

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

Spencer J. York, Project Manager

Arizona Department of Environmental Quality
Stormwater and General Permits Unit

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- 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

- 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.)



- ***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.



- 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



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).

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.

https://www.osha.gov/pls/imis/sic_manual.html

- 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

Sectors of Industrial Activity Covered by the Multi-sector General Permit		
Subsector (May be subject to more than one sector/subsector)	SIC Code or Activity Code ¹	Activity Represented
SECTOR A: TIMBER PRODUCTS		
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
A5	2499	Wood Products, Not Elsewhere Classified
	2441	Nailed and Lock Corner Wood Boxes and Shook

- 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.

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

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.

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



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.

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



Permit Part 5 – Stormwater Pollution Prevention Plan

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

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)



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

Permit Part 8 – Sector Specific Requirements

Common part 8 requirements:

- Specific control measures
- SWPPP requirements
- Inspection requirements
- Sector specific monitoring requirements
(benchmarks and ELGs)



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

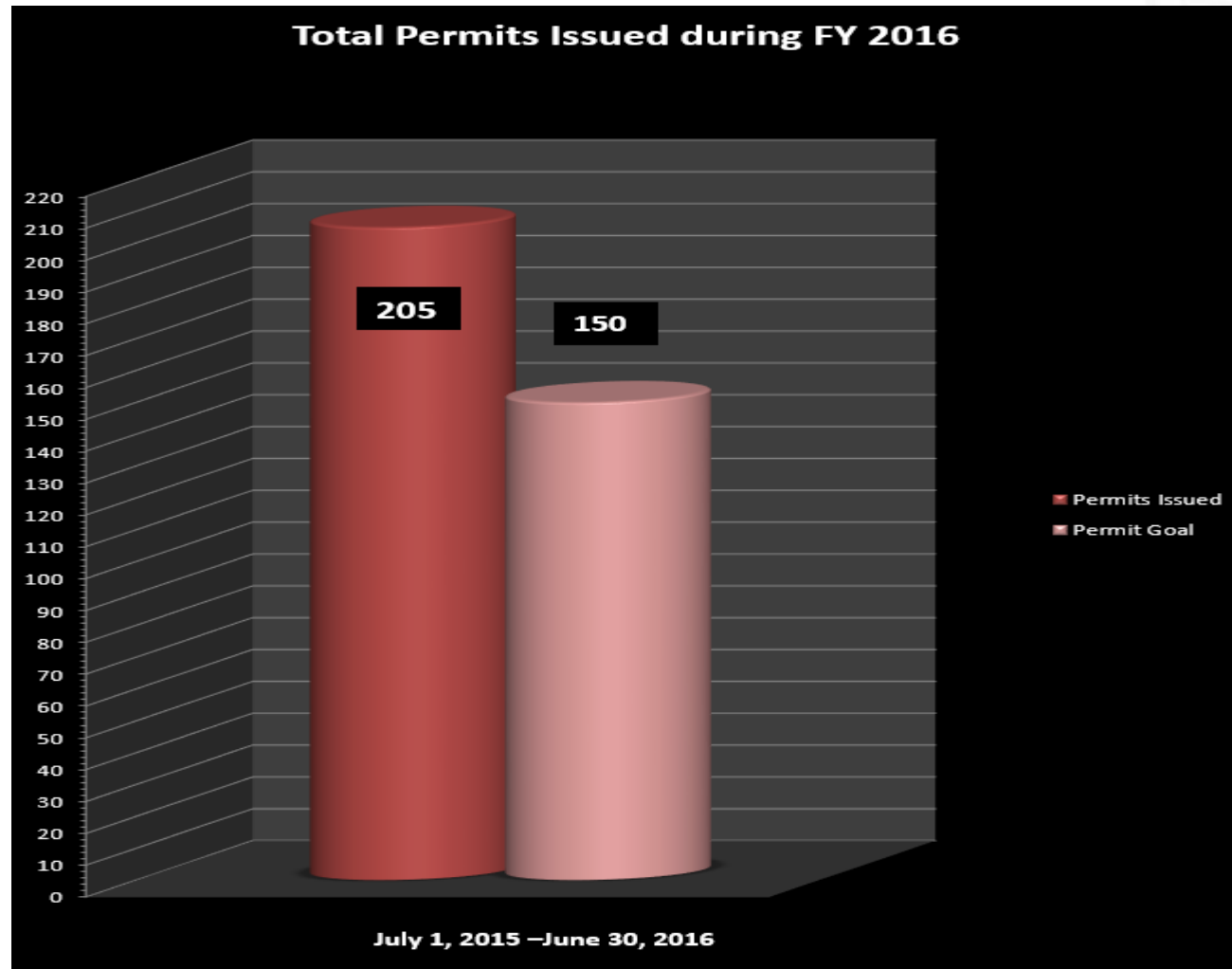
- Permit (effective February 01, 2011) -- [\(PDF\)](#)
- Fact Sheet -- [\(PDF\)](#)

MSGP 2010 Forms and Documents

- Notice of Intent
 - [SMART NOI](#)
 - 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.



- 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

Stormwater Unit Supervisor

Christopher Henninger, CMS4S

Henninger.christopher@azdeq.gov

602-771-4508

Technical Questions/Permitting Questions

Spencer York

York.spencer@azdeq.gov

602-771-4509

Technical Questions/Permitting Questions

Joanie Rhyner

Rhyner.joanie@azdeq.gov

602-771-7614



Questions

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