

## Stormwater Pollution Prevention Plan (SWPPP)

**for:**

Port Authority of Guam - Gregorio D. Perez Marina  
Hagatna, Guam 96910

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### **SWPPP Preparation Date:**

April 2024

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Rory Respicio  
General Manager, Port Authority of Guam

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## SECTION 1: FACILITY DESCRIPTION AND CONTACT INFORMATION

### 1.1 Facility Information.

**Instructions:**

- You will need the information from this section to complete your notice of intent (NOI).
- For further instruction, refer to the 2021 Multi-Sector General Permit (MSGP) NOI form and instructions – specifically sections C and D of the 2021 MSGP Appendix G NOI. A copy of the 2021 MSGP NOI is available at <https://www.epa.gov/npdes/stormwater-discharges-industrial-activities-epas-2021-msgp> (Appendix G of the permit)
- You must include a copy of the 2021 MSGP, or a reference or link to where a copy can be found, in Attachment C of your SWPPP.

#### Facility Information

Facility Name: Port Authority of Guam – Gregorio D. Perez Marina

Street/Location: Marine Corps Drive – Agana Bay

City: Hagatna State: Guam ZIP Code: 96910

County or Similar Government Subdivision: Not Applicable (N/A)

National Pollutant Discharge Elimination System (NPDES) ID (i.e., permit tracking number): N/A (if covered under a previous permit)

Primary Industrial Activity standard industrial classification (SIC) code, and Sector and Subsector (2021 MSGP, Appendix D and Part 8):

4493, Marinas, Section Q, Water Transportation, Subsector Q1 Water Transportation Facilities

Co-located Industrial Activity(s) SIC code(s), Sector(s) and Subsector(s) (2021 MSGP, Appendix D):

None

Is your facility presently inactive and unstaffed and are there no industrial materials or activities exposed to stormwater?  Yes  No

#### Latitude/Longitude

Latitude:

13.47777 ° N (decimal degrees)

Longitude:

144.7500 ° W (decimal degrees)

#### Method for determining latitude/longitude (check one):

Maps (If U.S. Geological Survey (USGS) topographic map used, specify scale: \_\_\_\_\_)

GPS

Other (please specify): Google Earth®

#### Horizontal Reference Datum (check one):

NAD 27  NAD 83  WGS 84

Is the facility located in Indian country?  Yes  No

If yes, provide the name of the Indian tribe associated with the area of Indian country (including name of Indian reservation, if applicable). \_\_\_\_\_

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Are you considered a "federal operator" of the facility?

**Federal Operator** – an entity that meets the definition of "operator" in [the 2021 MSGP] and is either any department, agency or instrumentality of the executive, legislative, and judicial branches of the Federal government of the United States, or another entity, such as a private contractor, operating for any such department, agency, or instrumentality.       Yes     No

Estimated area of industrial activity at your facility exposed to stormwater: ~0.6 acres  
(to the nearest quarter acre)

### Discharge Information

Does this facility discharge stormwater into a municipal separate storm sewer system (MS4)?  
 Yes     No

If yes, name of MS4 operator: \_\_\_\_\_

Name(s) of surface water(s) that receive stormwater from your facility: Coastal/recreational waters discharging to Agana Bay

Does this facility discharge industrial stormwater directly into any segment of an "impaired water" (see definition in 2021 MSGP, Appendix A)?       Yes     No

If Yes, identify name of the impaired water(s) (and segment(s), if applicable): Hagatna Boat Basin (GUN-12), Gregorio D. Perez Marina, Category 4b

Identify the pollutant(s) causing the impairment(s): Enterococci Bacteria

Which of the identified pollutants may be present in industrial stormwater discharges from this facility? None

Has a Total Maximum Daily Load (TMDL) been completed for any of the identified pollutants? If yes, please list the TMDL pollutants: Yes, according to Guam Environmental Protection Agency (GEPA), two bacteria TMDLs for 42 beaches were developed in 2009 and 2013, which included the Gregorio D. Perez Marina. GEPA Microbial Source Tracking screening was completed in 2023.

Does this facility discharge industrial stormwater into a receiving water designated as a Tier 2, Tier 2.5 or Tier 3 water (see definitions in 2021 MSGP, Appendix A)?       Yes     No

Are any of your stormwater discharges subject to effluent limitation guidelines (ELGs) (2021 MSGP Table 1-1)?       Yes     No

If Yes, which guidelines apply?

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## **1.2 Contact Information/Responsible Parties.**

### **Instructions:**

- List the facility operator(s), facility owner and SWPPP contact(s). Indicate respective responsibilities, where appropriate.
- You will need the information from this section of the SWPPP Template for your NOI.
- Refer to Section B of the NOI instructions (available in Appendix G of the 2021 MSGP).

### **Facility Operator(s):**

Name: Port Authority of Guam  
Address: 1026 Cabras Highway, Suite 201  
City, State, Zip Code: Piti, Guam, 96915  
Telephone Number: (671) 477-5931  
Email address: rjrespicio@portofguam.com  
Fax number: (671) 477-2689

### **Facility Owner(s):**

Name: Port Authority of Guam  
Address: 1026 Cabras Highway, Suite 201  
City, State, Zip Code: Piti, Guam, 96915  
Telephone Number: (671) 477-5931  
Email address: rjrespicio@portofguam.com  
Fax number: (671) 477-2689

### **SWPPP Contact(s):**

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### **1.3 Stormwater Pollution Prevention Team.**

**Instructions (see 2021 MSGP Part 6.2.1):**

The stormwater pollution prevention team is responsible for overseeing development of the facility's SWPPP, any modifications to it, and for implementing and maintaining control measures, taking corrective action and or additional implementation measure (AIM) responses when required. Each member of the stormwater pollution prevention team should have ready access to the 2021 MSGP, the most updated copy of the SWPPP, and other relevant documents that must be kept with the SWPPP.

- Identify the staff members (by name and/or title) that comprise the facility's stormwater pollution prevention team as well as their individual responsibilities.
- U.S. Environmental Protection Agency (EPA) recommends, but does not require, the stormwater pollution prevention team include at least one individual from each shift to ensure that there is always a stormwater pollution prevention team member onsite.

The Port Authority of Guam (PAG) has designated a Stormwater Pollution Prevention (P2) Team that provides a forum for identifying and addressing stormwater pollution concerns at the commercial port and offsite marinas (including the Gregorio D. Perez Marina), and to ensure that the SWPPPs are appropriately implemented. The PAG P2 Team consists of PAG managers and supervisors who are responsible for activities that have the potential to directly impact stormwater quality at the PAG and offsite marinas. The P2 Team is responsible for the following:

- Identifying any changes in operations to determine whether revisions must be made to this SWPPP
- Supporting implementation of NPDES permit and SWPPP requirements, control measures, and best management practices (BMPs)
- Conducting or coordinating SWPPP training
- Conducting or coordinating stormwater sampling and monitoring efforts
- Ensuring timely submittal of Discharge Monitoring Reports (DMRs) and annual stormwater reports to the EPA
- Taking corrective actions when deficiencies or issues are identified
- Maintaining clear lines of communication with tenants and PAG management to ensure a cooperative partnership

The P2 Team will meet at a minimum of once annually to discuss stormwater-related problems, or concerns. The Team Leader may call additional meetings to address specific events or issues as they arise. Additional attendees, such as consultants, vendors, or stakeholders, may be included in the meetings when appropriate. The P2 Team will also ensure that the training described in Section 4.5. occurs annually, or more frequently, as deemed necessary by the P2 Team.

PAG P2 Team members and their responsibilities are identified in the table below.

Staff Names	Individual Responsibilities
General Manager	Review and approve SWPPP, enforce planning and implementation
Environmental Specialist	Pollution Prevention Coordinator, review/revise SWPPP as necessary, administer implementation
Maintenance Manager	Support implementation of SWPPP, team leader for corrective actions
Operations Manager	Support implementation of SWPPP, identify areas for improvement
Health & Safety Manager	Support implementation of SWPPP; assist with corrective actions

### 1.4 Site Description.

**Instructions (see 2021 MSGP Part 6.2.2):**

Provide a description of the nature of the industrial activities conducted at your facility. For the MSGP, industrial activities consist of: manufacturing and processing; material handling activities including storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product, by-product or waste product; and vehicle and equipment fueling, maintenance and cleaning.

Industrial activities may occur at any of the following areas (list not exhaustive): industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process waste waters sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials, and intermediate and final products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to stormwater.

EPA recommends that you differentiate activities that occur indoors from those that occur outdoors and could be exposed to stormwater, or under cover but that could be exposed to run-on. Do not overlook processes that are vented and may contribute pollutants to the roof.

#### Facility Information

Name of Facility: Port Authority of Guam – Gregorio D. Perez Marina  
Address: Marine Corps Drive – Agana Bay  
Hagatna, Guam 969105

Geographic Location (in decimal degrees, using WGS84 datum):  
13.47777 ° N (decimal degrees) 144.7500 ° W (decimal degrees)

The Port Authority of Guam – Gregorio D. Perez Marina is located adjacent to the north side of Marine Corps Drive in Hagatna, Guam (Attachment A Figure 1). Water in the marina flows north into the surrounding Agana Bay located on the north-central shore of Guam. Gregorio D. Perez Marina occupies approximately 8.32 acres and is primarily used for docking vessels (Attachment B Figure 2). The marina is owned by PAG and leased to private and commercial boating operations. An administrative building and equipment storage building are located in the central portion of the property, both of which are leased to the Guam Fire Department (GFD) for the operation and deployment of rescue units. A public restroom building



is located adjacent to the GFD buildings. A public vessel wash station is located in a bermed area on the southwestern portion of the property.

The northern portion of the marina includes a dry dock area where all industrial activities are conducted. Industrial activities that occur onsite include minor servicing, repair and storage of water vessels and associated equipment. The Gregorio D. Perez Marina characteristics described above are based on facility inspections, map reviews, and PAG personnel interviews.

A sub-grade oil-water separator located in the southeast portion of the property is owned and operated by the Department of Public Works (DPW). Stormwater from offsite adjacent to Marine Corps Drive flows into the oil-water separator before discharging into the southeast corner of the harbor.

PAG shall amend this plan whenever there is a change in design, construction, operation, or maintenance which has a significant effect on the potential for the discharge of pollutants to surface waters of Guam. The plan will also be modified if it proves to be ineffective in eliminating or significantly minimizing pollutants from sources identified by the NPDES Stormwater Discharge Permit.

In accordance with Title 40 Code of Federal Regulations (CFR) 122.26(b)(14)(viii), this SWPPP addresses the areas of the facility that are associated with industrial activities. These operations include equipment wash racks, outdoor fueling/storage areas, and the servicing, repair and storage of water vessels and associated equipment.

This SWPPP has been prepared following EPA guidelines, *Developing Your Stormwater Pollution Prevention Plan: A Guide for Industrial Operators* (EPA 833-B-09-002, February 2009) and in accordance with the EPA Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity, issued on September 29, 2021.

### **1.5 General Location Map.**

**Instructions (see 2021 MSGP Part 6.2.2):**

Provide a general location map (e.g., USGS quadrangle map) with enough detail to identify the location of your facility and all receiving waters for your stormwater discharges (include as Attachment A of this SWPPP Template).

The general location map for this facility can be found in Attachment A Figure 1.

## 1.6 Site Map.

### Instructions (see 2021 MSGP Part 6.2.2):

Prepare a site map showing the following information. The site map will be included as Attachment B of the finished SWPPP.

- Boundaries of the property and the size of the property in acres;
- Location and extent of significant structures and impervious surfaces;
- Directions of stormwater flow (use arrows), including flows with a significant potential to cause soil erosion;
- Locations of all stormwater control measures;
- Locations of all receiving waters, including wetlands, in the immediate vicinity of your facility, indicating which waterbodies are listed as impaired and which are identified by your state, tribe or EPA as Tier 2, Tier 2.5, or Tier 3 waters;
- Locations of all stormwater conveyances including ditches, pipes, and swales;
- Locations of potential pollutant sources identified under Part 6.2.3;
- Locations where significant spills or leaks identified under Part 6.2.3.3 have occurred;
- Locations of all stormwater monitoring points;
- Locations of stormwater inlets and discharge points, with a unique identification code for each discharge point (e.g., 001, 002), indicating if you are treating one or more discharge points as "substantially identical" under Parts 3.2.4.5, 6.2.5.3, and 4.1.1, and an approximate outline of the areas draining to each discharge point;
- If applicable, MS4s and where your stormwater discharges to them;
- Areas of Endangered Species Act-designated critical habitat for endangered or threatened species, if applicable; 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 and rail lines 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.

The site map for this facility can be found in Attachment B Figure 2.

## SECTION 2: POTENTIAL POLLUTANT SOURCES

Section 2 will describe all areas at your facility where industrial materials or activities are exposed to stormwater or from which authorized non-stormwater discharges originate. Industrial materials or activities include, but are not limited to: material handling equipment or activities; industrial machinery; raw materials; intermediate products, by-products, final products, and waste products. Material handling activities include, but are not limited to: the storage, loading and unloading, transportation, 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 SWPPP must include industrial activities in the area, potential pollutants or pollutant constituents for each identified activity, documentation of where potential spills and leaks could contribute pollutants to stormwater discharges, evaluation of unauthorized non-stormwater discharges, salt storage location, stormwater discharge sampling data and descriptions of stormwater control measures.

### 2.1 *Potential Pollutants Associated with Industrial Activity.*

**Instructions (see 2021 MSGP Parts 6.2.3.1 and 6.2.3.2):**  
 For the industrial activities identified in section 1.4 above, list the potential pollutants or pollutant constituents (e.g., crankcase oil, zinc, sulfuric acid, cleaning solvents).  
 In your list of pollutants associated with your industrial activities, include all significant materials that have been handled, treated, stored, or disposed, and that have been exposed to stormwater in the three years prior to the date you prepare or amend your SWPPP.

Industrial Activity	Associated Pollutants
Maintenance and repairs	Spent solvents, oil, heavy metals, acid/alkaline wastes, detergents
Surface preparation, paint removal, sanding, blasting, welding	Spent abrasives, paints, solids, heavy metals, solvents, dust
Painting	Paint solids, spent solvents, heavy metals in surface coatings, dust
Storage of the related materials and waste materials	Fuel, oil, heavy metals, spent solvents
Fueling (done by private or commercial operators)	Oil, fuel
Shipboard processes improperly discharged to receiving water (by private or commercial operators)	Biochemical oxygen demand (BOD), bacteria, suspended solids, oil, fuel
Spreader bars used to pick-up vessels	Heavy metals

## 2.2 Potential Pollutants Associated with Offsite Activity

As noted in the 2022 GEPA Integrated Report (IR), Hagatna Boat Basin (also known as Gregorio D. Perez Marina) is identified as Coastal/Recreational Waters; and has long been included in GEPA's assessment of Coastal/Recreational Waters (Beaches). Approved EPA Bacteria TMDLS for several beaches (including Gregorio D. Perez Marina) identify potential sources of pollutants (to these coastal waters), which include storm drain runoff, wastewater, sewage overflow, and stormwater runoff.

The GEPA Microbial Source Tracking Project was proposed in 2017 to collect and test water samples from four beaches with bacteria TMDLS to determine whether the dominant source of Fecal Indicator Bacteria (FIB) is human or non-human. The sampling approach is considered a screening tool to help GEPA get a better understanding of the source of bacteria. The project was implemented as part of the 2019-2023 GEPA grant cycle and the Agency is in the process of incorporating the results into Guam's 2022-2024 IR, which as of March 2024 remains in draft form. Therefore, the dominant source of bacteria impairment to the Gregorio D. Perez Marina is not yet available.

Regardless, due to the Gregorio D. Perez Marina's location in an urban center and adjacent to Marine Corps Drive, offsite pollutants from storm drain runoff, wastewater, sewage overflow, and stormwater runoff, have the potential to impact the marina's surface water and stormwater discharges.

Additionally, as discussed in Section 1.3, an oil-water separator owned and operated by DPW, located in the southeast portion of the property, is connected to the municipal storm sewer located adjacent to Marine Corps Drive. Stormwater flows directly from the public roadway through the oil-water separator before discharging into the surface water within the Gregorio D. Perez Marina. As such, there is a known source of offsite stormwater entering the marina that has the potential to discharge bacteria pollutants. PAG has implemented scheduled cleanouts of the oil-water separator as part of its regular maintenance and good housekeeping schedules and procedures, discussed further in Section 4, as a BMP to minimize the potential for contamination from offsite stormwater discharges.

## 2.3 Spills and Leaks.

### Instructions (See 2021 MSGP Part 6.2.3.3):

Include the following in this section:

- **Potential spills and leaks:** A description of where potential spills and leaks could occur at your site that could contribute pollutants to your stormwater discharge, and specify the discharge points that would be affected by such spills and leaks.
- **Past spills and leaks:** A description of significant spills and leaks of oil or toxic or hazardous substances that actually occurred at exposed areas, or that drained to a stormwater 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 Clean Water Act (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.*

Due to the nature of industrial activities conducted at the site, the potential exists for fuel or chemicals to be spilled or for storage containers to leak. EPA has defined "significant spills" to include releases within a 24-

hour period of hazardous substances in excess of reportable quantities under Section 311 of the CWA and Section 102 of the Comprehensive Environmental Response, Compensation, and Liability Act.

The following is a summary of where potential spills and leaks could occur at the facility and which outfalls would likely be affected:

**Areas of Site Where Potential Spills/Leaks Could Occur**

Location	Discharge Points
Spills are possible from the dry dock area in the northern portion of the marina.	Outfall 001 and Outfall 002 have the potential to be affected by spills.
Spills are possible from private and commercial vessels docked within the marina.	Directly to surface water within the marina.
Spills are possible from the GFD rescue units operations.	Directly to surface water within the marina.

**Description of Past Spills/Leaks**

Date	Description	Discharge Points
N/A	There have been no reported spills in the previous five (5) years.	N/A

**2.4 Unauthorized Non-Stormwater Discharges Evaluation.**

**Instructions (see 2021 MSGP Part 6.2.3.4):**  
Part 1.2.2 of the 2021 MSGP identifies authorized non-stormwater discharges. The questions below require you to provide documentation of the following:

- Evaluation for the presence of unauthorized non-stormwater discharges at your site; and
- Elimination of any unauthorized non-stormwater discharges.

Description of this facility's unauthorized non-stormwater discharge evaluation:

- Date of evaluation: February 8, 2024
- Description of the evaluation criteria used: A comprehensive site inspection was conducted in February 2024. The purpose of this inspection was to identify the presence and potential causes of any unauthorized non-stormwater discharges occurring at the site. All of the drainage areas were inspected, including secondary containment, equipment wash rack, outdoor storage areas, and stormwater outfall locations. The following are authorized non-stormwater discharges.
  - Discharges from fire-fighting activities
  - Fire hydrant flushing
  - Potable water, including water line flushing
  - Uncontaminated condensate from air conditioners, coolers, 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, and the wash waters do not come into contact with oil and grease deposits or other toxic or hazardous materials (unless cleaned up using dry clean-up methods). Permittees are prohibited from directing authorized pavement wash waters directly into surface water or storm drain inlet unless appropriate control measures that meet the non-numeric effluent limits have been implemented.
- Where appropriate control measures are not in place, wash water runoff must first undergo treatment prior to discharge such as filtration, detention, or settlement
- Routine external building washdown/power wash water that does not use detergents or hazardous cleaning products
- Uncontaminated groundwater
- Foundation or footing drains where flows are not contaminated with process materials
- List of the discharge points or onsite drainage points that were directly observed during the evaluation: Outfall 001 and Outfall 002 were directly observed. Additional areas where sheet flow could enter the water were observed.
- 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: All stormwater on the site is surface sheet flow. No unauthorized non-stormwater discharges were observed when conducting the comprehensive site inspection.

## 2.5 Salt Storage.

**Instructions (see 2021 MSGP Part 6.2.3.5):**

Document the location of any storage piles containing salt used for deicing or other commercial or industrial purposes.

*Note: You will be asked additional questions concerning salt storage in Section 3.1.7 of this SWPPP template, below.*

No salt is stored at the Gregorio D. Perez Marina.

## 2.6 Sampling Data Summary.

**Instructions (See 2021 MSGP Part 6.2.3.6):**

Existing permitted facilities must summarize all stormwater discharge sampling data collected at the facility during the previous permit term. Include a narrative description that adequately summarizes the collected sampling data to support identification of potential pollution sources. Note that data tables and/or figures may be used to aid the summary. New discharges and new sources must provide a summary of any available stormwater data they may have.

The facility has not previously obtained coverage under the MSGP; therefore, stormwater discharge sampling has not been conducted onsite.

## SECTION 3: STORMWATER CONTROL MEASURES (SCM)

### Instructions (See 2021 MSGP Parts 2.1.2, Part 8, and 6.2.4):

In Sections 3.1 - 3.4 of this SWPPP template, you are asked to describe the stormwater control measures (SCMs) that you have installed at your site to meet each of the permit's

- 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;
- Any additional measures that formed the basis of eligibility regarding Endangered Species Act-listed threatened and endangered species or their critical habitat, National Historic Preservation Act historic properties, and/or federal CERCLA site requirements in Part 2.3; 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 the 2021 MSGP Part 2.1.1); and
- How they address the pollutant sources identified in section 2.1 of the Template.

### 3.1 *Non-Numeric Technology-Based Effluent Limits (BPT/BAT/BCT)*

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

#### 3.1.1 Minimize Exposure.

##### Instructions (see 2021 MSGP Part 2.1.2.1):

Describe any structural controls or practices used to minimize the exposure of manufacturing, processing, and material storage areas (including loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations) to rain, snow, snowmelt and stormwater. Describe where the controls or practices are being implemented at your site.

The following control measures have been implemented to minimize the exposure of potential pollutants to stormwater and runoff:

- Use of containment measures (i.e. hanging plastic barriers, tarpaulins, and roofing cover) is in effect for all painting and outdoor maintenance operations.
- Vehicle and equipment washing is performed at the designated bermed wash area.
- No gasoline fuel ASTs or used oil ASTs are located onsite. Drums and containers are all maintained on secondary containment pads with impervious ground surfaces and walls.
- Outdoor materials are stored on tarpaulins to prevent run-on and minimize potential pollutant runoff.
- Drip pans or other protective devices are used for all oil or oily waste transfer operations to catch incidental spillage and drips from hose nozzles, hose racks, drums, or barrels.
- Solid chemicals, chemical solutions, paints, oils, solvents, acids, caustic solutions, and waste materials, including used batteries, are stored in a manner which prevents the entry of these materials into surface water. Storage is conducted in a manner that prevents entry into waters by

overflowing, tipping, rupture, or other accidents within the storage area.

- All metal finishing chemical solutions, caustic wash, and rinse-water tanks are stored in such a manner to prevent introduction of spills into Territory waters. Any intercepted chemical spill is recycled back to the appropriate chemical solution tank or disposed of. The spilled material is handled, recycled, or disposed of in such manner as to prevent its discharge into surface waters.
- The mixing of paints and solvents is carried out in locations and under conditions such that no spill enter surface waters.
- Drip pans or other protective devices are used for all paint mixing and solvent transfer operations, unless the mixing operation is carried out in controlled areas away from storm drains, surface waters, shorelines, and piers. Drip pans, drop cloths, or tarpaulins are used whenever paints and solvents are mixed. Sorbents are on hand to soak up liquid spills. Paints and solvents are not to be mixed in areas where spillage would have direct access to surface waters unless containment measures are employed.
- Paint and solvent spills are treated as oil spills and are prevented from reaching storm drains and subsequent discharge into surface waters.

### 3.1.2 Good Housekeeping.

**Instructions (see 2021 MSGP Parts 2.1.2.2 and 6.2.5.1.a):**

Describe any practices you are implementing to keep exposed areas of your site that are potential sources of pollutants clean. Describe where each practice is being implemented at your site. Include here your schedule or convention used for: (1) determining when pickup and disposal of waste materials occurs; and (2) routine inspections for leaks and conditions of drums, tanks, and containers. Note: There are specific requirements for facilities that handle pre-production plastic.

- The marina is cleaned on a regular basis to minimize the possibility that runoff will carry paints, solvents, cleaners, anti-corrosive compounds, paint chips, scrap metal, trash, garbage, petroleum products or other debris into surface waters. Cleanup of areas contributing runoff consists of mechanical or manual methods to sweep-up and collect the debris.
- Decking and vessel transfer carriages are cleaned before launching to prevent the discharge of pollutants to surface waters. They are also be cleaned on a regular basis to prevent rain from washing material into surface waters.
- Cleanup is carried out promptly after an oil, grease or fuel spill is detected to prevent the spill from reaching surface waters. Oil containment booms are conveniently stored to be immediately deployable in the event of a spill.
- Sufficient waste receptacles are provided throughout industrial areas at the facility. These receptacles are emptied as necessary to prevent waste from entering surface waters.
- Prior to hose testing, paint residues, and other debris from industrial areas are removed to prevent pollutants from entering storm water conveyances or surface waters.
- Floatable and low-density waste such as wood and plastic, as well as miscellaneous waste (e.g., paper, insulation, packaging, etc.), is removed from industrial areas and decking before launching vessels.



### 3.1.3 Maintenance.

**Instructions (see 2021 MSGP Parts 2.1.2.3 and 6.2.5.1.b):**

Describe procedures to: (1) maintain all control measures in effective operating condition; and (2) maintain industrial equipment and systems in order to minimize pollutant discharges. Include the schedule or frequency you will follow for such maintenance activities. Describe where each applicable procedure is being implemented at the site.

- A preventive maintenance program involves timely inspection and maintenance of stormwater management devices, as well as inspecting and testing facility equipment and systems to uncover conditions that could cause breakdowns or failures. These breakdowns or failures can result in discharges of pollutants to surface waters. Routine facility inspections are conducted quarterly, at minimum, and aid in identifying potential areas requiring maintenance.
- The onsite oil-water separator owned and operated by DPW is inspected at least annually as part of the preventative maintenance program. The oil-water separator is cleaned out as part of the inspections to ensure adequate operation to minimize stormwater pollution entering the marina surface waters.
- Leaking connections, valves, pipes, and hoses carrying wastewater or potable water are replaced or repaired immediately. Hose connections to vessels and to receiving lines or containers are tightly connected and leak free.

### 3.1.4 Spill Prevention and Response Procedures.

**Instructions (see 2021 MSGP Parts 2.1.2.4 and 6.2.5.1.c):**

Describe any structural controls or procedures used to prevent the potential for leaks, spills, and other releases that may be exposed to stormwater and respond to any spills and leaks, including notification procedures. You must conduct spill prevention and response measures, including but not limited to the following:

- Clean up spills and leaks promptly using dry methods (e.g., absorbents) to prevent the discharge of pollutants;
- Use drip pans and absorbents if leaky vehicles and/or equipment are stored outdoors;
- Use spill/overflow protection equipment;
- 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 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 onsite, 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.
- Specify cleanup equipment, procedures and spill logs, as appropriate, in the event of spills.

Describe where each control is to be located or where applicable procedures will be implemented.

*Note: Some facilities may be required to develop a Spill Prevention Control and Countermeasure (SPCC) plan under a separate regulatory program (40 CFR 112). If you are required to develop an SPCC plan, or you already*

*have one, you may include references to the relevant requirements from your plan provided that you keep a copy of that other plan onsite and make it available for review.*

EPA recommends you include:

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 National Response Center (NRC) at (800) 424-8802 or, in the Washington, DC, metropolitan area, call (202) 267-2675 in accordance with the requirements of 40 CFR Part 110, 40 CFR Part 117, and 40 CFR Part 302 as soon as you have knowledge of the discharge. State or local requirements may necessitate reporting spills or discharges to local emergency response, public health, or drinking water supply agencies. Contact information must be in locations that are readily accessible and available.

Oil spill kits are located in the following areas:

- Adjacent to the GFD buildings
- On all piers
- Within private and commercial vessels docked within the marina

The Port Police document spills and leaks of oil or hazardous materials at PAG facilities both on land and in the water. Spills in the water are handled by the GEPA and the U.S. Coast Guard (USCG). The USCG responds to spills in the waterways to conduct an evaluation of the spill and predict the movement and effects of the spill.

In the event of a spill, the following agencies must be contacted immediately:

<u>Agency</u>	<u>Telephone Number</u>
Port Police	Direct Line: (671) 472-2703 Main Gate: (671) 477-2864
Guam Fire Department	Piti Station: (671) 472-8139 Tamuning/Tumon Station: (671) 646-8801/8802
National Response Center	(800) 424-8802
USCG	Sector Guam: (671) 355-4824 On-Base Emergency: (671) 333-4357
Guam EPA	(671) 300-4751

The relevant BMPs that provide suggestions for handling spills and leaks as they may potentially occur while conducting a specific activity are described in Section 3.2 and in fact sheets located in Attachment D.

### **3.1.5 Erosion and Sediment Controls.**

**Instructions (see 2021 MSGP Parts 2.1.2.5 and 6.2.5.1.d):**

Describe activities and processes for stabilizing exposed soils to minimize erosion. Describe flow velocity dissipation devices placed at all discharge locations and all structural and non-structural control measures to prevent the discharge of sediment. If applicable, describe the type and purpose of any polymers and/or chemical treatments used to control erosion and the location at your site where each control is implemented.

Erosion concerns can be divided into two broad categories:

- (1) Erosion due to active construction projects, and
- (2) Chronic or nuisance eroding areas due to inadequate conveyance, steep slopes, erodible fills, etc.

The first category of erosion potential is associated with various development projects being actively constructed or planned on facility property. For each project, an approved sediment and erosion control plan will be developed and approved by the local or territory regulatory agencies. These plans will identify the specific control measures that will be in place during construction to minimize erosion and sedimentation. At present there are no sites of construction-related erosion at PAG facility areas covered by this SWPPP.

The second category of erosion or sedimentation problems involves areas that may experience nuisance erosion due to inadequate conveyance, steep slopes, or erodible fills. No significant visible erosion was identified during site inspections.

In an effort to minimize discharge of sediment mobilized by stormwater runoff at the site, PAG has laid rocks around the edges of the site to prevent erosion and limit sediment entering the bay. PAG most recently completed a project to repair the concrete loading dock at the eastern portion of the dry dock area in May 2022 in an effort to minimize erosion potential from the dry dock area.

The port will continue to evaluate sedimentation through the periodic inspection program and will identify and implement additional BMPs, if necessary.

### **3.1.6 Management of Stormwater.**

**Instructions (See 2021 MSGP Part 2.1.2.6):**

Describe controls used at your site to divert, infiltrate, reuse, contain, or otherwise reduce stormwater to minimize pollutants in your discharges. Describe the location at your site where each control is implemented.

The P2 team will manage all run-off from the facility in an effort to eliminate any environmental hazard leaving the facility via stormwater. All stormwater run-off in areas of Outfall 001 and Outfall 002 will be monitored quarterly during storm events. Any man-made run-off (such as washing activities) will be observed and routed away from areas where contamination could run-off the facility.

### **3.1.7 Salt Storage Piles or Piles Containing Salt.**

**Instructions (see 2021 MSGP Part 2.1.2.7):**

If applicable, describe structures at your site that either cover or enclose salt storage piles or piles containing salt, and any controls that minimize or prevent the discharge of stormwater from such piles. Also, describe any measures (e.g. good housekeeping, diversions, containment) used to minimize exposure resulting from adding to or removing materials from the pile. Describe the location at your site where each control and/or procedure is implemented.

No salt is stored at the Gregorio D. Perez Marina.

### **3.1.8 Dust Generation and Vehicle Tracking of Industrial Materials.**

**Instructions (see 2021 MSGP Part 2.1.2.10):**

Describe controls and procedures that will be used at your site to minimize generation of dust and off-site tracking of raw, final, or waste materials in order to minimize pollutants discharged via stormwater.

In the event that industrial activities generate dust, the pavement will be hosed down to limit dust tracking from the site. The P2 team will implement control measures to minimize the generation of dust and off-site tracking of raw or waste materials. Water may be used for the purposes of dust suppression; however, there will be no direct discharge to surface waters from dust suppression activities.

### **3.2 Water Quality-Based Effluent Limitations and Water Quality Standards.**

**Instructions (see 2021 MSGP Part 2.2.1):**

Describe the measures that will be implemented at your site to control industrial stormwater discharge as necessary to meet applicable water quality standards of all applicable states, tribes, and U.S. territories.

EPA expects that compliance with the conditions in this permit will control discharges as necessary to meet applicable water quality standards. If at any time you become aware, or EPA determines, that your stormwater discharge will not be controlled as necessary such that the receiving water of the United States will not meet an applicable water quality standard, you must take corrective action(s) as required in Part 5.1 of the 2021 MSGP and document the corrective actions as required in 2021 MSGP Part 5.3. You must also comply with any additional requirements that your state or tribe requires in 2021 MSGP Part 9.

EPA 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 NOI, required reports, or from other sources indicates that your discharges are not controlled as necessary such that the receiving water of the United States will not meet applicable water quality standards. You must implement all measures necessary to be consistent with an available wasteload allocation in an EPA-established or approved TMDL.

The P2 team will consider their individual activities and the techniques that are available to aid in reducing stormwater pollution. The following BMPs are provided in Attachment D:

- BMP Sheet BL1 – Elimination of Non-Stormwater Discharges to Storm Drains
- BMP Sheet BL2 – Emergency Spill Cleanup Plans
- BMP Sheet BL3 – Stormwater Pollution Prevention Education
- BMP Sheet AS1 – Vehicle and Equipment Maintenance
- BMP Sheet AS2 – Vehicle and Equipment Fueling
- BMP Sheet AS3 – Vehicle and Equipment Washing, Cleaning, and Degreasing
- BMP Sheet AS4 – Outdoor Storage of Waste and Materials
- BMP Sheet AS5 – Waste/Garbage Handling and Disposal
- BMP Sheet AS6 – Building and Grounds Maintenance

In some situations, special practices may be necessary to prevent pollution based on the specific stormwater management structure or a unique site design or practice. In general, the manufacturer of physical structures, such as sand traps and storm filters, can provide documentation for proper maintenance and recommended practices to prevent the release of pollutants to stormwater.

P2 team members should continue to assess individual areas and processes to determine the need for different or additional BMPs.

The EPA Guidance specifically identifies Site-Specific BMPs for the following items:

- **Flow Diversion Practices**

Stormwater Conveyances

Diversion Dikes

Graded Areas and Pavements

- **Exposure Minimization Practices**

Containment Dikes

Curbing

Drip Pans

Collection Basins

Sumps

Covering

Vehicle Positioning

Loading/Unloading by Air Pressure/Vacuum

- **Mitigative Practices**

Sweeping

Shoveling

Excavation Practices

Vacuum/Pump Systems

Sorbents

Gelling Agents

- **Other Preventive Practices**

Preventive Monitoring

Dust Control

Signs and Labels

Security

Area Control Procedures

Equipment Washing

- **Sediment and Erosion Prevention**

Vegetative Practices

Structural Erosion Prevention and Sediment

Control Practices

- **Infiltration Practices**

Vegetated Filter Strips

Grassed Swales

Level Spreaders

Infiltration Trenches

Porous Pavements/Concrete Grids and

Modular Pavement

### 3.3 Sector-Specific Non-Numeric Effluent Limits.

**Instructions (see 2021 MSGP Part 8):**

Describe any controls or procedures that will be used at your site to comply with any sector-specific requirements that apply to you in Part 8 of the 2021 MSGP. Describe the location at your site where each control and/or procedure will be implemented.

*Note: Sector-specific effluent limits apply to Sectors A, E, F, G, H, I, J, L, M, N, O, P, Q, R, S, T, U, V, X, Y, Z and AA.*

Sector-specific technology-based effluent limits are defined for the Gregorio D. Perez Marina facility industrial sector (Subsector Q1). The additional Subsector Q1 requirements that apply to the site have been incorporated into facility operations, and although generally discussed throughout this document, these specifically include the following:

- **Painting Area:** Containment measures (plastic barriers/tarpaulins) have been implemented to minimize overspray and potential runoff from painting operations.
- **Material Storage Areas:** All containerized materials (e.g., fuels, paints, solvents, waste oil, antifreeze, batteries) are labeled and stored in protected, secure locations away from drains. Outdoor storage areas are managed appropriately to minimize the potential for contamination of precipitation or surface runoff from storage areas. Inventory control measures are used to limit the quantity of potentially hazardous materials kept onsite.
- **Equipment Maintenance and Repair Areas:** To minimize the contamination of precipitation or surface runoff from equipment maintenance and repair to the extent practical, all maintenance activities are conducted indoors.

## **SECTION 4: SCHEDULES AND PROCEDURES**

### **4.1 Good Housekeeping.**

**Instructions (see 2021 MSGP Part 6.2.5.1.a):**

Document a schedule or the convention used for determining when pickup and disposal of waste materials occurs (e.g., roll off dumpsters are collected when full). Provide a schedule for routine inspections for leaks and conditions of drums, tanks, and containers.

All areas of the facility that are potential sources of pollutants to the stormwater discharge will be kept clean. As part of daily operations and general good housekeeping practices, all employees routinely inspect and sweep their work areas to ensure waste materials, garbage, or other floatable debris are not permitted to accumulate. Garbage receptacles are located in the dry dock area and are kept with their lid closed to minimize contamination of runoff. Garbage bins are maintained and regularly emptied by a service contractor. PAG restricts access to the garbage bins after 6pm daily to prevent illegal dumping by the public entering the marina.

### **4.2 Maintenance.**

**Instructions (see 2021 MSGP Part 6.2.5.1.b):**

Document preventative maintenance procedures, including regular inspections, testing, maintenance and repair of all stormwater 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. Include the schedule or frequency for maintaining all control measures used to comply with the effluent limits in Part 2 of the 2021 MSGP.

PAG has an existing preventive maintenance program in place for equipment as well as the buildings and grounds. This assists the facility in avoiding costly breakdowns or failures that could result in spills leaks or other contamination of stormwater. Equipment will be inspected quarterly and have scheduled preventative maintenance.

### **4.3 Spill Prevention and Response Procedures.**

**Instructions (see 2021 MSGP Part 6.2.5.1.c):**

Document procedures for preventing and responding to spills and leaks, including notification procedures. For preventing spills, include stormwater control measures for material handling and storage, and the procedures for preventing spills that can contaminate stormwater. 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 best management practices (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.

Refer to the information in Section 3.1.4.

#### **4.4 Erosion and Sediment Control.**

**Instructions (see 2021 MSGP Part 6.2.5.1.d):**

Document if polymers and/or other chemical treatments are used as part of your erosion and sediment controls and identify the polymers and/or chemicals used and the purpose.

The facility does not currently use polymers or chemical treatment for erosion or sediment control. If polymers or chemical treatment are needed for erosion or sediment control this section will be updated accordingly.

#### **4.5 Employee Training.**

**Instructions (see 2021 MSGP Part 2.1.2.8 and Part 6.2.5.1.e):**

Provide the elements of your training plan, including, but not necessarily limited to:

- The content of the training;
- The frequency/schedule of training for employees who work in areas where industrial materials or activities are exposed to stormwater, or who are responsible for implementing activities necessary to meet the conditions of the permit; and
- A log of the dates on which specific employees received training.

The following personnel, at a minimum, must receive training, and therefore should be listed out individually in the table below:

- 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 pollutants discharged via stormwater;
- Personnel who are responsible for conducting and documenting monitoring and inspections as required in 2021 MSGP Parts 3 and 4; and
- Personnel who are responsible for taking and documenting corrective actions as required in 2021 MSGP Part 5.

2021 MSGP Part 2.1.2.8 requires that the personnel who are required to be trained must also be trained to understand 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 the controls 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;
- When and how to conduct inspections, record applicable findings, and take corrective actions; and
- The facility's emergency procedures, if applicable per 2021 MSGP Part 2.1.1.8.

Training is necessary to ensure that PAG employees are aware of their impact to stormwater, their responsibilities to prevent pollution, and methods to control such pollution release. Training sessions are held annually for PAG maintenance staff. Topics covered during training include, but are not limited to:

- Purpose of SWPPP, requirements, and contents



- Spill prevention and response procedures
- Good housekeeping practices
- Preventative maintenance
- Material management practices
- Equipment washing procedures
- Recordkeeping and reporting

All training is organized and coordinated through the P2 Team annually. Staff is alerted by the P2 Team in advance of the training session to ensure full participation. A copy of the attendance sheet and topics covered is maintained onsite.

Other training sessions are held as needed for members of the P2 Team or others to address specific topics of interest. Topics for such training sessions may include basic concepts of pollution prevention and baseline BMPs (for new P2 Team members); site-specific BMPs; and proper use and maintenance of stormwater management systems and structures. Training on these topics is scheduled on an as-needed basis by the P2 Team Leader in coordination with the P2 Team.

#### **4.6 Inspections and Assessments.**

**Instructions (see 2021 MSGP Part 3 and Part 6.2.5.2):**

Document procedures for performing the types of inspections specified by this permit, including:

- Routine facility inspections (see 2021 MSGP Part 3.1) and;
- Quarterly visual assessment of stormwater discharges (see 2021 MSGP Part 3.2).

*Note: If you are invoking the exception for inactive and unstaffed sites proceed to 4.6.3 below.*

##### **4.6.1 Routine Facility Inspections.**

**Instructions (see 2021 MSGP Part 3.1):**

Describe the procedures you will follow for conducting routine facility inspections in accordance with Part 3.1 of the 2021 MSGP. Document any findings of your facility inspections and maintain this report with your SWPPP as required in Part 6.5 of the 2021 MSGP. Summarize your findings in the annual report per 2021 MSGP Part 7.4. Any corrective action required as a result of a routine facility inspection must be performed consistent with 2021 MSGP Part 5.

Regular visual inspections are the most effective way to ensure that all the elements of the SWPPP are in place and are effective at preventing stormwater pollution. Routine facility inspections occur at least quarterly and include all areas of the facility, but specifically focus on the equipment washing areas, equipment maintenance and repair areas, painting areas, material storage areas (indoor and outside), material handling/fueling areas, and stormwater conveyances.

Routine inspections are conducted by qualified personnel and include one member of the Stormwater P2 team.

Although not reported to the EPA, documentation of routine inspections is maintained onsite and made available upon request. Routine facility Inspection forms are located in Attachment E. Documentation includes the following:

- The inspection date and time

- The name(s) and signature(s) of the inspector(s)
- Weather information and a description of any discharges occurring at the time of the inspection
- Any previously unidentified discharges of pollutants from the facility
- Any evidence of, or the potential for, pollutants entering the drainage system
- Observations regarding the physical condition of the outfalls and the surrounding area, including any evidence of pollutants in the discharge and/or the receiving water
- Any control measures needing maintenance or repairs
- Any failed control measures that need replacement
- Any incidents of noncompliance observed
- Any additional control measures needed to comply with the permit requirements

For routine facility inspections to be performed at your site, your SWPPP must include a description of the following:

**1. Person(s) or positions of person(s) responsible for inspection.**

- General Manager
- Environmental Specialist
- Maintenance Manager
- Operations Manager
- Health and Safety Manager

*Note: Inspections must be performed by qualified personnel with at least one member of your stormwater 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 are those who possess the knowledge and skills to assess conditions and activities that could impact stormwater quality at your facility, and who can also evaluate the effectiveness of control measures.*

**2. Schedules for conducting inspections, including tentative schedule for facilities in climates with irregular stormwater discharges.**

Routine inspections will be conducted at least quarterly by qualified personnel and include one member of the Stormwater P2 team. The inspections will tentatively be conducted in concurrence with the visual assessment of stormwater discharges.

*Note: The qualified personnel must conduct inspections 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 stormwater control measures, or areas of the facility with significant activities and materials exposed to stormwater. At least once each calendar year, the routine inspection must be conducted during a period when a stormwater discharge is occurring.*

**3. List areas where industrial materials or activities are exposed to stormwater.**

- Industrial materials or activities have the potential to be present in the Dry Dock Area in the northern portion of the marina

- Spreader bars used to pick-up vessels located in the Dry Dock Area
  - Loading/unloading areas at the boat docks
4. **List areas identified in the SWPPP (section 1 of the SWPPP Template) and those that are potential pollutant sources (see Part 6.2.3).**
- Industrial materials or activities have the potential to be present in the Dry Dock Area in the northern portion of the marina
  - Spreader bars used to pick-up vessels located in the Dry Dock Area
  - Loading/unloading areas at the boat docks
5. **Areas where spills and leaks have occurred in the past three years.**
- N/A
6. **Inspection information for discharge points.**
- Outfall 001: Latitude: 13°28'41.20"N / Longitude: 144°45'0.08"E
  - Outfall 002: Latitude: 13°28'41.20"N / Longitude: 144°44'59.05"E
7. **List the control measures used to comply with the effluent limits contained in the 2021 MSGP.**
- Refer to BMPs (Section 3.1, 3.2, 3.3).

#### 4.6.2 Quarterly Visual Assessment of Stormwater Discharges.

**Instructions (see 2021 MSGP Part 3.2):**

Describe the procedures you will follow for conducting quarterly visual assessments in accordance with Part 3.2 of the 2021 MSGP. The visual assessment must be made:

- Of a discharge sample contained in a clean, colorless glass or plastic container, and examined in a well-lit area;
- Of 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. In the case of snowmelt, samples must be taken during a period with a measurable discharge; 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.

Document the results of your visual assessments and maintain this documentation onsite with your SWPPP as required in 2021 MSGP Part 6.5. Any corrective action required as a result of a quarterly visual assessment must be performed consistent with 2021 MSGP Part 5.

Visual inspections shall be completed by a member of the P2 team and made during normal working hours. If no storm event resulted in runoff from the facility during a monitoring quarter, the permittee is excused from visual monitoring for that quarter; however, documentation must be included with the monitoring records indicating that no runoff occurred. The examination shall document observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of stormwater pollution. The examination must be conducted in a well-lit area of a discharge sample contained

in a clean, colorless glass or plastic container. Samples must be 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 it must be documented why it was not possible to take the sample within the first 30 minutes. No analytical tests are required to be performed on the samples.

Documentation of the visual sample assessments is maintained onsite with the SWPPP. Documentation includes the following:

- 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)
- Results of observations of the stormwater discharge
- Probable sources of any observed stormwater contamination
- If applicable, why it was not possible to take samples within the first 30 minutes

If the results of the visual assessment identify signs of stormwater pollution, corrective action must be implemented in accordance with Part 4 of the MSGP. Sample visual assessment forms are located in Attachment E.

#### 4.6.3 Exception to Routine Facility Inspections and Quarterly Visual Assessments for Inactive and Unstaffed Sites.

**Instructions (see 2021 MSGP Parts 3.1.5 and 3.2.4.4):**

If you are invoking the exception for inactive and unstaffed sites relating to routine facility inspections and/or quarterly visual assessments, you must include documentation to support your claim that your facility has changed its status from active to inactive and unstaffed.

To invoke this exception you must maintain a statement in your SWPPP per Part 6.2.5.2 indicating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to precipitation, in accordance with the substantive requirements in 40 CFR 122.26(g)(4)(iii). The statement must be signed and certified in accordance with Appendix B, Subsection 11.

*Note: If circumstances change and industrial materials or activities become exposed to stormwater or your facility becomes active and/or staffed, this exception no longer applies and you must immediately resume routine facility inspections. If you are not qualified for this exception at the time you become authorized under the 2021 MSGP, but during the permit term you become qualified because your facility becomes inactive and unstaffed, and there are no industrial materials or activities that are exposed to stormwater, you must include the same signed and certified statement as above and retain it with your records pursuant to Part 6.5.*

Inactive and unstaffed facilities covered under Sectors G (Metal Mining), H (Coal Mines and Coal Mining-Related Facilities), and J (Non-Metallic Mineral Mining and Dressing) are not required to meet the “no industrial materials or activities exposed to stormwater” standard to be eligible for this exception from routine inspections, per 2021 MSGP Parts 8.G.8.4, 8.H.9.1, and 8.J.9.1.

- This site is inactive and unstaffed, and has no industrial materials or activities exposed to stormwater, in accordance with the substantive requirements in 40 CFR 122.26(g)(4)(iii) as signed and certified in Section 7 below.**

If you are invoking the exception for inactive and unstaffed sites for your routine facility inspections and/or quarterly visual assessments, include information to support this claim.

The Port of Guam is not invoking the exception for inactive and unstaffed sites for the Gregorio D. Perez Marina.

#### 4.7 Monitoring.

**Instructions (see 2021 MSGP Part 6.2.5.3):**

Describe your procedures for conducting the six types of analytical stormwater discharge monitoring specified by the 2021 MSGP, where applicable to your facility, including:

- Indicator monitoring (2021 MSGP Part 4.2.1);
- Benchmark monitoring (2021 MSGP Part 4.2.2 and relevant requirements in Part 8 and/or Part 9);
- Effluent limitations guidelines monitoring (2021 MSGP Part 4.2.3 and relevant requirements in Part 8);
- State- or tribal-specific monitoring (2021 MSGP Part 4.2.4 and relevant requirements in Part 9);
- Impaired waters monitoring (2021 MSGP Part 4.2.5); and
- Other monitoring as required by EPA (2021 MSGP Part 4.2.6).

Depending on the type of facility you operate, and the monitoring requirements to which you are subject, you must collect and analyze stormwater samples and document monitoring activities consistent with the procedures described in 2021 MSGP Part 6 and Appendix B, Subsections 10 – 12, and any additional sector-specific or state/tribal-specific requirements in 2021 MSGP Parts 8 and 9, respectively. Refer to 2021 MSGP Part 7 for reporting and recordkeeping requirements. *Note: All monitoring must be conducted in accordance with the relevant sampling and analysis requirements at 40 CFR Part 136.* Include in your description procedures for ensuring compliance with these requirements.

If you are invoking the exception for inactive and unstaffed sites for benchmark monitoring, you must include in your SWPPP the information to support this claim as required by 2021 MSGP Part 6.2.1.3.

If you plan to use the substantially identical discharge point exception for your benchmark monitoring requirements, impaired waters monitoring requirements, and/or your quarterly visual assessment, you must include the following documentation:

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

Check the following monitoring activities applicable to your facility:

- Indicator monitoring
- Benchmark monitoring
- Effluent limitations guidelines monitoring
- State- or tribal-specific monitoring
- Impaired waters monitoring
- Other monitoring required by EPA

For each type of monitoring checked above, your SWPPP must include the following information:

**Quarterly Benchmark Monitoring**

1. **Sample location(s):** Outfall 001, Outfall 002
2. **Pollutants to be sampled.** Total Aluminum, Total Lead, Total Zinc.
3. **Monitoring Schedules.**
  - Monitoring Period 1 – April 1 through June 30
  - Monitoring Period 2 – July 1 through September 31
  - Monitoring Period 3 – October 1 through December 31
  - Monitoring Period 4 – January 1 through March 31
4. **Numeric Limitations.**

Parameter	Benchmark Monitoring Concentration
Total Aluminum	1.1 mg/L
Total Lead	0.21 mg/L
Total Zinc	0.09 mg/L

**Indicator Monitoring**

1. **Sample location(s).** Outfall 001, Outfall 002
2. **Pollutants to be sampled.** Polycyclic Aromatic Hydrocarbons (PAHs)
3. **Monitoring Schedules.**
  - Monitoring Period 1 – April 1 through June 30
  - Monitoring Period 2 – October 1 through December 31
4. **Numeric Limitations.**

Parameter	Benchmark Monitoring Concentration
PAHs	Report only/ No thresholds or baseline values

**Impaired Waters Monitoring**

In accordance with Section 4.2.5.1.b of the MSGP, for stormwater discharges to waters for which there is an EPA-approved or established TMDL, you are not required to monitor for the pollutant(s) for which the TMDL was written unless EPA informs you, upon examination of the applicable TMDL and its waste load allocation, that you are subject to such a requirement consistent with the assumptions and findings of the

applicable TMDL and its waste load allocation. EPA's notice will include specifications on stormwater discharge monitoring parameters and frequency.

The Gregorio D. Perez Marina discharges into an impaired water for which there are EPA-approved TMDLs for bacteria. Therefore, monitoring for bacteria is not required unless notified by EPA.

#### **4.7.1 Reporting Procedures**

Monitoring data must be reported to the EPA in accordance with Section 7.3 of the MSGP. Data must be submitted to EPA using the EPA's Net-DMR system (available at <https://npdes-ereporting.epa.gov/net-netdmr>) no later than 30 days after receiving analytical results for all outfalls monitored during the reporting period.

Refer to Section 4.2.2.3 of the MSGP for additional guidance regarding the benchmark monitoring program and to determine if continued monitoring is required.

#### **4.7.2 Sampling Procedures**

Benchmark monitoring samples will be collected by the sampling team, which shall at minimum consist of one member of the P2 Team and/or a qualified contracted professional. Stormwater sampling should occur during measurable storm events, which are defined as a storm event that results in an actual discharge from the site and occurs at least 72 hours after the previous measurable storm event. The 72-hour storm interval does not apply if you can document that less than a 72-hour interval is representative for local storm events during the monitoring period. National Weather Service forecasts can be used as a planning tool for gauging storm events.

Sampling will be performed using the following equipment:

- Sample bottles, sample cooler with ice
- Rope and bucket to lower and collect discharge water from the outfall, if necessary
- Measuring glass and a watch to calculate the flow rate
- Disposable gloves
- Field notebook, marking pen, and chain of custody form

Once a rainfall has been determined to result in a discharge and there has not been a measurable storm event in the last 72 hours, the sampling team should conduct sampling activities.

Personnel shall collect one grab sample for analysis during the first 30 minutes of the discharge. 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, and documentation must be kept with the SWPPP explaining why it was not possible to take samples within the first 30 minutes. Samples can be collected directly in the sample bottles. Alternatively, a food grade high density polyethylene bucket or other suitable container can be lowered down to the outfall, if necessary, and filled with discharge water and then used to fill the sample bottles. This bucket must be decontaminated between each sampling event. Sample bottles will be labeled and placed in a cooler with ice. The team members will record the time that the rain ceased in the field notebook and take the samples to the laboratory for analysis.



All sample containers will have a label that is placed on the side of the container. Sample container caps should not be labeled. The labels will include the following information:

- Date
- Time
- Collector
- Sample Number (this should correspond to the Outfall; i.e. SW-001, SW-002)
- Sampling Site (Gregorio D. Perez Marina)
- Sample Type (i.e. grab)
- Preservative used (i.e. ice)
- Tests Required (indicated on chain of custody)

A chain of custody form shall be properly filled out and signed by the sampling personnel to ensure sample integrity.

An annual report containing information from the previous calendar year must be submitted to the EPA by 30 January for each year of permit coverage. Annual reports must be submitted via EPA's eReporting tool, which can be accessed at:

<https://npdes-ereporting.epa.gov/net-msgp/>

Refer to Section 7.4 of the MSGP for additional information and guidance regarding preparation and submittal of the annual report.

## **SECTION 5: DOCUMENTATION TO SUPPORT ELIGIBILITY CONSIDERATIONS UNDER OTHER FEDERAL LAWS**

### **5.1 *Documentation Regarding Endangered Species Act (ESA) Listed Species and Critical Habitat Protection.***

**Instructions (see 2021 MSGP Part 6.2.6.1):**

Include any documentation you have that supports your determination of eligibility consistent with 2021 MSGP, Part 1.1.4 (Eligibility Related to Endangered Species Act (ESA) Listed Species and Critical Habitat Protection). Refer to Appendix E of the 2021 MSGP for specific instructions for establishing eligibility.

The U.S. Fish and Wildlife Service (USFWS) – Mariana Islands Office was contacted for information regarding ESA Listed Species and Critical Habitat. A search for ESA-listed species and critical habitats was performed using the USFWS online Information and Planning Tool (IPaC) tool, which identified terrestrial and marine species included on the ESA list. No critical habitats are currently identified as protected. ESA consultation was conducted with the USFWS – Mariana Islands Office, NOAA's National Marine Fisheries Service (NMFS) Pacific Islands Office, and EPA Region 9. Responses received indicate because ESA-listed species are expected to be present in the action area, the determination of eligibility consistent with the 2021 MSGP will follow Criterion C3. The completed Criterion C3 Eligibility Form and associated attachments are included in this SWPPP in Attachment G.

### **5.2 *Documentation Regarding National Historic Preservation Act (NHPA)- Protected Properties.***

**Instructions (see 2021 MSGP Part 6.2.6.2):**

Include any documentation you have that supports your determination of eligibility consistent with 2021 MSGP Part 1.1.5 (Eligibility related to National Historic Preservation Act (NHPA)-Protected Properties). Refer to 2021 MSGP, Appendix F for specific instructions for establishing eligibility.

According to the 2021 MSGP because PAG is not building or installing control measures on the site that cause less than one (1) acre of subsurface disturbance, then the discharge-related activities do not have the potential to have an effect on historic properties. Therefore, PAG has no further obligations relating to historic properties and the site has met eligibility Criterion A of the MSGP.

## SECTION 6: CORRECTIVE ACTIONS AND ADDITIONAL IMPLEMENTATION MEASURES

### Instructions (see 2021 MSGP Part 5):

Describe the procedures for taking corrective action and/or AIM response in compliance with Part 5 of the 2021 MSGP.

Corrective actions and AIM must be implemented in accordance with Part 5 of the 2021 MSGP. The following provides a summary of conditions requiring corrective action and procedures for response. Refer to Part 5 of the MSGP for additional guidance.

### **6.1 Conditions Requiring SWPPP Revisions**

If the following events occur PAG will revise this SWPPP to meet effluent limits:

- Unauthorized release or discharge of non-stormwater
- Discharge violates numeric effluent limits depicted in this SWPPP
- Non-numeric effluent limits depicted in this SWPPP are not met
- A required control measure was not installed, was incorrectly installed, or not properly operated or maintained
- Visual assessment yields evidence of stormwater pollution such as color, odor, floating solids, settled solids, suspended soils, etc.

### **6.2 Conditions Requiring SWPPP Review**

If the following events occur, PAG will review the SWPPP to determine if modifications are necessary:

- Construction, changes in operation, or maintenance at the facility
- Average of four quarterly sampling results exceeds an applicable benchmark

### **6.3 Additional Implementation Measures (AIM)**

If any of the AIM triggering events described in Parts 5.2.3, 5.2.4, or 5.2.5 of the MSGP occur, PAG will follow the response procedures described in those parts, called “additional implementation measures” or “AIM.” There are three AIM levels: AIM Level 1, Level 2, and Level 3. PAG will respond as required to different AIM levels which prescribe sequential and increasingly robust responses when a benchmark exceedance occurs. PAG will follow the corresponding AIM level responses and deadlines described in Parts 5.2.3, 5.2.4, and 5.2.5 unless the port qualifies for an exception under Part 5.2.6.

### **6.4 Corrective Action and AIM Documentation Deadlines**

If corrective action is required, PAG shall take immediate action to prevent events described in Section 6.1.

Subsequent actions must be implemented within 14 calendar days of discovery of the event. If this is not feasible, then PAG must document why it is infeasible and provide a revised schedule within the allocated 14 calendar days. The revised schedule can be no longer than 45 days.

The corrective action must be documented as follows:

- Description of event

- Date of event
- Description of immediate actions
- Statement, signed and certified that actions are complete per schedule requirements

Documentation of any of the conditions listed in Sections 6.1 or 6.2 must be made within 24 hours of becoming aware of the condition. Such documentation must be made available to the GEPA upon request and will also be summarized in the annual stormwater report. Refer to Section 5.3 of the MSGP for additional guidance regarding corrective action documentation.

## SECTION 7: SWPPP CERTIFICATION

**Instructions (see 2021 MSGP Part 6.2.7):**

The following certification statement must be signed and dated by a person who meets the requirements of Appendix B, Subsection 11.A, of the 2021 MSGP.

*Note: this certification must be re-signed in the event of a SWPPP modification in response to a Part 5.1 trigger for corrective action or a Part 5.2 AIM triggering event.*

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 gathered and evaluated the information contained therein. 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.

Name: Rory J. Respicio Title: General Manager

Signature:  Date: 11/2/24

## SECTION 8: SWPPP MODIFICATIONS

**Instructions (see 2021 MSGP Part 6.3):**

Your SWPPP is a "living" document and is required to be modified and updated, as necessary, in response to corrective actions and deadlines. See Part 5 of the 2021 MSGP.

- If you need to modify the SWPPP in response to a corrective action required by Part 5.1 or AIM required by Part 5.2 of the 2021 MSGP, then the certification statement in section 7 of this SWPPP template must be re-signed in accordance with 2021 MSGP Appendix B, Subsection 11.A.
- For any other SWPPP modification, you should keep a log with a description of the modification, the name of the person making it, and the date and signature of that person. See 2021 MSGP Appendix B, Subsection 11.C.

Date	Modification	Name/Signature

## SECTION 9: SWPPP AVAILABILITY

**Instructions (see 2021 MSGP Part 6.4):**

Your current SWPPP (with the exception of any confidential business or restricted information) must be made available to the public. You have three options to comply with the public availability requirements for the SWPPP: attaching your SWPPP to your NOI; providing a URL of your SWPPP in your NOI; or providing the following SWPPP information in your NOI:

- Onsite industrial activities exposed to stormwater, including potential spill and leak areas;
- Pollutants or pollutant constituents associated with each industrial activity exposed to stormwater that could be discharged in stormwater and/or any authorized non-stormwater discharges;
- Stormwater control measures you employ to comply with the non-numeric technology-based effluent limits and any other measures taken to comply with the water quality based effluent limits; and
- Schedule for good housekeeping and maintenance and schedule for all inspections.

The Gregorio D. Perez Marina SWPPP can be found at the following link  
<https://portofguam.com/about-us/reports>.

## **SWPPP ATTACHMENTS**

Attach the following documentation to the SWPPP:

### ***Attachment A – General Location Map***

*Include a copy of your general location map in Attachment A.*

### ***Attachment B – Site Map***

*Include a copy of your site map(s) in Attachment B.*

### ***Attachment C – 2021 MSGP***

*Note: it is helpful to keep a printed-out copy of the 2021 MSGP so that it is accessible to you for easy reference. However, you do not need to formally incorporate the entire 2021 MSGP into your SWPPP. As an alternative, you can include a reference to the permit and where it is kept at the site.*

### ***Attachment D – BMP fact sheets***

### ***Attachment E – Additional MSGP Information***

### ***Attachment F – NOI***

### ***Attachment G – Endangered Species Information***

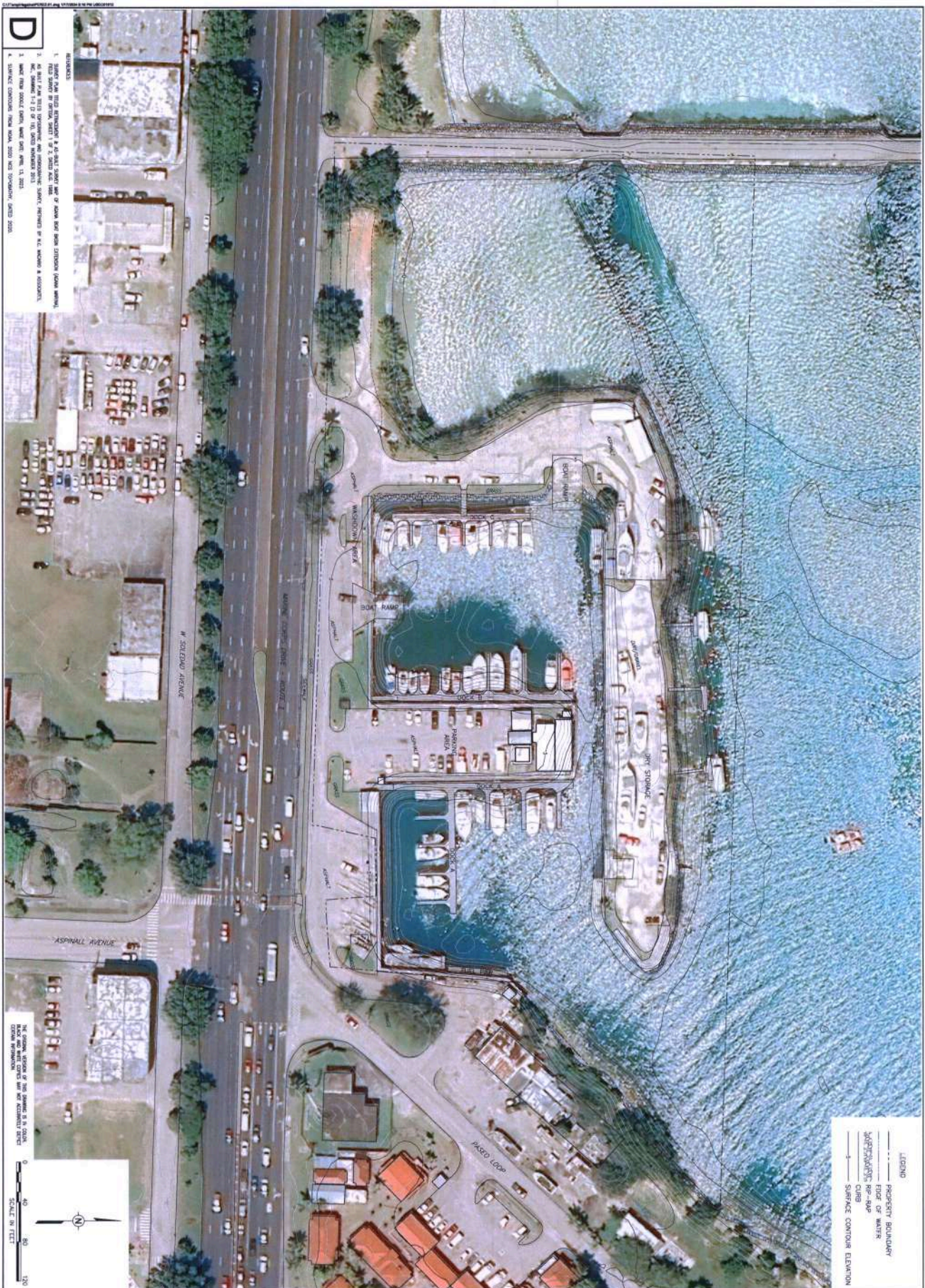
### ***Attachment H – Acronyms and Abbreviations***



## **ATTACHMENTS**

## **A. GENERAL LOCATION MAP**





**SITE LAYOUT**

**GREGORIO D. PEREZ MARINA PROPERTY**  
**HAGATNA, ISLAND OF GUAM**  
 PREPARED FOR  
**PORT AUTHORITY OF GUAM**

DESIGNED BY **ES&C** DATE **1/17/04** SEX:

APPROVED:

NOTES: THE DRAWING HAS BEEN PREPARED UNDER THE SUPERVISION OF A LICENSED PROFESSIONAL ENGINEER. THE LOCATION OF PILES CAN BE ANY POSITION, UNLESS NOTED OTHERWISE. THE DESIGNER IS A LICENSED PROFESSIONAL ENGINEER. THE DESIGNER WILL BE RESPONSIBLE FOR THE ACCURACY OF ALL DATA.

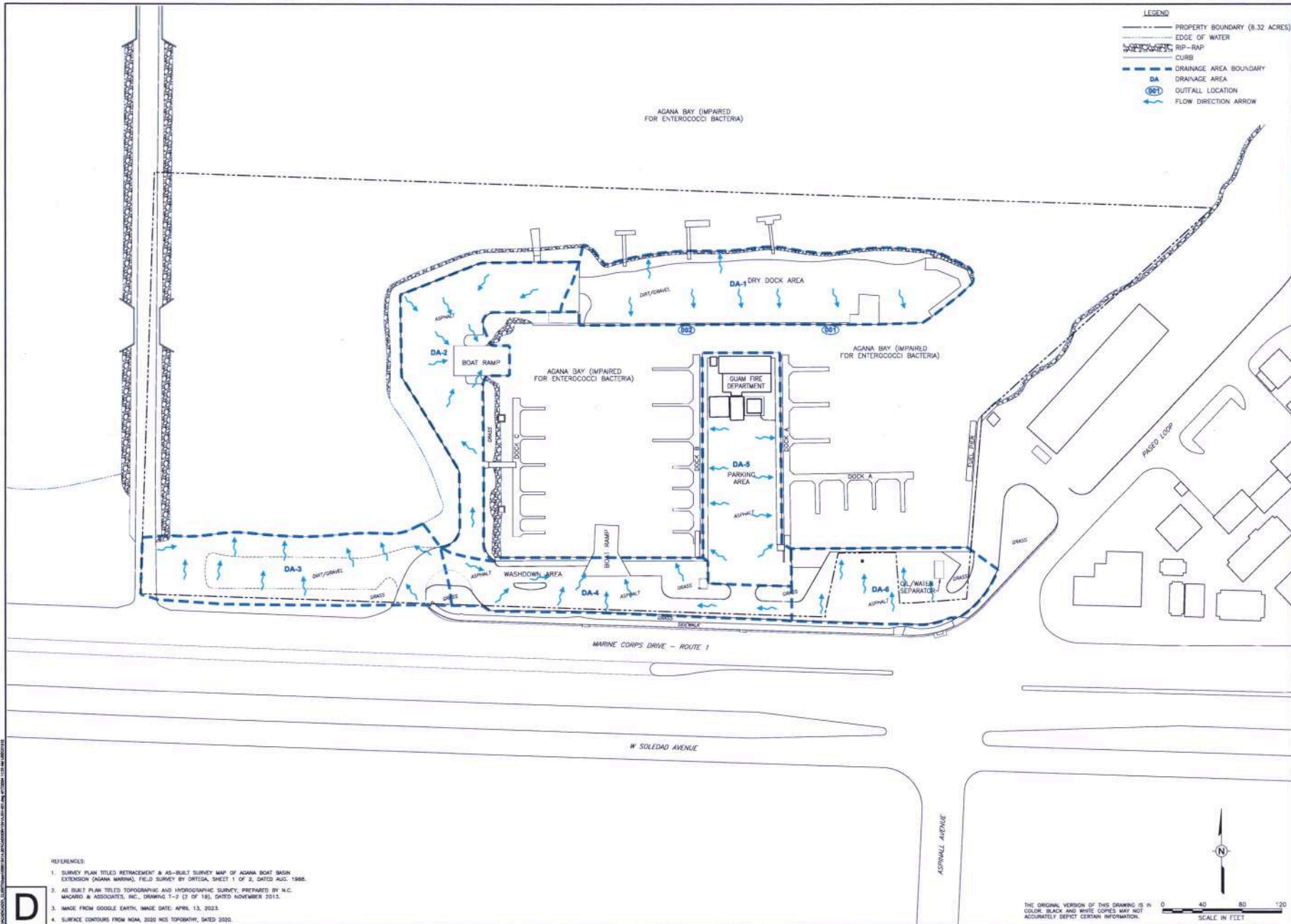
**REVISIONS**

REV	DESCRIPTION	DATE	BY

**WSP USA Inc.**  
 13530 DULLES TECHNOLOGY DR., SUITE 300  
 HERNDON, VA 20131  
 TEL: -1 703.709.8500



## **B. SITE MAP**



**LEGEND**

- PROPERTY BOUNDARY (8.32 ACRES)
- EDGE OF WATER
- RIP-RAP
- CURB
- DRAINAGE AREA BOUNDARY
- DRAINAGE AREA
- OUTFALL LOCATION
- FLOW DIRECTION ARROW

REV	DATE	DESCRIPTION

DATE	BY	DESCRIPTION

**SITE LAYOUT**

GREGORIO D. PEREZ MARINA PROPERTY  
 HAGATNA, ISLAND OF GUAM  
 PORT AUTHORITY OF GUAM



**FIGURE 2**

Drawing Number  
**309V1541A.001-001**

- REFERENCES**
1. SURVEY PLAN TITLED RETRACEMENT & AS-BUILT SURVEY MAP OF AGANA BOAT BASIN EXTENSION (AGANA MARINA), FIELD SURVEY BY ORTEGA, SHEET 1 OF 2, DATED AUG. 1999.
  2. AS-BUILT PLAN TITLED TOPOGRAPHIC AND HYDROGRAPHIC SURVEY, PREPARED BY M.C. MICHAEL & ASSOCIATES, INC., DRAWING T-2 (2 OF 18), DATED NOVEMBER 2015.
  3. IMAGE FROM GOOGLE EARTH, IMAGE DATE: APRIL 13, 2023.
  4. SURFACE CONTOURS FROM NOAA, 2020 NCS TOPOGRAPHY, DATED 2020.

THE ORIGINAL VERSION OF THIS DRAWING IS IN COLOR. BLACK AND WHITE COPIES MAY NOT ACCURATELY DEPICT CERTAIN INFORMATION.

**C. 2021 MSGP**

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (EPA)  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)  
MULTI-SECTOR GENERAL PERMIT (MSGP)  
FOR STORMWATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY**

In compliance with the provisions of the Clean Water Act (CWA), as amended (33 U.S.C. 1251 et seq.), operators of stormwater discharges associated with industrial activity located in an area identified in Appendix C where EPA is the permitting authority are authorized to discharge to waters of the United States in accordance with the eligibility and Notice of Intent (NOI) requirements, effluent limitations, inspection requirements, and other conditions set forth in this permit. This permit is structured as follows:

- **Parts 1-7:** General requirements that apply to all facilities;
- **Part 8:** Industry sector-specific requirements;
- **Part 9:** Specific requirements that apply in individual states and Indian country; and
- **Appendices A through P:** Additional permit conditions that apply to all operators covered under this permit.

This permit becomes effective on **September 29, 2021**. This permit and the authorization to discharge shall expire at 11:59 pm eastern time, **February 28, 2026**.

Signed and issued this 29<sup>th</sup> day of September 2021

**KENNETH MORAFF**  
Kenneth Moraff,  
Director, Water Division, EPA Region 1.

Digitally signed by  
KENNETH MORAFF  
Date: 2021.09.29  
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Signed and issued this 29<sup>th</sup> day of September 2021

**CHARLES MAGUIRE**  
Charles Maguire,  
Director, Water Division, EPA Region 6.

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DN: cn=CHARLES MAGUIRE,  
ou=Environmental Protection Agency,  
c=US

Signed and issued this 29<sup>th</sup> day of September 2021

**Laureano, Javier**  
Javier Laureano,  
Director, Water Division, EPA Region 2.

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09:13:30 -04'00'

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**JEFFERY ROBICHAUD**  
Jeffery Robichaud,  
Director, Water Division, EPA Region 7.

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**CARMEN GUERRERO PEREZ**  
Carmen R. Guerrero-Perez,  
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**HUMBERTO GARCIA**  
Humberto Garcia,  
Acting Director, Water Division, EPA Region 8.

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**CATHERINE LIBERTZ**  
Catherine A. Libertz,  
Director, Water Division, EPA Region 3.

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Signed and issued this 29<sup>th</sup> day of September 2021

**TOMAS TORRES**  
Tomás Torres,  
Director, Water Division, EPA Region 9.

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TOMAS TORRES  
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Signed and issued this 29<sup>th</sup> day of September 2021

**JEANEANNE GETTLE**  
Jeaneanne Gettle,  
Director, Water Division, EPA Region 4.

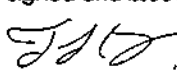
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JEANEANNE GETTLE  
Date: 2021.09.29  
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Signed and issued this 29<sup>th</sup> day of September 2021

**DANIEL OPALSKI**  
Daniel D. Opalski,  
Director, Water Division, EPA Region 10.

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Date: 2021.09.29  
09:59:16 -07'00'

Signed and issued this 29<sup>th</sup> day of September 2021

  
Tera L. Fong,  
Director, Water Division, EPA Region 5.

Digitally signed by TERA  
FONG  
Date: 2021.09.29  
12:34:58 -05'00'

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## **1 How to Obtain Coverage Under the 2021 MSGP**

To be covered under this permit, you must meet all of the eligibility conditions and follow the requirements for obtaining permit coverage in Part 1.

### **1.1 Eligibility Conditions**

**1.1.1 Location of Your Facility.** Your facility must be located in an area where EPA is the permitting authority and where coverage under this permit is available (see Appendix C);<sup>1</sup>

**1.1.2 Your Discharges Are Associated with Industrial Activity.** Your facility must have an authorized stormwater discharge or an authorized non-stormwater discharge per Part 1.2 associated with industrial activity from your "primary industrial activity" (as defined in Appendix A and as listed in Appendix D), or you have been notified by EPA that you are eligible for coverage under Sector AD.

**1.1.3 Limitations on Coverage.** Discharges from your facility are **not**:

**1.1.3.1 Discharges mixed with non-stormwater discharges.** Discharges mixed with non-stormwater discharges other than those mixed with authorized non-stormwater discharges listed in Part 1.2.2, and/or those mixed with a discharge authorized by a different NPDES permit and/or a discharge that does not require NPDES authorization.

**1.1.3.2 Stormwater discharges associated with construction activity.** Stormwater 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, 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.

**1.1.3.3 Discharges already covered by another NPDES permit.** Unless you have received written notification from EPA specifically allowing these discharges to be covered under this permit, you are not eligible for coverage under this permit for any of the following:

- a. Stormwater discharges associated with industrial activity that are currently covered under an individual NPDES permit or an alternative NPDES general permit;
- b. Stormwater discharges covered within five years prior to the effective date of this permit by an individual NPDES permit or alternative NPDES general permit where that permit established site-specific numeric water quality-based effluent limitations developed for the industrial stormwater component of the discharge; or
- c. Discharges from facilities where any NPDES permit has been or is in the process of being denied, terminated, or revoked by EPA (this does not apply to the routine expiration and reissuance of NPDES permits every five years).

**1.1.3.4 Stormwater Discharges Subject to Effluent Limitations Guidelines.** Stormwater discharges subject to stormwater effluent limitation guidelines under 40 CFR, Subchapter N, other than those listed in Table 1-1 of this permit.

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<sup>1</sup> This condition also applies in the limited circumstances where your facility is located in a jurisdiction where EPA is not the permitting authority, but your discharge point location is to a water of the United States where EPA is the permitting authority.

- 1.1.4 Eligibility Related to Endangered Species Act (ESA) Listed Species and Critical Habitat Protection.** You are able to demonstrate that your stormwater discharges, authorized non-stormwater discharges, and stormwater discharge-related activities are not likely to adversely affect any species that are federally listed as endangered or threatened ("ESA-listed") and are not likely to adversely affect habitat that is designated as "critical habitat" under the Endangered Species Act (ESA), or said discharges and activities were the subject of an ESA Section 7 consultation or an ESA Section 10 permit. You must follow the procedures outlined in the Endangered Species Protection section of the NOI in EPA's NPDES eReporting Tool (NeT-MSGP) and meet one of the criteria listed in Appendix E. You must comply with any measures that formed the basis of your criteria eligibility determination to be in compliance with the MSGP. These measures become permit requirements per Part 2.3. Documentation of these measures must be kept as part of your Stormwater Pollution Prevention Plan (SWPPP) (see Part 6.2.6.1).
- 1.1.5 Eligibility related to National Historic Preservation Act (NHPA)-Protected Properties.** You must follow the procedures outlined in the Historic Properties section of the NOI in NeT-MSGP to demonstrate that your stormwater discharges, authorized non-stormwater discharges, and stormwater discharge-related activities meet one of the eligibility criteria in Appendix F.
- 1.1.6 Eligibility for "New Dischargers" and "New Sources" (as defined in Appendix A)<sup>2</sup> ONLY.**
- 1.1.6.1 Eligibility for "New Dischargers" and "New Sources" Based on Water Quality Standards.** Your stormwater discharge must be controlled as necessary such that the receiving water of the United States will meet applicable water quality standards. You are ineligible for coverage under this permit if EPA determines prior to your authorization to discharge that your stormwater discharges will not be controlled as necessary such that the receiving water of the United States will not meet an applicable water quality standard. In such case, EPA may notify you that an individual permit application is necessary per Part 1.3.8, or, alternatively, EPA may authorize your coverage under this permit after you implement additional control measures so that your stormwater discharges will be controlled as necessary such that the receiving water of the United States will meet applicable water quality standards.
- 1.1.6.2 Eligibility for "New Dischargers" and "New Sources" for Water-Quality Impaired Waters.** If you discharge to an "impaired water" (as defined in Appendix A), you must do one of the following:
- a. Prevent all exposure to stormwater of the pollutant(s) for which the waterbody is impaired, and retain documentation of procedures taken to prevent exposure onsite with your SWPPP;
  - b. When submitting your NOI in NeT-MSGP, provide the technical information or other documentation to support your claim that the pollutant(s) for which the waterbody

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<sup>2</sup>"New Discharger" means 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" means any building, structure, facility, or installation from which there is or may be a "discharge of pollutants," the construction of which commenced: i) after promulgation of standards of performance under section 306 of the CWA which are applicable to such source, or ii) 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.

is impaired is not present at your facility, and retain such documentation with your SWPPP; or

- c. When submitting your NOI in NeT-MSGP, provide either data or other technical documentation, to support a conclusion that the stormwater discharge will be controlled as necessary such that the receiving water of the United States will meet applicable water quality standards and retain such information with your SWPPP. The information you submit must demonstrate:
  - i. For discharges to waters without an EPA-approved or established total maximum daily load (TMDL), that the discharge of the pollutant for which the water is impaired will be controlled as necessary such that the receiving water of the United States will meet applicable water quality standards at the point of discharge to the waterbody; or
  - ii. For discharges to waters with an applicable EPA-approved or established 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).

**1.1.6.3 Eligibility for "New Dischargers" and "New Sources" for Waters with High Water Quality (Tier 2, 2.5, and 3).**

- a. For new dischargers and new sources to Tier 2 or Tier 2.5 waters, your discharge must not lower the water quality of the applicable water. See a list of Tier 2 and Tier 2.5 waters in Appendix L.
- b. For new dischargers and new sources to waters designed by a state or tribe as Tier 3 waters<sup>3</sup> (i.e., outstanding national resource waters) for antidegradation purposes under 40 CFR 131.12(a)(3), you are not eligible under this permit and you must apply for an individual permit. See a list of Tier 3 waters in Appendix L.

**1.1.7 Eligibility for Discharges to a Federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Site.** If you discharge to a federal CERCLA Site listed in Appendix P, you must notify the EPA Region 10 Office when submitting your NOI, and the EPA Region 10 Office must determine that you are eligible for permit coverage. In determining eligibility for coverage under this Part, the EPA Region 10 Office may evaluate whether you are implementing or plan to implement adequate controls and/or procedures to ensure that your discharge will not lead to recontamination of aquatic media at the CERCLA Site (i.e., your stormwater discharge will be controlled as necessary such that the receiving water of the United States will meet an applicable water quality standard). If it is determined that your facility discharges to a CERCLA Site listed in Appendix P after you have obtained coverage under this permit, you must contact the EPA Region 10 Office and ensure that you either have implemented or will implement adequate controls and/or procedures to ensure that your discharges will not lead to recontamination of aquatic media at the

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<sup>3</sup> For the purposes of this permit, your project is considered to discharge to a Tier 2, Tier 2.5, or Tier 3 water if the first water of the United States to which you discharge is identified by a state, tribe, or EPA as a Tier 2, Tier 2.5, or Tier 3 water. For discharges that enter a separate storm sewer system prior to discharge, the first water of the United States to which you discharge is the waterbody that receives the stormwater discharge from the storm sewer system (separate storm sewer systems (MS4s and non-municipal storm sewers systems) do not include combined sewer systems or separate sanitary sewer systems).

CERCLA Site such that your stormwater discharge will be controlled as necessary such that the receiving water of the United States will meet an applicable water quality standard.

For the purposes of this permit, a facility discharges to a federal CERCLA Site if the discharge flows directly into the site through its own conveyance, or through a conveyance owned by others, such as a municipal separate storm sewer system (MS4).

## 1.2 Types of Discharges Authorized Under the MSGP<sup>4</sup>

**1.2.1 Authorized Stormwater Discharges.** If you meet all the eligibility criteria in Part 1.1, then the following discharges from your facility are authorized under this permit:

**1.2.1.1** Stormwater discharges associated with industrial activity for any "primary industrial activities" and "co-located industrial activities" (as defined in Appendix A) except for any stormwater discharges prohibited in Part 8;

**1.2.1.2** Discharges EPA has designated as needing a stormwater permit as provided in Sector AD;

**1.2.1.3** Discharges that are not otherwise required to obtain NPDES permit authorization but are mixed with discharges that are authorized under this permit; and

**1.2.1.4** Stormwater discharges from facilities subject to any of the national stormwater-specific effluent limitations guidelines listed in Table 1-1.

**Table 1-1. Stormwater-Specific Effluent Limitations Guidelines**

Regulated Discharge	40 CFR Section	MSGP Sector	New Source Performance Standard (NSPS)	New Source Date
Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas	Part 429, Subpart J	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	7/28/75
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

<sup>4</sup> 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 EPA, state, or local authorities after issuance of this permit via any means, including the Notice of Intent (NOI) to be covered by the permit, the Stormwater Pollution Prevention Plan (SWPPP), or during an inspection.



Regulated Discharge	40 CFR Section	MSGP Sector	New Source Performance Standard (NSPS)	New Source Date
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	6/15/1

<sup>1</sup> NSPS promulgated in 1974 were not removed via the 1982 regulation; therefore, wastewaters generated by 40 CFR Part 423-applicable sources that were New Sources under the 1974 regulations are subject to the 1974 NSPS.

**1.2.2 Authorized Non-Stormwater Discharges.** Below is the list of non-stormwater discharges authorized under this permit. Unless specifically listed in this Part, this permit does not authorize any other non-stormwater discharges requiring NPDES permit coverage and you must either eliminate those discharges or they must be covered under another NPDES permit; this includes the sector-specific non-stormwater discharges that are listed in Part 8 as prohibited (a non-exclusive list is provided only to raise awareness of contaminants or sources of contaminants generally characteristic of certain sectors).

**1.2.2.1 Authorized Non-Stormwater Discharges for All Sectors.** The following are the only non-stormwater discharges authorized under this permit for all sectors provided that all discharges comply with the effluent limits set forth in Parts 2 and 8.

- a. Discharges from emergency/unplanned fire-fighting activities;
- b. Fire hydrant flushings;
- c. Potable water, including uncontaminated water line flushings;
- d. Uncontaminated condensate from air conditioners, coolers/chillers, and other compressors and from the outside storage of refrigerated gases or liquids;
- e. Irrigation/landscape drainage, provided all pesticides, herbicides, and fertilizers have been applied in accordance with the approved labeling;
- f. Pavement wash waters, provided that detergents or hazardous cleaning products are not 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 6.2.3), 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);
- g. External building/structure 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) and you have implemented appropriate control measures to minimize discharges of mobilized solids and other pollutants (e.g., filtration, detention, settlement);
- h. Uncontaminated ground water or spring water;

- i. Foundation or footing drains where flows are not contaminated with process materials;
  - j. 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); and
  - k. Any authorized non-stormwater discharge listed above in this Part 1.2.2 or any stormwater discharge listed in Part 1.2.1 mixed with a discharge authorized by a different NPDES permit and/or a discharge that does not require NPDES permit authorization.
- 1.2.2.2 Additional Authorized Non-Stormwater Discharge for Sector A Facilities.** Discharges from the spray down of lumber and wood product storage yards where no chemical additives are used in the spray-down waters and no chemicals are applied to the wood during storage, provided the non-stormwater component of the discharge is in compliance with the non-numeric effluent limits requirements in Part 2.1.2.
- 1.2.2.3 Additional Authorized Non-Stormwater Discharges for Earth-Disturbing Activities Conducted Prior to Active Mining Activities for Sectors G, H and J Facilities.** The following non-stormwater discharges identified in a, b, and c are only authorized for 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, these discharges are not routed to areas of exposed soil and all discharges comply with the permit's effluent limits:
- a. Water used to wash vehicles and equipment, provided that there is no discharge of soaps, solvents, or detergents used for such purposes;
  - b. Water used to control dust; and
  - c. Dewatering water that has been treated by an appropriate control under Parts 8.G.4.2.9, 8.H.4.2.9, or 8.J.4.2.9.
- Once the earth-disturbing activities conducted prior to active mining activities have ceased, the only authorized non-stormwater discharges for Sectors G, H, and J are those listed in Part 1.2.2.1.
- 1.3 Obtaining Authorization to Discharge**
- 1.3.1 Prepare Your Stormwater Pollution Prevention Plan (SWPPP) Prior to Submitting Your Notice of Intent (NOI).** You must develop a SWPPP or update your existing SWPPP per Part 6 prior to submitting your NOI for coverage under this permit, per Part 1.3.2 below. You must make your SWPPP publicly available by either attaching it to your NOI, including a URL in your NOI, or providing additional information from your SWPPP on your NOI, per Part 6.4.
- 1.3.2 How to Submit Your NOI to Get Permit Coverage.** To be covered under this permit, you must use EPA's NPDES eReporting Tool for the MSGP (NeT-MSGP) to electronically prepare and submit to EPA a complete and accurate NOI by the deadline applicable to your facility presented in Table 1-2. The NOI certifies to EPA that you are eligible for coverage according to Part 1.1 and provides information on your industrial activities and related discharges. Per Part 7.1, you must submit your NOI electronically via NeT-MSGP, unless the applicable EPA Regional Office grants you a waiver from electronic reporting, in which case you may use the paper NOI form in Appendix G. To access

Net-MSGP, go to <https://www.epa.gov/npdes/stormwater-discharges-industrial-activities#accessingmsgp>

- 1.3.3** **Deadlines for Submitting Your NOI and Your Official Date of Permit Coverage.** Table 1-2 provides the deadlines for submitting your NOI and your official start date of permit coverage.

**Table 1-2. NOI Submittal Deadlines and Discharge Authorization Dates**

<b>Category of Facility/Operator</b>	<b>NOI Submission Deadline</b>	<b>Discharge Authorization Date<sup>1,2</sup></b>
<b>Existing MSGP facility.</b> Operators of industrial activities whose stormwater discharges were covered under the 2015 MSGP.	No later than May 30, 2021.	30 calendar days after EPA notifies you that it has received a complete NOI, unless EPA notifies you that your authorization has been denied or delayed. Note: You must review and update your SWPPP to ensure that this permit's requirements are addressed prior to submitting your NOI.  Provided you submit your NOI in accordance with the deadline, your authorization under the 2015 MSGP is automatically continued until you have been granted coverage under this permit or an alternative permit, or coverage is otherwise terminated.
<b>Operator operating consistent with EPA's No Action Assurance and submitted an Intent to Operate (ITO) form.</b> Operators of industrial activities who commenced discharging between June 4, 2020 and March 1, 2021 and have been operating consistent with EPA's June 3, 2020 'No Action Assurance for the NPDES Stormwater Multi-Sector General Permit for Industrial Activities.'	As soon as possible, but see the June 3, 2020 'No Action Assurance for the NPDES Stormwater Multi-Sector General Permit for Industrial Activities' (and any updates to that document) for additional guidance on deadlines.	30 calendar days after EPA notifies you that it has received a complete NOI, unless EPA notifies you that your authorization has been denied or delayed.
<b>New facility without MSGP coverage.</b> Operators of industrial activities that will commence discharging after March 1, 2021.	At least 30 calendar days prior to commencing discharge.	30 calendar days after EPA notifies you that it has received a complete NOI, unless EPA notifies you that your authorization has been denied or delayed.
<b>Existing facility covered under an alternative permit.</b> Operators seeking coverage for stormwater discharges previously covered under an individual permit or an alternative general permit.	At least 30 calendar days prior to commencing discharge.	
<b>Existing MSGP facility with a new operator.</b> New operators of existing industrial activities with stormwater discharges previously authorized under the 2021 MSGP.	At least 30 calendar days prior to the date of transfer of control to the new operator.	

Category of Facility/Operator	NOI Submission Deadline	Discharge Authorization Date <sup>1, 2</sup>
<b>Existing facility without MSGP coverage.</b> Operators of industrial activities that commenced discharging prior to March 1, 2021, but whose stormwater discharges were not covered under the 2015 MSGP or another NPDES permit and have not been operating consistent with EPA's No Action Assurance for EPA's NPDES MSGP.	Immediately; your stormwater discharges are currently unpermitted. <sup>1</sup>	

<sup>1</sup> If you have missed the deadline to submit your NOI, any and all discharges from your industrial activities will continue to be unauthorized under the CWA until they are covered by this or a different NPDES permit. EPA may take enforcement action for any unpermitted discharges that occur between the commencement of discharging and discharge authorization.

<sup>2</sup> Discharges are not authorized if your NOI is incomplete or inaccurate or if you are ineligible for permit coverage.

**1.3.4 Modifying your NOI.** If after submitting your NOI, you need to correct or update any fields, you may do so by submitting a "Change NOI" form using NeT-MSGP. Per Part 7.2.1, you must submit your Change NOI electronically via NeT-MSGP, unless the EPA Regional Office grants you a waiver from electronic reporting, in which case you may use the suggested format for the paper Change NOI form.

**1.3.4.1** For an existing operator, if any of the information supplied on the NOI changes, you must submit a Change NOI form within thirty (30) calendar days after the change occurs.

**1.3.4.2** At a facility where there is a transfer in operator or a new operator takes over operational control at an existing facility, the new operator must submit a new NOI no later than thirty (30) calendar days after a change in operators. The previous operator must submit a Notice of Termination (NOT) no later than thirty (30) calendar days after MSGP coverage becomes active for the new operator, as specified in Part 1.4.

**1.3.5 Requirement to Post a Sign of your Permit Coverage.** You must post a sign or other notice of your permit coverage at a safe, publicly accessible location in close proximity to your facility. Public signage is not required where other laws or local ordinances prohibit such signage, in which case you must document in your SWPPP a brief explanation for why you cannot post a sign and a reference to the law or ordinance. You must use a font large enough to be readily viewed from a public right-of-way and perform periodic maintenance of the sign to ensure that it remains legible, visible, and factually correct. At minimum, the sign must include:

**1.3.5.1** The following statement: "[Name of facility] is permitted for industrial stormwater discharges under the U.S. EPA's Multi-Sector General Permit (MSGP)";

**1.3.5.2** Your NPDES ID number;

**1.3.5.3** A contact phone number for obtaining additional facility information;

**1.3.5.4** One of the following:

- a. The Uniform Resource Locator (URL) for the SWPPP (if available), and the following statement: "To report observed indicators of stormwater pollution, contact [optional: include facility point of contact and] EPA at: [include the applicable

MSGP Regional Office contact information found at <https://www.epa.gov/npdes/contact-us-stormwater#regional>); or

- b. The following statement: "To obtain the Stormwater Pollution Prevention Plan (SWPPP) for this facility or to report observed indicators of stormwater pollution, contact [optional: include facility point of contact and] EPA at [include the applicable MSGP Regional Office contact information found at <https://www.epa.gov/npdes/contact-us-stormwater#regional>]."

**1.3.6 Your Official End Date of Permit Coverage.** Once covered under this permit, your coverage will last until the date that:

- 1.3.6.1** You terminate permit coverage by submitting a Notice of Termination (NOT) per Part 1.4; or
- 1.3.6.2** You receive coverage under a different NPDES permit or a reissued or replacement version of this permit after it expires on February 28, 2026; or
- 1.3.6.3** You fail to submit an NOI for coverage under a reissued or replacement version of this permit before the required deadline.

**1.3.7 Continuation of Coverage for Existing Operators After the Permit Expires**

- 1.3.7.1** Note that if the 2021 MSGP is not reissued or replaced prior to the expiration date, it will be administratively continued in accordance with section 558(c) of the Administrative Procedure Act (see 40 CFR 122.6) and remain in force and effect for operators that were covered prior to its expiration. All operators authorized to discharge prior to the expiration date of the 2021 MSGP will automatically remain covered under the 2021 MSGP until the earliest of:
- The date the operator is authorized for coverage under a new version of the MSGP following the timely submittal of a complete and accurate NOI. Note that if a timely NOI for coverage under the reissued or replacement permit is not submitted, coverage will terminate on the date that the NOI was due; or
  - The date of the submittal of a Notice of Termination; or
  - Issuance of an individual permit for the facility's discharge(s); or
  - A final permit decision by EPA not to reissue the MSGP, at which time EPA will identify a reasonable time period for covered operators to seek coverage under an alternative general permit or an individual permit. Coverage under the 2021 MSGP will terminate at the end of this time period.
- 1.3.7.2** EPA reserves the right to modify or revoke and reissue the 2021 MSGP under 40 CFR 122.62 and 63, in which case operators will be notified of any relevant changes or procedures to which they may be subject. If EPA fails to issue another general permit prior to the expiration of a previous one, EPA does not have the authority to provide coverage to industrial operators not already covered under that prior general permit. If the five-year expiration date for the 2021 MSGP has passed and a new MSGP has not been reissued, new operators seeking discharge authorization should contact EPA regarding the options available, such as applying for individual permit coverage.
- 1.3.8 Coverage Under Alternative Permits.** EPA may require you to apply for and/or obtain authorization to discharge under an alternative permit, i.e., either an individual NPDES

permit or an alternative NPDES general permit, in accordance with 40 CFR 122.64 and 124.5. If EPA requires you to apply for an alternative permit, the Agency will notify you in writing that a permit application or NOI is required. This notification will include a brief statement of the reasons for this decision and will contain alternative permit application or NOI requirements, including deadlines for completing your application or NOI.

- 1.3.8.1 Denial of Coverage for New or Previously Unpermitted Facilities.** For new or previously unpermitted facilities, following the submittal of your NOI, you may be denied coverage under this permit and must apply for and/or obtain authorization to discharge under an alternative permit.
- 1.3.8.2 Loss of Authorization Under the 2021 MSGP for Existing Permitted Facilities.** If your stormwater discharges are covered under this permit, you may receive a written notification that you must either apply for coverage under an individual NPDES permit or submit an NOI for coverage under an alternative general NPDES permit. In addition to the reasons for the decision and alternative permit application or NOI deadlines, the notice will include a statement that on the effective date of your alternative permit coverage, your coverage under the 2021 MSGP will terminate. EPA will terminate your MSGP permit coverage in NeT-MSGP at that time. EPA may grant additional time to submit the application or NOI if you request it. If you fail to submit an alternative permit application or NOI as required by EPA, then your authorization to discharge under the 2021 MSGP is terminated at the end of the day EPA required you to submit your alternative permit application or NOI. EPA may take appropriate enforcement action for any unpermitted discharge.
- 1.3.8.3 Operators Requesting Coverage Under an Alternative Permit.** You may request to be covered under an individual permit. In such a case, you must submit an individual permit application in accordance with the requirements of 40 CFR 122.28(b)(3)(iii), with reasons supporting the request, to the applicable EPA Regional Office listed in Part 7.8 of this permit. The request may be granted by issuance of an individual permit if your reasons are adequate to support the request. When you are authorized to discharge under an alternative permit, your authorization to discharge under the 2021 MSGP is terminated on the effective date of the alternative permit.

#### **1.4 Terminating Permit Coverage**

- 1.4.1 How to Submit your Notice of Termination (NOT) to Terminate Permit Coverage.** To terminate permit coverage, you must use EPA's NPDES eReporting Tool for the MSGP (NeT-MSGP) to electronically prepare and submit to EPA a complete and accurate NOT. Per Part 7.1, you must submit your NOT electronically via NeT-MSGP, unless the EPA Regional Office grants you a waiver from electronic reporting, in which case you may use the paper NOT form in Appendix H. To access NeT-MSGP, go to <https://www.epa.gov/npdes/stormwater-discharges-industrial-activities#accessingmsgp>

Your authorization to discharge under this permit terminates at midnight of the day that you are notified that your complete NOT has been processed. If you submit a NOT without meeting one or more of the conditions in Part 1.4.2 then your NOT is not valid. Until you terminate permit coverage, you must comply with all conditions and effluent limitations in the permit.

- 1.4.2 When to Submit Your Notice of Termination.** You must submit a NOT within 30 days after one or more of the following conditions have been met:

- 1.4.2.1 A new owner or operator has received authorization to discharge under this permit; or
- 1.4.2.2 You have ceased operations at the facility and/or there are not or no longer will be discharges of stormwater associated with industrial activity from the facility, and you have already implemented necessary sediment and erosion controls per Part 2.1.2.5; or
- 1.4.2.3 You are a Sector G, H, or J facility and you have met the applicable termination requirements; or
- 1.4.2.4 You obtained coverage under an individual or alternative general permit for all discharges required to be covered by an NPDES permit, unless EPA terminates your coverage for you per Part 1.3.8.

## 1.5 **Conditional Exclusion for No Exposure**

If you are covered by this permit and become eligible for a "no exposure" exclusion from permitting under 40 CFR 122.26(g), you may file a No Exposure Certification (NEC). You are no longer required to have a permit upon submission of a complete and accurate NEC to EPA. If you are no longer required to have permit coverage because of a no exposure exclusion and have submitted a NEC form to EPA, you are not required to submit a NOT. You must submit a NEC form to EPA once every five years.

You must use EPA's NPDES eReporting Tool for the MSGP (Net-MSGP) to electronically prepare and submit to EPA a complete and accurate NEC. Per Part 7.2.1, you must submit your NEC electronically via Net-MSGP, unless the applicable EPA Regional Office grants you a waiver from electronic reporting, in which case you may use the paper NEC form in Appendix K. To access Net-MSGP, go to <https://cdxnodengn.epa.gov/net-msgp/action/login>

## 1.6 **Permit Compliance**

Any noncompliance with any of the requirements of this permit constitutes a violation of this permit, and thus is a violation of the CWA. As detailed in Part 5, 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 a corrective action. As such, any actions and time periods specified for remedying noncompliance do not absolve you of the initial underlying noncompliance.

Where an Additional Implementation Measure (AIM) is triggered by an event that does not itself constitute permit noncompliance (i.e., an exceedance of an applicable benchmark), there is no permit violation provided you comply with the required responses within the relevant deadlines established in Part 5.

## 1.7 **Severability**

Invalidation of a portion of this permit does not necessarily render the whole permit invalid. EPA's intent is that the permit is to remain in effect to the extent possible; in the event that any part of this permit is invalidated, EPA will advise the regulated community as to the effect of such invalidation.

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

In the technology-based limits included in Parts 2.1 and 8, the term "minimize" means to reduce and/or eliminate to the extent achievable using stormwater control

measures (SCMs) (including best management practices) 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. EPA notes that it does not intend for any permit requirement to conflict with state water rights law.

## **2.1 Stormwater Control Measures**

You must select, design, install, and implement stormwater control measures (including best management practices) 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 control measures to comply with Part 2 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 6.2.4. You must modify your stormwater control measures per Part 5.1 if you find that your control measures are not achieving their intended effect of minimizing pollutant discharges (i.e., your discharges will be controlled as necessary such that the receiving water of the United States will meet applicable water quality standards or meet any of the other non-numeric effluent limits in this permit). Regulated stormwater discharges from your facility include stormwater run-on that commingles with stormwater discharges associated with industrial activity at your facility.

**2.1.1 Stormwater Control Measure Selection and Design Considerations.** You must consider the following when selecting and designing control measures:

- 2.1.1.1** Preventing stormwater from coming into contact with polluting materials is generally more effective, and less costly, than trying to remove pollutants from stormwater;
- 2.1.1.2** Using stormwater control measures in combination may be more effective than using control measures in isolation for minimizing pollutants in your stormwater discharge;
- 2.1.1.3** Assessing the type and quantity of pollutants, including their potential to impact receiving water quality, is critical to designing effective stormwater control measures that will achieve the limits in this permit;
- 2.1.1.4** Minimizing impervious areas at your facility and infiltrating stormwater onsite (including bioretention cells, green roofs, and pervious pavement, among other approaches) can reduce the frequency and volume of discharges and improve ground water recharge and stream base flows in local streams, although care must be taken to avoid ground water contamination;
- 2.1.1.5** Attenuating flow using open vegetated swales and natural depressions can reduce in-stream impacts of erosive flows;
- 2.1.1.6** Conserving and/or restoring riparian buffers will help protect streams from stormwater discharges and improve water quality;



- 2.1.1.7** Using treatment interceptors (e.g., swirl separators and sand filters) may be appropriate in some instances to minimize the discharge of pollutants; and
- 2.1.1.8** Implementing structural improvements, enhanced/resilient pollution prevention measures, and other mitigation measures can help to minimize impacts from stormwater discharges from major storm events such as hurricanes, storm surge, extreme/heavy precipitation,<sup>5</sup> and flood events. If such stormwater control measures are already in place due to existing requirements mandated by other state, local or federal agencies, you should document in your SWPPP a brief description of the controls and a reference to the existing requirement(s). If your facility may be exposed to or has previously experienced such major storm events,<sup>6</sup> additional stormwater control measures that may be considered include, but are not limited to:
- a.** Reinforce materials storage structures to withstand flooding and additional exertion of force;
  - b.** Prevent floating of semi-stationary structures by elevating to the Base Flood Elevation (BFE)<sup>7</sup> level or securing with non-corrosive device;
  - c.** When a delivery of exposed materials is expected, and a storm is anticipated within 48 hours, delay delivery until after the storm or store materials as appropriate (refer to emergency procedures);
  - d.** Temporarily store materials and waste above the BFE level;
  - e.** Temporarily reduce or eliminate outdoor storage;
  - f.** Temporarily relocate any mobile vehicles and equipment to higher ground;
  - g.** Develop scenario-based emergency procedures for major storms that are complementary to regular stormwater pollution prevention planning and identify emergency contacts for staff and contractors; and
  - h.** Conduct staff training for implementing your emergency procedures at regular intervals.

*Note: Part 2.1.1 requires that you must consider Parts 2.1.1.1 through 2.1.1.8 when selecting and designing control measures to minimize pollutant discharges via stormwater. Part 2.1.1 does not require nor prescribe specific control measure to be implemented; however, you must document in your SWPPP per Part 6.2.4 the*

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<sup>5</sup> Heavy precipitation refers to instances during which the amount of rain or snow experienced in a location substantially exceeds what is normal. What constitutes a period of heavy precipitation varies according to location and season. Heavy precipitation does not necessarily mean the total amount of precipitation at a location has increased—just that precipitation is occurring in more intense or more frequent events.

<sup>6</sup> To determine if your facility is susceptible to an increased frequency of major storm events that could impact the discharge of pollutants in stormwater, you may reference FEMA, NOAA, or USGS flood map products at [https://www.usgs.gov/faqs/where-can-i-find-flood-maps?qf-news\\_science\\_products=0#qt-news\\_science\\_products](https://www.usgs.gov/faqs/where-can-i-find-flood-maps?qf-news_science_products=0#qt-news_science_products).

<sup>7</sup> Base Flood Elevation (BFE) is the elevation of surface water resulting from a flood that has a 1% chance of equaling or exceeding that level in any given year. The BFE is shown on the Flood Insurance Rate Map (FIRM) for zones AE, AH, A1-A30, AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO, V1-V30 and VE. (Source: <https://www.fema.gov/node/404233>). The FEMA Flood Map Service Center can be accessed through <https://msc.fema.gov/portal/search>.

*considerations made to select and design control measures at your facility to minimize pollutants discharged via stormwater.*

- 2.1.2 Non-Numeric Technology-Based Effluent Limits (BPT/BAT/BCT).<sup>8</sup>** You must comply with the following non-numeric effluent limits as well as any sector-specific non-numeric effluent limits in Part 8, except where otherwise specified.

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, in line with manufacturer specifications, whichever is lower, 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 6, how you will comply with the requirements marked with an asterisk, you have the option of including additional information or you may just "copy-and-paste" those effluent limits word-for-word from the permit into your SWPPP without providing additional documentation (see Part 6.2.4).

- 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, snow, snowmelt, and stormwater 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:

- a. Use grading, berming or curbing to prevent discharges of contaminated flows and divert run-on away from these areas;
- b. Locate materials, equipment, and activities so that potential leaks and spills are contained or able to be contained or diverted before discharge;
- c. Store leaky vehicles and equipment indoors;
- d. Perform all vehicle and/or equipment cleaning operations indoors, under cover, or in bermed areas that prevent discharges and run-on and also that capture any overspray; and
- e. 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.

Note: Industrial materials do not need to be enclosed or covered if stormwater from affected areas does not discharge pollutants to waters of the United States or if discharges are authorized under another NPDES permit.

- 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:

- a. Sweep or vacuum at regular intervals or, alternatively, wash down the area and collect and/or treat, and properly dispose of the washdown water;

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<sup>8</sup> BPT is Best Practicable Control Technology Currently Available, as set forth in CWA section 304(b)(1) and Appendix A; BAT is Best Available Technology Economically Achievable, as set forth in CWA section 304(b)(2) and Appendix A; and BCT is Best Conventional Pollutant Control Technology, as set forth in CWA section 304(b)(4) and Appendix A.

- b. Store materials in appropriate containers;
- c. 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 1.2.2 above, this permit does not authorize dry weather discharges from dumpsters or roll off boxes;\*
- d. 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.
- e. Plastic Materials Requirements: Facilities that handle pre-production plastic must implement control measures to eliminate discharges of plastic in stormwater.<sup>9</sup> Examples of plastic material required to be addressed as stormwater pollutants include plastic resin pellets, powders, flakes, additives, regrind, scrap, waste and recycling.

### 2.1.2.3 **Maintenance.**

- a. **Maintenance Activities.** 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. This includes:
  - ii. Performing inspections and preventive maintenance of stormwater drainage, source controls, treatment systems, and plant equipment and systems that could fail and result in discharges of pollutants via stormwater.
  - iii. Maintaining non-structural control measures (e.g., keep spill response supplies available, personnel appropriately trained).
  - iv. 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.\*
  - v. Cleaning catch basins when the depth of debris reaches two-thirds (2/3) of the sump depth, or in line with manufacturer specifications, whichever is lower, and keeping the debris surface at least six inches below the lowest outlet pipe.\*
- b. **Maintenance Deadlines.**
  - ii. If you find that your control measures need routine maintenance, you must conduct the necessary maintenance immediately in order to minimize pollutant discharges.

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<sup>9</sup> Examples of appropriate control measures include but are not limited to: installing a containment system, or other control, at each on-site storm drain discharge point down gradient of areas containing plastic material, designed to trap all particles retained by a 1 mm mesh screen; using a durable sealed container designed not to rupture under typical loading and unloading activities at all points of plastic transfer and storage; using capture devices as a form of secondary containment during transfers, loading, or unloading plastic materials, such as catch pans, tarps, berms or any other device that collects errant material; having a vacuum or vacuum-type system for quick cleanup of fugitive plastic material available for employees; for facilities that maintain outdoor storage of plastic materials, do so in a durable, permanent structure that prevents exposure to precipitation that could cause the material to be discharged via stormwater.

- iii. 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 stormwater controls should be completed as soon as feasible but must be no later than the timeframe established in Part 5.1.3 for corrective actions, i.e., within 14 days or, if that is infeasible, within 45 days. If the completion of stormwater 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 EPA Regional Office 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 5.1.

*Note: In this context, the term "immediately" means the day you identify that a control measure needs to be maintained, repaired, or replaced, you must take all reasonable steps to minimize or prevent the discharge of pollutants until you can implement a permanent solution. However, if you identify a problem too late in the work day to initiate action, you must perform the action the following work day morning. "All reasonable steps" means you must respond to the conditions triggering the action, such as, 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 SCM to be installed.*

**2.1.2.4 Spill Prevention and Response.** You must minimize the potential for leaks, spills and other releases that may be exposed to stormwater 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:

- a. Clean up spills and leaks promptly using dry methods (e.g., absorbents) to prevent the discharge of pollutants;
- b. Use drip pans and absorbents if leaky vehicles and/or equipment are stored outdoors;
- c. Use spill/overflow protection equipment;
- d. 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;\*
- e. 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;
- f. 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;

- g. Keep spill kits onsite, located near areas where spills may occur or where a rapid response can be made; and
- h. 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 National Response Center (NRC) at (800) 424-8802 or, in the Washington, DC, metropolitan area, call (202) 267-2675 in accordance with the requirements of 40 CFR Part 110, 40 CFR Part 117, and 40 CFR Part 302 as soon as you have knowledge of the discharge. State or local requirements may necessitate reporting spills or discharges to local emergency response, public health, or drinking water supply agencies. Contact information must be in locations that are readily accessible and available.

- 2.1.2.5 Erosion and Sediment Controls.** To minimize pollutant discharges in stormwater, you must minimize erosion by stabilizing exposed soils at your facility 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. If you use polymers and/or other chemical treatments as part of your controls, you must identify the polymers and/or chemicals used and the purpose in your SWPPP. There are many resources available to help you select appropriate SCMs for erosion and sediment control, including EPA's Stormwater Discharges from Construction Activities website at: <https://www.epa.gov/npdes/stormwater-discharges-construction-activities>.
- 2.1.2.6 Management of Stormwater.** You must divert, infiltrate, reuse, contain, or otherwise reduce stormwater to minimize pollutants in your discharges. In selecting, designing, installing, and implementing appropriate control measures, you are encouraged to consult with EPA's resources relating to stormwater management, including the sector-specific *Industrial Stormwater Fact Sheet Series*, (<https://www.epa.gov/npdes/stormwater-discharges-industrial-activities#factsheets>) and any similar state or tribal resources.
- 2.1.2.7 Salt Storage Piles or Piles Containing Salt.** You must enclose or cover storage piles of salt, or piles containing salt, used for deicing or other commercial or industrial purposes, including maintenance of paved surfaces, in order to minimize pollutant discharges. You must implement appropriate measures (e.g., good housekeeping, diversions, containment) to minimize exposure resulting from adding to or removing materials from the pile. Piles do not need to be enclosed or covered pursuant to this permit if stormwater from the piles is not discharged or if discharges from the piles are authorized under another NPDES permit.
- 2.1.2.8 Employee Training.**
- a. **Types of Personnel Who Require Training.** You must train all employees who work in areas where industrial materials or activities are exposed to stormwater, or who are responsible for implementing activities necessary to comply with this permit (e.g., inspectors, maintenance personnel), including all members of your stormwater pollution prevention team. You must ensure the following personnel understand the requirements of this permit and their specific responsibilities with respect to those requirements:

- i. Personnel who are responsible for the design, installation, maintenance, and/or repair of controls (including pollution prevention measures);
  - ii. Personnel responsible for the storage and handling of chemicals and materials that could become pollutants discharged via stormwater;
  - iii. Personnel who are responsible for conducting and documenting inspections and monitoring as required in Parts 3 and 4; and
  - iv. Personnel who are responsible for taking and documenting corrective actions as required in Part 5.
- b. **Areas of Required Training.** 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):
- i. An overview of what is in the SWPPP;
  - ii. Spill response procedures, good housekeeping, maintenance requirements, and material management practices;
  - iii. The location of all the controls required by this permit, and how they are to be maintained;
  - iv. The proper procedures to follow with respect to the permit's pollution prevention requirements; and
  - v. When and how to conduct inspections, record applicable findings, and take corrective actions; and
  - vi. The facility's emergency procedures, if applicable per Part 2.1.1.8.
- 2.1.2.9 Non-Stormwater Discharges.** You must evaluate for the presence of non-stormwater discharges. You must eliminate any non-stormwater discharges not explicitly authorized in Part 1.2.2 or covered by another NPDES permit, including vehicle and equipment/tank wash water (except for those authorized in Part 1.2.2.3 for Sectors G, H, and J). If not covered under a separate NPDES permit, wastewater, wash water and any other unauthorized non-stormwater 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 pollutants discharged via stormwater.
- 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 4-3 (see Part 4.2.3.1), you must meet the effluent limits referenced in Table 2-1 below:

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

Regulated Activity	40 CFR Part/Subpart	Effluent Limit
Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas	Part 429, Subpart I	See Part 8.A.8

<b>Regulated Activity</b>	<b>40 CFR Part/Subpart</b>	<b>Effluent Limit</b>
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.5
Runoff from asphalt emulsion facilities	Part 443, Subpart A	See Part 8.D.5
Runoff from material storage piles at cement manufacturing facilities	Part 411, Subpart C	See Part 8.E.6
Mine dewatering discharges at crushed stone, construction sand and gravel, or industrial sand mining facilities	Part 436, Subparts B, C, or D	See Part 8.J.10
Runoff from hazardous waste landfills	Part 445, Subpart A	See Part 8.K.7
Runoff from non-hazardous waste landfills	Part 445, Subpart B	See Part 8.L.11
Runoff from coal storage piles at steam electric generating facilities	Part 423	See Part 8.O.8
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	See Part 8.S.9

## **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 of all affected states.

EPA expects that compliance with the conditions in this permit will control discharges as necessary to meet applicable water quality standards. If at any time you become aware, or EPA determines, that your stormwater discharge will not be controlled as necessary such that the receiving water of the United States will not meet an applicable water quality standard, you must take corrective action(s) as required in Part 5.1 and document the corrective actions as required in Part 5.3. You must also comply with any additional requirements that your state or tribe requires in Part 9.

EPA 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 NOI, required reports, or from other sources indicates that your discharges are not controlled as necessary such that the receiving water of the United States will not meet applicable water quality standards. You must implement all measures necessary to be consistent with an available wasteload allocation in an EPA-established or approved TMDL.

### **2.2.2 Discharges to Water Quality-Impaired Waters.** You are considered to discharge to an impaired water if the first water of the United States to which your discharge is identified by a state, tribe or EPA 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 an EPA-approved or established 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>10</sup> prior to discharge, the first water of the United States 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 an EPA-Approved or Established TMDL.** If you discharge to an impaired water with an EPA-approved or established TMDL, EPA 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 1.3.8.

**2.2.2.2 Existing Discharger to an Impaired Water without an EPA-Approved or Established TMDL.** If you discharge to an impaired water without an EPA-approved or established TMDL, you are still required to comply with Part 2.2.1 and the monitoring requirements of Part 4.2.5.1. Note that the impaired waters monitoring requirements of Part 4.2.5.1 also apply where EPA determines that your discharge is not controlled as necessary such that the receiving water of the United States will not meet applicable water quality standards in an impaired downstream water segment, even if your discharge is initially to a receiving water(s) 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 1.1.6.2 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 1.1.6.2, and modify such measures as necessary pursuant to any Part 5 corrective actions. You also must comply with Part 2.2.1 and the monitoring requirements of Parts 4.2.5.1.

**2.2.3 Tier 2 Antidegradation Requirements for New Dischargers, New Sources, or Increased Discharges.** If you are a "new discharger" or a "new source" (as defined in Appendix A), or an existing discharger required to notify EPA of an increased discharge consistent with Part 7.6 (i.e., a "planned changes" report), and you discharge directly to waters designated by a state or tribe as Tier 2 or Tier 2.5 for antidegradation purposes under 40 CFR 131.12(a), EPA may require that you undertake additional control measures as necessary to ensure compliance with the applicable antidegradation requirements, or notify you that an individual permit application is necessary in accordance with Part 1.3.8. See list of Tier 2 and 2.5 waters in Appendix L.

### **2.3 Requirements Relating to Endangered Species, Historic Properties, and CERCLA Sites**

If your eligibility under either Part 1.1.4, Part 1.1.5, and/or Part 1.1.7 was made possible through your, or another operator's, agreement to undertake additional measures, you must comply with all such measures to maintain eligibility under the MSGP. Note that if at any time you become aware, or EPA determines, that your discharges and/or discharge-related activities have the potential to adversely affect listed species and/or critical habitat, have an effect on historic properties, or that your facility discharges to a CERCLA Site listed in Appendix P after you have obtained coverage under this permit, EPA may inform you of the need to implement additional measures on a site-specific basis to meet the effluent limits in this permit, or require you to obtain coverage under an individual permit.

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<sup>10</sup> Separate storm systems include both municipal storm sewer systems (MS4s) and non-municipal separate storm sewers. Separate storm systems do not include combined sewer systems or sanitary sewer systems.



### 3. **Inspections**

#### 3.1 **Routine Facility Inspections**

**3.1.1 Inspection Personnel.** Qualified personnel (as defined in Appendix A) must perform the inspections. The qualified personnel may be a member of your stormwater pollution prevention team, or if the qualified personnel is a third-party you hire (i.e., a contractor), at least one member of your stormwater pollution prevention team must participate in the inspection. Inspectors must consider the results of visual and analytical monitoring (if any) for the past year when planning and conducting inspections.

**3.1.2 Areas that You Must Inspect.** During normal facility operating hours, the qualified personnel must conduct inspections of areas of the facility covered by the requirements in this permit, including, but not limited to, the following:

**3.1.2.1** Areas where industrial materials or activities are exposed to stormwater;

**3.1.2.2** Areas identified in the SWPPP and those that are potential pollutant sources (see Part 6.2.3);

**3.1.2.3** Areas where spills and leaks have occurred in the past three years;

**3.1.2.4** Discharge points; and

**3.1.2.5** Control measures used to comply with the effluent limits contained in this permit.

**3.1.3 What You Must Look for During an Inspection.** During the inspection, the qualified personnel must examine or look out for, including, but not limited to, the following:

**3.1.3.1** Industrial materials, residue or trash that may have or could come into contact with stormwater;

**3.1.3.2** Leaks or spills from industrial equipment, drums, tanks and other containers;

**3.1.3.3** Offsite tracking of industrial or waste materials, or sediment where vehicles enter or exit the site;

**3.1.3.4** Tracking or blowing of raw, final or waste materials from areas of no exposure to exposed areas;

**3.1.3.5** Erosion of soils at your facility, channel and streambank erosion and scour in the immediate vicinity of discharge points, per Part 2.1.2.5;

**3.1.3.6** Non-authorized non-stormwater discharges, per Part 2.1.2.9;

**3.1.3.7** Control measures needing replacement, maintenance or repair; and

**3.1.3.8** During an inspection occurring during a stormwater event or stormwater discharge, you must observe control measures implemented to comply with effluent limits to ensure they are functioning correctly. You must also observe discharge points, as defined in Appendix A, during this inspection. If such discharge locations are inaccessible, you must inspect nearby downstream locations.

**3.1.4 Inspection Frequency.** The qualified personnel must conduct inspections 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 stormwater control measures, or areas of the facility with significant activities and materials exposed to stormwater. At least once each calendar year, the routine inspection must be conducted during a period when a stormwater discharge is occurring.

- 3.1.5 Exceptions to Routine Facility Inspections for Inactive and Unstaffed Facilities.** The requirement to conduct facility inspections on a routine basis does not apply at a facility that is inactive and unstaffed, as long as there are no industrial materials or activities exposed to stormwater. Such a facility is only required to conduct an annual site inspection in accordance with Part 3.1. To invoke this exception, you must indicate that your facility is inactive and unstaffed on your NOI. If you are already covered under the permit and your facility has changed from active to inactive and unstaffed, you must modify and re-certify your NOI. You must also include a statement in your SWPPP per Part 6.2.5.2 indicating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to stormwater, in accordance with the substantive requirements in 40 CFR 122.26(g)(4)(iii). The statement must be signed and certified in accordance with Appendix B, Subsection 11. If circumstances change and industrial materials or activities become exposed to stormwater or your facility becomes active and/or staffed, this exception no longer applies, and you must immediately resume routine facility inspections. If you are not qualified for this exception at the time you become authorized under this permit, but during the permit term you become qualified because your facility becomes inactive and unstaffed, and there are no industrial materials or activities exposed to stormwater, you must include the same signed and certified statement as above and retain it with your records pursuant to Part 6.5.

Inactive and unstaffed facilities covered under Sectors G (Metal Mining), H (Coal Mines and Coal Mining-Related Facilities), and J (Non-Metallic Mineral Mining and Dressing) are not required to meet the "no industrial materials or activities exposed to stormwater" standard to be eligible for this exception from routine inspections, per Parts 8.G.8.5, 8.H.9.1, and 8.J.9.1.

- 3.1.6 Routine Facility Inspection Documentation.** You must document the findings of your facility inspections and maintain this report with your SWPPP as required in Part 6.5. You must conduct any corrective action required as a result of a routine facility inspection consistent with Part 5. If you conducted 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 this Part, as long as you include all components of both types of inspections in the report.

Do not submit your routine facility inspection report to EPA, unless specifically requested to do so. However, you must summarize your findings in the Annual Report per Part 7.4. Document all findings, including but not limited to, the following information.

- 3.1.6.1** The inspection date and time;
- 3.1.6.2** The name(s) and signature(s) of the inspector(s);
- 3.1.6.3** Weather information;
- 3.1.6.4** All observations relating to the implementation of stormwater control measures at the facility, including:

- a. A description of any stormwater discharges occurring at the time of the inspection;
  - b. Any previously unidentified stormwater discharges from and/or pollutants at the facility;
  - c. Any evidence of, or the potential for, pollutants entering the stormwater drainage system;
  - d. Observations regarding the physical condition of and around all stormwater discharge points, including any flow dissipation devices, and evidence of pollutants in discharges and/or the receiving water;
  - e. Any stormwater control measures needing maintenance, repairs, or replacement;
- 3.1.6.5 Any additional stormwater control measures needed to comply with the permit requirements;
- 3.1.6.6 Any incidents of noncompliance; and
- 3.1.6.7 A statement, signed and certified in accordance with Appendix B, Subsection 11.

## **3.2 Quarterly Visual Assessment of Stormwater Discharges**

- 3.2.1 **Visual Assessment Frequency.** Once each quarter for your entire permit coverage, you must collect a stormwater sample from each discharge point (except as noted in Part 3.2.4) 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 stormwater discharge. Guidance on monitoring is available at [https://www.epa.gov/sites/production/files/2015-11/documents/msgp\\_monitoring\\_guide.pdf](https://www.epa.gov/sites/production/files/2015-11/documents/msgp_monitoring_guide.pdf).
- 3.2.2 **Visual Assessment Procedures.** You must do the following for the quarterly visual assessment:
- 3.2.2.1 Make the assessment of a stormwater discharge sample in a clean, colorless glass or plastic container, and examined in a well-lit area;
  - 3.2.2.2 Make the assessment of the sample you 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. In the case of snowmelt, samples must be taken during a period with a measurable discharge; and
  - 3.2.2.3 For storm events, make the assessment 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.
  - 3.2.2.4 Visually inspect or observe for the following water quality characteristics, which may be evidence of stormwater pollution:
    - a. Color;
    - b. Odor;

- c. Clarity (diminished);
  - d. Floating solids;
  - e. Settled solids;
  - f. Suspended solids;
  - g. Foam;
  - h. Oil sheen; and
  - i. Other obvious indicators of stormwater pollution.
- 3.2.2.5** Whenever the visual assessment shows evidence of stormwater pollution in the discharge, you must initiate the corrective action procedures in Part 5.1.1.
- 3.2.3** **Visual Assessment Documentation.** You must document the results of your visual assessments and maintain this documentation onsite with your SWPPP as required in Part 6.5. Any corrective action required as a result of a quarterly visual assessment must be conducted consistent with Part 5 of this permit. You are not required to submit your visual assessment findings to EPA, unless specifically requested to do so. However, you must summarize your findings in the annual report per Part 7.4. Your documentation of the visual assessment must include, but not be limited to:
- 3.2.3.1** Sample location(s);
  - 3.2.3.2** Sample collection date and time, and visual assessment date and time for each sample;
  - 3.2.3.3** Personnel collecting the sample and conducting visual assessment, and their signatures;
  - 3.2.3.4** Nature of the discharge (i.e., stormwater from rain or snow);
  - 3.2.3.5** Results of observations of the stormwater discharge;
  - 3.2.3.6** Probable sources of any observed stormwater contamination;
  - 3.2.3.7** If applicable, why it was not possible to take samples within the first 30 minutes; and
  - 3.2.3.8** A statement, signed and certified in accordance with Appendix B, Subsection 11.
- 3.2.4** **Exceptions to Quarterly Visual Assessments**
- 3.2.4.1** **Adverse Weather Conditions.** When adverse weather conditions prevent the collection of stormwater discharge sample(s) 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 6.5. Adverse conditions are those that are dangerous or create inaccessibility for personnel, such as local flooding, high winds, electrical storms, or situations that otherwise make sampling impractical, such as extended frozen conditions.
  - 3.2.4.2** **Climates with Irregular Stormwater Discharges.** 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) or in an area where freezing conditions exist that prevent discharges from occurring for extended periods, then your samples for the quarterly visual assessments may be distributed during seasons when precipitation more regularly occurs.

**3.2.4.3 Areas that Receive Snow.** If the facility is in an area that typically receives snow and the facility receives snow at least once over a period of four quarters, at least one quarterly visual assessment must capture snowmelt discharge, as described in Part 4.1.3, taking into account the exception described above for climates with irregular stormwater discharges.

**3.2.4.4 Inactive and Unstaffed Facilities.** The requirement for a quarterly visual assessment does not apply at a facility that is inactive and unstaffed, as long as there are no industrial materials or activities exposed to stormwater. To invoke this exception, you must maintain a statement in your SWPPP per Part 6.2.5.2 indicating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to precipitation, in accordance with the substantive requirements in 40 CFR 122.26(g)(4)(iii). The statement must be signed and certified in accordance with Appendix B, Subsection 11. If circumstances change and industrial materials or activities become exposed to stormwater or your facility becomes active and/or staffed, this exception no longer applies, and you must immediately resume quarterly visual assessments. If you are not qualified for this exception at the time you are authorized under this permit, but during the permit term you become qualified because your facility becomes inactive and unstaffed, and there are no industrial materials or activities that are exposed to stormwater, then you must include the same signed and certified statement as above and retain it with your records pursuant to Part 6.5. Inactive and unstaffed facilities covered under Sectors G (Metal Mining), H (Coal Mines and Coal Mining-Related Facilities), and J (Non-Metallic Mineral Mining and Dressing), are not required to meet the "no industrial materials or activities exposed to stormwater" standard to be eligible for this exception from quarterly visual assessments, consistent with the requirements established in Parts 8.G.8.5, 8.H.9.1, and 8.J.9.1.

**3.2.4.5 Substantially Identical Discharge Points (SIDP).** If your facility has two or more discharge points that discharge substantially identical stormwater effluents, as documented in Part 6.2.5.3, you may conduct quarterly visual assessments of the discharge at just one of the discharge points and report that the results also apply to the SIDPs provided that you conduct visual assessments on a rotating basis of each SIDP throughout the period of your coverage under this permit. If stormwater contamination is identified through visual assessment conducted at a SIDP, you must assess and modify your stormwater control measures as appropriate for each discharge point represented by the monitored discharge point.

#### **4. Monitoring**

You must collect and analyze stormwater samples and document monitoring activities consistent with the procedures described in Part 4 and Appendix B, Subsections B.10 – 12, and any additional sector-specific or state/tribal-specific requirements in Parts 8 and 9, respectively. Refer to Part 7 for reporting and recordkeeping requirements.

##### **4.1 Monitoring Procedures**

**4.1.1 Monitored Stormwater Discharge Points.** Applicable monitoring requirements apply to each discharge point authorized by this permit, except as otherwise exempt from monitoring as a "substantially identical discharge point" (SIDP). If your facility has two or more discharge points that you believe discharge substantially identical stormwater effluents, based on the similarities of the general industrial activities and control measures, exposed materials that may significantly contribute pollutants to stormwater,

and runoff coefficients of their drainage areas, you may monitor the effluent of just one of the discharge points and report that the results also apply to the SIDP(s). As required in Part 6.2.5.3, your SWPPP must identify each discharge point authorized by this permit and describe the rationale for any SIDP determinations. The allowance for monitoring only one of the SIDP is not applicable to any discharge points with numeric effluent limitations. You are required to monitor each discharge point covered by a numeric effluent limit as identified in Part 4.2.3.

**4.1.2 Commingled Discharges.** If any authorized stormwater discharges commingle with discharges not authorized under this permit, you must conduct any required sampling of the authorized discharges at a point before they mix with other waste streams, to the extent practicable.

**4.1.3 Measurable Storm Events.** You must conduct all required monitoring on a storm event that results in an actual discharge ("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. In the case of snowmelt, you must conduct monitoring at a time when a measurable discharge occurs.

For each monitoring event, except snowmelt monitoring, 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. For snowmelt monitoring, you must identify the date of the sampling event.

**4.1.4 Sample Type.** You must take a minimum of one grab sample from a discharge resulting from a measurable storm event as described in Part 4.1.3. You must collect samples 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, you must collect the sample as soon as possible after the first 30 minutes and keep documentation with the SWPPP explaining why it was not possible to take samples within the first 30 minutes. In the case of snowmelt, you must take samples during a period with a measurable discharge.

For indicator monitoring and benchmark monitoring, you may choose to use a composite sampling method instead of taking grab samples. This composite method may be either flow-weighted or time-weighted and performed manually or with the use of automated sampling equipment. For the purposes of this permit, a flow-weighted composite sample means a composite sample consisting of a mixture of aliquots collected at a constant or variable time interval, where the volume of each aliquot included in the composite sample is proportional to the estimated or measured incremental discharge volume at the time of the aliquot collection compared to the total discharge volume estimated or measured over the monitoring event. For the purposes of this permit, a time-weighted composite sample means a composite sample consisting of a mixture of equal volume aliquots collected at a regular defined time interval over a specific period of time. Composite sampling must be initiated during the first 30 minutes of the same storm event. If it is not possible to initiate composite sampling within the first 30 minutes of a measurable storm event, you must initiate composite sampling as soon as possible after the first 30 minutes and keep documentation with the SWPPP explaining why it was not possible to initiate composite sampling within the first 30 minutes. You must submit all monitoring results to EPA per Part 4.1.9. Composite sampling may not be used in situations where hold times for processing or sample preservation requirements cannot be satisfied. For parameters

measured in-situ with a probe or meter such as dissolved oxygen, conductivity, pH, or temperature, the composite sampling method shall be modified by calculating an average all individual measurements, weighted by flow volume if applicable.

**4.1.5 Adverse Weather Conditions.** When adverse weather conditions as described in Part 3.2.4.1 prevent the collection of stormwater discharge 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 7.3.4, you must indicate in Net-DMR any failure to monitor during the regular reporting period.

**4.1.6 Facilities in Climates with Irregular Stormwater Discharges.** If your facility is located in areas where limited rainfall occurs during parts of the year (e.g., arid or semi-arid climates) or in areas where freezing conditions exist that prevent discharges from occurring for extended periods, you may distribute your required monitoring events during seasons when precipitation occurs, or when snowmelt results in a measurable discharge from your facility. You must still collect the required number of samples. As specified in Part 7.3.4, you must also indicate in Net-DMR that there was no monitoring for the respective monitoring period.

**4.1.7 Monitoring Periods.** Your monitoring requirements in this permit begin in the first full quarter following either May 30, 2021 or your date of discharge authorization, whichever date comes later.

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

For example, if you obtain permit coverage on April 10, 2021, then your first monitoring quarter for benchmark monitoring is July 1, 2021 – September 30, 2021 and your first monitoring year for discharges to impaired waters or discharges subject to an effluent limitation guideline is July 1, 2021 – June 30, 2022. This monitoring schedule may be modified in accordance with Part 4.1.6 if you document the revised schedule in your SWPPP. However, you must indicate in Net-DMR any 3-month interval that you did not take a sample.

**4.1.8 Monitoring for Authorized Non-Stormwater Discharges.** You are only required to monitor authorized non-stormwater discharges (as delineated in Part 1.2.2) when they are commingled with stormwater discharges associated with industrial activity.

**4.1.9 Monitoring Reports.** You must report monitoring data using Net-DMR, EPA's electronic DMR tool, as described in Part 7.3 (unless the applicable EPA Regional Office grants you a waiver from electronic reporting, in which case you may submit a paper DMR form).

## **4.2 Required Monitoring**

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

- Indicator monitoring (Part 4.2.1);

- Benchmark monitoring (Part 4.2.2);
- Annual effluent limitations guidelines monitoring (Part 4.2.3);
- State- or tribal-specific monitoring (Part 4.2.4);
- Impaired waters monitoring (Part 4.2.5); and
- Other monitoring as required by EPA (Part 4.2.6).

Unless otherwise specified, samples must be analyzed consistent with 40 CFR Part 136 analytical methods that are sufficiently sensitive for the monitored parameter. When more than one type of monitoring for the same pollutant at the same discharge point applies (e.g., total suspended solids once per year for an effluent limitation and once per quarter for benchmark monitoring at a given discharge point), 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). Similarly, when the same type of monitoring is required for the same pollutant but for different activities, you may use a single sample to satisfy both monitoring requirements (i.e., when you are required to monitor for PAHs in stormwater discharges from paved surfaces that will be sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit and you are also required to monitor for PAHs in stormwater discharges since you manufacture, use, or store creosote or creosote-treated wood in areas that are exposed to precipitation).

When the effluent limitation is lower than the benchmark threshold for the same pollutant, your Additional Implementation Measure (AIM) trigger is based on an exceedance of the effluent limitation threshold, which would subject you to the AIM requirements of Part 5.2. 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 5.1. You must conduct all required monitoring in accordance with the procedures described in Appendix B, Subsection B.10.

Per Part 1.3.7, in the event that the permit is administratively continued, monitoring requirements remain in force and effect at their original frequency during any continuance for operators that were covered prior to permit expiration. In the event that monitoring results are unable to be electronically reported in Net-DMR, operators must maintain monitoring results and records within their SWPPP.

**Table 4-1. Summary of Each Type of Monitoring**

Monitoring Type	Monitoring Type Applies To	Frequency	Duration	Follow-up Action	Permit Part Reference
Indicator – pH, TSS, COD	Subsectors B2, C5, D2, E3, F5, I1, J3, L2, N2, O1, P1, R1, T1, U3, V1, W1, X1, Y2, Z1, AB1, AC1, and AD1	Quarterly	Entirety of permit coverage	None	Part 4.2.1.1a
Indicator – PAHs*	Operators with stormwater discharges from paved surfaces that will be sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit; sectors; Sector A facilities that manufacture, use, or	Bi-annually (2 times per year)	First year and fourth year	None	Part 4.2.1.1b



Monitoring Type	Monitoring Type Applies To	Frequency	Duration	Follow-up Action	Permit Part Reference
	store creosote or creosote-treated wood in areas that are exposed to precipitation; and Sectors C (SIC 2911), D, F, H, I, M, O, P (SIC 4011, 4013, and 5171), Q (SIC 4493), R, and S				
Benchmark	Subsectors A1, A2, A3, A4, B1, C1, C2, C3, C4, D1, E1, E2, F1, F2, F3, F4, G1, G2, H1, J1, J2, K1, L1, M1, N1, Q1, S1, U1, U2, Y1, AA1, AA2	Quarterly	First year and fourth year	AIM. See Part 5.2.	Part 4.2.2
Effluent limitation guidelines (ELG)	See Part 4.2.3	Annually	Entirety of permit coverage	See Part 5.1	Part 4.2.3
State- or tribal-specific	Depends on the discharge location of your facility. See Part 9				
Impaired Waters	Depends on the receiving waterbody. See Part 4.2.5				
Other as required by EPA	See Part 4.2.6				

\* Monitoring is required for the 16 individual PAHs identified at Appendix A to 40 CFR Part 423: naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, indeno[1,2,3-c,d]pyrene, and dibenz[a,h]anthracene.

**4.2.1 Indicator Monitoring.** This permit requires indicator monitoring of stormwater discharges for three parameters – pH, Total Suspended Solids (TSS), and Chemical Oxygen Demand (COD) – for certain sectors/subsectors (see Part 4.2.1.1.a below) and for polycyclic aromatic hydrocarbons (PAHs) for certain sectors/activities, with additional limitations (see Part 4.2.1.1.b below). Indicator monitoring data will provide you and EPA with a baseline and comparable understanding of industrial stormwater discharge quality and potential water quality problems. The indicator monitoring parameters are “report-only” and do not have thresholds or baseline values for comparison, therefore no follow-up action is triggered or required under this part. The requirement in Part 2.2.1 that your stormwater discharge be controlled as necessary such that the receiving water of the United States will meet applicable water quality standards still applies. You may find it useful to evaluate and compare your indicator monitoring data over time to identify any fluctuating values and why they may be occurring, and to further inform any revisions to your SWPPP/SCMs if necessary.<sup>11</sup> Indicator monitoring is report-only and is neither benchmark monitoring nor an effluent limitation. Instead, it is a permit condition. Thus, failure to conduct indicator monitoring is a permit violation.

<sup>11</sup> Examples of possible reviews and revisions to the SWPPP/SCMs that could be informed by indicator monitoring values include: reviewing sources of pollution or any changes to performed industrial activities and processes; reviewing spill and leak procedures, and/or non-stormwater discharges; conducting a single comprehensive clean-up, implementing a new control measure, and/or increasing inspections. EPA notes, however, that these actions are not required under the 2021 MSGP in response to indicator monitoring.

**4.2.1.1 Applicability and Schedule of Indicator Monitoring****a. pH, Total Suspended Solids (TSS), and Chemical Oxygen Demand (COD)**

- i. **Applicability.** Operators in the following subsectors must monitor stormwater discharges for pH, TSS, and COD (also specified in the sector-specific requirements in Part 8): B2, C5, D2, E3, F5, I1, J3, L2, N2, O1, P1, R1, T1, U3, V1, W1, X1, Y2, Z1, AB1, AC1, and AD1). Samples must be analyzed consistent with 40 CFR Part 136 analytical methods.
- ii. **Schedule.** You must conduct indicator monitoring of stormwater discharges for pH, TSS, and COD each quarter, beginning in your first full quarter of permit coverage as identified in Part 4.1.7.

**b. Polycyclic Aromatic Hydrocarbons (PAHs)**

- i. **Applicability.** The following operators must monitor stormwater discharges for the 16 individual priority pollutant PAHs (also specified in the sector-specific requirements in Part 8): operators in all sectors with stormwater discharges from paved surfaces that will be sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit; operators in sectors A (facilities that manufacture, use, or store creosote or creosote-treated wood in areas that are exposed to precipitation), C (SIC Code 2911), D, F, H, I, M, O, P (SIC Codes 4011, 4013, and 5171), Q (SIC Code 4493), R, and S. Monitoring is required for the 16 individual PAHs identified at Appendix A to 40 CFR Part 423: naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, indeno[1,2,3-c,d]pyrene, and dibenz[a,h]anthracene. Samples must be analyzed using EPA Method 625.1, or EPA Method 610/Standard Method 6440B if preferred by the operator, consistent with 40 CFR Part 136 analytical methods.
- ii. **Schedule.** You must conduct indicator monitoring of stormwater discharges for PAHs bi-annually (i.e., sample twice per year) in the first and fourth years of permit coverage. Your first year of permit coverage begins in your first full quarter of permit coverage, identified in Part 4.1.7, commencing no earlier than May 30, 2021, followed by two years of no monitoring. Bi-annual monitoring resumes in your fourth year of permit coverage for another year, after which you may discontinue bi-annual PAH monitoring for the remainder of your permit coverage.

**4.2.1.2 Exception for Facilities in Climates with Irregular Stormwater Discharges.** As described in Part 4.1.6, facilities in climates with irregular stormwater discharges may modify this schedule provided you report this revised schedule directly to EPA by the due date of the first indicator monitoring sample (see EPA Regional contacts in Part 7.8), and you keep this revised schedule with the facility's SWPPP as specified in Part 6.5. As noted in Part 4.1.7, you must indicate in Net-DMR any 3-month interval that you did not take a sample.

**4.2.1.3 Exception for Inactive and Unstaffed Facilities.** The requirement for indicator monitoring does not apply at a facility that is inactive and unstaffed, provided that there are no industrial materials or activities exposed to stormwater. To invoke this exception, you must do the following:

- a. Maintain a statement with your SWPPP stating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to stormwater in accordance with the substantive requirements in 40 CFR 122.26(g) and sign and certify the statement in accordance with Appendix B, Subsection 11.
- b. If circumstances change and industrial materials or activities become exposed to stormwater or your facility becomes active and/or staffed, this exception no longer applies and you must immediately begin complying with the applicable indicator monitoring requirements under Part 4.2.1 as if you were in your first year of permit coverage. You must indicate in your NOI that your facility has materials or activities exposed to stormwater or has become active and/or staffed.
- c. If you are not qualified for this exception at the time you are authorized under this permit, but during the permit term you become qualified because your facility is inactive and unstaffed, and there are no industrial materials or activities that are exposed to stormwater, then you must notify EPA of this change on your NOI form. You may discontinue indicator monitoring once you have notified EPA, and prepared and signed the certification statement described above concerning your facility's qualification for this special exception.

*Note: This exception has different requirements for Sectors G, H, and J (see Part 8).*

- 4.2.2 Benchmark Monitoring.** This permit requires benchmark monitoring parameters of stormwater discharges for certain sectors/subsectors. Benchmark monitoring data are primarily for your use to determine the overall effectiveness of your stormwater control measures and to assist you in determining when additional action(s) may be necessary to comply with the effluent limitations in Part 2.

The benchmark thresholds are not effluent limitations; a benchmark exceedance, therefore, is not a permit violation. However, if a benchmark exceedance triggers Additional Implementation Measures (AIM) in Part 5.2, failure to conduct any required measures is a permit violation. At your discretion, you may take more than four samples during separate stormwater discharge events to determine the average benchmark parameter value for facility discharges.

**4.2.2.1 Applicability of Benchmark Monitoring**

You must monitor stormwater discharges for any benchmark parameters specified for the industrial sector(s), both primary industrial activity and any co-located industrial activities, applicable to your discharge listed in Part 8. If your facility is in one of the industrial sectors subject to benchmark thresholds that are hardness-dependent, you must include in your NOI a hardness value, established consistent with the procedures in Appendix J, that is representative of your receiving water. Hardness is not a specific benchmark and therefore the permit does not include a benchmark threshold with which to compare.

Samples must be analyzed consistent with 40 CFR Part 136 analytical methods and using test procedures with quantitation limits at or below benchmark thresholds for all benchmark parameters for which you are required to sample, i.e., sufficiently sensitive methods. For averaging purposes, you may use a value of zero for any individual sample parameter which is determined to be less than the method detection limit. For sample values that fall between the method detection limit and the quantitation limit

(i.e., a confirmed detection but below the level that can be reliably quantified), use a value halfway between zero and the quantitation limit.

#### 4.2.2.2 **Summary of the 2021 MSGP Benchmark Thresholds**

The Table 4-2 presents the 2021 MSGP's freshwater and saltwater benchmark thresholds. Sector-specific benchmark requirements are detailed in [Part 8](#). Values match the original units found in the source documents, detailed in the corresponding section of the fact sheet.

**Table 4-2 2021 MSGP Benchmark Thresholds**

Pollutant		2021 MSGP Benchmark Threshold
Total Recoverable Aluminum (T)		1,100 µg/L
Total Recoverable Beryllium		130 µg/L
Biochemical Oxygen Demand (5-day)		30 mg/L
pH		6.0 – 9.0 s.u.
Chemical Oxygen Demand		120 mg/L
Total Phosphorus		2.0 mg/L
Total Suspended Solids (TSS)		100 mg/L
Nitrate and Nitrite Nitrogen		0.68 mg/L
Turbidity		50 NTU
Total Recoverable Antimony		640 µg/L
Ammonia		2.14 mg/L
Total Recoverable Cadmium	Freshwater <sup>a</sup>	1.8 µg/L
	Saltwater	33 µg/L
Total Recoverable Copper	Freshwater	5.19 µg/L
	Saltwater	4.8 µg/L
Total Recoverable Cyanide	Freshwater	22 µg/L
	Saltwater	1 µg/L
Total Recoverable Mercury	Freshwater	1.4 µg/L
	Saltwater	1.8 µg/L
Total Recoverable Nickel	Freshwater <sup>a</sup>	470 µg/L
	Saltwater	74 µg/L
Total Recoverable Selenium	Freshwater	1.5 µg/L for still/standing (lentic) waters 3.1 µg/L for flowing (lotic) waters
	Saltwater	290 µg/L
Total Recoverable Silver	Freshwater <sup>a</sup>	3.2 µg/L
	Saltwater	1.9 µg/L
Total	Freshwater <sup>a</sup>	120 µg/L

Pollutant		2021 MSGP Benchmark Threshold
Recoverable Zinc	Saltwater	90 µg/L
Total Recoverable Arsenic	Freshwater	150 µg/L
	Saltwater	69 µg/L
Total Recoverable Lead	Freshwater <sup>a</sup>	82 µg/L
	Saltwater	210 µg/L

<sup>a</sup> These pollutants are dependent on water hardness where discharged into freshwaters. The freshwater benchmark value listed is based on a hardness of 100 mg/L. When a facility analyzes receiving water samples for hardness, the operator must use the hardness ranges provided in Table 1 in Appendix J of the 2021 MSGP and in the appropriate tables in Part 8 of the 2021 MSGP to determine applicable benchmark values for that facility. Benchmark thresholds for discharges of these pollutants into saline waters are not dependent on receiving water hardness and do not need to be adjusted.

**4.2.2.3 Benchmark Monitoring Schedule.** Benchmark monitoring of stormwater discharges is required quarterly, as identified in Part 4.1.7, in the first and fourth year of permit coverage, as follows:

- a. **Year one of permit coverage:** You must conduct benchmark monitoring for all parameters applicable to your subsector(s) for four quarters in your first year of permit coverage, beginning in your first *full* quarter of permit coverage, no earlier than May 30, 2021.
  - i. If the annual average<sup>12</sup> for a parameter does not exceed the benchmark threshold, you can discontinue benchmark monitoring for that parameter for the next two years (i.e., eight quarters).
  - ii. If the annual average for a parameter exceeds the benchmark threshold, you must comply with Part 5.2 (Additional Implementation Measures responses and deadlines) and continue quarterly benchmark monitoring for that parameter until results indicate that the annual average is no longer exceeded, after which you can discontinue benchmark monitoring for that parameter until monitoring resumes in year four of permit coverage, per Part 4.2.2.3.b below.
- b. **Year four of permit coverage:** You must conduct benchmark monitoring for all parameters applicable to your subsector(s) for four quarters in your fourth year of permit coverage (i.e., your thirteenth through sixteenth quarters), unless the first quarter of your fourth year of permit coverage occurs on or after the date this permit expires.

<sup>12</sup> For this permit, an annual average exceedance for a parameter can occur if: (a) The four-quarter annual average for a parameter exceeds the benchmark threshold; or (b) Fewer than four quarterly samples are collected, but a single sample or the sum of any sample results within the sampling year exceeds the benchmark threshold by more than four times for a parameter. The result in (b) indicates an exceedance is mathematically certain (i.e., the sum of quarterly sample results to date is already more than four times the benchmark threshold). For pH, an annual average exceedance can only occur if the four-quarter annual average exceeds the benchmark threshold.

- i. If the annual average<sup>13</sup> for a parameter does not exceed the benchmark threshold, you can discontinue benchmark monitoring for that parameter for the remainder of your permit coverage.
- ii. If the annual average for a parameter exceeds the benchmark threshold, you must comply with Part 5.2 (Additional Implementation Measures responses and deadlines) and continue quarterly benchmark monitoring for that parameter until results indicate that the annual average is no longer exceeded, after which you can discontinue benchmark monitoring for that parameter for the remainder of permit coverage.

**4.2.2.4 Exception for Facilities in Climates with Irregular Stormwater Discharges.** As described in Part 4.1.6, facilities in climates with irregular stormwater discharges may modify this quarterly schedule provided you report this revised schedule directly to EPA by the due date of the first benchmark sample (see EPA Regional contacts in Part 7.8), and you keep this revised schedule with the facility's SWPPP as specified in Part 6.5. 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 4.1.7, you must indicate in Net-DMR any 3-month interval that you did not take a sample.

**4.2.2.5 Exception for Inactive and Unstaffed Facilities.** The requirement for benchmark monitoring does not apply at a facility that is inactive and unstaffed, provided that there are no industrial materials or activities exposed to stormwater. To invoke this exception, you must do the following:

- a. Maintain a statement with your SWPPP stating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to stormwater in accordance with the substantive requirements in 40 CFR 122.26(g) and sign and certify the statement in accordance with Appendix B, Subsection 11.
- b. If circumstances change and industrial materials or activities become exposed to stormwater or your facility becomes active and/or staffed, this exception no longer applies and you must immediately begin complying with the applicable benchmark monitoring requirements under Part 4.2.2 as if you were in your first year of permit coverage. You must indicate in your NOI that your facility has materials or activities exposed to stormwater or has become active and/or staffed.
- c. If you are not qualified for this exception at the time you are authorized under this permit, but during the permit term you become qualified because your facility is inactive and unstaffed, and there are no industrial materials or activities that are exposed to stormwater, then you must notify EPA of this change on your NOI form. You may discontinue benchmark monitoring once you have notified EPA, and prepared and signed the certification statement described above concerning your facility's qualification for this special exception.

*Note: This exception has different requirements for Sectors G, H, and J (see Part 8).*

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<sup>13</sup> *Ibid.*

### 4.2.3 **Effluent Limitations Monitoring**

**4.2.3.1 Monitoring Based on Effluent Limitations Guidelines.** Table 4-3 identifies the stormwater 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 May 30, 2021, or your date of discharge authorization, whichever date comes later, you must monitor once per year at each stormwater discharge point containing the discharges identified in Table 4-3 for the parameters specified in the sector-specific section of Part 8.

**Table 4-3. Required Monitoring for Effluent Limits Based on Effluent Limitations Guidelines**

<b>Regulated Activity</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.8	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.5	1/year	Grab
Runoff from asphalt emulsion facilities	See Part 8.D.5	1/year	Grab
Runoff from material storage piles at cement manufacturing facilities	See Part 8.E.6	1/year	Grab
Mine dewatering discharges at crushed stone, construction sand and gravel, or industrial sand mining facilities	See Part 8.J.10	1/year	Grab
Runoff from hazardous waste landfills	See Part 8.K.7	1/year	Grab
Runoff from non-hazardous waste landfills	See Part 8.L.11	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.9	1/year	Grab

**4.2.3.2 Substantially Identical Discharge Points Not Applicable.** You must monitor each discharge point discharging stormwater from any regulated activity identified in Table 4-3. The substantially identical discharge points (SIDP) monitoring provisions are not available for numeric effluent limit monitoring.

**4.2.3.3 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 "Change NOI" form in the NPDES eReporting Tool (NeT), and you must conduct follow-up monitoring within 30 calendar days (or during the next measurable storm event, should none occur within 30 days) of implementing corrective action(s) taken per Part 5.1. If your follow-up monitoring exceeds the applicable effluent limitation, you must:

- a. **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 7.5; and

- b. **Continue to Monitor:** You must monitor, at least quarterly, until your stormwater discharge is in compliance with the effluent limit or until EPA waives the requirement for additional monitoring. Once your discharge is back in compliance with the effluent limitation you must indicate this on a "Change NOI" form per Part 7.3.

#### **4.2.4 State or Tribal Required Monitoring**

- 4.2.4.1 **Sectors Required to Conduct State or Tribal Monitoring.** You must comply with any state or tribal monitoring requirements in Part 9 of the permit applicable to your facility's discharge location.

- 4.2.4.2 **State or Tribal Monitoring Schedule.** If a monitoring frequency is not specified for an applicable requirement in Part 9, you must monitor once per year for the duration of your permit coverage.

- 4.2.5 **Impaired Waters Monitoring** For the purposes of this permit, your facility is considered to discharge to an impaired water if the first water of the United States to which you discharge is identified by a state, tribe, or EPA pursuant to section 303(d) of the CWA as not meeting an applicable water quality standard (i.e., without an EPA-approved or -established TMDL, see Part 4.2.5.1.a below), or has been removed from the 303(d) list either because the impairments are addressed by an EPA-approved or established TMDL or is covered by pollution control requirements that meet the requirements of 40 CFR 130.7(b)(1) (see Part 4.2.5.1.b below). For discharges that enter a separate storm sewer system<sup>14</sup> prior to discharge, the first water of the United States to which you discharge is the waterbody that receives the stormwater discharge from the separate storm sewer system.

#### **4.2.5.1 Facilities Required to Monitor Stormwater Discharges to Impaired Waters**

- a. **Discharges to impaired waters without an EPA-approved or established TMDL:**

Monitoring is required annually in the first year of permit coverage and again in the fourth year of permit coverage as follows, unless you detect a pollutant causing an impairment, in which case annual monitoring must continue.

- i. **Year one of permit coverage:** You must take your first annual sample in your first year of permit coverage, which begins in the first full quarter following May 30, 2021 or your date of discharge authorization, whichever date comes later. You must monitor for all pollutants causing impairments using a standard analytical method, provided one exists (see 40 CFR Part 136), once at each discharge point (except substantially identical discharge points) discharging stormwater to impaired waters without an EPA-approved or established TMDL. *Note:* Except where otherwise directed by EPA, 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

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<sup>14</sup> Separate storm sewer systems do not include combined sewer systems or sanitary sewer systems. Separate storm sewer systems include both municipal storm sewer systems (MS4s) and non-municipal separate storm sewers.



impairment, or when a waterbody's impairment is related to hydrologic modifications, impaired hydrology, or other non-pollutant. Operators must consult the applicable EPA Regional Office for any available guidance regarding required monitoring parameters under this part.

- 1) If monitoring results indicate the monitored pollutant is not detected in your discharge, or is within the acceptable range for a given parameter for the waterbody to meet its designated use (e.g., pH or temperature),<sup>15</sup> you may discontinue monitoring for that pollutant for the next two years. You must resume monitoring for that pollutant in year four of permit coverage, if applicable, per Part 4.2.5.1.a.ii.
  - 2) If monitoring results indicate that the monitored pollutant is detected in your stormwater discharge, or is outside the acceptable range for a given parameter (e.g., pH or temperature) for the waterbody to meet its designated use,<sup>16</sup> you must continue to monitor for the pollutant(s) annually until no longer detected, after which you may discontinue monitoring for that pollutant until monitoring resumes in year four of permit coverage, if applicable, per Part 4.2.5.1.a.ii.
- ii. **Year four of permit coverage.** Annual monitoring resumes in your fourth year of permit coverage for another year for a sub-set of parameters monitored for in the first monitoring year. In the fourth year of permit coverage, you must monitor for all pollutants causing impairment(s) that are associated with your industrial activity and/or are listed as a benchmark parameter for your subsector(s) (regardless of whether you have satisfied benchmark monitoring for the parameter per Part 4.2.2). To determine these pollutants, start with the list of pollutants for which the receiving waterbody is impaired and for which a standard analytical method exists (see 40 CFR Part 136), then compare that list to the industrial pollutants you identified in Part 6.2.3.2 and any sector-specific benchmark monitoring pollutants in Part 8 and, if applicable, Part 9. You must monitor for pollutants that appear on both the impairments list and either your industrial pollutants and/or your benchmark parameter list, including "indicator" or "surrogate" pollutants (as described in the "note" in 1 above). You must monitor once at each discharge point (except substantially identical discharge points (SIDPs)) for these pollutants. Consistent with Part 4.2, annual samples may be used to also satisfy any single remaining quarterly benchmark monitoring requirement applicable to your discharge.
- 1) If monitoring results indicate the monitored pollutant is not detected in your discharge, or is within the acceptable range for a given parameter for the waterbody to meet its designated use (e.g., pH or temperature),<sup>17</sup> you may discontinue monitoring for that pollutant for the remainder of your permit coverage.
  - 2) If the monitoring results indicate that the monitored pollutant is detected in your discharge, or is outside the acceptable range for a given parameter (e.g., pH or temperature) for the waterbody to meet its designated use, you must continue to monitor for the pollutant(s)

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<sup>15</sup> Refer to your state's Water Quality Standards or contact the EPA Regional Office for assistance.

<sup>16</sup> *Ibid.*

<sup>17</sup> *Ibid.*

annually until no longer detected, after which you may discontinue monitoring for that pollutant for the remainder of your permit coverage.

- iii. **Exception:** If sampling results in either Part 4.2.5.1.a.i or Part 4.2.5.1.a.ii above indicate the monitored pollutant is detected in your discharge, but you have determined that its presence is caused solely by natural background sources, you may discontinue monitoring for that pollutant for the duration of your permit coverage.

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 6.5:

- 1) 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
- 2) 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 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 the applicable EPA Regional Office for related guidance.

- b. **Discharges to impaired waters with an EPA-approved or established TMDL:** For stormwater discharges to waters for which there is an EPA-approved or established TMDL, you are not required to monitor for the pollutant(s) for which the TMDL was written unless EPA 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 findings of the applicable TMDL and its wasteload allocation. EPA's notice will include specifications on stormwater discharge monitoring parameters and frequency. If there are questions, you may consult the applicable EPA Regional Office for guidance regarding required monitoring under this Part.

**4.2.5.2 Exception for Inactive and Unstaffed Facilities.** The requirement for impaired waters monitoring does not apply at a facility that is inactive and unstaffed, as long as there are no industrial materials or activities exposed to stormwater. To invoke this exception, you must do the following:

- a. Maintain a statement with your SWPPP stating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to stormwater in accordance with the substantive requirements in 40 CFR 122.26(g) and sign and certify the statement in accordance with Appendix B, Subsection 11.
- b. If circumstances change and industrial materials or activities become exposed to stormwater or your facility becomes active and/or staffed, this exception no longer applies and you must immediately begin complying with the applicable impaired waters monitoring requirements under Part 4.2.5 as if you were in your first year of permit coverage. You must indicate in a "Change NOI" form per Part

7.2 that your facility has materials or activities exposed to stormwater or has become active and/or staffed.

- c. If you are not qualified for this exception at the time you are authorized under this permit, but during the permit term you become qualified because your facility is inactive and unstaffed, and there are no industrial materials or activities that are exposed to stormwater, then you must notify EPA of this change on your NOI form. You may discontinue impaired waters monitoring once you have notified EPA, and prepared and signed the certification statement described above concerning your facility's qualification for this special exception.

*Note: This exception has different requirements for Sectors G, H, and J (see Part 8).*

**4.2.6 Additional Monitoring Required by EPA.** EPA may notify you of additional stormwater discharge monitoring requirements that EPA 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.

## **5. Corrective Actions and Additional Implementation Measures (AIM)**

### **5.1 Corrective Action**

**5.1.1 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 EPA 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-stormwater discharges; the selection, design, installation and implementation of your stormwater control measures) so that this permit's effluent limits are met and pollutant discharges are minimized:

**5.1.1.1** An unauthorized release or discharge (e.g., spill, leak, or discharge of non-stormwater not authorized by this or another NPDES permit to a water of the United States) occurs at your facility.

**5.1.1.2** A discharge violates a numeric effluent limit listed in Table 2-1 and/or in your Part 8 sector-specific requirements.

**5.1.1.3** Your stormwater control measures are not stringent enough for your stormwater discharge to be controlled as necessary such that the receiving water of the United States will meet applicable water quality standards or to meet the non-numeric effluent limits in this permit.

**5.1.1.4** 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.

**5.1.1.5** Whenever a visual assessment shows evidence of stormwater pollution (e.g., color, odor, floating solids, settled solids, suspended solids, foam).

**5.1.2 Conditions Requiring SWPPP Review to Determine if Modifications Are Necessary.** If construction or a change in design, operation, or maintenance at your facility occurs that significantly changes the nature of pollutants discharged via stormwater from your facility, or significantly increases the quantity of pollutants discharged, you must review your SWPPP (e.g., sources of pollution, spill and leak procedures, non-stormwater

discharges, selection, design, installation and implementation of your stormwater control measures) to determine if modifications are necessary to meet the effluent limits in this permit.

### **5.1.3 Deadlines for Corrective Actions**

**5.1.3.1 Immediate Actions.** You must immediately take all reasonable steps to minimize or prevent the discharge of pollutants until you can implement a permanent solution, including cleaning up any contaminated surfaces so that the material will not discharge in subsequent storm events. In Part 5, the term "immediately" means that the day you find a condition requiring corrective action, you must take all reasonable steps to minimize or prevent the discharge of pollutants until you can implement a permanent solution. However, if you identify a problem too late in the work day to initiate corrective action, you must perform the corrective action the following work day morning. The term "all reasonable steps" means you must respond to the conditions triggering the corrective action, such as 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 SCM to be installed.

**5.1.3.2 Subsequent Actions.** If additional actions are necessary beyond those implemented pursuant to Part 5.1.3.1, 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 that the condition in Part 5.1.1 is not met. 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 appropriate EPA Regional Office 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 5.3). 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.

**5.1.4 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. EPA may consider the appropriateness and promptness of corrective action in determining enforcement responses to permit violations.

**5.1.5 Substantially Identical Discharge Points.** If the event triggering corrective action is associated with a discharge point that had been identified as a "substantially identical discharge point" (SIDP) (see Parts 3.2.4.5 and 4.1.1), your review must assess the need for corrective action for all related SIDPs. Any necessary changes to control measures that affect these other discharge points 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 5.1.3.

## **5.2 Additional Implementation Measures (AIM)**

If any of the following AIM triggering events in Parts 5.2.3, 5.2.4, or 5.2.5 occur, you must follow the response procedures described in those parts, called "additional implementation measures" or "AIM." There are three AIM levels: AIM Level 1, Level 2, and Level 3. You must respond as required to different AIM levels which prescribe sequential and increasingly robust responses when a benchmark exceedance occurs. You must follow the corresponding AIM level responses and deadlines described in Parts 5.2.3, 5.2.4, and 5.2.5 unless you qualify for an exception under Part 5.2.6.

### **5.2.1 Baseline Status**

Once you receive discharge authorization under this permit per Part 1.3, you are in a baseline status for all applicable benchmark parameters. If an AIM triggering event occurs and you have proceeded sequentially to AIM Level 1, 2 or 3, you may return directly to baseline status once the corresponding AIM-level response and conditions are met.

**5.2.2 AIM Triggering Events.** If an annual average exceeds an applicable benchmark threshold based on the following events, the AIM requirements have been triggered for that benchmark parameter. You must follow the corresponding AIM-level responses and deadlines described in Parts 5.2.3, 5.2.4, and 5.2.5 unless you qualify for an exception under Part 5.2.6. An annual average exceedance for a parameter can occur if:

**5.2.2.1** The four-quarterly annual average for a parameter exceeds the benchmark threshold, or

**5.2.2.2** Fewer than four quarterly samples are collected, but a single sample or the sum of any sample results within the sampling year exceeds the benchmark threshold by more than four times for a parameter. This result indicates an exceedance is mathematically certain (i.e., the sum of quarterly sample results to date is already more than four times the benchmark threshold).<sup>18</sup>

### **5.2.3 AIM Level 1**

Your status changes from baseline to AIM Level 1 if quarterly benchmark monitoring results indicate that an AIM triggering event per Part 5.2.2 has occurred, unless you qualify for an exception under Part 5.2.6.

**5.2.3.1 AIM Level 1 Responses.** If any of the triggering events in Part 5.2.2 occur, you must:

Review SWPPP/Stormwater Control Measures. Immediately review your SWPPP and the selection, design, installation, and implementation of your stormwater control measures to ensure the effectiveness of your existing measures and

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<sup>18</sup> For pH, an annual average exceedance can only occur if the four-quarter annual average exceeds the benchmark threshold.

determine if modifications are necessary to meet the benchmark threshold for the applicable parameter,<sup>19</sup> and

Implement Additional Measures. After reviewing your SWPPP/stormwater control measures, you must implement additional measures, considering good engineering practices, that would reasonably be expected to bring your exceedances below the parameter's benchmark threshold; or if you determine nothing further needs to be done with your stormwater control measures, you must document per Part 5.3 and include in your annual report why you expect your existing control measures to bring your exceedances below the parameter's benchmark threshold for the next 12-month period.

**5.2.3.2 AIM Level 1 Deadlines.** If any modifications to or additional control measures are necessary in response to AIM Level 1, you must implement those modifications or control measures within 14 days of receipt of laboratory results, unless doing so within 14 days is infeasible. If doing so within 14 days is infeasible, you must document per Part 5.3 why it is infeasible and implement such modifications within 45 days.

**5.2.3.3 Continue Quarterly Benchmark Monitoring.** After compliance with AIM Level 1 responses and deadlines, you must continue quarterly benchmark monitoring for the next four quarters for the parameter(s) that caused the AIM triggering event at all affected stormwater discharge points, beginning no later than the next full quarter after compliance.

**5.2.3.4 AIM Level 1 Status Update.** While in AIM Level 1 status, you may either:

a. **Return to Baseline Status.** Your AIM Level 1 status will return to baseline status if the AIM Level 1 responses have been met and continued quarterly benchmark monitoring results indicate that an AIM triggering event per Part 5.2.2 has not occurred after four quarters of monitoring (i.e., the benchmark threshold is no longer exceeded for the parameter(s)). You may discontinue benchmark monitoring for that parameter until monitoring resumes in year 4 of permit coverage per Part 4.2.2.3 or if you have fulfilled all benchmark monitoring requirements per Part 4.2.2.3, then you may discontinue monitoring for that parameter for the remainder of the permit.

b. **Advance to AIM Level 2.** Your AIM Level 1 status advances to AIM Level 2 status if you have completed AIM Level 1 responses and the continued quarterly benchmark monitoring results indicate that an AIM triggering event per Part 5.2.2 has occurred (i.e., the benchmark threshold continues to be exceeded for the same parameter(s)).

## **5.2.4 AIM Level 2**

Your status changes from AIM Level 1 to AIM Level 2 if your continued quarterly benchmark monitoring results indicate that an AIM triggering event per Part 5.2.2 has occurred (i.e., the benchmark threshold continues to be exceeded for the parameter(s)), unless you qualify for an exception under Part 5.2.6.

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<sup>19</sup> Examples may include: review sources of pollution, spill and leak procedures, and/or non-stormwater discharges; conducting a single comprehensive clean-up, making a change in subcontractor, implementing a new control measure, and/or increasing inspections.

- 5.2.4.1 AIM Level 2 Responses.** If any of the events in Part 5.2.2 occur, you must review your SWPPP and implement additional pollution prevention/good housekeeping SCMs, considering good engineering practices, beyond what you did in your AIM Level 1 responses that would reasonably be expected to bring your exceedances below the parameter's benchmark threshold. Refer to the MSGP sector-specific fact sheets for recommended controls found at [<https://www.epa.gov/npdes/stormwater-discharges-industrial-activities-fact-sheets-and-guidance>].
- 5.2.4.2 AIM Level 2 Deadlines.** You must implement additional pollution prevention/good housekeeping SCMs within 14 days of receipt of laboratory results that indicate an AIM triggering event has occurred and document per Part 5.3 how the measures will achieve benchmark thresholds. If it is feasible for you to implement a measure, but not within 14 days, you may take up to 45 days to implement such measure. You must document per Part 5.3 why it was infeasible to implement such measure in 14 days. EPA may also grant you an extension beyond 45 days, based on an appropriate demonstration by you, the operator.
- 5.2.4.3 Continue Quarterly Benchmark Monitoring.** After compliance with AIM Level 2 responses and deadlines, you must continue quarterly benchmark monitoring for the next four quarters for the parameter(s) that caused the AIM triggering event at all affected discharge points, beginning no later than the next full quarter after compliance.
- 5.2.4.4 AIM Level 2 Status Update.** While in AIM Level 2 status, you may either:
- a. Return to Baseline Status.** Your AIM Level 2 status will return to baseline status if the AIM Level 2 responses have been met and the continued quarterly benchmark monitoring results indicate that an AIM triggering event per Part 5.2.2 has not occurred after four quarters of monitoring (i.e., the benchmark threshold is no longer exceeded for the parameter(s)). You may discontinue benchmark monitoring for that parameter until monitoring resumes in year 4 of permit coverage per Part 4.2.2.3, or if you have fulfilled all benchmark monitoring requirements per Part 4.2.2.3, then you may discontinue monitoring for that parameter for the remainder of the permit.
  - b. Advance to AIM Level 3.** Your AIM Level 2 status advances to AIM Level 3 status if you have completed the AIM Level 2 responses and the continued quarterly benchmark monitoring results indicate that an AIM triggering event per Part 5.2.2 has occurred (i.e., the benchmark threshold continues to be exceeded for the same parameter(s)).

## **5.2.5 AIM Level 3**

Your status changes from AIM Level 2 to AIM Level 3 if your continued quarterly benchmark monitoring results indicate that an AIM triggering event per Part 5.2.2 has occurred (i.e., the benchmark threshold continues to be exceeded for the parameter(s)), unless you qualify for an exception per Part 5.2.6.

- 5.2.5.1 AIM Level 3 Responses.** If any of the triggering events in Part 5.2.2 occur, you must install structural source controls (e.g., permanent controls such as permanent cover, berms, and secondary containment), and/or treatment controls (e.g., sand filters, hydrodynamic separators, oil-water separators, retention ponds, and infiltration structures), except as provided in Part 5.2.6 (AIM Exceptions). The controls or treatment technologies or treatment train you install should be appropriate for the pollutants that

triggered AIM Level 3 and should be more rigorous than the pollution prevention/good housekeeping-type stormwater control measures implemented under AIM Level 2 in Part 5.2.4. You must select controls with pollutant removal efficiencies that are sufficient to bring your exceedances below the benchmark threshold. You must install such stormwater control measures for the discharge point(s) in question and for substantially identical discharge points (SIDPs), unless you individually monitor those SIDPs and demonstrate that AIM Level 3 requirements are not triggered at those discharge points.

**5.2.5.2 AIM Level 3 Deadlines.** You must identify the schedule for installing the appropriate structural source and/or treatment stormwater control measures within 14 days and install such measures within 60 days. If it is not feasible within 60 days, you may take up to 90 days to install such measures, documenting in your SWPPP per Part 5.3 why it is infeasible to install the measure within 60 days. EPA may also grant you an extension beyond 90 days, based on an appropriate demonstration by you, the operator.

**5.2.5.3 Continue Quarterly Benchmark Monitoring.** After compliance with AIM Level 3 responses and deadlines, you must continue quarterly benchmark monitoring for the next four quarters for the parameter(s) that caused the AIM triggering event at all affected discharge points, beginning no later than the next full quarter after compliance.

**5.2.5.4 AIM Level 3 Status Update.** While in AIM Level 3 status, you may either:

- a. **Return to Baseline Status.** Your AIM Level 3 status will return to baseline status if the AIM Level 3 response(s) have been met and the continued quarterly benchmark monitoring results indicate that an AIM triggering event per Part 5.2.2 has not occurred after four quarters of monitoring (i.e., the benchmark threshold is no longer exceeded for the parameter(s)). You may discontinue benchmark monitoring for that parameter until monitoring resumes in what would be year 4 of permit coverage per Part 4.2.2.3, or if you have fulfilled all benchmark monitoring requirements per Part 4.2.2.3, then you may discontinue monitoring for that parameter for the remainder of the permit.
- b. **Continue in AIM Level 3.** Your AIM Level 3 status will remain at Level 3 if you have completed the AIM Level 3 responses and the continued quarterly benchmark monitoring results indicate that an AIM triggering event per Part 5.2.2 has occurred (i.e., the benchmark threshold continues to be exceeded for the same parameter(s)). You must continue quarterly benchmark monitoring for the next four quarters for the parameter(s) that caused the AIM triggering event at all affected discharge points, beginning no later than the next full quarter after compliance. If you continue to exceed the benchmark threshold for the same parameter even after compliance with AIM Level 3, EPA may require you to apply for an individual permit.

**5.2.6 AIM Exceptions**

Following the occurrence of an AIM triggering event per Part 5.2.2, at any point or tier level of AIM and following four quarters of benchmark monitoring (or sooner if the exceedance is triggered by less than four quarters of data), you may qualify for an exception below from AIM requirements and continued benchmark monitoring. Regardless if you qualify for and claim an exception, you must still review your SCMs, SWPPP, and other on-site activities to determine if actions or modifications are necessary or appropriate in light of your benchmark exceedance(s). If claiming an AIM exception, you must follow the requirements to demonstrate that you qualify for the



exception as provided below. If you qualify for an exception, you are not required to comply with the AIM responses or the continuation of quarterly benchmark monitoring for any parameters for which you can demonstrate that the benchmark exceedance is:

- 5.2.6.1 Solely Attributable to Natural Background Pollutant Levels:** You must demonstrate that the benchmark exceedance is solely attributable to the presence of that pollutant in natural background sources, provided that all the following conditions are met and you submit your analysis and documentation to the applicable EPA Regional Office upon request:
- a. The four-quarter average concentration of your benchmark monitoring results (or fewer than four-quarters of data that trigger an exceedance) is less than or equal to the concentration of that pollutant in the natural background; and
  - b. You document and maintain with your SWPPP, as required in Part 6.5.9, 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 stormwater 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 facilities or roadways.
- 5.2.6.2 Due to Run-On:** You must demonstrate and obtain EPA agreement that run-on from a neighboring source (e.g., a source external to your facility) is the cause of the exceedance, provided that all the following conditions are met and you submit your analysis and documentation to the applicable EPA Regional Office for concurrence:
- a. After reviewing and revising your SWPPP, as appropriate, you should notify the other facility or entity contributing run-on to your discharges and request that they abate their pollutant contribution.
  - b. If the other facility or entity fails to take action to address their discharges or sources of pollutants, you should contact your applicable EPA Regional Office.
- 5.2.6.3 Due to an abnormal event:** You must immediately document per Part 5.3 that the AIM triggering event was abnormal, a description explaining what caused the abnormal event, and how any measures taken within 14 days of such event will prevent a reoccurrence of the exceedance. You must also collect a sample during the next measurable storm event to demonstrate that the result is less than the benchmark threshold, in which case you do not trigger any AIM requirements based on the abnormal event. You must report the result of this sample in NeT-DMR in lieu of the result from the sample that caused the AIM triggering event. You may avail yourself of the "abnormal" demonstration opportunity at any AIM Level, one time per parameter, and one time per discharge point, which shall include substantially identical discharge points (SIDP), provided you qualify for the exception.
- 5.2.6.4 For Aluminum and Copper benchmark parameters only: Demonstrated to not result in an exceedance of your facility-specific value using the national recommended water quality criteria in-lieu of the applicable MSGP benchmark threshold:**

To be eligible for the exception, you must demonstrate to EPA that your stormwater discharge(s) that exceeded the applicable nationally representative MSGP benchmark threshold would not result in an exceedance of a derived facility-specific value. The demonstration to EPA, which will be made publicly available, must meet the minimum elements below in order to be considered for and approved by the applicable EPA Regional Office. If you exceed the MSGP benchmark threshold for aluminum or copper, you must still comply with any applicable AIM requirements and additional benchmark monitoring until the demonstration is made to and approved by the applicable EPA Regional Office. In this case, EPA suggests that samples collected for any continued benchmark monitoring also be analyzed for the required input parameters for each model for efficiency. If you are an existing operator and you anticipate an exceedance of the MSGP benchmark(s) based on previous monitoring data and expect to utilize this exception(s), EPA recommends you begin the required data collection in your first year of permit coverage.

**a. Aluminum (only for discharges to freshwater):**

**i. Conditions for this exception are:**

- 1) Use of EPA's 2018 National Recommended Aluminum Aquatic Life Criteria: <https://www.epa.gov/wqc/aquatic-life-criteria-aluminum>;
- 2) In-stream waterbody sampling for the three water quality input parameters for the recommended criteria model: pH, total hardness, and dissolved organic carbon (DOC); and
- 3) Completion of sampling events sufficient to capture spatial and temporal variability. Sampling events must adequately represent each applicable season at the facility's location, which would likely be over the course of at least one year. An equal number of ambient waterbody samples must be collected at a single upstream and downstream location from the operator's discharge point(s) to the receiving water of the United States. Where there exists no ambient source water upstream of the operator's discharge point(s) to the receiving water of the United States, samples of the ambient downstream waterbody conditions are sufficient.

**ii. The demonstration provided to EPA must include, at minimum:**

- 1) A description of the sampling, analysis, and quality assurance procedures that were followed for data collection, following the guidance in Section 3 of EPA's Industrial Stormwater Monitoring and Sampling Guide. [https://www.epa.gov/sites/production/files/2015-11/documents/msgp\\_monitoring\\_guide.pdf](https://www.epa.gov/sites/production/files/2015-11/documents/msgp_monitoring_guide.pdf);
- 2) The input parameters and export of results from the Aluminum Criteria Calculator, available at: <https://www.epa.gov/sites/production/files/2018-12/aluminum-criteria-calculator-v20.xlsm>; and,
- 3) A narrative summary of results.

**b. Copper (only for discharges to freshwater):**

**i. Conditions for this exception are:**

- 1) Use of EPA's 2007 National Recommended Freshwater Copper Aquatic Life Criteria: <https://www.epa.gov/wqc/aquatic-life-criteria-copper>;
- 2) In-stream waterbody sampling for the 10 water quality input parameters

to the BLM for copper: pH; dissolved organic carbon (DOC); alkalinity; temperature; major cations (calcium, magnesium, sodium, and potassium); and major anions (sulfate, chloride);

- 3) The water quality input parameters, with the exception of temperature, must fall within the range of conditions recommended for use in the BLM, found in Table 1-1 of the Data Requirements document: <https://www.epa.gov/sites/production/files/2015-11/documents/copper-data-requirements-training.pdf>; and
  - 4) Completion of sampling events sufficient to capture spatial and temporal variability. Because some of the BLM input parameters are known to vary seasonally, EPA suggests a possible starting point of at least one sampling event per season.<sup>20</sup> Sampling events must adequately represent each applicable season at the facility's location, which would likely be over the course of at least one year. An equal number of ambient waterbody samples must be collected at a single upstream and downstream location from the operator's discharge point(s) to the receiving water of the United States. Where there exists no ambient source water upstream of the operator's discharge point(s) to the receiving water of the United States, samples of the ambient downstream waterbody conditions are sufficient.
- ii. The demonstration provided to EPA must include, at minimum:
- 1) A description of the sampling, analysis, and quality assurance procedures that were followed for data collection, following the guidance in Section 3 of EPA's Industrial Stormwater Monitoring and Sampling Guide. [https://www.epa.gov/sites/production/files/2015-11/documents/msgp\\_monitoring\\_guide.pdf](https://www.epa.gov/sites/production/files/2015-11/documents/msgp_monitoring_guide.pdf);
  - 2) A discussion of how the data collected reflects the site-specific characteristics and how the operator considered special circumstances that may affect copper toxicity throughout the expected range of receiving water conditions;
  - 3) The input file and export of the results from the BLM software, which can be requested at: <https://www.epa.gov/wqs-tech/copper-biotic-ligand-model>; and
  - 4) A narrative summary of results.

**5.2.6.5 Demonstrated to not result in any exceedance of water quality standards:** You must demonstrate to EPA within 30 days of the AIM triggering event that the triggering event does not result in any exceedance of water quality standards. If it is not feasible to complete this demonstration within 30 days, you may take up to 90 days, documenting

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<sup>20</sup> EPA training materials on Copper BLM for Data Requirements states that spatial variability in the BLM input parameters caused by physical factors such as watershed size or the presence or absence of a point source discharge(s) to a waterbody should also be considered when determining how many sampling events should be collected when using the BLM to develop site-specific copper criteria. Spatial variability in the BLM input parameters should also be considered when determining how many sampling locations should be selected for development of site-specific copper criteria using the BLM. Regardless of the number of sampling events involved, data collection should reflect site-specific characteristics and consider special circumstances that may affect copper toxicity throughout the expected range of receiving water conditions. See <https://www.epa.gov/sites/production/files/2015-11/documents/copper-data-requirements-training.pdf>.

in your SWPPP why it is infeasible to complete the demonstration within 30 days. EPA may also grant you an extension beyond 90 days, based on an appropriate demonstration by you, the operator. The demonstration to EPA, which will be made publicly available, must include the following minimum elements in order to be considered for approval by the EPA Regional Office:

- a. the water quality standards applicable to the receiving water;
- b. the average flow rate of the stormwater discharge;
- c. the average instream flow rates of the receiving water immediately upstream and downstream of the discharge point;
- d. the ambient concentration of the parameter(s) of concern in the receiving water immediately upstream and downstream of the discharge point demonstrated by full-storm composite sampling;
- e. the concentration of the parameter(s) of concern in the stormwater discharge demonstrated by full-storm, flow-weighted composite sampling;
- f. any relevant dilution factors applicable to the discharge; and
- g. the hardness of the receiving water.

**Timeframe of EPA Review of Your Submitted Demonstration:** EPA will review and either approve or disapprove of such demonstration within 90 days of receipt (EPA may take up to 180 days upon notice to you before the 90<sup>th</sup> day that EPA needs additional time).

- **EPA Approval of Your Submitted Demonstration.** If EPA approves such demonstration within this timeframe, you have met the requirements for this exception, and you do not have to comply with the corresponding AIM requirements and continued benchmark monitoring.
- **EPA Disapproval of Your Submitted Demonstration.** If EPA disapproves such demonstration within this timeframe, you must comply with the corresponding AIM requirements and continued benchmark monitoring, as required. Compliance with the AIM requirements would begin from the date EPA notifies you of the disapproval unless you submit a Notice of Dispute to the applicable EPA Regional Office in Part 7 within 30 days of EPA's disapproval.
- **EPA Does Not Provide Response Related to Your Submitted Demonstration.** If EPA does not provide a response on the demonstration within this timeframe, you may submit to the EPA Regional Office in Part 7 a Notice of Dispute.
- **Operator Submittal of Notice of Dispute.** You may submit all relevant materials, including support for your demonstration and all notices and responses to the Water Division Director for the applicable EPA Region to review within 30 days of EPA's disapproval or after 90 days (or 180 days if EPA has provided notice that it needs more time) of not receiving a response from EPA.
- **EPA Review of Notice of Dispute.** EPA will send you a response within 30 days of receipt of the Notice of Dispute. Time for action by you, the operator, upon disapproval shall be tolled during the period from filing of the Notice of Dispute until the decision on the Notice of Dispute is issued by the Water Division Director for the applicable EPA Region.

### **5.3 Corrective Action and AIM Documentation**

- 5.3.1 Documentation within 24 Hours.** You must document the existence of any of the conditions listed in Parts 5.1.1, 5.2.3, 5.2.4, or 5.2.5 within 24 hours of becoming aware of

such condition. You are not required to submit this documentation to EPA, unless specifically required or requested to do so. However, you must summarize your findings in the annual report per Part 7.4. Include the following information in your documentation:

**5.3.2** Description of the condition or event triggering the need for corrective action review and/or AIM response. 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 waters of United States, through stormwater or otherwise;

**5.3.2.1** Date the condition/triggering event was identified;

**5.3.2.2** Description of immediate actions taken pursuant to Part 5.1.3.1 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

**5.3.2.3** A statement, signed and certified in accordance with Appendix B, Subsection 11.

**5.3.3** **Documentation within 14 Days.** You must also document the corrective actions and/or AIM responses you took or will take as a result of the conditions listed in Parts 5.1.1, 5.2.3, 5.2.4, and/or 5.2.5 within 14 days from the time of discovery of any of those conditions/triggering events. Provide the dates when you initiated and completed (or expect to complete) each corrective action and/or AIM response. If infeasible to complete the necessary corrective actions and/or AIM responses within the specified timeframe, per Parts 5.1.1, 5.2.3, 5.2.4, or 5.2.5, you must document your rationale and schedule for installing the controls and making them operational as soon as practicable after the specified timeframe. If you notified EPA regarding an allowed extension of the specified timeframe, you must document your rationale for an extension. Include any additional information and/or rationale that is required and/or applicable to the specified corrective action and/or AIM response in Part 5. You are not required to submit this documentation to EPA, unless specifically required or requested to do so. However, you must summarize your corrective actions and/or AIM responses in the Annual Report per Part 7.4.

## **6. Stormwater Pollution Prevention Plan (SWPPP)**

You must prepare a SWPPP for your facility before submitting your NOI for permit coverage. If you prepared a SWPPP for coverage under a previous version of this permit, you must review and update the SWPPP to implement all provisions of this permit prior to submitting your NOI. 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 stormwater control measures to meet the permit's effluent limits. The SWPPP is a living document. Facilities must keep their SWPPP up-to-date throughout their permit coverage, such as making revisions and improvements to their stormwater management program based on new information and experiences with major storm events. As distinct from the SWPPP, the additional documentation requirements (see Part 6.5) are so that you 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 EPA, state, or local authorities after issuance of this permit via any means, including the Notice of Intent (NOI) to be covered by the permit, the SWPPP, during an inspection, etc.*

#### **6.1 Person(s) Responsible for Preparing the SWPPP**

You shall prepare the SWPPP 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 6.2.7. If EPA concludes that the SWPPP is not in compliance with Part 6.2 of this permit, EPA 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," as defined in Appendix A, is a person knowledgeable in the principles and practices of industrial stormwater controls and pollution prevention, and possesses the education and ability to assess conditions at the industrial facility that could impact stormwater quality, and the education and ability to assess the effectiveness of stormwater controls selected and installed to meet the requirements of the permit.*

#### **6.2 Required Contents of Your SWPPP**

To be covered under this permit, your SWPPP must contain all of the following elements:

- Stormwater pollution prevention team (Part 6.2.1);
- Site description (Part 6.2.2);
- Summary of potential pollutant sources (Part 6.2.3);
- Description of stormwater control measures (Part 6.2.4);
- Schedules and procedures (Part 6.2.5);
- Documentation to support eligibility pertaining to other federal laws (Part 6.2.6); and
- Signature requirements (Part 6.2.7).

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

**6.2.1 Stormwater Pollution Prevention Team.** You must identify the staff members (by name or title) that comprise the facility's stormwater pollution prevention team as well as their individual responsibilities. Your stormwater pollution prevention team is responsible for overseeing development of the SWPPP, any modifications to it, and for implementing and maintaining control measures and taking corrective actions and/or AIM responses, when required. Each member of the stormwater 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.

**6.2.2 Site Description.** Your SWPPP must include the following:

- 6.2.2.1 Activities at the facility.** Provide a description of the nature of the industrial activities at your facility.
- 6.2.2.2 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 stormwater discharges.
- 6.2.2.3 Site map.** Provide a map showing:
- a. Boundaries of the property and the size of the property in acres;
  - b. Location and extent of significant structures and impervious surfaces;
  - c. Directions of stormwater flow (use arrows), including flows with a significant potential to cause soil erosion;
  - d. Locations of all stormwater control measures;
  - e. Locations of all receiving waters, including wetlands, in the immediate vicinity of your facility. Indicate which waterbodies are listed as impaired and which are identified by your state, tribe, or EPA as Tier 2, Tier 2.5, or Tier 3 waters;
  - f. Locations of all stormwater conveyances including ditches, pipes, and swales;
  - g. Locations of potential pollutant sources identified under Part 6.2.3.2;
  - h. Locations where significant spills or leaks identified under Part 6.2.3.3 have occurred;
  - i. Locations of all stormwater monitoring points;
  - j. Locations of stormwater inlets and discharge points, with a unique identification code for each discharge point (e.g., 001, 002), indicating if you are treating one or more discharge points as "substantially identical" under Parts 3.2.4.5, 6.2.5.3, and 4.1.1, and an approximate outline of the areas draining to each discharge point;
  - k. If applicable, municipal separate storm sewer systems (MS4s) and where your stormwater discharges to them;
  - l. Areas of Endangered Species Act-designated critical habitat for endangered or threatened species, if applicable.
  - m. Locations of the following activities where such activities are exposed to precipitation:
    - i. fueling stations;
    - ii. vehicle and equipment maintenance and/or cleaning areas;
    - iii. loading/unloading areas;
    - iv. locations used for the treatment, storage, or disposal of wastes;
    - v. liquid storage tanks;
    - vi. processing and storage areas;
    - vii. immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility;
    - viii. transfer areas for substances in bulk;
    - ix. machinery;

- x. locations and sources of run-on to your site from adjacent property that contains significant quantities of pollutants.

**6.2.3 Summary of Potential Pollutant Sources.** You must describe in the SWPPP areas at your facility where industrial materials or activities are exposed to stormwater or from which authorized non-stormwater 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:**

**6.2.3.1 Activities in the Area.** A list of the industrial activities exposed to stormwater (e.g., material storage; equipment fueling, maintenance, and cleaning; cutting steel beams).

**6.2.3.2 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 or snowmelt 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 stormwater in the three years prior to the date you prepare or amend your SWPPP.

**6.2.3.3 Spills and Leaks.** You must document where potential spills and leaks could occur that could contribute pollutants to stormwater discharges, and the corresponding discharge point(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 actually occurred at exposed areas, or that drained to a stormwater 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.*

**6.2.3.4 Unauthorized Non-Stormwater Discharges Evaluation.** By the end of the first year of your permit coverage under this permit, you must inspect and document all discharge points at your facility as part of the SWPPP. If it is infeasible to complete the evaluation within the first year of permit coverage, you must document in your SWPPP why this is the case and identify the schedule by which you expect to complete the evaluation. Documentation of your evaluation must include:

- a. The date of the evaluation;
- b. A description of the evaluation criteria used;
- c. A list of the discharge points or onsite drainage points that were directly observed during the evaluation; and



- d. If there are any unauthorized non-stormwater discharges (see Part 1.2.2 for the exclusive list of authorized non-stormwater discharges under this permit) you must immediately take action(s), such as implementing control measures, to eliminate those discharges or seek an individual NPDES wastewater permit and document that you obtained the permit (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).
- e. An explanation of everything you did to immediately eliminate the unauthorized discharge per Part 5 Corrective Actions.

**6.2.3.5 Salt Storage.** You must document the location of any storage piles containing salt used for deicing or other commercial or industrial purposes.

**6.2.3.6 Sampling Data.** Existing permitted facilities must summarize all stormwater discharge sampling data collected at the facility during the previous permit term. The summary shall include a narrative description (and may include data tables/figures) that adequately summarizes the collected sampling data to support identification of potential pollution sources at your facility. New dischargers and new sources must provide a summary of any available stormwater data they may have.

**6.2.4 Description of Stormwater Control Measures to Meet Technology-Based and Water Quality-Based Effluent Limits.** You must document the location and type of stormwater control measures you have specifically chosen and/or designed to comply with:

**6.2.4.1** Part 2.1.2: Non-numeric technology-based effluent limits;

**6.2.4.2** Parts 2.1.3 and 8: Applicable numeric effluent limitations guidelines-based limits;

**6.2.4.3** Part 2.2: Water quality-based effluent limits;

**6.2.4.4** Part 2.3: Any additional measures that formed the basis of eligibility regarding Endangered Species Act-listed threatened and endangered species or their critical habitat, National Historic Preservation Act historic properties, and/or federal CERCLA Site requirements;

**6.2.4.5** Parts 8 and 9: Applicable effluent limits;

**6.2.4.6** Regarding your control measures, you must also document, as appropriate:

- a. How you addressed the selection and design considerations in Part 2.1.1;
- b. How they address the pollutant sources identified in Part 6.2.3.

Effluent limit requirements in Part 2.1.2 that do not involve the site-specific selection of a stormwater 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, or in line with manufacturer specifications, whichever is lower, 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 "copy-and-paste" these effluent limits word-for-word into your SWPPP without providing additional documentation.

**6.2.5 Schedules and Procedures****6.2.5.1 Pertaining to Stormwater Control Measures Used to Comply with the Effluent Limits in Part 2.** You must document the following in your SWPPP:

- a. **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.
- b. **Maintenance (see Part 2.1.2.3)** – Preventative maintenance procedures, including regular inspections, testing, maintenance and repair of all stormwater control measures to avoid situations that may result in leaks, spills, and other releases, and any back-up practices in place should a storm event resulting in a stormwater discharge 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;
- c. **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 stormwater control measures for material handling and storage, and the procedures for preventing spills that can contaminate stormwater. 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 6.4;
- d. **Erosion and Sediment Controls (see Part 2.1.2.5)** – If you use polymers and/or other chemical treatments as part of your erosion and sediment controls, you must identify the polymers and/or chemicals used and the purpose;
- e. **Employee Training (see Part 2.1.2.8)** – The elements of your employee training plan shall include all, but not necessarily limited to, the requirements set forth in Part 2.1.2.8, and also the following:
  - ii. The content of the training;
  - iii. The frequency/schedule of training for employees who work in areas where industrial materials or activities are exposed to stormwater, or who are responsible for implementing activities necessary to meet the conditions of this permit;
  - iv. A log of the dates on which specific employees received training.

**6.2.5.2 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:

- a. Routine facility inspections (see Part 3.1) and;
- b. Quarterly visual assessment of stormwater discharges (see Part 3.2).

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

- a. Person(s) or positions of person(s) responsible for the inspection;
- b. Schedules for conducting inspections, including tentative schedule for facilities in climates with irregular stormwater discharges (see Part 3.2.4);
- c. Specific items to be covered by the inspection, including schedules for specific discharge points.

If you are invoking the exception for inactive and unstaffed facilities relating to routine facility inspections and quarterly visual assessments, you must include in your SWPPP the information to support this claim as required by Parts 3.1.5 and 3.2.4.

**6.2.5.3 Pertaining to Monitoring**

- a. **Procedures for Each Type of Monitoring.** You must document in your SWPPP procedures for conducting the six types of analytical stormwater discharge monitoring specified by this permit, where applicable to your facility, including:
  - i. Indicator monitoring (Part 4.2.1);
  - ii. Benchmark monitoring (Part 4.2.2);
  - iii. Effluent limitations guidelines monitoring (Part 4.2.3);
  - iv. State- or tribal-specific monitoring (Part 4.2.4);
  - v. Impaired waters monitoring (Part 4.2.5);
  - vi. Other monitoring as required by EPA (Part 4.2.6).
- b. **Documentation for Each Type of Monitoring.** For each type of stormwater discharge monitoring, you must document in your SWPPP:
  - i. Locations where samples are collected, including any determination that two or more discharge points are substantially identical;
  - ii. Parameters for sampling and the frequency of sampling for each parameter;
  - iii. Schedules for monitoring at your facility, including schedule for alternate monitoring periods for climates with irregular stormwater discharges (see Part 4.1.6);
  - iv. Any numeric control values (benchmark thresholds, effluent limitations guidelines, TMDL-related requirements, or other requirements) applicable to stormwater discharges from each discharge point;
  - v. Procedures (e.g., responsible staff, logistics, laboratory to be used) for gathering storm event data, as specified in Part 4.1.
- c. **Exception for Inactive and Unstaffed Facilities.** If you are invoking the exception for inactive and unstaffed facilities for indicator monitoring, benchmark monitoring or impaired waters monitoring, you must include in your SWPPP the information to support this claim as required by Parts 4.2.2.5 and 4.2.5.2.
- d. **Exception for Substantially Identical Discharge Points (SIDP).** You must document the following in your SWPPP if you plan to use the SIDP exception for your quarterly visual assessment requirements in Part 3.2.4 or your indicator,

benchmark, or impaired waters monitoring requirements in Parts 4.2.1, 4.2.2, and 4.2.5, respectively (see also Part 4.1.1):

- i. Location of each SIDP;
- ii. Description of the general industrial activities conducted in the drainage area of each discharge point;
- iii. Description of the control measures implemented in the drainage area of each discharge point;
- iv. Description of the exposed materials located in the drainage area of each discharge point that are likely to be significant contributors of pollutants via stormwater discharges;
- v. An estimate of the runoff coefficient of the drainage areas (low = under 40%; medium = 40 to 65%; high = above 65%);
- vi. Why the discharge points are expected to discharge substantially identical effluents.

#### **6.2.6 Documentation to Support Eligibility Pertaining to Other Federal Laws**

**6.2.6.1 Documentation Regarding Endangered Species Act-Listed Threatened and Endangered Species and Critical Habitat Protection.** You must keep with your SWPPP the documentation supporting your determination with regard to Part 1.1.4.

**6.2.6.2 Documentation Regarding National Historic Preservation Act Historic Properties.** You must keep with your SWPPP the documentation supporting your determination with regard to Part 1.1.5.

**6.2.7 Signature Requirements.** You must sign and date your SWPPP in accordance with Appendix B, Subsection 11.

#### **6.3 Required SWPPP Modifications**

You must modify your SWPPP based on any corrective actions and deadlines required under Part 5. You must sign and date any SWPPP modifications in accordance with Appendix B, Subsection 11.

#### **6.4 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, a state or tribe, 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 on-site inspection.

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 Appendix A]), 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:

#### **6.4.1 Making Your SWPPP Publicly Available**

You have three options to comply with the public availability requirements for the SWPPP: attaching your SWPPP to your NOI; providing a URL of your SWPPP in your NOI; or providing SWPPP information in your NOI. To remain current for all three options, you must update your SWPPP (by updating the attachment per Part 6.4.1.1 via a Change NOI, updating your webpage per Part 6.4.1.2, or updating the SWPPP information in the NOI per Part 6.4.1.3 via a Change NOI no later than 45 days after conducting the final routine facility inspection for the year required in Part 3.1. You may switch your preferred option throughout your permit coverage, but you must update your NOI as necessary to indicate your change in option. You are not required to post any CBI or restricted information (as defined in Appendix A) (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 EPA, USFWS or NMFS.

- 6.4.1.1 Attaching Your SWPPP to your NOI:** You may attach a copy of your SWPPP, and any SWPPP modifications, records, and other reporting elements that must be kept with your SWPPP, to your NOI in Net-MSGP.
- 6.4.1.2 Providing a URL of your SWPPP in your NOI:** You may provide a URL in your NOI in Net-MSGP where your SWPPP can be found, and maintain your current SWPPP at this URL. You must post any SWPPP modifications, records, and other reporting elements that must be kept with your SWPPP required for the previous year at the same URL as the main body of the SWPPP.
- 6.4.1.3 Providing SWPPP Information in your NOI.** You may include the following information in your NOI in Net-MSGP. Irrespective of this requirement, EPA may provide access to portions of your SWPPP to a member of the public upon request (except any CBI or restricted information (as defined in Appendix A)).
- a. Onsite industrial activities exposed to stormwater, including potential spill and leak areas (see Parts 6.2.3.1, 6.2.3.3 and 6.2.3.5);
  - b. Pollutants or pollutant constituents associated with each industrial activity exposed to stormwater that could be discharged in stormwater and/or any authorized non-stormwater discharges listed in Part 1.2.2 (see Part 6.2.3.2);
  - c. Stormwater control measures you employ to comply with the non-numeric technology-based effluent limits required in Parts 2.1.2 and 8, and any other measures taken to comply with the requirements in Part 2.2 Water Quality-Based Effluent Limitations (see Part 6.2.4). If you use polymers and/or other chemical treatments as part of your erosion and sediment controls, you must identify the polymers and/or chemicals used and the purpose; and
  - d. Schedule for good housekeeping and maintenance (see Part 6.2.5.1) and schedule for all inspections required in Part 3 (see Part 6.2.5.2).

#### **6.5 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:

- 6.5.1** A copy of the NOI submitted to EPA along with any correspondence exchanged between you and EPA specific to coverage under this permit;

- 6.5.2** A copy of the authorization email you receive from the EPA assigning your NPDES ID;
- 6.5.3** A copy of this permit (either a hard copy or an electronic copy easily available to SWPPP personnel);
- 6.5.4** Documentation of any maintenance and repairs of stormwater 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);
- 6.5.5** All inspection reports, including the Routine Facility Inspection Reports (see Part 3.1.6) and Visual Assessment Documentation (see Part 3.2.3);
- 6.5.6** 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 3.2.4 and 4.1.5);
- 6.5.7** Corrective action documentation required per Part 5.1;
- 6.5.8** Documentation of any benchmark threshold exceedances, which AIM Level triggering event the exceedance caused, and AIM response you employed per Part 5.2, including:
- 6.5.8.1** The AIM triggering event;
- 6.5.8.2** The AIM response taken;
- 6.5.8.3** Any rationale that SWPPP/SCM changes were unnecessary;
- 6.5.8.4** Any documentation required to meet any AIM exception per Part 5.2.6.
- 6.5.9** 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 after three years or were solely attributable to natural background sources (see Part 4.2.5.1); and
- 6.5.10** Documentation to support your claim that your facility has changed its status from active to inactive and unstaffed with respect to the requirements to conduct routine facility inspections (see Part 3.1.5), quarterly visual assessments (see Part 3.2.4.4), benchmark monitoring (see Part 4.2.2.5), and/or impaired waters monitoring (see Part 4.2.5.2).

## **7. Reporting and Recordkeeping**

### **7.1 Electronic Reporting Requirement**

You must submit all NOIs, NOTs, NECs, Annual Reports, Discharge Monitoring Reports (DMRs), and other reporting information as appropriate electronically, unless the EPA Regional Office grants you a waiver based on one of the following conditions:

- If your headquarters is physically located in a geographic area (i.e., zip code or census tract) that is identified as under-served for broadband Internet access in the most recent report from the Federal Communications Commission; or

- If you have limitations regarding available computer access or computer capability.

Waivers are only granted for a one-time use for a single information submittal, e.g., an initial waiver for an NOI does not apply for the entire term of the permit for other forms. If you need to submit information on paper after your first waiver, you must apply for a new waiver. The EPA Regional Office may extend a waiver on a case-by-case basis.

If you wish to obtain a waiver from submitting a report electronically, you must submit a request to the applicable EPA Regional Office, found in Part 7.8. In that request you must document which exemption you meet, provide evidence supporting any claims, and a copy of your completed paper form. A waiver may only be considered granted once you receive written confirmation from EPA or its authorized representative.

## 7.2 **Submitting Information to EPA**

- 7.2.1 **Submitting Forms via Net-MSGP.** You must submit all required information via EPA's electronic NPDES eReporting tool (Net), unless the permit states otherwise or unless you have been granted a waiver per Part 7.1. You can both prepare and submit required information in Net-MSGP using specific forms, also found in the permit's appendices. To access Net-MSGP, go to <https://cdxnodengn.epa.gov/net-msgp/action/login>.

Information you must submit to EPA via Net-MSGP:

- Notice of Intent (NOI) (Part 1.3);
- Change Notice of Intent (NOI) (Part 1.3.4);
- No Exposure Certification (NEC) (Part 1.5);
- Notice of Termination (NOT) (Part 1.4); and
- Annual Report (AR) (Part 7.4).

*Note: You must submit Discharge Monitoring Reports (see Part 7.3) electronically using Net-DMR.*

If the applicable EPA Regional Office grants you a waiver from electronic reporting, you must use the required forms found in the Appendices.

- 7.2.2 **Other Information Required to be Submitted.** Information required to be submitted to the applicable EPA Regional Office at the address in Part 7.8:

- New Dischargers and New Sources to Water Quality-Impaired Waters (Part 1.1.6.2);
- Exceedance Report for Numeric Effluent Limitations (Part 7.5); and
- Additional Reporting (Part 7.6)

## 7.3 **Reporting Monitoring Data to EPA**

- 7.3.1 **Submitting Monitoring Data via Net-DMR.** You must submit all stormwater discharge monitoring data collected pursuant to Part 4 to EPA using Net-DMR, EPA's electronic DMR system (for more information visit: <https://www.epa.gov/compliance/npdes-ereporting> (unless the applicable EPA Regional Office grants you a waiver from electronic reporting, in which case you may submit a paper DMR form) no later than 30 days after you have received your complete laboratory results for all monitoring discharge points for the reporting period. Your monitoring requirements (i.e., parameters required to be monitored and sample frequency) will be prepopulated on your electronic Discharge Monitoring Report (DMR) form based on the information you

reported on your NOI form through the Net-MSGP. Accordingly, you must certify the following changes to your monitoring frequency to EPA by submitting a Change NOI in Net-MSGP, unless EPA has completed the development of planned features in the electronic systems to process submitted monitoring results to automatically turn monitoring on/off as applicable, which will trigger changes to your monitoring requirements in Net-DMR:

- 7.3.1.1 All benchmark monitoring requirements have been fulfilled for the permit term;
- 7.3.1.2 All impaired waters monitoring requirements have been fulfilled for the permit term;
- 7.3.1.3 Benchmark monitoring requirements no longer apply because the EPA Regional Office has concurred with your assessment that run-on from a neighboring source is the cause of the exceedance;
- 7.3.1.4 Benchmark and/or impaired monitoring requirements no longer apply because your facility is inactive and unstaffed;
- 7.3.1.5 Benchmark and/or impaired monitoring requirements now apply because your facility has changed from inactive and unstaffed to active and staffed;
- 7.3.1.6 For Sector G2 only: Discharges from waste rock and overburden piles have exceeded benchmark thresholds;
- 7.3.1.7 A numeric effluent limitation guideline has been exceeded;
- 7.3.1.8 A numeric effluent limitation guideline exceedance is back in compliance.
- 7.3.2 **When You Can Discontinue Submission of Monitoring Data.** Once you have completely fulfilled applicable monitoring requirements, you are no longer required to report monitoring results using Net-DMR. 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 report your results in Net-DMR for the remaining monitoring requirements. If the EPA Regional Office grants you a waiver per Part 7.1, you must submit paper reporting forms by the same deadline.
- 7.3.3 **State or Tribal Required Monitoring Data.** See Part 9 for specific reporting requirements applicable to individual states or tribes.
- 7.3.4 **Submission Deadline for Indicator and Benchmark Monitoring Data.** For both indicator and benchmark monitoring, you are required to submit sampling results to EPA no later than 30 days after receiving your complete laboratory results for all monitored discharge points for each monitoring period that you are required to collect samples, per Part 4.2.1. and Part 4.2.2. If you collect samples during multiple storm events in a single quarter (e.g., due to adverse weather conditions, climates with irregular stormwater discharges, or areas subject to snow), you are required to submit all sampling results for each storm event to EPA within 30 days of receiving all laboratory results for the event. Or, for any of your monitored discharge points that did not have a discharge within the reporting period, using Net-DMR, you must report that no discharges occurred for that discharge point no later than 30 days after the end of the reporting period.



**7.4 Annual Report**

You must submit an Annual Report to EPA via NeT-MSGP, per Part 7.2, by January 30<sup>th</sup> for each year of permit coverage containing information generated from the past calendar year. You must include the following information in the Annual Report:

- 7.4.1 A summary of your past year's routine facility inspection documentation required (Part 3.1.6). In addition, if you are an operator of an airport facility (Sector S) that is subject to the airport effluent limitations guidelines and are complying with the Part 8.S.9.1 effluent limitation through the use of non-urea-containing deicers, provide a statement certifying that you do not use pavement deicers containing urea. (Note: Operators of airport facilities that are complying with Part 8.S.9.1 by meeting the numeric effluent limitation for ammonia do not need to include this statement.)
- 7.4.2 A summary of your past year's visual assessment documentation (see Part 3.2.3);
- 7.4.3 A summary of your past year's corrective action and any required AIM documentation (see Part 5.3). If you have not completed required corrective action or AIM responses at the time you submit your annual report, you must describe the status of any outstanding corrective action(s) or AIM responses. Also describe any incidents of noncompliance 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 Appendix B, Subsection 11.

**7.5 Numeric Effluent Limitations Exceedance Report**

If follow-up monitoring per Part 4.2.3.3 exceeds a numeric effluent limit, you must submit an Exceedance Report to EPA no later than 30 days after you have received your laboratory results. Send the Exceedance Report to the applicable EPA Regional Office listed in Part 7.8, and report the monitoring data through Net-DMR. Your report must include the following:

- 7.5.1 NPDES ID;
- 7.5.2 Facility name, physical address and location;
- 7.5.3 Name of receiving water;
- 7.5.4 Monitoring data from this and the preceding monitoring event(s);
- 7.5.5 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;
- 7.5.6 An appropriate contact name and phone number.

**7.6 Additional Standard Recordkeeping and Reporting Requirements**

In addition to the reporting requirements stipulated in Part 7, you are also subject to the standard permit reporting provisions of Appendix B, Subsection 12. You must submit the following reports to the applicable EPA Regional Office listed in Part 7.8, as applicable. If you discharge through an MS4, you must also submit these reports to the MS4 operator (identified pursuant to Part 6.2.2).

- 7.6.1** 24-hour reporting (see Appendix B, Subsection 12.F) – You must report any noncompliance 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;
- 7.6.2** 5-day follow-up reporting to the 24-hour reporting (see Appendix B, Subsection 12.F) – A written submission must also be provided within five days of the time you become aware of the circumstances;
- 7.6.3** Reportable quantity spills (see Part 2.1.2.4) – 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;
- 7.6.4** Planned changes (see Appendix B, Subsection 12.A) – You must give notice to EPA 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;
- 7.6.5** Anticipated noncompliance (see Appendix B, Subsection 12.B) – You must give advance notice to EPA of any planned changes in the permitted facility or activity which you anticipate will result in noncompliance with permit requirements;
- 7.6.6** Compliance schedules (see Appendix B, Subsection 12.E) – Reports of compliance or noncompliance 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;
- 7.6.7** Other noncompliance (see Appendix B, Subsection 12.G) – You must report all instances of noncompliance not reported in your Annual Report, compliance schedule report, or 24-hour report at the time monitoring reports are submitted; and
- 7.6.8** Other information (see Appendix B, Subsection 12.H) – You must promptly submit facts or information if you become aware that you failed to submit relevant facts in your NOI, or that you submitted incorrect information in your NOI or in any report.

**7.7** **Record Retention Requirements**

You must retain copies of your SWPPP (including any modifications made during the term of this permit), additional documentation requirements pursuant to Part 6.5 (including documentation related to any corrective actions or AIM responses taken pursuant to Part 5), all reports and certifications required by this permit, monitoring data, and records of all data used to complete the NOI 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.

**7.8 Addresses for Reports**

<b>Permit Part</b>	<b>EPA Region</b>	<b>Areas Covered</b>	<b>Address</b>
7.8.1	1	Connecticut Massachusetts New Hampshire Rhode Island Vermont	U.S. EPA Region 1 Water Division Stormwater and Construction Permits Section 5 Post Office Square, Ste. 100 (06-1) Boston, MA 02109-3912
7.8.2	2	New Jersey New York	U.S. EPA Region 2 NPDES Stormwater Program 290 Broadway, 24th Floor New York, NY 10007-1866
		Puerto Rico Virgin Islands	U.S. EPA Region 2 Caribbean Environmental Protection Division NPDES Stormwater Program City View Plaza II – Suite 7000 48 Rd. 165 Km 1.2 Guaynabo, PR 00968-8069
7.8.3	3	Delaware District of Columbia Maryland Pennsylvania Virginia West Virginia	U.S. EPA Region 3 NPDES Permits Section, MC 3WD41 1650 Arch Street Philadelphia, PA 19103
7.8.4	4	Alabama Florida Georgia Kentucky Mississippi North Carolina South Carolina Tennessee	U.S. EPA Region 4 Water Division NPDES Stormwater Program Atlanta Federal Center 61 Forsyth Street SW Atlanta, GA 30303-3104
7.8.5	5	Illinois Indiana Michigan Minnesota Ohio Wisconsin	U.S. EPA Region 5 NPDES Program Branch 77 W. Jackson Blvd. MC WP16J Chicago, IL 60604-3507
7.8.6	6	Arkansas Louisiana Oklahoma Texas New Mexico (except see Region 9 for Navajo lands, and see Region 8 for Ute Mountain Reservation lands)	U.S. EPA Region 6 Permitting Section (WD-PE) 1201 Elm Street, Suite 500 Dallas, TX 75270
7.8.7	7	Iowa Kansas Missouri	U.S. EPA Region 7 NPDES Stormwater Program 11201 Renner Blvd

Permit Part	EPA Region	Areas Covered	Address
		Nebraska	Lenexa, KS 66219
7.8.8	8	Colorado Montana North Dakota South Dakota Wyoming Utah (except see Region 9 for Goshute Reservation and Navajo Reservation lands) The Ute Mountain Reservation in New Mexico The Pine Ridge Reservation in Nebraska	EPA Region 8 Storm Water Program MC: 8P-W-WW 1595 Wynkoop Street Denver, CO 80202-1129
7.8.9	9	Arizona California Hawaii Nevada Guam American Samoa The Commonwealth of the Northern Mariana Islands The Goshute Reservation in Utah and Nevada The Navajo Reservation in Utah New Mexico, and Arizona The Duck Valley Reservation in Idaho Fort McDermitt Reservation in Oregon	U.S. EPA Region 9 Water Division NPDES Stormwater Program (WTR-2-3) 75 Hawthorne Street San Francisco, CA 94105-3901
7.8.10	10	Alaska Idaho Oregon (except see Region 9 for Fort McDermitt Reservation) Washington	U.S. EPA Region 10 Water Division NPDES Stormwater Program (19-C04) 1200 6th Avenue, Suite 155 Seattle, WA 98101-3188
7.8.11	State and Tribal Addresses		See Part 9 (states and tribes) for the addresses of applicable states or tribes that require submission of information to their agencies.

## **D. BMP FACT SHEETS**

<b>Port Authority of Guam Equipment Maintenance and Repair Facility SWPPP</b>	
<b>BL BMP 1</b>	<b>ELIMINATION OF NON-STORMWATER DISCHARGE TO STORM DRAIN</b>
<b>PURPOSE</b>	<b>Existing discharges:</b> Eliminate non-stormwater discharges to the stormwater collection system. Non-storm water discharges can be classified as follows: 1) Activity-based (subtle), and 2) Overt (hard pipe connection). Activity-based non-stormwater discharges may include: wash water, and spillage. Overt non-storm water discharges may include: building floor drains and sanitary wastewater. <b>Prevention of illicit connections:</b> Prevent improper physical connections to the storm drain system from sanitary sewers, floor drains, and washbays through education, developing project approvals conditions, and performing both construction phase and post-construction inspections.
<b>APPROACH TO FUTURE FACILITIES AND UPGRADES</b> <i>Design of New Facilities and Existing Facility upgrades</i>	
<ul style="list-style-type: none"> <li>• Perform inspections during the design review and project construction phases to ensure drainage, wastewater, and water supply connections are correct (no cross connections or illicit hookups).</li> <li>• Develop a set of as-built prints for all projects. Keep a set of prints at the facility.</li> <li>• Design projects to include adequate waste repositories at locations near waste origin points.</li> <li>• Provide adequate and appropriately designed facilities for functions such as steam cleaning, degreasing, painting, mechanical maintenance, chemical/fuel storage and delivery, material handling, waste handling and storage, and lavatory service that may produce non-stormwater discharges.</li> </ul>	
<b>APPROACH TO EXISTING FACILITY ACTIVITIES</b> <i>Operational Considerations</i>	
<p><b>Contingency Response:</b></p> <ul style="list-style-type: none"> <li>• Develop and implement a Spill Prevention Control and Countermeasure (SPCC) plan under guidelines set forth in 40 CFR, Section 112.3(a), (b).</li> <li>• Notify the Team Leader in the event of a spill (any size).</li> <li>• Maintain adequate supplies of spill response equipment and materials in accessible locations near areas where spills may be likely to occur (i.e. near the scale house, entrances/exits, compaction area and areas where large quantities of hazardous materials are stored).</li> </ul> <p><b>Inspection and Training:</b></p> <ul style="list-style-type: none"> <li>• Inspect waste containers and storage tanks, including any piping and appurtenances, on a routine basis for leaks, drip marks, and discoloration and proper closure seal.</li> <li>• Develop employee training programs which emphasize the proper disposal procedures for operations-derived wastes.</li> <li>• Provide annual employee training in the following areas: spill prevention and response, storm waste pollution prevention.</li> </ul>	
<b>REQUIREMENTS</b>	
<ul style="list-style-type: none"> <li>• Capital and operation and maintenance (O&amp;M) funding may be required to eliminate non-storm water discharges.</li> </ul>	
<b>LIMITATIONS</b>	
<ul style="list-style-type: none"> <li>• Activity-based (subtle) non-storm water discharges from a particulate facility are typically sporadic, transient, and often require frequent inspections to detect.</li> </ul>	
<b>RECOMMENDATIONS</b>	
<p>Use dry cleaning procedures. Implement regular training of staff in materials disposal, and spill response.</p>	

<b>Port Authority of Guam Equipment Maintenance and Repair Facility SWPPP</b>	
<b>BL BMP 2</b>	<b>EMERGENCY SPILL CLEANUP PLANS</b>
<b>PURPOSE</b>	Prevent or reduce the discharge of pollutants to storm water resulting from spills of petroleum products or other materials.
<b>General Approach</b>	
<p>Owners and operators of facilities that store, process, or refine oil or oil products may be required by federal law (40CFR 112) to develop and implement a Spill Prevention, Control, and Countermeasure (SPCC) Plan. Emergency spill cleanup plans should include the following information:</p> <ul style="list-style-type: none"> <li>• A description of the facility including the nature of the facility activity and the general types and quantities of chemicals stored at the facility.</li> <li>• A site plan showing the location of chemical storage areas, fire hydrant location, and the location and description of any devices used to contain spills such as positive shut-off control valves.</li> <li>• Notification procedures to be implemented in the event of a spill, such as keep company personnel and local, state, and federal agencies.</li> <li>• Instructions regarding cleanup procedures.</li> <li>• Designated personnel with overall spill response cleanup responsibility.</li> </ul>	
<b>APPROACH TO EXISTING FACILITY ACTIVITIES</b>	
<b>Operational Considerations</b>	
<p><b>Operational Considerations:</b></p> <ul style="list-style-type: none"> <li>• Maintain an inventory of appropriate cleanup materials on-site (absorbent material, solvent/cleaning material) and store spill kits near the Maintenance Building, materials transfer points, material storage areas, and other areas where spills are likely.</li> </ul> <p><b>Contingency Response:</b></p> <ul style="list-style-type: none"> <li>• If the spilled material is of a reportable quantity, the EC should call: <ul style="list-style-type: none"> <li>○ National Response Center at 1-800-424-8802</li> <li>○ U.S. Coast Guard Guam Chapter Prevention Department at 671-355-4937 (if spill reaches Apra Harbor/Philippine Sea)</li> <li>○ Guam EPA (GEPA) Emergency Response pager number is 671-635-9500 and their main line is 671-475-1658 (if spill reaches State Water).</li> </ul> </li> <li>• A written notification must also be submitted to the GEPA Clean Water contact (671-475-1628) no later than five (5) days following the violation and a written notification must be submitted to the Guam Department of Health Director's Office at 671-735-7173 no later than thirty (30) days following the discovery of the release. Containment and cleanup of spills shall begin immediately.</li> </ul>	
<b>REQUIREMENTS</b>	
<ul style="list-style-type: none"> <li>• Capital and operations and maintenance (O&amp;M) costs should be small to moderate (locate spill kits containing absorbent material and cleaning solvent at facility).</li> <li>• Maintenance costs include periodic training and equipment replacement.</li> </ul>	
<b>LIMITATIONS</b>	
<ul style="list-style-type: none"> <li>• Spills occurring after work hours may go undetected until impacting off-site areas.</li> </ul>	
<b>RECOMMENDATIONS</b>	
<ul style="list-style-type: none"> <li>• Train staff in spill response.</li> <li>• Locate spill kits near the Maintenance Shop, Fueling Area, material storage areas, and other area where spill are likely.</li> </ul>	

<b>Port Authority of Guam Equipment Maintenance and Repair Facility SWPPP</b>	
<b>BL BMP 3</b>	<b>STORM WATER POLLUTION PREVENTION EDUCATION</b>
<b>PURPOSE</b>	Prevent or reduce the discharge of pollutants to stormwater through implementing an education program.
<b>APPROACH TO FUTURE FACILITIES AND UPGRADES Design of New Facilities and Existing Facility upgrades</b>	
<ul style="list-style-type: none"> <li>• Incorporate proactive stormwater management features into projects such as, decreased impervious areas, infiltration Best Management Practices (BMPs) biofilters, oil/water separators, etc.</li> </ul>	
<b>APPROACH TO EXISTING FACILITY ACTIVITIES Operational Considerations</b>	
<p><b>Contingency Response:</b></p> <ul style="list-style-type: none"> <li>• Train employees in the use of spill response equipment and materials.</li> </ul> <p><b>Inspection and training:</b></p> <ul style="list-style-type: none"> <li>• Perform and document in a log book, inspections of work areas, waste storage facilities, maintenance areas, and contractor projects to examine compliance with BMPs. Follow up with additional training or enforcement as required. Incorporate inspection findings into subsequent training efforts.</li> <li>• Implement regular stormwater pollution prevention education programs: <ul style="list-style-type: none"> <li>○ Promote the proper storage and use of all materials, chemicals, and equipment inside a building, garage, or covered area. Dispose of materials in a proper and timely fashion.</li> <li>○ Promote the use of environmentally safe products.</li> <li>○ Perform all vehicle and equipment washing in contained washing area.</li> <li>○ Encourage good housekeeping practices on site.</li> <li>○ Increase awareness of the detrimental environmental impacts that result when fuel antifreeze, pesticides, lubricants, detergent, paints and other wastes are dumped onto the ground or into storm drains.</li> <li>○ Promote source reduction and recycling of waste materials.</li> <li>○ Increase awareness of what is and what is not allowed to enter storm drains.</li> </ul> </li> </ul>	
<b>REQUIREMENTS</b>	
<ul style="list-style-type: none"> <li>• Capital and operation and maintenance (O&amp;M) costs are minimal for educational programs.</li> <li>• Educational programs need to be ongoing. Information and training must be disseminated at regular intervals.</li> </ul>	
<b>LIMITATIONS</b>	
<ul style="list-style-type: none"> <li>• The success of educational programs is difficult to measure. Acceptance and awareness are critical factors.</li> </ul>	
<b>RECOMMENDATIONS</b>	
<ul style="list-style-type: none"> <li>• Conduct annual training of staff in proper materials handling and disposal.</li> </ul>	



<b>Port Authority of Guam Equipment Maintenance and Repair Facility SWPPP</b>	
<b>AS BMP 1</b>	<b>VEHICLE AND EQUIPMENT MAINTENANCE</b>
<b>PURPOSE</b>	Prevent or reduce the discharge of pollutants to storm water drains from vehicles and equipment maintenance and repair.
<b>APPROACH TO FUTURE FACILITIES AND UPGRADES Design of New Facilities and Existing Facility upgrades</b>	
<ul style="list-style-type: none"> <li>• Provide covered maintenance areas when designing new facilities or upgrading existing facilities. Utilize indoor areas, overhangs, or portable covers.</li> <li>• Locate maintenance areas so minimal quantities of runoff cross the site.</li> <li>• Include appropriate storm water quality structures (oil/water separators, sumps, first flush diversion basins, etc.) in the design of outdoor maintenance and storage areas.</li> </ul>	
<b>APPROACH TO EXISTING FACILITY ACTIVITIES Operational Considerations</b>	
<p>Implement the following to the maximum extent practicable:</p> <p><b>Good Housekeeping</b></p> <ul style="list-style-type: none"> <li>• Use drip pans to collect fluid leaks.</li> <li>• Use absorbent materials at potential problem areas.</li> <li>• Adequately collect/remove absorbent materials from area after use and dispose of them in an appropriate manner.</li> <li>• Perform all vehicle maintenance within the Maintenance Shop. All byproducts from that maintenance (i.e. oil filters, batteries, etc.) should be stored in a covered storage area and disposed of in a proper fashion.</li> <li>• Drain and crush oil filters (and oil containers) before recycling or disposal. Store crushed oil filters and empty lubricant containers in a leak-proof container.</li> <li>• Label storm drain inlets ("Don't Dump" or "Drains to Bay") to indicate they are to receive no waste.</li> <li>• Employ only dry cleaning in the buildings and work areas (i.e. sweeping). Do not hose down work areas.</li> <li>• Drain and properly dispose of all fluids and remove batteries salvaged from vehicles and equipment.</li> <li>• Drain parts and equipment of all fluids. Store in secondary containment within covered storage area.</li> <li>• Recycle or properly dispose of the following: grease, oil, antifreeze, brake fluid, cleaning solutions, hydraulic fluid, batteries, transmission fluid, and filters. If materials are stored on-site prior to disposal, keep in labeled containers appropriately.</li> <li>• Use biodegradable products and substitute materials with less hazardous properties where feasible.</li> <li>• Maintain and organized inventory of materials used in maintenance areas.</li> </ul> <p><b>Physical Site Usage</b></p> <ul style="list-style-type: none"> <li>• Store mechanical parts and equipment that may yield even small amounts of contaminants (e.g., oil or grease) under cover and away from drains.</li> <li>• Store vehicles and equipment awaiting maintenance in designated areas only. Vehicles awaiting maintenance should be stored under cover if possible.</li> </ul>	
<b>REQUIREMENTS</b>	
<ul style="list-style-type: none"> <li>• Capital investment may be required depending on the facility layout.</li> </ul>	

<ul style="list-style-type: none"><li>• Operation and maintenance (O&amp;M) investment is not expected to be significant.</li></ul>
<b>LIMITATIONS</b>
<ul style="list-style-type: none"><li>• Size, space and time limitations may preclude work from being performed indoors.</li></ul>
<b>RECOMMENDATIONS</b>
<ul style="list-style-type: none"><li>• Perform all vehicle maintenance indoors. Keep all vehicles awaiting maintenance under cover as much as possible</li><li>• All byproducts of vehicle and equipment maintenance will be labeled, stored under cover, and disposed of in a proper and timely manner.</li><li>• Use biodegradable and eco-friendly materials as much as possible. Do not use materials containing phosphorus and minimize chlorine use.</li><li>• Train staff regularly in materials handling, pollution prevention, and spill response.</li></ul>

<b>Port Authority of Guam</b>	
<b>Equipment Maintenance and Repair Facility SWPPP</b>	
<b>AS BMP 2</b>	<b>VEHICLE AND EQUIPMENT FUELING</b>
<b>PURPOSE</b>	Prevent fuel spills and leaks, and reduce their impacts to stormwater.
<b>APPROACH TO FUTURE FACILITIES AND UPGRADES</b>	
<b>Design of New Facilities and Existing Facility upgrades</b>	
<ul style="list-style-type: none"> <li>• Design fueling areas to prevent the run-on of storm water and the runoff of spills by employing the following approaches: <ul style="list-style-type: none"> <li>• Cover the fueling area if possible</li> <li>• Use a perimeter drain or slope the fueling area to a dead-end sump or oil/water separator.</li> </ul> </li> <li>• If stormwater runoff from fueling areas is not collected, install an appropriately-sized oil/water separator.</li> <li>• Design facilities to include secondary containment where required and/or appropriate.</li> </ul>	
<b>APPROACH TO EXISTING FACILITY ACTIVITIES</b>	
<b>Operational Considerations</b>	
Implement the following to the maximum extent practicable:	
<b>Good Housekeeping</b> <ul style="list-style-type: none"> <li>• Perform all vehicle fueling on secondary containment pad or under cover whenever possible to minimize the discharge of fuel to the surrounding environment.</li> <li>• Use spill and overflow protection whenever possible</li> <li>• Fuel pumps intended for vehicular use should be posted with signs stating "No topping off" to prevent overflow.</li> </ul>	
<b>RECOMMENDATIONS</b>	
<ul style="list-style-type: none"> <li>• Monitor fueling area and fueling truck to ensure that no leaking is occurring.</li> <li>• Locate spill kits near the fueling station.</li> <li>• Train staff in spill response.</li> </ul>	

<b>Port Authority of Guam Equipment Maintenance and Repair Facility SWPPP</b>	
<b>AS BMP 3</b>	<b>VEHICLE AND EQUIPMENT WASHING, CLEANING, AND DEGREASING</b>
<b>PURPOSE</b>	Prevent or reduce the discharge of pollutants to storm water drains from vehicles and equipment washing, and cleaning and degreasing activities.
<b>APPROACH TO FUTURE FACILITIES AND UPGRADES</b> <i>Design of New Facilities and Existing Facility upgrades</i>	
<ul style="list-style-type: none"> <li>• Outdoor washing operations should not occur without the following design characteristics: <ul style="list-style-type: none"> <li>○ Paved area (Portland cement concrete pavement resists degradation from petroleum products)</li> <li>○ Bermed and/or covered to prevent contact with storm water.</li> <li>○ Sloped to facilitate wash water collection.</li> <li>○ Wash water should be collected in a dead-end sump for removal to off-site treatment or discharged to the sanitary sewer through a permitted connection.</li> <li>○ Drainage piping serving uncovered wash areas should be equipped with control valves that are easy to operate from the surface and can direct discharges either to the storm drain system or sanitary sewer as appropriate.</li> <li>○ Wash areas should be clearly identified with appropriate signage.</li> <li>○ Equip with an oil/water separator designed to operate under storm water runoff conditions to treat storm water volumes and flow rates.</li> </ul> </li> </ul>	
<b>APPROACH TO EXISTING FACILITY ACTIVITIES</b> <i>Operational Considerations</i>	
Implement the following to the maximum extent practicable:	
<b>Good Housekeeping</b> <ul style="list-style-type: none"> <li>• Provide secondary containment, and cover if possible, for containers of washing and steam cleaning additives.</li> <li>• Use inlet covers over catch basins, spill berms or spill mats to control the discharge of wash water.</li> <li>• Use biodegradable phosphate-free detergents.</li> <li>• Keep wash area clean and free of waste.</li> <li>• Include proper signage to prohibit the discharge of waste oils into the drains.</li> <li>• Collect and discharge wash water to an approved treatment facility.</li> </ul>	
<b>REQUIREMENTS</b>	
<ul style="list-style-type: none"> <li>• Capital costs vary depending on measures implemented.</li> <li>• Operation and maintenance (O&amp;M) costs increase with capital investment.</li> </ul>	
<b>LIMITATIONS</b>	
<ul style="list-style-type: none"> <li>• Steam cleaning and de-greasing operations can generate significant pollutant concentrations that may require permitting, monitoring, pretreatment, and inspections.</li> </ul>	
<b>RECOMMENDATIONS</b>	
<ul style="list-style-type: none"> <li>• Perform all vehicle washing within the designated washing area.</li> <li>• Do not use phosphate or chlorine based detergents.</li> </ul>	

<b>Port Authority of Guam Equipment Maintenance and Repair Facility SWPPP</b>	
<b>AS BMP 4</b>	<b>OUTDOOR STORAGE OF WASTE AND MATERIALS</b>
<b>PURPOSE</b>	Prevent or reduce the discharge of pollutants to stormwater from outdoor storage areas for waste or materials (i.e. fuel, chemicals, bagged solids, contaminated soil, bulk storage, etc.). Outdoor material storage is discouraged. Storage of materials in designated areas indoors is preferred.
<b>APPROACH TO FUTURE FACILITIES AND UPGRADES</b> <i>Design of New Facilities and Existing Facility upgrades</i>	
<ul style="list-style-type: none"> <li>• Require the appropriate use of water quality control structures for fuel, waste, and chemical storage areas such as berms, detention/retention basins, and sumps. Develop appropriate minimum performance standards for these water quality control structures and implement a reporting program to monitor the performance and maintenance of these structures.</li> <li>• Chemical, fuel, oil dispensing sites, and waste collection areas should be covered, if possible.</li> <li>• Develop standard guidelines for the management of stormwater which collect in secondary containment areas.</li> </ul>	
<b>APPROACH TO EXISTING FACILITY ACTIVITIES</b> <i>Operational Considerations</i>	
<p>Implement the following to the maximum extent practicable:</p> <p><b>Good Housekeeping</b></p> <ul style="list-style-type: none"> <li>• Avoid dispensing from drums positioned horizontally in cradles. Dispensing materials from upright drums equipped with hand pumps is preferred. Always use secondary containment and self closing spigots if dispensing from horizontally positioned drums.</li> <li>• Store drums and containers on spill containment pallets or other structures to keep the container out of contact with stormwater.</li> <li>• Use drum lids and drum-top absorbent pads to prevent rainfall from washing materials and drips from the top of containers to the storm drain system.</li> <li>• Discharge collected stormwater from secondary containment areas according to guidelines developed by the federal government and applicable state and local regulations.</li> <li>• Store all materials in their original containers or containers approved for that use. Ensure that all containers are appropriately sealed. Store empty containers in fully enclosed area, under cover, or move them off-site.</li> <li>• Properly label all containers with information, including their contents, hazards, spill response and first aid procedures, manufacturer's name and address, and storage requirements.</li> <li>• Maintain copies of MSDS on file for any material stored and/or handled by the applicator</li> <li>• Maintain a spill response plan near the material or waste storage area.</li> </ul>	
<b>REQUIREMENTS</b>	
<ul style="list-style-type: none"> <li>• Capital and operation and maintenance (O&amp;M) costs will vary widely depending on the size of the facility and the necessary controls.</li> <li>• Store materials under cover as much as possible</li> <li>• If materials have to be stored outdoors, locate the materials to minimize the contact with stormwater (i.e. under a cover, on a raised platform, inside secondary containment).</li> <li>• Locate spill kits near the Maintenance Shop, Fueling area, material storage location and other areas where spills are likely.</li> <li>• Regularly inspect outdoor waste storage areas to ensure that the containers are not leaking.</li> </ul>	

<b>Port Authority of Guam Equipment Maintenance and Repair Facility SWPPP</b>	
<b>AS BMP 5</b>	<b>WASTE HANDLING AND DISPOSAL</b>
<b>PURPOSE</b>	Prevent or reduce the discharge of pollutants to storm water from proper waste storage, handling and disposal; reducing waste generation and disposal through source reduction, reuse, and recycling; and preventing run-on and runoff from waste management areas.
<b>APPROACH TO FUTURE FACILITIES AND UPGRADES Design of New Facilities and Existing Facility upgrades</b>	
<ul style="list-style-type: none"> <li>• Avoid the following characteristics when examining candidate sites for storing wastes: <ul style="list-style-type: none"> <li>○ Excessive slope</li> <li>○ High water table</li> <li>○ Locations near storm drain inlets</li> <li>○ Locations near public access area</li> </ul> </li> <li>• Waste handling and storage areas should be covered.</li> <li>• Develop standard guidelines for the management of stormwater that collects in secondary containment areas.</li> <li>• Provide contained and covered area for hazardous waste collection sites.</li> </ul>	
<b>APPROACH TO EXISTING FACILITY ACTIVITIES Operational Considerations</b>	
Implement the following to the maximum extent practicable:	
<b>Good Housekeeping</b> <ul style="list-style-type: none"> <li>• Perform regular housekeeping to maintain waste storage areas in a clean and orderly condition.</li> <li>• Recycle materials whenever possible.</li> <li>• Inspect waste management areas for spills and waste management containers for leaks.</li> <li>• Ensure that sediments and waste are prevented from being washed, leached, or otherwise carried off-site.</li> <li>• Completely drain containers (e.g. quart oil cans) prior to disposal.</li> <li>• Regularly service waste storage areas to avoid overloaded/ overfilled disposal containers.</li> <li>• Minimize spills and fugitive losses such as dust or mist from loading areas.</li> <li>• Maintain a minimal inventory of required chemicals to reduce the magnitude of potential spills and limit waste generation.</li> <li>• Find substitutes for harmful chemicals.</li> <li>• Properly dispose of unusable chemical inventory.</li> </ul>	
<b>REQUIREMENTS</b>	
<ul style="list-style-type: none"> <li>• Capital and operation and maintenance (O&amp;M) costs for these programs will vary substantially depending on the size of the facility and the types of waste handled.</li> </ul>	
<b>LIMITATIONS</b>	
<ul style="list-style-type: none"> <li>• Hazardous waste that cannot be re-used or recycled; must be disposed of at a permitted facility by a licensed hazardous waste hauler.</li> </ul>	
<b>RECOMMENDATIONS</b>	
<ul style="list-style-type: none"> <li>• Regularly service waste storage areas to prevent a build-up of accumulated waste.</li> <li>• Keep all garbage dumpsters covered.</li> </ul>	

<b>Port Authority of Guam Equipment Maintenance and Repair Facility SWPPP</b>	
<b>AS BMP 6</b>	<b>BUILDING AND GROUNDS MAINTENANCE</b>
<b>PURPOSE</b>	Prevent or reduce the discharge of pollutants to stormwater from building and grounds maintenance by washing and cleaning up with as little water as possible, preventing and cleaning up spills immediately, keeping debris from entering storm drains, and maintaining the storm water collection system.
<b>APPROACH TO FUTURE FACILITIES AND UPGRADES Design of New Facilities and Existing Facility upgrades</b>	
<ul style="list-style-type: none"> <li>• Specify low-maintenance structures/features for capital improvements.</li> <li>• Incorporate storm water detention/retention to reduce peak runoff flows and for water quality control.</li> <li>• Incorporate design considerations such as leaving vegetation or planting native vegetation to reduce irrigation, fertilizer, and pesticide/herbicide needs.</li> </ul>	
<b>APPROACH TO EXISTING FACILITY ACTIVITIES Operational Considerations</b>	
Implement the following to the maximum extent practicable:	
<p>Good Housekeeping</p> <ul style="list-style-type: none"> <li>• Do not employ any wet cleaning procedures.</li> <li>• Clean any accumulated trash/debris from stormwater management features.</li> <li>• Regularly inspect and service oil/water separators.</li> <li>• Seek less harmful/toxic products to replace ones currently used for building or grounds maintenance.</li> <li>• Properly dispose of landscape waste, sweepings, and sediments.</li> <li>• Regularly clean paved surfaces that are exposed to industrial activity. Use "dry" cleaning techniques.</li> </ul>	
<b>REQUIREMENTS</b>	
<ul style="list-style-type: none"> <li>• Costs will vary depending on the type and size of the facility. Costs of on-site stormwater detention/retention facility could be high.</li> </ul>	
<b>RECOMMENDATIONS</b>	
<ul style="list-style-type: none"> <li>• Regularly clean site surfaces using dry techniques.</li> </ul>	

## **E. ADDITIONAL MSGP INFORMATION**



## Additional 2021 MSGP Documentation Template

### Introduction

After you become permitted under the 2021 Multi-Sector General Permit (MSGP), you are required to keep certain minimum records (or documentation) as part of the implementation of your permit responsibilities. As required in Part 6.5 of the 2021 MSGP, these records must be kept in the same place your Stormwater Pollution Prevention Plan (SWPPP) (which you completed prior to submitting your Notice of Intent [NOI] to be covered) is kept. This “Additional MSGP Documentation Template” (or “Template”) will assist you in complying with this requirement.

### *Using the Additional MSGP Documentation Template*

#### *Tips for using the Template:*

- **This Template is designed for use by all facilities permitted under the 2021 MSGP. The Template is NOT tailored to your individual industrial sector. Depending on which industrial sector(s) you fall under (see Appendix D - Facilities and Activities Covered of the 2021 MSGP) and where your facility is located (see Appendix C - Areas Eligible for Coverage of the 2021 MSGP), you will need to address any additional documentation requirements outlined in Part 8 (Sector Specific Requirements) and/or Part 9 (Conditions Applicable to States, Indian Country Lands, or Territories 401 Certifications) of the permit, respectively.**
- **Each section of the template includes “instructions” and space for your facility’s specific information. You should read the instructions before you complete each section. The text you will need to complete is generally indicated through the use of blue form fields (e.g., “Port Authority of Guam - Harbor of Refuge”). Click on the form field and your text will replace the instructional text.**
- **The Template was developed in *Microsoft Word* so that you can easily add tables and additional text.**
- **Because many of the activities you are required to document occur throughout the permit term, you will need to continually modify and add records to this Template. You may wish to create separate electronic files for each category of documentation (e.g., files for monitoring, employee training, etc.) so that they can be easily modified.**
- **The records you create using this Template must be kept in the same location as your SWPPP (2021 MSGP Part 6.5).**

The United States Environmental Protection Agency (EPA) notes that while EPA has made every effort to ensure the accuracy of all instructions and guidance contained in the Template, the actual obligations of regulated industrial facilities are determined by the relevant provisions of the 2021 MSGP, not by the Template. In the event of a conflict between the Template and any corresponding provision of the 2021 MSGP, the permit provisions establish your actual requirements. EPA welcomes comments on the Template at any time and will consider those comments in any future revision of this document. Please submit comments to [MSGP@epa.gov](mailto:MSGP@epa.gov) and reference the “*Additional 2021 MSGP Documentation Template*.”

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## **Additional MSGP Documentation**

**for:**

Port Authority of Guam – Harbor of Refuge  
Apra Harbor, Marina Road  
Piti, Guam, 96915

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**Instructions:**

- Keep the following inspection, corrective action, monitoring, and certification records in the same location that you keep your SWPPP:
  - A copy of the NOI submitted to EPA along with any correspondence exchanged between you and EPA specific to coverage under this permit (you should already have this);
  - A copy of the authorization email you receive from the EPA assigning your NPDES ID (you should already have this);
  - A copy of the 2021 MSGP (either a hard copy or an electronic copy easily available to SWPPP personnel);
  - Documentation of maintenance and repairs of stormwater control measures and industrial equipment and systems, 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)/industrial equipment/system(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 3.1.6) and Visual Assessment Documentation (see Part 3.2.3);
  - 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 3.2.4 and 4.1.5);
  - Corrective action documentation required per Part 5.1;
  - Documentation of any benchmark threshold exceedances, which AIM Level triggering event the exceedance caused, and AIM response employed per Part 5.2, including:
    - The AIM triggering event;
    - The AIM response taken;
    - Any rationale that SWPPP/SCM changes were unnecessary; or
    - Any documentation required to meet any AIM exception per Part 5.2.6;
  - 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 after three years or were solely attributable to natural background sources (see Part 4.2.5.1); and
  - Documentation to support your claim that your facility has changed its status from active to inactive and unstaffed with respect to the requirements to conduct routine facility inspections (see Part 3.1.5), quarterly visual assessments (see Part 3.2.4.4), benchmark monitoring (see Part 4.2.2.4), and/or impaired waters monitoring (see Part 4.2.5.2).
  - With the exception of the first three items, these are records that you will be updating throughout the permit term. Follow the instructions in Sections A through L of this template to keep your records complete.

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## A. EMPLOYEE TRAINING

<p><b>Instructions:</b></p> <ul style="list-style-type: none"> <li>• Keep records of employee training, including the date of the training (see Parts 2.1.2.8 and 6.2.5.1.e of the 2021 MSGP).</li> <li>• For in-person training, consider using the tables below to document your employee trainings. For computer-based or other types of training, keep similar records on who was trained, the training date, and the type of training conducted.</li> </ul>
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<b>Training Date:</b> Insert Date of Training	
<b>Training Description:</b> Insert Description of Training	
<b>Trainer(s):</b> Insert Trainer Name(s)	
<b>Employee(s) Trained:</b>	<b>Employee Signature</b>
Insert Name	
Insert Name	
Insert Name	
Insert Name	
Insert Name	
Insert Name	

<b>Training Date:</b> Insert Date of Training	
<b>Training Description:</b> Insert Description of Training	
<b>Trainer(s):</b> Insert Trainer Name(s)	
<b>Employee(s) Trained:</b>	<b>Employee Signature</b>
Insert Name	
Insert Name	
Insert Name	
Insert Name	
Insert Name	
Insert Name	

<b>Training Date:</b> Insert Date of Training	
<b>Training Description:</b> Insert Description of Training	
<b>Trainer(s):</b> Insert Trainer Name(s)	
<b>Employee(s) Trained:</b>	<b>Employee Signature</b>
Insert Name	
Insert Name	
Insert Name	
Insert Name	
Insert Name	
Insert Name	

## B. MAINTENANCE

### Instructions:

- Include in your records documentation of maintenance and repairs of stormwater control measures and industrial equipment and systems (see Part 2.1.2.3 and 6.5), including:
  - the control measure(s)/equipment/system(s) maintained,
  - 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)/equipment/system(s) returned to full function, and
  - the justification for any extended maintenance/repair schedules and the notification to your EPA Region that you need an extension past 45 days to complete repairs/maintenance.
- As a reminder:
  - you are required to immediately take all reasonable steps to prevent or minimize the discharge of pollutants until the final repair or replacement is implemented.
  - final repair/replacements of stormwater controls should be completed as soon as feasible but no later than 14 days, or if that is infeasible within 45 days.
  - if the completion of stormwater control measure/equipment/system 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 EPA Regional Office of your intention to exceed 45 days and document your rationale for your modified maintenance timeframe in your SWPPP.
- Provide information, as shown below, to document your maintenance activities for each stormwater control measure and industrial equipment/system. Repeat as necessary by copying and pasting the information below for additional stormwater control measures and industrial equipment/systems.

Note that maintenance documentation in this section is separate from corrective action and AIM documentation required in Part 5.3 of the 2021 MSGP. For any condition or event triggering the need for corrective action review and/or AIM response you must include documentation in section G of this Template.

**Stormwater Control Measure Maintenance Records** (copy information below for each stormwater control measure)

**Stormwater Control Measure:** Insert Name of Stormwater Control Measure

**Regular Maintenance Activities:** Describe Maintenance Activities

**Regular Maintenance Schedule:** Insert Maintenance Schedule

**Date of Maintenance Action:** Insert Date of Action

**Reason for Action:**  Regular Maintenance  Discovery of Problem

If Problem,

- **Description of Action Required:** Describe Actions Taken in Response to Problem

- **Date Control Measure Returned to Full Function:** Insert Date

- **Justification for Extended Schedule, if applicable:** Insert Justification (if applicable)

**Notes:** Insert Notes (if applicable)

**Date of Maintenance Action:** Insert Date of Action

**Reason for Action:**  Regular Maintenance  Discovery of Problem



**If Problem,**

- **Description of Action Required:** Describe Actions Taken in Response to Problem
- **Date Industrial Equipment Returned to Full Function:** Insert Date
- **Justification for Extended Schedule, if applicable:** Insert Justification (if applicable)

**Notes:** Insert Notes (if applicable)

**Date of Maintenance Action:** Insert Date of Action

**Reason for Action:**  Regular Maintenance  Discovery of Problem

**If Problem,**

- **Description of Action Required:** Describe Actions Taken in Response to Problem
- **Date Industrial Equipment Returned to Full Function:** Insert Date
- **Justification for Extended Schedule, if applicable:** Insert Justification (if applicable)

**Notes:** Insert Notes (if applicable)

**Industrial Equipment and Systems Maintenance Records** (copy information below for each industrial equipment/system)

**Industrial Equipment/System:** Insert Name of Industrial Equipment/System

**Regular Maintenance Activities:** Describe Maintenance Activities

**Regular Maintenance Schedule:** Insert Maintenance Schedule

**Date of Maintenance Action:** Insert Date of Action

**Reason for Action:**  Regular Maintenance  Discovery of Problem

**If Problem,**

- **Description of Action Required:** Describe Actions Taken in Response to Problem
- **Date Industrial Equipment Returned to Full Function:** Insert Date
- **Justification for Extended Schedule, if applicable:** Insert Justification (if applicable)

**Notes:** Insert Notes (if applicable)

**Date of Maintenance Action:** Insert Date of Action

**Reason for Action:**  Regular Maintenance  Discovery of Problem

**If Problem,**

- **Description of Action Required:** Describe Actions Taken in Response to Problem
- **Date Industrial Equipment Returned to Full Function:** Insert Date
- **Justification for Extended Schedule, if applicable:** Insert Justification (if applicable)

**Notes:** Insert Notes (if applicable)

**Date of Maintenance Action:** Insert Date of Action

**Reason for Action:**  Regular Maintenance  Discovery of Problem

**If Problem,**

- **Description of Action Required:** Describe Actions Taken in Response to Problem
- **Date Industrial Equipment Returned to Full Function:** Insert Date
- **Justification for Extended Schedule, if applicable:** Insert Justification (if applicable)

**Notes:** Insert Notes (if applicable)

**Date of Maintenance Action:** Insert Date of Action

**Reason for Action:**    Regular Maintenance    Discovery of Problem

**If Problem,**

- **Description of Action Required:** Describe Actions Taken in Response to Problem
- **Date Industrial Equipment Returned to Full Function:** Insert Date
- **Justification for Extended Schedule, if applicable:** Insert Justification (if applicable)

**Notes:** Insert Notes (if applicable)

## C. ROUTINE FACILITY INSPECTION REPORTS

### Instructions:

- Include in your records copies of all routine facility inspection reports completed for the facility.
- The sample inspection report is consistent with the requirements in Part 3.1.6 of the 2021 MSGP relating to routine facility inspections. Facilities subject to state industrial stormwater permits may also find this form useful. **If your permitting authority provides you with an inspection report, use that form.**

### Using the Sample Routine Facility Inspection Report

- This inspection report is designed to be customized according to the specific control measures and activities at your facility. For ease of use, you should take a copy of your site plan and number all of the stormwater control measures and areas of industrial activity that will be inspected. A brief description of the stormwater control measures and areas that were inspected should then be listed in the site-specific section of the inspection report.
- You can complete the items in the "General Information" section that will remain constant, such as the facility name, NPDES ID, and inspector (if you only use one inspector). Print out multiple copies of this customized inspection report to use during your inspections.
- When conducting the inspection, walk the site by following your site map and numbered control measures/areas of industrial activity to be inspected. Also note whether the "Areas of Industrial Materials or Activities exposed to stormwater" have been addressed (customize this list according to the conditions at your facility). Note any required corrective actions and the date and responsible person for the correction.

### Stormwater Industrial Routine Facility Inspection Report

General Information			
Facility Name	Insert Name		
NPDES ID.	Insert NPDES ID		
Date of Inspection	Insert Date	Start/End Time	Insert Start/End Time
Inspector Name(s)	Insert Name(s)		
Inspector Title(s)	Insert Title(s)		
Inspector Contact Information	Insert Contact Information		
Inspector Qualifications	Insert Qualifications or Add Reference to the SWPPP		
Weather Information			
Weather at time of this inspection?			
<input type="checkbox"/> Clear <input type="checkbox"/> Cloudy <input type="checkbox"/> Rain <input type="checkbox"/> Sleet <input type="checkbox"/> Fog <input type="checkbox"/> Snow <input type="checkbox"/> High Winds <input type="checkbox"/> Other: _____ Temperature: _____			
Observations			
Have any previously unidentified discharges of pollutants occurred since the last inspection? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe: Describe			
Are there any discharges occurring at the time of inspection? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe: Describe			

#### Stormwater Control Measures

- Number the structural stormwater control measures identified in your SWPPP on your site map and list them below (add as many control measures as are implemented on-site). Carry a copy of the numbered site map with you during your inspections. This list will ensure that you are inspecting all required control measures at your facility.
- Identify if maintenance or corrective action is needed.
  - If maintenance is needed, fill out section B of this template
  - If corrective action is needed, fill out section G of this template

	Structural Control Measure	Control Measure is Operating Effectively?	If No, In Need of Maintenance, Repair, or Replacement?	Maintenance or Corrective Action Needed and Notes
1	Insert Control Measure Name	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Maintenance <input type="checkbox"/> Repair <input type="checkbox"/> Replacement	Describe Maintenance and/or Corrective Actions Needed
2	Insert Control Measure Name	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Maintenance <input type="checkbox"/> Repair <input type="checkbox"/> Replacement	Describe Maintenance and/or Corrective Actions Needed
3	Insert Control Measure Name	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Maintenance <input type="checkbox"/> Repair <input type="checkbox"/> Replacement	Describe Maintenance and/or Corrective Actions Needed
4	Insert Control Measure Name	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Maintenance <input type="checkbox"/> Repair <input type="checkbox"/> Replacement	Describe Maintenance and/or Corrective Actions Needed

INSERT FACILITY NAME

	Structural Control Measure	Control Measure is Operating Effectively?	If No, In Need of Maintenance, Repair, or Replacement?	Maintenance or Corrective Action Needed and Notes
5	Insert Control Measure Name	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Maintenance <input type="checkbox"/> Repair <input type="checkbox"/> Replacement	Describe Maintenance and/or Corrective Actions Needed
6	Insert Control Measure Name	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Maintenance <input type="checkbox"/> Repair <input type="checkbox"/> Replacement	Describe Maintenance and/or Corrective Actions Needed
7	Insert Control Measure Name	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Maintenance <input type="checkbox"/> Repair <input type="checkbox"/> Replacement	Describe Maintenance and/or Corrective Actions Needed
8	Insert Control Measure Name	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Maintenance <input type="checkbox"/> Repair <input type="checkbox"/> Replacement	Describe Maintenance and/or Corrective Actions Needed
9	Insert Control Measure Name	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Maintenance <input type="checkbox"/> Repair <input type="checkbox"/> Replacement	Describe Maintenance and/or Corrective Actions Needed
10	Insert Control Measure Name	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Maintenance <input type="checkbox"/> Repair <input type="checkbox"/> Replacement	Describe Maintenance and/or Corrective Actions Needed

**Areas of Industrial Materials or Activities Exposed to Stormwater**

Below are some general areas that should be assessed during routine inspections. Customize this list as needed for the specific types of industrial materials or activities at your facility that are potential pollutant sources. Identify if maintenance or corrective action is needed. If maintenance is needed, fill out section B of this template. If corrective action is needed, fill out section G of this template.

	Area/Activity	Inspected?	Controls Adequate (appropriate, effective and operating)?	Maintenance or Corrective Action Needed and Notes
1	Material loading/unloading and storage areas	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	Describe Maintenance and/or Corrective Actions Needed
2	Equipment operations and maintenance areas	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	Describe Maintenance and/or Corrective Actions Needed
3	Fueling areas	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	Describe Maintenance and/or Corrective Actions Needed
4	Outdoor vehicle and equipment washing areas	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	Describe Maintenance and/or Corrective Actions Needed
5	Waste handling and disposal areas	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	Describe Maintenance and/or Corrective Actions Needed
6	Erodible areas/construction	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	Describe Maintenance and/or Corrective Actions Needed
7	Non-stormwater/illicit connections	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	Describe Maintenance and/or Corrective Actions Needed

	<b>Area/Activity</b>	<b>Inspected?</b>	<b>Controls Adequate (appropriate, effective and operating)?</b>	<b>Maintenance or Corrective Action Needed and Notes</b>
8	<b>Salt storage piles or pile containing salt</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	Describe Maintenance and/or Corrective Actions Needed
9	<b>Dust generation and vehicle tracking</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	Describe Maintenance and/or Corrective Actions Needed
10	<b>Processing areas</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	Describe Maintenance and/or Corrective Actions Needed
11	<b>Areas where industrial activity has taken place in the past and significant materials remain and are exposed to storm water</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	Describe Maintenance and/or Corrective Actions Needed
12	<b>Immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	Describe Maintenance and/or Corrective Actions Needed
13	<b>(Other)</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	Describe Maintenance and/or Corrective Actions Needed
14	<b>(Other)</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	Describe Maintenance and/or Corrective Actions Needed

**Discharge Points**

At discharge points, describe any evidence of, or the potential for, pollutants entering the stormwater drainage system. Also describe observations regarding the physical condition of and around all stormwater discharge points, including any flow dissipation devices, and evidence of pollutants in discharges and/or the receiving water. Identify if any corrective action is needed.  
 Describe Discharge Point Observations

**Discharges/Pollutants**

Describe any previously unidentified stormwater discharges from and/or pollutants:  
Describe Discharges and/or Pollutants

**Non-Compliance**

Describe any incidents of non-compliance observed and not described above:  
Describe Non-compliance

**Additional Control Measures**

Describe any additional control measures needed to comply with the permit requirements:  
Describe Additional Controls Needed

**Notes**

Use this space for any additional notes or observations from the inspection:  
Additional Notes

**CERTIFICATION STATEMENT**

"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 gathered and evaluated the information contained therein. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information contained 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."

**Print Name and Title:** \_\_\_\_\_

**Signature:** \_\_\_\_\_ **Date Signed:** \_\_\_\_\_



## D. VISUAL ASSESSMENT DOCUMENTATION

**Instructions:**

- Include in your records all visual assessment documentation completed for the facility (Part 3.2.3). An example visual assessment form can be found on the following page.

**MSGP Visual Assessment Form**

(Complete a separate form for each discharge point you assess)

Name of Facility: Enter Name of Facility NPDES ID. Insert NPDES ID

Sample Location: Enter Discharge Point ID "Substantially Identical Discharge Point" (SIDP)?  Yes (identify SIDPs);  No

Person(s)/Title(s) Collecting Sample: Enter Name(s)/Title(s)

Signature(s) of Person(s) Collecting Sample:

Person(s)/Title(s) Examining Sample: Enter Name(s)/Title(s)

Signature(s) of Person(s) Examining Sample:

Date & Time Discharge Began: Enter Date and Time Date & Time Sample Collected: Enter Date and Time. If sample not taken within first 30 minutes, explain why. Date & Time Sample Examined: Enter Date and Time

Substitute Sample?  No  Yes\* (identify quarter/year when sample was originally scheduled to be collected): \_\_\_\_\_

Is this a substitute sample for quarterly visual assessments distributed during seasons when precipitation more regularly occurs?  No  Yes\* (identify the quarter/year when the sample was originally scheduled to be collected): \_\_\_\_\_

Nature of Discharge:  Rainfall  Snowmelt

If Rainfall: Rainfall Amount: Previous Storm Ended > 72 hours (three days) Before Start of This Storm?  Yes  No\*\*  
 Number of inches (describe): \_\_\_\_\_

**Pollutants Observed**

Color  None  Other (describe): \_\_\_\_\_

Odor  None  Musty  Sewage  Sulfur  Sour  Petroleum/Gas  
 Solvents  Other (describe): \_\_\_\_\_

Clarity  Clear  Slightly Cloudy  Cloudy  Opaque  Other

Floating Solids  No  Yes (describe): \_\_\_\_\_

Settled Solids\*\*\*  No  Yes (describe): \_\_\_\_\_

Suspended Solids  No  Yes (describe): \_\_\_\_\_

Foam (gently shake sample)  No  Yes (describe): \_\_\_\_\_

Oil Sheen  None  Flecks  Globs  Sheen  Slick  
 Other (describe): \_\_\_\_\_

Other Obvious Indicators of Stormwater Pollution  No  Yes (describe): \_\_\_\_\_

\* Your facility must be located in an area where limited rainfall occurs during many parts of the year (e.g., arid or semi-arid climate) or in an area where freezing conditions exist that prevent discharges from occurring for extended periods. Identify the quarter/year when the sample was originally scheduled to be collected.

\*\* The 72-hour (three day) interval can be waived when the previous storm did not yield a measurable discharge or if you are able to document (attach applicable documentation) that less than a 72-hour (three day) interval is representative of local storm events during the sampling period.

\*\*\* Observe for settled solids after allowing the sample to sit for approximately one-half hour.

Sampling not performed due to adverse conditions:  No  Yes (explain): \_\_\_\_\_

Sampling not performed due to no measurable storm event occurring that resulted in a discharge during the monitoring quarter:

No  Yes (explain): \_\_\_\_\_

**Identify probable sources of any observed stormwater contamination. Also, include any additional comments, descriptions of pictures taken, and any corrective actions necessary below (attach additional sheets as necessary). Insert details**

**Certification Statement (Refer to MSGP Appendix B, Part B.11 for Signatory Requirements)**

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 gathered and evaluated the information contained therein. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information contained 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.

A. Name: \_\_\_\_\_

B. Title: \_\_\_\_\_

C. Signature: \_\_\_\_\_

D. Date Signed: \_\_\_\_\_

## E. MONITORING RESULTS

**Instructions:**

- Include in your records copies of all monitoring results (including analytical laboratory data, indicator monitoring, benchmark monitoring, annual effluent limitations guidelines monitoring, state- or tribal-specific monitoring, impaired waters monitoring, and any other monitoring required or conducted) for the facility. Also include copies of monitoring data submitted to EPA's Net-DMR reporting system or paper DMRs if EPA has granted your facility a waiver from electronic reporting (Part 4.1.9).

## F. DEVIATIONS FROM VISUAL ASSESSMENT AND/OR MONITORING SCHEDULE

**Instructions:**

Include in your records:

- A description of any deviations from the schedule you provided in your SWPPP for visual assessments and/or monitoring (Part 6.5), and
- The reason for the deviations (e.g., it was impracticable to collect samples within the first 30 minutes of a measurable storm event or adverse weather) (Parts 3.2.4 and 4.1.5 of the 2021 MSGP).

Use the fields below to document the deviations. Repeat as necessary for any deviations.

**Date:** Insert Date  
 **Visual Assessments**     **Monitoring**  
**Describe Deviation from Schedule:** Describe Deviation  
**Reason for deviation:** Describe Reason

**Date:** Insert Date  
 **Visual Assessments**     **Monitoring**  
**Describe Deviation from Schedule:** Describe Deviation  
**Reason for Deviation:** Describe Reason

**Date:** Insert Date  
 **Visual Assessments**     **Monitoring**  
**Describe Deviation from Schedule:** Describe Deviation  
**Reason for Deviation:** Describe Reason

**Date:** Insert Date  
 **Visual Assessments**     **Monitoring**  
**Describe Deviation from Schedule:** Describe Deviation  
**Reason for Deviation:** Describe Reason

## G. CORRECTIVE ACTION AND AIM DOCUMENTATION

### Instructions:

Within 24 hours of becoming aware of a condition identified in Parts 5.1.1, 5.2.3, 5.2.4, or 5.2.5 of the 2021 MSGP, document the existence of the condition and subsequent actions. Note that this information must be summarized in the annual report (as required in Part 7.4 of the 2021 MSGP).

**Description of Condition:** Insert Description of Condition or Event Triggering Need for Corrective Action Review and/or AIM Response

#### For Spills and Leaks:

**Description of Incident:** Insert Description

**Material:** Insert Description of Material

**Date/Time:** Insert Date/Time

**Amount:** Insert Amount of Spill/Leak

**Location:** Insert Location of Spill/Leak

**Reason for Spill:** Insert Reason for Spill/Leak

**Discharge to Waters of U.S.:** Insert Whether Spill/Leak/Other Release Discharged to a Water of the U.S.

**Date:** Insert Date Condition/Triggering Event was Identified

**Immediate Actions:** Insert Description of Immediate Actions Taken

**Actions Taken within 14 Days:** Insert Description of Corrective Actions and/or AIM Responses Taken Within 14 days of Discovery of Condition/Triggering Event

**14 Day Infeasibility:** If Applicable, Document Why It Is Infeasible to Complete Necessary Corrective Actions and/or AIM Responses Within 14 Day Timeframe and Describe Schedule

**45 Day Extension:** If Applicable, Document Rationale Provided to EPA for Extension of 45 Day Timeframe

**Description of Condition:** Insert Description of Condition or Event Triggering Need for Corrective Action Review and/or AIM Response

#### For Spills and Leaks:

**Description of Incident:** Insert Description

**Material:** Insert Description of Material

**Date/Time:** Insert Date/Time

**Amount:** Insert Amount of Spill/Leak

**Location:** Insert Location of Spill/Leak

**Reason for Spill:** Insert Reason for Spill/Leak

**Discharge to Waters of U.S.:** Insert Whether Spill/Leak/Other Release Discharged to a Water of the U.S.

**Date:** Insert Date Condition/Triggering Event was Identified

**Immediate Actions:** Insert Description of Immediate Actions Taken

**Actions Taken within 14 Days:** Insert Description of Corrective Actions and/or AIM Responses Taken Within 14 days of Discovery of Condition/Triggering Event

**14 Day Infeasibility:** If Applicable, Document Why It Is Infeasible to Complete Necessary Corrective Actions and/or AIM Responses Within 14 Day Timeframe and Describe Schedule

**45 Day Extension:** If Applicable, Document Rationale Provided to EPA for Extension of 45 Day Timeframe

## H. BENCHMARK THRESHOLD EXCEEDANCES

### Instructions:

Include in your records documentation of any annual average benchmark threshold exceedances, which AIM Level triggering event the exceedances caused, and AIM response employed per Part 5.2, including:

- The AIM triggering event;
- The AIM response taken;
- Any rationale that SWPPP/SCM changes were unnecessary; or
- Any documentation required to meet any AIM exception per Part 5.2.6.

Note: an annual average exceedance for a parameter can occur if the four-quarterly annual average for a parameter exceeds the benchmark threshold, or fewer than four quarterly samples are collected, but a single sample, or the sum of any sample results within the sampling year exceeds the benchmark threshold by more than four times for a parameter (Part 5.2.2).

**Date:** Insert Date

**Pollutant Exceeded and Results:** Insert Pollutant Name

**Sample 1 (Sample date:** Insert Sample Date) **Result:** Insert Sample Result

**Sample 2 (Sample date:** Insert Sample Date) **Result:** Insert Sample Result

**Sample 3 (Sample date:** Insert Sample Date) **Result:** Insert Sample Result

**Sample 4 (Sample date:** Insert Sample Date) **Result:** Insert Sample Result

**Average Result:** Insert Value

**Benchmark Value:** Insert Benchmark Value from 2021 MSGP

**AIM Level Triggered** (select one)

- AIM Level 1 (quarterly benchmark monitoring results indicate that an AIM triggering event per Part 5.2.2 has occurred)
- AIM Level 2 (continued quarterly benchmark monitoring results indicate that an AIM triggering event per Part 5.2.2 has occurred)
- AIM Level 3 (continued quarterly benchmark monitoring results indicate that an AIM triggering event per Part 5.2.2 has occurred)

**AIM Response Taken:** Document AIM response taken in section G of this Template

**Do You Qualify for an Exception from AIM Requirements and Continued Benchmark Monitoring?**

- Yes (Indicate the exception below)     No

**Exception(s):** (if applicable)

- Solely Attributable to Natural Background Pollutant Levels**  
Pollutant(s): Insert Pollutant  
Maintain supporting rationale and applicable data as required in Part 5.2.6.1
- Due to Run-On**  
Pollutant(s): Insert Pollutant

Attach documentation and concurrence from EPA Regional Office required in Part 5.2.6.2

**Due to An Abnormal Event**

Pollutant(s): Insert Pollutant

Attach documentation required in Part 5.2.6.3

**Demonstrated to Not Result in An Exceedance of Facility-Specific Value Using National Recommended Water Quality Criteria in Lieu of Applicable MSGP Benchmark Threshold (For Aluminum and Copper Benchmark Parameters Only)**

Pollutant(s): Insert Pollutant

Attach documentation and concurrence from EPA Regional Office required in Part 5.2.6.4

**Demonstrated Not to Result in Any Exceedance of Water Quality Standards**

Pollutant(s): Insert Pollutant

Attach documentation and concurrence from EPA Regional Office required in Part 5.2.6.5



## I. IMPAIRED WATERS MONITORING: DOCUMENTATION OF NATURAL BACKGROUND SOURCES OR NON-PRESENCE/ACCEPTABLE RANGE OF IMPAIRMENT POLLUTANT

**Instructions:**

This section applies only if your facility:

- Discharges directly to an impaired water without an EPA-approved or established total maximum daily load (TMDL); and
- Your first or fourth year annual impaired waters monitoring results indicate that the pollutant(s) for which the water is impaired is (1) not detected in your discharge, or is within the acceptable range for a given parameter for the waterbody to meet its designated use (e.g., pH or temperature) or (2) is detected in your discharge, but you have determined that its presence is caused solely by natural background sources. See Part 4.2.5.1 of the 2021 MSGP.

**Date:** Insert Date

Check one of the boxes below and complete the additional documentation:

- 1 – Pollutant(s) for which the water is impaired is not present in your discharge or is within the acceptable range for a given parameter for the waterbody to meet its designated use.**

Attach documentation that the impairment pollutant(s) was not detected in your discharge sample(s) or was detected within an acceptable range.

- 2 – Pollutant(s) for which the water is impaired is present, but you have determined its presence is caused solely by natural background sources.**

Attach the following documentation:

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

---

## J. ACTIVE/INACTIVE STATUS CHANGE

**Instructions:**

If your facility changes its status from active to inactive and unstaffed (or from inactive/unstaffed to active), include documentation in this section to support your claim.

**Date:** Insert Date of Change in Status

**New Facility Status:**  Inactive and Unstaffed  Active

**Reason for Change in Status:** Describe Reason

## K. SWPPP AMENDMENT LOG

**Instructions:**

Include in your records:

- A log of the date and description of any amendments to your SWPPP.

Fill in the appropriate columns of this table for each amendment to your SWPPP. Copy and paste additional rows into the table as necessary.

<b>Amend. No.</b>	<b>Description of the Amendment</b>	<b>Date of Amendment</b>	<b>Amendment Prepared by [Name(s) and Title(s)]</b>
1	Insert Description of Amendment	Insert Date	Insert Name(s)/Title(s)
2	Insert Description of Amendment	Insert Date	Insert Name(s)/Title(s)
3	Insert Description of Amendment	Insert Date	Insert Name(s)/Title(s)
4	Insert Description of Amendment	Insert Date	Insert Name(s)/Title(s)
5	Insert Description of Amendment	Insert Date	Insert Name(s)/Title(s)
6	Insert Description of Amendment	Insert Date	Insert Name(s)/Title(s)
7	Insert Description of Amendment	Insert Date	Insert Name(s)/Title(s)
8	Insert Description of Amendment	Insert Date	Insert Name(s)/Title(s)
9	Insert Description of Amendment	Insert Date	Insert Name(s)/Title(s)
10	Insert Description of Amendment	Insert Date	Insert Name(s)/Title(s)

## L. MISCELLANEOUS DOCUMENTATION

**Instructions:**

Use this section to keep records of any additional documentation that relates to your compliance with the 2021 MSGP.

## **G. ENDANGERED SPECIES INFORMATION**



**Instructions:**

In order to be eligible for coverage under Criterion C3, you must complete the Endangered Species Protection section of the Notice of Intent in the NPDES eReporting Tool (NeT-MSGP). Per Part 7.1, you must submit your NOI electronically via NeT-MSGP, unless the EPA Regional Office grants you a waiver from electronic reporting, in which case you may use this paper Criterion C3 form. If using the paper form, you must complete the following form and you must submit it to EPA following the instructions in Section VII a minimum of 30 days prior to filing your NOI for permit coverage. After you submit your form, you may be contacted by EPA with additional measures (e.g., additional stormwater controls or modifications to your discharge-related activities) that you must implement in order to ensure your eligibility under Criterion C3.

If after completing this worksheet you cannot make a determination that your discharges and discharge-related activities are not likely to adversely affect ESA listed threatened or endangered species or designated critical habitat, you must submit this completed worksheet to EPA, and you may not file your NOI for permit coverage until you receive a determination from EPA that your discharges and/or discharge-related activities are not likely to adversely affect ESA-protected species and critical habitat.

**Note:** Much of the information needed for this form can be obtained from your draft SWPPP which will be needed when you file your NOI.

**Section I. Operator, Facility, and Site Location Information**

**1) Operator Information:**

a) Operator Name: P o r t A u t h o r i t y o f G u a m

b) Point of Contact: R o r y J . R e s p i c i o

Phone: 6 7 1 - 4 7 7 - 5 9 3 1 Ext. \_\_\_\_\_

E-mail: r r e s p i c i o @ p o r t o f g u a m . g o v

**2) Facility Information**

a) Facility Name: G r e g o r i o D . P e r e z M a r i n a

b) Check which of the following applies:

- I am seeking coverage under the MSGP as a new discharger or as a new source
- I am seeking coverage under the MSGP as an existing discharger and my facility has modifications to its discharge characteristics (e.g., changes in discharge flow or area drained, different pollutants) and/or discharge-related activities (e.g., stormwater controls)  
Indicate the number of years the facility has been in operation: \_\_\_\_\_ years  
Provide your NPDES ID (i.e., permit tracking number) from your previous MSGP coverage: \_\_\_\_\_
- I am seeking coverage under the MSGP as an existing discharger and there are no modifications to my facility.  
Indicate the number of years the facility has been in operation: \_\_\_\_\_ years  
Provide your NPDES ID (i.e., permit tracking number) from your previous MSGP coverage: \_\_\_\_\_

c) Facility Address:

Address 1 Street/ Location: M a r i n e C o r p s D r i v e

Address 2: \_\_\_\_\_

City: H a g a t n a State: G U ZIP Code: 9 6 9 1 0

d) Identify the primary industrial sector to be covered under the 2021 MSGP:

SIC Code 4 4 9 3 or Primary Activity Code M a r i n a s

Sector Q and Subsector Q 1

e) Identify the sectors of any co-located activities to be covered under the 2021 MSGP:

Sector	<input type="text"/>	and	Subsector	<input type="text"/>
Sector	<input type="text"/>	and	Subsector	<input type="text"/>
Sector	<input type="text"/>	and	Subsector	<input type="text"/>
Sector	<input type="text"/>	and	Subsector	<input type="text"/>
Sector	<input type="text"/>	and	Subsector	<input type="text"/>
Sector	<input type="text"/>	and	Subsector	<input type="text"/>

f) Estimated area of industrial activity exposed to stormwater: 8.32 acres

g) Provide a general description of the industrial activities that are taking place at this facility:

Hagatna Marina occupies approximately 8.32 acres and is primarily used for docking vessels. The northern portion of the marina includes a dry dock area where all industrial activities are conducted. Industrial activities that occur onsite include minor servicing, repair, and storage of water vessels and associated equipment.

**3) Receiving Waters Information**

List all the stormwater outfalls from your facility				For each outfall, provide the following receiving water information:	
Discharge Point ID	Design Capacity (if known)	Latitude (decimal degrees)	Longitude (decimal degrees)	Name of the receiving water that receives stormwater from the discharge point and/or from the MS4 that the discharge point discharges to	Type of Waterbody (e.g., lake, pond, river/stream/creek, estuarine/marine water)
001	Surface Flow	11 3 . 4 7 8 1 ° N	1 4 4 . 7 5 0 0 ° W	Agana Bay	Coastal waters
002	Surface Flow	1 3 . 4 7 8 1 ° N	1 4 4 . 7 4 9 7 ° W	Agana Bay	Coastal waters
		_____ ° N	_____ ° W		
		_____ ° N	_____ ° W		
		_____ ° N	_____ ° W		

**Section II. Action Area**

As required in Step 2 of Section E.4 of Appendix E, you must include a map and a written description of the action area of your facility in Attachment 1 of this appendix.

**Section III. Listed Species and Critical Habitat**

As required in Step 3 of Section E.4 of Appendix E, attach a copy of the species and critical habitat list(s) from the Service(s) to Attachment 2 of this appendix and use the list(s) to complete the rest of this worksheet. For FWS species, include the full printout from your IPaC query/Official Species List in Attachment 2. You can include the map from your IPaC query in Attachment 1.

**Note:** For the purposes of this permit, "terrestrial species" would not include animal or plant species that 1) spends any portion of its life cycle in a waterbody or wetland, or 2) if an animal, depends on prey or habitat that occurs in a waterbody or wetland. For example, shorebirds, wading birds, amphibians, and certain reptiles would not be considered terrestrial species under this definition. Please also be aware that some terrestrial animals (e.g., certain insects, amphibians) may have an aquatic egg or larval/juvenile phase.

Review your species list in Attachment 2, choose one of the following three statements, and follow the corresponding instructions:

- The species list includes only terrestrial species and/or their designated critical habitat. No aquatic or aquatic-dependent species or their critical habitat are present in the action area. You may skip to **Section IV** of this form. You are not required to fill out **Section V**.
- The species list includes only aquatic and/or aquatic-dependent species and/or their designated critical habitat. No terrestrial species or their critical habitat are present in the action area. You may skip to **Section V** of this form and are not required to fill out **Section IV**.
- The species list includes both terrestrial and aquatic or aquatic-dependent species and/or their designated critical habitat. You must fill out both **Sections IV** and **V** of this form.

## Section IV. Evaluation of Discharge-Related Activities Effects

Note: You are only required to fill out this section if your facility's action area contains terrestrial species and/or their designated critical habitat. If your action area only contains aquatic and/or aquatic-dependent species and/or their designated critical habitat, you can skip directly to [Section V](#).

Most of the potential effects related to coverage under the MSGP are assumed to occur to aquatic and/or aquatic-dependent species. However, in some cases, potential effects to terrestrial species and/or their critical habitat should be considered as well from any discharge-related activities that occur during coverage under the MSGP. Examples of discharge-related activities that could have potential effects on listed terrestrial species or their critical habitat include the storage of materials and land disturbances associated with stormwater management-related activities (e.g., the installation or placement of stormwater control measures).

### A. Select the applicable statement(s) below and follow the corresponding instructions:

- There are no discharge-related activities that are planned to occur during my coverage under the 2021 MSGP. You can conclude that your discharge-related activities will have no likely adverse effects, and:
- If there are any aquatic or aquatic-dependent species and/or their critical habitat in your action area, you must skip to [Section V](#), Evaluation of Discharge Effects, below.
  - If there are no aquatic or aquatic-dependent species, you may skip to [Section VI](#) and verify that your activities will have no likely adverse effects. You must submit this form to EPA as specified in [Section VII](#) of this form. You may select criterion C on your NOI form and may submit your NOI for permit coverage 30 days after you have submitted this Criterion C Eligibility Form. You must also provide a description of the basis for the criterion you selected on your NOI form, **including the species and critical habitat list(s) in your action area**, as well as any other documentation supporting your eligibility. You must also include this completed Criterion C Eligibility Form in your SWPPP.
- There are discharge-related activities planned as part of the proposal. Describe your discharge-related activities in the following box and continue to (b) below.

### B. In order to ensure any discharge-related activities will have no likely adverse effects on ESA- listed threatened and endangered species and/or their designated critical habitat, you must certify that all the following are true:

- Discharge-related activities will occur:
- on previously cleared/developed areas of the site where maintenance and operation of the facility are currently occurring or where existing conditions of the area(s) in which the discharge-related activities will occur precludes its use by listed species (e.g., work on existing impervious surfaces, work occurring inside buildings, area is not used by species), and
  - if discharge-related activities will include the establishment of structures (including, but not limited to, infiltration ponds and other controls) or any related disturbances, these structures and/or disturbances will be sited in areas that will not result in isolation or degradation of nesting, breeding, or foraging habitat or other habitat functions for listed animal species (or their designated critical habitat), and will avoid the destruction of native vegetation (including listed plant species).
- If vegetation removal (e.g., brush clearing) or other similar activities will occur, no terrestrial listed species that use these areas for habitat would be expected to be present during vegetation removal and these activities will not occur within critical habitat.

### If all the above are true, you can conclude that your discharge-related activities will have no likely adverse effects, and:

- If there are any aquatic or aquatic-dependent species and/or critical habitat in your action area, you must skip to [Section V](#), Evaluation of Discharge Effects, below.
- If there are no aquatic or aquatic-dependent species, you may skip to [Section VI](#) and verify that your activities will have no likely adverse effects. You must submit this form to EPA as specified in [Section VII](#) of this form. You may select criterion C on your NOI and may submit your NOI for permit coverage 30 days after you have submitted this completed form. You must also provide a description of the basis for the criterion you selected on your NOI form, **including the species and critical habitat list(s)**, and any other documentation supporting your eligibility. You must also include this completed Criterion C Eligibility Form in your SWPPP.
- If any of the above are **not** true, you cannot conclude that your discharge-related activities will have no likely adverse effects. You must complete the rest of this form (if applicable) and must submit the form to EPA for assistance in determining your eligibility for coverage.

## Section V. Evaluation of Discharge Effects

Note: You are only required to fill out this section if your facility's action area includes aquatic and/or aquatic-dependent species and/or their critical habitat.

In this section, you will evaluate the likelihood of adverse effects from your facility's discharges. The scope of effects to consider will vary with each facility and species/critical habitat characteristics. The following are examples of discharge effects you should consider:

- **Hydrological Effects.** Stormwater discharges may adversely affect receiving waters by causing changes in water quality parameters such as turbidity, temperature, salinity, or pH. Stormwater discharges may adversely affect the immediate vicinity of the discharge point through streambank erosion and scour. These effects will vary with the amount of stormwater discharged and the volume and condition of the receiving water. Where a stormwater discharge constitutes a minute portion of the total volume of the receiving water, adverse hydrological effects are less likely.



- *Toxicity of Pollutants.* Pollutants in stormwater may have toxic effects on listed species and may adversely affect critical habitat. Exceedances of benchmarks, effluent limitation guidelines, or state or tribal water quality requirements may be indicative of potential adverse effects on listed species or critical habitat. However, some listed species may be adversely affected at pollutant concentrations below benchmarks, effluent limitation guidelines, and state or tribal water quality standards due to exposures to multiple stressors at the same time. In addition, stormwater pollutants identified in Part 6.2.3.2 of your SWPPP, but not monitored as benchmarks or effluent limitation guidelines, may also adversely affect listed species and critical habitat.

As these effects are difficult to analyze for listed species, their prey, habitat, and designated critical habitat, this form helps you to analyze your discharges to make a determination of whether your discharges will likely have adverse effects and whether there are any additional controls you can implement to ensure no likely adverse effects.

**A. Evaluation of Pollutants and Controls to Avoid Adverse Effects.** In this section, you must document all of your pollutant sources and pollutants expected to be discharged in stormwater (see Part 8). You must also document the controls you will implement to avoid adverse effects on listed aquatic and aquatic-dependent species and critical habitat. You must include specific details about the expected effectiveness of the controls in avoiding adverse effects to the listed aquatic and aquatic-dependent species and critical habitat. Attach additional pages if needed.

Potential Pollutant Source	Potential Pollutants	Controls to Avoid Adverse Effects on Listed Aquatic and Aquatic-Dependent Species and Critical Habitat. Include information supporting why the control(s) will ensure no adverse effects, including any data you have about the effectiveness of the control(s) in reducing pollutant concentrations. You may also attach photos of your controls to this form
e.g., vehicle and equipment fueling	e.g., <ul style="list-style-type: none"> <li>• Oil &amp; grease</li> <li>• Diesel</li> <li>• Gasoline</li> <li>• TSS</li> <li>• Antifreeze</li> </ul>	e.g., <ul style="list-style-type: none"> <li>• Fueling operators (including the transfer of fuel from tank trucks) will be conducted on an impervious or contained pad or under cover</li> <li>• Drip pans will be used where leaks or spills of fuel can occur and where making and breaking hose connections</li> <li>• Spill kit will be kept on-site in close proximity to potential spill areas</li> <li>• Any spills will be cleaned-up immediately using dry clean-up methods</li> <li>• Stormwater runoff will be diverted around fueling areas using diversion dikes and curbing</li> </ul>
Maintenance and repairs	Spent solvents, oil, heavy metals, acid/alkaline wastes, detergents	To minimize the contamination of precipitation or surface runoff from equipment maintenance and repair to the extent practical, all maintenance activities are conducted indoors or under cover. Drip pans will be used where leaks or spills may occur. Spill kits are located onsite in close proximity to the potential spill areas. Any spills will be cleaned up immediately. Stormwater runoff will be diverted from the area using existing grading to the extent practical.
Surface preparation, paint removal, sanding, blasting, welding	Spent abrasives, paints, solids, heavy metals, solvents, dust	Containment measures (plastic barriers/tarpaulins) have been implemented to minimize overspray and potential runoff from painting operations. Drip pans will be used where leaks or spills may occur. Spill kits are located onsite in close proximity to the potential spill areas. Any spills will be cleaned up immediately. Stormwater runoff will be diverted from the area using existing grading to the extent practical.
Painting	Paint solids, spent solvents, heavy metals in surface coatings, dust	Containment measures (plastic barriers/tarpaulins) have been implemented to minimize overspray and potential runoff from painting operations. Drip pans will be used where leaks or spills may occur. Spill kits are located onsite in close proximity to the potential spill areas. Any spills will be cleaned up immediately. Stormwater runoff will be diverted from the area using existing grading to the extent practical.

Potential Pollutant Source	Potential Pollutants	Controls to Avoid Adverse Effects on Listed Aquatic and Aquatic-Dependent Species and Critical Habitat.
Storage of the related materials and waste materials	Fuel, oil, heavy metals, spent solvents	All containerized materials (e.g., fuels, paints, solvents, waste oil, antifreeze, batteries) are labeled and stored in protected, secure locations away from drains. Outdoor storage areas are managed appropriately to minimize the potential for contamination of precipitation or surface runoff from storage areas. Inventory control measures are used to limit the quantity of potentially hazardous materials kept onsite. Spill kits are located onsite in close proximity to the potential spill areas. Any spills will be cleaned up immediately.
Fueling (done by private or commercial operators)	Oil, fuel	Drip pans will be used where leaks or spills may occur. Spill kits are located onsite in close proximity to the potential spill areas. Any spills will be cleaned up immediately. Stormwater runoff will be diverted from the area using existing grading to the extent practical.
Shipboard processes improperly discharged to receiving water	Biochemical oxygen demand (BOD), bacteria, suspended solids, oil, fuel	Tenant operations will be monitored to ensure no improper discharges to receiving waters. Permits and lease agreements clearly state shipboard processes are not to discharge any materials to receiving water.
Spreader bars used to pick-up vessels	Heavy metals	Spreader bars are elevated to avoid direct contact with the ground to prevent rusting. Stormwater runoff will be diverted from the area using existing grading to the extent practical.
<input type="checkbox"/> Check if you are not able to make a preliminary determination that any of your pollutants will be controlled to a level necessary to avoid adverse effects on aquatic and/or aquatic-dependent listed species and their designated critical habitat. You must check in <u>Section VI</u> that you are unable to make a determination of no likely adverse effects and must complete the rest of the form. You must submit your completed form to EPA for assistance in determining your eligibility for coverage.		

**B. Analysis of Effects Based on Past Monitoring Data. Select which of the following applies to your facility:**

- I have no previous monitoring data for my facility because there are no applicable monitoring requirements for my facility's sector(s).
- I have no previous monitoring data for my facility because I am a new discharger or a new source, but I am subject to monitoring under the 2021 MSGP. You must provide information to support a conclusion that your facility's discharges are not expected to result in benchmark or numeric effluent limit exceedances that will adversely affect listed species or their critical habitat:

Facility discharges are limited to stormwater surface runoff throughout the property. Routine inspections are performed to ensure existing Best Management Practices are implemented and effective at minimizing potential pollutants entering surface waters. Discharges are not expected to result in benchmark or numeric effluent limit exceedances.

- My facility has not had any exceedances under the 2015 MSGP of any required benchmark(s) or numeric effluent limits. I comply with the applicable monitoring requirements and have not had any exceedances
- My facility has had exceedances of one or more benchmark(s) or numeric effluent limits under the 2015 MSGP, but I have addressed them during my coverage under the 2015 MSGP, or in my evaluation of controls to avoid adverse effects in (A) above. Describe all actions (including specific controls) that you will implement to ensure that the pollutants in your discharge(s) will not result in likely adverse effects from future exceedances.
- Check if your facility has had exceedances of one or more benchmarks or numeric effluent limits under the 2015 MSGP and you have not been able to address them to avoid adverse effects from future exceedances, or if you are a new discharger or a new source but you are not sure if you can avoid adverse effects from possible exceedances. You must check in Section VI that you are unable to make a determination of no likely adverse effects. You must submit your completed form to EPA for assistance in determining your eligibility for coverage. You may not file your NOI for permit coverage until you are able to make a determination that your discharges will avoid adverse effects on listed species and designated critical habitat.

**Section VI. Verification of Preliminary Effects Determination**

Based on Steps I – V of this form, you must verify your preliminary determination of effects on listed species and designated critical habitat from your discharges and/or discharge-related activities:

- Following the applicable Steps in I – V above, I have provided information supporting a preliminary determination that my discharges and/or discharge-related activities are not likely to adversely affect listed species and designated critical habitats.
- Following the applicable Steps in I – V above, I am **not** able to provide information supporting a preliminary determination that my discharges and/or discharge-related activities are not likely to adversely affect listed species and designated critical habitats.

**I. Certification Information**

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 gathered and evaluated 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.

First Name, Middle, Last Name  Title  Signature:  E-mail:	<table border="1" style="border-collapse: collapse; width: 100%;"> <tr> <td style="width: 30%;">R</td><td style="width: 30%;">o</td><td style="width: 30%;">r</td><td style="width: 30%;">y</td><td style="width: 30%;">J</td> </tr> <tr> <td>R</td><td>e</td><td>s</td><td>p</td><td>i</td><td>c</td><td>i</td><td>a</td> </tr> <tr> <td>G</td><td>e</td><td>n</td><td>e</td><td>r</td><td>a</td><td>l</td><td>M</td><td>a</td><td>n</td><td>a</td><td>g</td><td>e</td><td>r</td> </tr> </table> _____ _____	R	o	r	y	J	R	e	s	p	i	c	i	a	G	e	n	e	r	a	l	M	a	n	a	g	e	r	Date: <table border="1" style="border-collapse: collapse; display: inline-table;"> <tr> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> </tr> </table>				
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## Section VII. Criterion C Eligibility Form Submission Instructions

Only if the applicable EPA Regional Office has granted you a waiver from electronic reporting, you must submit this completed form to EPA at [msqpesa@epa.gov](mailto:msqpesa@epa.gov), including any attachments and any additional information that demonstrates how you will avoid or eliminate adverse effects to listed threatened and endangered species or designated critical habitat (e.g., specific controls you will implement to avoid or eliminate adverse effects). **Any missing or incomplete information may result in a delay of your coverage under the permit.**

If you have made a preliminary determination that your discharges and/or discharge-related activities are not likely to adversely affect listed species and critical habitat, this form must be submitted a minimum of 30 days prior to submitting your NOI for permit coverage under criterion C. Please note that during either the 30-day Criterion C Eligibility Form review period prior to your NOI submission, or within 30 days after your NOI submission and before you have been authorized for permit coverage, EPA may advise you that additional information is needed, or that there are additional measures you must implement to avoid likely adverse effects.

If you are unable to make a preliminary determination that your discharges and/or discharge-related activities are not likely to adversely affect listed species and critical habitat, this worksheet must be submitted to EPA, but you may not file your NOI for permit coverage until you have received a determination from EPA that your discharges and/or discharge-related activities are not likely to adversely affect listed species and critical habitat.

### Attachment 1

Include a map and a written description of the action area of your facility, as required in Step 2 of Section E.4 of Appendix E. You may choose to include the map that is generated from the FWS' on-line mapping tool IPaC (the Information, Planning, and Consultation System) located at <http://ecos.fws.gov/ipac/>.

The written description of your action area that accompanies your action area map must explain your rationale for the extent of the action area drawn on your map. For example, your action area written description may look something like this:

*The action area for the (name of your facility)'s stormwater discharges extends downstream from the outfall(s) in (name of receiving waterbody) (# of meters/feet/kilometers/miles). The downstream limit of the action area reflects the approximate distance at which the discharge waters and any pollutants would be expected to cause potential adverse effects to listed species and/or critical habitat because (insert rationale). The action area does/does not extend to the (name of receiving waterbody)'s confluence with (name of confluence waterbody) because (insert rationale).*

Note that your action area written description will be highly site-specific, depending on the expected effects of your facility's discharges and discharge-related activities, receiving waterbody characteristics, etc.

### Attachment 2

List or attach the list(s) of species and critical habitat in your action area on this sheet, as required in Step 3 of Section E.4 of Appendix E. You must include a list for applicable listed NMFS and USFWS species and critical habitat. If there are listed species and/or critical habitat for only one Service, you must include a statement confirming there are no listed species and/or critical habitat for the other Service. For USFWS species, include the USFWS Official Species List full printout from your IPaC query (including the consultation code and event code at the top of the FWS printout). *Note: If your Official Species List from the USFWS indicated no species or critical habitat were present in your action area, include the consultation code and event code that can be found at the top of your Official Species List in your NOI basis statement. If an Official Species List was not available on IPaC, list the contact date, the ecological services field office and the name of the Service staff with whom you corresponded to identify the existence of any USFWS species or critical habitat present in your action area.*

### Paperwork Reduction Act Notice

This collection of information is approved by OMB under the Paperwork Reduction Act, 44 U.S.C. 3501 et seq. (OMB Control No. 2040-0004). Responses to this collection of information are mandatory (40 CFR 122.26). An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The public reporting and recordkeeping burden for this collection of information is estimated to range from 2.5 to 3 hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates and any suggested methods for minimizing respondent burden to the Regulatory Support Division Director, U.S. Environmental Protection Agency (2821T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

## **H. ACRONYMS AND ABBREVIATIONS**

## LIST OF ACRONYMS AND ABBREVIATIONS

AIM	Additional Implementation Measures
AST	Aboveground Storage Tank
BMP	Best Management Practice
BOD	Biochemical Oxygen Demand
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act
CFR	Code of Federal Regulations
CWA	Clean Water Act
DMR	Discharge Monitoring Report
ELG	Effluent Limitation Guidelines
EPA	U.S. Environmental Protection Agency
EQMR	Equipment Maintenance and Repair
ESA	Endangered Species Act
Guam EPA	Guam Environmental Protection Agency
IPaC	Information and Planning
mg/L	milligrams per liter
MS4	Municipal Separate Storm Sewer System
MSGP	Multi-Sector General Permit
NHPA	National Historic Preservation Act
NMFS	National Marine Fisheries Service
NOI	Notice of intent
NPDES	National Pollutant Discharge Elimination System
NRC	National Response Center
OWS	Oil/Water Separator
P2	Pollution Prevention
PAG	Port Authority of Guam
PAH	Polycyclic Aromatic Hydrocarbons
PCBs	polychlorinated biphenyls
SCM	Stormwater Control Measures
SIC	Standard Industrial Classification
SPCC	Spill Prevention, Control, and Countermeasure
SWPPP	Stormwater Pollution Prevention Plan
TMDL	Total Maximum Daily Load
USCG	U.S. Coast Guard
USFWS	U.S. Fish and Wildlife Service
USGS	United States Geological Survey