

**AUTHORIZATION TO DISCHARGE UNDER THE  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM**

In compliance with the provisions of the Clean Water Act, as amended, (33 U.S.C. §1251 et. seq.; the "Act"); Hawaii Revised Statutes Chapter 342D; and Hawaii Administrative Rules (HAR) Department of Health (DOH), State of Hawaii, Chapters 11-54 and 11-55;

**STATE OF HAWAII  
DEPARTMENT OF DEFENSE  
HAWAII ARMY NATIONAL GUARD (HIARNG)**

(hereinafter PERMITTEE)

is authorized to discharge storm water runoff and certain non-storm water discharges as identified in Part B.2. of this permit from the HIARNG Municipal Separate Storm Sewer System (MS4) and storm water discharges associated with Industrial Activities from the Army Aviation Support Facility No. 1 (AASF #1) at Wheeler Army Airfield, Oahu, Hawaii from storm sewer outfalls identified in the Permittee's NPDES permit application, dated January 11, 2019, and additional storm sewer outfalls that may be identified from time to time by the Permittee,

into State Waters in and around the Island of Oahu, Hawaii,

in accordance with the general requirements, discharge monitoring requirements, and other conditions set forth herein, and in the attached DOH "Standard NPDES Permit Conditions," that is available on the DOH, Clean Water Branch (CWB) website at: <http://health.hawaii.gov/cwb/site-map/home/standard-npdes-permit-conditions>. This permit does not include HIARNG's facility at Kalaeloa.

All references to Title 40 of the Code of Federal Regulations (CFR) are to regulations that are in effect on July 1, 2018, except as otherwise specified. Unless otherwise specified herein, all terms are defined as provided in the applicable regulations in Title 40 of the CFR.

Failure to comply with any condition, requirement, and/or limitation in this permit is an enforceable violation and your National Pollutant Discharge Elimination System (NPDES) permit may be terminated. Examples of enforceable violations include, but are not limited to: Unauthorized discharges where a pollutant was not disclosed in the NPDES application, but was detected by monitoring only requirements in the NPDES permit or by other means determined by the DOH; failure to sample, analyze, or submit water quality results as required in the NPDES permit; and discharging pollutants in locations that were not authorized in the NPDES permit. If you violate Hawaii Revised

Statutes (HRS) Chapter 342D, you may be subject to penalties of up to \$25,000 per violation per day and up to two (2) years in jail.

Falsification of information, including providing information in the NPDES application that does not match what is actually occurring at the project site/facility, may result in criminal penalties for the Permittee and their authorized representative as provided in CWA, Section 309 and HRS Section 342D-35.

This permit will become effective on **June 1, 2020**.

This permit and the authorization to discharge will expire on midnight, **May 31, 2025**. The Permittee shall submit a renewal application at least one (1) year prior to the expiration date of this permit.

Signed this 20th day of May, 2020.



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(For) Director of Health

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ATTACHMENT: STANDARD NPDES PERMIT CONDITIONS (VERSION 15). In case of conflict between the conditions stated in this permit and those specified in the Standard NPDES Permit Conditions, the more stringent conditions shall apply.

**Part A. GENERAL REQUIREMENTS**

The Permittee shall:

- Part A.1. Comply with all materials submitted in and with the application dated January 11, 2019. Comply with the existing HIARNG Storm Water Management Plan (SWMP) until submittal of the revised SWMP to DOH; and future activities as identified in its last submitted Annual Report. The revised SWMP shall be implemented upon submittal to DOH.
- Part A.2. Comply with all requirements in this permit.
- Part A.3. Retain a copy of this permit and all other related materials and the SWMP, with all subsequent revisions, at designated locations as identified in the SWMP.
- Part A.4. Ensure that anyone working under this permit complies with the terms and conditions of this permit.
- Part A.5. Include the permit number, **HI S000052**, and the following certification with all information required under this permit:

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

- Part A.6. All "Plans" (e.g., SWMP Plan, Enforcement Response Plan, Trash Reduction Plan, Plan for Requiring Low Impact Development (LID) in its Standards; etc.) shall be available (e.g., on Permittee's website or other means) for a minimum of 30 calendar days for public review and comment. The Permittee shall notify DOH by email at: [cleanwaterbranch@doh.hawaii.gov](mailto:cleanwaterbranch@doh.hawaii.gov) of the availability of the plan within five (5) calendar days of the plan being available. The Permittee shall address all comments received within the 30-calendar-day period and provide both comments and responses to DOH with its submittal of the

Plan in accordance with the deadline as specified in Part H. All Plans shall be implemented upon submittal regardless of DOH's review and acceptance. If any deficiencies are found by DOH after submittal, the Permittee shall correct the deficiencies to DOH's satisfaction within 30 calendar days or such other time as agreed to in writing and resubmit the plan. In addition to the Plans being available for public comment, the current/existing plans shall also be accessible for public viewing.

- Part A.7. All information and reports required under this permit and updates to information on file shall be submitted through the CWB Compliance Submittal Form for Individual NPDES Permits and Notice of General Permit Coverages (NGPCs), or other form approved by the DOH. This form is accessible through the e-Permitting Portal website at: <https://eha-cloud.doh.hawaii.gov/epermit/>. If not already registered, you will be asked to do a one-time registration to obtain your login and password. After you register, click on the Application Finder tool to locate the form. Follow the instructions to complete and submit this form. All submissions shall include a CD or DVD containing the downloaded e-Permitting submission and a completed Transmittal Requirements and Certification Statement for e-Permitting NPDES/NGPC Compliance Submissions Form, with original signature and date.

These submission packets (CD/DVD and original wet signature pages) shall be submitted to the following address unless otherwise informed:

State of Hawaii  
Clean Water Branch  
2827 Waimano Home Road, #225  
Pearl City, Hawaii 96782

**Part B. DISCHARGE LIMITATIONS**

Part B.1. The Permittee shall effectively prohibit non-storm water discharges through its separate storm sewer system into State Waters and from its facilities discharging directly to State Waters or through a non-Permittee-owned MS4. National Pollutant Discharge Elimination System (NPDES) permitted discharges and non-storm water discharges identified in Part B.2 of this permit are exempt from this prohibition.

Part B.2. The following non-storm water discharges may be discharged into the Permittee's MS4 provided that the discharge is identified below and meets all conditions when specified by the Permittee. In the event that any of the non-storm water discharges listed below is determined to be a source of pollution by the Permittee, the discharge will no longer be allowed.

- Water line flushing;
- Landscape irrigation;
- Diverted stream flows;
- Rising ground waters;
- Uncontaminated ground water infiltration (as defined in 40 CFR 35.2005[20]);
- Uncontaminated pumped ground water not including construction related dewatering activities;
- Discharges from potable water sources and foundation drains;
- Air conditioning condensate;
- Refrigeration unit condensate;
- Irrigation water;
- Seawater;
- Springs;
- Water from crawl space pumps (including discharge from buildings with basements, and crawl space pumps used by utility companies to dewater utility manholes and other maintenance and operations of substructure facilities) and footing drains;
- Lawn watering runoff, landscape irrigation, planter box runoff, and irrigation water;
- Water from individual residential car washing;
- Water from charity car washes;
- Flows from riparian habitats and wetlands;
- Dechlorinated swimming pool discharges;
- Exterior building wash water (water only);

- Residual street wash water (water only), including wash water from sidewalks, plazas, and driveways, but excluding parking lots; and
- Discharges or flows from firefighting activities.

The Permittee may also develop a list of other similar occasional incidental non-storm water discharges (e.g., non-commercial car washes, etc.) that will not be addressed as illicit discharges. These non-storm water discharges must not be reasonably expected (based on the information available to the Permittee) to be significant sources of pollutants to the MS4, because of either the nature of the discharges or conditions the Permittee has established for allowing these discharges to the MS4 (e.g., non-commercial car wash with appropriate controls on frequency, proximity to sensitive water bodies, Best Management Practices (BMPs) for the wash water, etc.). The Permittee shall document in the SWMP any local controls or conditions placed on the discharges, and include a provision prohibiting any individual non-storm water discharge that is determined to be contributing pollutants to the MS4.

Part B.3. The discharge of pollutants from the Permittee's MS4 shall be reduced to the Maximum Extent Practicable (MEP), consistent with Section 402(p)(3)(B) of the CWA. The intent of this permit, and the provisions herein, is for the Permittee to develop, achieve, and implement a timely, comprehensive, cost-effective storm water pollution control program to reduce the discharge of pollutants to the MEP from the Permittee's MS4 to waters of the State. MEP is a dynamic performance standard and evolves as knowledge of urban runoff control measures increases.

Part B.4. The discharge of pollutants from the Permittee's facilities classified as Industrial in accordance with 40 CFR 122.26(b)(14) shall be reduced to the appropriate discharge limitations subject to the Best Available Technology currently available (BAT)/ Best Conventional Pollutant Control Technology (BCT) discharge requirement, consistent with the Act and other respective federal and state requirements for such facilities.

**Part C. RECEIVING WATER LIMITATIONS, INSPECTIONS, AND CORRECTIVE ACTIONS**

Part C.1. The discharge shall comply with the basic water quality criteria which states:

"All waters shall be free of substances attributable to domestic, industrial, or other controllable sources of pollutants, including:

Part C.1.a. Materials that will settle to form objectionable sludge or bottom deposits;

Part C.1.b. Floating debris, oil, grease, scum, or other floating materials;

Part C.1.c. Substances in amounts sufficient to produce taste in the water or detectable off-flavor in the flesh of fish, or in amounts sufficient to produce objectionable color, turbidity or other conditions in receiving waters;

Part C.1.d. High or low temperatures; biocides; pathogenic organisms; toxic, radioactive, corrosive, or other deleterious substances at levels or in combinations sufficient to be toxic or harmful to human, animal, plant, or aquatic life, or in amounts sufficient to interfere with any beneficial use of the water;

Part C.1.e. Substances or conditions or combinations thereof in concentrations which produce undesirable aquatic life; and

Part C.1.f. Soil particles resulting from erosion on land involved in earthwork, such as the construction of public works; highways; subdivisions; recreational, commercial, or industrial developments; or the cultivation and management of agricultural lands."

Part C.2. The discharge shall not cause or contribute to a violation of any of the applicable beneficial uses or water quality objectives contained in HAR Chapter 11-54, titled "Water Quality Standards."

Part C.3. During inspections/screenings as required by this permit, the Permittee shall also visually inspect the receiving state waters, effluent, and control measures and BMPs to detect violations of, and conditions which may cause violations of, the basic water quality criteria as specified in HAR Section 11-54-4. (e.g., the Permittee shall look at effluent and receiving state waters for turbidity, color, floating oil and grease, floating debris and scum, materials that will settle, substances that will produce



taste in the water or detectable off-flavor in fish and inspect for items that may be toxic or harmful to human or other life). If the discharge enters HIARNG's MS4 prior to the receiving state water, then the Permittee may inspect their discharge where it enters the drainage system rather than at the receiving water. The Permittee is not required to inspect areas that, at the time of the inspection, are considered unsafe to inspection personnel, if the unsafe conditions have been documented.

- Part C.4. The Permittee shall immediately take action to stop, reduce, or modify the discharge of pollutants as needed to stop or prevent a violation of the basic water quality criteria as specified in HAR Section 11-54-4.
- Part C.5. For TMDLs adopted by DOH and approved by the EPA, the Permittee shall demonstrate consistency with the WLAs consistent with the assumption of the associated TMDL document within the timeframe as specified in its Implementation and Monitoring (I&M) Plan.

**Part D. STORM WATER MANAGEMENT PLAN (SWMP)**

**Part D.1. Development, Improvement, Implementation and Enforcement of the SWMP**

The Permittee shall further develop and improve, implement, and enforce a SWMP designed to address the requirements of this permit and reduce, to the MEP, the discharge of pollutants to and from its MS4 to protect water quality and to satisfy the appropriate water quality requirements of the Act. The SWMP shall include the following information for each of the SWMP components described in Part D.1.a. to Part D.1.g. below:

- The BMPs, including the underlying rationale that will be implemented for each of the program components.
- The measurable standards and milestones for each of the BMPs, including the underlying rationale and interim measures to aid in determining the level of effort and effectiveness of each program component.
- The name or position title and of the person or persons responsible for implementation or coordination of each program component.
- A monitoring program to determine effectiveness of the controls and the overall storm water program.

Submittal Date. The SWMP shall be: updated and modified per the requirements of this permit; consistent with the format of this permit; submitted to DOH in accordance with Part A.7. within one (1) year after the effective date of this permit, or as otherwise specified; and fully implemented upon submittal. The Permittee shall implement the existing SWMP until submittal of the revision. The SWMP and any of its revisions, additions, or modifications are enforceable components of this permit.

**Part D.1.a. Public Education and Outreach**

The Permittee shall further develop and implement a comprehensive education and involvement program to distribute educational materials to the following Targeted Groups or conduct equivalent outreach activities about the impacts of storm water as well as enabling the public and tenants to identify and report a pollution-causing activity (i.e., spotting an illicit discharge) and the steps that the public and tenants can take to reduce pollutants in storm water runoff. The program should create: positive changes in attitude, knowledge, and awareness; BMP implementation; pollutant load reduction; and an improvement in

discharge and receiving water quality. The SWMP shall include a written comprehensive education plan for how the Permittee will reach all targeted audiences and implement the permit requirements described below. The Permittee may fulfill portions of this requirement by cooperating with other MS4 storm water public education programs.

Part D.1.a.(1) *Targeted Groups* - The Permittee shall address the following targeted groups in the comprehensive education plan with appropriate messages, and describe outreach activities and anticipated frequencies that each activity will be conducted over the permit term:

- Entities responsible for illicit discharges.
- Enlisted Army National Guard personnel and their dependents.
- Civilian Army National Guard personnel.
- Army National Guard consultants.
- Construction industry.
- Industrial facilities covered by the NPDES permit program.
- Commercial businesses such as landscape service and maintenance (e.g., to prevent the use of leaf blowers from blowing material into the drainage structures), automobile repair and maintenance, including those types of businesses highly ranked, according to relative risk of discharge of contaminated runoff to the Permittee's MS4. Refer to Part D.1.g.(4).
- Any other source that the Permittee determines may contribute a significant pollutant load to its MS4.

The Permittee shall include in the comprehensive education plan, the following activities and subjects, with anticipated frequencies that each activity will be conducted over the permit term:

- Distribution of outreach materials.
- Publication on a Web site.
- Insecticides, herbicides, and fertilizers with pesticides use.
- Water conservation.
- Proper disposal of grass clippings, leaves, and other green wastes.
- Proper disposal of household hazardous waste.

Part D.1.a.(2) *Evaluation Methods* - The Permittee shall evaluate the progress of the comprehensive education program based on the following:

- At least once per permit term, survey Army National Guard facility occupants and tenants to measure both behavior and knowledge relating to storm water. The results of the survey shall be compared to past surveys.
- Number of outreach materials distributed.
- Number of findings during inspections. The results of the findings during inspection shall be compared to past inspection findings.
- Any other methods that the Permittee determines to be effective.

The results of the evaluation shall be summarized in the Annual Report.

**Part D.1.b. Public Involvement/Participation**

The Permittee shall include Army National Guard Leaders, facility management, and facility occupants in developing, reviewing, and implementing the SWMP. The draft and final SWMP shall be made available to the public (e.g., on Permittee's website) and at the HIARNG Environmental Office. An informational meeting shall be scheduled and announced prior to finalizing the SWMP to solicit comments and answer questions from the public. Other activities to involve the public may include providing volunteer opportunities that improve water quality, organizing a citizen advisory group to solicit ongoing input from the public about changes to the SWMP and specific SWMP-related projects, or organizing clean-up events to educate the public about impacts of storm water.

**Part D.1.c. Illicit Discharge Detection and Elimination**

The Permittee shall implement the ongoing SWMP to detect and eliminate illegal connections and illicit discharges into its MS4 and shall include an improved program in the revised SWMP Plan. The program shall include:

**Part D.1.c.(1)** *Connection Permits for private drain connections* – The Permittee shall continue to adhere to its requirements for issuing connection permits and require obtaining the permit prior to allowing the drain connections. A database shall be maintained of all permitted connections to its MS4. Prior to issuing a connection permit, the Permittee shall ensure the following are met:

- the project has provided proof of filing a Notice of Intent (NOI) or NPDES application, if applicable; and

- control measures comply with its requirements to minimize pollutant discharge into its MS4.

Part D.1.c.(2) *Field Screening* - The Permittee shall implement an Outfall Field Screening Plan for observing major and minor outfalls to screen for improper discharges. The plan shall designate priority areas for screening, specify the frequency for screening, and identify the procedures to be followed if a discharge is observed. At a minimum, outfalls in priority areas shall be screened once per permit term.

Part D.1.c.(3) *Tracking* - The Permittee shall maintain a database of complaints, illegal connections, illicit discharges, and spills which tracks the location of the discharge by installation name and building number or TMK, type of discharge, responsible party, the Permittee's investigation and response of the discharge, follow-up activities, and the resolution of each discharge to the MS4.

Part D.1.c.(4) *Complaint Investigation* - The Permittee shall promptly investigate observed, suspected, or reported illicit flows and pursue enforcement actions, as appropriate. Complaints made to the CWB, which discharge to the Permittee's MS4 will be forwarded to the Permittee for action. The Permittee shall:

- (i) Develop and implement a database to identify illicit discharge activities by installation name and building number or TMK. The database shall include information about each suspected improper discharge, the Permittee's investigation of that discharge, follow-up activities, and the resolution of each discharge as required in Part D.1.c.(3). above;
- (ii) Implement a program to facilitate public reporting of illicit discharges (i.e., environmental hotline and/or website for reporting), including providing at least one (1) contact that the public can reach (including phone number and/or email address). This contact information shall be clearly posted on its website; and
- (iii) Develop a response plan for the investigation of illicit discharges to be consistent with the requirements in this permit.

Part D.1.c.(5) *Enforcement* - Within one (1) year after the effective date of this permit, the Permittee shall:

- (i) Establish policies for enforcement and penalties for entities found to be in non-compliance with requirements developed in accordance with Part D.1.c.(1), including for persons illegally discharging pollutants to its MS4, and
- (ii) Pursue enforcement actions against entities in non-compliance with its requirements, with illegal drain connections, and illegally discharging pollutants to its MS4 without direct connections.

Part D.1.c.(6) *Spill Prevention and Response* - The Permittee shall implement its ongoing SWMP to prevent, respond to, contain, and clean up all wastewater and other spills that may enter its MS4 from any source (including private laterals and failing cesspools). This program shall be included in the SWMP. Spill response teams, which may consist of local, state, and/or federal agencies, shall prevent entry of spills into the Permittee's MS4 and contamination of surface water, ground water, and soil to the MEP.

The Permittee shall coordinate spill prevention, containment, and response activities throughout all appropriate departments, programs, and agencies to ensure maximum water quality protection at all times.

The Permittee shall notify DOH of all wastewater spills or overflows from private laterals and failing septic systems into its MS4. The Permittee shall prevent, respond to, contain, and clean up wastewater from any such notification.

Part D.1.c.(7) *Used Oil and Toxic Materials Disposal* - The Permittee shall implement its ongoing SWMP to facilitate the proper management and disposal or recycling of used oil, vehicle fluids, toxic materials, and other household hazardous wastes. Such a program shall include educational activities, public information activities, and identification of collection sites or methods.

Part D.1.c.(8) *Training* - The Permittee shall provide annual training to Environmental Officers (EO) and facility personnel on identifying and eliminating illegal connections, illicit discharges, and spills to its MS4. This training shall be specific to the Permittee's activities, policies, rules, and procedures. The Permittee shall maintain records of the annual training program.

Part D.1.d. Construction Site Runoff Control

The Permittee shall implement a construction site management program to reduce to the MEP the discharge of pollutants from both private and public construction projects (i.e., contract, in-house, maintenance, and encroachment). The construction site management program shall include the following minimum elements:

Part D.1.d.(1) *Requirement to implement BMPs Manuals* - The Permittee shall continue to implement the Construction, Repair, and Maintenance Storm Water BMP Manual which shall include standards from the following types of manuals for construction projects:

- Construction BMPs Field Manual.
- Maintenance Activities BMPs Field Manual.
- Storm Water Permanent BMPs Manual.

The Permittee shall review these standards annually and, as necessary, revise to include descriptions of new or modified BMPs, including permanent BMPs and LID practices. All revisions made during a calendar year shall be discussed in its corresponding Annual Reports and all documents included in the SWMP Plan. All documents shall be made available to the Permittee's staff, contractors, and consultants, as appropriate.

Part D.1.d.(2) *Requirement to implement BMPs* - The Permittee shall continue administering policies to require proposed construction projects to implement BMPs and standards described in the following:

- Construction BMPs Field Manual.
- Maintenance Activities BMPs Field Manual.
- Storm Water Permanent BMPs Manual.

Part D.1.d.(3) *Inventory of construction sites* - The Permittee shall continue to implement a system to track both private and public construction projects (i.e., contract, in-house, maintenance, and encroachment). This system shall track information on the project (including permit or file number, if available); status of plan review and approval, inspection dates, and if applicable, enforcement actions; and whether the project has applied for coverage under HAR Chapter 11-55, Appendix C, NPDES General Permit Authorizing the Discharge of Storm Water Associated with Construction Activity (a.k.a. General Construction

Activity Storm Water permit) (unless the project will disturb less than one acre of land) and satisfied any other applicable requirements of the NPDES permit program (i.e., an individual NPDES permit).

Part D.1.d.(4) *Plan Review and Approval* - The Permittee shall:

- (i) Review the appropriate Storm Water Pollution Prevention Plan (SWPPP) and other pollution prevention measures (e.g., for Erosion and Sediment Control, Grading, Post-construction BMP and Landscaping) or similar plans/documents prior to approval of the construction plans and specifications. The Permittee shall verify that the SWPPP meets the following requirements:
  - HAR Chapter 11-55, Appendix C, and any other requirements under the NPDES permit program, as applicable;
  - Construction BMPs Field Manual (after developed);
  - Maintenance Activities BMPs Field Manual (after developed);
  - Storm Water Permanent BMPs Manual (after developed); and
  - Implementation of measures to ensure that the discharge of pollutants from the site will be reduced to the appropriate discharge limitations subject to the BAT/BCT discharge requirement, consistent with the Act and other respective federal and state requirements for such facilities and will not cause or contribute to an exceedance of water quality standards.
- (ii) Require a permit or written equivalent approval for drainage connections to its MS4, discharge of surface storm water runoff associated with construction (i.e., from both private and public projects) or other discharge permit (i.e., hydrotesting and dewatering effluent or other non-storm water, except those allowed under this permit) into their MS4 and maintain a database of the permits/approvals. Prior to issuing a drainage connection, discharge of surface runoff permit/approval, discharge permit, or encroachment permit, the Permittee shall ensure that the following are met:
  - The project owner has provided proof of filing an NOI Form C or NPDES application for the discharge of storm water associated with construction activities that disturb one (1) acre or more;



- The project owner has provided proof of filing a NOI Form F and/or G or NPDES application for the discharge of hydrotesting effluent or construction dewatering effluent, respectively, if applicable; and
  - A SWPPP or other documents (e.g., Erosion and Sediment Control, Grading, Post-construction BMP and Landscaping Plans, Dewatering Plan, and Hydrotesting Plan) relating to pollution prevention or similar document(s) have been reviewed and accepted by the Permittee.
- (iii) Prohibit the commencement of construction on any private or public construction project (i.e., contract, in-house, maintenance, and encroachment) unless and until it has verified that the project has received from DOH a NGPC under HAR Chapter 11-55, Appendix C, NPDES General Permit Authorizing the Discharge of Storm Water Associated with Construction Activity (General Construction Activity Storm Water permit) [unless the project will disturb less than one (1) acre of land] and satisfied any other applicable requirements of the NPDES permit program (i.e., an individual NPDES permit).
- (iv) Continue to implement a plan review checklist that its reviewers shall use in evaluating the plans and BMPs or other similar document(s) which have been implemented pursuant to this Part (i.e., Part D.1.d.). Copies of this plan review checklist shall be provided to applicants for connection, discharge, and encroachment permits; and to consultants and contractors for their use in developing the Plans or other similar document(s) for Permittee-contracted construction projects. The plan review checklist shall include at a minimum, but not be limited to, comments on any deficiencies and the date when comments were addressed to the satisfaction of the Permittee. A system shall be implemented to ensure all comments, identified during the review process have been properly addressed.

Part D.1.d.(5) *Inspections* – The Permittee shall:

- (i) Prior to the initiation of ground-disturbing activities at any site, except for activities associated with the installation of BMPs at a site, an engineer or qualified inspector employed or retained by the Permittee who reviews and becomes familiar with the project's SWPPP and/or other equivalent document(s), shall inspect the

site to verify BMPs as required by the BMP Plan and/or other documents have been installed correctly and in the correct locations prior to the commencement of ground-disturbing activity. Inspections shall include a review of site Erosion and Sediment Controls, good housekeeping practices, and compliance with Permittee-accepted erosion and sediment control plans, construction BMPs Plans, or other similar documents and Permittee-approved permits. The inspector shall also identify, document, and report any site conditions having the potential for erosion and sediment runoff, including other pollutant discharges which may occur as a result of the project's construction activities, to the owner, contractor, EO, and the party responsible for BMP maintenance.

- (ii) In addition to inspections required by the NPDES permit program, all contract, in-house and maintenance construction projects shall be inspected at least monthly by a qualified construction inspector who is independent (i.e., not involved in the day-to-day planning, design, or implementation) of the construction projects to be inspected. The Permittee may use more than one (1) qualified construction inspector for these inspections. The reporting procedures shall include, at a minimum, notification of any critical deficiencies to the DOH. The Permittee shall further develop and implement written procedures for appropriate corrective actions and follow-up inspections when deficiencies had been identified at an inspected project. The corrective action procedures shall, at a minimum, require that: 1) any critical deficiencies shall be corrected or addressed before the close of business on the day of the inspection at which the deficiency is identified, and 2) any major deficiencies shall be corrected or addressed as soon as possible, but in no event later than five (5) calendar days after the inspection at which the deficiency is identified or before the next forecasted precipitation, whichever is sooner.
- (iii) All construction projects with a connection permit, encroachment permit, or discharge of surface runoff permit/approval shall be inspected monthly by a qualified construction inspector who is independent (i.e., not involved in the day-to-day planning, design, or implementation) of the construction projects to be inspected. The Permittee may use more than one (1) qualified construction inspector for these inspections. If the project has a SWPPP or other equivalent document(s), the inspection shall also verify that

the BMPs were properly installed and at the locations specified in the Plan. The reporting procedures shall include, at a minimum, notification of any critical deficiencies to the DOH.

- (iv) Implement a standard inspection form(s); reporting and corrective procedures for inspections, including use of an inspection checklist, or equivalent; and a database or equivalent system to track inspection results. The inspection checklist shall include at a minimum, but not be limited to, identifying any deficiencies and the date of the corrective actions. Photos shall accompany the inspection checklist to document the deficiencies.

Part D.1.d.(6) *Compliance* – The Permittee shall:

- (i) Adhere to established policies for enforcement and penalties for those in non-compliance with Part D.1.d.(2) requiring the implementation of standards, and
- (ii) Implement the Enforcement Response Plan to include written procedures for appropriate corrective and enforcement actions, and follow-up inspections when an inspected project is not in full compliance with its requirements, other permits, and any other applicable requirements under the NPDES permit program.

Part D.1.d.(7) *Process to refer non-compliance and non-filers to DOH* - In the event the Permittee has exhausted its use of sanctions and cannot bring a construction site or construction operator into compliance with its policies, standards, or this permit, or otherwise deems the site poses an immediate and significant threat to water quality, the Permittee shall provide an e-mail notification to [cleanwaterbranch@doh.hawaii.gov](mailto:cleanwaterbranch@doh.hawaii.gov), Attn: Enforcement Section Supervisor within one (1) week of such determination. E-mail notifications shall be followed by written notification in accordance with Part A.7. and include a copy of all inspection checklists, notes, and related correspondence in pdf format (300 minimum dpi) within two (2) weeks of the determination. In instances where an inspector identifies a site that has not applied for permit coverage under the NPDES permit program, the Permittee shall provide written notification in accordance with Part A.7. to DOH within two (2) weeks of the discovery.

Part D.1.d.(8) *Training* - The Permittee shall provide annual training on the Construction BMPs Program Plan to all staff with construction storm

water responsibilities, including construction engineers, construction and maintenance inspectors, and plan reviewers. This training shall be specific to the Permittee's activities (including the proper installation and maintenance of accepted BMPs), policies, rules and procedures. The Permittee shall maintain records of the annual training program.

- Part D.1.d.(9) *Education* - The Permittee shall implement an education program as part of its ongoing SWMP to ensure that project applicants, contractors, developers, property owners, and other responsible parties have an understanding of the storm water requirements they need to implement.

- Part D.1.e. Post-Construction Storm Water Management in New Development and Redevelopment

The Permittee shall further develop, implement, and enforce a program to address storm water runoff from all (i.e., both private and public) new development and redevelopment projects that result in a land disturbance of one (1) acre or more and smaller projects that have the potential to discharge pollutants to the Permittee's MS4. The Permittee's program must ensure that permanent controls are in place to prevent or minimize water quality impacts to the MEP. The Permittee shall review and update, as necessary, the criteria defining when and the types of permanent post-construction BMPs, including, among other measures, LID techniques, that must be included in a project design to address storm water impacts and pollutants of concern. For State waters on the State CWA Section 303(d) list or State established and EPA approved Total Maximum Daily Loads (TMDLs), the pollutants of concern to be targeted shall include the parameters causing impairment. The Permittee shall consider trash reduction techniques to comply with short and long term plans as required in Part D.1.f.(1)(v). The program shall include, at a minimum, the following elements:

- Part D.1.e.(1) *Standards Revision* – The Permittee shall continue to implement its revised standards for addressing post-construction BMPs to LID requirements that HIARNG developed to comply with storm water requirements under Section 438 of the Energy Independence and Security Act (EISA). LID refers to storm water management practices which seek to mimic a site's predevelopment hydrology by minimizing disturbed areas and impervious cover and then infiltrating, storing, detaining, evapotranspiring, and/or biotreating storm water runoff close to its source. The standards shall ensure that the management

practices are prioritized to favor infiltration, evapotranspiration, or harvesting/reuse of storm water followed by other practices that treat and release storm water. The standards shall be applicable to all construction projects disturbing at least one (1) acre and smaller projects that have the potential to discharge pollutants to the Permittee's MS4. LID employs principles such as preserving and recreating natural landscape features and minimizing imperviousness to create functional and appealing site drainage that treats storm water as a resource, rather than a waste product. LID treatment measures include harvesting and use, infiltration, evapotranspiration, or biotreatment. The plan for the implementation of LID provisions shall include at a minimum the following:

- Criteria for requiring implementation.
- Investigation into the development of quantitative criteria for a specific design storm to be managed by LID techniques. Examples of design storm requirements include: 24-hour, 85% storm through infiltration; on-site management of the first inch of rainfall within a 24-hour period; retention of the 100-year, 2-hour storm; or on-site management of the 24-hour, 95% storm.
- Feasibility criteria for circumstances in which a waiver could be granted for the LID requirements.
- When a LID waiver is granted, alternatives such as offsite mitigation and/or non-LID treatment control BMPs could be required.

Additionally, the permittee shall continue to implement its LID Design Review Checklist.

Part D.1.e.(2) *Review of Plans for Post-Construction BMPs* – For design-bid-build projects, the Permittee shall not advertise any construction project nor award any construction contract until the project design has been reviewed and accepted to ensure that appropriate permanent post-construction BMPs, which include LID practices upon adoption into its standards, have been included in the project design and are included in the bid package to ensure compliance with this part of the permit. For design-build projects, the Permittee shall review and approve the project design the same as for design-bid-build projects prior to implementation. No project shall proceed without the inclusion of appropriate permanent post-construction BMPs unless a waiver is granted by the Permittee based on specific documentation demonstrating that such post-construction BMPs are not feasible.

Project documents for projects that will include installation of permanent post-construction BMPs shall also include appropriate requirements for their future continued maintenance.

Part D.1.e.(3) *BMP, Operation and Maintenance, and Inspection Database* - The Permittee shall implement its Asset Management System to track the frequency of inspections and maintenance of the Permanent BMPs. In addition to the standard information collected for all projects (e.g., project name, owner, location, start/end date, etc.), the database shall also include, at a minimum:

- Type and number of LID practices.
- Type and number of Source Control BMPs.
- Type and number of Treatment Control BMPs.
- Latitude/Longitude coordinates of controls using Global Positioning Systems and NAD83 or other Datum as long as the datum remains consistent.
- Photographs of controls.
- Operation and maintenance requirements.
- Frequency of inspections.
- Frequency of maintenance.

All storm water treatment and LID BMPs shall be inspected at least once a calendar year for proper operation; maintenance shall be performed as necessary to ensure proper operation.

Part D.1.e.(4) *Education and Training*

- (i) *Project Proponents* - The Permittee shall provide education and outreach material for those parties who apply for permits (i.e., developers, engineers, architects, consultants, construction contractors, excavators, and property owners) on the selection, design, installation, operation and maintenance of storm water BMPs, structural controls, post construction BMPs, and LID practices. The outreach material may include a simplified flowchart for thresholds triggering permits and requirements, a list of required permits, implementing agencies, fees, overviews, timelines and a brief discussion of potential environmental impacts associated with storm water runoff.
- (ii) *Inspectors* - All Permittee staff and contractors responsible for inspecting permanent post-construction BMPs and LID practices

shall receive annual training. The Permittee shall maintain records of the annual training program.

**Part D.1.f. Pollution Prevention/Good Housekeeping**

The Permittee shall further develop and implement a system maintenance program to reduce to the MEP the discharge of pollutants from all Permittee-owned facilities, roads, parking lots, maintenance facilities, and the Permittee's MS4. The program shall include:

**Part D.1.f.(1) *Debris Control BMPs Program Plan***

- (i) *Asset Management System and Mapping* - The Permittee shall implement a comprehensive asset management system and map of its MS4, including structural and vegetative BMPs and an inventory of related appurtenances, including maintenance equipment, to ensure appropriate debris removal and system maintenance. The asset management system shall, at a minimum, assign an identification number for each drain inlet, outfall, and BMPs, and map their location on the Geographic Information System. The Permittee shall use this asset management system to establish priorities and to schedule and track efforts of appropriate system maintenance and debris removal program activities such as street sweeping, catch basin cleaning, and green waste and accumulated soil removal. The SWMP shall include justification of its priorities applied to the asset management system on the basis of potential impacts to water quality.
- (ii) *Inspection/Maintenance Schedule* - The Permittee shall include in its SWMP procedures, a schedule for inspections of:
  - a) All roadways for the purpose of identifying if sweeping of roadways, shoulders, and/or medians is needed; and
  - b) All storm drainage system catch basins, gutters and open ditches, trenches, and BMPs for the purpose of identifying if maintenance/cleaning of such structures are needed.

In both cases, the need for sweeping and/or maintenance/cleaning shall, at a minimum, be determined based upon material accumulation rates and/or potential threat of

discharge to State waters that may have an effect on water quality. The schedule shall provide that each roadway mile, storm drainage feature, and BMP is inspected at least once during the term of this permit (maintenance/cleaning may be conducted in lieu of inspections to satisfy this requirement). The adopted procedures shall provide for the identification of roadway segments and their associated storm drainage features and BMPs that may require more frequent sweeping and/or structure cleaning based upon material accumulation rates and potential threat of discharge to State waters that may have an effect on water quality. The procedures shall establish debris accumulation thresholds above which sweeping and/or structure cleaning must occur. The priority-based schedule shall be annually reviewed; updated as necessary; and the changes, along with explanations of the changes submitted within the Annual Report.

- (iii) *Storm Drain Placards* - The Permittee shall install placards on its drainage inlets and post-construction BMPs; evaluate the effectiveness of the placards; and revise as necessary to meet its purpose. The purpose of the placards shall be discussed within the SWMP. Priority shall be given to the Permittee's industrial and commercial areas and areas with pedestrian traffic. The Permittee shall continue to implement its system to track placement of placards and procedures for maintenance staff to inspect and replace, as necessary, placards during routine maintenance activities.
- (iv) *Action Plan for Retrofitting Structural BMPs* – The Permittee shall provide the DOH with an Action Plan for Retrofitting Structural BMPs within one (1) year from the effective date of this permit, which shall identify retrofits to be implemented, and include an explanation of the basis for their selection and an implementation schedule. The implementation schedule shall cover a five (5) year period and be updated annually to include additional retrofit projects with water quality protection measures. The annual updates to the implementation schedule shall be included in the Annual Report with a description of the project's status. The Action Plan may include, but not be limited to projects in compliance with any TMDL implementation and monitoring plan.
- (v) *Trash Reduction Plan* - Within one (1) year from the effective date of this permit, the Permittee shall develop and submit to DOH for



review and acceptance, a trash reduction plan which assesses the issues, identifies and implements control measures, and monitors the control measures to reduce trash loads from the MS4. The plan shall include, at a minimum and be formatted consistent with the following:

- Quantitative estimate of the debris currently being discharged (baseline load) from the MS4, including methodology used to determine the load.
- Description of control measures currently being implemented as well as those needed to reduce debris discharges from the MS4 consistent with short-term and long-term reduction targets.
- A short-term plan and proposed compliance deadline for reducing debris discharges from the MS4 by 50% from the baseline load.
- A long-term plan and proposed compliance deadline for reducing debris discharges from the MS4 to zero.
- Geographical targets for trash reduction activities with priority on waterbodies listed as impaired for trash on the State's CWA Section 303(d) list.
- Trash reduction-related education activities as a component of Part D.1.a.
- Integration of control measures, education and monitoring to measure progress toward reducing trash discharges.
- An implementation schedule.
- Monitoring plan to aid with source identification and loading patterns as well as measuring progress in reducing the debris discharges from the MS4.
- The Annual Report shall include a summary of its trash load reduction actions (control measures and BMPs) including the types of actions and levels of implementation, the total trash loads and dominant types of trash removed by its actions, and the total trash loads and dominant types of trash for each type of action.

The plan shall provide for compliance with the above short-term and long-term discharge limits in the shortest practicable timeframe.

Part D.1.f.(2) *Chemical Applications BMPs Program Plan*

- (i) *Certification* – All employees or contractors or employees of contractors applying pesticides (e.g., insecticides, herbicides, fertilizers with pesticides) shall have current and possess commercial certification by the State of Hawaii, Department of Agriculture or Department of Defense Certificate of Competency in the appropriate EPA-approved state categories as required by the Hawaii Army National Guard (HIARNG) Integrated Pest Management Plan (IPMP). Certification information shall be provided to the HIARNG Pest Management Coordinator (PMC) prior to the application of chemicals. The Permittee shall use only those pesticides (e.g. insecticides, herbicides, fertilizers with pesticides, etc.) that are approved for use listed on the HIARNG State Pesticide Use List (SPUL). Employees or contractors or employees of contractors shall not deviate from the HIARNG SPUL without prior approval from the HIARNG PMC. The Permittee shall not permit the application of pesticides (e.g., insecticides, herbicides, fertilizers with pesticides, etc.) unless the handler and applicator has provided proper certification.
- (ii) *Implement appropriate requirements for pesticide (e.g. insecticides, herbicides, fertilizers with pesticides, etc.) applications* - The Permittee shall implement BMPs to reduce the contribution of pollutants associated with the application, storage, and disposal of pesticides (e.g. insecticides, herbicides, and fertilizers with pesticides, etc.) from Permittee-owned areas and activities to its MS4. Permittee-owned areas and activities include, at a minimum, federal facilities, right-of-ways, and landscaped areas.

Such BMPs shall include, at a minimum: 1) educational activities, permits, certifications and other measures for applicators, including training regarding sensitive areas and water pollution control; 2) integrated pest management measures that rely on non-chemical solutions; 3) the use of native vegetation; 4) chemical application, as needed; and 5) the collection and proper disposal of unused pesticides (e.g. insecticides, herbicides, and fertilizers with pesticides, etc.).

- (iii) *Records and Reports* – The Permittee shall ensure that all employees or contractors or employees of contractors prepare,

submit, and maintain daily pest management activities for each pest management service provided on DD Form 1532-1 as required by the HIARNG IPMP. Records will include all surveillance, non-chemical controls and chemical applications. All DD Form 1532-1 records shall be submitted monthly to the HIARNG PMC.

The Permittee shall ensure that their employees or contractors or employees of contractors applying pesticides (e.g. insecticides, herbicides, fertilizers with pesticides, etc.) follow the pesticide label and comply with all county, state, and federal regulations for pesticides (e.g. insecticides, herbicides, fertilizers with pesticides, etc.). All Permittee employees or contractors applying pesticides (e.g. insecticides, herbicides, fertilizers with pesticides, etc.) shall receive training on the BMPs annually. The Permittee shall maintain records of the annual training program.

Part D.1.f.(3) *Erosion Control BMPs Program Plan* - The Permittee shall:

- (i) Implement permanent erosion control improvements, ensuring that erosion-prone areas with the potential for significant water quality impact, but with limited public safety concerns, are also considered a high priority for remediation. Identification of erosion-prone areas with the potential for significant water quality impact shall include areas where there is evidence of rilling, gullyng, and/or other evidence of significant sediment transport, and areas in close proximity to receiving waters listed as impaired by either sediment, siltation and/or turbidity. The Permittee shall include procedures to identify and implement erosion control projects based on water quality concerns while continuing to address high profile public safety projects.
- (ii) Require the implementation of temporary erosion control measures (e.g., erosion control blankets and/or fabrics, gravel bag placement and silt fencing/fiber rolls) on erosion-prone areas with the potential for significant water quality impact if a permanent solution is not immediately possible. Notwithstanding any other implementation provisions, the SWMP shall require the implementation of such temporary erosion control measures on all applicable areas. For projects which require a CWA Section 401 Water Quality Certification (WQC), the WQC application shall be submitted to DOH within one (1) year from the

effective date of this permit and be implemented within six (6) months of the WQC or other regulatory permit(s) issuance date.

- (iii) Develop a maintenance plan for vegetated portions of the drainage system used for erosion and sediment control, and LID features; including controlling any excessive clearing/removal, cutting of vegetation, and application of herbicide which affects its usefulness.
- (iv) Continue to implement an Action Plan to address erosion at its storm drain system outlets with significant potential for water quality impacts, which shall identify outfalls to be addressed, explanation on the basis of their selection and an implementation schedule. A status report on implementation of the plan shall be included in the Annual Report. The Permittee shall install velocity dissipators or other BMPs to reduce erosion at locations identified by periodic required inspections.
- (v) Submit a list of projects and an implementation schedule for permanent erosion control improvements as described in Part D.1.f.(3)(i). of this permit to DOH within one (1) year from the effective date of this permit.

Part D.1.f.(4) *Maintenance Activities BMPs Program Plan*

- (i) *Maintenance Activities BMPs Field Manual* - The Permittee shall develop and implement a BMPs Field Manual for Maintenance Activities for all Army National Guard maintenance activities. Examples of such activities include, but are not limited to: paving and road repairs, street cleaning, saw cutting, concrete work, curb and gutter replacement, buried utility repairs and installation, vegetation removal, painting and paving, debris and trash removal, spill cleanup, etc. The Field Manual shall be updated as necessary or at least once per permit term and include written procedures to minimize pollutant discharge for maintenance activities which have the potential to discharge pollutants to its MS4.
- (ii) *Training* - The Permittee shall further develop and provide annual training to staff on proper maintenance activities to prevent storm water pollution. The training shall cover the Field Manual, identify

potential sources of pollution, general BMPs that can be used to reduce and/or eliminate such sources, and specific BMPs for their activities. The training shall incorporate components of the public education campaign and educate staff that they serve a role in protecting water quality. Staff shall be made aware of the NPDES permit, the overall SWMP, and the applicable BMPs Program(s). The Permittee shall maintain records of the annual training program.

**Part D.1.g. Industrial and Commercial Activities Discharge Management Program**

The Permittee shall continue to implement an industrial and commercial discharge management program to reduce to the MEP the discharge of pollutants from all industrial and commercial facilities and activities which discharge into the Permittee's MS4. This program applies to both HIARNG tenants and those offsite which discharge to HIARNG's MS4, and to HIARNG facilities which discharge to other MS4s. Industrial facilities are those regulated under 40 CFR 122.26(b)(14), except construction activities listed at 40 CFR 122.26(b)(14)(x). Other facilities or activities that are not Industrial shall be classified as commercial. At a minimum, the program shall include:

- Part D.1.g.(1) *Requirement to Implement BMPs* - Require a permit or written equivalent approval for drainage connections and discharge of surface runoff into the Permittee's MS4 and maintain a database of the permits/approvals. The permit/approval shall obligate the facility to implement BMPs from their BMP Plan or SWPCP and prevent water quality violations to the HIARNG storm drain system.
- Part D.1.g.(2) *Inventory and Map of Industrial Facilities and Activities* - The Permittee shall annually update and submit, in electronic portable document format (pdf - minimum 300 dpi), the industrial facilities and activities inventory (industrial inventory), sorted by TMK, and map of such facilities and activities discharging, directly or indirectly, to its MS4 within its Annual Report.

The industrial inventory shall include the facility name, street address, TMK, nature of business or activity, Standard Industrial Classification (SIC) code(s) that best reflect the facility product or service, principal storm water contact, receiving State water, and whether an NGPC under HAR Chapter 11-55, Appendix B, NPDES General Permit Authorizing the Discharge of Storm Water Associated with Industrial

Activities (General Industrial Storm Water permit) or NPDES Conditional “No Exposure” Exclusion or any other applicable NPDES permit has been obtained, including a permit or file number, issuance date, expiration date, and administrative extension date.

At a minimum, the industrial inventory shall include facilities and activities such as:

- Municipal Landfills (open and closed).
- Hazardous waste recovery, treatment, storage and disposal facilities.
- Facilities subject to Section 313 of the Emergency Planning and Community Right-to-Know Act, 42 U.S.C. 11023.
- Findings from follow-up investigations of the industrial facilities identified in the Questionnaire Survey.
- Facilities subject to NPDES permit coverage which is adjacent to the Permittee’s facilities or discharge to the MS4.
- And any other industrial facility that either the Permittee or DOH determines is contributing a substantial pollutant loading to the MS4.

Part D.1.g.(3) *Enforcement Policy for Industrial and Commercial Facilities and Activities* - The Permittee shall continue to implement its own policies for enforcement and penalties for industrial and commercial facilities which have failed to comply. The policy shall be part of an overall escalating enforcement policy and must consist of the following:

- Conducting inspections.
- Issuance of written documentation to a facility representative within 30 calendar days of storm water deficiencies identified during inspection. Documentation must include copies of all field notes, correspondence, photographs, and sampling results, if applicable.
- A timeline for correction of the deficiencies.
- Provisions for re-inspection and pursuing enforcement actions, if necessary.

In the event the Permittee has exhausted all available sanctions and cannot bring a facility or activity into compliance with its policies and this permit, or otherwise deems the facility or activity an immediate and significant threat to water quality, the Permittee shall provide e-mail notification to [cleanwaterbranch@doh.hawaii.gov](mailto:cleanwaterbranch@doh.hawaii.gov), Attn: Enforcement Section Supervisor within one (1) week of such determination. E-mail notification shall be followed by written notification and include a

copy of all inspection checklists, notes, photographs, and related correspondence in pdf format (300 minimum dpi) in accordance with Part A.7. within two (2) weeks of the determination. In instances where an inspector identifies a facility that has not applied for the General Industrial Storm Water permit coverage or any other applicable NPDES permit, the Permittee shall provide email notification to DOH within one (1) week of such determination.

Part D.1.g.(4) *Inventory and Map of Commercial Facilities and Activities* - The Permittee shall annually update and submit, in pdf format (minimum 300 dpi), the commercial facilities and activities inventory (commercial inventory), sorted by priority areas, and map of such facilities and activities discharging, directly or indirectly, to its MS4 within its Annual Report. The commercial inventory update may be based on the collection of new information obtained during field activities or through other readily available intra-agency informational databases (e.g., business licenses, pretreatment permits, sanitary sewer hook-up permits).

The commercial inventory shall include, by priority area, the facility name, street address, TMK, nature of business or activity, SIC code(s) that best reflect the facility product(s) or service(s), principal storm water contact, and receiving State water.

At a minimum, the commercial inventory shall include facilities and activities such as:

- Findings from investigations of the commercial facilities identified in the Questionnaire Survey.
- Retail Gasoline Outlets.
- Retail Automotive Services, including Repair Facilities.
- Restaurants.
- Any other commercial facility that either the Permittee or DOH determines is contributing pollutants to the MS4 that may cause or contribute to an exceedance of State water quality standards.

Part D.1.g.(5) *Prioritized Areas for Industrial and Commercial Facility and Activity Inspections* - The Permittee shall implement the Prioritized Areas for Industrial and Commercial Facility and Activity Plan. Under that Plan, the Permittee is to designate priority areas for industrial and commercial facility and activity inspections, based on the relative risk that any discharge might be contaminated with pollutants.

Within 60 calendar days from the effective date of this permit, the Permittee shall submit a status report to DOH. The status report shall identify the numbers of industrial and commercial facilities discharging into the Permittee's MS4 and the number of inspections that have been completed during the prior permit term. The status report shall be organized by priority area. On an annual basis, the Permittee shall modify the Plan based on updated information from its industrial and commercial inventory, findings from previous inspections, the number of industrial and commercial facilities in the area, the density of these facilities, previous storm water violations in the area, and water quality impairments in the area. The modified Plan shall set a schedule that ensures inspections will be completed in accordance with the schedule in Part D.1.g.(5). This Plan shall be submitted with the Permittee's Annual Report.

- Part D.1.g.(6) *Inspection of Industrial and Commercial Facilities and Activities -*  
The industrial/commercial inspection program shall be implemented and updated as appropriate to reflect the outcomes of the investigations.

The Permittee shall ensure industrial and commercial facilities and activities identified in the industrial and commercial inventories required under Parts D.1.g.(2) and D.1.g.(3) are inspected and re-inspected as often as necessary based on its findings to ensure corrective action was taken and the deficiency was resolved. At a minimum, the Permittee shall inspect each industrial facility that does not have NPDES permit coverage under the NPDES permit program at least twice every five (5) years, and each industrial facility that does have such NPDES permit coverage at least once every five (5) years. Any industrial facility discharging Industrial Storm Water [as defined by 40 CFR Part 122.26(b)(14)] that does not have NPDES Permit coverage shall be reported to DOH within 30 calendar days of the inspection. Commercial dischargers are to be ranked according to relative risk of discharge of contaminated runoff to the MS4. The highly ranked commercial facilities shall be inspected at least once every five (5) years.

All inspections shall be in accordance with the applicable portions (e.g., Chapter 11 – Storm Water) of the "NPDES Compliance Inspection Manual" (EPA 305-X-04-001), dated July 2004. Inspectors shall be trained to identify deficiencies, assess potential impacts to receiving waters, evaluate the appropriateness and effectiveness of



deployed BMPs, and require controls to minimize the discharge of pollutants to the MS4. The inspectors shall use an inspection checklist, or equivalent, and photographs to document site conditions and BMP conditions. Records of all inspections shall be maintained for a minimum of five (5) years, or as otherwise indicated.

The Permittee shall submit records and results of all inspections to the DOH in the Annual Report for the previous calendar year.

Part D.1.g.(7) *Storm Water Pollution Control Plan (SWPCP) Review and Acceptance for Industrial Facilities* - The Permittee shall:

- (i) Verify the facility owner has received NPDES permit coverage for the discharge of storm water associated with industrial activity or provided proof of filing an NOI, or NPDES application; and
- (ii) Review and accept a SWPCP or other plans relating to pollution prevention or similar document(s).

Part D.1.g.(8) *Training* - The Permittee shall provide training to staff on how to conduct industrial and commercial inspections, the types of facilities requiring NPDES permit coverage for storm water permit associated with industrial activity or any other applicable NPDES permit, components in a SWPCP for industrial facilities, BMPs and source control measures for industrial and commercial facilities, and inspection and enforcement techniques. This training shall be specific to the Permittee's activities, policies, rules, and procedures. Permittee inspectors shall receive annual training. The Permittee shall maintain records of the annual training program onsite.

Part D.2. SWMP Modifications

The Permittee shall modify the SWMP as required when any of the following occur:

- Exceedance of any discharge limitation or water quality standard established in HAR Section 11-54-4. The revisions shall include BMPs and/or other measures to reduce the amount of pollutants found to be in exceedance from entering State Waters.
- Change in conditions and incorporation of more effective approaches to pollutant control.

- System modifications, including any planned physical alterations or additions to the permitted MS4 and any existing outfalls newly identified over the term of the permit.

The Permittee shall properly address all modifications, concerns, requests, and/or comments to the satisfaction of the DOH and/or EPA. Minor changes may be proposed by the Permittee or requested by DOH or the EPA. Proposed changes that imply a major reduction in the overall scope and/or level of effort of the SWMP must be made for cause and in compliance with 40 CFR 122.62 and Part 124. A written report shall be submitted to the DOH for acceptance at least 30 calendar days prior to the initiation date of the major modification. The Permittee shall report and justify all other modifications made to the SWMP in its Annual Report for the year in which the modification was made.

**Part E. INDUSTRIAL FACILITIES**

Part E.1. The industrial facilities covered under this permit shall comply with the permit conditions in Appendix 1.

Those portions of Army Aviation Support Facility No. 1 (AASF #1), Wheeler AAF, Oahu, Hawaii that are involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling and lubrication), equipment cleaning operations or deicing operations.

Part E.2. This permit may cover new or currently existing industrial facilities not currently identified in the Permittee's application upon submission of the "MS4 NPDES Individual Permit - Industrial Storm Water Discharge Notification Form" by the Permittee using the "CWB Compliance Submittal Form for Individual NPDES Permits and NGPCs" through the DOH's e-Permitting Portal or as specified by DOH. Along with the submission of the form, the Permittee shall submit a SWPPP for the industrial facility, and other attachments to the DOH for review and comment, including updating its SWMP Plan. Upon acceptance of the information, the DOH will acknowledge by letter NPDES permit coverage under this permit for the added facility. The SWPPP must be implemented upon the start-up of the facility or for an existing industrial facility; the SWPPP must be implemented upon submittal of the written request.

To request coverage of a facility's industrial storm water discharges under this NPDES permit:

- Open the e-Permitting Portal website at: <https://eha-cloud.doh.hawaii.gov/epermit>. Enter your login and password. If you do not have a login and password, you will be asked to do a one-time registration.
- Click on the e-Permitting Application Finder tool and locate the "CWB Compliance Submittal Form for Individual NPDES Permits and NGPCs."
- Under Additional Links, download the "MS4 NPDES Individual Permit – Industrial Storm Water Discharge Notification Form."
- You are required to complete the "MS4 NPDES Individual Permit -Industrial Storm Water Discharge Notification Form" for each facility that discharges industrial storm water. All sections of this form MUST be completed for NPDES Permit compliance.
- Follow the instructions to complete and submit this form.

- Attach the completed “MS4 NPDES Individual Permit – Industrial Storm Water Discharge Notification Form” in Section 7 of the “CWB Compliance Submittal Form for Individual NPDES Permits and NGPCs.”

**Part F. MONITORING REQUIREMENTS**

**Part F.1. Annual Monitoring Plan**

Part F.1.a. The Permittee shall submit the Annual Monitoring Plan to the DOH by November 30th of each year for review and acceptance. The Annual Monitoring Plan shall be implemented over the coming calendar year.

The monitoring program must be designed and implemented to meet the following objectives:

Part F.1.a.(1) Assess compliance with this permit (including TMDL Implementation & Management (I&M) Plans and demonstrating consistency with wasteload allocations (WLAs), if required);

Part F.1.a.(2) Measure the effectiveness of the Permittee's SWMP;

Part F.1.a.(3) Assess the overall health based on the chemical, physical, and biological impacts to receiving waters resulting from storm water discharges and an evaluation of the long-term trends;

Part F.1.a.(4) Characterize storm water discharges;

Part F.1.a.(5) Identify sources of specific pollutants;

Part F.1.a.(6) Detect and eliminate illicit discharges and illegal connections to the MS4; and

Part F.1.a.(7) Assess the water quality issues in watershed resulting from storm water discharges to receiving waters.

Part F.1.b. The plan shall, at a minimum, include the following items:

Part F.1.b.(1) Written narrative of the proposed monitoring plan's objectives, including but not limited to the objectives identified in Part F.1.a., and description of activities;

Part F.1.b.(2) For each activity, a description of how the results will be used to determine compliance with this permit;

Part F.1.b.(3) Identification of management measures proven to be effective and/or ineffective at reducing pollutants and flow;

Part F.1.b.(4) Written documentation of the following:

- (i) Characteristics (timing, duration, intensity, total rainfall) of the storm event(s);
- (ii) Parameters for measured pollutant loads; and
- (iii) Range of discharge volumes to be monitored, as well as the timing, frequency, and duration at which they are identified.

Part F.1.b.(5) Written documentation of the analytical methods to be used;

Part F.1.b.(6) Written documentation of the Quality Assurance/Quality Control procedures to be used; and

Part F.1.b.(7) Estimated budget to be implemented over the coming calendar year.

Part F.2. Storm Water Associated with Industrial Activities

Part F.2.a. The Permittee shall conduct storm water runoff monitoring at the facility(ies) listed in Part E.1 in accordance with Appendix 1.

Part F.3. TMDLs

As TMDLs are adopted by DOH and approved by the EPA that identify the Permittee as a source, the Permittee shall develop I&M Plans for a minimum of one (1) additional TMDL per year within one (1) year of the approval date. The Permittee shall include within each I&M Plan a compliance schedule with a final deadline to demonstrate consistency with the WLAs consistent with the assumption of the associated TMDL document. The schedule shall provide for the implementation of the BMPs, monitoring to evaluate its performance, and time to make adjustments necessary to demonstrate consistency with the WLAs consistent with the assumption of the associated TMDL document at the earliest possible time. If the schedule extends beyond a year, interim dates and milestones shall be included in the schedule with the time between interim dates not to exceed one (1) year.

Part F.4. Re-opener

In accordance with 40 CFR Parts 122 and 124, this permit may be modified (i.e., to include compliance schedules, permit conditions, etc.) to address additional or revised TMDLs as adopted by DOH and approved by the EPA.

**Part G. REPORTING REQUIREMENTS**

All submittals to DOH shall be in a format consistent with first satisfying the requirements of this permit.

**Part G.1. Annual Report**

Part G.1.a. The Permittee shall submit the Annual Report by February 28th of each year in pdf format (minimum 300 dpi) in accordance with Part A.7. The Annual Report shall cover the past calendar year. For the calendar year prior to the expiration date of the permit, the Annual Report and the e-Permitting CWB Individual NPDES Form, or other form approved by the DOH, shall be submitted to the DOH. The Annual Report shall also include a description of the statuses of all items required in the permit. Submittal of the renewal application shall be at least one (1) year prior to the expiration date of this permit and include a \$1,000 filing fee.

Part G.1.b. The Permittee shall revise its SWMP to include a description of reporting procedures and activities, including schedules and proposed content of the Annual Reports such that, at a minimum, the following is reported for each storm water program component in each Annual Report:

Part G.1.b.(1) *Requirements* - Describe what the Permittee was required to do (describe status of compliance with conditions of this permit and other commitments set forth in the SWMP).

Part G.1.b.(2) *Past Year Activities* - Describe activities over the reporting period in comparison to the requirements, including, where applicable, progress accomplished toward meeting specific measurable goals, standards and milestones or other specific performance requirements. When requirements were not fully met, include a detailed explanation as to why the Permittee did not meet its commitments for the reporting period. Also describe an assessment of the SWMP, including progress towards implementing each of the SWMP program components.

Part G.1.b.(3) *Future Activities* - Describe planned activities, including, where applicable, specific activities to be undertaken during the next reporting period toward accomplishing specific measurable goals, standards and milestones or other specific performance requirements.

Part G.1.b.(4) *Resources* - Report on the status of the Permittee's resource base for implementing this NPDES permit during the applicable reporting period



and an estimate of the resources over and above those required in the current reporting period that will be required in the next reporting period.

Part G.1.c. *Modifications* - In each Annual Report, the Permittee shall describe any modifications made to the SWMP and implementation schedule during the past year, including justifications. The Permittee shall also describe major modifications made to the Permittee's MS4, including, but not limited to, addition and removal of outfalls, drainage lines, and facilities.

Part G.1.d. *Program Effectiveness Reporting* - The Permittee shall continue to implement their written strategy for determining effectiveness of its SWMP. The strategy shall include water quality monitoring efforts as well as program implementation information and other indicators. The Permittee shall include an assessment of program effectiveness and identification of water quality improvements or degradation.

Part G.2. Annual Monitoring Report

Part G.2.a. The Permittee shall submit the Annual Monitoring Report with the Annual Report by February 28th of each year in pdf format (minimum 300 dpi) in accordance with Part A.7. The Annual Monitoring Report shall cover the past calendar year.

Part G.2.b. The monitoring report shall at a minimum, include the following items:

Part G.2.b.(1) Discussion on the activities/work implemented to meet each objective, as outlined in Part F.1.a., including any additional objectives identified by the Permittee, and the results [e.g., assessment of the water quality issues in each watershed resulting from storm water discharges, refer to Part F.1.a.(7)] and conclusions.

Part G.2.b.(2) Written narrative of the past calendar year's activities, including those coordinated with other agencies, objectives of activities, results and conclusions.

Part G.2.b.(3) Data gathered on levels of pollutants in non-storm water discharges to the Permittee's MS4; and

Part G.2.b.(4) Using rainfall data collected by the Permittee and other agencies, the Permittee shall relate rainfall events, measured pollutant loads, and

discharge volumes from the watershed and other watersheds that may be identified from time to time by the DOH or Permittee.

Part G.2.b.(5) Dates when monitoring occurred for each industrial facility covered under this permit. The monitoring event shall be of a representative storm event, where results were available for all required parameters following the QA/QC measures as described in the Annual Monitoring Plan.

Part G.2.b.(6) Reporting of Discharge and Monitoring Results

- (i) The Permittee shall report monitoring results required under this permit on Discharge Monitoring Report (DMR) forms submitted electronically using NetDMR, or as otherwise instructed by DOH. NetDMR is accessed from: <http://www.epa.gov/netdmr>.
- (ii) DMRs shall be submitted electronically no later than the 28<sup>th</sup> day of the month following the completed reporting period.
- (iii) For the purposes of reporting, the Permittee shall use the reporting threshold equivalent to the laboratory's method detection limit (MDL) and must utilize a standard calibration where the lowest standard point is equal to or less than the concentration of the minimum level (ML).
  - a) The Permittee shall report sample results and calculations at or above the laboratory's ML on DMRs as the measured concentration or calculation.
  - b) The Permittee shall report sample results and calculations below the laboratory's MDL as NODI(B) on the DMR. NODI(B) means that the concentration of the pollutant in a sample is not detected.
  - c) The Permittee shall report sample results and calculations between the ML and MDL as NODI(Q). NODI(Q) means that the concentration of the pollutant in a sample is detected but not quantified.
  - d) For purposes of calculating averages, zero shall be assigned for values less than the MDL and the numeric value of the MDL shall be assigned for values between the MDL and the ML.

The resulting average value must be compared to the benchmark value, effluent limitation (if applicable), or the ML, whichever is greater, in assessing compliance.

- e) For purposes of calculated geometric means,  $0.25 \times \text{MDL}$  shall be assigned for values less than the MDL and the numeric value of the MDL shall be assigned for values between the MDL and the ML. The resulting geometric mean must be compared to the benchmark value, effluent limitation (if applicable), or the ML, whichever is greater, in assessing compliance.
  - f) When NODI(Q) or NODI(B) is reported for a parameter, the laboratory's numeric ML and MDL for that parameter shall also be noted on the DMR or on an attachment.
- (iv) Should there be no discharges during the monitoring period, the DMR form shall so state.

Part G.2.b.(7) Additional Monitoring by the Permittee

If the Permittee monitors any pollutant at locations designated herein more frequently than required by this permit, using approved analytical methods as specified in 40 CFR Part 136, the results of such monitoring shall be included in the calculation and reporting of the values required in the DMR form. The increase frequency shall be indicated.

Part G.2.c. Reporting of Non-compliance

In case of conflict between the conditions stated here and those in the **"Standard NPDES Permit Conditions,"** the more stringent conditions shall apply.

Part G.2.c.(1) Twenty-Four Hour Reporting

The Permittee or its duly authorized representative (40 CFR 122.22) shall report any non-compliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the Permittee becomes aware of the circumstances. A written report shall also be provided within five (5) days of the time the Permittee becomes aware of the circumstances. A written report shall

contain the information required under Part G.2.c.(4)(i). The following shall be included as information which must be reported within 24 hours.

- (i) Any unanticipated bypass which exceeds any benchmark value or effluent limitation (if applicable), in the permit.
- (ii) Any upset which exceeds any benchmark value or effluent limitation (if applicable), in the permit.
- (iii) Violations of a maximum daily discharge limitation in this permit.

**Part G.2.c.(2)    Contacts for Oral Reports**

- (i) The Permittee shall make oral reports during regular office hours (7:45 a.m. to 4:30 p.m.) to DOH, Clean Water Branch (CWB) at (808) 586-4309.
- (ii) The Permittee shall make oral reports outside of regular office hours to the State Hospital Operator at (808) 247-2191.

**Part G.2.c.(3)    Other Non-compliance**

The Permittee shall report all instances of non-compliance not reported under Part **G.2.c.(1)** at the time DMR are submitted. The permittee shall provide information required under **Part G.2.c.(4)**.

**Part G.2.c.(4)    Written Non-compliance Reports**

- (i) Written non-compliance reports shall contain a description of the non-compliance and its cause; the period of non-compliance, including exact dates and times; if the non-compliance has not been corrected, the anticipated time it is expected to continue; public notice efforts, if any; clean-up efforts, if any; and steps taken or planned to reduce, eliminate and prevent reoccurrence of the non-compliance.
- (ii) The DOH may waive the written report or the five-working day deadline on a case-by-case basis for spills, bypasses, upsets, and violations of daily maximum discharge limitations if the oral report has been received within 24 hours of the non-compliance or when the Permittee's authorized personnel becomes aware of the non-compliance.

- (iii) The written report shall be submitted through the CWB Compliance Submittal Form for Individual NPDES Permits and NGPCs or as otherwise instructed by the DOH. This form is accessible through the e-Permitting Portal website at:  
<https://eha-cloud.doh.hawaii.gov/epermit>.

Part G.2.d. Types of Sample

Part G.2.d.(1) “Grab sample” means an individual sample collected at a randomly-selected time over a period not exceeding 15 minutes.

Part G.2.d.(2) “Composite sample” means a combination of at least eight (8) sample aliquots, collected at periodic intervals during the operating hours of the facility over a 24-hour period. The composite must be flow proportional; either the time interval between each aliquot or the volume of each aliquot must be proportional to either the stream flow at the time of sampling or the total stream flow since the collection of the previous aliquot. Aliquots may be collected manually or automatically.

**Part H. SUMMARY OF DEADLINES**

<b>Deadline</b>	<b>Description</b>	<b>Part</b>	<b>Submit to DOH</b>
1 year after the Effective Date of Permit (EDOP)	Revised SWMP Plan.	D.1.	Yes
1 year after EDOP	Continue to adhere to requirements for issuing connection permits and require obtaining the permit prior to allowing the drain connection.	D.1.c.(1)	No
1 year after EDOP	Continue to implement the policies for enforcement and penalties for non-compliance with Part D.1.c.(1) and for persons illegally discharging pollutants to its MS4; and pursue enforcement actions.	D.1.c.(5)	No
1 year after EDOP	Continue to implement the Construction, Repair, and Maintenance Storm Water BMP Manual.	D.1.d.(1)	Yes
1 year after EDOP	Continue to implement the policies to require construction projects to implement BMPs and standards.	D.1.d.(2)	No
1 year after EDOP	Continue to implement a system to track both private and public construction projects.	D.1.d.(3)	No
1 year after EDOP	Continue to implement the Plan review checklist that its reviewers shall use in evaluating the plans and BMPs or other similar documents which have been implemented pursuant to Part D.1.d.	D.1.d.(4)(iv)	Yes
1 year after EDOP	Implement a standard Inspection form(s), inspection checklist, and reporting and corrective procedures.	D.1.d.(5)(iv)	Yes

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<b>Deadline</b>	<b>Description</b>	<b>Part</b>	<b>Submit to DOH</b>
1 year after EDOP	Continue to implement the policies for enforcement and penalties for non-compliance with Part D.1.d.(2); and develop and implement an Enforcement Response Plan.	D.1.d.(6)	No
1 year after EDOP	Continue to implement your revised plan for requiring LID in its Standards.	D.1.e.(1)	Yes
1 year after EDOP	Continue to implement the revised standards for addressing post-construction BMPs to LID requirements.	D.1.e.(1)	Yes
1 year after EDOP	Action Plan for Retrofitting Structural BMPs.	D.1.f.(1)(iv)	Yes
1 year after EDOP	Trash Reduction Plan.	D.1.f.(1)(v)	Yes
18 months after EDOP	Require the implementation of temporary erosion control measures on erosional areas within the right-of-ways.	D.1.f.(3)(ii)	No
1 year after EDOP	WQC application(s) for temporary erosion control measures.	D.1.f.(3)(ii)	Yes
1 year after EDOP	Action Plan to address erosion at its storm drain system outlets.	D.1.f.(3)(iv)	Yes
1 year after EDOP	List of projects and implementation schedule for permanent erosion control improvements.	D.1.f.(3)(v)	Yes
4 <sup>th</sup> Year Annual Report	Industrial facilities and activities inventory information.	D.1.g.(2)	Yes
4 <sup>th</sup> Year Annual Report	Commercial facilities and activities inventory information.	D.1.g.(3)	Yes
60 calendar days	Prioritized areas for industrial and commercial facility and activity	D.1.g.(5)	Yes

<b>Deadline</b>	<b>Description</b>	<b>Part</b>	<b>Submit to DOH</b>
after EDOP	inspection status report.		
4 <sup>th</sup> Year Annual Report	Industrial and Commercial Inspection Reports once per permit term for facility with NPDES permit, twice per permit term for facility without NPDES permit.	D.1.g.(6)	Yes
1 year after EDOP	For Industrial and Commercial Facilities, establish and implement policies for enforcement and penalties.	D.1.g.(7)	No
90 calendar days of the change	Updates to the industrial and commercial inspection training.	D.1.g.(8)	Yes
30 calendar days prior to the initiation date of the major modification	SWMP Modification Report.	D.2.	Yes
As needed	MS4 NPDES Individual Permit - Industrial Storm Water Discharge Notification Form and SWPPP (formerly SWPCP) for each industrial activity. (For those that have not yet been submitted.)	E.2.	Yes
November 30 <sup>th</sup> of each year	Annual Monitoring Plan.	F.1.a.	Yes
Various	TMDL Compliance, refer to Schedules of Compliance.	F.3.	Yes
February 28 of each year	Annual Report, to include but not limited to: <ul style="list-style-type: none"> <li>Progress evaluation results of the public education program [Part D.1.a.(2)],</li> <li>Description and reason for any revision to its Standards and copy</li> </ul>	G.1.	Yes



Deadline	Description	Part	Submit to DOH
	<p>of the revised Standards [Part D.1.e.(1)],</p> <ul style="list-style-type: none"> <li>• Updates to its inspection/maintenance schedule, including explanation of the changes [Part D.1.f.(1)(ii)],</li> <li>• Updates to its implementation schedule for retrofitting structural BMPs [Part D.1.f.(1)(iv)],</li> <li>• Summary of its trash load reduction actions [Part D.1.f.(1)(v)],</li> <li>• Status report on implementation of erosion control measures at its storm drain system outlets [Part D.1.f.(3)(iv)],</li> <li>• Updated industrial inventory information (4<sup>th</sup> Annual Report) [Part D.1.g.(2)],</li> <li>• Updated commercial inventory information (4<sup>th</sup> Annual Report) [Part D.1.g.(4)],</li> <li>• Modified Prioritized Areas for Industrial and Commercial Facility and Activity Plan [Part D.1.g.(5)],</li> <li>• SWMP Modifications [Part D.2.],</li> <li>• System Modifications [Part D.2.], and</li> <li>• Annual Report requirements [Part G.1.].</li> </ul>		
1 year after EDOP	Written strategy for determining effectiveness of its SWMP.	G.1.d.	Yes

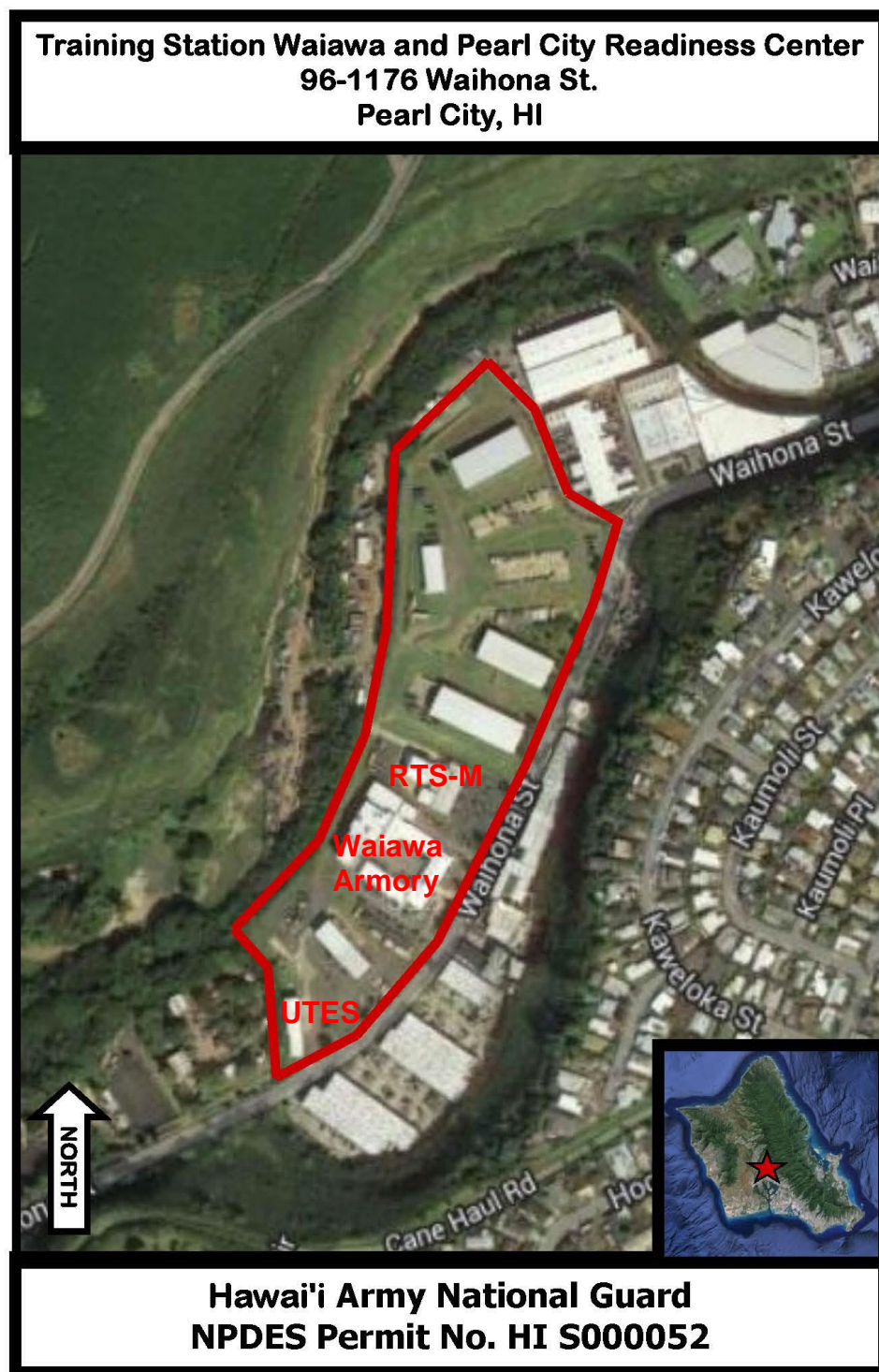
<b>Deadline</b>	<b>Description</b>	<b>Part</b>	<b>Submit to DOH</b>
February 28 of each year	Annual Monitoring Report with DMRs.	G.2.	Yes

Signed copies of reports required by this permit, except DMRs, shall be submitted to the DOH through the CWB Compliance Submittal Form for Individual NPDES Permits and NGPCs unless otherwise directed by the DOH. This form is accessible through the e-Permitting Portal website at: <https://eha-cloud.doh.hawaii.gov/epermit>.

S000052.FNL.20



2. Waiawa





3. Wahiawa



4. AASF #1



APPENDIX 1 STORM WATER DISCHARGES ASSOCIATED WITH INDUSTRIAL  
ACTIVITY REQUIREMENTS

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**1. Coverage Under this Permit.**

**1.1 Eligibility.**

- 1.1.1 Facilities Covered.** To be eligible to discharge under this permit, you must: (1) have an allowable storm water discharge or an allowable non-storm water discharge associated with industrial activity from your primary industrial activity, as defined below, provided your primary industrial activity is included in Part 9, or (2) be notified by DOH that you are eligible for coverage under Sector AD of this permit.

**Primary industrial activity** - includes any activities performed on-site which are: (1) identified by the facility's primary SIC code and included in the descriptions of 122.26(b)(14)(ii), (iii), (vi), or (viii); or (2) included in the narrative descriptions of 122.26(b)(14)(i), (iv), (v), (vii), or (ix). (For co-located activities covered by multiple SIC codes, it is recommended that the primary industrial determination be based on the value of receipts or revenues or, if such information is not available for a particular facility, the number of employees or production rate for each process may be compared. The operation that generates the most revenue or employs the most personnel is the operation in which the facility is primarily engaged. In situations where the vast majority of on-site activity falls within one SIC code, that activity may be the primary industrial activity.) Narrative descriptions in 40 CFR 122.26(b)(14) identified above include: (i) activities subject to storm water effluent limitations guidelines, new source performance standards, or toxic pollutant effluent standards; (iv) hazardous waste treatment storage, or disposal facilities including those that are operating under interim status or a permit under subtitle C of the Resource Conservation and Recovery Act (RCRA); (v) landfills, land application sites and open dumps that receive or have received industrial wastes; (vii) steam electric power generating facilities; and (ix) sewage treatment works with a design flow of 1.0 mgd or more.

**Effluent Limitations Guideline (ELG)** – defined in 40 CFR 122.2 as a regulation published by the EPA Administrator under section 304(b) of CWA to adopt or revise effluent limitations.

**New Source Performance Standards (NSPS)** – technology-based standards for facilities that qualify as new sources under 40 CFR 122.2 and 40 CFR 122.29.

- 1.1.2 Allowable Storm Water Discharges.** Unless otherwise made ineligible under Part 1.1.4, the following discharges are eligible for coverage under this permit:
- 1.1.2.1 Storm water discharges associated with industrial activity for any primary industrial activities, as defined in Part 1.1.1 and co-located industrial activities, as defined below, except for any storm water**



**discharges specifically prohibited in Part 8;**

**Co-located industrial activity** – any industrial activities, excluding your primary industrial activity(ies), located on-site that are defined by the storm water regulations at 122.26(b)(14)(i)-(ix) and (xi). An activity at a facility is not considered separately, does not meet the description of a category of industrial activity covered by the storm water regulations or identified by the SIC code list in Part 9.

- 1.1.2.2 Discharges designated by DOH as needing a storm water permit as provided in Sector AD;**
- 1.1.2.3 Discharges that are not otherwise required to obtain NPDES permit authorization but are mixed with discharges that are authorized under this permit; and**
- 1.1.2.4 Storm water discharges from facilities subject to any of the national storm water-specific effluent limitations guidelines listed in Table 1-1.**

**Table 1-1. Storm Water-Specific Effluent Limitations Guidelines**

<b>Regulated Discharge</b>	<b>40 CFR Section</b>	<b>MSGP Sector</b>	<b>New Source Performance Standard (NSPS)</b>	<b>New Source Data</b>
Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas	Part 429, Subpart I	A	Yes	1/26/81
Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished product, by-products or waste products (SIC 2874)	Part 418, Subpart A	C	Yes	4/8/74
Runoff from asphalt emulsion facilities	Part 443, Subpart A	D	Yes	7/8/75
Runoff from material storage piles at cement manufacturing facilities	Part 411, Subpart C	E	Yes	2/20/74
Mine dewatering discharges at crushed stone, construction sand and gravel, or industrial sand mining facilities	Part 436, Subparts B, C, and D	J	No	N/A

Runoff from hazardous waste and non-hazardous waste landfills	Part 445, Subparts A and B	K, L	Yes	2/2/00
Runoff from coal storage piles at steam electric generating facilities	Part 423	O	Yes	11/19/82 (10/8/74) <sup>1</sup>
Runoff containing urea from airfield pavement deicing at existing and new primary airports with 1,000 or more annual non-propeller aircraft departures	Part 449	S	Yes	6/15/12

### **1.1.3 Allowable Non-Storm Water Discharges.**

Below in Part 1.1.3.1 are the only non-storm water discharges authorized under this permit for all sectors provided that all discharges comply with the effluent limits set forth in Parts 2 and 8. In addition to the authorized non-storm water discharges in Part 1.1.3.1 applicable to all sectors, for Sector A, there is an additional non-storm water discharge in Part 1.1.3.2 below, and for the mining sectors (Sectors G, H, and J), there are additional authorized non-storm water discharges in Part 1.1.3.3 below. The additional allowable non-storm water discharges for Sectors G, H, and J apply only to discharges from earth-disturbing activities conducted prior to active mining activities as defined in Part 8.G.3.2, 8.H.3.2, and 8.J.3.2 provided that, with the exception of water used to control dust and to irrigate areas to be vegetatively stabilized, these discharges are not routed to areas of exposed soil and all discharges comply with the permit's effluent limits.

This permit also allows for all industrial sectors to discharge storm water listed above in Part 1.1.2 or authorized non-storm water discharges in Part 1.1.3, mixed with a discharge authorized by a different NPDES permit and/or a discharge that does not require NPDES permit authorization. All other non-storm water discharges requiring NPDES permit coverage except those specifically listed in Part 1.1.3 are not authorized by this permit. If non-storm water discharges requiring NPDES permit coverage other than those specifically authorized in Part 1.1.3, including sector-specific non-storm water discharges that are listed in Part 8 as prohibited (a non-exclusive list provided to raise awareness of contaminants or sources of contaminants characteristic of certain sectors), will be discharged, such non-storm water discharges are not authorized by this permit and must either be eliminated or covered under another NPDES permit.

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

**1.1.3.1 Allowable Non-Storm Water Discharges for all Sectors of Industrial Activity:**

- Discharges from emergency/unplanned fire-fighting activities;
- Fire hydrant flushings;
- Potable water, including water line flushings;
- Uncontaminated condensate from air conditioners, coolers/chillers, and other compressors and from the outside storage of refrigerated gases or liquids;
- Irrigation drainage;
- Landscape watering provided all pesticides, herbicides, and fertilizers have been applied in accordance with the approved labeling;
- Pavement wash waters where no detergents or hazardous cleaning products are used (e.g., bleach, hydrofluoric acid, muriatic acid, sodium hydroxide, nonylphenols), and the wash waters do not come into contact with oil and grease deposits, sources of pollutants associated with industrial activities (see Part 5.2.3), or any other toxic or hazardous materials, unless residues are first cleaned up using dry clean-up methods (e.g., applying absorbent materials and sweeping, using hydrophobic mops/rags) and you have implemented appropriate control measures to minimize discharges of mobilized solids and other pollutants (e.g., filtration, detention; settlement);

**Hazardous Materials or Hazardous Substances or Toxic Materials** – for the purposes of this permit, any liquid, solid, or contained gas that contain properties that are dangerous or potentially harmful to human health or the environment. See also 40 CFR 261.2.

**Control Measures** – refers to any storm water control or other method (including narrative effluent limitations) used to prevent or reduce the discharge of pollutants to state waters.

**Minimize** – for the purposes of this permit, minimize means to reduce and/or eliminate to the extent achievable using control measures that are technologically available and economically practicable and achievable in light of best industry practices.

- Routine external building washdown / power wash water that does not use detergents or hazardous cleaning products (e.g., those containing bleach, hydrofluoric acid, muriatic acid, sodium hydroxide, nonylphenols);
- Uncontaminated ground water or spring water;
- Foundation or footing drains where flows are not contaminated with process materials; and

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

**1.1.4 Limitations on Coverage.**

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

**1.1.4.1 For Discharges Mixed with Non-Storm Water.** Storm water discharges that are mixed with non-storm water discharges, other than those mixed with allowable non-storm water discharges listed in Part 1.1.3 and/or those mixed with a discharge authorized by a different NPDES permit and/or a discharge that does not require NPDES authorization, are not eligible for coverage under this permit.

**1.1.4.2 For Storm Water Discharges Associated with Construction Activity.** Storm water discharges associated with construction activity disturbing one acre or more, or that are part of a larger common plan of development or sale if the larger common plan will ultimately disturb one acre or more, are not eligible for coverage under this permit, unless in conjunction with mining activities or certain oil and gas extraction activities as specified in Sectors G, H, I, and J of this permit.

**1.1.4.3 For Discharges Currently or Previously Covered by Another Permit.** Unless you have received written notification from DOH specifically allowing these discharges to be covered under this permit for any of the following:

- Storm water discharges associated with industrial activity that are currently covered under an individual NPDES permit or an alternative NPDES general permit;
- Discharges from facilities where any NPDES permit has been or is in the process of being denied, terminated, or revoked by DOH (this does not apply to the routine reissuance of permits every five years).

**1.1.4.4 For Storm Water Discharges Subject to Effluent Limitation Guidelines.** For discharges from facilities subject to storm water effluent limitation guidelines under 40 CFR, Subchapter N, only those storm water discharges identified in Table 1-1 are eligible for coverage under this permit.

**1.1.4.5 Eligibility for New Dischargers and New Sources: Based on Water Quality Standards.** If you are a new discharger or a new source, as defined below, you are ineligible for coverage under this permit if DOH determines prior to your authorization to discharge that your discharges will

not meet an applicable water quality standard (i.e., your discharges will cause or contribute to an exceedance of a water quality standard). In such case, DOH may notify you that an individual permit application is necessary per Part 1.2.3, or, alternatively, DOH may authorize your coverage under this permit after you implement additional control measures so that your discharges will meet water quality standards.

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

**New Source** – any building, structure, facility, or installation from which there is or may be a “discharge of pollutants,” the construction of which commenced:

- after promulgation of standards of performance under Section 306 of the CWA which are applicable to such source, or
- after proposal of standards of performance in accordance with Section 306 of the CWA which are applicable to such source, but only if the standards are promulgated in accordance with Section 306 within 120 days of their proposal. See 40 CFR 122.2.

**1.1.4.6 Eligibility for New Dischargers and New Sources to Water-Quality Impaired Waters.** If you are a new discharger or a new source, you are ineligible for coverage under this permit to discharge to an “impaired water,” as defined below, unless you do one of the following:

- a. Prevent all exposure to storm water of the pollutant(s) for which the waterbody is impaired, and retain documentation of procedures taken to prevent exposure onsite with your SWPPP;
- b. Prior to submitting your NOI, provide to DOH technical information or other documentation to support your claim that the pollutant(s) for which the waterbody is impaired is not present at your site, and retain such documentation with your SWPPP; or
- c. Prior to submitting your NOI, provide information to DOH, either data or other technical documentation, to support a conclusion that the discharge is expected to meet applicable water quality standards (i.e., that pollutants of concern will not be discharged at levels that will cause or contribute to an exceedance of a water quality standard), and retain such information in your SWPPP. The information to be submitted must be sufficient to demonstrate:

- i. For discharges to waters without a DOH established and EPA-approved TMDL, that the discharge of the pollutant for which the water is impaired will meet water quality standards at the point of discharge to the waterbody; or
- ii. For discharges to waters with an applicable DOH established and EPA-approved TMDL, that there are, in accordance with 40 CFR 122.4(i), sufficient remaining wasteload allocations in the TMDL to allow your discharge and that existing dischargers to the waterbody are subject to compliance schedules designed to bring the waterbody into attainment with water quality standards (e.g., a reserve allocation for future growth).

**Existing Discharger** – an operator applying for coverage under this permit for discharges authorized previously under an NPDES general or individual permit.

You are eligible under Part 1.1.4.6.c if you receive a determination from the DOH that your discharge will meet applicable water quality standards (i.e., will not cause or contribute to an exceedance of a water quality standard), and you document DOH's determination in your SWPPP. If the DOH fails to respond to you within 30 days after submission of data, you are considered to be eligible for coverage.

Impaired Water (or "Water Quality Impaired Water" or "Water Quality Limited Segment") – for the purposes of this permit, waters identified by a state or EPA as not meeting applicable water quality standard, and require development of a TMDL (pursuant to Section 303(d) of the CWA), or are addressed by a DOH established and EPA-approved TMDL, or are covered by pollution controls requirements that meet the requirements of 40 CFR 130.7(b)(1). For discharges that enter a separate storm sewer system prior to discharge, the first state water to which you discharge is the waterbody that receives the storm water discharge from the storm sewer system.

Note: For the purposes of this permit, your project is considered to discharge to an impaired water if the first state water to which you discharge is identified by DOH as not meeting an applicable water quality standard, and:

- Requires development of a TMDL (pursuant to Section 303(d) of the CWA);
- Is addressed by DOH established and EPA-approved TMDL; or

- Is not in either of the above categories but the waterbody is covered by pollution control requirements that meet the requirements of 40 CFR 130.7(b)(1).

For discharges that enter a separate storm sewer system<sup>2</sup> prior to discharge, the first state water to which you discharge is the waterbody that receives the storm water discharge from the storm sewer system.

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

If the industrial facilities listed in Part E.1. above qualify for Conditional “No Exposure” Exclusion from NPDES Storm Water Associated with Industrial Activity permitting, the Permittee may submit the “MS4 NPDES Individual Permit – Industrial Storm Water No Exposure Notification Form,” following the procedure listed in Part E.2. above.

The Permittee will not be required to sample storm water runoff according to this Appendix of the permit upon submittal of the “MS4 NPDES Individual Permit – Industrial Storm Water No Exposure Notification Form.”

## **1.3 Permit Compliance**

Any non-compliance with any of the requirements of this permit constitutes a violation of this permit, and thus is a violation of the CWA and HRS 342D. As detailed in Part 4 (Corrective Actions) of this permit, failure to take any required corrective actions constitutes an independent, additional violation of this permit, in addition to any original violation that triggered the need for corrective action. As such, any actions and time periods specified for remedying non-compliance do not absolve parties of the initial underlying non-compliance.

**Corrective Action** – for the purposes of the permit, any action taken, or required to be taken, to: (1) repair, modify, or replace any stormwater control used at the site; (2) clean up and dispose of spills, releases, or other deposits found on the site; and (3) remedy a permit violation.

**Spill** – for the purpose of this permit, the release of a hazardous or toxic substance from its container or containment.

Where corrective action is triggered by an event that does not itself constitute permit non-compliance, such as an exceedance of an applicable benchmark, there is no permit violation provided you take the required corrective action within the relevant deadlines established in Part 4.3.

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

In the technology-based limits included in Parts 2.1 and 8, the term “minimize” means reduce and/or eliminate to the extent achievable using control measures (including BMPs) that are technologically available and economically practicable and achievable in light of best industry practice. The term “infeasible” means not technologically possible or not economically practicable and achievable in light of best industry practices.

**2.1 Control Measures.**

You must select, design, install, and implement control measures (including BMPs) to minimize pollutant discharges that address the selection and design considerations in Part 2.1.1, meet the non-numeric effluent limits in Part 2.1.2, meet limits contained in applicable effluent limitations guidelines in Part 2.1.3, and meet the water quality-based effluent limitations in Part 2.2. The selection, design, installation, and implementation of these control measures must be in accordance with good engineering practices and manufacturer’s specifications. Note that you may deviate from such manufacturer’s specifications where you provide justification for such deviation and include documentation of your rationale in the part of your SWPPP that describes your control measures, consistent with Part 5.2.4. If you find that your control measures are not achieving their intended effect of minimizing pollutant discharges to meet applicable water quality standards or any of the other non-numeric effluent limits in this permit, you must modify these control measures per the corrective action requirements in Part 4. Regulated storm water discharges from your facility include storm water run-on that commingles with storm water discharges associated with industrial activity at your facility.

Effluent limit requirements in Part 2.1.2 that do not involve the site-specific selection of a control measure or are specific activity requirements (e.g., “Cleaning catch basins when the depth of debris reaches two-thirds (2/3) of the sump depth and keeping the debris surface at least six inches below the lowest outlet pipe”) are marked with an asterisk (\*). When documenting in your SWPPP, per Part 5, how you will comply with the requirements marked with an asterisk, you have the option of including additional information or you may just “cut-and-paste” those effluent limits verbatim into your SWPPP without providing additional documentation (see Part 5.2.4).

**2.1.1 Control Measure Selection and Design Considerations.**

You must consider the following when selecting and designing control measures:

- Preventing storm water from coming into contact with polluting materials is generally more effective, and less costly, than trying to remove pollutants from storm water;



- Using control measures in combination may be more effective than using control measures in isolation for minimizing pollutants in your storm water discharge;
- Assessing the type and quantity of pollutants, including their potential to impact receiving water quality, is critical to designing effective control measures that will achieve the limits in this permit;
- Minimizing impervious areas at your facility and infiltrating runoff onsite (including bioretention cells, green roofs, and pervious pavement, among other approaches) can reduce runoff and improve ground water recharge and stream base flows in local streams, although care must be taken to avoid ground water contamination;
- Attenuating flow using open vegetated swales and natural depressions can reduce in-stream impacts of erosive flows;
- Conserving and/or restoring riparian buffers will help protect streams from storm water runoff and improve water quality; and
- Using treatment interceptors (e.g., swirl separators and sand filters) may be appropriate in some instances to minimize the discharge of pollutants.

**2.1.2 Non-Numeric Technology-Based Effluent Limits (BPT/BAT/BCT).**

You must comply with the following non-numeric effluent limits (except where otherwise specified in Part 8) as well as any sector-specific non-numeric effluent limits in Part 8:

**2.1.2.1 *Minimize Exposure.*** You must minimize the exposure of manufacturing, processing, and material storage areas (including loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations) to rain and runoff in order to minimize pollutant discharges by either locating these industrial materials and activities inside or protecting them with storm resistant coverings. Unless infeasible, you must also:

- Use grading, berming or curbing to prevent runoff of contaminated flows and divert run-on away from these areas;
- Locate materials, equipment, and activities so that potential leaks and spills are contained or able to be contained or diverted before discharge;
- Clean up spills and leaks promptly using dry methods (e.g., absorbents) to prevent the discharge of pollutants;
- Store leaky vehicles and equipment indoors or, if stored outdoors, use drip pans and absorbents;
- Use spill/overflow protection equipment;

- Perform all vehicle and/or equipment cleaning operations indoors, under cover, or in bermed areas that prevent runoff and run-on and also that capture any overspray; and
- Drain fluids from equipment and vehicles that will be decommissioned, and, for any equipment and vehicles that will remain unused for extended periods of time, inspect at least monthly for leaks.

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

- Sweep or vacuum at regular intervals or, alternatively, wash down the area and collect and/or treat, and properly dispose of the washdown water;
- Store materials in appropriate containers;
- Keep all dumpster lids closed when not in use. For dumpsters and roll off boxes that do not have lids and could leak, ensure that discharges have a control (e.g., secondary containment, treatment). Consistent with Part 1.1.3 above, this permit does not authorize dry weather discharges from dumpsters or roll off boxes;\* and
- Minimize the potential for waste, garbage and floatable debris to be discharged by keeping exposed areas free of such materials, or by intercepting them before they are discharged.

*Plastic Materials Requirements:* Facilities that handle pre-production plastic must implement BMPs to eliminate discharges of plastic in storm water. Examples of plastic material required to be addressed as storm water pollutants include plastic resin pellets, powders, flakes, additives, regrind, scrap, waste and recycling.

**2.1.2.3 Maintenance.** You must maintain all control measures that are used to achieve the effluent limits in this permit in effective operating condition, as well as all industrial equipment and systems, in order to minimize pollutant discharges.

**Effective Operating Condition** – for the purposes of this permit, a storm water control is kept in effective operating condition if it has been implemented and maintained in such a manner that it is working as designed to minimize pollutant discharges.

This includes:

- Performing inspections and preventive maintenance of storm water drainage, source controls, treatment systems, and plant equipment and systems that could fail and result in contamination of storm water.
- Diligently maintaining non-structural control measures (e.g., keep spill response supplies available, personnel appropriately trained).
- Inspecting and maintaining baghouses at least quarterly to prevent the escape of dust from the system and immediately removing any accumulated dust at the base of the exterior baghouse.\*
- Cleaning catch basins when the depth of debris reaches two-thirds (2/3) of the sump depth and keeping the debris surface at least six inches below the lowest outlet pipe.\*

If you find that your control measures are in need of routine maintenance, you must conduct the necessary maintenance immediately in order to minimize pollutant discharges. If you find that your control measures need to be repaired or replaced, you must immediately take all reasonable steps to prevent or minimize the discharge of pollutants until the final repair or replacement is implemented, including cleaning up any contaminated surfaces so that the material will not be discharged during subsequent storm events. Final repairs/replacement of storm water controls should be completed as soon as feasible but must be no later than the timeframe established in Part 4.3 for corrective actions, i.e., within 14 days or, if that is infeasible, within 45 days. If the completion of storm water control repairs/replacement will exceed the 45-day timeframe, you may take the minimum additional time necessary to complete the maintenance, provided that you notify the DOH of your intention to exceed 45 days, and document in your SWPPP your rationale for your modified maintenance timeframe. If a control measure was never installed, was installed incorrectly or not in accordance with Parts 2 and/or 8, or is not being properly operated or maintained, you must conduct corrective action as specified in Part 4.

*Note: In this context, the term “immediately” requires you to, on the same day you identify that a control measure needs to be maintained, take all reasonable steps to minimize or prevent the discharge of pollutants until a permanent solution is installed and made operational. However, if a problem is identified at a time in the work day when it is too late to take action, the initiation of action must begin no later than the following work day. “All reasonable steps” means that the permittee has undertaken initial actions to assess and address the condition causing the corrective action, including, for example, cleaning up any exposed materials that may be discharged in a storm event (e.g., through sweeping, vacuuming) or making arrangements (i.e., scheduling) for a new BMP to be installed at a later date. “All reasonable steps” for purposes of complying with Part 4.2 Conditions Requiring SWPPP Review to Determine if Modifications*

Are Necessary, when you conclude a corrective action is, in fact, not necessary, could include documenting why a corrective action is unnecessary.

**2.1.2.4 *Spill Prevention and Response.*** You must minimize the potential for leaks, spills and other releases that may be exposed to storm water and develop plans for effective response to such spills if or when they occur in order to minimize pollutant discharges. You must conduct spill prevention and response measures, including but not limited to, the following:

- Plainly label containers (e.g., “Used Oil,” “Spent Solvents,” “Fertilizers and Pesticides”) that could be susceptible to spillage or leakage to encourage proper handling and facilitate rapid response if spills or leaks occur;\*
- Implement procedures for material storage and handling, including the use of secondary containment and barriers between material storage and traffic areas, or a similarly effective means designed to prevent the discharge of pollutants from these areas;
- Develop training on the procedures for expeditiously stopping, containing, and cleaning up leaks, spills, and other releases. As appropriate, execute such procedures as soon as possible;
- Keep spill kits on-site, located near areas where spills may occur or where a rapid response can be made; and
- Notify appropriate facility personnel when a leak, spill, or other release occurs.

Where a leak, spill or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under either 40 CFR Part 110, 40 CFR Part 117, or 40 CFR Part 302, occurs during a 24-hour period, you must notify the Clean Water Branch at (808) 586-4309 during regular office hours which are Monday through Friday (excluding holidays) from 7:45 a.m. until 4:15 p.m. or the Hawaii State Hospital Operator at (808) 247-2191 outside of regular office hours. This contact information must be in locations that are readily accessible and available.

**2.1.2.5 *Erosion and Sediment Controls.*** You must minimize erosion by stabilizing exposed soils at your facility in order to minimize pollutant discharges and placing flow velocity dissipation devices at discharge locations to minimize channel and streambank erosion and scour in the immediate vicinity of discharge points. You must also use structural and non-structural control measures to minimize the discharge of sediment. The use of polymers and/or other chemical treatments as part of your controls is not covered under this permit. There are many resources available to help

you select appropriate BMPs for erosion and sediment control, including from the EPA.

**2.1.2.6 *Management of Runoff.*** You must divert, infiltrate, reuse, contain, or otherwise reduce storm water runoff to minimize pollutants in your discharges. In selecting, designing, installing, and implementing appropriate control measures, you are encouraged to consult with EPA's Internet-based resources relating to runoff management, including the sector-specific *Industrial Storm Water Fact Sheet Series*, *National Menu of Storm Water BMPs*, and *National Management Measures to Control Nonpoint Source Pollution from Urban Areas*, and any similar resources.

**2.1.2.7 *Reserved.***

**2.1.2.8 *Employee Training.*** You must train all employees who work in areas where industrial materials or activities are exposed to storm water, or who are responsible for implementing activities necessary to meet the conditions of this permit (e.g., inspectors, maintenance personnel), including all members of your storm water pollution prevention team. You must ensure the following personnel understand the requirements of this permit and their specific responsibilities with respect to those requirements:

- Personnel who are responsible for the design, installation, maintenance, and/or repair of controls (including pollution prevention measures);
- Personnel responsible for the storage and handling of chemicals and materials that could become contaminants in storm water discharges;
- Personnel who are responsible for conducting and documenting monitoring and inspections as required in Parts 3 and 6; and
- Personnel who are responsible for taking and documenting corrective actions as required in Part 4.

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

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

- When and how to conduct inspections, record applicable findings, and take corrective actions.

**2.1.2.9 Non-Storm Water Discharges.** You must evaluate for the presence of non-storm water discharges. Any non-storm water discharges not explicitly authorized in Part 1.1.3 or covered by another NPDES permit must be eliminated. This includes vehicle and equipment/tank wash water (except for those authorized in Part 1.1.3.3 for Sectors G, H, and J). If not covered under a separate NPDES permit, wastewater, wash water and any other unauthorized non-storm water must be discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements, or otherwise disposed of appropriately.

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

**2.1.3 Numeric Effluent Limitations Based on Effluent Limitations Guidelines.**

If you are in an industrial category subject to one of the effluent limitations guidelines identified in Table 6-1 (see Part 6.2.2.1), you must meet the effluent limits referenced in Table 2-1 below:

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

<b>Regulated Discharge</b>	<b>40 CFR Section/Subpart</b>	<b>Effluent Limit</b>
Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas	Part 429, Subpart I	See Part 8.A.7
Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished product, by-products or waste products (SIC 2874)	Part 418, Subpart A	See Part 8.C.4
Runoff from asphalt emulsion facilities	Part 443, Subpart A	See Part 8.D.4
Runoff from material storage piles at cement manufacturing facilities	Part 411, Subpart C	See Part 8.E.5
Mine dewatering discharges at crushed stone, construction sand and gravel, or industrial sand mining facilities	Part 436, Subparts B, C, and D	See Part 8.J.9
Runoff from hazardous waste landfills	Part 445, Subparts A	See Part 8.K.6
Runoff from non-hazardous waste landfills	Part 445, Subparts B	See Part 8.L.10
Runoff from coal storage piles at steam electric generating facilities	Part 423	See Part 8.O.8
Runoff containing urea from airfield	Part 449	See Part 8.S.8

pavement deicing at existing and new primary airports with 1,000 or more annual non-propeller aircraft departures		
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## **2.2 Water Quality-Based Effluent Limitations.**

### **2.2.1 Water Quality Standards.**

Your discharge must be controlled as necessary to meet applicable water quality standards (i.e., your discharge must not cause or contribute to an exceedance of applicable water quality standards).

DOH expects that compliance with the conditions in this permit will control discharges as necessary to meet applicable water quality standards as described in HAR Chapter 11-55, Appendix A, Section 1). If at any time you become aware, or DOH determines, that your discharge does not meet applicable water quality standards, you must take corrective action(s) as required in Part 4.1 and document the corrective actions as required in Part 4.4.

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

### **2.2.2 Discharges to Water Quality-Impaired Waters.**

You are considered to discharge to an impaired water if the first state water to which you discharge is identified by DOH as not meeting an applicable water quality standard, and:

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

*Note: For discharges that enter a separate storm sewer system<sup>2</sup> prior to discharge, the first state water to which you discharge is the waterbody that receives the water from the storm sewer system.*

- 2.2.2.1 Existing Discharge to an Impaired Water with a DOH Established and EPA Approved TMDL.** If you discharge to an impaired water with a DOH established and EPA-approved TMDL, DOH will inform you whether any additional measures are necessary for your discharge to be consistent with the assumptions and requirements of the applicable TMDL and its wasteload allocation, or if coverage under an individual permit is necessary per Part 1.2.3.
- 2.2.2.2 Existing Discharger to an Impaired Water without a DOH established and EPA-Approved TMDL.** If you discharge to an impaired water without a DOH established and EPA-approved TMDL, you are still required to comply with Part 2.2.1, and you must comply with the monitoring requirements of Part 6.2.4.1. Note that the impaired waters monitoring requirements of Part 6.2.4.1 also apply where DOH determines that your discharge is not controlled as necessary to meet applicable water quality standards in an impaired downstream water segment, even if your discharge is to a receiving water that is not identified as impaired according to Part 2.2.2.
- 2.2.2.3 New Discharger or New Source to an Impaired Water.** If your authorization to discharge under this permit relied on Part 1.1.4.6 for a new discharger or a new source to an impaired water, you must implement and maintain any measures that enabled you to become eligible under Part 1.1.4.6, and modify such measures as necessary pursuant to any Part 4 corrective actions. You also must comply with Part 2.2.1 and the monitoring requirements of Part 6.2.4.1.
- 2.3 Reserved.**

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<sup>2</sup> Separate storm systems do not include combined sewer systems or sanitary sewer systems. Separate storm systems include both municipal storm sewer systems (MS4s) and non-municipal separate storm sewers.



### 3. Inspections.

#### 3.1 Routine Facility Inspections.

During normal facility operating hours you must conduct inspections of areas of the facility covered by the requirements in this permit, including, but not limited to, the following:

- Areas where industrial materials or activities are exposed to storm water;
- Areas identified in the SWPPP and those that are potential pollutant sources (see Part 5.2.3);
- Areas where spills and leaks have occurred in the past three years;
- Discharge points; and
- Control measures used to comply with the effluent limits contained in this permit.

Inspections must be conducted at least quarterly (i.e., once each calendar quarter), or in some instances more frequently (e.g., monthly). Increased frequency may be appropriate for some types of equipment, processes and storm water control measures, or areas of the facility with significant activities and materials exposed to storm water. At least once each calendar year, the routine inspection must be conducted during a period when a storm water discharge is occurring.

Inspections must be performed by qualified personnel, as defined in below, with at least one member of your storm water pollution prevention team participating. Inspectors must consider the results of visual and analytical monitoring (if any) for the past year when planning and conducting inspections.

**Qualified Personnel** – qualified personnel are those who are knowledgeable in the principles and practices of industrial storm water controls and pollution prevention, and who possess the education and ability to assess conditions at the industrial facility that could impact storm water quality, and the education and ability to assess the effectiveness of storm water controls selected and installed to meet the requirements of the permit.

During the inspection you must examine or look out for the following:

- Industrial materials, residue or trash that may have or could come into contact with storm water;
- Leaks or spills from industrial equipment, drums, tanks and other containers;

- Offsite tracking of industrial or waste materials, or sediment where vehicles enter or exit the site;
- Tracking or blowing of raw, final or waste materials from areas of no exposure to exposed areas; and
- Control measures needing replacement, maintenance or repair.

During an inspection occurring during a storm water event or discharge, control measures implemented to comply with effluent limits must be observed to ensure they are functioning correctly. Discharge points, as defined below, must also be observed during this inspection. If such discharge locations are inaccessible, nearby downstream locations must be inspected.

**Discharge Point** – for the purposes of this permit, the location where collected and concentrated storm water flows are discharged from the facility such that the first receiving waterbody into which the discharge flows, either directly or through a separate storm sewer system, is a state water.

### 3.1.1 Routine Facility Inspection Documentation.

You must document the findings of your facility inspections and maintain this report with your SWPPP as required in Part 5.5. Do not submit your routine facility inspection report to DOH, unless specifically requested to do so. However, you must summarize your findings in the annual report per Part 7.5. Document all findings, including but not limited to, the following information:

- The inspection date and time;
- The name(s) and signature(s) of the inspector(s);
- Weather information;
- All observations relating to the implementation of control measures at the facility, including:
  - A description of any discharges occurring at the time of the inspection;
  - Any previously unidentified discharges from and/or pollutants at the site;
  - Any evidence of, or the potential for, pollutants entering the drainage system;
  - Observations regarding the physical condition of and around all outfalls, including any flow dissipation devices, and evidence of pollutants in discharges and/or the receiving water;
  - Any control measures needing maintenance, repairs, or replacement;

- Any additional control measures needed to comply with the permit requirements;
- Any incidents of non-compliance; and
- A statement signed and certified in accordance with HAR Chapter 11-55, Appendix A, Subsection 15.

Any corrective action required as a result of a routine facility inspection must be performed consistent with Part 4 of this permit.

If you performed a discharge visual assessment required in Part 3.2 during your facility inspection, you may include the results of the assessment with the report required in Part 3.1.1, as long as all components of both types of inspections are included in the report.

### **3.2 Quarterly Visual Assessment of Storm Water Discharges.**

#### **3.2.1 Quarterly Visual Assessment Procedures.**

Once each quarter for the entire permit term, you must collect a storm water sample from each outfall (except as noted in Part 3.2.3) and conduct a visual assessment of each of these samples. These samples are not required to be collected consistent with 40 CFR Part 136 procedures but must be collected in such a manner that the samples are representative of the storm water discharge.

The visual assessment must be made:

- Of a sample in a clean, colorless glass or plastic container, and examined in a well-lit area;
- On samples collected within the first 30 minutes of an actual discharge from a storm event. If it is not possible to collect the sample within the first 30 minutes of discharge, the sample must be collected as soon as practicable after the first 30 minutes and you must document why it was not possible to take the sample within the first 30 minutes; and
- For storm events, on discharges that occur at least 72 hours (three days) from the previous discharge. The 72-hour (three-day) storm interval does not apply if you document that less than a 72-hour (three-day) interval is representative for local storm events during the sampling period.

You must visually inspect or observe the sample for the following water quality characteristics:

- Color;
- Odor;

- Clarity (diminished);
- Floating solids;
- Settled solids;
- Suspended solids;
- Foam;
- Oil sheen; and
- Other obvious indicators of storm water pollution.

Whenever the visual assessment shows evidence of storm water pollution, you must initiate the corrective action procedures in Part 4.

### **3.2.2 Quarterly Visual Assessment Documentation.**

You must document the results of your visual assessments and maintain this documentation onsite with your SWPPP as required in Part 5.5. You are not required to submit your visual assessment findings to DOH, unless specifically requested to do so. However, you must summarize your findings in the annual report per Part 7.5. Your documentation of the visual assessment must include, but not be limited to:

- Sample location(s);
- Sample collection date and time, and visual assessment date and time for each sample;
- Personnel collecting the sample and performing visual assessment, and their signatures;
- Nature of the discharge (i.e., runoff or snowmelt);
- Results of observations of the storm water discharge;
- Probable sources of any observed storm water contamination;
- If applicable, why it was not possible to take samples within the first 30 minutes; and
- A statement, signed and certified in accordance with HAR Chapter 11-55, Appendix A, Subsection 15.

Any corrective action required as a result of a quarterly visual assessment must be performed consistent with Part 4 of this permit.

### **3.2.3 Exceptions to Quarterly Visual Assessments.**

Adverse Weather Conditions: When adverse weather conditions prevent the collection of samples during the quarter, you must take a substitute sample during the next qualifying storm event. Documentation of the rationale for

no visual assessment for the quarter must be included with your SWPPP records as described in Part 5.5. Adverse conditions are those that are dangerous or create inaccessibility for personnel, such as local flooding, high winds, or situations that otherwise make sampling impractical.

Climates with Irregular Storm Water Runoff: If your facility is located in an area where limited rainfall occurs during many parts of the year (e.g., arid or semi-arid climate) that prevent runoff from occurring for extended periods, then your samples for the quarterly visual assessments may be distributed during seasons when precipitation runoff occurs.

**Semi-Arid Areas** – areas where annual rainfall averages from 10 to 20 inches.

Substantially Identical Outfalls: If your facility has two or more outfalls that discharge substantially identical effluents, as documented in Part 5.2.5.3, you may conduct quarterly visual assessments of the discharge at just one of the outfalls and report that the results also apply to the substantially identical outfall(s) provided that you perform visual assessments on a rotating basis of each substantially identical outfall throughout the period of your coverage under this permit.

If storm water contamination is identified through visual assessment performed at a substantially identical outfall, you must assess and modify your control measures as appropriate for each outfall represented by the monitored outfall.

### **3.3 Authorization to Inspect.**

The DOH may conduct an inspection of any facility covered by this permit to ensure compliance with state requirements, including state water quality standards.

#### **4. Corrective Actions.**

##### **4.1 Conditions Requiring SWPPP Review and Revision to Ensure Effluent Limits are Met.**

When any of the following conditions occur or are detected during an inspection, monitoring or other means, or DOH or the operator of the MS4 through which you discharge informs you that any of the following conditions have occurred, you must review and revise, as appropriate, your SWPPP (e.g., sources of pollution; spill and leak procedures; non-storm water discharges; the selection, design, installation and implementation of your control measures) so that this permit's effluent limits are met and pollutant discharges are minimized:

- An unauthorized release or discharge (e.g., spill, leak, or discharge of non-storm water not authorized by this or another NPDES permit to a state water) occurs at your facility.
- A discharge violates a numeric effluent limit listed in Table 2-1 and in your Part 8 sector-specific requirements.
- Your control measures are not stringent enough for the discharge to meet applicable water quality standards or the non-numeric effluent limits in this permit.
- A required control measure was never installed, was installed incorrectly, or not in accordance with Parts 2 and/or 8 or is not being properly operated or maintained.
- Whenever a visual assessment shows evidence of storm water pollution (e.g., color, odor, floating solids, settled solids, suspended solids, foam).

##### **4.2 Conditions Requiring SWPPP Review to Determine if Modifications Are Necessary.**

If any of the following conditions occur, you must review your SWPPP (e.g., sources of pollution, spill and leak procedures, non-storm water discharges, selection, design, installation and implementation of your control measures) to determine if modifications are necessary to meet the effluent limits in this permit:

- Construction or a change in design, operation, or maintenance at your facility that significantly changes the nature of pollutants discharged in storm water from your facility, or significantly increases the quantity of pollutants discharged.
- The average of four quarterly sampling results exceeds an applicable benchmark (see Part 6.2.1.2). If less than four benchmark samples have been taken, but the results are such that an exceedance of the four-quarter average is mathematically certain (i.e., if the sum of quarterly sample

results to date is more than four times the benchmark level) this is considered a benchmark exceedance, triggering this review.

*Note: A benchmark exceedance does not trigger a corrective action if you determine that the exceedance is solely attributable to natural background sources, or if you make a finding that no further pollutant reductions are technologically available and economically practicable and achievable in light of best industry practice (see Part 6.2.1.2).*

*Note: When run-on to your facility causes a benchmark exceedance, in addition to reviewing and revising, as appropriate, your SWPPP, you should notify the other operators contributing run-on to your discharges to abate their pollutant contribution. Where the other operators fail to take action to address the storm water run-on, you should contact the DOH.*

### **4.3 Corrective Actions and Deadlines.**

#### **4.3.1 Immediate Actions.**

If corrective action is needed, you must immediately take all reasonable steps necessary to minimize or prevent the discharge of pollutants until a permanent solution is installed and made operational, including cleaning up any contaminated surfaces so that the material will not discharge in subsequent storm events.

*Note: In this context, the term “immediately” requires you to, on the same day a condition requiring corrective action is found, take all reasonable steps to minimize or prevent the discharge of pollutants until a permanent solution is installed and made operational. However, if a problem is identified at a time in the work day when it is too late to initiate corrective action, the initiation of corrective action must begin no later than the following work day. “All reasonable steps” means that the permittee has undertaken initial actions to assess and address the condition causing the corrective action, including, for example, cleaning up any exposed materials that may be discharged in a storm event (e.g., through sweeping, vacuuming) or making arrangements (i.e., scheduling) for a new BMP to be installed at a later date. “All reasonable steps” for purposes of complying with Part 4.2 Conditions Requiring SWPPP Review to Determine if Modifications Are Necessary, when you conclude a corrective action is, in fact, not necessary, could include documenting why a corrective action is unnecessary.*

#### **4.3.2 Subsequent Actions.**

If you determine that additional actions are necessary beyond those implemented pursuant to Part 4.3.1, you must complete the corrective actions (e.g., install a new or modified control and make it operational, complete the repair) before the next storm event if possible, and within

14 calendar days from the time of discovery of the corrective action condition. If it is infeasible to complete the corrective action within 14 calendar days, you must document why it is infeasible to complete the corrective action within the 14-day timeframe. You must also identify your schedule for completing the work, which must be done as soon as practicable after the 14-day timeframe but no longer than 45 days after discovery. If the completion of corrective action will exceed the 45-day timeframe, you may take the minimum additional time necessary to complete the corrective action, provided that you notify the DOH of your intention to exceed 45 days, your rationale for an extension, and a completion date, which you must also include in your corrective action documentation (see Part 4.4). Where your corrective actions result in changes to any of the controls or procedures documented in your SWPPP, you must modify your SWPPP accordingly within 14 calendar days of completing corrective action work.

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

#### **4.4 Corrective Action Documentation.**

You must document the existence of any of the conditions listed in Parts 4.1 or 4.2 within 24 hours of becoming aware of such condition. You are not required to submit your corrective action documentation to DOH, unless specifically requested to do so. However, you must summarize your findings in the annual report per Part 7.5. Include the following information in your documentation:

- Description of the condition triggering the need for corrective action review. For any spills or leaks, include the following information: a description of the incident including material, date/time, amount, location, and reason for spill, and any leaks, spills or other releases that resulted in discharges of pollutants to state waters, through storm water or otherwise;
- Date the condition was identified;
- Description of immediate actions taken pursuant to Part 4.3.1 to minimize or prevent the discharge of pollutants. For any spills or leaks, include response actions, the date/time clean-up completed, notifications made, and staff involved. Also include any measures taken to prevent the reoccurrence of such releases (see Part 2.1.2.4); and
- A statement signed and certified in accordance with HAR Chapter 11-55, Appendix A, Subsection 15.



You must also document the corrective actions taken or to be taken as a result of the conditions listed in Part 4.1 or 4.2 (or, for triggering events in Part 4.2 where you determine that corrective action is not necessary, the basis for this determination) within 14 days from the time of discovery of any of those conditions. Provide the dates when each corrective action was initiated and completed (or is expected to be completed). If applicable, document why it is infeasible to complete the necessary installations or repairs within the 14-day timeframe and document your schedule for installing the controls and making them operational as soon as practicable after the 14-day timeframe. If you notified DOH regarding an extension of the 45-day timeframe, you must document your rationale for an extension.

**4.5 Effect of Corrective Action.**

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

**4.6 Substantially Identical Outfalls.**

If the event triggering corrective action is associated with an outfall that had been identified as a “substantially identical outfall” (see Parts 3.2.3 and 6.1.1), your review must assess the need for corrective action for all related substantially identical outfalls. Any necessary changes to control measures that affect these other outfalls must also be made before the next storm event if possible, or as soon as practicable following that storm event. Any corrective actions must be conducted within the timeframes set forth in Part 4.3.

**5. Storm Water Pollution Prevention Plan (SWPPP).**

You must continue to implement the current SWPPP (formerly SWPCP), dated February 2016, developed in accordance with Section 6 of Appendix B of HAR Chapter 11-55, and subsequent submittals (if applicable), until you develop and submit to the DOH the updated SWPPP in accordance with Appendix 1 of this permit. Submit the updated SWPPP to the DOH within 60 calendar days after the effective date of this permit. Implement the updated SWPPP upon your submittal to the DOH. Review and update the SWPPP, as well as implement BMPs as necessary so that storm water pollutant concentrations do not exceed water quality criteria. The SWPPP does not contain effluent limitations; such limitations are contained in Parts 2, 8, and 9 of the permit. The SWPPP is intended to document the selection, design, and installation of control measures to meet the permit's effluent limits. As distinct from the SWPPP, the additional documentation requirements (see Part 5.5) are intended to document the implementation (including inspection, maintenance, monitoring, and corrective action) of the permit requirements.

*Note: Any discharges not expressly authorized in this permit cannot become authorized or shielded from liability under CWA Section 402(k) by disclosure to DOH after issuance of this permit via any means, including the application to be covered by the permit, the SWPPP, during an inspection, etc.*

**5.1 Person(s) Responsible for SWPPP Preparation.**

The SWPPP shall be prepared in accordance with good engineering practices and to industry standards. The SWPPP may be developed by either a person on your staff or a third party you hire, but it must be developed by a "qualified person" and must be certified per the signature requirements in Part 5.2.7. If DOH concludes that the SWPPP is not in compliance with Part 5.2 of this permit, DOH may require the SWPPP to be reviewed, amended as necessary, and certified by a Professional Engineer, or for Sector G, H or J, by a Professional Geologist, with the education and experience necessary to prepare an adequate SWPPP.

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

**5.2 Contents of Your SWPPP.**

For coverage under this permit, your SWPPP must contain all the following elements:

- Storm water pollution prevention team (see Part 5.2.1);
- Site description (see Part 5.2.2);
- Summary of potential pollutant sources (see Part 5.2.3);
- Description of control measures (see Part 5.2.4);
- Schedules and procedures (see Part 5.2.5);
- Documentation to support eligibility considerations under other federal laws (see Part 5.2.6); and
- Signature requirements (see Part 5.2.7).

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

#### **5.2.1 Storm Water Pollution Prevention Team.**

You must identify the staff members (by name or title) that comprise the facility's storm water pollution prevention team as well as their individual responsibilities (e.g., monitoring, inspections, maintenance, etc.). Your storm water pollution prevention team is responsible for, but not limited to overseeing development of the SWPPP, any modifications to it, and for implementing and maintaining control measures and taking corrective actions when required. Each member of the storm water pollution prevention team must have ready access to either an electronic or paper copy of applicable portions of this permit, the most updated copy of your SWPPP, and other relevant documents or information that must be kept with the SWPPP.

#### **5.2.2 Site Description.**

Your SWPPP must include the following:

- *Activities at the Facility.* Provide a description of the nature of the industrial activities at your facility.
- *General location map.* Provide a general location map (e.g., U.S. Geological Survey (USGS) quadrangle map) with enough detail to identify the location of your facility and all receiving waters for your storm water discharges.
- *Site map.* Provide a map showing:
  - Boundaries of the property and the size of the property in acres;
  - Location and extent of significant structures and impervious surfaces;
  - Directions of storm water flow (use arrows);
  - Locations of all storm water control measures;

- Locations of all receiving waters, including wetlands, in the immediate vicinity of your facility. Indicate which waterbodies are listed as impaired;
- Locations of all storm water conveyances including ditches, pipes, and swales;
- Locations of potential pollutant sources identified under Part 5.2.3.2;
- Locations where significant spills or leaks identified under Part 5.2.3.3 have occurred;
- Locations of all storm water monitoring points;
- Locations of storm water inlets and outfalls, with a unique identification code for each outfall (e.g., Outfall 001, 002), indicating if you are treating one or more outfalls as “substantially identical” under Parts 3.2.3, 5.2.5.3, and 6.1.1, and an approximate outline of the areas draining to each outfall;
- If applicable, MS4s and where your storm water discharges to them; and
- Locations of the following activities where such activities are exposed to precipitation:
  - fueling stations;
  - vehicle and equipment maintenance and/or cleaning areas;
  - loading/unloading areas;
  - locations used for the treatment, storage, or disposal of wastes;
  - liquid storage tanks;
  - processing and storage areas;
  - immediate access roads used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility;
  - transfer areas for substances in bulk;
  - machinery; and
  - locations and sources of run-on to your site from adjacent property that contains significant quantities of pollutants.

### **5.2.3 Summary of Potential Pollutant Sources.**

You must describe areas at your facility where industrial materials or activities are exposed to storm water or from which allowable non-storm water discharges originate. Industrial materials or activities include but are not limited to: material handling equipment or activities; industrial machinery; raw materials; industrial production and processes; and intermediate products, by-products, final products, and waste products. Material handling activities include, but are not limited to: the storage, loading and unloading, transportation, disposal, or conveyance of any raw

material, intermediate product, final product or waste product. For structures located in areas of industrial activity, you must be aware that the structures themselves are potential sources of pollutants. This could occur, for example, when metals such as aluminum or copper are leached from the structures as a result of acid rain.

For each area identified, the description must include:

- 5.2.3.1 *Activities in the Area.*** A list of the industrial activities exposed to storm water (e.g., material storage; equipment fueling, maintenance, and cleaning; cutting steel beams).
- 5.2.3.2 *Pollutants.*** A list of the pollutant(s) or pollutant constituents (e.g., crankcase oil, zinc, sulfuric acid, cleaning solvents) associated with each identified activity, which could be exposed to rainfall and could be discharged from your facility. The pollutant list must include all significant materials that have been handled, treated, stored or disposed, and that have been exposed to storm water in the three years prior to the date you prepare or amend your SWPPP.

**Significant Materials** – includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under Section 101(14) of CERCLA; any chemical the facility is required to report pursuant to Section 313 of Title III of SARA; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with storm water discharges. See 40 CFR 122.26(b)(12).

- 5.2.3.3 *Spills and Leaks.*** You must document where potential spills and leaks could occur that could contribute pollutants to storm water discharges, and the corresponding outfall(s) that would be affected by such spills and leaks. You must document all significant spills and leaks of oil or toxic or hazardous substances that occurred at exposed areas, or that drained to a storm water conveyance, in the three years prior to the date you prepare or amend your SWPPP.

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

**5.2.3.4 *Unauthorized Non-Storm Water Discharges.*** You must document that you have evaluated for the presence of unauthorized non-storm water discharges (see Part 1.1.3 for the exclusive list of authorized non-storm water discharges under this permit).

Documentation of your evaluation must include:

- The date of the evaluation;
- A description of the evaluation criteria used;
- A list of the outfalls or onsite drainage points that were directly observed during the evaluation; and
- The action(s) taken, such as a list of control measures used to eliminate unauthorized discharge(s), or documentation that a separate NPDES permit was obtained. For example, a floor drain was sealed, a sink drain was re-routed to sanitary, or an NPDES permit application was submitted for an unauthorized cooling water discharge.

**5.2.4 Description of Control Measures to Meet Technology-Based and Water Quality-Based Effluent Limits.**

You must document the location and type of control measures you have specifically chosen and/or designed to comply with:

- Non-numeric technology-based effluent limits in Part 2.1.2;
- Applicable numeric effluent limitations guidelines-based limits in Part 2.1.3 and Part 8;
- Water quality-based effluent limits in Part 2.2; and
- Applicable effluent limits in Parts 8 and 9.
- Regarding your control measures, you must also document, as appropriate:
  - How you addressed the selection and design considerations in Part 2.1.1; and
  - How you address the pollutant sources identified in Part 5.2.3.

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

**5.2.5 Schedules and Procedures.**

**5.2.5.1 Pertaining to Control Measures Used to Comply with the Effluent Limits in Part 2.** The following must be documented in your SWPPP:

- Good Housekeeping (See Part 2.1.2.2) – A schedule or the convention used for determining when pickup and disposal of waste materials occurs. Also provide a schedule for routine inspections for leaks and conditions of drums, tanks and containers;
- Maintenance (See Part 2.1.2.3) – Preventative maintenance procedures, including regular inspections, testing, maintenance and repair of all control measures to avoid situations that may result in leaks, spills, and other releases, and any back-up practices in place should a runoff event occur while a control measure is off-line. The SWPPP shall include the schedule or frequency for maintaining all control measures used to comply with the effluent limits in Part 2;
- Spill Prevention and Response Procedures (See Part 2.1.2.4) – Procedures for preventing and responding to spills and leaks, including notification procedures. For preventing spills, include in your SWPPP the control measures for material handling and storage, and the procedures for preventing spills that can contaminate storm water. Also specify cleanup equipment, procedures and spill logs, as appropriate, in the event of spills. You may reference the existence of other plans for Spill Prevention Control and Countermeasure (SPCC) developed for the facility under section 311 of the CWA or BMP programs otherwise required by an NPDES permit for the facility, provided that you keep a copy of that other plan onsite and make it available for review consistent with Part 5.4; and
- Employee Training (Part 2.1.2.8) – The elements of your employee training plan shall include all, but not be limited to, the requirements set forth in Part 2.1.2.8, and also the following:
  - The content of the training;
  - The frequency/schedule of training for employees who work in areas where industrial materials or activities are exposed to storm water, or who are responsible for implementing activities necessary to meet the conditions of this permit; and
  - A log of the dates on which specific employees received training.

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

- Routine facility inspections (see Part 3.1); and
- Quarterly visual assessment of storm water discharges (see Part 3.2).

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

- Person(s) or positions of person(s) responsible for inspection;
- Schedules for conducting inspections, including tentative schedule for facilities in climates with irregular storm water runoff discharges (see Part 3.2.3); and
- Specific items to be covered by the inspection, including schedules for specific outfalls.

**5.2.5.3 Pertaining to Monitoring.** You must document in your SWPPP procedures for conducting the four types of analytical monitoring specified by this permit, where applicable to your facility, including:

- Benchmark monitoring (see Part 6.2.1);
- Effluent limitations guidelines monitoring (see Part 6.2.2);
- Impaired waters monitoring (see Part 6.2.4); and
- Other monitoring as required by DOH (see Part 6.2.5).

For each type of monitoring, your SWPPP must document:

- Locations where samples are collected, including any determination that two or more outfalls are substantially identical;
- Parameters for sampling and the frequency of sampling for each parameter;
- Schedules for monitoring at your facility, including schedule for alternate monitoring periods for climates with irregular storm water runoff (see Part 6.1.6);
- Any numeric control values (benchmarks, effluent limitations guidelines, TMDL-related requirements, or other requirements) applicable to discharges from each outfall; and
- Procedures (e.g., responsible staff, logistics, laboratory to be used) for gathering storm event data, as specified in Part 6.1.

You must document the following in your SWPPP if you plan to use the substantially identical outfall exception for your quarterly visual assessment requirements in Part 3.2.3 or your benchmark or impaired waters monitoring requirements in Parts 6.2.1 and 6.2.4.1 (see also Part 6.1.1):

- Location of each of the substantially identical outfalls;
- Description of the general industrial activities conducted in the drainage area of each outfall;



- Description of the control measures implemented in the drainage area of each outfall;
- Description of the exposed materials located in the drainage area of each outfall that are likely to be significant contributors of pollutants to storm water discharges;
- An estimate of the runoff coefficient of the drainage areas (low = under 40%; medium = 40 to 65%; high = above 65%); and
- Why the outfalls are expected to discharge substantially identical effluents.

**5.2.6 Reserved.**

**5.2.7 Signature Requirements.** You must sign and date your SWPPP in accordance with HAR Chapter 11-55, Appendix A, Subsection 15.

**5.3 Required SWPPP Modifications.**

You must modify your SWPPP based on the corrective actions and deadlines required under Part 4.3 and that you documented under Part 4.4. SWPPP modifications must be signed and dated in accordance with HAR Chapter 11-55, Appendix A, Subsection 15.

**5.4 SWPPP Availability.**

You must retain a complete copy of your current SWPPP required by this permit at the facility in any accessible format. A complete SWPPP includes any documents incorporated by reference and all documentation supporting your permit eligibility pursuant to Part 1.1 of this permit, as well as your signed and dated certification page. Regardless of the format, the SWPPP must be immediately available to facility employees, EPA, DOH, the operator of an MS4 into which you discharge, and representatives of the U.S. Fish and Wildlife Service (USFWS) or the National Marine Fisheries Service (NMFS) at the time of an onsite inspection. The DOH may request a copy of the SWPPP and the permittee is required to submit the SWPPP to the DOH within 14 days of the request. Your current SWPPP or certain information from your current SWPPP described below must also be made available to the public (except any confidential business information (CBI) or restricted information, as defined in below), but you must clearly identify those portions of the SWPPP that are being withheld from public access; to do so, you must comply with one of the following two options:

**5.4.1 SWPPP Posting on the Internet.**

If you provide a URL in your permit application where your SWPPP can be found, and maintain your current SWPPP at this URL, you will have complied with the public availability requirements for the SWPPP. To remain current, you must post any SWPPP modifications, records and other reporting elements required for the previous year at the same URL as the main body

of the SWPPP. The SWPPP update shall be no later than 45 days after conducting the final routine facility inspection for the year required in Part 3.1. If you did not provide a SWPPP URL in your permit application, you may submit to the DOH the URL using the “CWB Compliance Submittal Form for Individual NPDES and NGPCs” in the e-permitting portal where your current SWPPP can be found at any time subsequent to your original permit application submittal. You are not required to post any CBI or restricted information (as defined below) (such information may be redacted), but you must clearly identify those portions of the SWPPP that are being withheld from public access. CBI may not be withheld from those staff cleared for CBI review within DOH, EPA, USFWS or NMFS.

#### **5.4.2 SWPPP Information Provided on Permit Application Form.**

If you did not provide a SWPPP URL in your permit application, your permit application must include the information required by Part 7.3. Irrespective of this requirement, DOH may provide access to portions of your SWPPP to a member of the public upon request [except any CBI or restricted information (as defined below)]. To remain current, you must report any modifications to the SWPPP information required by Part 7.3 through submittal of a “CWB Compliance Submittal Form for Individual NPDES and NGPCs” in the e-permitting portal. The SWPPP update shall be no later than 45 days after conducting the final routine facility inspection for the year required in Part 3.1.

**Confidential Business Information (CBI)** – see 40 CFR Part 2 for relevant definitions of CBI: <http://www.gpo.gov/fdsys/pkg/CFR-2013-title40-vol1/pdf/CFR-2013-title40-vol1-part2-subpartB.pdf>.

**Restricted Information** – for the purposes of this permit, information that is privileged or that is otherwise protected from disclosure pursuant to applicable statutes, Executive Orders, or regulations. Such information includes, but is not limited to: classified national security information, protected critical infrastructure information, sensitive security information, and proprietary business information.

#### **5.5 Additional Documentation Requirements.**

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

- A copy of the permit application submitted to DOH along with any correspondence exchanged between you and DOH specific to coverage under this permit, including a copy of this permit;

- A copy of the acknowledgment you receive from the DOH assigning your NPDES File No.;
- A copy of this permit (an electronic copy easily available to SWPPP personnel is also acceptable);
- Documentation of maintenance and repairs of control measures, including the date(s) of regular maintenance, date(s) of discovery of areas in need of repair/replacement, and for repairs, date(s) that the control measure(s) returned to full function, and the justification for any extended maintenance/repair schedules (see Part 2.1.2.3);
- All inspection reports, including the Routine Facility Inspection Reports (see Part 3.1.1) and Quarterly Visual Assessment Reports (see Part 3.2.2);
- Description of any deviations from the schedule for visual assessments and/or monitoring, and the reason for the deviations (e.g., adverse weather or it was impracticable to collect samples within the first 30 minutes of a measurable storm event) (see Parts 3.2.3 and 6.1.5);

**Measurable Storm Event** – a precipitation event that results in a measurable amount of precipitation (i.e., a storm event that results in an actual discharge) and that follows the preceding storm event by at least 72 hours (3-days). The 72-hour storm interval does not apply if you document that less than a 72-hour interval is representative for local storm events.

- Corrective action documentation required per Part 4.4;
- Documentation of any benchmark exceedances and the type of response to the exceedance you employed, including:
  - the corrective action taken;
  - a finding that the exceedance was due to natural background pollutant levels;
  - a determination from DOH that benchmark monitoring can be discontinued because the exceedance was due to run-on; or
  - a finding that no further pollutant reductions were technologically available and economically practicable and achievable in light of best industry practice consistent with Part 6.2.1.2.
- Documentation to support any determination that pollutants of concern are not expected to be present above natural background levels if you discharge directly to impaired waters, and that such pollutants were not detected in your discharge or were solely attributable to natural background sources (see Part 6.2.4.1).

**6. Monitoring.**

You must collect and analyze storm water samples and document monitoring activities consistent with the procedures described in Part 6, HAR Chapter 11-55, Appendix A, Subsections 14 and 16, must be sufficiently sensitive as defined at 40 CFR 122.21(e)(3) and 122.44(i)(1)(iv) and any additional sector-specific requirements in Parts 8. Refer to Part 7 for reporting and recordkeeping requirements.

**6.1 Monitoring Procedures.**

**6.1.1 Monitored Outfalls.**

Applicable monitoring requirements apply to each outfall authorized by this permit, except as otherwise exempt from monitoring as a “substantially identical outfall.” If your facility has two or more outfalls that you believe discharge substantially identical effluents, based on the similarities of the general industrial activities and control measures, exposed materials that may significantly contribute pollutants to storm water, and runoff coefficients of their drainage areas, you may monitor the effluent of just one of the outfalls and report that the results also apply to the substantially identical outfall(s). As required in Part 5.2.5.3, your SWPPP must identify each outfall authorized by this permit and describe the rationale for any substantially identical outfall determinations. The allowance for monitoring only one of the substantially identical outfalls is not applicable to any outfalls with numeric effluent limitations. You are required to monitor each outfall covered by a numeric effluent limit as identified in Part 6.2.2.

**6.1.2 Commingled Discharges.**

If discharges authorized by this permit commingle with discharges not authorized under this permit, any required sampling of the authorized discharges must be performed at a point before they mix with other waste streams, to the extent practicable.

**6.1.3 Measurable Storm Events.**

All required monitoring must be performed on a storm event that results in an actual discharge from your site (“measurable storm event”) that follows the preceding measurable storm event by at least 72 hours (three days). The 72-hour (3-day) storm interval does not apply if you are able to document that less than a 72-hour (3-day) interval is representative for local storm events during the sampling period.

For each monitoring event, you must identify the date and duration (in hours) of the rainfall event, rainfall total (in inches) for that rainfall event, and time (in days) since the previous measurable storm event.

**6.1.4 Sample Type.**

You must take a minimum of one grab sample from a discharge resulting from a measurable storm event as described in Part 6.1.3. Samples must be collected within the first 30 minutes of a discharge associated with a measurable storm event. If it is not possible to collect the sample within the first 30 minutes of a measurable storm event, the sample must be collected as soon as practicable after the first 30 minutes and documentation must be kept with the SWPPP explaining why it was not possible to take samples within the first 30 minutes.

**6.1.5 Adverse Weather Conditions.**

When adverse weather conditions as described in Part 3.2.3 prevent the collection of samples according to the relevant monitoring schedule, you must take a substitute sample during the next qualifying storm event. Adverse weather does not exempt you from having to file a benchmark monitoring report in accordance with your sampling schedule. As specified in Part 7.4, you must use NetDMR to report any failure to monitor using a “no data” or “NODI” code during the regular reporting period.

**6.1.6 Climates with Irregular Storm Water Runoff.**

If your facility is located in areas where limited rainfall occurs during parts of the year (e.g., arid or semi-arid climates) that prevent runoff from occurring for extended periods, required monitoring events may be distributed during seasons when precipitation occurs. You must still collect the required number of samples. As specified in Part 7.4, you must also use NetDMR to report using a “no data” or “NODI” code for any of the regular reporting periods that there was no monitoring.

**6.1.7 Monitoring Periods.**

Monitoring requirements in this permit begin in the first full quarter following either 90 days after permit issuance or your date of discharge authorization, whichever date comes later. If your monitoring is required on a quarterly basis (e.g., benchmark monitoring), you must monitor at least once in each of the following 3-month intervals:

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

For example, if you obtain permit coverage on July 2, 2019, then your first monitoring quarter is October 1 - December 31, 2019. This monitoring schedule may be modified in accordance with Part 6.1.6 if the revised

schedule is documented with your SWPPP. However, using NetDMR you must report using a “no data” or “NODI” code for any 3-month interval that you did not take a sample.

**6.1.8 Monitoring for Allowable Non-Storm Water Discharges.**

You are only required to monitor allowable non-storm water discharges (as delineated in Part 1.1.3) when they are commingled with storm water discharges associated with industrial activity.

**6.1.9 Monitoring Reports.**

Discharge Monitoring Reports shall be submitted in compliance with Federal eReporting Rule requirements and monitoring data must be reported using EPA’s electronic NetDMR tool at: [www.epa.gov/netdmr](http://www.epa.gov/netdmr) as described in Part 7.4.

**6.2 Required Monitoring.**

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

- Quarterly benchmark monitoring (see Part 6.2.1);
- Annual effluent limitations guidelines monitoring (see Part 6.2.2);
- Impaired waters monitoring (see Part 6.2.4); and
- Other monitoring as required by DOH (see Part 6.2.5).

When more than one type of monitoring for the same pollutant at the same outfall applies (e.g., total suspended solids once per year for an effluent limitation and once per quarter for benchmark monitoring at a given outfall), you may use a single sample to satisfy both monitoring requirements (i.e., one sample satisfying both the annual effluent limitation sample and one of the four quarterly benchmark monitoring samples). When the effluent limitation is lower than the benchmark concentration for the same pollutant, your corrective action trigger is based on an exceedance of the effluent limitation, which would subject you to the corrective action requirements of Part 4.1.

*Note: Exceedance of an effluent limitation associated with the results of any analytical monitoring type required by this Part subjects you to the corrective action requirements of Part 4.1.*

All required monitoring must be conducted in accordance with the procedures described in HAR Chapter 11-55, Appendix A, Subsection 14.

**6.2.1 Benchmark Monitoring.**

This permit specifies pollutant benchmark concentrations that are applicable to certain sectors / subsectors. Benchmark monitoring data are primarily for your use to determine the overall effectiveness of your control measures and to assist you in determining when additional corrective action(s) may be necessary to comply with the effluent limitations in Part 2.

The benchmark concentrations are not effluent limitations; a benchmark exceedance, therefore, is not a permit violation. However, if corrective action is required as a result of a benchmark exceedance, failure to conduct required corrective action is a permit violation.

At your discretion, more than four samples may be taken during separate runoff events and used to determine the average benchmark parameter concentration for facility discharges.

**6.2.1.1 Applicability of Benchmark Monitoring.** You must monitor for any benchmark parameters specified for the industrial sector(s), both primary industrial activity and any co-located industrial activities, applicable to your discharge. Your industry-specific benchmark concentrations are listed in the sector-specific sections of Part 8. If your facility is in one of the industrial sectors subject to benchmark concentrations that are hardness-dependent, you are required to submit to DOH with your permit application a hardness value, established consistent with the procedures in Part 12, which is representative of your receiving water.

Samples must be analyzed consistent with 40 CFR Part 136 analytical methods and using test procedures with quantitation limits at or below benchmark values and must be sufficiently sensitive as defined at 40 CFR 122.21(e)(3) and 122.44(i)(1)(iv) for all benchmark parameters for which you are required to sample.

**6.2.1.2 Benchmark Monitoring Schedule.** Benchmark monitoring must be conducted quarterly, as identified in Part 6.1.7, for your first four full quarters of permit coverage commencing no earlier than 90 days after permit issuance.

Facilities in climates with irregular storm water runoff, as described in Part 6.1.6, may modify this quarterly schedule provided that this revised schedule is reported directly to DOH by the due date of the first benchmark sample, and that this revised schedule is kept with the facility's SWPPP as specified in Part 5.5. When conditions prevent you from obtaining four samples in four consecutive quarters, you must continue monitoring until you have the four samples required for calculating your benchmark monitoring average. As noted in Part 6.1.7, you must use NetDMR to report

using a “no data” or “NODI” code for any 3-month interval that you did not take a sample.

**Data not exceeding benchmarks:** After collection of four quarterly samples, if the average of the four monitoring values for any parameter does not exceed the benchmark, you have fulfilled your monitoring requirements for that parameter for the permit term.

**Data exceeding benchmarks:** After collection of four quarterly samples, if the average of the four monitoring values for any parameter exceeds the benchmark, you must, in accordance with Part 4, review the selection, design, installation, and implementation of your control measures to determine if modifications are necessary to meet the effluent limits in this permit, and either:

- Make the necessary modifications and continue quarterly monitoring until you have completed four additional quarters of monitoring for which the average does not exceed the benchmark; or
- Make a determination that no further pollutant reductions are technologically available and economically practicable and achievable in light of best industry practice to meet the technology-based effluent limits or are necessary to meet the water-quality-based effluent limitations in Parts 2.1 and 2.2 of this permit, in which case you must continue monitoring once per year. You must also document your rationale for concluding that no further pollutant reductions are achievable, and retain all records related to this documentation with your SWPPP.

You must review your control measures and perform any required corrective action immediately (or document why no corrective action is required), per Part 4, without waiting for the full four quarters of monitoring data, when an exceedance of the four-quarter average is mathematically certain. If after modifying your control measures and conducting four additional quarters of monitoring, your average still exceeds the benchmark (or if an exceedance of the benchmark by the four-quarter average is mathematically certain prior to conducting the full four additional quarters of monitoring), you must again review your control measures and take one of the two actions above.

**Natural background pollutant levels:** Following the first four quarters of benchmark monitoring (or sooner if the exceedance is triggered by less than four quarters of data; see above), if the average concentration of a pollutant exceeds a benchmark value, and you determine that exceedance of the benchmark is attributable solely to the presence of that pollutant in the natural background, you are not required to perform corrective action or additional benchmark monitoring provided that:



- The average concentration of your benchmark monitoring results is less than or equal to the concentration of that pollutant in the natural background; and
- You document and maintain with your SWPPP, as required in Part 5.5, your supporting rationale for concluding that benchmark exceedances are in fact attributable solely to natural background pollutant levels. You must include in your supporting rationale any data previously collected by you or others (including literature studies) that describe the levels of natural background pollutants in your storm water discharge.

Natural background pollutants are those substances that are naturally occurring in soils or ground water. Natural background pollutants do not include legacy pollutants from earlier activity on your site, or pollutants in run-on from neighboring sources which are not naturally occurring, such as other industrial sites or roadways. However, the DOH may determine that you are eligible to discontinue monitoring for pollutants that occur solely from run-on sources.

## **6.2.2 Effluent Limitations Monitoring.**

**6.2.2.1 Monitoring Based on Effluent Limitations Guidelines.** Table 6-1 identifies the storm water discharges subject to effluent limitation guidelines that are authorized for coverage under this permit. An exceedance of the effluent limitation is a permit violation. Beginning in the first full quarter following 90 days after permit issuance or your date of discharge authorization, whichever date comes later, you must monitor once per year at each outfall containing the discharges identified in Table 6-1 for the parameters specified in the sector-specific section of Part 8.

**Table 6-1. Required Monitoring for Effluent Limits Based on Effluent Limitations Guidelines**

<b>Regulated Discharge</b>	<b>Effluent Limit</b>	<b>Monitoring Frequency</b>	<b>Sample Type</b>
Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas	See Part 8.A.7	1/year	Grab
Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished product, by-products or waste products (SIC 2874)	See Part 8.C.4	1/year	Grab
Runoff from asphalt emulsion facilities	See Part 8.D.4	1/year	Grab
Runoff from material storage piles at cement manufacturing facilities	See Part 8.E.5	1/year	Grab
Mine dewatering discharges at	See Part 8.J.9	1/year	Grab

crushed stone, construction sand and gravel, or industrial sand mining facilities			
Runoff from hazardous waste landfills	See Part 8.K.6	1/year	Grab
Runoff from non-hazardous waste landfills	See Part 8.L.10	1/year	Grab
Runoff from coal storage piles at steam electric generating facilities	See Part 8.O.8	1/year	Grab
Runoff containing urea from airfield pavement deicing at existing and new primary airports with 1,000 or more annual non-propeller aircraft departures	See Part 8.S.8	1/year	Grab

**6.2.2.2 Substantially Identical Outfalls.** You must monitor each outfall discharging runoff from any regulated activity identified in Table 6-1. The substantially identical outfall monitoring provisions are not available for numeric effluent limits monitoring.

**6.2.2.3 Follow-up Actions if Discharge Exceeds Numeric Effluent Limitation.** If any monitoring value exceeds a numeric effluent limitation contained in this permit, you must indicate the exceedance on a “CWB Compliance Submittal Form for Individual NPDES and NGPCs” in the e-permitting portal, and you must conduct follow-up monitoring within 30 calendar days (or during the next qualifying runoff event, should none occur within 30 days) of implementing corrective action(s) taken per Part 4. When your follow-up monitoring exceeds the applicable effluent limitation, you must:

- **Submit an Exceedance Report:** You must submit an Exceedance Report no later than 30 days after you have received your laboratory result consistent with Part 7.6; and
- **Continue to Monitor:** You must monitor, at least quarterly, until your discharge is in compliance with the effluent limit or until DOH waives the requirement for additional monitoring. Once your discharge is back in compliance with the effluent limitation you must indicate this on a “CWB Compliance Submittal Form for Individual NPDES and NGPCs” in the e-permitting portal.

**6.2.3 Reserved.**

**6.2.4 Discharges to Impaired Waters Monitoring.**

*Note: For the purposes of this permit, your project is considered to discharge to an impaired water if the first state water to which you discharge is identified by the DOH pursuant to section 303(d) of the CWA as not*

*meeting an applicable water quality standard, or has been removed from the 303(d) list either because the impairments are addressed by a DOH-approved or established TMDL or is covered by pollution control requirements that meet the requirements of 40 CFR 130.7(b)(1). For discharges that enter a separate storm sewer system<sup>3</sup> prior to discharge, the first state water to which you discharge is the waterbody that receives the storm water discharge from the storm sewer system.*

**6.2.4.1 Permittees Required to Monitor Discharges to Impaired Waters.**

***Discharges to impaired waters without a DOH established and EPA-approved TMDL:*** Beginning in the first full quarter following 90 days after permit issuance or your date of discharge authorization, whichever date comes later, you must monitor all pollutants for which the waterbody is impaired and for which a standard analytical method exists (see 40 CFR Part 136) once per year at each outfall (except substantially identical outfalls) discharging storm water to impaired waters without a DOH established and EPA-approved TMDL.

If the pollutant of concern for the impaired waterbody is suspended solids, turbidity or sediment/sedimentation, you must monitor for Total Suspended Solids (TSS). If a pollutant of concern is expressed in the form of an indicator or surrogate pollutant, you must monitor for that indicator or surrogate pollutant. No monitoring is required when a waterbody's biological communities are impaired but no pollutant, including indicator or surrogate pollutants, is specified as causing the impairment, or when a waterbody's impairment is related to hydrologic modifications, impaired hydrology, or other non-pollutant.

If the pollutant of concern is not detected and not expected to be present in your discharge, or it is detected but you have determined that its presence is caused solely by natural background sources, you may discontinue monitoring for that pollutant. To support a determination that the pollutant's presence is caused solely by natural background sources, you must document and maintain with your SWPPP, as required by Part 5.5:

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

Natural background pollutants include those that occur naturally as a result of native soils, and vegetation, wildlife, or ground water. Natural

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<sup>3</sup> Separate storm systems do not include combined sewer systems or sanitary sewer systems. Separate storm systems include both municipal storm sewer systems (MS4s) and non-municipal separate storm sewers.

background pollutants do not include legacy pollutants from earlier activity on your site, or pollutants in run-on from neighboring sources that are not naturally occurring. However, you may be eligible to discontinue annual monitoring for pollutants that occur solely from these sources and should consult with DOH for guidance.

***Discharges to impaired waters with a DOH established and***

***EPA-approved TMDL:*** For storm water discharges to waters for which there is a DOH established and EPA-approved TMDL, you are not required to monitor for the pollutant(s) for which the TMDL was written unless DOH informs you, upon examination of the applicable TMDL and its wasteload allocation, that you are subject to such a requirement consistent with the assumptions and requirements of the applicable TMDL and its wasteload allocation. DOH's notice will include specifications on monitoring parameters and frequency. Permittees must consult with DOH for guidance regarding required monitoring under this Part.

**6.2.5 Additional Monitoring Required by DOH.**

DOH may also notify you of additional discharge monitoring requirements that DOH determines are necessary to meet the permit's effluent limitations. Any such notice will briefly state the reasons for the monitoring, locations, and parameters to be monitored, frequency and period of monitoring, sample types, and reporting requirements.

- 6.2.5.1** The Permittee shall annually monitor the storm water runoff for the benchmark parameters specified below, for each of the Permittee's industrial facilities, including any additional parameters which the Permittee also believes to be present in the storm water runoff. The Permittee shall also monitor the storm water runoff for the benchmark parameters associated with the primary industrial activity and any co-located industrial activities specified in Appendix 1 Part 8, for each of the Permittee's industrial facilities, including any additional parameters which the Permittee believes may be present in the storm water runoff.

**Table 6-2. DOH Benchmark Monitoring**

<b>Effluent Parameter (units)</b>	<b>Benchmark Monitoring Concentration {1}</b>	<b>Minimum Monitoring Frequency</b>	<b>Type of Sample {2}</b>
Flow (gallons)	{3}	1/year	Calculated or Estimated
Total Suspended Solids (mg/l)	{3}	1/year	Composite {4}
Total Phosphorus (mg/l)	{3}	1/year	Composite {4}

<b>Effluent Parameter (units)</b>	<b>Benchmark Monitoring Concentration {1}</b>	<b>Minimum Monitoring Frequency</b>	<b>Type of Sample {2}</b>
Total Nitrogen (mg/l) {5}	{3}	1/year	Composite {4}
Turbidity (0.1 NTU)	{3}	1/year	Grab
Copper (ug/l)	{6}	1/year	Composite {4}
Nickel (ug/l)	{6}	1/year	Composite {4}
Zinc (ug/l)	{6}	1/year	Composite {4}

mg/l = milligrams per liter = 1000 micrograms per liter (ug/l)

ug/l = micrograms per liter

**NOTES:**

{1} Benchmark pollutant concentration levels shall not exceed the storm water discharge limits or be outside the ranges indicated in the table. Benchmark monitoring data are primarily for your use to determine the overall effectiveness of your control measures and to assist you in determining when additional corrective action(s) may be necessary. If corrective action is required as a result of a benchmark exceedance, failure to conduct the required corrective action is a permit violation and shall be reported to the CWB.

{2} The Permittee shall collect samples for analysis from a discharge resulting from a representative storm. A representative storm means a rainfall that accumulates more than 0.1 inch of rain and occurs at least 72 hours after the previous measurable (greater than 0.1 inch) rainfall event.

“Grab sample” means a sample collected during the first 15 minutes of the discharge.

“Composite sample” means a combination of at least two (2) sample aliquots, collected at periodic intervals. The composite shall be flow proportional; either the time interval between each aliquot or the volume of each aliquot must be proportional to the total flow of storm water discharge flow since the collection of the previous aliquot. The Permittee may collect aliquots manually or automatically.

Samples for analysis shall be collected during the first 15 minutes of the discharge and at 15-minute intervals thereafter for the duration of the discharge, as applicable. If the discharge lasts for over an hour, sample collection may cease.

- {3} Monitor and Report. The value shall not exceed the applicable limit as specified in HAR Chapter 11-54 for the applicable classification of the receiving state waters. If no limitation is specified in HAR Chapter 11-54, then the Permittee shall monitor and report the analytical result. The Department may include discharge limitations specified in HAR Section 11-55-19 and discharge limitations based on Federal Register, Vol.73, No. 189, Pages 56572-56578, dated September 29, 2008.
- {4} If the duration of the discharge event is less than 30 minutes, the sample collected during the first 15 minutes of the discharge shall be analyzed as a grab sample and reported toward the fulfillment of this composite sample specification. If the duration of the discharge event is greater than 30 minutes, the Permittee shall analyze two (2) or more sample aliquots as a composite sample.
- {5} The Total Nitrogen parameter is a measure of all nitrogen compounds in the sample (nitrate, nitrite, ammonia, dissolved organic nitrogen, and organic matter present as particulates).
- {6} Storm water discharge limitations are the acute water quality standards established in HAR Section 11-54-4, for either fresh or saline waters. For pollutants which do not have established acute water quality standards, the Permittee shall report any detected concentration greater than 0.01ug/l.

The sampling locations shall be representative of storm water discharging from the industrial facility and consist of storm water runoff from industrial activities.

## **7. Reporting and Recordkeeping.**

### **7.1 Electronic Reporting Requirement.**

You must submit all permit applications, NOCs, NOEs, Annual Reports, Discharge Monitoring Reports (DMRs), and other reporting information as appropriate electronically via the e-Permitting Portal and in compliance with Federal eReporting Rule requirements.

### **7.2 Submitting Information to DOH.**

Most information required to be submitted by this permit shall be submitted via DOH's e-permitting portal. To access the e-permitting portal, go to <https://eha-cloud.doh.hawaii.gov/epermit/>.

Information required to be submitted to DOH via the e-permitting portal:

- No Exposure Certification (Part 1.2);
- Annual Report (Part 7.5).

Note: DMRs (see Part 7.4) are required to be submitted using an electronic reporting method unless otherwise specified by the director.

### **7.3 Additional SWPPP Information Required in Your Permit Application.**

If you did not provide a SWPPP URL in your permit application per Part 5.4.1, your permit application must include the additional SWPPP information as follows:

- Onsite industrial activities exposed to storm water, including potential spill and leak areas (see Parts 5.2.3.1 and 5.2.3.3);
- Pollutants or pollutant constituents associated with each industrial activity exposed to storm water that could be discharged in storm water and/or any authorized non-storm water discharges listed in Part 1.1.3 (see Part 5.2.3.2);
- Storm water control measures you employ to comply with the non-numeric technology-based effluent limits required in Part 2.1.2 and Part 8, and any other measures taken to comply with the requirements in Part 2.2 Water Quality -Based Effluent Limitations (see Part 5.2.4); and
- Schedule for good housekeeping and maintenance (see Part 5.2.5.1) and schedule for all inspections required in Part 3 (see Part 5.2.5.2).

#### 7.4 Reporting Monitoring Data to DOH.

Reports shall be submitted in compliance with Federal eReporting Rule requirements. All monitoring data collected pursuant to Part 6.2 must be submitted to DOH via the e-Permitting Portal and also using an electronic reporting method no later than the 28th day following the month when the samples were taken. Your monitoring requirements (i.e., parameters required to be monitored and sample frequency) will be prepopulated on your electronic DMR form based on the sector applicable to you based on your permit application). Accordingly, the following changes to your monitoring frequency must be reported to DOH through the submittal of a “CWB Compliance Submittal Form for Individual NPDES and NGPCs” in the e-permitting portal, which will trigger changes to your monitoring requirements in an electronic reporting method:

- All benchmark monitoring requirements have been fulfilled for the permit term;
- All impaired waters monitoring requirements have been fulfilled for the permit term;
- For Sector G2 only: Discharges from waste rock and overburden piles have exceeded benchmark values;
- A numeric effluent limitation guideline has been exceeded; and
- A numeric effluent limitation guideline exceedance is back in compliance.

Once monitoring requirements have been completely fulfilled, you are no longer required to report monitoring results using an electronic reporting method. If you have only partially fulfilled your benchmark monitoring and/or impaired waters monitoring requirements (e.g., your four quarterly average is below the benchmark for some, but not all, parameters; you did not detect some, but not all, impairment pollutants), you must continue to use An electronic reporting method to report your results, but you must report a “no data” or “NODI” code for any monitoring parameters that have been fulfilled.

For benchmark monitoring, note that you are required to submit sampling results to DOH no later than 30 days after receiving your complete laboratory results for all monitored outfalls for each quarter that you are required to collect benchmark samples, per Part 6.2.1.2. If you collect samples during multiple storm events in a single quarter (e.g., due to adverse weather conditions or climates with irregular storm water runoff), you are required to submit all sampling results for each storm event to DOH within 30 days of receiving all laboratory results for the event. Or, for any of your monitored outfalls that did not have a discharge within the reporting period, using an electronic reporting method you must report using a “no



data” or “NODI” code for that outfall no later than 30 days after the end of the reporting period.

#### **7.5 Annual Report.**

You must submit an Annual Report to DOH electronically, per Part 7.2, by February 28<sup>th</sup> for each year of permit coverage containing information generated from the past calendar year. Also, reports shall be submitted in compliance with Federal eReporting Rule requirements. You must include the following information:

- A summary of your past year’s routine facility inspection documentation required (Part 3.1.1). A summary of your past year’s quarterly visual assessment documentation (see Part 3.2.2 of the permit);
- For any four-sample (minimum) average benchmark monitoring exceedance, if after reviewing the selection, design, installation, and implementation of your control measures and considering whether any modifications are necessary to meet the effluent limits in the permit, you determine that no further pollutant reductions are technologically available and economically practicable and achievable in light of best industry practice, your rationale for why you believe no further reductions are achievable (see Part 6.2.1.2 of the permit); and
- A summary of your past year’s corrective action documentation (see Part 4.4). If corrective action is not yet completed at the time of submission of your annual report, you must describe the status of any outstanding corrective action(s). Also describe any incidents of non-compliance in the past year or currently ongoing, or if none, provide a statement that you are in compliance with the permit.

Your Annual Report must also include a statement, signed and certified in accordance with HAR Chapter 11-55, Appendix A, Subsection 15.

#### **7.6 Exceedance Report for Numeric Effluent Limitations.**

If follow-up monitoring per Part 6.2.2.4 exceeds a numeric effluent limit, you must submit an Exceedance Report to DOH no later than 30 days after you have received your laboratory results. Your report must include the following:

- NPDES File No;
- Facility name, physical address and location;
- Name of receiving water;
- Monitoring data from this and the preceding monitoring event(s);

- An explanation of the situation, including what you have done and intend to do (should your corrective actions not yet be complete) to correct the violation; and
- An appropriate contact name and phone number.

Send the Exceedance Report to DOH using the “CWB Compliance Submittal Form for Individual NPDES and NGPCs” form via the e-Permitting Portal and report the monitoring data through an electronic reporting method.

#### **7.7 Additional Reporting.**

In addition to the reporting requirements stipulated in Part 7, you are also subject to the standard permit reporting provisions of HAR Chapter 11-55, Appendix A, Subsection 16. Reports shall be submitted to DOH using the “CWB Compliance Submittal Form for Individual NPDES and NGPCs” form via the e-Permitting Portal and in compliance with Federal eReporting Rule requirements.

You must submit the following reports to the DOH. If you discharge through an MS4, you must also submit these reports to the MS4 operator (identified pursuant to Part 5.2.2).

- Immediate – You must report any non-compliance which may endanger health or the environment. Any information must be provided orally within 24 hours from the time you become aware of the circumstances;
- 5-day follow-up reporting to the 24-hour reporting – A written submission must also be provided within five days of the time you become aware of the circumstances;
- Reportable quantity spills – You must provide notification, as required under Part 2.1.2.4, as soon as you have knowledge of a leak, spill, or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity;
- Planned changes – You must give notice to DOH promptly, no fewer than 30 days prior to making any planned physical alterations or additions to the permitted facility that qualify the facility as a new source or that could significantly change the nature or significantly increase the quantity of pollutants discharged;
- Anticipated non-compliance – You must give advance notice to DOH of any planned changes in the permitted facility or activity which you anticipate will result in non-compliance with permit requirements;
- Compliance schedules – Reports of compliance or non-compliance with, or any progress reports on, interim and final requirements contained in

any compliance schedule of this permit must be submitted no later than 14 days following each schedule date;

- Other non-compliance – You must report all instances of non-compliance not reported in your monitoring report (pursuant to Part 7.1), compliance schedule report, or 24-hour report at the time monitoring reports are submitted; and
- Other information – You must promptly submit facts or information if you become aware that you failed to submit relevant facts in your permit application, or that you submitted incorrect information in your permit application or in any report.

**7.8 Recordkeeping.**

You must retain copies of your SWPPP (including any modifications made during the term of this permit), additional documentation requirements pursuant to Part 5.5 (including documentation related to corrective actions taken pursuant to Part 4), all reports and certifications required by this permit, monitoring data, and records of all data used to complete the permit application to be covered by this permit, for a period of at least three years from the date that your coverage under this permit expires or is terminated.

**7.9 DOH Address for Reports.**

Clean Water Branch  
2827 Waimano Home Road, #225  
Pearl City, Hawaii 96782

**8. Sector-Specific Requirements for Industrial Activity.**

**Subpart S – Sector S – Air Transportation.**

You must comply with Part 8 sector-specific requirements associated with your primary industrial activity and any co-located industrial activities, as defined in Part 1.1.2.1. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

**8.S.1 Covered Storm Water Discharges.**

The requirements in Subpart S apply to storm water discharges associated with industrial activity from Air Transportation facilities identified by the SIC Codes specified under Sector S in Table 9 of Part 9 of the permit.

**8.S.2 Limitation on Coverage.**

**8.S.2.1 *Limitations on Coverage.*** This permit authorizes storm water discharges from only those portions of the air transportation facility that are involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling and lubrication), equipment cleaning operations or deicing operations.

*Note:* the term “deicing” in this permit will generally be used to mean both deicing (removing frost, snow or ice) and anti-icing (preventing accumulation of frost, snow or ice) activities, unless specific mention is made otherwise.

**8.S.2.2 *Prohibition of Non-Storm Water Discharges.*** **(See also Part 1.1.4 and Part 8.S.5.3)** This permit does not authorize the discharge of aircraft, ground vehicle, runway or equipment wash waters; nor the dry weather discharge of deicing chemicals. Such discharges must be covered by separate NPDES permit(s). Note that a discharge resulting from snowmelt is not a dry weather discharge. (DOH includes these prohibited non-storm water discharges here solely as a helpful reminder to the operator that the only non-storm water discharges authorized by this permit are at Part 1.1.3.)

**8.S.3 Multiple Operators at Air Transportation Facilities.**

Air transportation facilities often have more than one operator who could discharge storm water associated with industrial activity. Operators include the airport authority and airport tenants, including air passenger or cargo companies, fixed based operators, and other parties who routinely perform industrial activities on airport property.

**8.S.3.1 *Permit Coverage/Submittal of Permit Applications.*** Where an airport transportation facility has multiple industrial operators that discharge storm water, each individual operator must obtain coverage under an NPDES

storm water permit. To obtain coverage under this permit, all such operators must meet the eligibility requirements in Part 1 and must submit a permit application, per Part 1.2.1.1 (or, if appropriate, a no exposure certification per Part 1.2).

- 8.S.3.2** ***Permit Implementation Responsibilities for Airport Authority and Tenants.*** The airport authority, in collaboration with its tenants, may choose to implement certain MSGP requirements on behalf of its tenants in order to increase efficiency and eliminate redundancy or duplication of effort. Options available to the airport authority and its tenants for implementation of MSGP requirements include:
- The airport authority performs certain activities on behalf of itself and its tenants and reports on its activities;
  - Tenants provide the airport authority with relevant inputs about tenants' activities, including deicing chemical usage\*, and the airport authority compiles and reports on tenants' and its own activities; and
  - Tenants independently perform, document and submit required information on their activities.

\*Tenants who report their deicing chemical usage to the airport authority and rely on the airport authority to perform monitoring should not check the glycol and urea use box on their permit application forms.

- 8.S.3.3** ***SWPPP Requirements.*** A single comprehensive SWPPP must be developed for all storm water discharges associated with industrial activity at the airport before submittal of any permit application. The comprehensive SWPPP should be developed collaboratively by the airport authority and tenants. If any operator develops a SWPPP for discharges from its own areas of the airport, that SWPPP must be coordinated and integrated with the comprehensive SWPPP. All operators and their separate SWPPP contributions and compliance responsibilities must be clearly identified in the comprehensive SWPPP, which all operators must sign and certify per Part 5.2.7. As applicable, the SWPPP must clearly specify the permit requirements to be complied with by:
- The airport authority for itself;
  - The airport authority on behalf of its tenants; and
  - Tenants for themselves.

For each activity that an operator (e.g., the airport authority) conducts on behalf of another operator (e.g., a tenant), the SWPPP must describe a process for reporting results to the latter operator and for ensuring appropriate follow-up, if necessary, by all affected operators. This is to ensure all actions are taken to correct any potential deficiencies or permit violations. For example, where the airport authority is conducting monitoring for itself and its tenants, the SWPPP must identify how the airport authority will share the monitoring results with its tenants, and then follow-up with its tenants where there are any exceedances of benchmarks,

effluent limits, or water quality standards. In turn, the SWPPP must describe how the tenants will also follow-up to ensure permit compliance.

**8.S.3.4 Duty to Comply.** All individual operators are responsible for implementing their assigned portion of the comprehensive SWPPP, and operators must ensure that their individual activities do not render another operator's storm water controls ineffective. In addition, the standard permit conditions apply to each individual operator, including B.1 Duty to Comply (which states, in part, "You [each individual operator] must comply with all conditions of this permit."). For multiple operators at an airport this means that each individual operator remains responsible for ensuring all requirements of its own permit coverage are met regardless of whether the comprehensive SWPPP allocates the actual implementation of any of those responsibilities to another entity. That is, the failure of the entity allocated responsibility in the SWPPP to implement an MSGP requirement on behalf of other operators does not negate the other operators' ultimate liability.

**8.S.4 Additional Technology-Based Effluent Limits.**

**8.S.4.1 Good Housekeeping Measures. (See also Part 2.1.2.2)**

**8.S.4.1.1 Aircraft, Ground Vehicle and Equipment Maintenance Areas.** Minimize the contamination of storm water runoff from all areas used for aircraft, ground vehicle and equipment maintenance (including the maintenance conducted on the terminal apron and in dedicated hangars) through implementation of control measures such as the following, where determined to be feasible and that accommodate considerations of safety, space, operational constraints, and flight considerations (list not exclusive): performing maintenance activities indoors; maintaining an organized inventory of material used in the maintenance areas; draining all parts of fluids prior to disposal; prohibiting the practice of hosing down the apron or hanger floor; using dry cleanup methods; and collecting the storm water runoff from the maintenance area and providing treatment or recycling.

**8.S.4.1.2 Aircraft, Ground Vehicle and Equipment Cleaning Areas.** (See also Part 8.S.4.6) Clearly demarcate these areas on the ground using signage or other appropriate means. Minimize the contamination of storm water runoff from cleaning areas.

**8.S.4.1.3 Aircraft, Ground Vehicle and Equipment Storage Areas.** Store all aircraft, ground vehicles and equipment awaiting maintenance in designated areas only and implement control measures to minimize the discharge of pollutants in storm water from these storage areas such as the following, where determined to be feasible and that accommodate considerations of safety, space, operational constraints, and flight considerations (list not exclusive): storing aircraft and ground vehicles indoors; using drip pans for the collection of fluid leaks; and perimeter drains, dikes or berms surrounding the storage areas.

**8.S.4.1.4 *Material Storage Areas.*** Maintain the vessels of stored materials (e.g., used oils, hydraulic fluids, spent solvents, and waste aircraft fuel) in good condition to prevent or minimize contamination of storm water. Also plainly label the vessels (e.g., “used oil,” “Contaminated Jet A”). To minimize contamination of precipitation/runoff from these areas, implement control measures such as the following, where determined to be feasible and that accommodate considerations of safety, space, operational constraints, and flight considerations (list not exclusive): storing materials indoors; storing waste materials in a centralized location; and installing berms/dikes around storage areas.

**8.S.4.1.5 *Airport Fuel System and Fueling Areas.*** Minimize the discharge of pollutants in storm water from airport fuel system and fueling areas through implementation of control measures such as the following, where determined to be feasible and that accommodate considerations of safety, space, operational constraints, and flight considerations (list not exclusive): implementing spill and overflow practices (e.g., placing absorptive materials beneath aircraft during fueling operations); using only dry cleanup methods; and collecting storm water runoff. If you have implemented a SPCC plan developed in accordance with the 2006 amendments to the SPCC rule, you may cite the relevant aspects from your SPCC plan that comply with the requirements of this section in your SWPPP.

**8.S.4.1.6 *Source Reduction.*** Consistent with safety considerations, minimize the use of urea and glycol-based deicing chemicals to reduce the aggregate amount of deicing chemicals used that could add pollutants to storm water discharges. Chemical options to replace pavement deicers (urea or glycol) include (list not exclusive): potassium acetate; magnesium acetate; calcium acetate; and anhydrous sodium acetate.

**8.S.4.1.6.1 *Runway Deicing Operations.*** To minimize the discharge of pollutants in storm water from runway deicing operations, implement source reduction control measures such as the following, where determined to be feasible and that accommodate considerations of safety, space, operational constraints, and flight considerations (list not exclusive): metered application of chemicals; pre-wetting dry chemical constituents prior to application; installing a runway ice detection system; implementing anti-icing operations as a preventive measure against ice buildup; heating sand; and product substitution.

**8.S.4.1.6.2 *Aircraft Deicing Operations.*** Minimize the discharge of pollutants in storm water from aircraft deicing operations. Determine whether excessive application of deicing chemicals occurs and adjust as necessary, consistent with considerations of flight safety. Determine whether alternatives to glycol and whether containment measures for applied chemicals are feasible. Implement control measures for reducing deicing fluid such as the following, where determined to be feasible and that accommodate considerations of

safety, space, operational constraints, and flight considerations (list not exclusive): forced-air deicing systems, computer-controlled fixed-gantry systems, infrared technology, hot water, varying glycol content to air temperature, enclosed-basket deicing trucks, mechanical methods, solar radiation, hangar storage, aircraft covers, and thermal blankets for MD-80s and DC-9s. Consider using ice-detection systems and airport traffic flow strategies and departure slot allocation systems where feasible and that accommodate considerations of safety, space, operational constraints, and flight considerations. The evaluations and determinations required by this Part should be carried out by the personnel most familiar with the particular aircraft and flight operations and related systems in question (versus an outside entity such as the airport authority).

**8.S.4.1.7 *Management of Runoff.*** (See also Part 2.1.2.6) Minimize the discharge of pollutants in storm water from deicing chemicals in runoff. To minimize discharges of pollutants in storm water from aircraft deicing, implement runoff management control measures such as the following, where determined to be feasible and that accommodate considerations of safety, space, operational constraints, and flight considerations (list not exclusive): installing a centralized deicing pad to recover deicing fluid following application; plug-and-pump (PnP); using vacuum/collection trucks (glycol recovery vehicles); storing contaminated storm water/deicing fluids in tanks; recycling collected deicing fluid where feasible; releasing controlled amounts to a publicly owned treatment works; separation of contaminated snow; conveying contaminated runoff into a storm water impoundment for biochemical decomposition (be aware of attracting wildlife that may prove hazardous to flight operations); and directing runoff into vegetative swales or other infiltration measures. To minimize discharges of pollutants in storm water from runway deicing, implement runoff management control measures such as the following, where determined to be feasible and that accommodate considerations of safety, space, operational constraints, and flight considerations (list not exclusive): mechanical systems (snow plows, brushes); conveying contaminated runoff into swales and/or a storm water impoundment; and pollution prevention practices such as ice detection systems, and airfield prewetting.

When applying deicing fluids during non-precipitation events (also referred to as “clear ice deicing”), implement control measures to prevent unauthorized discharge of pollutants (dry-weather discharges of pollutants would need coverage under an NPDES wastewater permit), or to minimize the discharge of pollutants from deicing fluids in later storm water discharges, implement control measures such as the following, where determined to be feasible and that accommodate considerations safety, space, operational constraints, and flight considerations (list not exclusive): recovering deicing fluids; preventing the fluids from entering storm sewers or other storm water discharge conveyances (e.g., covering storm sewer



inlets, using booms, installing absorptive interceptors in the drains); releasing controlled amounts to a publicly owned treatment works. Used deicing fluid should be recycled whenever practicable.

- 8.S.4.2 *Deicing Season.* **You must determine the seasonal timeframe (e.g., December- February, October - March) during which deicing activities typically occur at the facility. Implementation of control measures, including any BMPs, facility inspections and monitoring must be conducted with particular emphasis throughout the defined deicing season. If you meet the deicing chemical usage thresholds of 100,000 gallons glycol and/or 100 tons of urea, the deicing season you identified is the timeframe during which you must obtain the four required benchmark monitoring event results for deicing-related parameters, i.e., BOD, COD, ammonia and pH. See also Part 8.S.7.**
- 8.S.5 **Additional SWPPP Requirements.**
- 8.S.5.1 *Drainage Area Site Map.* **(See also Part 5.2.2) Document in the SWPPP the following areas of the facility and indicate whether activities occurring there may be exposed to precipitation/surface runoff: aircraft and runway deicing operations; fueling stations; aircraft, ground vehicle and equipment maintenance/cleaning areas; and storage areas for aircraft, ground vehicles and equipment awaiting maintenance.**
- 8.S.5.2 *Potential Pollutant Sources.* **(See also Part 5.2.3) In the inventory of exposed materials, describe in the SWPPP the potential for the following activities and facility areas to contribute pollutants to storm water discharges: aircraft, runway, ground vehicle and equipment maintenance and cleaning; and aircraft and runway deicing operations (including apron and centralized aircraft deicing stations, runways, taxiways and ramps). If deicing chemicals are used, a record of the types (including the Safety Data Sheets [SDS]) used and the monthly quantities, either as measured or, in the absence of metering, using best estimates, must be maintained. This includes all deicing chemicals, not just glycols and urea (e.g., potassium acetate), because large quantities of these other chemicals can still have an adverse impact on receiving waters. Deicing operators must provide the above information to the airport authority for inclusion with any comprehensive airport SWPPPs.**
- 8.S.5.3 *Vehicle and Equipment Wash Water Requirements.* **If wash water is handled in a manner that does not involve separate NPDES permitting or local pretreatment requirements (e.g., hauled offsite, retained onsite), describe the disposal method and include all pertinent information (e.g., frequency, volume, destination) in your SWPPP.**

**Discharges of vehicle and equipment wash water are not authorized by this permit for this sector.**

- 8.S.5.4 *Documentation of Control Measures Used for Management of Runoff.*  
**Document in your SWPPP the control measures used for collecting or containing contaminated melt water from collection areas used for disposal of contaminated snow.**

**8.S.6 Additional Inspection Requirements.**

At a minimum, conduct facility inspections at least monthly during the deicing season (e.g., October through April for most mid-latitude airports). If your facility needs to deice before or after this period, expand the monthly inspections to include all months during which deicing chemicals may be used. The Director may specifically require you to increase inspection frequencies.

**8.S.7 Sector-Specific Benchmarks.** (See also Part 6)

Table 8.S-1 identifies benchmarks that apply to Sector S. These benchmarks apply to both your primary industrial activity and any co-located industrial activities.

Table 8.S-1.		
Subsector (You may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
For airports where a single permittee, or a combination of permitted facilities use more than 100,000 gallons of pure glycol in glycol-based deicing fluids and/or 100 tons or more of urea on an average annual basis, monitor the first four parameters in ONLY those outfalls that collect runoff from areas where deicing activities occur (SIC 4512-4581).	Biochemical Oxygen Demand (BOD <sub>5</sub> ) <sup>1</sup>	30 mg/L
	Chemical Oxygen Demand (COD) <sup>1</sup>	120 mg/L
	Ammonia <sup>1</sup>	2.14 mg/L
	pH <sup>1</sup>	6.0 - 9.0 s.u.

<sup>1</sup> These are deicing-related parameters. Collect the four benchmark samples, and any required follow-up benchmark samples, during the timeframe defined in Part 8.S.4.2 when deicing activities are occurring.

**8.S.8 Effluent Limitations Based on Effluent Limitations Guidelines and New Source Performance Standards.** (See also Part 6.2.2.1)

- 8.S.8.1 *Airfield Pavement Deicing.* **For both existing and new “primary airports” (as defined at 40 CFR 449.2) with 1,000 or more annual non-propeller aircraft departures that discharge storm water from airfield pavement deicing activities, there shall be no discharge of airfield pavement deicers containing urea. To comply with this limitation, such airports must do one of the following: (1) certify annually on the annual report**

that you do not use pavement deicers containing urea, or (2) meet the effluent limitation in Table 8.S-2.

- 8.S.8.2 *Aircraft Deicing.* Airports that are both “primary airports” (as defined at 40 CFR 449.2) and new sources (“new airports”) with 1,000 or more annual non-propeller aircraft departures must meet the applicable requirements for aircraft deicing at 40 CFR 449.11(a). Discharges of the collected aircraft deicing fluid directly to waters of the U.S. are not eligible for coverage under this permit.
- 8.S.8.3 *Monitoring, Reporting and Recordkeeping.* For new and existing airports subject to the effluent limitations in Part 8.S.8.1 or 8.S.8.2 of this permit, you must comply with the applicable monitoring, reporting and recordkeeping requirements outlined in 40 CFR 449.20.

Table 8.S-2		
Industrial Activity	Parameter	Effluent Limitation
Runoff containing urea from airfield pavement deicing at existing and new primary airports with 1,000 or more annual non-propeller aircraft departures	Ammonia as Nitrogen	14.7 mg/L, daily maximum

**9. Facilities and Activities Covered.**

Your permit eligibility is limited to discharges from facilities in the “sectors” of industrial activity summarized in Table 9. These sector descriptions are based on Standard Industrial Classification (SIC) Codes and Industrial Activity Codes. References to “sectors” in this permit (e.g., sector-specific monitoring requirements) refer to these groupings.

<b>Table 9. Sectors of Industrial Activity Covered by This Permit</b>		
<b>Subsector (May be subject to more than one sector/subsector)</b>	<b>SIC Code or Activity Code<sup>1</sup></b>	<b>Activity Represented</b>
<b>SECTOR A: TIMBER PRODUCTS</b>		
A1	2421	General Sawmills and Planing Mills
A2	2491	Wood Preserving
A3	2411	Log Storage and Handling
A4	2426	Hardwood Dimension and Flooring Mills
	2429	Special Product Sawmills, Not Elsewhere Classified
	2431-2439 (except 2434)	Millwork, Veneer, Plywood, and Structural Wood (see Sector W)
	2448	Wood Pallets and Skids
	2449	Wood Containers, Not Elsewhere Classified
	2451, 2452	Wood Buildings and Mobile Homes
	2493	Reconstituted Wood Products
	2499	Wood Products, Not Elsewhere Classified
	2441	Nailed and Lock Corner Wood Boxes and Shook
<b>SECTOR B: PAPER AND ALLIED PRODUCTS</b>		
B1	2631	Paperboard Mills
B2	2611	Pulp Mills
	2621	Paper Mills
	2652-2657	Paperboard Containers and Boxes
	2671-2679	Converted Paper and Paperboard Products, Except Containers and Boxes
<b>SECTOR C: CHEMICALS AND ALLIED PRODUCTS</b>		
C1	2873-2879	Agricultural Chemicals

**Table 9. Sectors of Industrial Activity Covered by This Permit**

<b>Subsector (May be subject to more than one sector/subsector)</b>	<b>SIC Code or Activity Code<sup>1</sup></b>	<b>Activity Represented</b>
C2	2812-2819	Industrial Inorganic Chemicals
C3	2841-2844	Soaps, Detergents, and Cleaning Preparations; Perfumes, Cosmetics, and Other Toilet Preparations
C4	2821-2824	Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers Except Glass
C5	2833-2836	Medicinal Chemicals and Botanical Products; Pharmaceutical Preparations; in vitro and in vivo Diagnostic Substances; and Biological Products, Except Diagnostic Substances
	2851	Paints, Varnishes, Lacquers, Enamels, and Allied Products
	2861-2869	Industrial Organic Chemicals
	2891-2899	Miscellaneous Chemical Products
C5	3952 (limited to list of inks and paints)	Inks and Paints, Including China Painting Enamels, India Ink, Drawing Ink, Platinum Paints for Burnt Wood or Leather Work, Paints for China Painting, Artist's Paints and Artist's Watercolors
	2911	Petroleum Refining
<b>SECTOR D: ASPHALT PAVING AND ROOFING MATERIALS AND LUBRICANTS</b>		
D1	2951, 2952	Asphalt Paving and Roofing Materials
D2	2992, 2999	Miscellaneous Products of Petroleum and Coal
<b>SECTOR E: GLASS, CLAY, CEMENT, CONCRETE, AND GYPSUM PRODUCTS</b>		
E1	3251-3259	Structural Clay Products
	3261-3269	Pottery and Related Products
E2	3271-3275	Concrete, Gypsum, and Plaster Products
E3	3211	Flat Glass
	3221, 3229	Glass and Glassware, Pressed or Blown
	3231	Glass Products Made of Purchased Glass
	3241	Hydraulic Cement

**Table 9. Sectors of Industrial Activity Covered by This Permit**

<b>Subsector (May be subject to more than one sector/subsector)</b>	<b>SIC Code or Activity Code<sup>1</sup></b>	<b>Activity Represented</b>
	3281	Cut Stone and Stone Products
	3291-3299	Abrasive, Asbestos, and Miscellaneous Nonmetallic Mineral Products
<b>SECTOR F: PRIMARY METALS</b>		
F1	3312-3317	Steel Works, Blast Furnaces, and Rolling and Finishing Mills
F2	3321-3325	Iron and Steel Foundries
F3	3351-3357	Rolling, Drawing, and Extruding of Nonferrous Metals
F4	3363-3369	Nonferrous Foundries (Castings)
F5	3331-3339	Primary Smelting and Refining of Nonferrous Metals
	3341	Secondary Smelting and Refining of Nonferrous Metals
	3398, 3399	Miscellaneous Primary Metal Products
<b>SECTOR G: METAL MINING (ORE MINING AND DRESSING)</b>		
G1	1021	Copper Ore and Mining Dressing Facilities
G2	1011	Iron Ores
	1021	Copper Ores
	1031	Lead and Zinc Ores
	1041, 1044	Gold and Silver Ores
	1061	Ferroalloy Ores, Except Vanadium
	1081	Metal Mining Services
	1094, 1099	Miscellaneous Metal Ores
<b>SECTOR H: COAL MINES AND COAL MINING-RELATED FACILITIES</b>		
H1	1221-1241	Coal Mines and Coal Mining-Related Facilities
<b>SECTOR I: OIL AND GAS EXTRACTION</b>		
I1	1311	Crude Petroleum and Natural Gas
	1321	Natural Gas Liquids
	1381-1389	Oil and Gas Field Services
<b>SECTOR J: MINERAL MINING AND DRESSING</b>		

**Table 9. Sectors of Industrial Activity Covered by This Permit**

<b>Subsector (May be subject to more than one sector/subsector)</b>	<b>SIC Code or Activity Code<sup>1</sup></b>	<b>Activity Represented</b>
J1	1442	Construction Sand and Gravel
	1446	Industrial Sand
J2	1411	Dimension Stone
	1422-1429	Crushed and Broken Stone, Including Rip Rap
	1481	Nonmetallic Minerals Services, Except Fuels
	1499	Miscellaneous Nonmetallic Minerals, Except Fuels
J3	1455, 1459	Clay, Ceramic, and Refractory Materials
	1474-1479	Chemical and Fertilizer Mineral Mining
<b>SECTOR K: HAZARDOUS WASTE TREATMENT, STORAGE, OR DISPOSAL FACILITIES</b>		
K1	HZ	Hazardous Waste Treatment, Storage, or Disposal Facilities, including those that are operating under interim status or a permit under subtitle C of RCRA
<b>SECTOR L: LANDFILLS, LAND APPLICATION SITES, AND OPEN DUMPS</b>		
L1	LF	All Landfill, Land Application Sites and Open Dumps
L2	LF	All Landfill, Land Application Sites and Open Dumps, except Municipal Solid Waste Landfill (MSWLF) Areas Closed in Accordance with 40 CFR 258.60
<b>SECTOR M: AUTOMOBILE SALVAGE YARDS</b>		
M1	5015	Automobile Salvage Yards
<b>SECTOR N: SCRAP RECYCLING FACILITIES</b>		
N1	5093	Scrap Recycling and Waste Recycling Facilities except Source-Separated Recycling
N2	5093	Source-separated Recycling Facility
<b>SECTOR O: STEAM ELECTRIC GENERATING FACILITIES</b>		
O1	SE	Steam Electric Generating Facilities, including coal handling sites
<b>SECTOR P: LAND TRANSPORTATION AND WAREHOUSING</b>		
P1	4011, 4013	Railroad Transportation
	4111-4173	Local and Highway Passenger Transportation

**Table 9. Sectors of Industrial Activity Covered by This Permit**

<b>Subsector (May be subject to more than one sector/subsector)</b>	<b>SIC Code or Activity Code<sup>1</sup></b>	<b>Activity Represented</b>
	4212-4231	Motor Freight Transportation and Warehousing
	4311	United States Postal Service
	5171	Petroleum Bulk Stations and Terminals
<b>SECTOR Q: WATER TRANSPORTATION</b>		
Q1	4412-4499	Water Transportation Facilities
<b>SECTOR R: SHIP AND BOAT BUILDING AND REPAIRING YARDS</b>		
R1	3731, 3732	Ship and Boat Building or Repairing Yards
<b>SECTOR S: AIR TRANSPORTATION FACILITIES</b>		
S1	4512-4581	Air Transportation Facilities
<b>SECTOR T: TREATMENT WORKS</b>		
T1	TW	Treatment Works treating domestic sewage or any other sewage sludge or wastewater treatment device or system, used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated to the disposal of sewage sludge that are located within the confines of the facility, with a design flow of 1.0 mgd or more, or required to have an approved pretreatment program under 40 CFR Part 403. Not included are farm lands, domestic gardens or lands used for sludge management where sludge is beneficially reused and which are not physically located in the confines of the facility, or areas that are in compliance with Section 405 of the CWA
<b>SECTOR U: FOOD AND KINDRED PRODUCTS</b>		
U1	2041-2048	Grain Mill Products
U2	2074-2079	Fats and Oils Products
U3	2011-2015	Meat Products
	2021-2026	Dairy Products
	2032-2038	Canned, Frozen, and Preserved Fruits, Vegetables, and Food Specialties



**Table 9. Sectors of Industrial Activity Covered by This Permit**

<b>Subsector (May be subject to more than one sector/subsector)</b>	<b>SIC Code or Activity Code<sup>1</sup></b>	<b>Activity Represented</b>
	2051-2053	Bakery Products
	2061-2068	Sugar and Confectionery Products
	2082-2087	Beverages
	2091-2099	Miscellaneous Food Preparations and Kindred Products
	2111-2141	Tobacco Products
<b>SECTOR V: TEXTILE MILLS, APPAREL, AND OTHER FABRIC PRODUCT MANUFACTURING; LEATHER AND LEATHER PRODUCTS</b>		
V1	2211-2299	Textile Mill Products
	2311-2399	Apparel and Other Finished Products Made from Fabrics and Similar Materials
	3131-3199	Leather and Leather Products (note: see Sector Z1 for Leather Tanning and Finishing)
<b>SECTOR W: FURNITURE AND FIXTURES</b>		
W1	2434	Wood Kitchen Cabinets
	2511-2599	Furniture and Fixtures
<b>SECTOR X: PRINTING AND PUBLISHING</b>		
X1	2711-2796	Printing, Publishing, and Allied Industries
<b>SECTOR Y: RUBBER, MISCELLANEOUS PLASTIC PRODUCTS, AND MISCELLANEOUS MANUFACTURING INDUSTRIES</b>		
Y1	3011	Tires and Inner Tubes
	3021	Rubber and Plastics Footwear
	3052, 3053	Gaskets, Packing and Sealing Devices, and Rubber and Plastic Hoses and Belting
	3061, 3069	Fabricated Rubber Products, Not Elsewhere Classified
Y2	3081-3089	Miscellaneous Plastics Products
	3931	Musical Instruments
	3942-3949	Dolls, Toys, Games, and Sporting and Athletic Goods

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<b>Subsector (May be subject to more than one sector/subsector)</b>	<b>SIC Code or Activity Code<sup>1</sup></b>	<b>Activity Represented</b>
Y2	3951-3955 (except 3952 – see Sector C)	Pens, Pencils, and Other Artists' Materials
	3961, 3965	Costume Jewelry, Costume Novelties, Buttons, and Miscellaneous Notions, Except Precious Metal
	3991-3999	Miscellaneous Manufacturing Industries
<b>SECTOR Z: LEATHER TANNING AND FINISHING</b>		
Z1	3111	Leather Tanning and Finishing
<b>SECTOR AA: FABRICATED METAL PRODUCTS</b>		
AA1	3411-3499 (except 3479)	Fabricated Metal Products, Except Machinery and Transportation Equipment, and Coating, Engraving, and Allied Services.
	3911-3915	Jewelry, Silverware, and Plated Ware
AA2	3479	Fabricated Metal Coating and Engraving
<b>SECTOR AB: TRANSPORTATION EQUIPMENT, INDUSTRIAL OR COMMERCIAL MACHINERY</b>		
AB1	3511-3599 (except 3571- 3579)	Industrial and Commercial Machinery, Except Computer and Office Equipment (see Sector AC)
	3711-3799 (except 3731, 3732)	Transportation Equipment Except Ship and Boat Building and Repairing (see Sector R)
<b>SECTOR AC: ELECTRONIC, ELECTRICAL, PHOTOGRAPHIC, AND OPTICAL GOODS</b>		
AC1	3571-3579	Computer and Office Equipment
	3812-3873	Measuring, Analyzing, and Controlling Instruments; Photographic and Optical Goods, Watches, and Clocks
	3612-3699	Electronic and Electrical Equipment and Components, Except Computer Equipment
<b>SECTOR AD: NON-CLASSIFIED FACILITIES</b>		

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Subsector (May be subject to more than one sector/subsector)	SIC Code or Activity Code <sup>1</sup>	Activity Represented
AD1		Other stormwater discharges designated by the Director as needing a permit [see 40 CFR 122.26(a)(9)(i)(C) & (D)] or any facility discharging stormwater associated with industrial activity not described by any of Sectors A-AC. NOTE: Facilities may not elect to be covered under Sector AD. Only the Director may assign a facility to Sector AD.

<sup>1</sup> A complete list of SIC Codes [and conversions from the newer North American Industry Classification System" (NAICS)] can be obtained from the Internet at: <http://www.census.gov/epcd/www/naics.html> or in paper form from various locations in the document titled *Handbook of Standard Industrial Classifications*, Office of Management and Budget, 1987. Also see Part 12.