Arizona Department of Environmental Quality
Industrial Stormwater Program
(Multi-Sector General Permit)

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Stormwater and General Permits Unit
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Today’s Topics

- Stormwater Program Overview
- ADEQ’s MSGP-2011
  - Obtaining Permit Coverage
  - No Exposure Certification
  - MSGP Requirements (parts 1-8)
Common Acronyms

- **NPDES** = National Pollutant Discharge Elimination System
- **AZPDES** = Arizona Pollutant Discharge Elimination System
- **MS4** = Municipal Separate Storm Sewer System
- **NOI** = Notice of Intent
- **NOT** = Notice of Termination
- **BMP** = Best Management Practice
- **SWPPP** = Stormwater Pollution Prevention Plan
NPDES Permits

- All point source discharge of pollutants into waters of the U.S., either directly or by way of a conveyance, must obtain a permit from ADEQ (or U.S. EPA if located on “Indian Country”)
- Sheet flow is also a form of a conveyance
EPA takes broadest interpretation of “point source” consistent with legislative intent and court rulings (FR 1990).

Changing the surface of the land or establishing grading patterns on the land will result in a point source where the runoff from the site is ultimately discharged to a water of the U.S. (Sierra Club v. Abston Const Co.)
Who Needs a Permit

- **Duty to Apply** (40 CFR 122.21(a)) – Any person who discharges or proposes to discharge...must submit a complete application to the director....

- **Who Applies** (40 CFR 122.21(b)) – When a facility or activity is owned by one person but is operated by another person, it is the operator’s duty to obtain a permit.
Detention Basins

- Many facilities in Arizona have on-site detention basins designed to a particular storm event (e.g., 2 hour, 100 year storm event), does not exempt them from permitting
- Most (if not all) basins are designed to discharge, either through a pipe, low spot, or other feature
- Basins are a control measure, not an off-ramp to permitting
Detention Basins

**AZPDES Nexus with Aquifer Protection Program (APP)**

- A.R.S. 49-245.01 (permit by statute)
- Stormwater impoundments are regulated by APP
- To qualify, the O/O must obtain a NPDES permit (e.g., MSGP for industrial stormwater)
- Otherwise, the O/O may need to line the impoundment or obtain individual APP permit
Eleven (11) Industrial Categories Subject to Industrial Stormwater Permitting (federal rules 40 CFR 122.26(b)(14)(i-xi)):

- Facilities subject to federal stormwater effluent discharge standards in 40 CFR 405-471
- Heavy manufacturing (for example, paper mills, chemical plants, petroleum refineries, and steel mills and foundries)
- Coal and mineral mining and oil and gas exploration and processing
- Hazardous waste treatment, storage, or disposal facilities
11 Categories Cont’d:

- Landfills, land application sites, and open dumps with industrial wastes
- Metal scrapyards, salvage yards, automobile junkyards, and battery reclaimers
- Steam electric power generating plants
- Transportation facilities that have vehicle maintenance, equipment cleaning, or airport deicing operations
- Treatment works treating domestic sewage with a design flow of 1 million gallons a day or more
- Light manufacturing (For example, food processing, printing and publishing, electronic and other electrical equipment manufacturing, and public warehousing and storage).
Industrial Stormwater Program

The 11 categories are subdivided into 29 Sectors (see appendix C of ADEQ’s MSGP):

- A – Timber Products
- B – Paper and Allied Products
- C – Chemicals and Allied Products
- D – Asphalt Paving and Roofing Materials and Lubricants
- E – Glass, Clay, Cement, Concrete, and Gypsum Products
- F – Primary Metals
- G – Metal Mining (Ore Mining and Dressing)
- H – Coal Mines and Coal Related (reserved)
29 Covered Sectors, Cont’d:

- I – Oil and Gas Extraction (reserved)
- J – Non-Metallic Mineral Mining and Dressing
- K – Hazardous Waste – TSDF
- L – Landfills, Land Application Sites, and Open Dumps
- M – Automobile Salvage Yards
- N – Scrap Recycling
- O – Steam Electric Generating Facilities
- P – Land Transportation and Warehousing
- Q – Water Transportation
- R – Ship and Boat Building and Repairing Yards
- S – Air Transportation Facilities
29 Covered Sectors, Cont’d:

- T – Treatment Works (design flow of 1.0 mgd)
- U – Food and Kindred Products
- V – Textile Mills, Apparel, and Other Fabric Product Manufacturing, Leather and Leather Products
- W – Furniture and Fixtures
- X – Printing and Publishing
- Y – Rubber, Misc Plastic Products, and Misc Manufacturing Industries
- Z – Leather and Leather Tanning
- AA – Fabricated Metals
- AB – Transportation Equipment
29 Covered Sectors, Cont’d:

- AC – Electronic, Electrical, Photographic, and Optical Goods
- AD – Non-Classified

Industrial activities are most easily classified by Standard Industrial Classification (SIC) Code from OSHA’s website.

Many facilities do not know their SIC code, or are using an SIC code that does not really reflect the activities.

ADEQ does not assign SIC codes, but can assist operators with information.

Some facilities / activities do not have an SIC code identified on the list, but may still be subject to permitting (often gov’t facilities).

Industrial facilities (including industrial facilities that are federally, State, or municipally owned or operated that meet the description of the facilities listed in paragraphs (b)(14)(i) through (xi) of this section), 40 CFR 122.26(b)(14).
Many *Sectors* include *Subsectors* as well.

For example: Sector “A” has 5 subsectors (A1 – A5) which group similar activities.

<table>
<thead>
<tr>
<th>Subsector (May be subject to more than one sector/subsector)</th>
<th>SIC Code or Activity Code³</th>
<th>Activity Represented</th>
</tr>
</thead>
<tbody>
<tr>
<td>SECTOR A: TIMBER PRODUCTS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>A1</td>
<td>2421</td>
<td>General Sawmills and Planing Mills</td>
</tr>
<tr>
<td>A2</td>
<td>2491</td>
<td>Wood Preserving</td>
</tr>
<tr>
<td>A3</td>
<td>2411</td>
<td>Log Storage and Handling</td>
</tr>
<tr>
<td>A4</td>
<td>2428</td>
<td>Hardwood Dimension and Flooring Mills</td>
</tr>
<tr>
<td></td>
<td>2429</td>
<td>Special Product Sawmills, Not Elsewhere Classified</td>
</tr>
<tr>
<td></td>
<td>2431-2439 (except 2434)</td>
<td>Millwork, Veneer, Plywood, and Structural Wood (see Sector W)</td>
</tr>
<tr>
<td></td>
<td>2448</td>
<td>Wood Pallets and Skids</td>
</tr>
<tr>
<td></td>
<td>2449</td>
<td>Wood Containers, Not Elsewhere Classified</td>
</tr>
<tr>
<td></td>
<td>2451, 2452</td>
<td>Wood Buildings and Mobile Homes</td>
</tr>
<tr>
<td></td>
<td>2493</td>
<td>Reconstituted Wood Products</td>
</tr>
<tr>
<td></td>
<td>2499</td>
<td>Wood Products, Not Elsewhere Classified</td>
</tr>
<tr>
<td>A5</td>
<td>2441</td>
<td>Nailed and Lock Corner Wood Boxes and Shook</td>
</tr>
</tbody>
</table>
SWPPP preparation, filing NOIs & filing deadlines

- Prepare the stormwater pollution prevention plan (SWPPP) **before** filing the NOI
- Co-located operations:
  - A mine operation with co-located non-mining facilities requires separate permit (e.g., asphalt batch plants, concrete batch plants on a sand and gravel operation site),
  - Co-located industrial facilities, different sectors, same Non-mining permit (e.g., paper manufacturing – saw & pulp mills)
- File one NOI for both permits, and
- Combine entire site under one SWPPP.
- ADEQ does not have permitting authority on Indian County Lands; coordinate with U.S. EPA for MSGP coverage
If a facility can meet the criteria for No Exposure Certification, the operator may submit the completed NEC form instead of obtaining permit coverage (40 CFR 122.26(g))

**Advantages of NEC:**
- No SWPPP
- No Inspections
- No Reporting

NEC is good for 5 years, at which point the operator must re-submit. If, at anytime, the facility no longer meets the criteria for NEC, they must submit an NOI and obtain coverage.
How and NOI is Filed

Permit Part I
An NOI may be filed with ADEQ using a paper form or online using ADEQ’s SMART NOI.

- NOI information is entered into Water Quality Database
- Information on NOI is reviewed for accuracy and completeness
- Issue authorization certificate with unique number
- If the customer uses the SMART NOI and electronic signature, they can print out their authorization immediately
- If SWPPP is required to be submitted, additional authorization time is involved for ADEQ to review
What is Required of Permittee

**Permit Part 2**

- The permittee must implement control measures (best management practices, BMPs) to ensure discharges meet water quality standards (see part 2.1 and 2.2)

- BMPs are schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution to waters of the U.S.
What is Required of Permittee

Permit Part 2 – Control Measures

- Minimizing exposure
- Good housekeeping
- Preventive maintenance
- Spill prevention and response
- Sediment & erosion controls
- Management of runoff & SW diversions
- Salt storage piles or piles containing salt
- Sector-specific control measures
- Employee training
- Non-stormwater discharges
- Litter, garbage, floatable debris
- Dust generation and vehicle tracking of industrial materials
What is Required of Permittee

Permit Part 3 – Corrective Actions (CA)

Conditions which require CA:

- An unauthorized discharge;
- A discharge violates a numeric ELG;
- The permittee becomes aware, or ADEQ determines, that the facility’s discharge causes or contributes to an exceedance of applicable water quality standard(s) or an adopted waste load allocation (WLA); or
- An inspection or evaluation by an ADEQ official, or operator of a regulated MS4, determines that modifications to the control measures are necessary to meet the requirements of the permit.
What is Required of Permittee

Permit Part 4 – Routine Facility Inspections

- Four visual assessments – two in the summer and two in the winter wet seasons
- Routine quarterly inspections – less formal
- Annual comprehensive site inspection – a formal annual inspection
- Inactive and unstaffed sites – one routine facility inspection; one annual inspection (conducted in opposing wet seasons)
- Must document inspections on ADEQ provided inspection report form
The SWPPP is an information gathering tool for dischargers to:

✓ Describe the site and the pollutants potentially discharged in stormwater
✓ Document the control measures selected, designed, installed, and implemented to meet the effluent limit
✓ Use as a pollution prevention plan (or roadmap) for keeping pollutants out of stormwater
What is Required of Permittee

Permit Part 5 – SWPPP, Cont’d

- Facility operators prepare a SWPPP to:
  - describe the site;
  - describe the pollutants potentially discharged;
  - document the control measures selected, designed, installed, and implemented to meet the permit requirements (control measures & WQS); and
  - document monitoring and inspection procedures.

- SWPPPs are used as tools to document ... they do not provide an indication of how well control measures are performing (inspections and monitoring serve that purpose ... )

- SWPPP is a “living” document and must be routinely updated

- Must be available on-site
Permit Part 6 – Analytical Monitoring
Not all permittees are required to conduct analytical monitoring.

Conditions requiring monitoring:
- Benchmark (6.2.1)
- Effluent Limitation Guidelines, ELGs (6.2.2)
- Impaired water (6.2.3)
- Otherwise required by ADEQ (6.2.4)
What is Required of Permittee

Permit Part 7 – Reporting and Recordkeeping

- All permittees must prepare an annual report on form provided by the department.
- The completed AR must be kept with the facility SWPPP.
- Operators of facilities that discharge to (or within 2.5 miles) of an impaired water or Outstanding Arizona Water (OAW) must submit their AR to the department no later than July 15 of each year.
Permit Part 8 – Sector Specific Requirements

- MSGP parts 1-7 apply to all sectors
- Part 8 includes sections 8.A through 8.AD (corresponding to sectors “A” through “AD”)
- Each section in part 8 covers sector specific requirements.
- Requirements in part 8 are in addition to those specified in parts 1-7 of the permit.
What is Required of Permittee

Permit Part 8 – Sector Specific Requirements

Common part 8 requirements:
- Specific control measures
- SWPPP requirements
- Inspection requirements
- Sector specific monitoring requirements (benchmarks and ELGs)
Additional Resources

ADEQ’s industrial stormwater webpage

http://azdeq.gov/environ/water/permits/msgp.html

Two-Page Sector-Specific Fact Sheets

- MSGP Fact Sheet -- (PDF)
- Metal Fabrication/Plating (Sector AA) Fact Sheet -- (PDF)
- Metal Fabrication/Plating (Sector AA) Questionnaire -- (Word)
- Auto Salvage/Scrap Recycling (Sectors M & N) Fact Sheet -- (PDF)
- Auto Salvage/Scrap Recycling (Sectors M & N) Questionnaire -- (Word)
- Land Transportation and Warehousing (Sector P) Fact Sheet -- (PDF)
- Land Transportation and Warehousing (Sector P) Questionnaire -- (Word)
- Ship and Boat Building and Repairing Yards (Sector R) Fact Sheet -- (PDF)
- Ship and Boat Building and Repairing Yards (Sector R) Questionnaire -- (PDF)
- Air Transportation (Sector S) Questionnaire -- (Word)
- Waste Recycling Facilities for Liquid Recyclable Materials (Sector N) Fact Sheet -- (PDF)

MSGP 2010 Non-Mining Permit Documents

- Permit (effective February 01, 2011) -- (PDF)
- Fact Sheet -- (PDF)

MSGP 2010 Mining Permit Documents

- Permit (effective February 01, 2011) -- (PDF)
- Fact Sheet -- (PDF)

MSGP 2010 Forms and Documents

- Notice of Intent
  - SMART NOI -- (PDF)
  - NOI -- (PDF)
- Notice of Termination -- (PDF)
- No Exposure Certification Form -- (PDF)
- MSGP SWPPP Template -- (Word)
- Annual Report Form (PDF)
- Discharge Monitoring Report Form -- (PDF)
- Sector L Certification Form -- (PDF)
- Sector S Visual Assessment Alternative -- (PDF)
ADEQ MSGP Sector Specific outreach results.

![Graph showing total permits issued during FY 2016](image-url)
ADEQ’s current MSGP expired in January 2016 and is administratively continued.

ADEQ is preparing a track change version of some suggested changes.

Will provide marked up version to stakeholders via ADEQ’s Industrial Stormwater “ListServe”

ADEQ will schedule various meetings with stakeholders to discuss possible changes for improvement.

Stakeholder meetings are anticipated for later this summer.
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