

Does Your Site Require a Permit?

An industrial facility is required to obtain NPDES industrial stormwater permit coverage for stormwater discharge if it meets the following three (3) criteria:

1. The industrial facility discharges stormwater from a point source to surface waters or to a conveyance system that discharges to waters of the United States;
2. The facility's industrial activities are listed among the 11 categories of industrial activities identified in federal regulations 40 CFR 122.26(b)(14) or the facility's Standard Industrial Classification (SIC) code is identified as an applicable industrial sector or sub sector; and
3. The industrial facility does not qualify for the "no exposure" exclusion under federal regulations 40 CFR 122.26(g).

Within the 11 categories of industrial activities, 40 industrial sectors require NPDES permit coverage. These sectors are defined by either the facility's SIC code or a general description of the facility's industrial activities.

However, a site may meet the conditions of a "no exposure" exclusion. "No exposure" is defined by the Environmental Protection Agency (EPA) as occurring when "... all industrial materials and activities are protected by a storm resistant shelter to prevent exposure to rain, snow, snowmelt, and/or runoff. 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." An industrial facility can apply for a "no exposure" certification and be excluded from the requirement to obtain an NPDES industrial stormwater discharge permit.

Failure to comply with the requirements of an NPDES industrial stormwater permit constitutes a violation of the Clean Water Act.

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Other professional services provided by BB&A Environmental include the following:

- Hazardous Waste and Solid Waste Investigations
- Waste Characterizations
- Environmental Site Assessments (ESA)
- Underground Storage Tank (UST) Investigations and Risk-Based Assessments
- Water Resource Evaluations
- Remediation Design and Engineering
- Environmental Compliance

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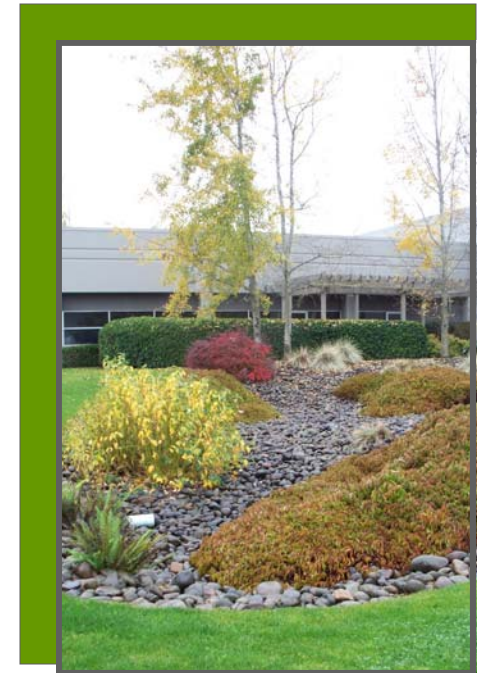
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Industrial Stormwater Discharge Permitting and Management



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National Pollution Discharge Elimination System (NPDES) Industrial Stormwater Discharge Permit

New Stormwater Permits

The Oregon Department of Environmental Quality (DEQ) has issued revisions to the National Pollution Elimination System (NPDES) Industrial Stormwater Permits 1200-Z (effective July 1, 2012—June 30, 2017), 1200-ZN (new facility not previously permitted) (effective October 1, 2011—September 30, 2016), and 1200-COLS (Columbia Slough) (effective October 1, 2011—September 30, 2016).

New Lower Benchmarks

For some parameters, statewide benchmarks and reference concentrations for impairment pollutants have become significantly more stringent. For example, the benchmark for total zinc has been reduced from 0.6 mg/l to 0.12 mg/l. The new permits also include 26 sector specific monitoring requirements which, in addition to statewide benchmarks, include additional parameters and corresponding benchmarks.

Additional Sampling Requirements

All permits now require sampling for cadmium, chromium, and nickel during the first two (2) years of the permit coverage; however, no benchmarks have been established for these parameters. Selected facilities (e.g., scrap and waste materials), based upon SIC classifications, will also be required to sample for the presence of mercury and polychlorinated biphenyls (PCBs) during the first year of the permit coverage. Facilities discharging to impaired waters (determined by the DEQ) must meet additional requirements.

New Corrective Actions

New corrective action requirements for impairment pollutants and benchmark exceedances have been classified as Tier I and II.

Tier I Corrective Actions (Most Facilities)

Tier I corrective actions must be implemented when statewide and/or sector specific benchmarks have

New Corrective Actions (Cont.)

been exceeded. The permit registrant must investigate within 30 days the cause of the exceedance, review and, as necessary, revise the Stormwater Pollution Control Plan (SWPCP) for the site to include implementation of control measures. Results of the investigation and review, and the corrective actions implemented, must be summarized in a Tier I report to be submitted to the DEQ upon request. The corrective actions must be implemented before the next storm event or as soon as practicable.

Tier II Corrective Actions for Facilities Exceeding Benchmark Compliance for Permits Expiring June 2012

For facilities which failed to meet 4th year benchmark compliance evaluation for the permit expiring June 2012, the permit registrant must install and implement stormwater treatment measures no later than two (2) years after obtaining new permit coverage. Treatment measures must be designed and certified by a licensed Professional Engineer (PE) or Certified Engineering Geologist (CEG).

Tier II Corrective Actions Based Upon 2nd Year Geometric Mean Benchmark Evaluation

Permit registrants must evaluate the sampling results from the 2nd year of the permit coverage to determine if the geometric mean of the sample results exceeds any statewide or sector specific benchmarks and report this evaluation to the DEQ in the annual Discharge Monitoring Report (DMR). If the geometric mean exceeds benchmarks, the permit registrant must retain a licensed Professional Engineer (PE) or Certified Engineering Geologist (CEG) to revise the SWPCP to include a combination of source control and/or treatment measures. The revised SWPCP must be submitted to the DEQ by December 31st of the 3rd year of the permit coverage. Implementation of source control and/or treatment measures must be implemented by June 30th of the 4th year of permit coverage.

Professional Services Provided by BB&A Environmental

The professional staff of BB&A can assist clients with all requirements of the new NPDES 1200-Z, 1200-ZN, and 1200-COLS industrial stormwater discharge permits, including the following:

- ◆ Preparation of “No Exposure” Certification Application Forms (if applicable for the site)
- ◆ Preparation of Renewal Application Including Updated Stormwater Pollution Control Plan (SWPCP) and Plan Checklist Including:
 - ◆ Preparation of a site drainage map identifying
 - Drainage areas for each stormwater outfall
 - Impervious areas (e.g., buildings and pavement)
 - Areas used for outdoor manufacturing, treatment, storage, or disposal of significant materials and/or hazardous wastes
 - Existing structural control measures for reducing pollutants in stormwater runoff
 - Material loading and access areas
 - Wells (e.g., waste injection wells, seepage pits, and drywells) and springs, wetlands, and other surface water bodies both on-site and adjacent to the site
 - ◆ Site inspection and identification of appropriate site controls to eliminate or minimize exposure of pollutants to stormwater
 - Stormwater best management practices (BMPs)
 - Spill prevention and response procedures and/or preparation of a Spill Prevention Control and Countermeasure (SPCC) Plan
 - Schedule of implementation of preventative maintenance
 - Program of employee education
- ◆ Implementation of Provisions of the SWPCP including:
 - ◆ Stormwater monitoring including sample collection and laboratory analysis
 - ◆ Interpretation of sample results relative to permit benchmarks
 - ◆ Preparation of Tier I Corrective Action Reports and SWPCP revisions to address permit benchmark exceedance
 - ◆ Preparation of Tier II Benchmark Exceedance Reports as required
 - ◆ Preparation and submittal of annual Discharge Monitoring Reports (DMR) including calculation of geometric mean to demonstrate compliance with permit benchmarks (2nd year of permit coverage)
 - ◆ Preparation of request for sampling waiver when stormwater monitoring demonstrates four (4) consecutive intervals of benchmark compliance
- ◆ Evaluation of Stormwater Source Control and/or Treatment Technologies (if required for the site)
 - ◆ Identification and assessment of source control and/or treatment measures to reduce stormwater pollutants
 - ◆ Review and recommendation of treatment alternatives (e.g., filtration, separation, detention, bioretention) on the basis of effectiveness and cost
 - ◆ Provide Professional Engineering (PE) certification
 - ◆ Negotiation with regulators for reasonable and phased source control and/or treatment alternatives and schedule of implementation