



**STATE OF WEST VIRGINIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WATER AND WASTE MANAGEMENT
601 57th STREET SE
CHARLESTON, WV 25304-2345
GENERAL
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
WATER POLLUTION CONTROL PERMIT**

Permit No.: WV0116246

Issue Date: April 1, 2022

Subject: Wastewater Discharges
From Highway or Municipal
Maintenance Facilities

Effective Date: May 1, 2022

Expiration Date: March 31, 2027

Supersedes: WV0116246
Issued 1/27/2017

To whom it may concern:

This is to certify that operators of maintenance facilities for highways, which would primarily be the Division of Highways, or for municipal maintenance facilities and potentially other facilities with similar type storm water discharges located in the State of West Virginia who have satisfied the registration requirements and agreeing to be regulated under the terms and conditions of this general permit are hereby granted coverage under the General WV/NPDES Water Pollution Control Permit to allow storm water discharges, and the direct discharge of treated industrial and sewage wastes, or any combination, thereof, into the waters of the State.

This permit is subject to the following terms and conditions:

The information submitted on, and with, the site Facility Registration/Application form or any information presently incorporated in the permittees' previous WV/NPDES permits is hereby incorporated with like effect as if all such information were set forth herein, and other conditions set forth in Sections A, B, C, D, E, F, and G and, 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.

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A.1 Discharge Limitations and Monitoring Requirements - Treatment Group I – Storm Water

During the period beginning on the effective date of the permit and lasting through the expiration date of the permit, permittees who have been assigned to Treatment Group I are authorized to discharge from the point source.

Such discharge shall be limited and monitored as specified below:

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Monitoring Requirements</u>	
	<u>Quantity (lbs/day)</u>		<u>Other Units (Specify)</u>		<u>Measurement Frequency</u>	<u>Sample Type</u>
	<u>Avg. Monthly</u>	<u>Max. Daily</u>	<u>Avg. Monthly</u>	<u>Max. Daily</u>		
Flow	N/A	N/A	N/A	Report Only	MGD	1/Quarter Estimated
Iron, Total Recoverable	N/A	N/A	N/A	Report Only	mg/l	1/Quarter Grab
Chemical Oxygen Demand	N/A	N/A	N/A	Report Only	mg/l	1/Quarter Grab
Chloride	N/A	N/A	N/A	Report Only	mg/l	1/Quarter Grab
Oil and Grease	N/A	N/A	N/A	Report Only	mg/l	1/Quarter Grab
Total Suspended Solids	N/A	N/A	N/A	Report Only	mg/l	1/Quarter Grab
Total Phosphorus	N/A	N/A	N/A	Report Only	mg/l	1/Quarter Grab
Total Cyanide	N/A	N/A	N/A	Report Only	mg/l	1/Quarter Grab

The requirements under this section shall apply to storm water discharges from establishments engaged in highway maintenance and repair, or certain other facilities which have vehicle maintenance, material handling and storage and/or vehicle fueling and lubrication, generally classified under SIC Code 16.

The pH shall not be less than 6.0 standard units and not more than 9.0 standard units and shall be monitored by grab sampling semiannually.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s): All effluent samples shall be collected at, or as near as possible to, the point of discharge.

This discharge shall comply with Appendix A.1. MANAGEMENT CONDITIONS: Appendix A.1.12 Water Quality.

A.2 Discharge Limitations and Monitoring Requirements - Treatment Group II – Vehicle Washing (non-Trout Streams only)

During the period beginning on the effective date of the permit and lasting through the expiration date of the permit, permittees who have been assigned to Treatment Group II are authorized to discharge from the point source.

Such discharge shall be limited and monitored by the permittee as specified below:

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>			<u>Other Units (Specify)</u>		<u>Monitoring Requirements</u>	
	<u>Avg. Monthly</u>	<u>Max. Daily</u>	<u>Avg. Monthly</u>	<u>Max. Daily</u>	<u>Instantaneous Maximum</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow	N/A	N/A	N/A	*As Authorized	N/A	MGD	Estimated
Total Suspended Solids	N/A	N/A	N/A	60.0	N/A	mg/l	1/6 Months
BOD5 (influent)**	N/A	N/A	N/A	Report Only	N/A	mg/l	1/6 Months
BOD5 (effluent)	N/A	N/A	N/A	Report Only	N/A	mg/l	1/6 Months
Chloride	N/A	N/A	N/A	365	N/A	mg/l	1/6 Months
Oil and Grease	N/A	N/A	N/A	15.0	N/A	mg/l	1/6 Months
Total Phosphorus	N/A	N/A	N/A	Report Only	N/A	mg/l	1/6 Months

* The daily discharge flow shall not exceed the design capacity of the sedimentation/separation tank.

** To be sampled at one of the in-bay grit traps.

The pH shall not be less than 6.0 standard units and not more than 9.0 standard units and shall be monitored by grab sampling semiannually.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s): All effluent samples shall be collected, at or as near as possible to, the point of discharge. The location shall be after the multi-media filter.

This discharge shall comply with Appendix A.1. MANAGEMENT CONDITIONS: Appendix A.1.12 Water Quality.

A.3 Discharge Limitations and Monitoring Requirements - Treatment Group III – Sewage

During the period beginning on the effective date of the permit and lasting through the expiration date of the permit, permittees who have been assigned to Treatment Group III are authorized to discharge from the point source. The discharge shall comply with the following: (Summer Limitations are applicable May 1 - October 31 and Winter Limitations are applicable November 1 - April 30)

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>			<u>Other Units (Specify)</u>		<u>Instantaneous Maximum</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
	<u>Avg. Monthly</u>	<u>Max. Daily</u>	<u>Avg. Monthly</u>	<u>Max. Daily</u>	<u>MGD</u>			
Flow				*As Authorized			1/Quarter	Estimated
Biochemical Oxygen Demand (5-Day)	Report Only	Report Only	Summer 5.0 Winter 10.0	10.0 20.0		12.5 25.0	1/Quarter	Grab
Total Suspended Solids	Report Only	Report Only	30.0	60.0		75.0	1/Quarter	Grab
Nitrogen, Ammonia	Report Only	Report Only	Summer 3.0 Winter 6.0	6.0 12.0		7.5 15.0	1/Quarter	Grab
Fecal Coliform			200	400		500	1/Quarter	Grab
Dissolved Oxygen			Not less than 6.0 mg/l at any given time				1/Quarter	Grab
Total Residual Chlorine (TRC)			28.0	57.0		70.0	**1/Quarter	Grab

* As authorized on General Permit Registration

** Monitoring for TRC is required only if a chlorination/dechlorination system is used for bacteria disinfection. Permittee shall test on-site utilizing an EPA approved field test kit, having an accuracy detection level down to 100 µg/l.

*** See Section D.20.

Sewage facilities subject to Treatment Category III are required to provide secondary treatment technology followed by additional treatment such as an alternating surface sand filter or a rapid sand filter or a polishing pond or equivalent tertiary technology***. Also acceptable is a Recirculating Sand Filter (RSF), preceded by primary or secondary treatment technology provided the RSF is designed for type of pretreated waste received. Bacteria disinfection shall be accomplished through the use of an ultraviolet or chlorine disinfection system. However, should chlorine disinfection be utilized, a dechlorination system must be provided. If necessary, post aeration of the final effluent shall be required, should a polishing pond not be provided.

The pH shall not be less than 6.0 standard units and not more than 9.0 standard units and shall be monitored by grab sampling quarterly. Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s): Effluent BOD₅ sampling shall be collected at a location immediately preceding disinfection. All other effluent samples shall be collected at, or as near as possible to, the point of discharge.

This discharge shall comply with Appendix A.1. MANAGEMENT CONDITIONS: Appendix A.1.12 Water Quality.

A.3.A Discharge Limitations and Monitoring Requirements - Treatment Group IIIA – Sewage (Trout Streams)

During the period beginning on the effective date of the permit and lasting through the expiration date of the permit, permittees who have been assigned to Treatment Category IIIA are authorized to discharge from the point source. The discharge shall comply with the following: (Summer Limitations are applicable May 1 - October 31 and Winter Limitations are applicable November 1 - April 30)

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>			<u>Other Units (Specify)</u>	<u>Instantaneous Maximum</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
	<u>Avg. Monthly</u>	<u>Max. Daily</u>	<u>Quantity (lbs/day)</u>				
Flow				*As Authorized		1/Quarter	Estimated
Biochemical Oxygen Demand (5-Day)	Report Only	Report Only	Report Only	Summer 5.0 Winter 10.0	12.5 25.0	mg/l	1/Quarter Grab
	Report Only	Report Only	Report Only	30.0	75.0	mg/l	1/Quarter Grab
Total Suspended Solids	Report Only	Report Only	Report Only	Summer 3.0 Winter 6.0	7.5 15.0	mg/l	1/Quarter Grab
	Report Only	Report Only	Report Only	200	500	counts/ 100ml	1/Quarter Grab
Dissolved Oxygen				Not less than 6.0 mg/l at any given time		mg/l	1/Quarter Grab
Total Residual Chlorine (TRC)				Zero	Zero	µg/l	** 1/Quarter Grab

* As authorized on General Permit Registration

** Monitoring for TRC is required only if a chlorination/dechlorination system is used for bacteria disinfection. Permittee shall test on-site utilizing an EPA approved field test kit having an accuracy detection level down to 100 µg/l.

*** See Section D.20.

Sewage facilities subject to Treatment Category IIIA are required to provide secondary treatment technology followed by additional treatment such as an alternating surface sand filter or a rapid sand filter or a polishing pond or an equivalent tertiary technology***. Also acceptable is a Recirculating Sand Filter (RSF), preceded by primary or secondary treatment technology provided the RSF is designed for type of pretreated waste received. Bacteria disinfection shall be accomplished through the use of an ultraviolet or chlorine disinfection system. However, should chlorine disinfection be utilized, a dechlorination system must be provided. Ultraviolet disinfection is strongly recommended for systems discharging to trout streams. If necessary, post aeration of the final effluent shall be required, should a polishing pond not be provided.

The pH shall not be less than 6.0 standard units and not more than 9.0 standard units and shall be monitored by grab sampling quarterly. Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s): Effluent BOD₅ sampling shall be collected at a location immediately preceding disinfection. All other effluent samples shall be collected at, or as near as possible to, the point of discharge.

This discharge shall comply with Appendix A.1. MANAGEMENT CONDITIONS: Appendix A.1.12 Water Quality.

SECTION B. STORM WATER REQUIREMENTS

1. Discharges Covered Under This Section.

The requirements listed under this section shall apply to storm water discharges from establishments engaged in highway maintenance and repair which have vehicle maintenance, material handling and storage and or vehicle fueling and lubrication (generally classified under SIC Code 16).

2. Authorized/Allowable non-stormwater discharges

The following non – storm water discharges that are mixed with storm water are allowed. These other sources of non-storm water discharges must be identified in the facility's SWPPP.

- a. Discharges from emergency/unplanned fire-fighting activities
- b. Fire hydrant flushings
- c. Potable water sources, including waterline flushing.
- d. Landscape watering provided all pesticides, herbicides, and fertilizers have been applied in accordance with the approved labeling.
- e. Pavement wash waters where no detergents or hazardous cleaning products have been used (e.g., bleach, hydrofluoric acid, muriatic acid, sodium hydroxide, nonylphenols), and the wash waters do not come into contact with oil and grease deposits, sources of pollutants associated with industrial activities, or any other toxic or hazardous materials, unless residues are first cleaned up using dry clean-up methods (e.g., applying absorbent materials and sweeping, using hydrophobic mops/rags) and you have implemented appropriate control measures to minimize discharges of mobilized solids and other pollutants (e.g., filtration, detention; settlement).
- f. Uncontaminated condensate from air conditioners, cooler/chillers, and other compressors and from the outside storage of refrigerated gasses or liquids.
- g. Uncontaminated ground water or spring water.
- h. Foundation or footing drains where flows are not contaminated with process materials.
- i. Incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of your facility, but not intentional discharges from the cooling tower (e.g., piped cooling tower blowdown; drains).
- j. Irrigation drainage

SECTION B. STORM WATER REQUIREMENTS (Continued)

3. Releases in Excess of Reportable Quantities.

This permit does not relieve the permittee of the reporting requirements of 40 CFR Part 117 and 40 CFR Part 302. The discharge of hazardous substances in the stormwater discharge(s) is prohibited.

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 benchmark monitoring concentration for that pollutant, additional monitoring for that pollutant in Section A.1., is not required, provided the permittee obtains approval of a Low Concentration Waiver.

The permittee must submit each year, to the Director in lieu of the monitoring data, a certification that there has not been a significant change in the industrial activity or the pollution prevention measures in the area of a facility that drains to the outlet for which the sampling was waived. The certification form is called Annual Certification and is provided to the permittee at the time the registration approval is issued.

The waiver is valid only for the term of this permit if the facility maintains a current registration. If a facility would like to continue its waiver after the permit expiration 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 benchmark monitoring concentration, then the waiver may be extended for the subsequent permit term.

5. Natural Background Pollutant Levels

Following the first two quarterly benchmark monitoring results, if the average concentration of a pollutant exceeds a benchmark value, and the permittee determines that exceedance 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 exceedances are in fact attributable solely to natural background pollutant levels. You must include in your supporting rationale any data previously collected by you or others (including literature studies) that describe the levels of natural background pollutants in your stormwater discharge; and
- The permittee notifies the Director on its final (second) quarterly benchmark monitoring report that the benchmark exceedances 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.

SECTION B. STORM WATER REQUIREMENTS (Continued)

6. Benchmark Monitoring

Pollutants of Concern	Monitoring Cut-Off Concentration	Measurement Frequency
Total Recoverable Iron	1.5 mg/l	Quarterly
Chemical Oxygen Demand	120 mg/l	Quarterly
Chloride	860 mg/l	Quarterly
Oil and Grease	15 mg/l	Quarterly
Total Suspended Solids	100 mg/l	Quarterly
Total Phosphorus	2.0 mg/l	Quarterly
pH	6-9 S.U.	Quarterly
Total Cyanide	0.022 mg/l	Quarterly

Most monitoring in this section of the general permit is benchmark monitoring. The "benchmarks" are the pollutant concentrations above which The Director 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 being 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 ensure that the facility has been successful in implementing its SWPPP. As such, these levels represent a target concentration for a facility to achieve through the appropriate selection and implementation of pollution prevention measures at the facility.

The SWPPP must be modified in accordance with Section 6.a.4. after the average of four consecutive samples are above the benchmark level for the sampled parameter.

If less than four benchmark samples have been taken, but the results are such that an exceedance of the four-quarter average is mathematically certain (i.e., if the sum of quarterly sample results to date is more than four times the benchmark level) this is considered a benchmark exceedance, triggering the required review of and modification to the SWPPP.

SECTION B. STORM WATER REQUIREMENTS (Continued)

6.a. Corrective Actions and Deadlines

The permittee must review the results of laboratory testing of stormwater samples. When a laboratory report is received, the permittee must review it within 5 calendar days. The actions below are required in response to reports of benchmark concentration exceedances as shown in the laboratory report.

6.a.1. Immediate Actions.

Upon reviewing a laboratory report showing a first-time exceedance of a benchmark concentration the permittee must immediately take all reasonable steps necessary to minimize or prevent the discharge of pollutants until a permanent solution is installed and made operational, including cleaning up any contaminated surfaces so that the material will not discharge in subsequent storm events. Note: In this context, the term "immediately" requires permittees to, on the same day a condition requiring corrective action is found, take all reasonable steps to minimize or prevent the discharge of pollutants until a permanent solution is installed and made operational. However, if a problem is identified at a time in the workday when it is too late to initiate corrective action, the initiation of corrective action must begin no later than the following workday. "All reasonable steps" means that the permittee has undertaken initial actions to assess and address the condition that required corrective action, including, for example, cleaning up any exposed materials that may be discharged in a storm event (e.g., through sweeping, vacuuming) or making arrangements (i.e., scheduling) for a new BMP to be installed at a later date. For purposes of complying with Section 6, this means reviewing the SWPPP to determine if modifications are necessary. If a corrective action is not necessary, permittee must document why a corrective action is not necessary, and keep this with the SWPPP.

6.a.2. Subsequent Actions.

6.a.2.i. Upon reviewing a laboratory report showing a second and/or third exceedance of a benchmark concentration, the permittee must determine if additional actions are necessary beyond those implemented pursuant to Section 6.a.1., and the permittee must complete the corrective actions (e.g., install a new or modified control and make it operational, complete the repair) before the next storm event if possible, and within 14 calendar days from the time of discovery of the corrective action condition. If it is infeasible to complete the corrective action within 14 calendar days, the permittee must document why it is infeasible to complete the corrective action within the 14-day timeframe.

6.a.2.ii. The permittee must also identify the schedule for completing the work, if infeasible to be completed within 14 days, which must be done as soon as practicable after the 14-day timeframe but no longer than 45 days after discovery. If the completion of corrective action will exceed the 45-day timeframe, the permittee may take the minimum additional time necessary to complete the corrective action, provided that DEP is notified of the intention to exceed 45 days, along with the rationale for an extension, and a completion date, which the permittee must also include in the corrective action documentation.

6.a.2.iii. Where the permittee's corrective actions result in changes to any of the controls or procedures documented in the approved SWPPP, the SWPPP must be modified accordingly within 14 calendar days of completing corrective action work.

6.a.2.iv. The time intervals in this Section 6.a.2 are not grace periods, but are schedules considered reasonable for documenting findings and for making repairs and improvements. They are included in this permit to ensure that the conditions prompting the need for these repairs and improvements do not persist indefinitely.

SECTION B. STORM WATER REQUIREMENTS (Continued)

6.a.3. Corrective Action Documentation.

6.a.3.i. The permittee must document the existence of any of the conditions listed in 6.a.1 and 6.a.2 within 24 hours of becoming aware of such condition. Permittees are not required to submit corrective action documentation to DEP, unless specifically requested to do so. However, a summary of corrective actions or subsequent findings following SWPPP review must be documented in the SWPPP.

6.a.3.ii. The following documentation is required: • Description of the condition triggering the need for corrective action review. For any spills or leaks, include the following information: a description of the incident including material, date/time, amount, location, and reason for spill, and any leaks, spills or other releases that resulted in discharges of pollutants to waters of the state, through stormwater or otherwise; • Date the condition was identified; • Description of immediate actions taken to minimize or prevent the discharge of pollutants. For any spills or leaks, include response actions, the date/time clean-up completed, notifications made, and staff involved. Also include any measures taken to prevent the reoccurrence of such releases; and • A statement, signed and certified in accordance Title 47, Series 10, Section 4.6 of the West Virginia Legislative Rules.

6.a.3.iii. The permittee must also document the corrective actions taken or to be taken as a result of the conditions listed in this section (or, for triggering events where the permittee determines that corrective action is not necessary, the basis for this determination) within 14 days from the time of discovery of any of those conditions. Provide the dates when each corrective action was initiated and completed (or is expected to be completed). If applicable, document why it is infeasible to complete the necessary installations or repairs within the 14-day timeframe and document the schedule for installing the controls and making them operational as soon as practicable after the 14-day timeframe. If DEP was notified regarding an extension of the 45-day timeframe, the permittee must document the rationale for an extension.

6.a.4. Modifying the SWPPP

The SWPPP must be modified after the average of four consecutive samples are above the benchmark level for the sampled parameter. Based upon the modification of the SWPPP, the selection, design, installation, and implementation of any control measures at the facility may also be required to be modified to ensure that all sampled parameters meet the required benchmark levels.

Modification is also triggered if less than four benchmark samples have been taken, but the results are such that an exceedance of the four-quarter average is mathematically certain (i.e., if the sum of quarterly sample results to date is more than four times the benchmark level).

6.a.5. Continued exceedance of Benchmarks

After completing corrective actions found in Sections 6.a.1. and 6.a.2. and modifying the SWPPP in accordance with Section 6.a.4., if benchmarks monitoring continues to be exceeded, the permittee may be required to apply for an individual permit. The application for individual permit must be submitted through ESS within 30 days of written notice from WV DEP. The permittee must follow the terms and conditions of this General Permit until the individual permit is issued.

SECTION B. STORM WATER REQUIREMENTS (Continued)

6.a.6. Corrective action is not necessary when SWPPP review reveals any of the following conditions:

- a benchmark exceedance does not trigger a corrective action if the permittee determines that the exceedance is solely attributable to natural background sources or,
- if the permittee makes a finding that no further pollutant reductions are technologically available and economically practicable and achievable in light of best industry practice or,
- when run-on to the facility causes a benchmark exceedance.

The permittee is required to notify the Director within 5 calendar days of determining any of the above conditions are responsible for or contributing to benchmark exceedances.

6.a.7. Effect of Corrective Action.

If the event triggering the SWPPP review is a permit violation (e.g., non-compliance with a permit condition), correcting it does not remove the original violation. Additionally, failing to take corrective action in accordance with this section is an additional permit violation. DEP will consider the appropriateness and promptness of corrective action in determining enforcement responses to permit violations.

7. SWPPP Practice Review

The Permittee shall review its stormwater pollution prevention practices each year and revise the SWPPP (required in Section B.17), in accordance with Section B.6. and B.6.a. as necessary.

7.a. Conditions Requiring SWPPP Review and Revision to Ensure Benchmarks are Met

When any of the following conditions occur or are detected during an inspection, monitoring or other means, or DEP or EPA or the operator of the permitted facility, through which stormwater discharges informs the permittee that any of the following conditions have occurred, the permittee must review and revise, as appropriate, the SWPPP (e.g., sources of pollution; spill and leak procedures; non-stormwater discharges; the selection, design, installation and implementation of control measures) so that this permit's benchmarks are met and pollutant discharges are minimized;

An unauthorized release or discharge (e.g., Spill, leak, or discharge of non-stormwater not authorized by this or another NPDES permit to a water of the state) occurs at the facility.

A discharge violates a benchmark of the sector -specific requirements

Control measures are not stringent enough for the discharge to meet applicable water quality standards or the non-numeric effluent limits in this permit

A required control measure was never installed, was installed incorrectly, or not in compliance with design standards or is not being properly operated or maintained.

SECTION B. STORM WATER REQUIREMENTS (Continued)

8. 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 40 CFR 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 with each permit reissuance along with the required fee determined by 47 CSR Series 26.

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 Director 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.

SECTION B. STORM WATER REQUIREMENTS (Continued)

9. Representative Discharge

When a facility has similar discharges from two or more outlets from areas with significantly similar materials, management practices, and activities, the permittee may test the effluent of one of such outlet and report that the quantitative data also applies to the substantially identical outlet(s). This is allowed provided that the permittee includes in the SWPPP, 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 SWPPP.

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. Permittee must apply, and receive approval, for the use of representative outlets in reissuance permit application or submit a modification application.

10. Visual Examination of Storm Water Quality

The permittee shall perform and document a visual examination of a stormwater discharge associated with industrial activity for each outlet quarterly. The examination shall be conducted from 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 examination shall document observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of stormwater pollution. All visual examination reports must be maintained onsite in the SWPPP.

11. Water Quality Standards

The discharge shall not cause or materially contribute to distinctly visible floating or settleable solids, suspended solids, scum, foam or oily slicks; deposits or sludge bank on the bottom of streams; odors in the vicinity of the waters; taste or odor that would adversely affect the designated uses of the affected waters; materials in concentrations which are harmful, hazardous or toxic to man, animal or aquatic life; distinctly visible color; algae blooms or concentrations of bacteria which may impair or interfere with the designated uses of the affected waters, requiring an unreasonable degree of treatment for the production of potable water by modern water treatment processes as are commonly employed and any other condition, including radiological exposure which adversely alters the integrity of the waters of the state; and shall not cause a fish or mussel kill. The limitations and conditions in this permit for the discharges identified in this permit are limitations and conditions that are necessary to meet applicable West Virginia water quality standards, Requirements Governing Water Quality Standards 47 CSR 2.

12. Antidegradation Requirements

According to 60 CSR series 5, all permittees are required to comply with antidegradation requirements, therefore appropriate pollution prevention controls and measures must be included in the SWPPP to afford Tier 1 protection. According to 60 CSR 5.4, Tier 1 Protection requires the permittee to protect existing uses and the level of water quality necessary to protect the existing uses shall be maintained and protected. The SWPPP must be submitted as a part of the complete application for coverage under this GP, must be reviewed by the Department and approved in the registration, and must be fully implemented and followed by the permittee in order for the permittee to be deemed in compliance with antidegradation requirements.

SECTION B. STORM WATER REQUIREMENTS (Continued)

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

New sources that will discharge 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 GP. Therefore, the permittee must submit an NPDES application to WV DEP for coverage under an individual NPDES permit. Applicants shall consult with the State permitting authority to confirm if the facility will require an individual permit. DWWM maintains a list of approved TMDLs on its website. Interested parties can find report, lists, and the integrated reports by visiting the website at: https://dep.wv.gov/wwe/watershed/wtr_reports/pages/water_reports.aspx

New or existing permittees discharging to a 303(d) impaired water without a TMDL must develop, gain approval for, implement, and maintain pollution prevention and control measures. These measures must include specific controls to address the pollutants that caused the impairment. Regardless of the industrial sector, the Director has authority to require monitoring of the 303(d) listed stream's pollutant(s) of concern.

13.a. Chesapeake Bay TMDL and West Virginia Watershed Implementation Plan (WIP).

Facilities in the Counties of Jefferson, Berkeley, Morgan, Hampshire, Mineral, Grant, Hardy and Pendleton must take steps to comply with the assumptions and requirements of the Chesapeake Bay TMDL and the West Virginia Phase III WIP. The facilities covered under this GP are not expected to have a reduction in loadings affecting the TMDL. WV's WIP website <http://www.wvchesapeakebay.us/>

The proper implementation of required SWPPPs and GPPs by facilities as indicated by Section B.17 of this GP will address the requirements of West Virginia's Phase III WIP.

The Phase 6 Watershed Model and West Virginia's Phase III WIP assume any new facility applying for coverage under this GP will be developed on previous developed land or on agricultural lands, either of which should result in a reduction of nitrogen, phosphorus, and sediment loads to the Chesapeake Bay if proper post-construction BMPs are implemented and maintained.

14. Endangered and Threatened Species Requirements

For new discharges, the permittee shall perform an investigation to determine whether its discharge will impact any federally endangered and/or threatened species, including critical habitat. 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 for a determination that requirements of the Federal Endangered Species Act are met.

15. 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 Department may require the permit registration to be modified. If a modification is needed, the permittee must apply for a modification using the proper permit registration modification form which may be required to be made available for public notice and comment. A public notice and comment period is required if the modification makes major changes to a site such as adding a new outfall. When modified, the permit registration may include different limitations and/or requirements.

SECTION B. STORM WATER REQUIREMENTS (Continued)

16. Other Statutes or Regulations

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

17. SWPPP and Groundwater Protection Plans (GPP)

Each facility covered by this permit shall have a storm water pollution protection plan (SWPPP) and a groundwater protection plan (GPP). These two (2) plans may be combined into one (1) 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 pollutants 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 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 Appendix A (Section 1.6) of this permit and shall be retained on site. The permittee shall make plan(s) available, upon request, to the Director or authorized representative. All facilities wishing to be covered by this permit must submit a copy of the SWPPP and GPP with the application for review. The SWPPP must be prepared by a qualified person.

A qualified person is a person who is knowledgeable in the principles and practices of sediment and erosion controls, pollution prevention, and possesses the education and abilities to assess conditions at the proposed site that could impact stormwater quality and to assess the effectiveness of proposed stormwater controls to meet the requirements of this permit.

When 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 Clean Water Act (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 47 CSR 10-12.7.

SECTION B. STORM WATER REQUIREMENTS (Continued)

A. SWPPP Requirements

1. Contents of SWPPP.

- a. The plan shall include, but not be limited to, the following items:
Description of Industrial Activities and Potential Pollutant Sources. The plan shall provide a description of the nature of the industrial activities and 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. The plan shall identify all activities which have the potential to be significant pollutant sources, including: 1) loading or unloading of dry bulk materials or liquids, 2) outdoor storage of raw materials, intermediary products or final 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, the plan shall also include, but not be limited to:
 1. 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 Resource Conservation and Recovery Act (RCRA) permit which is used for accumulating hazardous waste under 40 CFR section 262.34); each well where fluids from the facility are injected underground; sinkholes; springs; and other surface water bodies;
 2. An estimate of the area of impervious surfaces (including paved areas and building roofs) relative to the total area drained by each outlet;
 3. 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 (A) under SWPPP Requirements.

SECTION B. STORM WATER REQUIREMENTS (Continued)

4. 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 or 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.
5. 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;
6. For each area of the facility that generates stormwater discharges associated with industrial activity, 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
7. A summary of existing sampling data describing pollutants in stormwater discharges.

2. Stormwater Management Controls

a. 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:

1. Pollution Prevention Committee - The SWPPP shall include a description of the stormwater Pollution Prevention Committee that identifies specific individuals within the organization who are responsible for developing the SWPPP 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.

SECTION B. STORM WATER REQUIREMENTS (Continued)

2. 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 SWPPP 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; fueling operations; vehicle maintenance and cleaning; 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.
3. Preventive Maintenance — The SWPPP shall include a preventive maintenance program that involves 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.
4. Good Housekeeping - Good housekeeping requires the maintenance of a clean, orderly facility.
5. Spill Prevention and Response Procedures - Areas where potential spills can occur, and their accompanying drainage points shall be identified clearly in the SWPPP. Where appropriate, the SWPPP shall specify material handling procedures and storage requirements. Procedures for spill cleanup and the necessary equipment to implement a cleanup shall be identified in the SWPPP and made available to all personnel.
6. 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.
7. Employee Training - Employee training programs that inform personnel at all levels of responsibility of the components and goals of the SWPPP shall be conducted annually. Training shall address topics such as spill response, good housekeeping, and material management practices. Records of the training programs performed (including date, topics, attendees, etc.) shall be maintained in the SWPPP.

SECTION B. STORM WATER REQUIREMENTS (Continued)

8. Visual Inspections - Qualified company personnel shall be identified to inspect designated equipment and plant or other appropriate areas for quarterly visual inspections. Material handling areas shall be inspected for evidence of, or the potential for, pollutants entering the drainage system. A tracking and follow-up program shall be developed to ensure that adequate response and corrective actions have been taken in response to observations/findings during the inspection. Records of inspections and any corrective actions taken shall be maintained with the facility's SWPPP.
9. 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 from the facility shall be included with the SWPPP. Inspections and maintenance activities (such as cleaning oil and grit separators or catch basins) shall be documented and maintained with the SWPPP.
10. Non-Stormwater Discharges - A certification that the discharge has been tested for the presence of non-stormwater discharges shall be included in the SWPPP. 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 SWPPP shall indicate why the certification required by this section was not feasible.

3. Site Inspection

A site inspection shall be conducted annually by appropriate personnel named in the SWPPP to verify that (1) the description of all potential pollutant sources required is accurate; (2) the drainage map has been updated or otherwise modified to reflect current conditions; and (3) the controls to reduce pollutants in stormwater discharges associated with industrial activity identified in the SWPPP are being implemented and are adequate. Records documenting significant observations made during the site inspection shall be retained with the SWPPP for three years.

SECTION B. STORM WATER REQUIREMENTS (Continued)

4. Hazardous Substance Release

A facility which has experienced one or more releases of a hazardous substance in excess of reporting quantities established at 40 CFR section 117.3 or 40 CFR section 302.4 within twelve months prior to the effective date of this permit, or at any time after the effective date of this permit, shall include as part of the SWPPP for the facility a written description of each release, corrective actions taken in response to the release, and measures taken to prevent recurrence. (Note: Section B.3. of 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 section 117 and 40 CFR section 302.)

5. 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 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. SWPPP Modifications

a. Permittees must review the SWPPP to determine if modifications are necessary if any of the following conditions occur:

1. Construction or a change in design, operation, or maintenance at your facility that significantly changes the nature of pollutants discharged in stormwater from your facility, or significantly increases the quantity of pollutants discharged.

2. As required by Section B.6.a.4.

C. Groundwater Protection Plan Requirements

1. Groundwater Protection Plans (GPPs) shall be prepared in accordance with this Section and the requirements of 47 CSR, Series 58, Section 4.11., et. seq. (Groundwater Protection Regulations).

a. The GPP shall contain 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.

SECTION B. STORM WATER REQUIREMENTS (Continued)

- b. For facilities which have areas that require remedial action to install, implement, or develop procedures or control equipment to protect groundwater, 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 47 CSR, Series 58, Section 10.
- c. A thorough and detailed list of groundwater protection procedures to be employed in the design of new equipment or operations.
- d. A thorough and detailed summary of all activities carried out under other regulatory programs which have relevance to groundwater protection (for example: RCRA, The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Stormwater Permit, SPCC, Toxic Substances Control Act, Department of Transportation training requirements, Management of Used Oil, etc.)
- e. All reasonably available information on 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.
- f. A statement that no wastes will be used for deicing, fills, or for other uses on the site unless provided for in existing rule.
- g. Documentation that annual training all employees and contractor personnel on their responsibility to ensure groundwater protection was conducted. Job procedures shall provide direction on prevention of groundwater contamination.
- h. Instructions 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. Documentation of all inspections conducted shall also be included with the GPP.

SECTION C. VEHICLE WASHING REQUIREMENTS

1. Should a Publicly Owned Treatment Works (POTW) and a sewerage system become available and be able to handle the wastewater from this facility, such wastewater shall be connected to the POTW within three (3) months of availability. However, prior to this connection, the permittee shall obtain written permission from the municipal or public service district sewage system authority, which will receive the waste.
2. Solids and other material removed from the treatment units are to be disposed of in a manner approved by the WVDEP as to prevent pollution to waters of the State. On site land application of solids or other materials is prohibited.
3. Each applicant for coverage under this section of the general permit shall submit a Groundwater Protection Plan (GPP) for review by the Division of Water and Waste Management. Said plan shall be in compliance with the requirements of 47 CSR Series 58 of the West Virginia Code.
4. The treatment system shall be protected from physical damage by the maximum expected 10-year flood level.
5. The permittee should provide treatment for the wastewater from the vehicle wash that meets the design requirements listed below. Alternate treatment technology may be approved for use if adequate data can be submitted to verify waste reduction.
 - a. Each vehicle wash bay should contain a grit trap at least two (2) feet by three (3) feet by 18 inches deep.
 - b. The sedimentation/separation tank should be large enough to hold three (3) days average flow. The volume of the tank can be determined by multiplying the length (in feet) by the width (in feet) by the depth (in feet) by 7.48 (gallons/cubic foot). [Example: A tank 18' long, 5' wide and 5' deep has a capacity = 18' X 5' X 5' X 7.48 = 3366 gallons. Therefore, if the average daily flow is not expected to exceed 1100 gallons per day, this tank should be adequate.]
 - c. The multi-media filter should contain a minimum of 100 square feet of surface area and have a minimum overall depth of 4 feet. In order to determine the size of the filter needed, you can use this formula: Area of filter = Flow (gallon/day) divided by 20 (gallon/day/square foot). [Ex: Flow Rate = 2000 gallon/day. Area = 2000 gallon/day divided by 20 (gallon/day/square foot) = 100 ft².] To facilitate cleaning of the filter, consideration should be given to utilizing dual filters.

This will be especially helpful for vehicle washes with high daily flow rates and/or for transportation companies that wash their fleet of trucks. Proposed facilities shall enclose the multi-media filter in such a manner to prevent a discharge to groundwater (existing facilities see Section C.9.).
 - d. Any vehicle washing establishment determined by this agency to be located within karst areas must also provide, in addition to the above requirements, carbon filtration treatment for the waste stream.
 - e. A drawing with an example of the typical treatment technology employed for vehicle washing will be provided to the permittee upon request.

SECTION C. VEHICLE WASHING REQUIREMENTS (Continued)

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6. Maintenance Requirements:

A maintenance program must be developed and adhered to if proper operation of this facility is to be accomplished. The maintenance log, to be included with the permit registration, shall be kept and must be available at all times for review by the Division of Water and Waste Management. A copy of the maintenance record for the prior six (6) months shall be maintained on site and submitted to the Division of Water and Waste Management along with the DMR reports required in Section G.1. of this permit.

The following maintenance regimen shall be followed to ensure proper operation of the treatment system:

- a. In-bay grit traps - Inspected daily and cleaned as needed but, not less than once per week;
- b. Multi-chamber Sedimentation/Separation Tank - Inspected monthly. Oil and grease to be removed as needed to maintain proper operation. Solids shall be handled in the same manner (C.2.)
- c. Multi-media filter - The filter shall be replaced as necessary to maintain compliance with the discharge limitations and monitoring requirements contained in Section A.2 of this permit;
- d. Major Maintenance - This work to be done as required. Major maintenance would include such items as repairs to individual treatment units, replacing damaged pipes and overhauling the filter when flow through has diminished to the point that overflow may occur.

7. Any facility proposing to perform engine degreasing as part of the vehicle washing operation must utilize additional means to control the amount of oil and grease entering the treatment system and/or being discharged from the system. This may include the placement of oil sorbent booms or pads in the in-bay grit traps and at the outlet from the treatment system. Failure to properly utilize additional means could result in the revocation of coverage under this general permit and the initiation of appropriate enforcement actions.

8. Provisions for minimum treatment technology;

- a. For a proposed vehicle wash facility, the permittee shall have installed the required minimum treatment technology or other approved technology prior to discharging any wastewater.
- b. For any existing facilities that may not have treatment, or may have inadequate treatment, the required minimum treatment technology or other approved technology must be installed within ninety (90) days after the site registration application has been approved by this agency.

9. Permittees with "uncontained" multi-media filters (filters that are not enclosed in concrete, metal or sealed block containers) will be required to enclose the filters or to perform additional monitoring. The permittee shall monitor for priority pollutant metals and BTEX (benzene, toluene, ethylbenzene, and xylene) at a frequency of once per six (6) months.

10. Vehicle washing facilities may be required to obtain coverage for storm water discharges under the appropriate section of this general WV/NPDES Permit, or other stormwater general permits such as the WV MS4 General Permit. The determination as to whether coverage under this general permit is appropriate will be based on the review of the operations and the information in the site registration application. The permittee may choose instead, however, to obtain an individual WV/NPDES Permit. DWWM will require vehicle washing establishments that discharge into trout waters to obtain an individual WV/NPDES permit to protect trout waters.

11. Permittees discharging to a Municipal Separate Storm Sewer System (MS4) must obtain written approval from the municipal authority prior to discharging stormwater into their system.

12. The filter media shall be coarse media such as silica sand, Black Beauty, graded bottom ash from coal-fired power plants, or other media approved by the DWWM. Filter media shall have a uniformity coefficient of less than 4.0 and less than four percent (4%) fines passing a one hundred (100) sieve size, with an effective particle size of 0.3 to 1.0 mm in diameter.

SECTION D. SEWAGE FACILITY REQUIREMENTS

1. The permittee shall connect to a municipal or public service district sewage collection system when one becomes available. However, prior to this connection, permittee shall obtain written permission from the municipal or public service district sewage system authority which will receive the waste and submit a request along with one (1) copy of the written permission to this agency for approval. Upon closure of a facility, or upon connection to a municipal or public service district sewage collection system, proper abandonment procedures as per West Virginia Division of Health and Human Resources Legislative Rule 64-9-3.6 shall be followed within 90 days of connection or closure.
2. The entire sewage treatment facility shall be adequately protected by fencing as per West Virginia Division of Health and Human Resources Legislative Rule 64 CSR 47.
3. Coverage under this section of this permit is contingent upon the operator of this sewage treatment plant possessing a class S certificate for Wastewater Treatment Plant Operators, issued by the State of West Virginia Bureau for Public Health.
4. The herein-described treatment works, structures, electrical and mechanical equipment shall be protected from physical damage by the maximum expected one hundred (100) year flood level and operability be maintained during the twenty-five (25) year flood level.
5. This permit authorizes the treatment of only domestic sewage from households and commercial establishments. The treatment of any industrial wastes, including waters from commercial car washes and laundries, is expressly prohibited.
6. Permittees and/or plant operators may be required, at the discretion of the Division of Water & Waste Management, to attend training courses sponsored by the Environmental Training Center at Cedar Lakes, WV if permittees and/or plant operators fail to properly operate and maintain their sewage disposal system as required in this Permit.
7. Permittees adding sewage collection system extensions or hook-ups beyond what is described in the original registration application or an approved modification of the registration will be subject to civil and/or criminal penalties.
8. Proposed wastewater treatment facilities must meet the requirements as described in their Permit to Construct issued by the Bureau for Public Health as a term of compliance with this General Permit. Facilities unable to achieve permit limitations may be required to upgrade the treatment system.
9. Due to the 15-minute hold times for TRC sampling, TRC testing is mostly performed with EPA Approved Field Test kits. Available sampling methods for total residual chlorine (TRC) are currently not sensitive enough to confirm compliance with the permit limitations imposed. TRC samples shall be taken, preserved and analyzed in accordance with the latest edition of 40 CFR Part 136. The permittee shall use an EPA Approved Method with at least a method detection level (MDL) of 100 ug/l (0.1 mg/l). Any TRC sampling result reported as less than the MDL stated above shall be assumed to confirm compliance for purposes of permit compliance. Should a more sensitive EPA approved method become available for field analysis of TRC, the permittee shall perform TRC self-monitoring in accordance with the new method. If the new method is not sensitive enough to determine compliance with specified TRC limits, analytical results reported as "not detected" at the MDL of the new method will be deemed compliant for purposes of permit compliance.

D. SEWAGE FACILITY REQUIREMENTS (Continued)

10. Facilities proposing a new or expanded sewage discharge (above current permitted flow) within the Chesapeake Bay drainage area must obtain an individual NPDES permit. This applies to discharges located in the following counties:

Berkeley; Grant; Hampshire; Hardy; Jefferson; Mineral; Morgan and Pendleton. Also, part of eastern Preston and a small section of Tucker (north of Thomas) are included.

11. All treatment systems must provide for disinfection of the effluent. Facilities registered under this general permit that utilize chlorination for disinfection must also provide for de-chlorination of the effluent prior to final discharge. Discharges to Trout Streams will be subject to limitation of Zero Total Residual Chlorine. **Therefore, the use of ultraviolet disinfection is recommended for a facility that discharges to a trout stream.**
12. Only chlorine tablets approved for use in disinfection of wastewater shall be utilized. Permittees are strictly prohibited from using chlorine tablets designed for use in swimming pools or any other designated use.
13. All wiring and electrical connections must conform to manufacturer's recommendations as well as applicable federal, state and local codes.
14. The DEP reserves the right to impose more stringent discharge limitations or additional restrictions, if necessary, to maintain the water quality integrity and the designated uses of the receiving water bodies.
15. This permit does not in any way authorize the permittee to discharge a pollutant not listed or quantified in the application, or limited or monitored for in the permit.
16. Authorization to discharge pursuant to the conditions of this permit does not relieve the permittee of any liability for damages to state waters or private property.
17. This permit shall be promptly modified or revoked and reissued to conform to any effluent standard or limitation issued if an applicable effluent standard or limitation is promulgated under Section 301(b)(2)(C) and (D), 304(b)(2) and/or 307(a)(2) of the Clean Water Act, and that effluent standard or limitation:
 1. Contains different conditions or is otherwise more stringent than any effluent limitation in this permit, or
 2. Controls any pollutant not limited in the permit; or
 3. Requires reassessment due to change in 303(d) status of water body; or
 4. Incorporates the results of any TMDL allocation, which may be approved for the receiving water body.

D. SEWAGE FACILITY REQUIREMENTS (Continued)

18. Treatment system utilizing steel tanks shall be required to provide Cathodic Protection and institute a proper Operation & Maintenance (O&M) program, including compliance testing every three (3) years performed by a WV Certified Class D or E Tester. In lieu of the required testing, the anode pack(s) must be inspected yearly and replaced as necessary to prevent pre-mature corrosion of the treatment plant.

19. Outlet Accessibility

The outlet shall be located in an area that is easily accessible for compliance inspection and monitoring:

- a) It shall be free of debris and tall weeds;
- b) It shall not be submerged under water;
- c) It shall not discharge into the ground (sub-surface);
- d) It shall have proper ground clearance to allow for compliance monitoring;
- e) It shall not be combined with any other outlet pipes or any form of drainage pipe; and
- f) If it is drained into a culvert or storm drain it must be easily accessible for monitoring.

If site-specific conditions do not allow for the installation of an easily accessible outlet, then a sampling port may be installed instead. Sampling ports must be designed, constructed, and installed to provide easy access for collecting a "free fall" water sample from the effluent stream after chlorination and de-chlorination.

20. Any new facility covered under Limitation Categories III, or IIIA (Section A.3-A.3A) shall be required to install an approved tertiary treatment system after the secondary treatment system. Any existing facility covered under Limitation Categories III or IIIA that demonstrate continued compliance to its effluent limits will not be required to upgrade its sewage treatment system. Facilities unable to achieve permit limitations may be required to upgrade the treatment system or add additional treatment components.

E. SEWAGE FACILITY REQUIREMENTS – HOME AERATION UNITS

1. In lieu of self-monitoring of the discharge, the permittee is required to have a plan to properly operate and maintain this facility and have a Class H certified wastewater operator or a current maintenance contract with a Class H certified wastewater operator. Coverage under this section of the permit will only be to the permittee. The permittee shall be responsible for compliance. At time of application for a new permit or reissuance, a sample of the effluent shall be taken and analyzed for all pollutants listed in section A.3. Non-compliance with permit limits shall require additional monitoring and/or installation of additional treatment systems.
2. Neither permittee nor contractor shall cancel the maintenance contract without prior approval from the Division of Water and Waste Management. If the maintenance contractor wishes to make a motion to terminate his or her maintenance contract with the owner, a Responsibility Release Request form shall be sent to our office for approval of such termination. This form must state the specific reason that the termination of the contract is being requested. If the owner wishes to get a maintenance contract with another service provider, then they shall submit a transfer form and contract with the new provider. At the discretion of the Division of Water and Waste Management, approval may be granted, and notification given within 30 days of receipt of the request.
3. Each quarter, or more frequently if needed, the maintenance contractor shall inspect and service the facility. Within seven (7) days upon completion of each inspection, a copy of the completed inspection form shall be mailed to the permittee. The permittee shall submit these to DWWM electronically via the Electronic Submission System (ESS).
4. This permit is issued contingent upon the operator of this plant, whether contractor or permittee, possessing a class H certificate for Wastewater Treatment Plant Operators, issued by the State of West Virginia Bureau for Public Health.
5. The permittee shall connect to a municipal or public service district sewage collection system when one becomes available. However, prior to this connection, permittee shall obtain written permission from the municipal or public service district sewage system authority which will receive the waste and submit a request along with one (1) copy of the written permission to this agency for approval. Upon closure of a facility, or upon connection to a municipal or public service district sewage collection system, proper abandonment procedures as per West Virginia Division of Health and Human Resources Legislative Rule 64-9-3.6 shall be followed within 90 days of connection or closure.
6. This section of the permit authorizes the treatment of only domestic sewage with similarities to household wastewater and certain commercial businesses. The treatment of any industrial wastes, including waters from commercial car washes and laundries, or the treatment of wastes from food service operations is expressly prohibited.
7. At the discretion of the Division of Water and Waste Management, permittees that fail to properly operate and maintain their sewage disposal system, as required by this permit, may be required to attend all appropriate training courses deemed necessary to ensure proper operation.

E. SEWAGE FACILITY REQUIREMENTS – HOME AERATION UNITS (Continued)

8. All HAU sewage treatment facilities authorized coverage under this permit shall remove sewage sludge from their system only by a septage hauler certified and registered under a septage hauler general permit issued by this office. The system shall be pumped by a certified hauler within 30 days of notification by the maintenance contractor that it is necessary. The system shall be pumped when the mixed liquor solids are above 6,000 mg/l or the final settler is more than 1/3 full of solids as determined by a jar test or other method recommended by the manufacturer. A copy of the receipt from the certified hauler shall be retained for 3 years.

9. All HAU systems must provide for disinfection of the effluent. Systems utilizing chlorination for disinfection must also provide for dechlorination of the effluent prior to final discharge. For systems installed after the effective date of this general permit, the chlorine contact chamber shall be visible and accessible for inspection and cleaning. Unless the system provides flow equalization to meet peak flows, the minimum size for the chlorine contact chamber shall be 25 gallons. Design of chlorine contact tanks shall be to minimize short-circuiting of flow. There shall be over and under or end-around baffling provided as per 64CSR47 Section 5.15.f.3 of the West Virginia Legislative Rules.

10. When the treatment system is installed and serviced, a tag, provided by the contractor, shall be attached to the system, or displayed within 2 feet of the system, in a readily accessible manner. The tag shall be constructed of a weatherproof material, or other means provided to protect the tag from weather related damage. The tag shall show the name of the service contractor, the date (m/d/y) of the most recent visit by the service contractor and the initials of the person conducting the service. Separate tags for each service visit, or a multi-visit tag, may be utilized. Tags shall remain in place for one year from the date of the last service shown. Tags shall list the WVGxxxxxx registration number assigned to the permittee.

11. Systems shall be installed as per the configuration presented for NSF testing. All appurtenances, materials and attachments, of the same model and construction used during testing, shall be included in each installation. A trash tank shall be included in circumstances recommended by manufacturer. Flow equalization shall be included in circumstances recommended by manufacturer.

F. SEWAGE SLUDGE MANAGEMENT REQUIREMENTS FOR SEWAGE FACILITIES

1. All sewage treatment facilities authorized coverage under this permit shall remove sewage sludge from their system only by a septage hauler that is certified and registered under one (1) of the two (2) septage hauler general permits issued by this Division, unless disposal of the sewage sludge is outside of the state of WV.
2. Should permittees choose to use any sewage sludge disposal method other than the method listed in Section F.1 above, they must obtain prior approval of that method by the Director of this Division.
3. Upon authorization of coverage under this permit, the permittee shall have fulfilled the requirements of Appendix A, Part II, Section 6 of this Permit with respect to the sludge generated by the wastewater treatment facilities permitted herein and compliance with the terms and conditions of the approved Sewage Sludge Management Practices shall become incorporated herewith.
4. The permittee shall monitor and report yearly on the enclosed Sludge Management Report form. See G.3 for submission requirements.
5. The permittee shall submit the Sewage Sludge Management Report form for each monitoring period listed below according to the following due dates:

<u>Monitoring Period</u>	<u>Sewage Sludge Management Report Due Date</u>
January 1 - December 31	January 25

6. The permittee shall maintain all records and reports of all monitoring required by Section F of this permit for five (5) years after the date of monitoring or reporting. Records should include copies of all required reports; and records of all data used to complete these reports.

G. OTHER REQUIREMENTS APPLICABLE TO ALL GROUPS

1. Permittee shall submit electronically, each reporting period according to the enclosed format, a Discharge Monitoring Report (DMR) indicating in terms of concentration, and/or quantities, the values of the constituents analytically determined to be in the treatment facility effluent.
2. At least one (1) representative sample of the facility effluent shall be collected and analyzed for the regulated pollutant parameters and shall be recorded on the appropriate Discharge Monitoring Report (DMR) form, for the appropriate monitoring periods of each discharge outlet. The required DMRs shall be submitted electronically, via the Electronic Submission System (ESS) to the Division of Water & Waste Management by each respective due date.
3. All required monitoring and reporting shall be submitted electronically to the Division of Water & Waste Management within 25 days of the end of the reporting period. Additional information pertaining to effluent monitoring and reporting can be found in Section III of Appendix A of this permit.
4. 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.
5. A facility permit registration will be considered as an individual permit if the coverage of a specific individual facility is the subject of an appeal in accordance with Chapter 22, Article 11, Section 21 of the West Virginia Code. Any subsequent action taken as result of the appeal will only affect the specific subject facility.
6. This permit shall be promptly modified or revoked and reissued to conform to any effluent standard or limitation issued if an applicable standard or limitation is promulgated under Section 301(b)(2)(C) and (D), 304(b)(2) and/or 307(a)(2) of the Clean Water Act, and that effluent standard or limitation:
 1. Contains different conditions or is otherwise more stringent than any effluent limitation in this permit, or
 2. Controls any pollutant not limited in the permit; or
 3. Requires reassessment due to change in 303(d) status of water body; or
 4. Incorporates the results of any TMDL allocation, which may be approved for the receiving water body.
7. It is recognized that this general permit continues to be in the developmental stage and its limitations, standards and conditions will be reviewed by the Director at the time of reissuance, or earlier, if necessary, for possible revisions. Based upon that review, such revisions may be more or less stringent than the limitations, standards and conditions contained in this general permit as permitted by law.

G. OTHER REQUIREMENTS APPLICABLE TO ALL GROUPS (Continued)

8. Facilities Discharging to 303(d) Streams

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 the West Virginia Department of Environmental Protection for coverage under an individual NPDES permit. The permittee should consult with the State TMDL authority to confirm if his/her facility is subject to an approved TMDL.

DWWM maintains a list of approved TMDLs on its website. Interested parties can find reports, lists, and the integrated report by visiting:

https://dep.wv.gov/wwe/watershed/wtr_reports/pages/water_reports.aspx

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

Facilities in the Counties of Jefferson, Berkeley, Morgan, Hampshire, Mineral, Grant, Hardy and Pendleton must take steps to comply with the assumptions and requirements of the Chesapeake Bay TMDL and the West Virginia Phase III WIP. The facilities covered under this GP are not expected to have a reduction in loadings affecting the TMDL. WV's Chesapeake Bay Program website can be found here: <http://www.wvchesapeakebay.us/>

The proper implementation of required SWPPPs and GPPs by facilities as indicated by Section B.17 of this GP will address the requirements of West Virginia's Phase III WIP.

The Phase 6 Watershed Model and West Virginia's Phase III WIP assume any new facility applying for coverage under this GP will be developed on previous developed land or on agricultural lands, either of which should result in a reduction of nitrogen, phosphorus, and sediment loads to the Chesapeake Bay if proper post-construction BMPs are implemented and maintained.

10. If a site discharges to a stream where a federally endangered or threatened species or its habitat are present, the applicant must contact the US Fish and Wildlife Service to ensure that requirements of the Federal Endangered Species Act are met.
11. If there is evidence indicating potential or realized impacts on water quality due to any storm water 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 G.4. of this permit or the permit may be modified to include different limitations and/or requirements.
12. No condition of this permit shall release the permittee from any responsibility or requirements under other environmental statutes or regulations.
13. Any "not detected (ND)" results by the permittee must be "ND" at the method detection limit (MDL) for the test method used for that parameter and must be reported as less than the MDL used. The permittee may not report the result as zero (-0-), "ND", or report the result as less than (<) a minimum level (ML), reporting limit (RL), or practical quantitation limit (PQL).

G. OTHER REQUIREMENTS APPLICABLE TO ALL GROUPS (Continued)

When averaging values of analytical results for DMR reporting purposes for monthly averages, the permittee shall use actual analytical results when these results are greater than or equal to the MDL and shall use zero (0) when these results are less than the MDL. If all analytical results are non-detect at the MDL (<MDL), then the permittee shall use the actual MDL in the calculation for averaging and report the result as less than the average calculation.

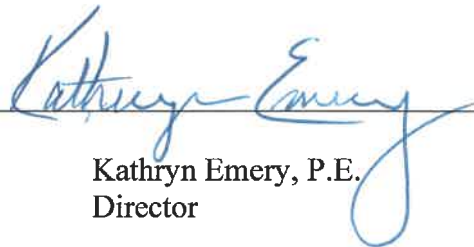
14. In incidences where a specific test method is not defined, the permittee shall utilize an EPA approved method with a method detection limit (MDL) sensitive enough to confirm compliance with the permit effluent limit for that parameter. If an MDL is not sensitive enough to confirm compliance, the most sensitive approved method must be used. If a more sensitive EPA approved method becomes available, that method shall be used. Should the current and/or new method not be sensitive enough to confirm compliance with the permitted effluent limit, analytical results reported as "not detected" at the MDL of the most sensitive method available will be deemed compliant for purposes of permit compliance. Results shall be reported on the Discharge Monitoring Reports as a numeric value less than the MDL.
15. The permittee shall not use alternate DMRs without prior approval from this agency.
16. The Director reserves the right to require more frequent reporting should there be compliance issues that may warrant such.
17. Storm water discharges associated with industrial activities located in urbanized areas (UA) shall be regulated under the Municipal Separate Storm Sewer System (MS4) General Permit. Other types of wastewater discharges may be covered under this permit.
19. This permit does not in any way authorize the permittee to discharge a pollutant not listed or quantified in the application, or limited or monitored for in the permit.
20. The Director reserves the right to impose more stringent discharge limitations or additional restrictions, if necessary, to maintain the water quality integrity and the designated uses of the receiving water bodies.
21. Authorization to discharge pursuant to the conditions of this permit does not relieve the permittee of any liability for damages to state waters or private property. For discharges to private land, this permit does not relieve the permittee from obtaining proper approval from the landowner for appropriate easements and rights of way.

The herein described activity is to be extended, modified, added to, enlarged, acquired, 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 Facility 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 Director of the Department of Environmental Protection.

Failure to comply with the terms and conditions of this permit, with the plans and specifications previously submitted with Facility 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 and 12 of the Code of West Virginia

BY:


Kathryn Emery, P.E.
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.
- c) Systems unable to achieve compliance may be required to replace or add additional treatment components.

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, this 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 of the Department of Environmental Protection.

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 Article 11 Section 12 of the Code of West Virginia.

12. Water Quality

This discharge shall not cause or materially contribute to distinctly visible floating or settable solids, suspended solids, scum, foam or oily slicks; deposits or sludge bank on the bottom; odors in the vicinity of the waters; taste or odor that would adversely affect the designated uses of the affected waters; distinctly visible color which may impair or interfere with the designated uses of the affected waters; and shall not cause a fish or mussel kill. The limitations and conditions in this permit for the discharges identified in this permit are limitations and conditions that are necessary to meet applicable West Virginia water quality standards, Requirements Governing Water Quality Standards 47 CSR 2.

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 promulgated pursuant to Chapter 22, Article 11.

14. Liabilities

a) Any person who violates a permit condition is subject to a civil penalty not to exceed \$25,000 per day of such violation as provided in W. Va. Code § 22-11-22. Any person who willfully or negligently violates permit conditions 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 one year, or both, as provided in W. Va. Code §22-1124.

I. MANAGEMENT CONDITIONS (Continued)

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 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 six months per violation, or by both, in accordance with W. Va. Code § 22-11-24.d). Nothing in 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.

d) In addition to 14.a), 14.b), and 14.c) of this Appendix, the authority provided by Clean Water Act section 309, which sets out enforcement criteria and penalties for violations of the Act, and 40 CFR Part 19, which provides for the adjustment of civil monetary penalties for inflation is applicable to violations of this permit.

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.

16. Outlet Accessibility

The outlet shall be located in an area that is easily accessible for compliance inspection and monitoring:

- a. It shall be free of debris and tall weeds;
- b. It shall not be submerged under water;
- c. It shall not be discharged into the ground (sub-surface);
- d. It shall have proper ground clearance to allow for compliance monitoring;
- e. It shall not be combined with any other outlet pipes or any form of drainage pipe; and
- f. If it is drained into a culvert or storm drain it must be easily accessible for monitoring.

If site-specific conditions do not allow for the installation of an easily accessible outlet, then a sampling port may be installed instead. Sampling ports must be designed, constructed, and installed to provide easy access for collecting a “free fall” water sample from the effluent stream after chlorination and de-chlorination.

17. 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:

A) 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

B) Your submittal of notification that the facility has ceased operations; or

C) Issuance or denial of an individual permit for the facility’s discharge; or

D) A formal permit decision by 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.

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 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 judgment 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. Installation of Appropriate Treatment Not a Defense

It shall not be a defense for a permittee in noncompliance with applicable effluent limitations to claim that the appropriate minimum treatment was installed as required in Section A, C and D of this permit. Sewage treatment systems shall incorporate design criteria that will achieve assigned effluent limits during all normal seasonal or climatic conditions of the year.

6. 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

- a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
- b. 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.
- c. The permittee shall sample in accordance with the measurement frequency prescribed for a Treatment Category. Quarterly measurement frequency periods shall be established as January 1st through March 31st, April 1st through June 30th, July 1st through September 30th, and October 1st through December 31st.

Permittee's semi-annual sampling and reporting date is determined by the date coverage under the general permit was issued and/or reissued. The sampling period will begin in the following month of when the registration was issued and/or reissued. For example, if permit coverage was issued in February, the sampling period would be March through August, and then September through February.

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 Section A analytically determined to be in the effluent(s). DMR submissions shall be made in accordance with the terms contained in Section G of this permit.
- b) The required DMRs must be submitted electronically unless otherwise approved by the agency in writing.
- c) All DMRs regardless of whether you are reporting quarterly or semi-annually and regardless of whether submitting electronically or via paper shall submit no later than 25 days following the end of the sampling period.

3. Test Procedures

- a. Samples shall be taken, preserved and analyzed in accordance with the latest edition of 40 CFR Part 136, unless another test procedures have been specified elsewhere in this permit. Total residual chlorine is to be tested on-site.
- b. All analyses performed on solids shall be analyzed in accordance with analytical methods listed in U.S. Environmental Protection Agency analytical procedure SW-846, Test Methods for Evaluating Solid Waste, Physical/Chemical Methods.
- c. Any commercial laboratory used for analyzing samples required by this permit must be certified in accordance with Chapter 22, Article 1, Section 15.

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 Part III, Section 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 five (5) 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.

III. MONITORING AND REPORTING (Continued)

- 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: (i) 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 storm water 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) "Storm Water" means storm water runoff, snow melt runoff and surface runoff and drainage.
- w) "Storm Water Associated with Industrial Activity" means the discharge from any conveyance which is used for collecting and conveying storm water 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 industries covered under this permit, the term includes, but is not limited to storm water 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 storm water. For the purposes of the storm water regulations (40 CFR Part 122.26), 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. 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 storm water drained from the above-described areas.
- (x) "Trout Streams" means any waters which meet the definition of Section 2.18 of 46 CSR1.
- (y) "Waste pile" means any non-containerized accumulation of solid, non-flowing 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 of the West Virginia Legislative Rules.

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. Notice is required when:
 - (1) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in Section 13.7.b of Series 10, Title 47 of the West Virginia Legislative Rules; or
 - (2) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under Part IV, Section 2 of this Appendix.
- 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.
- c) In addition to the above reporting requirements, all existing manufacturing, commercial, and silvicultural discharges must notify the Director in writing as soon as they know or have reason to believe:
 - (1) That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, or any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
 - (A) One hundred micrograms per liter (100 ug/l);
 - (B) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitro phenol; and for 2-methyl 4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony.
 - (C) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with Section 4.4.b.9 of Series 10, Title 47.
 - (D) The level established by the Director in accordance with Section 6.3.g of Series 10, Title 47;
 - (2) That any activity has occurred or will occur which would result in any discharge (on a non-routine or infrequent basis) of a toxic which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
 - (A) Five hundred micrograms per liter (500 ug/l);
 - (B) One milligram per liter (1 mg/l) for antimony.
 - (C) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with Section 4.4.b.7 of Series 10, Title 47;
 - (D) The level established by the Director in accordance with Section 6.3.g of Series 10, Title 47.
 - (3) That they have begun or expect to begin to use or manufacture as an intermediate or final product or by-product of any toxic pollutant which was not reported in the permit application under Section 4.4.b.9 of Series 10, Title 47 and which will result in the discharge on a routine or frequent basis of that toxic pollutant at levels which exceed five times the detection limit for that pollutant under approved analytical procedure.
 - (4) That they have begun or expect to begin to use or manufacture as an intermediate or final product or by-product of any toxic pollutant which was not reported in the permit application under Section 4.4.b.9 of Series 10, Title 47 and which will result in the discharge on a non-routine or infrequent basis of that toxic pollutant at levels which exceed ten times the detection limit for that pollutant under approved analytical procedure.

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).

**EMERGENCY RESPONSE SPILL ALERT SYSTEM
WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION**

REQUIREMENTS:

Title 47, Series 11, Section 2 of the West Virginia Legislative Rules, Environmental Protection, Water Resources - Waste Management, Effective July 1, 1987.

RESPONSIBILITY FOR REPORTING:

Each and every person who may cause or be responsible for any spill or accidental discharge of pollutants into the waters of the State shall give immediate notification to the Division of Water and Waste Management's Emergency Notification Number, 1-800-642-3074. Such notification shall set forth insofar as possible and as soon thereafter as practical the time and place of such spill or discharge, type or types and quantity or quantities of the material or materials therein, action or actions taken to stop such spill or discharge and to minimize the polluting effect thereof, the measure or measures taken or to be taken in order to prevent a recurrence of any such spill or discharge and such additional information as may be requested by the Division of Water and Waste Management. This also applies to spills to the waters of the State resulting from accidents to common carriers by highway, rail and water.

It shall be the responsibility of each industrial establishment or other entity discharging directly to a stream to have available the following information pertaining to those substances that are employed or handled in its operation in sufficiently large amounts as to constitute a hazard in case of an accidental spill or discharge into a public stream:

- (1) Potential toxicity in water to man, animals and aquatic life;
- (2) Details on analytical procedures for the quantitative estimation of such substances in water and
- (3) Suggestions on safeguards or other precautionary measures to nullify the toxic effects of a substance once it has gotten into a stream.

Failure to furnish such information as required by Section 14, Article 11, Chapter 22, Code of West Virginia may be punishable under Section 24, Article 11, Chapter 22, and/or Section 22, Article 11, Chapter 22, Code of West Virginia.

It shall be the responsibility of any person who causes or contributes in any way to the spill or accidental discharge of any pollutant or pollutants into State waters to immediately take any and all measures necessary to contain such spill or discharge. It shall further be the responsibility of such person to take any and all measures necessary to clean-up, remove and otherwise render such spill or discharge harmless to the waters of the State.

When the Director determines it necessary for the effective containment and abatement of spills and accidental discharges, the Director may require the person or persons responsible for such spill or discharge to monitor affected waters in a manner prescribed by the Director until the possibility of any adverse effect on the waters of the State no longer exists.

VOLUNTARY REPORTING BY LAW OFFICERS, U. S. COAST GUARD, LOCK MASTERS AND OTHERS:

In cases involving river and highway accidents where the responsible party may or may not be available to report the incident, law officers, U. S. Coast Guard, Lock Masters and other interested person(s) should make the report.

WHO TO CONTACT:

Notify the following number: **1-800-642-3074**

INFORMATION NEEDED:

- | | |
|--|---------------------------------------|
| - Source of spill or discharge | - Personnel at the scene |
| - Location of incident | - Actions initiated |
| - Time of incident | - Shipper/Manufacturer identification |
| - Material spilled or discharged | - Railcar/Truck identification number |
| - Amount spilled or discharged | - Container type |
| - Toxicity of material spilled or discharged | |