electrical Machinery, Equipment, and Supplies, Not Elsewhere
3812	Search, Detection, Navigation, Guidance, Aeronautical, and Nautical Systems and Instruments
3821	Laboratory Apparatus and Furniture
3822	Automatic Controls for Regulating Residential and Commercial Environments and Appliances
3823	Industrial Instruments for Measurement, Display, and Control of Process Variables; and Related Products
3824	Totalizing Fluid Meters and Counting Devices
3825	Instruments for Measuring and Testing of Electricity and Electrical Signals
3826	Laboratory Analytical Instruments
3827	Optical Instruments and Lenses
3929	Measuring and Controlling Devices, Not Elsewhere Classified
3841	Surgical and Medical Instruments and Apparatus
3842	Orthopedic, Prosthetic, and Surgical Appliances and Supplies
3843	Dental Equipment and Supplies
3844	X-Ray Apparatus and Tubes and Related Irradiation Apparatus
3845	Electromedical and Electrotherapeutic Apparatus
3851	Ophthalmic Goods
3861	Photographic Equipment and Supplies
3873	Watches, Clocks, Clockwork Operated Devices, and Parts

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**SECTOR AD: MISCELLANEOUS INDUSTRIAL ACTIVITIES**

*Activity Codes and Description of Industry*

Limited to facilities that are designated by the executive director as needing a permit to control pollution related to stormwater discharges and that do not meet the description of an industrial activity covered by Sectors A-AC .

**B. Procedures for Obtaining Permit Coverage**

1. Except as described in Section IX.B.(2) below, facilities eligible for coverage under the proposed general permit would apply for coverage through submission of a notice of intent (NOI) to the Executive Director. Facilities seeking to obtain an exclusion from permit requirements based on a condition of no exposure would notify the TCEQ through submission of a No Exposure Certification (NEC) form to the Executive Director. NOTE: An NEC is effectively an alternate NOI for facilities eligible to claim a no-exposure exclusion.
2. The NOI or NEC must be signed in accordance with 30 TAC §305.44 (relating to Signatories to Application). Provisional authorization to discharge would begin seven (7) days after a completed NOI or NEC is postmarked for delivery to the TCEQ. If the NOI or NEC is submitted electronically through the STEERS system or other approved electronic means, then provisional authorization would not be applicable, and coverage would begin immediately upon receiving electronic notification from TCEQ.
3. Designation of Permit Coverage (Automatic Authorization):
  - a. The following facilities are designated by TCEQ as requiring coverage under the MSGP, but are not required to submit an NOI for coverage, provided that certain conditions are met:
    - i. Facilities that are regulated based on their primary SIC code or industrial activity code, and that occur completely within a residential home, a shopping mall, or an office building , and that have no exposure of any regulated activity to stormwater;
    - ii. Publishing and designing companies that do not perform printing activities and that have no exposure of any regulated activity to stormwater; and
    - iii. General warehousing and storage facilities described by SIC Code 4225 that have no exposure of industrial activity to stormwater, and that have no areas used for vehicle and equipment maintenance activities, vehicle and equipment rehabilitation, mechanical repairs, painting, fueling and lubrication, and cleaning.
  - b. The above-referenced facilities will be notified of their coverage under the general permit as part of the public notice for the draft permit, which is appropriate based on EPA rules at 40 CFR §122.28(b)(2)(vi), relating to General Permits. These designated facilities are not required to submit an NOI for coverage, but must meet the following permit requirements:

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- i. Maintain a condition which ensures that there is no exposure of industrial activities to stormwater; and
- ii. Comply with the Standard Permit Conditions, except that references to the submittal of an NOI are not applicable.

The facility operator must apply for coverage if any of the above requirements are not met. If the TCEQ determines that additional controls are required other than those listed above, or that there is a concern regarding the discharge of elevated levels of pollutants, then the TCEQ may require a facility operator to meet all permit conditions and obtain coverage through submittal of an NOI or an individual permit application. This permit condition is appropriate for the designated facilities, because they typically operate in such a way that industrial materials are not exposed to stormwater, and stormwater discharges are not expected to contain pollutants of concern. However, the Executive Director also recognizes that activities may occur at the site that do cause a water quality concern, and an NOI or an individual permit application may be required at any time

4. **Review of Application:** Following an administrative review of an NOI or NEC, the Executive Director will either confirm coverage (or conditional exclusion, as applicable) by providing a notification and an authorization number to the applicant or will deny coverage. If coverage is denied, then the operator must either submit an application for an individual permit or obtain coverage under an alternative general permit, if available. Submittal of the NOI or NEC is an acknowledgment by the applicant that the general permit applies to the proposed discharges and that the applicant agrees to comply with the terms of the permit.
5. **Deadlines for Obtaining Coverage:**
  - a. **Existing Facilities:** Facilities that have coverage under the existing TPDES MSGP must re-apply within 90 days of the permit effective date to maintain continued coverage under the renewed general permit and to retain the existing authorization number.  
  
Existing facilities that were not provisionally authorized by the existing TPDES MSGP must apply immediately.  
  
Existing facilities that do not submit NOIs or NECs within 90 days of permit issuance will automatically be cancelled. Any forms submitted after the deadline will be processed as new applications, and a new authorization number will be assigned.
  - b. **New Facilities:** Facilities which are new or which were not previously authorized under the existing MSGP must submit an NOI (or an NEC, if applicable) prior to the initiation of industrial activity that could result in a discharge of regulated stormwater runoff.
6. **Information to be Submitted on an NOI or NEC form:**  
The NOI form requires, at a minimum, the following information:

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- a. Operator Information: legal name and contact information
- b. Site Information:
  - (1) Location (name, address, county, latitude / longitude).
  - (2) A determination of whether the site is located on Indian Land.
  - (3) The name of the receiving water(s).
  - (4) The name of the MS4 operator, if the discharge is first to an MS4
  - (5) Appropriate certification statement (for NOIs, a certification statement that a SWP3 has been developed and implemented according to the provisions of the permit; and for NECs, a certification that the facility meets a condition of no exposure as required in the MSGP)
  - (6) The primary SIC code and any other SIC code(s) or Industrial Activity Code(s) that describe additional activities that are identified in the permit as requiring permit coverage
  - (7) The industrial sector(s) of the general permit that applies to the facility
- c. The existing TPDES authorization number (or no exposure authorization number) for existing facilities seeking to renew coverage (or the conditional exclusion from coverage)
- d. An original signature, signed according to 30 TAC §305.44 (relating to Signatories to Application).

**C. Terminating Permit Coverage**

A permittee may terminate coverage under the proposed permit or may terminate a no exposure authorization by submitting a notice of termination (NOT) form to the Executive Director. The NOT must be signed in accordance with 30 TAC §305.44 (relating to Signatories to Application). Authorization to discharge terminates at midnight on the day that a NOT is postmarked for delivery to the TCEQ. If TCEQ provides for electronic submission of NOTs during the term of this permit, then authorization to discharge terminates immediately following confirmation of receipt of the electronic NOT form by the TCEQ. An NOT must be submitted within 10 days after the potential to discharge stormwater associated with industrial activity has ceased or the operator obtains coverage under an individual permit or alternative general permit. See the following paragraph for a discussion on no exposure, and see paragraph D. below for information on how to process a transfer of operational control.

**Changing Condition Related to Exposure:** An NOT must also be submitted in order to terminate coverage or to terminate a conditional exclusion based on no exposure. If a facility changes operations such that a condition of no exposure is obtained, then the permittee must submit an NOT to terminate the original NOI before submitting an NEC. If a facility which changes conditions such that a condition of no exposure no longer exists, the permittee must submit an NOT to terminate the conditional exclusion, and must obtain coverage before discharge occurs. The only exception to this is within the first 90 days of permit issuance. If a permittee does not submit an NOT within the first

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90 days of permit issuance, then the existing NOI or NEC will automatically be terminated, as stated above in Part IX.B.(1) of this fact sheet.

**D. Transfer of Permit Coverage**

Permit coverage may not be transferred. When a new operator assumes responsibility for a facility, a new NOI must be submitted at least 10 days before taking operational control of the facility. The previous owner or operator must terminate permit coverage within 10 days prior to the transfer of ownership or responsibility. This timeframe is required by 30 TAC §210.4(h).

**E. Public Involvement**

Information on the ability for the public to participate in the development and issuance of the MSGP is discussed in Part XIII of this fact sheet, *Procedures for Final Decision*.

In general, coverage is considered nonprovisional upon submittal of an application or upon meeting requirements to obtain authorization without submitting an application. Because MSGP authorizations are acted on by the Executive Director of the TCEQ, a person who does not agree with the action may file a motion to overturn the authorization, or decision, within 23 days after the application is deemed approved (See 30 TAC §50.139, related to Motion to Overturn Executive Director's Decision). In addition, any interested person may petition the Executive Director to require a discharger authorized by a general permit to apply for and obtain an individual TPDES permit. (See 40 CFR §122.28(b)(3)(i), which was adopted by TCEQ at 30 TAC §205.7). Examples of factors that may require a discharger to obtain an individual permit include: noncompliance with the conditions of the general permit; a change in operations since the initial application was made so that the discharger is no longer appropriately controlled under the general permit, or the discharge(s) is a significant contributor of pollutants.

**X. Technology-Based Requirements**

**A. stormwater Pollution Prevention Plan (SWP3)**

The draft general permit continues the requirement to develop and implement a SWP3 to control discharges of contact stormwater and stormwater associated with industrial activities, in accordance with NPDES stormwater regulations at 40 CFR §122.26 (b)(14)(viii), and as adopted by reference in 30 TAC Chapter 281 (relating to Applications Processing).

A SWP3 is required to be prepared and implemented for each facility covered by this permit. However, the permit also provides for shared SWP3s for collocated facilities (e.g., tenants at an industrial complex or airport). The plan must identify potential sources of pollution that may reasonably be expected to affect the quality of the discharges. The plan must describe the BMPs that are used to reduce the pollutants in stormwater, ensure the implementation of these practices, and ensure compliance with the terms and conditions of the general permit. Permittees must implement the provisions of the SWP3 as a condition of the general permit.

The draft general permit also requires that the permittees amend the plan whenever there is a change in design, construction, operation, or maintenance that has a

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significant effect on the potential for the discharge of pollutants to water in the state, or if the SWP3 proves to be ineffective in eliminating or significantly minimizing pollutants from sources identified in the contents of the SWP3, or in otherwise achieving the general objectives of controlling pollutants in the stormwater discharges.

The draft permit includes specific provisions which must be incorporated into a SWP3. These include, at a minimum, the following elements:

1. Establishing a pollution prevention team to oversee development and implementation of the stormwater pollution prevention plan;
2. Investigating and eliminating non-stormwater discharges that are not covered under the authority of the proposed general permit or a separate individual permit;
3. Identifying potential pollutants and sources of pollution to stormwater runoff;
4. Establishing pollution prevention measures and controls, including good housekeeping measures and other BMPs;
5. Considering the management of runoff using BMPs such as structural controls and discharge minimization to protect the natural physical characteristics of receiving waters; and
6. Evaluating the effectiveness of the SWP3 through inspections.

**B. Numeric Effluent Limitations**

The draft general permit would continue the numeric effluent limitations of the current permit. The MSGP includes technology-based numeric effluent limitations for discharges subject to federally established guidelines delineated in the Code of Federal Regulations as well as technology-based numeric effluent limitations that are listed in state rules for hazardous metals. The technology-based numeric effluent limitations are proposed as follows:

1. For All Discharges - Limitations for hazardous metals delineated at 30 TAC Chapter 319 (General Regulations Incorporated into Permits), Subchapter B (Hazardous Metals). A waiver from these effluent limits will continue to be available in the proposed MSGP for one (1) or more of the regulated metals if any of the following criteria are met:
  - a. the permittee certifies that the regulated facility does not use a raw material, produce an intermediate product, or produce a final product that contains the hazardous metal(s) for which the waiver is being sought; or
  - b. the permittee certifies that any raw materials, intermediate products, or final products that contain any hazardous metal(s) are never exposed to stormwater or runoff, except that final products are not considered to expose hazardous metals to stormwater or runoff if the final product is designed for outdoor use, unless it is a product that could be transported by stormwater runoff or unless the final product will be used as a material or intermediate product (similar to the considerations for "no exposure" described in Paragraph III.B.1. of this fact sheet); or

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- c. the permittee collects a sample of the discharge from the facility, analyzes the sample for the hazardous metal(s) for which a waiver is being sought, and the results indicate that the metal(s) is/are not present in detectable levels based on the minimum analytical level (MAL).
2. For Industry-Specific Discharges Subject to Federal Categorical Effluent Limitations Guidelines (ELGs): Refer to Paragraphs IV.A.1.a through g of this fact sheet.

**C. Benchmark Monitoring Requirements**

The current TPDES MSGP continues a requirement from EPA's 1995 MSGP and TCEQ's 2001, 2006, and 2011 MSGP for certain industries to monitor for one or more specific pollutants that are generally associated with discharges from those industries. The results are then compared to a set of benchmark values to determine the relative effectiveness of the SWP3. The draft general permit retains this requirement as a method for evaluating the facility's SWP3, but includes some modifications.

**1. Monitoring Frequency**

The current MSGP requires permittees to conduct semiannual benchmark monitoring throughout the permit term, and reported by March 31<sup>st</sup> of each year following the monitoring year. The existing permit includes a waiver option, which had previously been available in the 2011 MSGP as well as in each version of EPA's MSGP. Requiring benchmark sampling allows all facilities subject to benchmark monitoring to use the data collected to ascertain whether their BMPs are continuing to be effective, and also helps TCEQ determine whether longer term trends could be established.

For this proposed MSGP, the E.D. is proposing to continue requiring benchmark monitoring semiannually during the four (4) permit years following the permit effective date, and the draft permit offers an opportunity for a facility operator to obtain a waiver from benchmark sampling. This waiver would be available for sampling years 3 and 4 if annual average sampling results for the first two (2) permit years are less than the benchmark levels. However, a waiver would not be available for any pollutant where the annual average result measured equal to or greater than the benchmark level.

**2. Levels for Specific Pollutants**

The levels and parameters for benchmarks in the current 2011 MSGP are based on results of benchmark values submitted to the TCEQ in calendar year 2007 and 2008. The benchmark levels proposed in the draft 2016 MSGP are based on analysis of benchmark results submitted to TCEQ during calendar years 2011, 2012, 2013, and 2014.

The results of the compiled data are described in Appendix A of this fact sheet. Based on the results, changes were made to the benchmark levels of the following pollutants: Biochemical oxygen demand (BOD), total suspended solids (TSS), and ammonia-nitrogen. The changes should provide permittees with benchmark levels that will be helpful in determining whether their BMPs are effectively

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reducing the level of pollutants in runoff associated with industrial activity, and how they compare with results of other dischargers.

Explanation of Revisions to Benchmark Monitoring Levels:

- a. Levels for the following pollutants were lowered from the 2011 levels based on the results of the benchmark monitoring in years 2011, 2012, 2013, and 2014:

Lowered Ammonia Nitrogen value from 2.5 mg/L to 1.7 mg/L.

Lowered Total Suspended Solids (TSS) values from 100 mg/L to 50 mg/L for sector A (SIC codes 2426 – 2499), sector C (SIC codes 2873 – 2879), sector F (SIC codes 3321 -3325), and sector H (SIC codes 1221 – 1241).

Lowered Biochemical Oxygen Demand (BOD) values from 30 mg/L to 20 mg/L for Sector T (Activity code TW)

- b. There were no changes to the following pollutants, either because the original benchmark is appropriate to continue based on the fact that it is based on data suggesting that the existing level is appropriate for stormwater runoff, or a sufficient number of sample points were not available to justify a change: Total aluminum, total antimony, total arsenic, total beryllium, total cadmium, total copper, total cyanide total iron, total lead, total magnesium, total mercury, total nickel, nitrate-nitrite- nitrogen, total phosphorous, total selenium, total silver, total zinc, turbidity, oil and grease, and pH.

## **XI. Water Quality-Based Requirements**

The Texas Surface Water Quality Standards (TSWQS) are located at 30 TAC Chapter 307, and state that “surface waters will not be toxic to man, or to terrestrial or aquatic life.” The methodology outlined in the *Procedures to Implement the Texas Surface Water Quality Standards*, RG-194 (January 2003) is designed to ensure compliance with 30 TAC Chapter 307. Specifically, the methodology is designed to ensure that no source will be allowed to discharge any wastewater which: (1) results in instream aquatic toxicity; (2) causes a violation of an applicable narrative or numerical state water quality standard; (3) results in the endangerment of a drinking water supply; or (4) results in aquatic bioaccumulation which threatens human health.

TPDES permits contain technology-based effluent limits reflecting the best controls available. Where these technology-based permit limits do not protect water quality or the designated uses, additional conditions are included in the TPDES permits, which may include discharge limitations. State narrative and numerical water quality standards are used in conjunction with EPA criteria and other toxicity data bases to determine the adequacy of technology-based permit limits and the need for additional water-quality based controls.

TPDES stormwater permits generally do not contain numeric water-quality-based effluent limits (WQBELs). As stated in 30 TAC §307.8(e), controls on the quality of permitted stormwater discharges are largely based on implementing BMPs or technology-based limits in combination with instream monitoring to assess standards attainment and to determine whether additional controls on stormwater are needed. Properly implemented BMPs should preclude adverse

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water quality impacts that would impair designated uses or violate water quality standards. It has been preliminarily determined that if permit requirements are properly implemented, no significant degradation is expected and existing uses will be maintained and protected.

In certain situations, and to insure that water quality standards are being met, the TCEQ may require an individual stormwater permit of any discharger otherwise eligible for coverage under the MSGP. Examples include: a history of substantive noncompliance with the MSGP, requirements of a TMDL and Implementation Plan, or other site-specific considerations.

## **XII. Monitoring**

Monitoring requirements are being continued from the existing permit based on TCEQ rules, TCEQ practice, EPA's existing NPDES MSGP, and best professional judgment (BPJ). Federal rules 40 CFR §122.44(i) require monitoring to be conducted for each pollutant limited in a permit to assure compliance with the permitted effluent limitations. The frequency of this monitoring may be established on a case-by-case basis, but must not be less than once per year.

The draft general permit continues the requirement to report annually all sampling results for discharges that are subject to categorical effluent limits at 40 CFR Subpart N. This is consistent with federal rules at 40 CFR §122.44(i)(3). In addition, the draft general permit would continue the requirement to report all *violations* of non-categorical effluent limits (i.e., state-based limits) once per year, which is consistent with 40 CFR §122.44(i)(4). Results of analyses would be completed on DMR forms, and reported as described above.

## **XIII. Procedures for Final Decision**

The MOA between the EPA and TCEQ provides that EPA has no more than 90 days to comment, object, or make recommendations to the draft general permit before it is published in the Texas Register. According to 30 TAC Chapter 205, when the draft general permit is proposed, notice must be published, at a minimum, in at least one newspaper of statewide or regional circulation. The commission may also publish notice in additional newspapers of statewide or regional circulation. Mailed notice must also be provided to the following:

- A. the county judge of the county or counties in which the discharges under the general permit could be located;
- B. if applicable, state and federal agencies for which notice is required in 40 CFR §124.10(c);
- C. persons on a relevant mailing list kept under 30 TAC §39.407, relating to Mailing Lists; and
- D. any other person the Executive Director or chief clerk may elect to include.

After notice of the general permit is published in the *Texas Register* and the newspaper(s), the public will have 30 days to provide public comment on the proposed permit.

Any person, agency, or association may make a request for a public comment hearing on the proposed general permit to the Executive Director of the TCEQ before the end of the public comment period. A public comment hearing will be granted when the Executive Director or commission determines, on the basis of requests, that a significant degree of public interest in the draft general permit exists. A public comment hearing is intended for the taking of public

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comment, and is not a contested case proceeding under the Administrative Procedure Act. The Executive Director may call and conduct public meetings in response to public comment.

If the Executive Director calls a public meeting, the commission will give notice of the date, time, and place of the meeting, as required by commission rule. The Executive Director shall prepare a response to all significant public comments on the draft general permit raised during the public comment period. The Executive Director shall make the response available to the public. The general permit will then be filed with the commission to consider final authorization of the permit. The Executive Director's response to public comment shall be made available to the public and filed with the chief clerk at least ten (10) days before the commission acts on the general permit.

Once the draft permit is completed, it is sent to the Office of the Chief Clerk of the TCEQ. The notice is published in the Texas Register, and the draft permit is placed on the Commission's agenda. For additional information about this general permit, contact the stormwater & Pretreatment Team at (512) 239-4671.

### **XIV. Administrative Record**

The following section is a list of the fact sheet citations to applicable statutory or regulatory provisions and appropriate supporting references.

A. 40 CFR Citations

40 CFR, including Parts 112, 122, 124, 136, 257, 258, 262, 263, 264, 265, 270, and Subchapter N (Parts 400-471, including 40 CFR Parts 403, 411, 418, 419, 423, 429, 434, 443, 436, 437, 440, 443, 445, 449, and 450)

B. Letters/ Memoranda/ Records of Communication

- Stormwater Stakeholder Meeting – January 8, 2015
- Water Quality Standards Review memo– April 15, 2015
- TMDL Review memo – April 20, 2015

C. Miscellaneous

1. TPDES Multi-Sector General Permit (MSGP) TXR050000, issued July 22, 2011, and effective August 14, 2011.
2. Quality Criteria for Water (1986), EPA 440/5-86-001, 5/1/86.
3. The State of Texas Water Quality Inventory, 13th Edition, Publication No. SFR-50, Texas Natural Resource Conservation Commission, December 1996.
4. Texas Surface Water Quality Standards - 30 TAC Sections 307.1-307.10, effective February 12, 2014, as approved by EPA Region 6.
5. *Procedures to Implement the Texas Surface Water Quality Standards*, Texas Commission on Environmental Quality, Publication RG-194, January 2012, as approved by EPA Region 6.
6. *Guidance Document for Establishing Monitoring Frequencies for Domestic and Industrial Wastewater Discharge Permits*, TCEQ Document No. 98-001.000-OWR-WQ, May 1998.
7. *General Guidance Industrial Permits for stormwater Runoff Associated With Industrial Activity*, EPA Region 6, March 22, 1999.

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8. TCEQ Rules, including: 30 TAC Chapters 39, 50, 205, 213, 281, 305, 307, 309, 311, 319, 327, 330, 332, and 335.
9. Standard Industrial Classification Manual, United States Office of Management and Budget, 1987.
10. 2012 Texas 303(d) List, Texas Commission on Environmental Quality, February 21, 2013 (approved by EPA on May 9, 2013).
11. 2012 Texas Integrated Report, Texas Commission on Environmental Quality, February 21, 2013 (approved by EPA on May 9, 2013).
12. *Development Document for Final Effluent Limitations Guidelines and Standards for the Landfills Point Source Category*, U.S. EPA Publication Number EPA-821-R-99-019, January 2000.
13. *Guidance Manual for Conditional No Exposure from stormwater Permitting Based on 'No Exposure' of Industrial Activities to stormwater*, U.S. EPA Office of Water, Publication Number EPA 833-B-00-001, June, 2000.
14. *Conditional No-Exposure Exclusion for stormwater Runoff: A Guide for Industries Operating under the TPDES Multi-Sector General Permit, TXR050000*, TCEQ Small Business and Environmental Assistance Division, Regulatory Guidance, RG-467, October 2013.
15. *NPDES stormwater Program Question and Answer Document, Volume 1*, U.S. EPA, 1993.

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## **Appendix A - Benchmark Sampling**

### **Methods Used to Evaluate Data**

The benchmark monitoring information submitted by the permitted entities from 2011-2014 was compiled in a spreadsheet. The data were divided by industrial sectors, then further into individual standard industrial classification (SIC) codes or industrial activity (AI) codes. If a benchmark result was reported as a zero or not detected (ND), the minimum analytic level (MAL) was entered as a result. If a benchmark result was reported as not sampled, not analyzed, or no qualifying rain event (NQRE), failed to sample was entered.

Data were analyzed by the type of pollutant for each group based on industry. Descriptive statistics were conducted for the following parameters: count, median, range, minimum and maximum values, standard error, standard deviation, kurtosis, skewness, quartiles and outliers. Median was the parameter used for central tendency. The range or spread, skewedness, kurtosis, quartiles and outliers were examined to further understand data distribution. Data variability was described using standard error and standard deviation. Interquartile range was calculated and used for determining minor and major outliers (using a multiplier of 1.5 and 3 to the interquartile range, respectively). Outliers were not removed from the dataset. Additionally this data was compared to the previous permit term data analysis to examine the consistency of data over time and to see if temporal trends in the data exist.

Proposed changes to the benchmarks were determined by comparing median pollutant values to the 2011 benchmarks. Median values with a deviation of 40% or greater were considered for benchmark changes (see Table 1). The 40% deviation is consistent with the standard used to determine noncompliance in permit effluent limitations.

### **Summary of Results**

Overall data are not distributed normally, data are variable and outliers are present. The ranges of most datasets data were large, often due to extreme values (outliers). Distribution lacked symmetry. Statistical tests comparing permit years were not conducted; although data were graphed at both pollutant and sector level for better data visualization. There were no data submitted for the six pollutants (antimony, beryllium, manganese, nickel, oil and grease, and turbidity).

Of the 25 benchmark pollutants, changes were proposed for three (see Table 2). Ammonia-Nitrogen is proposed to be lowered from 2.5 to 1.7 mg/L. Ammonia-Nitrogen is proposed to be lowered to the near maximum value (second highest value). Biochemical Oxygen Demand (BOD) is proposed to be lowered from 30 to 20 mg/L. The proposed BOD limit is above both the median and mean values and well above the third quartile. Total Suspended Solids is proposed to lower four Sector/SIC codes groupings from 100 to 50 mg/L (Sector A – SIC Codes 2426-2499, Sector C – SIC Codes 2873-2879, Sector F – SIC Codes 3321-3325, and Sector H – SIC Codes 1221-1241). This value is above all median values for these

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grouping. A summary of data for each pollutant by industry sector and SIC code is provided in Table 3.

**Table 1.** Comparisons in percent differences between 2011 benchmarks, 2016 medians, and the percent difference in 2016 median to 2011 benchmark.

Pollutant Type	2011 Benchmark	2016 Median	Median-Benchmark % Diff
Aluminum, total;	1.2	1.16	-3.3
Ammonia-Nitrogen	2.5	0.25	-90.0
Antimony, total	0.636	no data = 0.636	0.0
Arsenic, total	0.01**	0.01	0.0
Beryllium, total	0.13	no data = 0.13	0.0
BOD5	30	6.12	-79.6
Cadmium, total	.001**	0.001	0.0
COD	60	56	-6.7
Copper, total	0.030	0.04	33.3
Cyanide, total	0.02	0.02	0.0
Iron, total	1.3	1.39	6.9
Lead, total	0.01	0.012	20.0
Magnesium, total	1.4	1.93	37.9
Manganese, total	1	no data = 1	0.0
Mercury, total	0.0002**	0.0002	0.0
Nickel, total	1.417	no data = 1.417	0.0
Nitrate + Nitrite Nitrogen	0.68	0.62	-8.8
Oil & Grease	10	no data = 10	0.0
Phosphorus	1.25	0.86	-31.2
pH	6.0-9.0 S.U.	7.65	0.0
Selenium, total	0.01**	0.01	0.0

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Silver, total	0.002**	0.002	0.0
TSS	50 or 100*	45.38	-9.2 or -54.6
Turbidity	5 NTU	no data = 5	0.0
Zinc, total	0.16	0.173	8.1

\*The TSS benchmark is 50 mg/L for portions of Sectors A (SIC 2411, 2421), C (2812-2819), E (3251-3259), and U (2041-2048); and for all Sectors D, H, J O, Q, and AA in the 2011 MSGP.

\*\*Sector G has different mg/L benchmark values (arsenic = 0.17 mg/L, Selenium = 0.05 mg/L, silver = 0.0318 mg/L and mercury = 0.0019 mg/L for waste, rock, and overburden piles.)

**Table 2.** Multi-Sector General Permit proposed changes to the 2011 benchmarks for the 2016 permit (bolded indicates change).

<b>Pollutant</b>	<b>2011 Benchmark Level</b>	<b>2011 Sectors Required to Monitor</b>	<b>2016 Proposed Level and Sectors to Monitor (Justification of change)</b>
Aluminum, total	1.2 mg/L	C, E, F, H, M, N, Q, AA	1.2 mg/L (no change in benchmark)
<b>Ammonia-Nitrogen</b>	<b>2.5 mg/L</b>	<b>K, S</b>	<b>1.7 mg/L (All data points except for one were lower than 1.7; therefore the near maximum level reported was established as the new benchmark level)</b>
Antimony, total	0.636 mg/L	G	0.636 mg/L (no change in benchmark)
Arsenic, total	0.01** mg/L	A, K	0.01 mg/L (no change in benchmark)
Beryllium, total	0.13 mg/L	G	0.13 mg/L (no change in benchmark)
<b>BOD<sub>5</sub></b>	<b>30mg/L</b>	<b>T</b>	<b>20 mg/L (Lowered to value 20 mg/L which above the third quartile (75%), median and average value. This value is also the 30-day effluent limitation used for domestic sewage)</b>
Cadmium, total	.001** mg/L	G,K	0.001 mg/L (no change in benchmark)
COD, total	60 mg/L	A, B, G, K, N, S, U, AD	60 mg/L (no change in benchmark)
Copper, total	0.03 mg/L	A, F, G, N	0.03 mg/L (no change in benchmark)
Cyanide, total	0.02 mg/L	K	0.02 mg/L (no change in benchmark)
Iron, total	1.3 mg/L	C, E, F, H, L, M, N, O, Q, AA	1.3 mg/L (no change in benchmark)
Lead, total	0.01 mg/L	C, G, K, M, N, Q	0.01 mg/L (no change in benchmark)

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Magnesium, total	1.4 mg/L	K	1.4 mg/L (no change in benchmark)
Manganese, total	1 mg/L	G	1 mg/L (no change in benchmark)
Mercury, total	0.0002* mg/L	G, K	0.0002 mg/L (no change in benchmark)
Nickel, total	1.417 mg/L	G	1.417 mg/L (no change in benchmark)
Nitrate +Nitrite Nitrogen	0.68 mg/L	C, G, J, U, AA	0.68 mg/L (no change in benchmark)
Oil & Grease	10 mg/L	AD	10 mg/L (no change in benchmark)
Phosphorous	1.25 mg/L	C	1.25 mg/L (no change in benchmark)
pH	6.0-9.0 S.U.	E,G, J, S, AD	6.0-9.0 S.U. (no change in benchmark)
Selenium, total	0.01* mg/L	G, K	0.01 mg/L (no change in benchmark)
Silver, total	0.002* mg/L	G, K	0.002 mg/L (no change in benchmark)
TSS	50 mg/L	C, D, E, J, O, Q, U, AA	<b>50 mg/L (no change in benchmark, lowered from 100 mg/L for select SIC codes: Sector A :2426-2499, Sector C:2873-2879, Sector F:3321-3325, and Sector H:1221-1241. This value is above the median value for these select SIC codes)</b>
TSS	100 mg/L	A, C, E, F, G, H, L, M, N, U, AD	<b>100 mg/L (no change in benchmark, see above for select SIC codes lowered to 50 mg/L)</b>
Turbidity	5 NTU	G	5 NTU (no change in benchmark)
Zinc, total	0.16 mg/L	A, C, F, N, Q, Y, AA	0.16 mg/L (no change in benchmark)

\*Sector G has different mg/L benchmark values (arsenic = 0.17, Selenium = 0.05, silver = 0.0318 and mercury = 0.00019)

**Table 3.** Summary of benchmark monitoring data from 2011-2014 for each pollutant, sector and SIC code.

Pollutant	Sector	SIC	Total Samples	Median (mg/L)	Current (2011) MSGP Benchmark (mg/L)	Percent deviation from 2011 Benchmark (mg/L)
<b>Aluminum, total</b>	C	2812-2819	117	1.153	1.2	-3.9
	E	3251-3259	12	5.5	1.2	358.3
	E	3262-3269	0	-	1.2	
	F	3312-3317	25	1.57	1.2	30.8

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	F	3321-3325	45	1.074	1.2	-10.5
	H	1221-1241	27	0.6	1.2	-50.0
	M	5015	348	1.46025	1.2	21.7
	N	5093	410	1.515	1.2	26.3
	Q	4412-4499	87	0.892	1.2	-25.7
	AA	SIC 3411-3499 (except 3479), and 3911-3915	540	0.8924	1.2	-25.6
	Median of all samples		1612	1.16	1.2	-3.3
<b>Ammonia-Nitrogen</b>	K	HZ	35	0.25	2.5	-90.0
	S	4512-4581	1	0.25	2.5	-90.0
	Median of all samples		37	0.25	1.2	-79.2
<b>Arsenic, total</b>	A	2491	21	0.01	0.01	0.0
	G	1011-1099	0	-	0.17	
	K	HZ	39	0.01	0.01	0.0
	Median of all samples		60	0.01	0.01	0.0
<b>BOD<sub>5</sub></b>	T	TW	466	6.115	30	-79.6
	Median of all samples		466	6.12	30	-79.6
<b>Cadmium, total</b>	G	1011-1099	0%	-	0%	
	K	HZ	39	0.001	0.001	0.0
	Median of all samples		39	0.001	0.001	0.0
<b>COD</b>	A	2421	39	49.65	60	-17.3
		2426, 2429, 2431-2439 (except 2434), 2441, 2448, 2449, 2451, 2452, 2493, and 2499	33	44.4	60	-26.0
	B	2631	6	83.625	60	39.4
	G	1021	0	-	60	
	K	HZ	38	39.5	60	-34.2
	N	5093	402	59.67	60	-0.5
	S	4512-4581	1	74.1	60	23.5
	U	2074-2079	17	55	60	-8.3
	Median of all samples		1612	1.16	1.2	-3.3
	<b>Copper, total</b>	A	2491	21	0.106	0.03
F		3321-3325	42	0.026575	0.03	-11.4
F		3351-3357	21	0.01	0.03	-66.7
F		3363-3369	15	0.0233	0.03	-22.3
G		1011-1099	0	-	0.03	
N		5093	411	0.0434	0.03	44.7
Median of all samples		510	0.04	0.03	33.3	

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<b>Cyanide, total</b>	K	HZ	38	0.02	0.02	0.0
	Median of all samples		1612	1.16	1.2	-3.3
<b>Iron, total</b>	C	2812-2819	117	0.751	1.3	-42.2
	C	2873-2879	89	1.42	1.3	9.2
	E	3271-3275	147	0.93	1.3	-28.5
	F	3321-3325	42	2.93	1.3	125.4
	G	1011-1099	0	-	1.3	
	H	1221-1241	27	1	1.3	-23.1
	L	LF	214	2.05	1.3	57.7
	M	5015	347	1.366	1.3	5.1
	N	5093	404	2.345	1.3	80.4
	O	SE	120	1.461	1.3	12.4
	Q	4412-4499	67	0.975875	1.3	-24.9
	AA	SIC 3411-3499 (except 3479), and 3911-3915	525	1.3	1.3	0.0
	Median of all samples		1612	1.16	1.2	-3.3
<b>Lead, total</b>	C	2873-2879	94	0.005	0.01	-50.0
	G	1011-1099	0	-	0.01	
	K	HZ	40	0.009	0.01	-10.0
	M	5015	348	0.014275	0.01	42.8
	N	5093	411	0.02	0.01	100.0
	Q	4412-4499	88	0.008025	0.01	-19.8
	Median of all samples		1612	1.16	1.2	-3.3
<b>Manganese, total</b>	G	1011-1099	0	-	1	
	Median of all samples		1612	1.16	1.2	-3.3
<b>Magnesium, total</b>	K	HZ	39	1.93	1.4	37.9
	Median of all samples		1612	1.16	1.2	-3.3
<b>Mercury, total</b>	G	1011-1099	0	-	0.0019	
	K	HZ	38	0.0002	0.0002	0.0
	Median of all samples		1612	1.16	1.2	-3.3
<b>Nickel, total</b>	G	1011-1099	0	-	1.417	
	Median of all samples		1612	1.16	1.2	-3.3
<b>Nitrate + Nitrite Nitrogen</b>	C	2812-2819	118	0.68	0.68	0.0
	C	2841-2844	37	0.515	0.68	-24.3
	C	2873-2879	94	1.58	0.68	132.4
	G	1021			0.68	-100.0
	J	1442 and 1446	85	0.1765	0.68	-74.0
	U	2074-2079	17	0.595	0.68	-12.5
	AA	SIC 3411-3499 (except 3479), and	539	0.621	0.68	-8.7

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		3911-3915				
	AA	3479	108	0.76	0.68	11.8
	Median of all samples		1612	1.16	1.2	-3.3
<b>Phosphorus</b>	C	2873-2879	93	0.86	1.25	-31.2
	Median of all samples		1612	1.16	1.2	-3.3
<b>pH</b>	E	3251-3259	8	7.29	6.0-9.0	
	E	3271-3275	79	7.56	6.0-9.0	
	G	1011-1099	0	-	6.0-9.0	
	J	1411, 1422-1429, and 1481	105	7.705	6.0-9.0	
	S	4512-4581	1	6.43	6.0-9.0	
	Median of all samples		1612	1.16	1.2	-3.3
<b>Selenium, total</b>	G	1011-1099	0	-	0.05	
	K	HZ	38	0.01	0.01	0.0
	Median of all samples		1612	1.16	1.2	-3.3
<b>Silver, total</b>	G	1011-1099	0	-	0.0318	
	K	HZ	37	0.002	0.002	0.0
	Median of all samples		1612	1.16	1.2	-3.3
<b>TSS</b>	A	2411	16	19.85	100	-80.2
	A	2421	39	45	100	-55.0
	A	2426, 2429, 2431-2439 (except 2434), 2441, 2448, 2449, 2451, 2452, 2493, and 2499	34	27.275	100	-72.7
	C	2812-2819	115	40.85	50	-18.3
	C	2873-2879	89	54.2	100	-45.8
	D	2951 and 2952	94	28.95	50	-42.1
	E	3251-3259	9	216	100	116.0
	E	3262-3269	0	-	100	
	E	3271-3275	152	68.75	50	37.5
	F	3312-3317	25	103.5	100	3.5
	F	3321-3325	45	41	100	-59.0
	G	1021			100	-100.0
	H	1221-1241	27	20	100	-80.0
	J	1411, 1422-1429, and 1481	116	30.75	50	-38.5
	J	1442 and	98	35.225	50	-29.6

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<b>Turbidity</b>		1446				
	L	LF	207	63.63	100	-36.4
	M	5015	334	54.5	100	-45.5
	N	5093	401	60.5	100	-39.5
	O	SE	121	53.3	50	6.6
	Q	4412-4499	85	41	50	-18.0
	U	2041-2048	38	48.75	50	-2.5
	U	2074-2079	17	84	100	-16.0
	AA	SIC 3411-3499 (except 3479), and 3911-3915	524	40.65	50	-18.7
		Median of all samples	1612	1.16	1.2	-3.3
	G	1011-1099	0	-	5 NTUs above background	
	Median of all samples	1612	1.16	1.2	-3.3	
<b>Zinc, total</b>	A	2421	39	0.0458	0.16	-71.4
	C	2821-2824	69	0.16	0.16	0.0
	C	2841-2844	37	0.139	0.16	-13.1
	C	2873-2879	95	0.08	0.16	-50.0
	F	3312-3317	25	0.1462	0.16	-8.6
	F	3321-3325	45	0.151	0.16	-5.6
	F	3351-3357	21	0.184	0.16	15.0
	F	3363-3369	15	0.17	0.16	6.3
	G	1011-1099	0	-	0.16	
	N	5093	410	0.21	0.16	31.3
	Q	4412-4499	88	0.147	0.16	-8.1
	Y	3011	0	-	0.16	
	Y	3021	0	-	0.16	
	Y	3052-3053	5	0.128	0.16	-20.0
	Y	3061	3	0.2	0.16	25.0
	Y	3069	10	0.128	0.16	-20.0
	AA	SIC 3411-3499 (except 3479), and 3911-3915	547	0.1685	0.16	5.3
	AA	3479	113	0.41	0.16	156.3