STATE OF WEST VIRGINIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WATER AND WASTE MANAGMENT
601 57th STREET SE
CHARLESTON, WV 25304

WEST VIRGINIA/NATIONAL POLLUTANANT DISCHARGE ELIMINATION SYSTEM
MULTI-SECTOR GENERAL WATER POLLUTION CONTROL PERMIT

Permit No. WV0111457

Issue Date: March 3, 2014
Effective Date: April 2, 2014
Expiration Date: February 28, 2019

Supersedes WV/NPDES General Water Pollution Control Permit WV0111457 Issued April 1, 2009

Subject: Stormwater Associated With Industrial Activity

This is to certify that any establishment with discharges composed entirely of stormwater associated with industrial activity, and who has satisfied the registration requirements, and agreeing to be regulated under the terms of this general permit except for:

1. Stormwater discharges associated with industrial activity from facilities with existing effluent guideline limitations for stormwater, as listed herein.

   Cement Manufacturing (40 CFR 411)
   Feedlots (40 CFR 412)
   Fertilizer Manufacturing (40 CFR 418)
   Petroleum Refining (40 CFR 419)
   Phosphate Manufacturing (40 CFR 422)
   Steam Electric (40 CFR 423)
   Coal Mining (40 CFR 434)
   Mineral Mining and Processing (40 CFR 436)
   Ore Mining and Dressing (40 CFR 440)
   Asphalt Emulsion (40 CFR 443)
   Oil and Gas Extraction (SIC Major Group 13)

2. Stormwater discharges associated with the following activities.

Wood Preserving Facilities (SIC 2491)
Publicly Owned Treatment Works (SIC 33)
Landfills
Land Application Sites
Hazardous Waste Treatment, Storage or Disposal Facilities
Leather Tanning and Finishing (SIC 3111)
Water Transportation Facilities
Ship and Boat Building or Repairing (SIC 3731)
*Primary Metals

*Primary Metals facilities are eligible for coverage under this general permit, if the facility is providing pretreatment for the industrial wastes, in accordance with the regulations and is transferring the wastes to a POTW which has been granted the proper permit or authority to accept such wastes and the facility has a discharge composed entirely of stormwater.

3. Stormwater discharges associated with industrial activity from facilities with an existing individual NPDES permit which covers the stormwater discharges or which are issued a permit in accordance with Section B.1. of this permit.

4. Stormwater discharges associated with industrial activity that the Director has shown to be or may reasonably be expected to be contributing to a violation of a water quality standard.

5. Stormwater discharges associated with construction activities.

6. Registrations issued on or after September 1, 2013 are hereby granted coverage under this permit.

is hereby granted coverage under the General WV/NPDES Water Pollution Control Permit to allow stormwater discharges into the waters of the State.

This permit is subject to the following terms and conditions:

The information submitted on and with the Site Registration Application Form or any information presently incorporated in the permittee's previous WV/NPDES permits is hereby incorporated with like effect as if all such information was set forth herein, and other conditions set forth in Sections A, B, Appendix A and the site approval letter.

The validity of this permit is contingent upon the payment of the applicable annual permit fee, as required by Chapter 22, Article 11, Section 10 of the Code of West Virginia.

Continuation of this general permit

If this general permit is not reissued or replaced prior to the expiration date, it will be administratively continued in accordance with 47 CSR 10 and remain in force and effect. If you were authorized to discharge under this general permit prior to the expiration date, any discharges authorized under this permit will automatically remain covered by this general permit until the earliest of:

- Your authorization for coverage under a reissued general permit or a replacement of this general permit following your timely and appropriate submittal of a complete application requesting authorization to discharge under the new general permit and compliance with the requirements of the new permit; or
- Your submittal of notification that the facility has ceased operations; or
- Issuance or denial of an individual permit for the facility's discharge; or
- A formal permit decision by the Division of Water and Waste Management (DWWM) not to reissue this general permit, at which time DWWM will identify a reasonable time period of covered dischargers to seek coverage under an alternative general permit or individual permit. Coverage under this permit will cease at the end of this time period.

SECTION A

This portion of the General Permit identifies industrial activity eligible for coverage and associated monitoring requirements.

Sector A. Stormwater Discharges Associated With Industrial Activity From Timber Products Facilities

1. Discharges Covered Under this Sector. The requirements listed under this section shall apply to stormwater discharges from the following activities: establishments [generally classified under Standard Industrial Classification (SIC) Major Group 24] that are engaged in merchant sawmills, lath mills, shingle mills, cooperage stock mills, planing mills, and plywood and veneer mills engaged in producing lumber and wood basic materials; and establishments engaged manufacturing finished articles made entirely of wood or related materials, except for wood preserving facilities (SIC code 2491), wood kitchen cabinet manufacturers (SIC Code 2434), and timber cutting operations.

2. Monitoring Requirements

Table A-1
Monitoring Requirements for General Sawmills and Planing Mills Facilities

Pollutants of Concern	**Monitoring Cut-Off Concentration**	**Measurement Frequency**
Chemical Oxygen Demand	120.0 mg/l	1/6 Months
Total Suspended Solids	100 mg/l	1/6 Months
Total Recoverable Zinc	0.117 mg/l	1/6 Months
Biochemical Oxygen Demand	30 mg/l	1/6 Months
Iron, Total	1.0 mg/l	1/6 Months

Table A-2
Monitoring for Log Storage and Handling Facilities

Pollutants of Concern	Monitoring Cut-Off Concentration	Measurement Frequency
Total Suspended Solids	100 mg/l	1/6 Months

Table A-3
Monitoring Requirements for
Hardwood Dimensions and Flooring Mills; Special Products Sawmills, not elsewhere classified; Millwork, Veneer, Plywood and Structural Wood; Wood Containers; Wood Buildings and Mobile Homes; Reconstituted Wood Products; and Wood Products Facilities not elsewhere classified

Pollutants of Concern	Monitoring Cut-Off Concentration	Measurement Frequency
Chemical Oxygen Demand	120 mg/l	1/6 Months
Total Suspended Solids	100 mg/l	1/6 Months

Sector B. Stormwater Discharges Associated With Industrial Activity From Paper and Allied Products Manufacturing Facilities

1. Discharges Covered Under This Section. The requirements listed under this section shall apply to stormwater discharges from the following activities: facilities engaged in the manufacture of pulps from wood and other cellulose fibers and from rags; the manufacture of paper and paperboard into converted products, such as paper coated off the paper machine, paper bags, paper boxes and envelopes; and establishments primarily engaged in manufacturing bags of plastic film and sheet. These facilities are commonly identified by Standard Industrial Classification (SIC) Major Group 26.

2. Monitoring Requirements

Table B-1
Monitoring Requirements for Paper and Allied Products Mfg. Facilities

Pollutants of Concern	Monitoring Cut-Off Concentration	Measurement Frequency
Chemical Oxygen Demand	120 mg/l	1/6 Months

Sector C. Stormwater Discharges Associated With Industrial Activity From Chemical and Allied Products Manufacturing Facilities

1. Discharges Covered Under this Section. The requirements listed under this section shall apply to stormwater discharges associated with industrial activity from a facility engaged in manufacturing the following products and generally described by the SIC code shown:

a) Basic industrial inorganic chemicals (including SIC 281).

b) Plastic materials and synthetic resins, synthetic rubbers, and cellulosic and other human made fibers, except glass (including SIC 282).

c) Soap and other detergents and in producing glycerin from vegetable and animal fats and oils; specialty cleaning, polishing, and sanitation preparations; surface active preparations used as emulsifiers; wetting agents, and finishing agents, including sulfonated oils; and perfumes, cosmetics, and other toilet preparations (including SIC 284).

d) Paints (in paste and ready-mixed form); varnishes; lacquers; enamels and shellac; putties, wood fillers, and sealers; paint and varnish removers; paint brush cleaners; and allied paint products (including SIC 285).

e) Industrial organic chemicals (including SIC 286).

f) Nitrogenous and phosphatic basic fertilizers, mixed fertilizer, pesticides, and other agricultural chemicals (including SIC 287).

g) Industrial and household adhesives, glues, caulking compounds, sealants, and linoleum, tile, and rubber cements from vegetable, animal, or synthetic plastics materials; explosives; printing ink, including gravure ink, screen process ink, and lithographic; miscellaneous chemical preparations, such as fatty acids, essential oils, gelatin (except vegetable)., sizes, bluing, laundry sours, writing and stamp pad ink, industrial compounds, such as boiler and heat insulating compounds, and chemical supplies for foundries (including facilities with SIC 289).

h) Ink and paints, including china painting enamels, india ink, drawing ink, platinum paints or burnt wood or leather work, paints for china painting, artists' paints and artist's water colors (SIC 3952, limited to those listed).

2. Monitoring Requirements

Table C-1A
Agricultural Chemicals Monitoring Requirements

Pollutants of Concern	Monitoring Cut-Off Concentration	Measurement Frequency
Nitrate plus Nitrite Nitrogen	0.68 mg/l	1/6 Months
Total Recoverable Lead	0.0816 mg/l	1/6 Months
Total Recoverable Iron	1.0 mg/l	1/6 Months
Total Recoverable Zinc	0.117 mg/l	1/6 Months
Phosphorus	2.0 mg/l	1/6 Months

Table C-1B
Agricultural Chemicals Effluent Limits Based on Effluent Limitations Guidelines

Industrial Activity	Parameter	Effluent Limit	Monitoring Frequency
Discharges from phosphate manufacturing facilities (SIC 2874)	Fluoride	75.0 mg/l daily maximum 25.0 mg/l average monthly	1/year

Table C-2
Industrial Inorganic Chemicals Monitoring Requirements

Pollutants of Concern	Monitoring Cut-Off Concentration	Measurement Frequency
Total Rec. Aluminum	0.75 mg/l	1/6 Months
Total Recoverable Iron	1.0 mg/l	1/6 Months
Nitrate plus Nitrite Nitrogen	0.68 mg/l	1/6 Months

Table C-3
Soaps, Detergents, Cosmetics, and Perfumes Monitoring Requirements

Pollutants of Concern	Monitoring Cut-Off Concentration	Measurement Frequency
Nitrate plus Nitrite Nitrogen	0.68 mg/l	1/6 Months
Total Recoverable Zinc	0.117 mg/l	1/6 Months
Surfactants	Monitor Only	1/6 Months

Table C-4
Plastics, Synthetics, and Resins Monitoring Requirements

Pollutants of Concern	Monitoring Cut-Off Concentration	Measurement Frequency
Total Recoverable Zinc	0.117 mg/l	1/6 Months

Sector D. Stormwater Discharges Associated With Industrial Activity From Asphalt Paving and Roofing Materials and Lubricant Manufacturers

1. Discharges Covered Under This Section

a) The requirements listed under this section shall apply to stormwater discharges from facilities engaged in manufacturing asphalt paving and roofing materials, including those facilities commonly identified by Standard Industrial Classification (SIC) codes 2951 and 2952.
b) The requirements listed under this section shall apply to stormwater discharges from portable asphalt plant facilities (also commonly identified by SIC Code 2951).
c) The requirements listed under this section shall apply to stormwater discharges from facilities engaged in manufacturing lubricating oils and greases, including those facilities classified as SIC Code 2992.
d) Limitations on Coverage. The following stormwater discharges associated with industrial activity are not authorized by this section of the permit.
(1) Stormwater discharges from petroleum refining facilities, including those that manufacture asphalt or asphalt products and that are classified as SIC Code 2911.
(2) Stormwater discharges from oil recycling facilities, and
(3) Stormwater discharges associated with fats and oils rendering.

2. Monitoring Requirements

Table D-1A
Monitoring Requirements for Asphalt Paving and Roofing Materials Mfg. Facilities

Pollutants of Concern	Monitoring Cut-Off Concentration	Measurement Frequency
Total Suspended Solids	100 mg/l	1/6 Months
Chemical Oxygen Demand	120 mg/l	1/6 Months
Oil and Grease	15 mg/l	1/6 Months

Table D-2B
Asphalt Paving and Roofing Materials Mfg. Facilities Effluent Limits Based on Effluent Limitations Guidelines

Industrial Activity	Parameter	Effluent Limit	Monitoring Frequency
Discharges from asphalt emulsion facilities	TSS	23 mg/l max daily	1/year
		15 mg/l average monthly	
	pH	6.0 – 9.0 s.u.	
	Oil and Grease	15 mg/l max daily	
		10 mg/l average monthly	

Sector E. Stormwater Discharges Associated With Industrial Activity From Glass, Clay, Cement, Concrete, and Gypsum Product Manufacturing Facilities

1. Discharges Covered Under This Section. The requirements listed under this section shall apply to stormwater discharges from the following activities: manufacturing flat, pressed, or blown glass or glass containers, manufacturing hydraulic cement; manufacturing clay products including tile and brick; manufacturing of pottery and porcelain electrical supplies; manufacturing concrete products; manufacturing gypsum products; nonclay refractories; and grinding or otherwise treating minerals and earths. This section generally includes the following types of manufacturing operators: flat glass, (SIC Code 3211); glass containers, (SIC Code 3221); pressed and blown glass, not elsewhere classified, (SIC Code 3229); hydraulic cement, (SIC Code 3241); brick and structural clay tile, (SIC Code 3251); ceramic wall and floor tile, (SIC Code 3253); clay refractories, (SIC Code 3255); structural clay products not elsewhere classified (SIC Code 3259); vitreous china table and kitchen articles (SIC Code 3262); fine earthenware table and kitchen articles (SIC Code 3263); porcelain electrical supplies, (SIC Code 3264); pottery products, (SIC Code 3269); concrete block and brick, (SIC Code 3271); concrete products, except block and brick (SIC Code 3272); gypsum products, (SIC Code 3275); minerals and earths, ground or otherwise treated, (SIC Code 3295); mineral wool and mineral wool insulation products (SIC 3296). and nonclay refractories, (SIC Code 3297).

Facilities engaged in the following activities are not eligible for coverage under this section; lime manufacturing (SIC 3274); cut stone and stone products (SIC 3281); abrasive products (SIC 3291); asbestos products (SIC 3292).

2. Monitoring Requirements

Table E.1
Monitoring Requirements for Clay Product Manufacturers

Pollutants of Concern	Monitoring Cut-Off Concentration	Measurement Frequency
Total Rec. Aluminum	0.75 mg/l	1/6 Months
PH	6.0 to 9.0 s.u.	1/6 Months

Table E.2
Monitoring Requirements for Concrete and Gypsum Product Manufacturers

Pollutants of Concern	Monitoring Cut-Off Concentration	Measurement Frequency
Total Suspended Solids	100 mg/l	1/6 Months
Total Recoverable Iron	1 mg/l	1/6 Months
PH	6.0 to 9.0 s.u.	1/6 Months

Sector F. Stormwater Discharges Associated With Industrial Activity From Automobile Salvage Yards

1. Discharges Covered Under This Section

The requirements listed under this section shall apply to stormwater associated with industrial activity from facilities engaged in dismantling or wrecking used motor vehicles for parts recycling or resale and for scrap (SIC Code 5015).

2. Monitoring Requirements

Table F-1
Monitoring Requirements

Pollutants of Concern	Monitoring Cut-Off Concentration	Measurement Frequency
Total Suspended Solids	100 mg/l	1/6 Months
Total Rec. Aluminum	0.75 mg/l	1/6 Months
Total Recoverable Iron	1 mg/l	1/6 Months
Total Recoverable Lead	0.0816 mg/l	1/6 Months
Oil and Grease	15 mg/l	1/6 Months
Chemical Oxygen Demand	120 mg/l	1/6 Months

Sector G. Stormwater Discharges Associated With Industrial Activity From Scrap Recycling and Waste Recycling Facilities

1. Discharges Covered Under this Section. The requirements listed under this section are applicable to stormwater discharges from the following activities: facilities that are engaged in the processing, reclaiming and wholesale distribution of scrap and waste materials such as ferrous and nonferrous metals, paper, plastic, cardboard, glass, animal hides (these types of activities are typically identified as SIC Code 5093). Facilities that are engaged in reclaiming and recycling liquid wastes such as used oil, antifreeze, mineral spirits, and industrial solvents (also identified as SIC Code 5093) are also covered under this section.

2. Monitoring Requirements

Table G-1
Industry Monitoring Requirements for Scrap Recycling and Waste Recycling Facilities (non-source separated only)

Pollutants of Concern	Monitoring Cut-Off Concentration	Measurement Frequency
Chemical Oxygen Demand	120 mg/l	1/6 Months
Total Suspended Solids	100 mg/l	1/6 Months
Total Rec. Aluminum	0.75 mg/l	1/6 Months
Total Recoverable Copper	0.0636 mg/l	1/6 Months
Total Recoverable Iron	1 mg/l	1/6 Months
Total Recoverable Lead	0.0816 mg/l	1/6 Months
Total Recoverable Zinc	0.117 mg/l	1/6 Months
Oil and Grease	15 mg/l	1/6 Months

Sector H. Stormwater Discharges Associated With Industrial Activity From Vehicle Maintenance Areas, Equipment Cleaning Areas, or Deicing Areas Located at Air Transportation Facilities

1. Discharges Covered Under This Section. The requirements listed under this section shall apply to stormwater discharges from establishments and/or facilities including airports, air terminals, air carriers, flying fields, and establishments engaged in servicing or maintaining airports and/or aircraft (generally classified under SIC Code 45) which have vehicle maintenance shops, material handling facilities, equipment cleaning operations or airport and/or aircraft deicing/anti-icing operations. For the purpose of this permit, the term "deicing" is defined as the process to remove frost, snow, or ice and "anti-icing" is the process which prevents the accumulation of frost, snow, or ice.

2. Monitoring Requirements

Table H-1
Monitoring Requirements

Pollutants of Concern	Monitoring Cut-Off Concentration	Measurement Frequency
Biochemical Oxygen Demand	30 mg/l	1/6 Months
Chemical Oxygen Demand	120 mg/l	1/6 Months
Ammonia	4 mg/l	1/6 Months
pH	6.0 to 9 s.u.	1/6 Months
Oil and Grease	15 mg/l	1/6 Months
Total Suspended Solids	100 mg/l	1/6 Months

449.10 Effluent limitations representing the best available technology economically achievable (BAT).

Except as provided in 40 CFR 125.30 through 125.32 any existing point source with at least 1,000 annual non – propeller aircraft departures must comply with the following requirements representing the degree of effluent reduction attainable by the application of BAT. The BAT requirements for point sources with less that 1,000 annual non – propeller aircraft departures are beyond the scope of this regulation and shall be determined by the permit authority on a site- specific basis.

(a) Airfield pavement deicing. There shall be no discharge or airfield pavement deicers containing urea. To comply with this limitation, any existing point source must certify annually that it does not use airfield deicing products that contain urea or alternatively, airfield pavement discharges at every discharge point must achieve the numeric limitations for ammonia in Table I, prior to any dilution or commingling with any non – deicing discharge.

Table I – BAT Limitations

Wastestream	Pollutant	Daily Maximum
Airfield Pavement Deicing	Ammonia as Nitrogen	14.7 mg/l

449.11 New source Performance standards (NSPS).

New sources with at least 1,000 annual non – propeller aircraft departures must achieve the following new source performance standards. The new source performance standards for point sources with less than 1,000 annual non – propeller aircraft departures are beyond the

scope of this part and shall be determined by the permit authority on a site – specific basis.

(a) Aircraft deicing. Except for new airports located in Alaska, all new sources located in an area that, at the time of construction, had more than 3,000 annual heating degree days, and are estimated, within five years of commencing operations, to exceed 10,000 annual departures. New source performance standards that apply prior to that date, new source performance standards for sources that project they will not exceed 10,000 annual departures within five years of commencing operations, and new source performance standards for airports in Alaska, are beyond the scope of this regulation and shall be determined by the permit authority on a site – specific basis.

(1) Collection requirement. The new source must collect at least 60 percent of available ADF.
(2) Numerical effluent limitation. The new source must achieve the performance standards in Table II for available ADF collected pursuant to paragraph (a)(1) of this section. The limitation must be met the location where the effluent leaves the onsite treatment system utilized for meeting these requirements and before commingling with any non – deicing discharge.

Table II – NSPS

Wastestream	Pollutant	Daily Maximum	Weekly average
Aircraft Deicing	Chemical Oxygen Demand	271 mg/l	154 mg/l

(b) Airfield pavement deicing. There shall be no discharge of airfield pavement deicers containing urea. To comply with this limitation, any new source must certify annually that it does not use airfield deicing products that contain urea or alternatively, airfield pavement discharges at every discharge point must achieve the numeric limitations for ammonia in Table III, prior to any dilution or commingling with any non – deicing discharge.

Table III NSPS

Wastestream	Pollutant	Daily Maximum
Airfield Pavement Deicing	Ammonia as Nitrogen	14.7 mg/l

Sector I. Stormwater Discharges Associated With Industrial Activity From Motor Freight Transportation Facilities, Passenger Transportation Facilities, Petroleum Bulk Oil Stations and Terminals, Rail Transportation Facilities, and United States Postal Service Transportation Facilities

1. Discharges Covered Under This Section. Stormwater discharges from ground transportation facilities and rail transportation facilities (generally identified by SIC Codes 40, 41, 42, 43, and 5171), that have vehicle and equipment maintenance shops vehicle and

equipment rehabilitation, mechanical repairs, painting, fueling and lubrication) and/or equipment cleaning operations are eligible for coverage under this section.

Table I-1
Monitoring Requirements for Motor Freight Transportation Facilities, Passenger Transportation Facilities, Petroleum Bulk Oil Stations and Terminals, Rail Transportation Facilities and United States Postal Transportation Facilities.

Table I-1
Monitoring Requirements

Pollutants of Concern	Monitoring Cut-Off Concentration	Measurement Frequency
Total Suspended Solids	100 mg/l	1/6 Months
Chemical Oxygen Demand	120 mg/l	1/6 Months
Oil and Grease	15 mg/l	1/6 Months

Sector J. Stormwater Discharges Associated With Industrial Activity From Food and Kindred Products Facilities

1. Discharges Covered Under This Section. This section covers all stormwater discharges from food and kindred products processing facilities (commonly identified by SIC Code 20), including: meat products; dairy products; canned, frozen and preserved fruits, vegetables, and food specialties; grain mill products; bakery products; sugar and confectionery products; fats and oils; beverages; and miscellaneous food preparations and kindred products and tobacco products manufacturing (SIC Code 21), where industrial plant yards; material handling sites; refuse sites; sites used for application or disposal of process wastewater; sites used for storage, or disposal; shipping and receiving areas; manufacturing buildings; and storage areas for raw material and intermediate and finished products are exposed to stormwater and areas where industrial activity has taken place in the past and significant materials remain. For the purpose of this paragraph, material handling activities include the storage, loading, and unloading, transportation, or conveyance of any raw material, intermediate product, finished product, by-product or waste product.

2. Monitoring Requirements

Table J-1
Grain Mill Products

Pollutants of Concern	Monitoring Cut-Off Concentration	Measurement Frequency
Total Suspended Solids	100 mg/l	1/6 Months

Table J-2

Fats and Oils Products Monitoring Requirements

Pollutants of Concern	Monitoring Cut-Off Concentration	Measurement Frequency
Biochemical Oxygen Demand	30 mg/l	1/6 Months
Chemical Oxygen Demand	120 mg/l	1/6 Months
Nitrate Plus Nitrite Nitrogen	0.68 mg/l	1/6 Months
Total Suspended Solids	100 mg/l	1/6 Months

Sector K. Stormwater Discharges Associated With Industrial Activity From Textile Mills, Apparel, and Other Fabric Product Manufacturing Facilities

1. Discharges Covered Under This Section. The requirements listed under this section shall apply to stormwater discharges from the following activities: textile mill products, of and regarding facilities and establishments engaged in the preparation of fiber and subsequent manufacturing of yarn, thread, braids, twine, and cordage, the manufacturing of broad woven fabrics, narrow woven fabrics, knit fabrics, and carpets and rugs from yarn; processes involved in the dyeing and finishing of fibers, yarn fabrics, and knit apparel; the integrated manufacturing of knit apparel and other finished articles of yarn; the manufacturing of felt goods (wool), lace goods, nonwoven fabrics, miscellaneous textiles, and other apparel products (generally described by SIC Code 22 and 23).

2. Monitoring Requirements. There are no chemical analysis to be performed for this industry sector.

Sector L. Stormwater Discharges Associated With Industrial Activity From Wood and Metal Furniture and Fixture Manufacturing Facilities

1. Discharges Covered Under This Section. The requirements listed under this section shall apply to stormwater discharges associated with industrial activities from facilities involved in the manufacturing of: wood kitchen cabinets(generally described by SIC Code 2434); household furniture (generally described by SIC Code 251); office furniture (generally described by SIC Code 252); public buildings and related furniture (generally described by SIC Code 253); partitions, shelving, lockers, and office and store fixtures (generally described by SIC Code 254); and miscellaneous furniture and fixtures (generally described by SIC Code 259) If waste wood products are exposed to stormwater.

2. Monitoring Requirements.

Table L-1
Monitoring Requirements for furniture and cabinet manufactures

Pollutants of Concern	Monitoring Cut-Off Concentration	Measurement Frequency
Total Suspended Solids	100 mg/l	1/6 Months
Chemical Oxygen Demand	120 mg/l	1/6 Months

Sector M. Stormwater Discharges Associated With Industrial Activity From Printing and Plate making Facilities

1. Discharges Covered Under This Section. The requirements listed under this section shall apply to stormwater discharges associated with industrial activity from the following types of facilities: book printing (SIC Code 2732); commercial printing, lithographic (SIC Code 2752); commercial printing, gravure (SIC Code 2754); commercial printing, not elsewhere classified (SIC Code 2759); and platemaking and related services (SIC Code 2796).

2. Monitoring Requirements. There are no chemical analysis to be performed for this industry sector.

Sector N. Stormwater Discharges Associated With Industrial Activity From Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries

1. Discharges Covered Under This Section. The requirements listed under this section shall apply to all stormwater discharges associated with industrial activity from rubber and miscellaneous plastic products manufacturing facilities (SIC major group 30) and miscellaneous manufacturing industries, except jewelry, silverware, and plated ware (SIC major group 39, except 391).

2. Monitoring Requirements

Table N-1
Monitoring Requirements

Pollutants of Concern	Monitoring Cut-Off Concentration	Measurement Frequency
Total Recoverable Zinc	0.117 mg/l	1/6 Months

Sector O. Stormwater Discharges Associated With Industrial Activity From Fabricated Metal Products Industry

1. Discharges Covered Under This Section. The requirements listed under this section shall apply to stormwater discharges associated with industrial activity from the fabricated metals industry listed below, except for electrical related industries: fabricated metal products, except machinery & transportation equipment, SIC 34 (3429, 3441, 3442, 3443, 3444, 3451, 3452, 3462, 3471, 3479, 3494, 3496, 3499); and jewelry, silverware, and plated ware (SIC Code 391).

2. Monitoring Requirements

Table O-1
Monitoring Requirements for Fabricated Metal Products Except Coating

Pollutants of Concern	Monitoring Cut-Off Concentration	Measurement Frequency
Total Rec. Aluminum	0.75 mg/l	1/6 Months
Total Recoverable Iron	1 mg/l	1/6 Months
Total Recoverable Zinc	0.117 mg/l	1/6 Months
Nitrate plus Nitrite Nitrogen	0.68 mg/l	1/6 Months

Table O-2
Monitoring Requirements for Fabricated Metal Coating and Engraving

Pollutants of Concern	Monitoring Cut-Off Concentration	Measurement Frequency
Total Recoverable Zinc	0.117 mg/l	1/6 Months
Nitrate plus Nitrite Nitrogen	0.68 mg/l	1/6 Months

Sector P. Stormwater Discharges Associated With Industrial Activity From Facilities That Manufacture Transportation Equipment, Industrial, or Commercial Machinery

1. Discharges Covered Under This Section. The requirements listed under this section shall apply to stormwater discharges associated with transportation equipment, industrial or commercial machinery manufacturing facilities (commonly described by SIC Major Group 35 except SIC 357. And SIC Major Group 37, except SIC 373). Common activities include: industrial plant yards; material handling sites; refuse sites, sites used for application or disposal of process wastewater; sites used for storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas for raw material and intermediate and finished products; and area where industrial activity has taken place in the past and significant materials remain and are exposed to stormwater.

2. Monitoring Requirements.

Table P-1
Monitoring Requirements for Transportation Equipment, Industrial, or Commercial Machinery Manufacturing facilities.

Pollutants of Concern	Monitoring Cut-Off Concentration	Measurement Frequency
Total Suspended Solids	100 mg/l	1/6 Months
Oil and Grease	15 mg/l	1/6 Months
Chemical Oxygen Demand	120 mg/l	1/6 Months

Sector Q. Stormwater Discharges Associated With Industrial Activity From Facilities That Manufacture Electronic and Electrical Equipment and Components, Photographic and Optical Goods

1. Discharges Covered Under This Section. The requirements listed under this section shall apply to all stormwater discharges associated with industrial activity from facilities that manufacture: electronic and other electrical equipment and components, except computer equipment (SIC major group 36); measuring, analyzing, and controlling instruments; photographic, medical and optical goods; watches and clocks (SIC Major Group 38) and computer and office equipment (SIC Code 357).

2. Monitoring Requirements. There are no chemical analysis to be performed for this industry sector.

Sector R. Stormwater Discharges Associated With Industrial Activity From Primary Metals Facilities

1. Discharges Covered Under This Section. The requirements listed under this section shall apply to all stormwater discharges from the primary industry, which includes the following types of facilities:

a) Steel works, blast furnaces, and rolling and finishing mills including: steel wiredrawing and steel nails and spikes, cold-rolled steel sheet, strip, and bars; and steel pipes and tubes (SIC code 331).
b) Iron and steel foundries, including: gray and ductile iron, malleable iron, steel investment, and steel foundries not elsewhere classified (SIC code 332).
c) Primary smelting and refining of nonferrous metals, including; primary smelting and refining of copper, and primary production of aluminum (SIC code 333).
d) Secondary smelting and refining of nonferrous metals (SIC code 334).
e) Rolling, drawing, and extruding of nonferrous metals, including: rolling, drawing, and extruding of copper; rolling, drawing, and extruding of nonferrous metals, except copper and aluminum; and drawing and insulating of nonferrous wire (SIC code 335).
f) Nonferrous foundries (Castings, including: aluminum die-castings, nonferrous die-castings, except aluminum, aluminum foundries, and nonferrous foundries, except copper and aluminum (SIC code 336).
g) Miscellaneous primary metal products, not elsewhere classified, including: metal heat treating, and primary metal products, not elsewhere classified (SIC code 339).

Activities covered include, but are not limited to, stormwater discharges associated with coking operations, sintering plants, blast furnaces, smelting operations, rolling mills, casting operations, heat treating, extruding, drawing, or forging of all types of ferrous and nonferrous metals.

2. Monitoring Requirements.

Table R-1
Steel Works, Blast Furnaces, and Rolling and Finishing Mills (SIC 331)
Monitoring Requirements

Pollutants of Concern	Monitoring Cut-Off Concentration	Measurement Frequency
Total Rec. Aluminum	0.75 mg/l	1/6 Months
Total Recoverable Zinc	0.117 mg/l	1/6 Months

Table R-2
Iron and Steel Foundries (SIC 332) Monitoring Requirements

Pollutants of Concern	Monitoring Cut-Off Concentration	Measurement Frequency
Total Rec. Aluminum	0.75 mg/l	1/6 Months
Total Suspended Solids	100 mg/l	1/6 Months
Total Recoverable Copper	0.0636 mg/l	1/6 Months
Total Recoverable Iron	1 mg/l	1/6 Months
Total Recoverable Zinc	0.117 mg/l	1/6 Months
Oil and Grease	15 mg/l	1/6 Months
Lead, Total	0.0816 mg/l	1/6 Months

Table R-3
Rolling, Drawing, and Extruding of Non-Ferrous Metals (SIC 335) Monitoring Requirements

Pollutants of Concern	Monitoring Cut-Off Concentration	Measurement Frequency
Total Recoverable Copper	0.0636 mg/l	1/6 Months
Total Recoverable Zinc	0.117 mg/l	1/6 Months

Table R-4
Non-Ferrous Foundries (SIC 336) Monitoring Requirements

Pollutants of Concern	Monitoring Cut-Off Concentration	Measurement Frequencey
Total Recoverable Copper	0.0636 mg/l	1/6 months
Total Recoverable Zinc	0.117 mg/l	1/6 months
Oil and Grease	15 mg/l	1/6 months
Lead, Total	0.0816 mg/l	1/6 months

Sector S. Stormwater Discharges Associated With Industrial Activity From Facilities engaged in Motorsports including Motorcycles, All Terrain Vehicles and Automobiles

1. Discharges Covered Under this Section Stormwater discharges from Motorsport complexes that involve the racing of Motorcycles, All Terrain Vehicles, Automobiles or other motorized vehicle (generally identified by SIC Code 7948).

Automobile, Motorcycle, ATV and other Motorsports Complexes

Pollutants of Concern	Monitoring Cut-Off Concentration	Measurement Frequency
Oil and Grease	15 mg/l	1/6 Months
Total Suspend Solids	100 mg/l	1/6 Months

Sector T. Stormwater Discharges Associated With Industrial Activity From Facilities engaged in the Mining of Shale for NON MANUFACTURING PURPOSES.

1. Discharges Covered Under This Section. Stormwater discharges from facilities engaged in the mining of shale for NON MANUFACTUIRNG PURPOSES ONLY (generally identified by SIC Code 1459)

2. Monitoring Requirements

Table T-1
Monitoring Requirements

Pollutants of Concern	Monitoring Cut-Off Concentration	Measurement Frequency
Total Suspended Solids	100 mg/l	1/6 Months
Total Iron	1.0 mg/l	1/6 Months

Sector U. Stormwater Discharges Associated With Industrial Activity From Facilities engaged in the Storage of Salt (Less than 50,000 tons only)

1. Discharges Covered Under This Section. Stormwater discharges from facilities engaged in the storage of salt (generally identified by SIC Code 5169)

2. Monitoring Requirements

Table U-1
Monitoring Requirements

Pollutants of Concern	Monitoring Cut-Off Concentration	Measurement Frequency
Total Suspended Solids	100mg/l	1/6 Months
Chloride	860mg/l	1/6 Months
Cyanide	Monitor Only	1/6 Months
Total Iron	1.0mg/l	1/6 Months

The Following special conditions apply to Sector U.

Salt piles must be covered at all times by an impervious cover. The only time this cover may be removed is when product is being added or removed. All salt must be entirely stored on an impervious pad. All ponds and diversion ditches must have an impervious liner with a minimum imperviousness of 10 to the negative 7.

Sector V. Stormwater Discharges Associated With Industrial Activity From Facilities engaged in the transloading of Ammonia Nitrate.

1. Discharges Covered Under This Section. Stormwater discharges from facilities engaged in the transloading of ammonia nitrate between trucks, barges, and rail cars. (generally identified by SIC Code 5169)

2. Monitoring Requirements

Table V-1
Monitoring Requirements

Pollutants of Concern	Monitoring Cut-Off Concentration	Measurement Frequency
Total Suspended Solids	100 mg/l	1/6 Months
Ammonia Nitrogen	4 mg/l	1/6 Months
Nitrite Plus Nitrate Nitrogen	0.68 mg/l	1/6 Months
Oil and Grease	15 mg/l	1/6 Months
pH	6.0-9.0 s.u.	1/6 Months

Sector W. Stormwater Discharges Associated With Industrial Activity From Facilities That Are Not Covered Under Sectors A Thru V.

1. Discharges Covered Under This Section. The requirements listed under this section shall apply to stormwater discharges associated with industrial activity from those facilities that are not covered for such discharges under Sectors A thru V. It is the intent of the Division that this sector include those stormwater discharges which Stormwater are not covered under Sectors A thru V as well as those facilities which had no previous stormwater permit that are applying for the first time and will not be covered under Sectors A thru V.

2. Monitoring Requirements

Table W-1
Monitoring Requirements

Pollutants of Concern	Monitoring Cut-Off Concentration	Measurement Frequency
Biochemical Oxygen Demand	30 mg/l	1/6 Months
Chemical Oxygen Demand	120 mg/l	1/6 Months
Total Suspended Solids	100 mg/l	1/6 Months
Ammonia Nitrogen	4 mg/l	1/6 Months
Oil and Grease	15 mg/l	1/6 Months
pH	6.0-9.0 s.u.	1/6 Months

SECTION B. OTHER REQUIREMENTS

1. Requiring an individual permit.

The Director may require any person authorized by this permit to apply for and obtain an individual NPDES permit. Any interested person may petition the Director to take action under this paragraph. The Director may require any owner or operator authorized to discharge under this permit to apply for an individual NPDES permit only if the owner or operator has been notified in writing that a permit application is required. This notice shall include a brief statement of the reasons for this decision, an application form, a statement setting a deadline for the owner or operator to file the application, and a statement that on the effective date of the individual NPDES permit, coverage under this general permit shall automatically terminate. The Director may grant additional time to submit the application upon request of the applicant. If an owner or operator fails to submit in a timely manner an individual NPDES permit application required by the Director under this paragraph, then the applicability of this permit to the individual NPDES permittee is automatically terminated at the end of the day specified for application submittal.

2. Prohibition on non-stormwater discharges.

All discharges covered by this permit shall be composed entirely of stormwater except for the following listed below.

The following non – stormwater discharges that are mixed with stormwater are allowed.

1. Mist discharges which originate from cooling towers and which are deposited at an industrial facility.

Mist discharges must meet the following requirements: 1. The permittee has evaluated the potential for the discharges to be contaminated by chemicals used in the cooling tower and determined that the levels of such chemicals in the discharges would not cause or contribute to a violation of an applicable water quality standard and 2. The permittee has addressed this source of pollutants with appropriate best management practices (BMPs) in the Stormwater Pollution Prevention Plan (SWPPP).

2. Discharges from fire fighting activities
3. Fire hydrant flushings
4. Potable water sources including waterline flushings
5. Irrigation drainage
6. Lawn watering
7. Routine external building washdown without detergents
8. Pavement washwaters where spills or leaks of toxic or hazardous materials have not occurred and where detergents are not used
9. Uncontaminated Air conditioning condensate
10. Uncontaminated Compressor condensate
11. Uncontaminated ground water or spring water and foundation and footing drains where flows are not contaminated with process materials

These other sources of non – stormwater must be identified in the facility's SWPPP.

3. Releases in excess of Reportable Quantities.

This permit does not relieve the permittee of the reporting requirements of 40 CFR 117 and 40 CFR 302. The discharge of hazardous substances in the stormwater discharge(s) from a facility shall be minimized in accordance with the applicable stormwater pollution prevention plan for the facility, and in no case, during any 24-hour period, shall the discharge(s) contain a hazardous substance equal to or in excess of reporting quantities.

4. Low Concentration Waiver.

When the average concentration for a pollutant calculated from all monitoring data, with a minimum of four(4) consecutive samples, is less than the corresponding listed cut-off concentration for that pollutant, additional monitoring for that pollutant in Section A, is not required. The facility must submit each year, to the Division of Water and Waste Management in lieu of the monitoring data, a certification (form provided) that there has not been a significant change in the industrial activity or the pollution prevention measures in the area of facility that drains to the outlet for which sampling was waived.

The waiver is valid only for the term of the facilities current registration. If a facility would like to continue its waiver after this date it must reapply at the time of reissuance. The sampling required for a waiver extension consists of one(1) sample of each pollutant. If the sample is less than the corresponding listed cut-off concentration, then the waiver may be extended for the term of the facilities next registration.

5. Natural Background Pollutant Levels

Following the first two semi-annual benchmark monitoring, if the average concentration of a pollutant exceeds a benchmark value, and the permittee determines that exceedence of the benchmark is attributable solely to the presence of that pollutant in the natural background, the permittee is not required to perform corrective action or additional benchmark monitoring provided that:

- The average concentration of your benchmark monitoring results is less than or equal to the concentration of that pollutant in the natural background;
- The permittee documents and maintains with the SWPPP the supporting rationale for concluding that benchmark exceedences 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; and
- The permittee notifies the DWWM on its final (second) semi-annual benchmark monitoring report that the benchmark exceedences are attributable solely to natural background pollutant levels.

Natural background pollutants include those substances that are naturally occurring in soils or groundwater. Natural background pollutants do not include legacy pollutants from earlier activity at the facility, or pollutants in run-on from neighboring sources which are not naturally occurring.

6. Benchmark Monitoring

Most monitoring in this permit is benchmark monitoring. The "benchmarks" are the pollutant concentrations above which the DWWM determined represents a level of concern. The level of concern is a concentration at which a stormwater discharge could potentially impair, or contribute to impairing water quality or affect human health from ingestion of water or fish. The benchmarks are also viewed by the DWWM as a level, that if below, a facility represents little potential for water quality concern. As such, the benchmarks also provide an appropriate level to determine whether a facility's stormwater pollution prevention measures are successfully implemented. The benchmark concentrations are not effluent limitations and should not be interpreted or construed as such. These values are merely levels which the DWWM is using to determine if a stormwater discharge from any given facility merits further monitoring to insure that the facility has been successful in implementing a stormwater pollution prevention plan. As such, these levels represent a target concentration for a facility to achieve through implementation of pollution prevention measures at the facility.

7. Effluent Limit Monitoring

For Sector H, Stormwater Discharges associated with Industrial Activity from Vehicle Maintenance Areas, Equipment Cleaning Areas, or Deicing Areas Located at Air Transportation Facilities, there is an effluent limitation that applies to both existing sources and new sources. For existing sources, there shall be no discharge of urea from airfield pavement, which can either be met by certifying that non – urea containing deicing products are being used, or by meeting with the effluent limit of 14.7 mg/l Ammonia as Nitrogen before the discharge co – mingles with non – deicing discharges. For new sources, not only does the no discharge of urea from airfield pavement deicing apply, along with the applicable effluent limit listed above, but all new sources must also collect 60% airplane deicing fluid that is used in the deicing and anit – icing of airplanes prior to take – off. New sources must also meet an effluent limit of 271 mg/l daily maximum and 154 mg/l weekly for COD where the airplane deicing fluid leaves the site and prior to where it comingles with non-deicing discharges.

8. Stormwater Pollution Prevention Plan practice review

Permittee shall review its stormwater pollution prevention practices each year and revise the plan (required in Section B-11), if this average concentration for any indicator pollutant in the previous year's sampling was greater than the corresponding cut-off value for that pollutant. This plan must be revised within thirty (30) days of finding the previous year's sampling results being over the cut-off value.

9. Alternative Certification

A discharge is not subject to the monitoring requirements of Section "A" provided the discharger makes a certification (form provided) for a given outlet, or on a pollutant-by-pollutant basis in lieu of monitoring reports, under penalty of law, signed in accordance with Signatory Requirements as specified in the Appendix; that material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, industrial, machinery or operations, or significant materials from past industrial activity, that are located in areas of the facility within the drainage area of the outlet are not presently exposed to stormwater and are not expected to be exposed to stormwater for the certification period.

10. No Exposure Certification

A facility that has a SIC code listed in section A requiring them to be covered under this permit is exempt from permitting requirements if they meet the following requirements consistent with the Code of Federal Regulations Section 122.26(g).

A condition of no exposure exists at an industrial facility when all industrial materials and activities are protected by a storm resistant shelter to prevent exposure to rain, snowmelt, and/or runoff. Industrial materials include, but are not limited to, material handling equipment or activities, industrial machinery, raw materials, intermediate products, by-products, final products, or waste products. Material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product or waste product. A storm resistant shelter is not required for the following industrial materials and activities:

-- drums, barrels, tanks, and similar containers that are tightly sealed, provided those containers are not deteriorated and do not leak. "Sealed" means banded or otherwise secured and without operational taps or valves;

-- adequately maintained vehicles used in material handling; and

-- final products, other than products that would be mobilized in stormwater discharges (e.g. rock salt).

A No Exposure Certification must be provided for each facility qualifying for the no exposure exclusion. In addition, the exclusion from NPDES permitting is available on a facility-wide basis only, not for individual outfalls. If any industrial activities or materials are or will be exposed to precipitation, the facility is not eligible for the no exposure exclusion. The certification must be submitted once every five years along with the required fee determined by the DWWM.

If circumstances change and industrial materials or activities become exposed to rain, snow, snow melt, and / or runoff. The conditions for this exclusion no longer apply. In such cases, the discharge becomes subject to enforcement as an un-permitted discharge. Any conditionally exempt discharger who anticipates changes in circumstances should apply for and obtain permit authorization prior to the change of circumstances.

Notwithstanding the provisions of this paragraph, the DWWM retains the authority to require permit authorization (and deny this exclusion) upon making a determination that the discharge causes, has a reasonable potential to cause, or contributes to an instream excursion above an applicable water quality standard including designated uses.

11. Representative Discharge.

When a facility has two or more outlets that, based on a consideration of industrial activity, significant materials, and management practices and activities within the area drained by the outlet, the permittee reasonably believes discharges substantially identical effluents, the permittee may test the effluent of one of such outlets and report that the quantitative data also applies to the substantially identical outlet(s) provided that the permittee includes in the storm water pollution prevention plan a description of the location of the outlets and explains in detail

why the outlets are expected to discharge substantially identical effluents. In addition, for each outlet that the permittee believes is representative, an estimate of the size of the drainage area (in square feet) and an estimate of the runoff coefficient of the drainage area [e.g. low (under 40 percent), medium (40 to 65 percent), or high (above 65 percent)] shall be provided in the plan. The permittee shall include the description of the location of the outlets, explanation of why outlets are expected to discharge substantially identical effluents, and estimate of the size of the drainage area and runoff coefficient with the Stormwater Monitoring Report.

12. Visual Examination of Stormwater Quality

Permittee shall perform and document a visual examination of a stormwater discharge associated with industrial activity for each outlet during each monitoring period. Examination shall be made of samples collected within the first 30 minutes (or as soon thereafter as practical, but not exceed one hour) of when the runoff or snowmelt begins discharging. The examinations shall document observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of stormwater pollution. Visual examination reports must be maintained onsite in the SWPPP.

13. Water Quality Standards.

The effluent or effluents covered by this permit are to be of such quality so as to not cause violations of applicable water quality standards.

14. TMDL and CWA Section 303(d) Impaired Waters Requirements.

Permittees discharging pollutants of concern to waters for which there is a total maximum daily load (TMDL) established or approved by EPA are not eligible for coverage under this general permit, unless the permit conditions of this general permit are consistent with the assumptions and requirements of such TMDL. Therefore, the permittee must submit an NPDES application to West Virginia Department of Environmental Protection for coverage under an individual NPDES permit. The permittee should consult with the State or EPA TMDL authority to confirm if his/her facility is subject to an approved TMDL. If you discharge to an impaired water body without an approved TMDL you must meet all applicable water quality standards for that receiving waterbody. You must also monitor for all pollutants for which the waterbody is impaired. If the pollutant for which the water is impaired is not present and not expected to be present in your discharge, or is present but you have determined that its presence is caused solely by natural background sources, you should include a notification to this effect in your first monitoring report, after which you may discontinue annual monitoring. To support a determination that the pollutant's presence is caused solely by natural background sources, you must keep the following documentation with your SWPPP records.

1. An explanation of why you believe that the presence of the pollutant causing the impairment in your discharge is not related to the activities at your facility; and

2. Data and/or studies that tie the presence of the pollutant causing the impairment in your discharge to natural background sources in the watershed.

Natural background pollutants include those substances that are naturally occurring in soils or groundwater. 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.

If you are a new discharger you must also meet the following requirements to discharge into a CWA Section 303(d) impaired water.

1. 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; or

2. Document that the pollutant(s) for which the waterbody is impaired is not present at your site, and retain documentation of this finding with your SWPPP; or

3. In advance of submitting your application, provide to DWWM data to support a showing that the discharge is not expected to cause or contribute to an exceedance of a water quality standard, and retain such data with your SWPPP. This data must demonstrate that the discharge of the pollutant for which the water is impaired will meet instream water quality criteria at the point of discharge.

Chesapeake Bay TMDL and West Virginia Watershed Improvement Plan (WIP).

In the state of West Virginia the Counties of Jefferson, Berkeley, Morgan, Hampshire, Mineral, Grant, Hardy and Pendleton drain to the Chesapeake Bay and must take steps to comply with this plan. The existing facilities covered under this General Permit are not expected to have a

reduction in loadings affecting the TMDL. However, significant growth in facilities covered under this general permit is not expected and all new industrial stormwater loadings will be included in the State's 2015 urban stormwater loading assessment. The proper implementation of required SWPPP's and GPP's by facilities as indicated by section 18 of this General Permit will address the requirements of the WIP.

15. Endangered and Threatened Species Requirements.

If a site discharges to a stream where a Federally endangered or threatened species or its habitat are present, the applicant should contact the US Fish and Wildlife Service to insure that requirements of the Federal Endangered Species Act are met.

16. Reopener Clause

If there is evidence indicating potential or realized impacts on water quality due to any stormwater discharge associated with industrial activity covered by this permit, the owner or operator of such discharge may be required to obtain an individual permit in accordance with Section B.1. of this permit or the permit may be modified to include different limitations and/or requirements.

17. Other Statutes or Regulations

No condition of this permit shall release the permittee from any responsibility or requirements under other environmental statutes or regulations.

18. Stormwater Pollution Prevention Plans and Groundwater Protection Plans (GPP).

Each facility covered by this permit shall have a SWPPP plan and a GPP. These two plans may be combined into one plan so long as all requirements for both plans are met. Alternatively, they may be developed and maintained as separate stand-alone documents. The SWPPP shall be prepared in accordance with good engineering practices. The SWPPP shall identify potential sources of pollution which may reasonably be expected to affect the quality of stormwater discharges associated with industrial activity from the facility. In addition, the SWPPP shall describe and ensure the implementation of practices which are to be used to reduce the pollutants in stormwater discharges associated with industrial activity at the facility and to assure compliance with the terms and conditions of this permit.. The SWPPP and the GPP shall be signed in accordance with Section I.6, Appendix A of this permit and shall be retained on site. Plans shall provide for compliance with the terms of the plan prior to submitting a registration form to be covered under this permit. The permittee shall make plan(s) available, upon request, to the Director or authorized representative. All facilities wishing to be covered by this permit for the first time must submit a copy of the SWPPP and GPP with the application for review.

If the plan(s) are reviewed by the Director or authorized representative, that individual may notify the permittee at any time that either the - SWPPP or the GPP does not meet one or more of the requirements of this section. After such notification, the permittee shall make changes to the plan in accordance with the time frames established

All SWPPPs and GPPs required under this permit are considered reports that shall be available to the public under Section 308 (b) of the CWA. The owner or operator of a facility with stormwater discharges covered by this permit shall make plans available to members of the public upon request by the public. However, the permittee may claim any portion of a SWPPP plan as confidential in accordance with 46 CSR 2-12.7.

If representative organization of a significant number of facilities in a particular SIC code can develop and demonstrate an acceptable SWPPP, – and GPP, the DWWM will review this approach for considering those facilities for coverage under this general permit and in compliance with this section.

A. SWPPP Requirements

a) Contents of SWPPP. The plan shall include, but not be limited to, the following items:

(1) Description of Potential Pollutant Sources. Each plan shall provide a description of potential sources which may be reasonably expected to add significant amounts of pollutants to stormwater discharges or which may result in the discharge of pollutants during dry weather from separate storm sewers draining the facility. Plans shall identify all activities which may potentially be significant pollutant sources, including: 1) loading or unloading of dry bulk materials or liquids, 2) outdoor storage of raw materials, intermediary products or products, 3) outdoor process activities, 4) dust or particulate generating processes, 5) illicit connections or management practices, and 6) waste disposal practices. To facilitate this process, each plan, shall include, but not be limited to:

(A) A site map indicating,: each drainage and discharge structure; an outline of the drainage area of each discharge point, each past or present area used for outdoor storage or disposal of significant materials; each existing structural control measure to reduce pollutants in stormwater runoff; materials loading and access area; each hazardous waste storage or disposal facility (including each area not required to have a RCRA permit which is used for accumulating hazardous waste under 40 CFR 262.34); each well where fluids from the facility are injected underground; sinkholes; springs; and other surface water bodies;

(B) An estimate of the area of impervious surfaces (including paved areas and building roofs) relative to the total area drained by each outlet;

(C) A topographic map (or other map if a topographic map is unavailable), extending one mile beyond the property boundaries of the facility, depicting the facility and each of its intake and discharge structures, springs, other surface water bodies, and drinking water wells listed in public records or otherwise known to the applicant in the map area. The requirements of this paragraph may be included in the site map required under Section G.5.d) (1) (A).

(D) A narrative description of significant materials that have been treated, stored or disposed in a manner to allow exposure to stormwater between the time of three years prior to the date of the coverage under this permit and the present; method of on-site storage of disposal; materials management practices employed to minimize contact of these materials with stormwater runoff between the time of three years prior to the date of issuance of this permit and the present; materials loading and access areas; the location and a description of existing structural and nonstructural control measures to reduce pollutants in stormwater runoff; and description of any treatment the stormwater receives.

(E) A list of significant spills and leaks of toxic or hazardous pollutant that occurred at the facility after the date of three (3) years prior to coverage under this permit and the present. Such list shall be updated when a significant spill or leak of toxic or hazardous pollutants occurs and shall include a description of the materials released, an estimate of the volume of the release, the location of the release, and a description of any remediation or cleanup measures taken;

(F) For each area of the plant that generates stormwater discharges associated with industrial activity with a reasonable potential for containing significant amounts of pollutants, a prediction of the direction of flow, and an estimate of the types of pollutants which could be present in stormwater discharges associated with industrial activity; and

(G) A summary of existing sampling data describing pollutants in stormwater discharges.

(2) Stormwater Management Controls

Each facility covered by this permit shall develop a description of stormwater pollution controls appropriate for the facility, and implement such controls. Priorities developed in a plan for implementing controls shall reflect the nature of identified potential sources of pollutants at the facility. The description of stormwater pollution controls shall address the following minimum components, including a schedule for implementing such controls:

(A) Pollution Prevention Committee - The description of the stormwater Pollution Prevention Committee shall identify specific individuals within the organization who are responsible for developing the stormwater pollution prevention plan and assisting the manager in its implementation, maintenance, and revision. The activities and responsibilities of the committee should address all aspects of the facility's SWPPP.

(B) Risk identification and Assessment/Material Inventory - The SWPPP shall assess the potential of various sources at the facility to contribute pollutants to stormwater discharges associated with industrial activity. The plan shall inventory the types of materials handled, the location of material management activities, and types of material management activities. Factors that shall be considered when evaluating the pollution potential of runoff from various portions of an industrial plant include: loading and unloading operations, outdoor storage activities; outdoor manufacturing or processing activities; dust or particulate generating processes; and waste disposal practices. Other factors to consider are the toxicity of chemicals; quantity of chemicals used, produced, or discharged; history of water quality violations; history of significant leaks or spills of toxic or hazardous pollutants; and nature and uses of the receiving waters.

(C) Preventive Maintenance - A preventive maintenance program shall involve inspection and maintenance of stormwater pollution prevention devices (e.g., cleaning oil/water separators, catch basins, etc.) as well as inspecting and testing plant equipment and systems to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters.

(D) Good Housekeeping - Good housekeeping requires the maintenance of a clean, orderly facility.

(E) Spill Prevention and Response Procedures - Areas where potential spills can occur, and their accompanying drainage points shall be identified clearly in the stormwater pollution prevention plan. Where appropriate, the SWPPP shall specify material handling procedures and storage requirements. Procedures for cleaning up spills shall be identified in the SWPPP and made available to the appropriate personnel. The necessary equipment to implement a cleanup shall be available to all personnel.

(F) Stormwater pollution prevention - After measures have been taken to minimize pollutant sources to stormwater, traditional stormwater pollution prevention practices should be considered.

(G) Sediment and Erosion Prevention - The SWPPP shall identify areas which, due to topography, activities, or other factors, have a high potential for soil erosion, and identify measures to limit erosion. Facilities covered under Sector T may be required to submit a sediment and erosion control plan.

(H) Employee Training - Employee training programs shall inform personnel at all levels of responsibility of the components and goals of the SWPPP. Training shall address topics such as spill response, good housekeeping, and material management practices. The SWPPP shall identify periodic dates for such training.

(I) Visual Inspections - Qualified company personnel shall be identified to inspect designated equipment and plant or other appropriate areas. Material handling areas shall be inspected for evidence of, or the potential for, pollutants entering the drainage system. A tracking or follow-up procedure shall be used to ensure that adequate response and corrective actions have been taken in response to the inspection. Records of inspections shall be maintained.

(J) Record keeping and Internal Reporting Procedures - Incidents such as spills, leaks, and improper dumping, along with other information describing the quality and quantity of stormwater discharges shall be included in the records. Inspections and maintenance activities such as cleaning oil and grit separators or catch basins shall be documented and recorded.

(K) Non-Stormwater Discharges - A certification that the discharge has been tested for the presence of non-stormwater discharges. The certification shall include a description of the results of any test for the presence of non-stormwater discharges, the method used, the date of any testing, and the on-site drainage points that were directly observed during the test. Such certification may not be feasible if the facility operating the stormwater discharge associated with industrial activity does not have access to an outlet, manhole, or other point of access to the ultimate conduit which receives the discharge. In such cases, the source identification section of the stormwater pollution plan shall indicate why the certification required by this section was not feasible.

b) Site Inspection

A site inspection shall be conducted annually by appropriate personnel named in the SWPPP to verify that the description of potential pollutant sources required under Section B.11.A.a)(1) is accurate; the drainage map has been updated or otherwise modified to reflect current conditions; and the controls to reduce pollutants in stormwater discharges

associated with industrial activity identified in the stormwater pollution prevention plan are being implemented and are adequate. Records documenting significant observations made during the site inspection shall be retained as part of the stormwater pollution prevention plan for three years.

c) A facility which has experienced one or more releases of a hazardous substance in excess of reporting quantities established at 40 CFR 117.3 or 40 CFR 302.4 within twelve months prior to the effective date of this permit, or after the effective date of this permit, shall include as part of the stormwater pollution prevention plan for the facility a written description of each release, corrective actions taken and measures taken to prevent recurrence. (Note: Section B.3. if this permit prohibits stormwater discharges which, during any 24-hour period, contain a hazardous substance equal to or in excess of the reporting quantities of 40 CFR 117 and 40 CFR 302.)

d) Consistency with Other Plans and Programs

Stormwater management plans and programs may reflect requirements for Spill Prevention Control and Countermeasure (SPCC) plans under section 311 of the Clean Water Act (CWA) or BMP plans otherwise required by a WV/NPDES permit, and may incorporate any part of such plans into the SWPPP by reference.

B. Groundwater Protection Plan Requirements

Groundwater Protection Plans (GPPs) shall be prepared in accordance with this Section and the requirements of Title 47, Series 58, Section 4.11., et. seq. (Groundwater Protection Regulations). If the GPP is combined with the SWPPP into a single plan it may not be necessary to repeat some of the information required by the following subsections. However, stand alone GPPs must contain, but isn't limited to, the following information.

(1) The GPP shall include an inventory of all operations which may reasonably be expected to contaminate the groundwater resources with an indication of the potential for soil and groundwater contamination from those operations. The following potential sources must be considered: Outside materials storage areas; Disposal areas; Loading and unloading areas; Bulk storage and distribution areas; Drums; Sumps; Pumps; Tanks; Impoundments; Ditches; and Underground Pipelines. In addition the GPP shall provide a thorough and detailed description of procedures designed to protect groundwater from the identified potential contamination sources. Specific attention must be given to manufacturing facilities, materials handling, equipment cleaning, construction activities, maintenance activities, pipelines, sumps, and tanks containing contaminants.

(2) Facilities which have areas that require remedial action to install, implement, or develop procedures or control equipment to protect groundwater shall include in their GPP a schedule of compliance listing such areas, the remedial actions necessary, and the projected date such remedial actions will be completed. The schedule of compliance is a part of the GPP and enforceable under Title 47, Series 58, Section 4.12.e.1.

(3) A thorough and detailed list of groundwater protection procedures to be employed in the design of new equipment or operations.

(4) A thorough and detailed summary of all activities carried out under other regulatory programs which have relevance to groundwater protection (for example: RCRA, CERCLA, Stormwater Permit, Spill Prevention Control and Countermeasures plans, Toxic Substances Control Act, DOT training requirements, Management of Used Oil, etc.)

(5) All reasonably available information groundwater quality at the site. This should include any known sampling in the area, other potential sources of contamination, depth to groundwater, and any other information available.

(6) A statement that no wastes will be used for deicing, fills, or for other uses on the site unless provided for in existing rule.

(7) Provisions for training all employees and contractor personnel on their responsibility to ensure groundwater protection. Job procedures shall provide direction on prevention of groundwater contamination.

(8) Provisions for quarterly inspections of the facility to ensure that all elements and equipment of the groundwater protection programs are in place, functioning properly, and are appropriately managed.

The herein described activity is to be constructed or installed, and operated, used and maintained strictly in accordance with the terms and conditions of this permit; with all plans and specifications previously submitted with the individual site registration application form or individual permit application; with a plan of maintenance and method of operation thereof; and with any applicable rules and regulations promulgated by the State Environmental Quality Board.

Failure to comply with the terms and conditions of this permit, with the plans and specifications previously submitted with individual site registration application form or individual permit application, and with a plan of maintenance and method of operation thereof shall constitute grounds for the revocation or suspension of this permit and for the invocation of all the enforcement procedures set forth in Chapter 22, Article 11 of the Code of West Virginia.

This permit is issued in accordance with the provisions of Chapter 22, Article 11 of the Code of West Virginia

BY: _____

Director

Appendix A

I. MANAGEMENT CONDITIONS:

1. **Duty to Comply**
   a) The permittee must comply with all conditions of this permit. Permit noncompliance constitutes a violation of the CWA and State Act and is grounds for enforcement action; for permit modification, revocation and reissuance, suspension or revocation; or for denial of a permit renewal application.
   b) The permittee shall comply with all effluent standards or prohibitions established under Section 307(a) of the CWA for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.
2. **Duty to Reapply**
   If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for a new permit within thirty (30) days of receipt of the reissuance package. Since the permittee is registered for coverage under a general permit, the agency will notify the permittee regarding permit reissuance at the appropriate time.
3. **Duty to Mitigate**
   The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit, which has a reasonable likelihood of adversely affecting human health or the environment.
4. **Permit Actions**
   This permit may be modified, revoked and reissued, suspended, or revoked for cause. The filing of a request by the permittee for permit modification, revocation and reissuance, or revocation, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
5. **Property Rights**
   This permit does not convey any property rights of any sort or any exclusive privilege.
6. **Signatory Requirements**
   All applications, reports, or information submitted to the Director shall be signed and certified as required in Title 47, Series 10 , Section 4.6 of the West Virginia Legislative Rules.
7. **Transfers**
   This permit coverage is not transferrable to any person except after notice to the Director. The Director may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary. .
8. **Duty to Provide Information**
   The permittee shall furnish to the Director, within a reasonable specified time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, suspending, or revoking this permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.
9. **Other Information**
   Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information.
10. **Inspection and Entry**
    The permittee shall allow the Director, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:
    a) Enter upon the permittee's premises in which an effluent source or activity is located, or where records must be kept under the conditions of this permit;
    b) Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit;
    c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
    d) Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the State Act, any substances or parameters at any location.
11. **Permit Modification**
    This permit may be modified, suspended, or revoked in whole or in part during its term in accordance with the provisions of Chapter 22-11-12 (of the Code of West Virginia).
12. **Water Quality**
    The effluent or effluents covered by this permit are to be of such quality so as not to cause violation of applicable water quality standards adopted by the Environmental Quality Board.
13. **Outlet Markers**
    A permanent marker at the establishment shall be posted in accordance with Title 47, Series 11, Section 9 of the West Virginia Legislative Rules.

14. **Liabilities**
    a) Any person who violates a permit condition implementing sections 301, 302, 306, 307, 308, 318, or 405 of the Clean Water Act is subject to a civil penalty not to exceed $10,000 per day of such violation. Any person who willfully or negligently violates permit conditions implementing sections 301, 302, 306, 307, or 308 of the Clean Water Act is subject to a fine of not less than $2,500 nor more than $25,000 per day of violation, or by imprisonment for not more than 1 year, or both.
    b) Any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.
    c) Any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment

for not more than 6 months per violation, or by both.

d) Nothing in C.14 a), b), and c) shall be construed to limit or prohibit any other authority the Director may have under the State Water Pollution Control Act, Chapter 22, Article 11.

15. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Clean Water Act.

II. OPERATION AND MAINTENANCE:

1. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls, and appropriate quality assurance procedures. Unless otherwise required by Federal or State law, this provision requires the operation of back-up auxiliary facilities or similar systems which are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

2. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.

3. Bypass

a) Definitions

(1) "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility; and

(2) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

b) Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of II.3.c) and II.3.d) of this permit.

c) (1) If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten (10) days before the date of the bypass;

(2) If the permittee does not know in advance of the need for bypass, notice shall be submitted as required in IV.2.b) of this permit.

d) Prohibition of bypass

(1) Bypass is permitted only under the following conditions, and the Director may take enforcement action against a permittee for a bypass, unless;

(A) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(B) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgement to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and

(C) The permittee submitted notices as required under II.3.c) of this permit.

(2) The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed in II.3.d.(1) of this permit.

4. Upset

a) Definition. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation.

b) Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitation if the requirements of II.4.c) are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

c) Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

(1) An upset occurred and that the permittee can identify the cause(s) of the upset;

(2) The permitted facility was at the time being properly operated;

(3) The permittee submitted notice of the upset as required in IV.2.b) of this permit.

(4) The permittee complied with any remedial measures required under I.3. of this permit.

d) Burden of proof. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

5. Removed Substances

Where removed substances are not otherwise covered by the terms and conditions of this permit or other existing permit by the Director, any solids, sludge, filter backwash or other pollutants (removed in the course of treatment or control of wastewater) and which are intended for disposal within the State, shall be disposed of only in a manner and at a site subject to the approval by the Director. If such substances are intended for disposal outside the State or for reuse, i.e., as a material used for making another product, which in turn has another use, the permittee shall notify the Director in writing of the proposed disposal or use of such substances, the identity of the prospective disposer or users, and the intended place of disposal or use, as appropriate.

III. MONITORING AND REPORTING

1. **Representative Sampling, Sample Type and Sampling Period**

Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. For discharges from holding ponds or other impoundments with a retention period greater than 24 hours, (estimated by dividing the volume of the retention pond by the estimated volume of water discharged during the 24 hours previous to the time that the sample is collected) a grab sample may be taken at any time within 24 hours from the beginning of rainfall. For all other discharges, samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. The grab sample shall be taken during the first thirty minutes of the discharge. If the collection of a grab sample during the first thirty minutes is impractical, a sample can be taken during the first hour of the discharge, and the discharger shall submit with the monitoring report a description of why a grab sample during the first thirty minutes was impractical

Permittee's semi-annual reporting start date is determined by the date coverage under the general permit was issued and/or reissued. Registrations issued/reissued on the first through the fifteenth of a month will use that month to determine the semi-annual reporting date. Registrations issued after the fifteenth of each month will use the next month to determine the reporting start date. For example, if permit coverage was issued in February, on or prior to the 15th of the month, you would report your results by August 20th. If permit coverage was issued in February, after the 15th of the month, you would report your results by September 20th.

2. **Reporting**

a) Permittee shall submit each reporting period, according to the enclosed format, a Discharge Monitoring Report (DMR) indicating in terms of concentration, the values of the constituents listed in Part A analytically determined to be in the effluent(s).

b) The required DMRs must be submitted electronically, unless otherwise approved by the agency in writing, in with which case the following applies:

The required DMR should be mailed no later than 20 days following the end of the reporting period and be addressed to:

Director
Division of Water and Waste Management
601 57th Street SE
Charleston, WV 25304
Attention: Permitting Section

And

Environmental Enforcement Supervisor (Approval letter will have appropriate address)

3. **Test Procedures**

Samples shall be taken, preserved and analyzed in accordance with the latest edition of 40 CFR Part 136, unless other test procedures have been specified elsewhere in this permit.

4. **Recording of Results**

For each measurement or sample taken pursuant to the permit, the permittee shall record the following information.

a) The date, exact place, and time of sampling or measurement;
b) The date(s) analyses were performed;
c) The individual(s) who performed the sampling or measurement;
d) The individual(s) who performed the analyses; if a commercial laboratory is used, the name and address of the laboratory;
e) The analytical techniques or methods used, and
f) The results of such analyses. Information not required by the DMR form is not to be submitted to this agency, but is to be retained as required in III.6.

5. **Additional Monitoring by Permittee**

If the permittee monitors any pollutant at any monitoring point specified in this permit more frequently than required by this permit, using approved test procedures or others as specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Discharge Monitoring Report Form. Such increased frequency shall also be indicated. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in the permit.

6. **Records Retention**

The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for the permit, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Director at any time.

7. **Definitions**

a) "Daily discharge" means the discharge of a pollutant measured during a calendar day or within any specified period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the daily discharge is calculated as the average

measurement of the pollutant over the day.

b) "Average monthly discharge limitation" means the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

c) "Maximum daily discharge limitation" means the highest allowable daily discharge.

d) "Composite Sample" is a combination of individual samples obtained at regular intervals over a time period. Either the volume of each individual sample is proportional to discharge flow rates or the sampling interval (for constant volume samples) is proportional to the flow rates over the time period used to produce the composite. The maximum time period between individual samples shall be two hours.

e) "Grab Sample" is an individual sample collected in less than 15 minutes.

f) "is" = immersion stabilization - a calibrated device is immersed in the effluent stream until the reading is stabilized.

g) The "daily average temperature" means the arithmetic average of temperature measurements made on an hourly basis, or the mean value plot of the record of a continuous automated temperature recording instrument, either during a calendar month, or during the operating month if flows are of shorter duration.

h) The "daily maximum temperature" means the highest arithmetic average of the temperatures observed for any two (2) consecutive hours during a 24 hour day, or during the operating day if flows are of shorter duration.

i) The "daily average fecal coliform" bacteria is the geometric average of all samples collected during the month.

j) "Measured Flow" means any method of liquid volume measurement, the accuracy of which has been previously demonstrated in engineering practice, or which a relationship to absolute volume has been obtained.

k) "Estimate" means to be based on a technical evaluation of the sources contributing to the discharge including, but not limited to pump capabilities, water meters and batch discharge volumes.

l) "Non-contact cooling water" means the water that is contained in a leak-free system, i.e., no contact with any gas, liquid, or solid other than the container for transport; the water shall have no net poundage addition of any pollutant over intake water levels, exclusive of approved anti-fouling agents.

m) "Best Management Practices" (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the State. BMPs also include treatment requirements, operating procedures and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

n) "CWA" means Clean Water Act or the Federal Water Pollution Control Act.

o) "Director" means the Director of the Division of Water and Waste Management, Department of Environmental Protection or their designated representative.

p) "Runoff coefficient" means the fraction of total rainfall that will appear at the conveyance as runoff.

q) "Salt Piles" means the commercial storage of common salt (sodium chloride).

r) "Section 313 water priority chemicals" means a chemical or chemical categories which are:

(1) Are listed at 40 CFR 372.65 pursuant to section 313 of Title III of the Superfund Amendments and Reauthorization Act (SARA) of 1986, also titled the Emergency Planning and Community Right-to-Know Act of 1986;

(2) Are present at or above threshold levels at a facility subject to SARA Title III, section 313 reporting requirements; and

(3) That meet at least one of the following criteria: (1) Area listed to appendix D of 40 CFR part 122 on either Table II (organic priority pollutants), Table III (certain metals, cyanides, and phenols) or Table V (certain toxic pollutants and hazardous substances); (ii) Are listed as a hazardous substance pursuant to Section 311 (b)(2)(A) of the CWA at 40 CFR 116.; or (iii) are pollutants for which EPA has published acute or chronic water quality criteria.

s) "Significant materials" includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under Section 101(14) of CERCLA; any chemical the facility is required to report pursuant to Section 313 of III of SARA; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with stormwater discharges.

t) "Site Registration Application Form" means the form(s) designed by the Director for the purpose of making application for coverage under a general permit.

u) "Significant spills" includes, but is not limited to: releases of oil or hazardous substances in excess of reportable quantities under section 311 of the CWA (see 40 CFR 110.10 and CFR 117.21) or section 102 of CERCLA (see 40 CFR 302.4).

v) "Stormwater" means stormwater runoff, snow melt runoff and surface runoff and drainage.

w) "Stormwater Associated with Industrial Activity" means the discharge from any conveyance which is used for collecting and conveying stormwater and which is directly related to manufacturing, processing or raw materials storage areas at an industrial plant. The term does not include discharges from facilities or activities excluded from the NPDES program. For the categories of industries identified below in (l) through xi), the terms includes, but is not limited to stormwater discharges from 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 wastewater (as defined at 40 CFR 401); 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 finished products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to stormwater. For the categories of-industries identified below in (xi) the term includes only stormwater discharges from all areas listed in the previous sentence (except access roads) where material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products or industrial machinery are exposed to stormwater. For the purposes of the stormwater regulations (40 CFR Part 122.26), material handling activities include the storage, loading and uploading, transportation, or conveyance of any raw material, intermediate product, finished product, by-product or waste product. The term excludes areas located on plant lands separate from the plant's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with stormwater drained from the above described areas. Industrial facilities (including industrial facilities that are Federally or municipally owned or operated that meet the description of the facilities listed in the paragraph (l)-(xi)) include those facilities designated under 122.26(a)(l)(v). The following categories of facilities are considered to be

engaging in "industrial activity" for purposes of these regulations

(i) Facilities subject to stormwater effluent limitations guidelines, new source performance standards, or toxic pollutant effluent standards under 40 CFR Subchapter N (except facilities with toxic pollutant effluent standards which are exempted under category (Xi);
(ii) Facilities classified as Standard Industrial Classifications 24 (except 2434), 26 (except 265 and 267), 28, 29, 30, 311, 32, 33, 3441, 373;
(iii) Facilities classified as Standard Industrial Classifications 10 through 14 (mineral industry) including active or inactive mining operations (except for areas of coal mining operations meeting the definition of a reclamation area under 40 CFR 434.11 (1)) and oil and gas exploration, production, processing, or treatment operations, or transmission facilities that discharge stormwater contaminated by contact with or that-has come into contact with, any overburden, raw material, intermediate products, finished products, byproducts or waste products located on the site of such operations; inactive mining operations are mining sites that are not being actively mined, but which have an identifiable owner/operator;
(iv) Hazardous waste treatment, storage, or disposal facilities, including those that are operating under interim status or a permit under Subtitle C of RCRA;
(v) Landfill and land application sites, and open dumps that have received any industrial wastes (waste that is received from any of the facilities described under this subsection) including those that are subject to regulation under Subtitle D of RCRA;
(vi) Facilities involved in the recycling of materials, including metal scrap yards, battery reclaimers, salvage yards, and automobile junkyards, including but limited to those classified as Standard Industrial Classification 5015 and 5093;
(vii) Steam electric power generating facilities, including coal handling sites;
(viii) Transportation facilities classified as Standard Industrial Classifications 40, 41, 42, 43, 44, 45, and 5171 which have vehicle maintenance shops, equipment cleaning operations, or airport deicing operations. Only those portions of the facility that are either involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, paining, fueling and lubrication), equipment cleaning operations, airport deicing operations, or which are otherwise identified in (I)-(vii) or (ix)-(x) are associated with industrial activity;
(ix) Treatment works treating domestic sewage or any other sewage sludge or wastewater treatment device or system, used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated to the disposal of sewage sludge that are located within the confines of the facility, with the design flow of 1.0 MGD or more, or required to have an approved pretreatment program under 40 CFR 403. Not included are farm lands, domestic gardens or lands used for sludge management where sludge is beneficially reused and which are not physically located in the confines of the facility, or areas that are in compliance with 40 CFR Part 503;
(x) Construction activities, including clearing, grading and excavation activities except: operations that result in the disturbance of less than three acres of total land area which are not part of a larger common plan of development or sale;
(xi) Facilities under Standard Industrial Classifications 20, 21, 22, 23, 2434, 25, 265, 267, 27, 283, 285, 30, 31 (except 311), 323, 34 (except 3441), 35, 26, 27 (except 373), 38, 39, 4221-25), (and which are not otherwise included within categories (I)-(xi)).

(x) "Trout Streams" means any waters which meet the definition of Section 2.18 of 46 CSR1.
(y) "Waste pile" means any noncontainerized accumulation of solid, nonflowing waste that is used for treatment or storage.
(z) "25-year, 24-hour precipitation event" means the maximum 24-hour precipitation event with a probable reoccurrence interval of once in 25 years. This information is available from the National Climatic Center of the Environmental Data Service, National Oceanic and Atmospheric Administration, U.S. Department of Commerce.
(aa) "10-year, 24-hour precipitation event" means the maximum 24-hour precipitation event with a probable reoccurrence interval of once in 10 years. This information is available from the National Climatic Center of the Environmental Data Service, National Oceanic and Atmospheric Administration, U.S. Department of Commerce.

IV. OTHER REPORTING

1. Reporting Spills and Accidental Discharges

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties established pursuant to Title 47, Series 11, Section 2 of the West Virginia Legislative Rules promulgated pursuant to Chapter 22, Article 11.

Attached is a copy of the West Virginia Spill Alert System for use in complying with Title 47, Series 11, Section 2 of the Legislative rules as they pertain to the reporting of spills and accidental discharges.

2. Immediate Reporting

a) The permittee shall report any noncompliance which may endanger health or the environment immediately after becoming aware of the circumstances by using the Agency's designated spill alert telephone number. A written submission shall be provided within five (5) days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
b) The following shall also be reported immediately:
(1) Any unanticipated bypass which exceeds any effluent limitation in the permit;
(2) Any upset which exceeds any effluent limitation in the permit; and
(3) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Director in the permit to be reported immediately. This list shall include any toxic pollutant or hazardous substance, or any pollutant

specifically identified as the method to control a toxic pollutant or hazardous substance.

c) The Director may waive the written report on a case-by-case basis if the oral report has been received in accordance with the above.

d) Compliance with the requirements of IV.2 of this section, shall not relieve a person of compliance with Title 47, Series 11, Section 2.

3. Reporting Requirements

a) Planned changes. The permittee shall give notice to the Director of any planned physical alterations or additions to the permitted facility which may affect the nature or quantity of the discharge.

b) Anticipated noncompliance. The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

4. Other Noncompliance

The permittee shall report all instances of noncompliance not reported under the above paragraphs at the time monitoring reports are submitted. The reports shall contain the information listed in IV.2.a).