2015 Industrial Stormwater Permit – What do you need to know?

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The Questions to Ask Now

- Does your facility need Industrial Stormwater permit (Permit) coverage?
- How do I get Permit coverage?
  - The application process
  - No exposure certification
- What has changed between 2010 Permit and the 2015 Permit?
  - Stormwater Pollution Prevention Plan (SWPPP) updates
- What are FAQs and other items to know regarding the 2015 permit?
Does Your Facility Need Permit Coverage?

- Narrative Activities
- SIC codes
- Applicable narrative activities and SIC codes determine your applicable Industrial Activity Sectors
- If you fall under one of these categories you need a permit OR to apply for “No Exposure”


Narrative Activities

<table>
<thead>
<tr>
<th>Subsector</th>
<th>Subsector description</th>
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<tbody>
<tr>
<td>A4</td>
<td>Timber products: discharges from wet deck storage areas</td>
</tr>
<tr>
<td>C1</td>
<td>Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished product, by-products, or waste products</td>
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<tr>
<td>D2</td>
<td>Discharges from production of asphalt emulsions areas</td>
</tr>
<tr>
<td>E3</td>
<td>Cement manufacturing facility, material storage runoff (note: this is not a concrete ready mix facility)</td>
</tr>
<tr>
<td>K1</td>
<td>Hazardous waste treatment/storage/disposal facility for discharges not subject to effluent limitations in 40 CFR pt. 445, subp. A (note: this is not a hazardous waste generator)</td>
</tr>
<tr>
<td>K2</td>
<td>Hazardous waste treatment/storage/disposal facility for discharges subject to effluent limitations in 40 CFR pt. 445, subp. A (note: this is not a hazardous waste generator)</td>
</tr>
<tr>
<td>L1</td>
<td>Municipal solid waste landfill areas closed in accordance with 40 CFR 258.80</td>
</tr>
<tr>
<td>L2</td>
<td>Open or closed non-hazardous waste landfill and land application site not discharging to surface water</td>
</tr>
<tr>
<td>L3</td>
<td>Landfill that discharges to surface waters stormwater that has directly contacted solid waste</td>
</tr>
<tr>
<td>O1</td>
<td>Coal fired and oil fired steam electric generating facility</td>
</tr>
<tr>
<td>O2</td>
<td>Nuclear, natural gas fired, and any other fuel source used for steam electric generation</td>
</tr>
<tr>
<td>O3</td>
<td>Runoff from coal storage piles at steam electric generating facility</td>
</tr>
<tr>
<td>S3</td>
<td>Existing and new primary airports with 1,000 or more annual jet departures that discharge wastewater associated with airfield pavement deicing that contains urea commingled with stormwater</td>
</tr>
<tr>
<td>T1</td>
<td>Treatment works with design flow of one million gallons per day or more or are required to have an approved pretreatment program under 40 CFR pt. 403</td>
</tr>
</tbody>
</table>
Permit Applications

- Online or Paper
- Applications were due October 5th
  - $400 Fee
  - Changes
    - S3 – New Narrative Activity
    - Additional specification for Q9 (No Exposure)
    - All street drains or manholes are MS4
- What do I do if I need permit coverage but have not applied yet?
  - Apply as soon as possible

No Exposure

- Applying No Exposure has no fee required
- To qualify for the No Exposure exclusion, 100% of your industrial activities and significant materials must be indoors or within a storm-resistant shelter 100% of the time for you to be able to answer “No” to all of the No Exposure qualifying questions
  - The questions refer to your ENTIRE facility
  - Storm-resistant shelters include completely roofed and walled buildings and structures, or structures with a top cover that are bermed, sloped inward, or otherwise prevent stormwater from running into the area or for potential materials or spills, including windblown materials from leaving the area.
### Are any of the following materials or activities exposed to precipitation, now or in the foreseeable future?

<table>
<thead>
<tr>
<th>Materials or Activities</th>
<th>Examples (not inclusive)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A.</strong>-use, storage or handling of industrial machinery or equipment areas where residuals from these activities and equipment remain exposed to stormwater</td>
<td>Vehicle and equipment washing, maintenance and storage areas, mobile or semi used to make products, outdoor manufacturing or processing areas</td>
</tr>
<tr>
<td><strong>B.</strong> Spills or leaks on the ground or in stormwater inlets</td>
<td>Hydraulic fluid, fuel, oil, other fluid or material leaks or spills</td>
</tr>
<tr>
<td><strong>C.</strong> Residuals, equipment, or products from past industrial activity</td>
<td>Materials from past industrial activities that are still visible and exposed to stormwater</td>
</tr>
<tr>
<td><strong>D.</strong> Inadequately maintained facility equipment or vehicles</td>
<td>Leakage forklifts, toils, debris vehicles, leaking machinery performing loading/unloading operations</td>
</tr>
<tr>
<td><strong>E.</strong> Facility vehicle fueling, loading/unloading/transporting materials or products</td>
<td>New material delivery/storage, loading/unloading operations, facility vehicle maintenance, fueling activities, other storage transfer area that includes solvents, coolants, lubricants, and cleaners</td>
</tr>
<tr>
<td><strong>F.</strong> Storage of material or product (except final products intended for outside use such as new-son)</td>
<td>New materials, rather than chemicals, fractions, or intermediates, such as spent equipment, or sleeve vehicles or vehicle parts, that are not subject to be outdoors, any of which are a material source of contamination</td>
</tr>
<tr>
<td><strong>G.</strong> Containers of materials or products which are not maintained or cleaned, equipment, or in open or covered containers</td>
<td>Open storage tanks, drums, broken or contaminated pallets, toils, or drums, containers, tanks and other materials that can not be subject to any type of contamination</td>
</tr>
<tr>
<td><strong>H.</strong> Stockpiling or transfer of materials or products intended for outside use such as new-son</td>
<td>Salt, soil, sand, gravel, and other materials, by-products, or waste products including lab equipment, containers, or containers that are hazardous wastes or other waste designed for land application</td>
</tr>
<tr>
<td><strong>I.</strong> Waste materials in uncovered disposal areas, open dumps, or open-rolled containers</td>
<td>Scrap metal, oily rags, cadmium, broken pallets, spent equipment, batteries, hazardous wastes, or other wastes designed for land application</td>
</tr>
<tr>
<td><strong>J.</strong> Disposal of process waste water, must have a National Pollutant Discharge Elimination System (NPDES) Permit, or Authorization from local Wastewater Treatment Facility</td>
<td>Permitted process wastewater disposal including land application; permitted wastewater disposal that states the ground or below visual deposits of residuals</td>
</tr>
<tr>
<td><strong>K.</strong> Visible deposits or preexisting matter or residuals from past industrial activity</td>
<td>Baghouse dust or sneezebox residue, rod dust from industrial vehicle traffic, wood debris and dust, cut and grain dust, or from grinding, cutting, buffing, or brazing metal or plastic parts</td>
</tr>
</tbody>
</table>

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**C - Residuals, equipment or products from past industrial activity**
G – Containers of materials or products which are deteriorated or leaking; containers without proper covers or secondary containment
I – Waste material in uncovered disposal areas, open dumpsters or open roll off containers

K – Visible deposits of particulate matter or residuals from roof stacks and/or vents or other sources and evident in the stormwater runoff
2010 vs 2015 Industrial Stormwater Permit

- Sampling frequency
- Sampling exceedances
- Materials tracking
- Chemical additives

Old vs. New – Sampling Frequency

**2010 Permit**
- Sampling calendar
  - Every other year Starting in Year 2
  - “sample out” 1 and done

**2015 Permit**
- New calendar
  - July 1 2015 Start for all
  - Passing average of 4 is the way to “sample out”
  - Rolling 4
Old vs. New – Sampling Exceedances

2010 Permit
- Sampling exceedance
  - Exceedance leads to 1 year to fix
  - Sampling in alternate years

2015 Permit
- Sampling Exceedances
  - 14 but no longer than 45 days for documentation and progress for BMP improvements

Old vs. New – Material Tracking

2010 Permit
- Tracking and Sweeping
  - 7 days
  - Some Sectors were required to sweep weekly

2015 Permit
- Tracking
  - Must be addressed within 72 hours of discovery
Old vs. New – Chemical Additives

2010 Permit
• Part III Section E – Chemical Additive Use, was added in its entirety as seen in 2015 version)

2015 Permit
• Chemical Additive Use - Polymers, flocculants, or other sedimentation treatment chemicals
  • Chemicals may only be applied where treated stormwater is directed to a sediment control system
  • Chemicals must be selected that are appropriately suited to the types of soils likely to be exposed stormwater
  • Chemicals must be used in accordance with accepted good engineering practices, and as directed by the provider/supplier of the chemicals
  • The SWPPP must contain an inventory of all chemical additives. The records should include:
    • The process for which the additive will be used;
    • The proposed method/frequency/concentration of application;
    • A complete product use and instruction label; and
    • Material Safety Data Sheet (MSDS).

Frequently asked Questions

• When does my SWPPP need to be updated?
  Before you apply for the new permit. Part I C. 2.
  "The applicant(s) must develop a Stormwater Pollution Prevention Plan (SWPPP) in accordance with the requirements of Part IV prior to submitting an application to the Commissioner."

• I will not have coverage for 5 years under my previous permit. Do I still need to apply now?
  Yes, all permittees need to apply before October 5th.

• I’m going to open a new facility in the next 6 months, which permit do I need to apply for and comply with?
  The 2015 Permit. The MPCA indicated that the application for the 2015 permit can be made effective immediately."
Frequently asked Questions

• If I qualified for No Exposure under the previous permit and upon review of the new permit application do not qualify for No Exposure. When do I need to have a SWPPP in place?

Prior to Completion of the 2015 permit application.

• What updates does my SWPPP need?

A few depending on your sector and changes at your facility.

• If I had no sampling exceedances the last permit cycle do I need to sample during this permit?

YES!!!!

Additional Items to Know

• Effluent Limit vs. Benchmark Monitoring
  - Enforceable vs. Not
  - Recordkeeping

• Benchmark Monitoring Waivers
  - You will need to re-apply for the benchmark monitoring waiver under the new permit
  - Currently 20 facilities are certified and MPCA will be contacting them directly in the coming months regarding the reapplication process
What does this mean John?
MPCA - Training

- Now that I've applied for the 2015 Permit, how can I attend training?
  - The University of Minnesota has three workshops open for registration:
    - December 3, 2014 - MnDOT Training and Conference Center, Arden Hills
    - December 10, 2014 - Soil and Water Conservation District, Farmington
    - January 7, 2015 - Best Western Hotel, North Mankato


Thank You!
Questions?

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