


COMMONWEALTH OF VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER DIVISION

Subject: **Guidance Memo No. 14-2013**, Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

To: Regional Directors

From: Melanie D. Davenport, Director 

Date: August 8, 2014

Copies: Deputy Regional Directors, Regional Water Permit Managers, Regional Water Compliance Managers, James Golden, Fred Cunningham, and Allan Brockenbrough

Summary:

On December 17, 2013, the State Water Control Board adopted amendments to the General VPDES Permit for Discharges of Stormwater Associated With Industrial Activity, 9VAC25-151, that allowed the reissuance of the VPDES Industrial Stormwater General Permit, VAR05. The new general permit will become effective on July 1, 2014, and will expire on June 30, 2019. The purpose of this guidance is to identify changes that have been made in the reissued general permit, to provide DEQ staff with guidance on implementation of these changes, and to provide guidance on aspects of the permit that have raised questions. Copies of the amended permit regulation, fact sheet, registration statement, general permit pages (by industrial sector), fee form, and all transmittal letters can be found in the [Industrial Stormwater GP](#) subdirectory on DEQNet. This guidance memo replaces Guidance Memo No. 09-2008.

Electronic Copy:

Industrial stormwater permitting information for the public can be found on DEQ's website on the [Industrial Stormwater](#) web page. An electronic copy of this guidance in PDF format is available on DEQ's website on the [Water Permit Guidance](#) web page.

Contact Information:

Burt Tuxford, Office of VPDES Permits, at (804) 698-4086 or burton.tuxford@deq.virginia.gov.

Disclaimer:

This document is provided as guidance and, as such, sets forth standard operating procedures for the agency. However, it does not mandate or prohibit any particular action not otherwise required or prohibited by law or regulation. If alternative proposals are made, such proposals will be reviewed and accepted or denied based on their technical adequacy and compliance with appropriate laws and regulations.

TABLE OF CONTENTS

1. Background	1
2. Changes to the General Permit for the 2014 Reissuance.....	1
Regulation Sections 10 – 50 (Definitions, Authorization to Discharge, etc.)	1
Section 60 – Registration Statement (RS)	2
Section 65 – Termination of Permit Coverage.	3
Section 70 - General Permit, Part I A (Effluent Limitations and Monitoring Requirements).	3
Section 70 - General Permit, Part I B - Special Conditions.	4
Section 70 - General Permit, Part II (Conditions Applicable to All VPDES Permits)	8
Section 80 - General Permit, Part III (Stormwater Pollution Prevention Plan)	8
Sections 90 to 370 - General Permit, Part IV (Sector Specific Permit Requirements)	8
3. Coverage and Restrictions to Coverage.....	9
4. Registration Statements and SWPPPs.....	17
a. Registration Statement Changes for 2014	17
b. Deadlines for Submitting Registration Statements.	21
(1) Existing Facilities.....	21
(2) New Facilities.....	21
(3) New Owners of Existing Facilities.	21
(4) Late Registration Statements.	21
(5) Discharges to Municipal Separate Storm Sewer Systems.	22
c. Registration Statement Processing and Evaluation.....	22
(1) TMDL.	22
(2) Discharges to Impaired Waters Without an Approved TMDL.	24
(3) Antidegradation.....	25
d. Where Do Registration Statements and Fees Get Submitted?.....	26
5. Issuance of the General Permit.....	26
Monitoring and DMRs	28
a. Monitoring Periods	28
b. Representative Outfalls - Essentially Identical Discharges.....	28
c. Inactive and Unstaffed Sites (Including Temporarily Inactive Sites).....	29
d. Benchmark Monitoring	30
Benchmark Monitoring Waivers.	32
e. Compliance Monitoring for Facilities Subject to Effluent Limitations	33
f. Impaired Waters Monitoring.....	35
(1) Impaired Waters WITH an Approved TMDL WLA (other than the EPA ChesBay TMDL)	35
PCB TMDL Waters.	36
TMDL Monitoring Waivers.	36

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

(2) Impaired Waters WITHOUT an Approved TMDL WLA.....	37
PCB Impaired Waters.	38
Discontinuation of Impaired Waters Monitoring.	39
(3) Facilities Subject to EPA's Chesapeake Bay TMDL.....	39
Data Analysis and Chesapeake Bay TMDL Action Plans.	40
Additional Requirements For ChesBay Facilities – Industrial Area Expansions.....	42
6. Corrective Actions	43
Corrective Action Requirements.....	44
a. Data Exceeding Benchmark Concentration Values.....	44
b. Corrective Actions.....	45
c. Follow-up Reporting.	45
7. Termination of Coverage and Change of Ownership	46
a. Termination of Coverage.....	46
b. Change of Ownership.....	46
8. Compliance Reporting	47
Additional Reporting.....	47
Significant Digits.	48
9. Inspection of the Permitted Facility	48
10. Record Keeping, Audit and CEDS.....	48
11. Monitoring Data Review at Reissuance.....	49
12. Additional Considerations for Specific Permit Special Conditions	49
SC 11 Adding/Deleting Stormwater Outfalls.....	49
SC 12 Antidegradation Requirements for New or Increased Discharges to HQ Waters.....	49
ATTACHMENT A - Registration Statement Form and Instructions.....	51
ATTACHMENT B - Notice of Termination Form and Instructions	58
ATTACHMENT C - Example Letter - Existing Permittees Reapplication Reminder	61
ATTACHMENT D - Example Transmittal Letters.....	64
1. Issuance/Reissuance - No Monitoring Required (Facilities Not In ChesBay Watershed)	65
2. Issuance/Reissuance – Facilities With Any Type of Monitoring	66
3. Termination Letter	70
4. Inactive and Unstaffed Facility Approval Letter	71
5. ChesBay TMDL Action Plan Approved / Not Approved Letter	72
ATTACHMENT E - Errata Sheet – ChesBay TMDL Loading Formula & Example Calculations ..	73

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

1. Background

On December 17, 2013, the State Water Control Board (Board) adopted amendments to the General VPDES Permit for Discharges of Stormwater Associated With Industrial Activity, [9VAC25-151](#), that allowed the reissuance of the VPDES Industrial Stormwater General Permit, VAR05 (ISWGP). The new general permit has an effective date of July 1, 2014, and will expire on June 30, 2019. The purpose of this guidance is to identify changes that have been made in the reissued general permit, to provide DEQ staff with guidance on implementation of these changes, and to provide guidance on aspects of the permit that have raised questions. This guidance memo replaces Guidance Memo No. 09-2008.

The current general permit expires on June 30, 2014. Registration statements to renew permit coverage are due from owners of existing facilities by May 2, 2014, along with the fee of \$500. There is new information required on the 2014 Registration Statement that must be included for the application to be complete (i.e., the facility area information).

The registration statement, notice of termination, and example transmittal letters are attached to this guidance. The amended regulation, fact sheet, registration statement, notice of termination, example transmittal letters, and example discharge monitoring reports (DMR) are available electronically in the [Industrial Stormwater GP](#) subdirectory on DEQNet, along with the MS Word version of the general permit, broken down by each Industrial Sector.

*** NOTE *** - In the 1990 EPA Storm Water Regulations, EPA declared in the regulation preamble that "storm water" would be two words, and they used it that way (and so did we) until their 2008 Multi-Sector General Permit (MSGP). When they published the 2008 Final MSGP, EPA changed it to "stormwater" (one word), and they did this without any formal announcement. When asked about it, EPA headquarters stated that they made the change to be consistent with the way most everyone else is using the term. We will follow EPA's lead and use "stormwater" as one word.

2. Changes to the General Permit for the 2014 Reissuance

The 2009 general permit was based primarily on EPA's draft 2006 MSGP, with some late revisions to conform to some of the changes EPA made for their Final 2008 MSGP. This 2014 ISWGP is based primarily on EPA's 2008 MSGP. Additional changes to the regulation were made to make this general permit similar to other VPDES general permits reissued recently, to address the Technical Advisory Committee (TAC) suggestions, to address staff requests to clarify and update permit requirements, and to address comments received during the public comment period. A complete list of changes to the regulation and permit for this reissuance are contained in the [Agency Background Document \(TH-09\)](#).

Following is a summary of substantive changes to the regulation and permit:

Regulation Sections 10 – 50 (Definitions, Authorization to Discharge, etc.)

Section 10 - Definitions. Modified the definitions of "best management practices", "co-located industrial activity", "industrial stormwater", and "stormwater discharge associated with industrial activity" to conform with EPA's definitions.

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

Added definitions for "Board", "closed landfill", "Department", "Director", "measurable storm event", "minimize", "MS4", "primary industrial activity", "site", and "Virginia Environmental Excellence Program" to clarify these terms for this permit regulation.

Section 15 - Applicability of incorporated references based on the dates that they became effective. Added this section to define the applicable date of EPA 40 CFR references used in the regulation. This section is being added to all general permit regulations as they are reissued.

Section 50 - Authorization to Discharge. Reformatted this section to be consistent with the way this is now being included in other general permits.

Section 50 - Authorization to Discharge, Subsection A. Added an opening paragraph to clarify which facilities are eligible to discharge under the permit.

Section 50 - Authorization to Discharge, Subsection B. Added two reasons why a facility's discharge would not be eligible for coverage under the permit: (1) if the discharge violates or would violate the antidegradation policy in the Water Quality Standards at [9VAC25-260-30](#), and (2) if the discharge is not consistent with the assumptions and requirements of an approved total maximum daily load (TMDL). These restrictions on coverage are being added to all general permits as they are reissued. Noted in this section that [Virginia's Phase I Chesapeake Bay TMDL Watershed Implementation Plan \(Phase I WIP\)](#) (November 29, 2010) states that wasteloads for future growth for new facilities in the Chesapeake Bay watershed with industrial stormwater discharges cannot exceed the nutrient and sediment loadings that were discharged prior to the land being developed for the new industrial activity. For purposes of this permit regulation, owners that commence construction after June 30, 2014, must be consistent with this requirement to be eligible for coverage under this general permit.

Section 50 - Authorization to Discharge, Subsection F. Added language to allow for administrative continuance of coverage under the expiring general permit until the new permit is issued by the Board, and facility coverage is either granted or denied. The permittee must submit a complete registration statement prior to the expiration date of the existing permit, and be in compliance with the terms of the expiring permit in order to qualify for continuance. This language is being added to all general permits as they are reissued so permittees can discharge legally if the permit reissuance process is delayed.

Section 60 – Registration Statement (RS)

Modified the RS to ask for a FAX number for the facility; the nature of the business; for new facilities, whether the stormwater pollution prevention plan (SWPPP) has been prepared; information on total facility area, area of industrial activity, the impervious area of the industrial activity, and the area draining to each industrial activity outfall. Added three questions from the 2009 RS form regarding a facility's discharges that were left off the 2009 permit. Also added new questions for scrap recycling/waste recycling facilities, and for primary airports. These questions help the Department to determine the monitoring requirements and appropriate DMRs to send with the permit to the owner. Changed the map requirement to require just a general location map and a site map (does NOT have to be the SWPPP site map) showing property boundaries, industrial activity areas, outfalls and all receiving waters.

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

Added a question for newly constructed facilities in the Chesapeake Bay watershed. To be eligible for permit coverage, owners of new facilities that commence construction after June 30, 2014, must submit documentation that they have either installed measures and controls to meet the requirement of "no net increase" of nutrients and sediment from the site prior to their developing the land for the industrial activity, or that they are using pollutant trading or offsets to meet the requirement. The documentation has to include the supporting calculations, and the total phosphorus load can't exceed the greater of: (i) the total phosphorus load that was discharged from the industrial area of the property prior to the land being developed for the new industrial activity, or (ii) 0.41 pounds per acre per year (the Virginia Stormwater Management Program (VSMP) water quality design criteria). The owner may include additional non-industrial land on the site as part of any plan to comply with the no net increase requirement. Consistent with the definition of "site", this includes adjacent land used in connection with the facility.

Specified that the RS may be delivered to the Department by postal mail or electronically. Deleted the provision that a facility's RS be posted to the Department's public website for 30 days prior to the Board granting the owner of the facility general permit coverage. Of the 1360(+) registrations that the Department received and posted for the 2009 general permit reissuance, only one public comment was received. It was decided to remove the provision from the regulation itself and develop a web-based method to make the RS's available for public review.

Section 65 – Termination of Permit Coverage.

Moved this whole section into the permit itself as a special condition (SC #14) so the permittee (who usually only has the permit itself) would have the requirements in the permit.

Section 70 - General Permit, Part I A (Effluent Limitations and Monitoring Requirements).

Benchmark Monitoring, Effluent Limitation Monitoring and Impaired Waters Monitoring. Increased the monitoring for these monitoring types from annual to semi-annual. This will allow the permittee to see more quickly when they have benchmark or effluent limitation exceedances, and will improve water quality by having SWPPP modifications, control measure adjustments and corrective actions taken sooner in the process. This will also allow the Department to better track compliance with the monitoring requirements, and to see more quickly which facilities are having stormwater quality issues so that inspections can be targeted to the facilities that need more attention. Having all the monitoring on the same semi-annual basis will also take the confusion out of the reporting requirements for the permittee.

Part I A 1 c (3) & (4) - Impaired Waters Monitoring (both with and without an approved TMDL). Specified that owners of facilities that are a source of the specified pollutant of concern to waters for which a TMDL wasteload allocation (WLA) has been approved prior to the term of this permit will be notified as such by the Department when they are approved for coverage under the general permit. Also specified that owners of facilities that discharge to waters listed as impaired in the [2012 Final 305\(b\)/303\(d\) Water Quality Assessment Integrated Report](#), and for which a TMDL WLA has not been approved prior to the term of this permit, will be notified as such by the Department when they are approved for coverage under the general permit.

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

Specified that the permittee may apply for a waiver from either the TMDL monitoring or the Impaired Waters monitoring if the DMR data show that their discharges are below the "quantitation level". The laboratory certificate of analysis has to be submitted with their waiver request. This was done to eliminate the confusion as to what "not present" and "not detected" meant in the previous permit.

Specified that representative outfall sampling is allowed for these monitoring types, consistent with EPA's 2008 MSGP.

Part I A 4 - Inactive and Unstaffed Sites. Added that a waiver of the quarterly visual assessments, routine facility inspections, and monitoring requirements (including benchmark, effluent limitation, and impaired waters monitoring) may be granted by the Board at a facility that is both inactive and unstaffed, as long as the facility remains inactive and unstaffed and there are no industrial materials or activities exposed to stormwater. The owner of such a facility is still required to conduct an annual comprehensive site inspection. They must notify the Department within 30 days if the facility becomes either active or staffed, and all quarterly visual assessments, routine facility inspections, and monitoring requirements would then resume immediately.

Part I A 6 - Corrective Actions. Removed the follow-up monitoring required by the current permit for an exceedance of an effluent limit or a TMDL WLA. The follow-up monitoring in the existing permit was very difficult for the Department to track, and confusing for the permittees to implement. Often, the follow-up monitoring had to be conducted during the next monitoring period (because many permittees only do their sampling at the end of the monitoring period), which led to confusion as to whether the follow-up sampling qualified as the permittee's normal sampling for that monitoring period as well. The revised permit now requires the permittee to take corrective action and submit a corrective action report to the Department whenever effluent limits or TMDL WLAs are exceeded. This change will allow the Department to see quickly when a facility is having a stormwater quality issue, and what measures the permittee is taking to correct the problem. With the sampling periods now changed to semi-annual for all monitoring types, the permittee will know exactly when sampling is required, and the Department will be able to track compliance with the monitoring requirement. All DMRs are now due by January 10th and by July 10th each year.

Section 70 - General Permit, Part I B - Special Conditions.

Added or modified the permit special conditions as follows:

SC #1 (Allowable Non-stormwater Discharges). Modified this special condition to make the list of these discharges consistent with EPA's 2008 MSGP. Also specified that all other non-stormwater discharges are not authorized by the permit, and must be eliminated or covered under a separate VPDES permit.

SC#5 (Discharge of Waste, Garbage or Floating Debris). Changed the wording of this special condition to match EPA's 2008 MSGP.

SC #6 (Responsibility to Comply With Any Other Applicable Federal, State, or Local Statute, Ordinance, or Regulation). Replaced the existing SC #6 (which was "Salt Storage

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

Piles") with: "Approval for coverage under this general permit does not relieve the permittee of the responsibility to comply with any other applicable federal, state, or local statute, ordinance, or regulation." This condition comes from the regulation section 151-50 E, and is being added to the special conditions section of general permits as they are reissued. It was felt that it needed to be in the permit itself, and not just in the regulation section. The "salt storage pile" section was moved to the SWPPP section of the permit.

SC #7 (Discharges Subject to TMDL WLAs). Added **subsection "b"** to this special condition to require owners of facilities in the Chesapeake Bay watershed to monitor their discharges for sediment and nutrients semi-annually for the first two years of permit coverage (four samples) to characterize the contributions from their facility's specific industrial sector for these parameters.

For the Phase I WIP, the loadings from industrial stormwater facilities were estimated using actual and estimated facility acreage information, and total phosphorus (TP), total nitrogen (TN), and total suspended solids (TSS) loading values from the Northern Virginia Planning District Commission (NVPDC) *Guidebook for Screening Urban Nonpoint Pollution Management Strategies*, prepared for the Metropolitan Washington Council of Governments. Annandale, VA. November, 1979.

Actual facility area information, and the TP, TN and TSS data collected for this permit reissuance will be used by the Board to quantify the nutrient and sediment loads from VPDES permitted industrial stormwater facilities, and will be submitted to EPA to aid them in further refinements to their Chesapeake Bay TMDL model. The loading information will also be used by the Board to determine any additional load reductions needed for industrial stormwater facilities for the next reissuance of this permit in 2019.

Added **subsection b (2)** to allow permittees that were covered under the 2009 industrial stormwater general permit that sampled for TSS, TN or TP to use applicable sampling data from the last two monitoring periods of that permit and the first two monitoring periods of this permit to satisfy the four consecutive monitoring period sampling requirement.

Also added **subsection b (3)** requiring permittees to analyze the collected nutrient and sediment data, and to develop TMDL action plans where necessary. The permittee has to analyze the nutrient and sediment data that they collected to determine if additional action is needed for this permit term. The permittee has to average the data collected at the facility for each of the pollutants of concern (e.g., TP, TN and TSS) and compare the results to the loading values for TP, TN and TSS (e.g., TP - 1.5 lb/ac/yr; TN - 12.3 lb/ac/yr; TSS - 440 lb/ac/yr). To calculate the facility loadings, the permittee may use either: (i) actual annual average rainfall data for the facility location (in inches/year), or the Virginia annual average rainfall of 44.3 inches/year; or (ii) another method approved by the Board.

The regulation contains the following formula to determine the loading value:

$$L = (0.2263 \times R \times C) / A$$

where:

L = the POC loading value (lb/acre/year)

R = the annual average rainfall (inches/year)

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

C = the POC average concentration of all facility samples (mg/L)

A = the facility industrial activity area (acres)

However, the above equation has an error. The numerator should NOT be divided by the facility area. In addition, the equation assumes 100% of the rainfall runs off the site, which is not correct. See the "Facilities Discharging to the Chesapeake Bay Watershed" section for information on the correct formula to be used.

If the calculated facility loading value for TP or TN or TSS is above the loading values for TP or TN or TSS, then the permittee has to develop and submit to the Board for review and approval a Chesapeake Bay TMDL Action Plan. The plan must be submitted within 90 days from the end of the second year's monitoring period (by September 28, 2016). The permittee must implement the approved plan over the remaining term of the permit to achieve all the necessary reductions by June 30, 2024.

The action plan has to include:

(a) A determination of the total pollutant load reductions for TP, TN and TSS (as appropriate) necessary to reduce the annual loads from industrial activities. This is to be determined by calculating the difference between the loading values, and the average of the sampling data for TP, TN or TSS (as appropriate) for the entire facility. The reduction applies to the total difference calculated for each pollutant of concern.

(b) The means and methods, such as management practices and retrofit programs, that will be utilized to meet the required reductions determined in section (a), and a schedule to achieve those reductions by June 30, 2024. The schedule should include annual benchmarks to demonstrate the ongoing progress in meeting those reductions.

(c) The permittee may consider utilization of any pollutant trading or offset program in accordance with §§ [62.1-44.19:20 through 62.1-44.19:23](#) of the Code of Virginia, governing trading and offsetting, to meet the necessary reductions.

Permittees required to develop and implement a Chesapeake Bay TMDL Action Plan must submit an annual report to the Department by June 30th of each year describing the progress in meeting the required reductions.

SC #8 (Discharges Through a Regulated Municipal Separate Storm Sewer System (MS4) to Waters Subject to the Chesapeake Bay TMDL). Added this special condition which requires permittees discharging through a regulated MS4 to waters subject to the Chesapeake Bay TMDL to incorporate measures and controls into their SWPPP to comply with the local ordinances if the permittee is notified by the MS4 operator that the locality has adopted ordinances to meet the Chesapeake Bay TMDL. Permittees are already required to comply with any other applicable federal, state, or local statute, ordinance, or regulation (see regulation section 151-50 E, and permit special condition #6), so this special condition just notifies them that their locality may adopt special Chesapeake Bay TMDL ordinances that would apply to them as well.

SC #9 (Expansion of Facilities That Discharge to Waters Subject to the Chesapeake Bay TMDL). Added this special condition which relates to the Phase I WIP. The condition states that the wasteloads from any expansion of an existing permitted facility discharging stormwater

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

in the Chesapeake Bay watershed can't exceed the nutrient and sediment loadings that were discharged from the expanded portion of the land prior to the land being developed for the industrial activity.

For any industrial activity area expansions (i.e., construction activities, including clearing, grading and excavation activities) that commence on or after July 1, 2014 (the effective date of this permit), the permittee has to document in the SWPPP the information and calculations used to determine the nutrient and sediment loadings discharged from the expanded land area prior to the land being developed, and the measures and controls that were employed to meet the no net increase of stormwater nutrient and sediment load as a result of the expansion of the industrial activity. Any land disturbance that is exempt from permitting under the VPDES construction stormwater general permit regulation ([9VAC25-880](#)) is exempt from this requirement.

The permittee may use the VSMP water quality design criteria to meet these requirements. Under these criteria, the total phosphorus load can't exceed the greater of: (i) the total phosphorus load that was discharged from the expanded portion of the land prior to the land being developed for the industrial activity or (ii) 0.41 pounds per acre per year. Compliance with the water quality design criteria may be determined utilizing the Virginia Runoff Reduction Method or another equivalent methodology approved by the Board. Design specifications and pollutant removal efficiencies for specific best management practices (BMPs) can be found on the Virginia Stormwater BMP Clearinghouse website at <http://www.vwrrc.vt.edu/swc>.

Alternatively, the owner may consider utilization of any pollutant trading or offset program in accordance with §§ [62.1-44.19:20 through 62.1-44.19:23](#) of the Code of Virginia, governing trading and offsetting, to meet the no net increase requirement.

SC #10 (Water Quality Protection). Modified this special condition extensively. The language that was retained is consistent with EPA's 2008 MSGP. The language that was removed was not from EPA's MSGP, but was added per a suggestion by the 2009 ISWGP TAC that assisted the Department with that GP's development. For this reissuance, it was decided to remove this language because the 2014 ISWGP TAC felt it was not necessary for the Special Condition. The Corrective Action section of the permit tells the permittee what to do if they exceed an effluent limit, TMDL WLA concentration or a water quality standard, and the SWPPP section describes what the permittee must do to document the selection, design, and installation of control measures, including BMPs, to eliminate or reduce the pollutants in all stormwater discharges from the facility.

SC #13 (Discharges Through an MS4). Added this special condition that requires permittees that discharge to surface waters through an MS4 to notify the owner of the MS4 in writing of the existence of the discharge within 30 days of coverage under this general permit. The permittee has to provide the following information: the name of the facility, a contact person and phone number, the location of the discharge, the nature of the discharge, and the facility's VPDES general permit registration number, and has to copy the Department with the notification. This special condition is being added to all general permits as they are reissued.

SC #14 (Termination of Permit Coverage). Moved the termination of permit coverage from the regulation itself to SC #14 so that the permittee will have the requirements in the permit

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

itself, and not in the regulation. This was done because the permittee usually will not have a copy of the full regulation, only the permit.

Section 70 - General Permit, Part II (Conditions Applicable to All VPDES Permits)

Part II A 4 (Monitoring) – Added #4 stating that samples taken as required by the permit must be analyzed in accordance with 1VAC30-45 (Certification for Noncommercial Environmental Laboratories) or 1VAC30-46 (Accreditation for Commercial Environmental Laboratories). This is being added to all permits as they are reissued.

Part II Y (Transfer of Permits) - Modified this standard condition to make it consistent with the registration statement Section 60 B 3, which requires notification within 30 days of the ownership change. The requirement allows 30 days on either side of the transfer, and the Board is allowed to grant the permittee permission for more time.

Section 80 - General Permit, Part III (Stormwater Pollution Prevention Plan)

Part III B 4 b (5) (Salt Storage Piles) – moved this from the permit special conditions section to the SWPPP to be consistent with EPA's 2008 MSGP.

Part III B 4 b (9) (Dust Suppression) – added this subsection to specify the requirements for dust suppression/control on site. The permittee may use collected stormwater for dust suppression, but there can be no direct discharge to surface waters from dust suppression activities. The permittee may also use potable water, well water, and uncontaminated reuse water for this purpose.

Sections 90 to 370 - General Permit, Part IV (Sector Specific Permit Requirements)

Section 90 – Sector A (Timber Products Facilities). Specified that Standard Industrial Classification (SIC) code 2499-1303 (Mulch, Wood and Bark Facilities) is covered under the permit in this sector. This SIC has been covered all along, but until recently the Department was not aware that mulch operations were classified under that SIC code. Added specific requirements for mulch operations and mulch dyeing operations, along with benchmark monitoring for both of these.

Section 110 – Sector C (Chemical and Allied Products). Specified that SIC 2875 (Composting Facilities) are covered under the permit in this sector. This SIC has been covered all along, but there was still some confusion over where exactly they belonged in the permit. Added benchmark monitoring requirements for these facilities.

Section 150 – Sector G (Metal Mining). Modified this sector extensively to bring it in line with the changes EPA made to their 2008 MSGP. There were no new requirements for these facilities, but EPA cleaned up the language and deleted a lot of requirements that were not necessary for this type of facility.

Section 150 – Sector G (Metal Mining) and Section 160 – Sector H (Coal Mines and Coal Mining Related Facilities). Added the "inactive and unstaffed sites" waiver condition from EPA's 2008 MSGP to these two sectors, which tells permittees how they can qualify for a waiver from the quarterly visual assessments and routine facility inspections for inactive and unstaffed sites.

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

Section 190 – Sector L (Landfills). Specified that landfills (including landfills in "post-closure care") that have been properly closed and capped in accordance with Virginia waste permitting requirements ([9VAC20-81-160](#) and [9VAC20-81-170](#)), and that have no significant materials exposed to stormwater, do not require this permit. This is different than EPA's permit which does not give landfills this option. The way the waste permitting requirements are written, once a landfill is in the Post-Closure Care phase, there is no need for further permitting of the landfill. Also, the benchmark monitoring for iron was removed from this sector. This was a recommendation from the 2014 ISWGP TAC. High iron concentrations are prevalent in the soils throughout Virginia, and having these permittees continue to monitor for it is no longer useful or necessary for this industrial sector.

Section 210 – Sector N (Scrap and Waste Recycling Facilities). Added benchmark monitoring for source-separated facilities. These facilities are very similar to the non-source separated facilities, and those already had benchmark monitoring requirements. Made the monitoring parameters the same for both.

Section 240 – Sector Q (Water Transportation) and Section 250 – Sector R (Ship and Boat Building and Repair Yards). These two sectors are very similar in their stormwater discharge characteristics. Made the benchmark monitoring requirements the same for both sectors (TSS, copper and zinc). Also for both sectors, defined pressure washing and hull washing activities as process wastewater that need separate VPDES permits (not authorized discharges under this permit).

Section 260 – Sector S (Air Transportation). Modified this sector to add the EPA effluent limitation guideline requirements for the airport deicing category to the permit ([40 CFR Part 449](#)). Effluent limits are included for primary airports using deicing products containing urea, and for primary airports meeting the definition of a "new source". Deleted the benchmark monitoring for deicing at major airports (EPA still has this), but added benchmark monitoring for TSS and total petroleum hydrocarbons (TPH) at all airports with maintenance activities (i.e., fueling, lubrication, mechanical repairs, washing, and deicing).

Section 340 – Sector AA (Fabricated Metal Products). Added copper to the benchmark monitoring for fabricated metal products facilities (except coating). Data for individual facilities show this to be a problem at some of these facilities.

Section 350 – Sector AB (Transportation Equipment, Industrial, or Commercial Machinery). Added benchmark monitoring for TSS, TPH, copper and zinc. The Department has data that show problems with this sector, and the data will help to get a better understanding of the specific facilities with issues.

3. Coverage and Restrictions to Coverage

This general permit covers point source discharges of stormwater associated with industrial activity to surface waters, including discharges through municipal or non-municipal separate storm sewer systems. This permit also covers stormwater discharges designated by the Board for permitting under the provisions of [9VAC25-31-120 A 1 c](#), or under [9VAC25-31-120 A 7 a \(1\) or \(2\)](#) of the VPDES Permit Regulation.

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

To be eligible for coverage, an owner must:

- (i) have a stormwater discharge associated with industrial activity from the facility's primary industrial activity (see the definitions at [9VAC25-151-10](#)), provided the primary industrial activity is included in Table 1 below, or
- (ii) be notified that stormwater discharges from the facility have been designated by the Board for permitting under the VPDES Permit Regulation provisions listed above.

The Regional Office will make the designation decisions, and send the notification letter to the owner. Facilities that are designated by the Board for permitting are covered under Sector AD of the permit. The Regional Water Permit Manager should concur with any decision to cover a facility under Sector AD.

TABLE 1 - SECTORS OF INDUSTRIAL ACTIVITY COVERED BY THIS PERMIT

SIC Code or Activity Code	Activity Represented
Sector A: Timber Products	
2411	Log Storage and Handling (wet deck storage areas are only authorized if no chemical additives are used in the spray water or applied to the logs).
2421	General Sawmills and Planing Mills.
2426	Hardwood Dimension and Flooring Mills.
2429	Special Product Sawmills, Not Elsewhere Classified.
2431-2439 (except 2434 - see Sector W)	Millwork, Veneer, Plywood, and Structural Wood.
2441, 2448, 2449	Wood Containers.
2451, 2452	Wood Buildings and Mobile Homes.
2491	Wood Preserving.
2493	Reconstituted Wood Products.
2499	Wood Products, Not Elsewhere Classified (includes SIC 2499-1303 - Wood, Mulch and Bark facilities).
Sector B: Paper and Allied Products	
2611	Pulp Mills.
2621	Paper Mills.
2631	Paperboard Mills.
2652-2657	Paperboard Containers and Boxes.
2671-2679	Converted Paper and Paperboard Products, except Containers and Boxes.
Sector C: Chemical and Allied Products	
2812-2819	Industrial Inorganic Chemicals.
2821-2824	Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers, except Glass.
2833-2836	Medicinal Chemicals and Botanical Products; Pharmaceutical Preparations; In Vitro and In Vivo Diagnostic Substances; Biological Products, except Diagnostic Substances.

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

2841-2844	Soaps, Detergents, and Cleaning Preparations; Perfumes, Cosmetics, and Other Toilet Preparations.
2851	Paints, Varnishes, Lacquers, Enamels, and Allied Products.
2861-2869	Industrial Organic Chemicals.
2873-2879	Agricultural Chemicals (includes SIC 2875 - Composting Facilities).
2891-2899	Miscellaneous Chemical Products.
3952 (limited to list)	Inks and Paints, Including China Painting Enamels, India Ink, Drawing Ink, Platinum Paints for Burnt Wood or Leather Work, Paints for China Painting, Artist's Paints and Artist's Watercolors.
Sector D: Asphalt Paving and Roofing Materials and Lubricants	
2951, 2952	Asphalt Paving and Roofing Materials.
2992, 2999	Miscellaneous Products of Petroleum and Coal.
Sector E: Glass Clay, Cement, Concrete, and Gypsum Products	
3211	Flat Glass.
3221, 3229	Glass and Glassware, Pressed or Blown.
3231	Glass Products Made of Purchased Glass.
3241	Hydraulic Cement.
3251-3259	Structural Clay Products.
3261-3269	Pottery and Related Products.
3274, 3275	Concrete, Gypsum and Plaster Products, Except: Concrete Block and Brick; Concrete Products, except Block and Brick; and Ready-Mixed Concrete Facilities (SIC 3271-3273).
3281	Cut Stone and Stone Products.
3291-3299	Abrasive, Asbestos, and Miscellaneous Non-Metallic Mineral Products.
Sector F: Primary Metals	
3312-3317	Steel Works, Blast Furnaces, and Rolling and Finishing Mills.
3321-3325	Iron and Steel Foundries.
3331-3339	Primary Smelting and Refining of Nonferrous Metals.
3341	Secondary Smelting and Refining of Nonferrous Metals.
3351-3357	Rolling, Drawing, and Extruding of Nonferrous Metals.
3363-3369	Nonferrous Foundries (Castings).
3398, 3399	Miscellaneous Primary Metal Products.
Sector G: Metal Mining (Ore Mining and Dressing)	
1011	Iron Ores.
1021	Copper Ores.
1031	Lead and Zinc Ores.
1041, 1044	Gold and Silver Ores.
1061	Ferroalloy Ores, Except Vanadium.

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

1081	Metal Mining Services.
1094, 1099	Miscellaneous Metal Ores.
Sector H: Coal Mines and Coal Mining Related Facilities	
1221-1241	Coal Mines and Coal Mining-Related Facilities.
Sector I: Oil and Gas Extraction and Refining	
1311	Crude Petroleum and Natural Gas.
1321	Natural Gas Liquids.
1381-1389	Oil and Gas Field Services.
2911	Petroleum Refineries.
Sector J: Mineral Mining and Dressing Facilities (SIC 1411-1499) are not authorized under this permit	
Sector K: Hazardous Waste Treatment, Storage, or Disposal Facilities	
HZ	Hazardous Waste Treatment Storage or Disposal.
Sector L: Landfills and Land Application Sites	
LF	Landfills, Land Application Sites, and Open Dumps.
Sector M: Automobile Salvage Yards	
5015	Automobile Salvage Yards.
Sector N: Scrap Recycling Facilities	
5093	Scrap Recycling Facilities (includes SIC 5093-9907 – Rubber Scrap [Tire Shredding Facilities]) .
4499 (limited to list)	Dismantling Ships, Marine Salvaging, and Marine Wrecking - Ships for Scrap.
Sector O: Steam Electric Generating Facilities	
SE	Steam Electric Generating Facilities.
Sector P: Land Transportation and Warehousing	
4011, 4013	Railroad Transportation.
4111-4173	Local and Highway Passenger Transportation.
4212-4231	Motor Freight Transportation and Warehousing.
4311	United States Postal Service.
5171	Petroleum Bulk Stations and Terminals.
Sector Q: Water Transportation	
4412-4499 (except 4499 facilities as specified in Sector N)	Water Transportation.
Sector R: Ship and Boat Building or Repairing Yards	
3731, 3732	Ship and Boat Building or Repairing Yards.
Sector S: Air Transportation	
4512-4581	Air Transportation Facilities.
Sector T: Treatment Works	

Guidance Memo No. 14-2013

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

TW	Treatment Works.
Sector U: Food and Kindred Products	
2011-2015	Meat Products.
2021-2026	Dairy Products.
2032-2038	Canned, Frozen, and Preserved Fruits, Vegetables, and Food Specialties.
2041-2048	Grain Mill Products.
2051-2053	Bakery Products.
2061-2068	Sugar and Confectionery Products.
2074-2079	Fats and Oils.
2082-2087	Beverages.
2091-2099	Miscellaneous Food Preparations and Kindred Products.
2111-2141	Tobacco Products.
Sector V: Textile Mills, Apparel, and Other Fabric Product Manufacturing, Leather and Leather Products	
2211-2299	Textile Mill Products.
2311-2399	Apparel and Other Finished Products Made from Fabrics and Similar Materials.
3131-3199 (except 3111 - see Sector Z)	Leather and Leather Products, except Leather Tanning and Finishing.
Sector W: Furniture and Fixtures	
2434	Wood Kitchen Cabinets.
2511-2599	Furniture and Fixtures.
Sector X: Printing and Publishing	
2711-2796	Printing, Publishing, and Allied Industries.
Sector Y: Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries	
3011	Tires and Inner Tubes.
3021	Rubber and Plastics Footwear.
3052, 3053	Gaskets, Packing, and Sealing Devices and Rubber and Plastics Hose and Belting.
3061, 3069	Fabricated Rubber Products, Not Elsewhere Classified.
3081-3089	Miscellaneous Plastics Products.
3931	Musical Instruments.
3942-3949	Dolls, Toys, Games, and Sporting and Athletic Goods.
3951-3955 (except 3952 facilities as specified in Sector C)	Pens, Pencils, and Other Artists' Materials.
3961, 3965	Costume Jewelry, Costume Novelties, Buttons, and Miscellaneous Notions, Except Precious Metal.
3991-3999	Miscellaneous Manufacturing Industries.

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

Sector Z: Leather Tanning and Finishing	
3111	Leather Tanning, Currying, and Finishing.
Sector AA: Fabricated Metal Products	
3411–3499	Fabricated Metal Products, except Machinery and Transportation Equipment.
3911–3915	Jewelry, Silverware, and Plated Ware.
Sector AB: Transportation Equipment, Industrial or Commercial Machinery	
3511-3599 (except 3571-3579 - see Sector AC)	Industrial and Commercial Machinery (except Computer and Office Equipment).
3711-3799 (except 3731, 3732 - see Sector R)	Transportation Equipment (except Ship and Boat Building and Repairing).
Sector AC: Electronic, Electrical, Photographic, and Optical Goods	
3571-3579	Computer and Office Equipment.
3612-3699	Electronic and Other Electrical Equipment and Components, except Computer Equipment.
3812-3873	Measuring, Analyzing, and Controlling Instruments; Photographic, Medical, and Optical Goods; Watches and Clocks.
Sector AD: Non-classified Facilities/Stormwater Discharges Designated by the Board as Requiring Permits	
N/A	Stormwater Discharges Designated by the Board for Permitting under the Provisions of 9VAC25-31-120 A 1 c, or under 9VAC25-31-120 A 7 a (1) or (2) of the VPDES Permit Regulation. Note: Owners of facilities may not elect to be covered under Sector AD. Only the Board may assign a facility to Sector AD.

Because of the broad scope of this permit, most industrial activities currently regulated under the VPDES stormwater program are eligible to be covered under the permit. There are, however, several types of stormwater discharges which are not eligible for coverage under this permit:

- Discharges to state waters specifically named in other Board regulations that prohibit such discharges;
- If the owner has been required to obtain an individual permit in accordance with [9VAC25-31-170 B 3](#) of the VPDES Permit Regulation;
- Discharges that violate or would violate the antidegradation policy in the Water Quality Standards at [9VAC25-260-30](#). If the facility's discharges will not comply with the antidegradation requirements, an individual permit application may be required to allow a discharge that meets the requirements for High Quality Waters in 9VAC25-260-30 A 2, or permits may be denied to meet the requirements for Exceptional Waters in 9VAC25-260-30 A 3.
- Discharges that are not consistent with the assumptions and requirements of an approved TMDL. If a TMDL that applies to this facility has been approved prior to the term of this

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

permit (i.e., prior to July 1, 2014), then the owner has to develop, implement, and maintain a SWPPP that is consistent with the assumptions and requirements of the TMDL. This applies where the facility's discharges are a source of the TMDL pollutant of concern. The SWPPP has to specifically address any conditions or requirements included in the TMDL that are applicable to discharges from the facility. If the TMDL establishes a specific numeric WLA that applies to discharges from the facility, the owner has to implement BMPs designed to meet that allocation.

Other restrictions and requirements listed in the ISWGP regulation:

- a. Owners of facilities with co-located industrial activities on-site have to comply with all applicable effluent limitations, monitoring and pollution prevention plan requirements of each industrial sector that applies to the facility operations.
- b. Stormwater discharges associated with industrial activity that are mixed with other discharges (both stormwater and non-stormwater) requiring a VPDES permit are authorized by this permit, provided that the owner obtains coverage under this VPDES general permit for the industrial activity stormwater discharges, and a VPDES general or individual permit for the other discharges. The owner has to comply with the terms and requirements of each permit obtained that authorizes any component of the discharge.
- c. The stormwater discharges authorized by this permit may be combined with other sources of stormwater which are not required to be covered under a VPDES permit, so long as the combined discharge is in compliance with this permit.
- d. Authorized non-stormwater discharges. The following "non-stormwater" discharges are authorized by this permit:
 - (1) Discharges from fire fighting activities;
 - (2) Fire hydrant flushings;
 - (3) Potable water, including water line flushings;
 - (4) Uncontaminated condensate from air conditioners, coolers, and other compressors and from the outside storage of refrigerated gases or liquids.. Note that "air compressor condensate" is now **an authorized non-stormwater discharge** again. This was changed back for this permit reissuance at the request of permittees and the TAC;
 - (5) Irrigation drainage;
 - (6) Landscape watering provided all pesticides, herbicides, and fertilizer have been applied in accordance with the approved labeling;
 - (7) Pavement wash waters where no detergents are used and no spills or leaks of toxic or hazardous materials have occurred (unless all spilled material has been removed);
 - (8) Routine external building washdown that does not use detergents;
 - (9) Uncontaminated ground water or spring water;

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

(10) Foundation or footing drains where flows are not contaminated with process materials; and

(11) Incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of the facility, but not intentional discharges from the cooling tower (e.g., "piped" cooling tower blowdown or drains).

All other non-stormwater discharges are not authorized and must either be eliminated or covered under a separate VPDES permit.

e. Stormwater discharges associated with construction activity that are regulated under a VPDES permit are not authorized by this permit.

f. Stormwater discharges subject to EPA Effluent Limitation Guidelines under 40 CFR Subchapter N. The only stormwater discharges subject to stormwater effluent limitation guidelines that are eligible for coverage under this permit are those identified in Table 2.

TABLE 2 - STORMWATER-SPECIFIC EFFLUENT LIMITATION GUIDELINES.

Effluent Limitation Guideline	Sectors with Affected Facilities
Runoff from material storage piles at cement manufacturing facilities (40 CFR Part 411 Subpart C (established February 20, 1974))	E
Contaminated runoff from phosphate fertilizer manufacturing facilities (40 CFR Part 418 Subpart A (established April 8, 1974))	C
Coal pile runoff at steam electric generating facilities (40 CFR Part 423 (established November 19, 1982))	O
Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas (40 CFR Part 429 Subpart I (established January 26, 1981))	A
Runoff from asphalt emulsion facilities (40 CFR Part 443 Subpart A (established July 24, 1975))	D
Runoff from landfills (40 CFR Part 445 Subparts A and B (established January 19, 2000))	K and L
Discharges from airport deicing operations, (40 CFR Part 449 (established May 16, 2012))	S

Stormwater discharges from non-metallic mineral mining facilities (SIC Major Group 14), and concrete block and brick; concrete products, except block and brick; and ready-mixed concrete facilities (SIC codes 3271-3273) are not covered by this permit. Owners of facilities in these SIC categories should seek coverage under separate VPDES general permits developed specifically for these industries (VAG84 for the non-metallic mineral mining; VAG11 for concrete products facilities).

Notes on several specific types of activities:

- **Convenience Centers** – Convenience centers are not regulated under the stormwater program, per se. However, if the stormwater discharges from the center are causing a water quality problem, we could designate the center for permitting under sector AD. If the

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

convenience center is located on a site that is required to be permitted for their stormwater discharges, it would be included as an “industrial activity” that would need to be addressed in that facility’s SWPPP. If the convenience center is located at a closed landfill that is exempt from the stormwater permitting, it does not require a stormwater permit.

- **Transfer Stations** - Solid waste transfer stations are also not regulated under the stormwater program, per se. However, if the stormwater discharges from the facility are causing a water quality problem, we could designate the station for permitting under sector AD. If the transfer station is located on a site that is required to be permitted for their stormwater discharges (such as a landfill), it would be included as an “industrial activity” that would need to be addressed in that facility’s SWPPP.
- **Mulching Operations at Closed Landfills** – If the closed landfill is not required to be permitted, the permit writer will need to determine if the mulching operation is the primary activity on site now. If it is, it would require permitting. Usually the mulching operation is a secondary operation at the site, with the primary activity being a convenience center. In this case, no permit would be required.
- **Tire Shredding Operations** – Tire shredding facilities should be included in the permit under sector N, with an SIC code of 5093-9907.

4. Registration Statements and SWPPPs

Owners/operators are required to submit a complete Registration Statement (RS) to the Department in order to obtain coverage under the general permit. The information that is required to be submitted is contained in the regulation Section 9VAC25-151-60 (Registration Statement and SWPPP). The applicant is NOT required to use our RS form to apply for coverage under the general permit. However, they must submit all the information required for registration listed in the regulation, including the certification. The revised RS form and its instructions are included with this guidance as Attachment A. A complete registration package should include the RS form (or the required information); a general location map; a site map (these DO NOT have to be the SWPPP general location map, or the SWPPP site map); and, a list of applicable sectors and associated outfalls.

Existing permittees that are renewing permit coverage have to review and update their SWPPP within 90 days of the Board granting coverage under this permit. Owners of new facilities still have to prepare and implement the SWPPP prior to submitting a Registration Statement.

a. Registration Statement Changes for 2014

The Registration Statement has changed somewhat for this reissuance. New information for an item in the RS is underlined below (but deleted information is not shown). The "**Item #x**" refers to the item listing in the regulation itself, not on the RS Form document.

Item 1 - Name, mailing address, email address (where available) and telephone number of:

- a. Facility owner; and
- b. Operator applying for permit coverage (if different than 1a).

In the 2009 GP, we asked for the "responsible party", which caused all manner of confusion with applicants. We took this out for this reissuance.

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

Item 2 - Facility name, street address, county (or city), contact name, email address, phone number, and FAX number (where available).

Item 3 – The nature of the business. This replaces the "facility ownership status", which has never been used by us (was a holdover from EPA's NOI form).

Item 4 - Name of the receiving water(s).

Item 5 – Discharges to an MS4. Reworded this one, and added a Note telling the permittee that the permit requires them to notify the MS4 owner within 30 days of coverage under the permit (Special Condition #13).

Item 6 – Existing VPDES permit numbers. Reworded this one somewhat.

New Item 7 – SWPPP. Added this item asking, for a new facility, a facility previously covered by an expiring individual permit, or an existing facility not currently covered by a VPDES permit, whether the owner has been prepared a SWPPP prior to submitting this registration statement. This was on the 2004 RS, and the TAC thought it needed to go back on the form.

Item 8 (old Item 7) – Coal storage pile runoff. Reworded this slightly. Note that this has been removed as a separate item from the RS Form document, because it is included as one of the questions in the "Identification of Applicable Industrial Sectors" (see **Item #10**).

(Old Item 8) – SWPPP General Location Map, and SWPPP Site Map. Changed this requirement to just a General Location Map, and a Site Map, and moved this requirement to **Item #12** (see Item #12 for the new requirements). The SWPPP site map NO LONGER needs to be submitted to the Regional Office. Also, we NO LONGER have to track site map submittals in CEDS.

Item 9 – Identification of up to 4 SIC Codes. (*This is Item #8 on the RS Form document.*)

Item 10 - Identification of all applicable sectors. (*RS Form Item #9*). The seven questions in this section are there to assist the staff to determine if effluent limitation monitoring is applicable to the facility.

Added the three questions in the regulation that were missed for the 2009 reissuance (these were on the 2009 RS Form, but were not in the regulation):

- c. For all facilities, indicate which outfalls (if any) receive discharges from coal storage piles.
- d. If the facility manufactures asphalt paving and roofing materials (sector D), indicate which outfalls (if any) receive discharges from areas where production of asphalt paving and roofing emulsions occurs.
- e. If the facility manufactures cement (sector E), indicate which outfalls (if any) receive discharges from material storage piles.

Added two additional questions for this reissuance:

- f. If a scrap recycling and waste recycling facility (sector N - SIC 5093) only receives source-separated recyclable materials, indicate which outfalls (if any) receive discharges from this activity. List the metals (if any) that are received.

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

g. For primary airports (sector S), list the average deicing season and indicate which outfalls (if any) receive discharges from deicing of non-propeller aircraft, and the annual average departures of non-propeller aircraft.

New Item 11 – Facility Area Information. (*RS Form Item #10*). This item was added to get facility information to support the Chesapeake Bay TMDL effort. Permittees are asked to list the following facility area information:

- the total area of the facility (in acres).
- the area of industrial activity at the facility (in acres).
- the total impervious area of the industrial activity at the facility (in acres).
- the area (in acres) draining to each industrial activity outfall at the facility.

The permittee is to number the outfalls using a unique numerical identification code for each outfall (e.g., Outfall No. 001, No. 002, etc.). ALPHA characters are NOT allowed (because e-DMR can't handle alpha-numeric outfall numbers).

It seems that this item is giving the owners real difficulty so far. Some things to check: (1) the "industrial activity area" cannot be greater than the "total facility area" (this seems like it should be obvious, but apparently it is not); (2) "total impervious area of the industrial activity at the facility" cannot be greater than the "area of industrial activity"; (3) the total of all the "area draining to each industrial activity outfall" cannot be greater than the "total facility area". We asked for the "total impervious area of the industrial activity at the facility", but what we really need for the equation calculations is the "total impervious area at the facility", which in most cases, will be a higher number. However, we get what we asked for, so we will accept it. The permittee is supposed to use the "total impervious area at the facility" to calculate the impervious fraction for the equation.

Additional information:

Q. What is an impervious surface?

An impervious surface area is any surface that does not readily absorb water and impedes the natural infiltration of water into the soil. Common examples include roofs, driveways, parking areas, sidewalks, patios, tennis courts, concrete or asphalt streets, and crushed stone or gravel surfaces used for vehicles. All surfaces used by vehicles including gravel, dirt, and other graded surfaces should be included in the Impervious Area calculation.

Q. Is gravel considered an impervious surface?

Yes. It is difficult for water to soak into a packed gravel surface. Once gravel is compacted, surface water runs off of it much like a paved surface. The gravel may slow the flow of water from an area, but nearly the same amount of runoff will flow from under the gravel as if the gravel was not there. Many flat roofs are covered with gravel, but they still shed the rainwater that falls on them. In addition, if cars or heavy equipment are traveling on gravel surfaces, the runoff typically carries pollutants like metals or petroleum into our waterways.

New Item 12 – Required Maps. (*RS Form Item #11*). We have tried to simplify the mapping requirements for the RS. The permittee is no longer required to submit the maps from the

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

SWPPP. It would be great if they do submit the SWPPP maps, but we are not requiring this. The regulation requires the following maps to be included with the registration statement:

- a. General location map. A USGS 7.5 minute topographic map, or other equivalent computer generated map, with sufficient resolution to clearly show the location of the facility and the surrounding locale; and
- b. Site map. A map showing the property boundaries, the location of all industrial activity areas, all stormwater outfalls, and all water bodies receiving stormwater discharges from the site. Outfall numbering shall be the same as that used for the facility area information in item #11.

New Item 13 – New Facilities in the Chesapeake Bay Watershed. (*RS Form Item #12*). The Phase I WIP states that wasteloads for future growth for new facilities in the Chesapeake Bay watershed with industrial stormwater discharges cannot exceed the nutrient and sediment loadings that were discharged prior to the land being developed for the industrial activity. For purposes of this permit regulation, owners that commence construction after June 30, 2014, must be consistent with this requirement to be eligible for coverage under this general permit.

If this is a new facility where construction commenced after June 30, 2014, located in the Chesapeake Bay watershed, and the owner is applying for first time general permit coverage, documentation must be attached to the registration statement to show:

- a. That the total phosphorus load does not exceed the greater of:
 - (i) the total phosphorus load that was discharged from the industrial area of the property prior to the land being developed for the new industrial activity, or
 - (ii) 0.41 pounds per acre per year (VSMP water quality design criteria).

The documentation must include the measures and controls that were employed to meet this requirement, along with the supporting calculations. The owner may include additional non-industrial land on the site as part of any plan to comply with the no net increase requirement. Consistent with the definition of "site", this includes adjacent land used in connection with the facility.

Compliance with the water quality design criteria may be determined utilizing the Virginia Runoff Reduction Method or another equivalent methodology approved by the Board. Design specifications and pollutant removal efficiencies for specific BMPs can be found on the Virginia Stormwater BMP Clearinghouse website at <http://www.vwrrc.vt.edu/swc>; or

- b. The owner may consider utilization of any pollutant trading or offset program in accordance with §§ [62.1-44.19:20 through 62.1-44.19:23](#) of the Code of Virginia, governing trading and offsetting, to meet the no net increase requirement.

The Regional Office will need to evaluate the documentation to determine if it is sufficient to show that they met the criteria. Basically, this will be a best professional judgment" (BPJ) call by the region. The Office of Water Permits (OWP) is available to assist with the evaluation if needed.

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

b. Deadlines for Submitting Registration Statements.

There have been some changes to the deadlines for this reissuance.

(1) Existing Facilities.

(a) Any owner that was authorized to discharge under the industrial stormwater general permit that became effective on July 1, 2009, and that intends to continue coverage under this general permit shall submit a complete registration statement to the Board **on or before May 2, 2014.** *This is when we want them to submit their registrations by, which may give us enough time to process them and issue coverage before the July 1 effective date.*

(b) Any owner covered by an individual VPDES permit for stormwater discharges associated with industrial activity that is proposing to be covered under this general permit shall submit a complete registration statement at least **240** days prior to the expiration date of the individual VPDES permit. *This is a change for this reissuance, and was based on comments from the AG's Office on other GPs. The 240 days gives us time to evaluate whether we can cover the facility under the GP, and if not, gives the owner time to file an individual permit application.*

(c) Any owner of an existing facility with stormwater discharges associated with industrial activity, not currently covered by a VPDES permit, that is proposing to be covered under this general permit shall submit a complete registration statement to the Board. *There is no deadline here, because this could occur at any time.*

(2) New Facilities.

Any owner proposing a new discharge of stormwater associated with industrial activity shall submit a complete registration statement at least 60 days prior to the date planned for the commencement of the industrial activity at the facility. Changed this from 30 days to 60 days based on comments from the regional staff. The 60 days gives us more time to evaluate the facility's discharges and to issue the coverage.

(3) New Owners of Existing Facilities.

Where the owner of an existing facility that is covered by this permit changes, the new owner of the facility shall submit a complete registration statement within 30 days of the ownership change. *Deleted the provision allowing them to send a "Change of Ownership" form. A "Change of Ownership" form will be sent by the old owner (or should be), which will contain the pertinent information about the new owner, but we now want the new owner to submit a complete registration statement.*

(4) Late Registration Statements.

Registration statements for existing facilities covered under (1)(a) above will be accepted after June 30, 2014, but authorization to discharge will not be retroactive. Owners described in (1)(a) above that submit registration statements after May 2, 2014, are authorized to discharge under the provisions of 9VAC25-151-50 F (Continuation of permit coverage) if a complete registration statement is submitted before July 1, 2014. *All GPs now have an*

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

*administrative continuance section (regulation section 50-F in the ISWGP) that allows us to administratively continue permit coverage under the old GP until coverage under the new permit is issued, providing the permittee submits a **complete** registration prior to July 1, 2014. If a complete application is not received prior to July 1st, then the administrative continuance does not apply, and the permittee is discharging without a permit until we issue the new permit coverage.*

(5) Discharges to Municipal Separate Storm Sewer Systems.

For this reissuance, we are not requiring owners that discharge to an MS4 to submit a copy of their registration statement to the municipal system operator. They still need to notify the operator of the MS4, but now it is a permit Special Condition (SC #13). Within 30 days of coverage under the GP, the permittee has to notify the owner of the MS4 in writing of the existence of the discharge, and provide the following information: the name of the facility, a contact person and phone number, the location of the discharge, the nature of the discharge, and the facility's VPDES general permit registration number. A copy of the notification has to be sent to the Department as well. A spreadsheet listing the regulated MS4s and their addresses is on DEQ's web site (at the bottom of the page) at: <http://www.deq.virginia.gov/Programs/Water/StormwaterManagement/VSMPPermits/MS4Permits.aspx>.

c. Registration Statement Processing and Evaluation.

The registration forms are available on DEQ's web site on the [VPDES Permits, Fees and Regulations](#) page, and on DEQNet in the [2014 ISWGP](#) subdirectory.

For this reissuance, we will **NOT** be posting registration statement packages to the DEQ public web site for a 30-day public review/comment period prior to granting permit coverage. We will be keeping a list (spreadsheet) of ISWGP applications received on DEQ's web site (updated weekly), but we will not be posting the actual registration packages. Therefore, it is important that the ISWGP permit writers keep CEDS up-to-date regarding the Application Received Date (APRD), the Application Complete Date (APCP), and the Date Signed (DTSIGN). These dates, along with basic facility information, will be included in the spreadsheet. The spreadsheet will also list the 2014 permit coverages that have been issued to date.

Once a registration is deemed complete, permit coverage can be issued.

The registration statement package should be reviewed to determine if the facility qualifies for coverage, and if the application is complete. Staff should use the Registration Statement Instructions as a guide for the type of information required for each item on the Registration Statement form. Specific things to evaluate regarding an owner's GP application:

(1) TMDL.

For this reissuance there are two TMDL considerations that have to be evaluated: (1) "standard" TMDLs (we have been dealing with these for years), and (2) the Chesapeake Bay TMDL.

(a) "Standard" TMDLs. The Regional Office will need to determine whether a non-ChesBay TMDL applies to a facility's discharge (both for new applicants and existing

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

permittees) when a Registration Statement is received. Only TMDLs that are approved prior to July 1, 2014 apply to ISWGP facilities for this permit term. TMDLs that are approved July 1, 2014 and later are not applicable to ISWGP facilities until the 2019 permit reissuance.

To be eligible for coverage, the regulation states that the facility's discharges must be consistent with the assumptions and requirements of an approved TMDL. For many TMDLs, ISWGP facilities are considered an insignificant source of the pollutant of concern, so only a cursory evaluation is necessary. However, some ISWGP facilities are specifically included in TMDLs. These should be discussed with the regional TMDL coordinator to be sure that general permit coverage is appropriate for these facilities.

For most existing permittees the evaluation should be straightforward since the TMDL requirement was in the 2009 ISWGP, and they were required to include measures and controls in their SWPPP that were consistent with the assumptions and requirements of the TMDL. This permit just continues those requirements.

Any TMDL that was approved between July 1, 2009 and June 30, 2014 would not have been addressed by 2009 ISWGP permittees. If one of these TMDLs has specific requirements for an existing permittee, the facility's discharge will need to be evaluated to determine if general permit coverage is still appropriate for the facility.

Unless an owner has already been notified by the Department that a TMDL applies to them, most will probably have no idea that a TMDL even exists, much less that they are impacted by it in any way. Also, unless we have just inspected the facility and reviewed their SWPPP, we will have no idea whether the permittee has already updated their SWPPP to address the TMDL requirements, or implemented BMPs specifically for the TMDL.

Facilities that are new dischargers since the TMDL was developed, or facilities where operations have changed since the TMDL was developed may need to be evaluated in more detail. Facility operations may have changed such that an allocation may not have been given in an approved TMDL, or the TMDL may have been developed prior to the facility beginning operations. The permit writer should not accept the fact that there is no allocation in the TMDL at face value, and should determine whether activities at the facility have changed. If the permit writer feels that this is the case, the TMDL coordinator should be contacted to determine if general permit coverage is still appropriate for the facility.

Facilities discharging to an impaired waterway with an approved TMDL may have additional TMDL monitoring requirements. If so, the Regional Office will need to notify the owner of the additional requirements in the permit transmittal letter (see [Section 5 f \(1\), Monitoring and DMRs - TMDL Monitoring](#)).

(b) Chesapeake Bay TMDL. The Phase I WIP states that wasteloads for future growth for new facilities in the Chesapeake Bay watershed with industrial stormwater discharges cannot exceed the nutrient and sediment loadings that were discharged prior to the land being developed for the new industrial activity. For purposes of this permit regulation,

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

owners that commence construction after June 30, 2014, must be consistent with this requirement to be eligible for coverage under this general permit.

If this RS is for a new facility where construction commenced after June 30, 2014, located in the Chesapeake Bay watershed, and the owner is applying for first time general permit coverage, documentation must be attached to the registration statement to show:

(1) That the total phosphorus load does not exceed the greater of: (i) the total phosphorus load that was discharged from the industrial area of the property prior to the land being developed for the new industrial activity, or (ii) 0.41 pounds per acre per year ([VSMP water quality design criteria](#)). The documentation must include the measures and controls that were employed to meet this requirement, along with the supporting calculations. The owner may include additional non-industrial land on the site as part of any plan to comply with the no net increase requirement. Consistent with the definition of "site" in the regulation, this includes adjacent land used in connection with the facility.

Compliance with the water quality design criteria may be determined utilizing the [Virginia Runoff Reduction Method](#) or another equivalent methodology approved by the Board. Design specifications and pollutant removal efficiencies for specific BMPs can be found on the Virginia Stormwater BMP Clearinghouse website at <http://www.vwrrc.vt.edu/swc>; or

(2) The owner may consider utilization of any pollutant trading or offset program in accordance with §§ [62.1-44.19:20 through 62.1-44.19:23](#) of the Code of Virginia, governing trading and offsetting, to meet the no net increase requirement.

The documentation should be clear on how the owner met the "no net increase" requirement. If it is not, the owner should be contacted for additional explanation before coverage is issued.

Owners of facilities discharging to the ChesBay watershed **have** additional Chesapeake Bay specific TMDL monitoring requirements. The Regional Office will need to notify the owner of the additional requirements in the permit transmittal letter (see [Section 5 f \(3\), Monitoring and DMRs – ChesBay TMDL Monitoring](#)).

(2) Discharges to Impaired Waters Without an Approved TMDL.

The Regional Office will need to determine if the facility discharges to an impaired water that does not have an approved non-ChesBay TMDL. For this reissuance, we are using the [2012 Final 305\(b\)/303\(d\) Water Quality Assessment Integrated Report](#) to determine which waters are impaired.

Note that for this reissuance we have deleted the 2009 ISWGP regulation requirement for the owner of a new facility to: (i) prevent all exposure to stormwater of the pollutant(s) for which the waterbody is impaired; (ii) document that the pollutant(s) for which the waterbody is impaired is not present at the site; and (iii) provide data to the appropriate DEQ Regional Office to support a showing that the discharge is not expected to cause or contribute to an exceedance of a water quality standard. This requirement was confusing to owners and

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

difficult for us to manage and evaluate. With the requirement for permittees to monitor for the impaired waters pollutant of concern, we get a much better picture of the impact of the facility's discharges on the impaired waters, which assists us with the determination of whether the facility should be specifically addressed in the TMDL that is developed.

We have received questions regarding when a facility is considered "discharging to impaired waters". EPA's definition of "Impaired Water" in the 2013 Proposed MSGP states:

"Your industrial facility will be considered to discharge to an impaired water if the first water of the U.S. to which you discharge is identified by a state, tribe, or EPA pursuant to Section 303(d) of the CWA as not meeting an applicable water quality standard, or is included in an EPA-approved or established total maximum daily load (TMDL). For discharges that enter a storm sewer system prior to discharge, the first water of the U.S. to which you discharge is the waterbody that receives the stormwater discharge from the storm sewer system."

We will use the same interpretation for this reissuance of the ISWGP. For our purposes, "water of the U.S." equals "surface waters" in Virginia. Permittees discharging to an impaired waterway without an approved TMDL may have additional monitoring requirements. If so, the Regional Office will need to notify the owner of the additional requirements in the permit transmittal letter (see [Section 5 f \(2\), Monitoring and DMRs – Impaired Waters Monitoring](#)).

(3) Antidegradation.

For this reissuance we have modified the antidegradation language to be consistent with how this is included in other general permits. The regulation now states that the Board will notify an owner that the discharge is not eligible for coverage under this general permit in the event that the discharge violates or would violate the antidegradation policy in the Water Quality Standards at [9VAC25-260-30](#).

For discharges to Tier 1 waters, the permit Special Condition #10 (Water Quality Protection) requires the permittee to control discharges as necessary to meet applicable water quality standards. That condition also states that: "The Board expects that compliance with the conditions in this permit will control discharges as necessary to meet applicable water quality standards." Therefore, if the permittee is complying with the permit requirements, their discharges are meeting water quality standards and antidegradation requirements for Tier 1 waters, and no further evaluation is necessary.

Permittees discharging to Tier 2 waters are assumed to be in compliance with the Antidegradation Policy since: (a) critical low flow conditions under which a Tier 2 evaluation would be performed would not be expected to coincide with wet weather (intermittent) flow conditions; and (b) the Board has not adopted wet weather water quality standards to make a definitive policy compliance determination.

For Tier 2 waters, dischargers under this general permit will usually meet antidegradation requirements with no further evaluation necessary. If the sector that applies to the facility has no effluent limitations or benchmark monitoring, or the pollutant of concern is TSS

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

alone, then the discharges are assumed to be meeting antidegradation requirements and no further evaluation is necessary. If the sector that applies to the facility has either effluent limitations or benchmark monitoring, the Regional Office should look at any recent monitoring data to evaluate the potential of the facility's stormwater discharges to degrade the high quality waters. If there is no reasonable potential for the discharges to degrade the high quality waters, then the permit coverage can be issued.

New or increased discharges to Tier 3 waters under this permit are prohibited.

d. Where Do Registration Statements and Fees Get Submitted?

For this reissuance the RS may be submitted to the Department by postal mail or electronically. Each region (except BRRO) has set up an email mailbox to receive registrations, and the mailbox email address has been included in the Reissuance Reminder Letter. Regardless of how the RS is submitted, it is important to make sure the registration is signed, and signed by the appropriate person.

The signed RS should be submitted to the Regional Office that serves the area where the facility is located. For a lateral facility (such as a pipeline), the RS only needs to be sent to one Regional Office if the pipeline spans more than one region. The Regional Office that receives a lateral facility RS should notify the other impacted regions that they will be issuing GP coverage for the facility.

The Water Division Permit Application Fee Form and the check are to be submitted to Receipts Control at the DEQ Central Office (we are NOT asking the permittees to copy the region with the check and Fee Form). The registration fee is \$500 and must be paid in full at the time the Registration Statement is submitted for permit coverage. There is no pro-rating of fees for partial term coverage. For CEDS and other purposes (such as ECM), the date the permit application is deemed complete (APCP) should be based on the date a COMPLETE signed registration statement package (including fee payment verification) is received.

At times the Regional Office might receive original Fee Forms from the permittees/applicants (sometimes along with payments). Any payments and original Fee Forms submitted by an applicant should be forwarded to DEQ-Finance using the standard procedures. For purposes of ECM, DEQ-Finance is the "owner" of the Fee Forms. Any Fee Forms/payments received are NOT to be scanned into ECM by the Regional Offices. Since Fee Forms and checks contain personal identification information (i.e., SSNs, FINs, bank account numbers, etc.), staff should send DEQ-Finance any original fee forms received, and destroy copies of fee forms/payments once payment verification is established.

The latest version of the [Water Permit Fee Form](#) is available on DEQNet, and also on [DEQ's public web page](#).

5. Issuance of the General Permit

For this reissuance, once a registration package has been deemed complete, coverage can be issued and the general permit can be sent to the owner/operator. The registration package does not need to be posted to the web for public comment prior to issuing coverage.

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

We have again put the MS Word version of the general permit pages, broken down for each of the 29 Industrial Sectors, on DEQNet at this address: [2014 Industrial Stormwater GP documents](#).

The general permit is divided into four parts:

- Part I - Effluent Limitations, Monitoring Requirements and Special Conditions.
- Part II - Conditions Applicable to All VPDES Permits.
- Part III - Stormwater Pollution Prevention Plan (SWPPP).
- Part IV - Sector Specific SWPPP Permit Requirements.

All permittees receive permit Parts I, II and III. Part I may need to be modified slightly if the facility has monitoring for co-located industrial activities occurring on-site that fall within multiple sectors, or if they have coal pile runoff monitoring.

The permittee will receive all of the sector specific sections of Part IV that apply to the facility, depending on what industrial activities are occurring on site. These sectors should have been identified by the permittee as part of the registration package. Permittees with co-located industrial activities on-site have to comply with all the applicable effluent limitations, monitoring and pollution prevention plan requirements for all the different Part IV Sectors in which a co-located industrial activity is described.

The cover page (printed on agency letterhead), Part I pages (edited as necessary to include the monitoring for all co-located industrial activities, or to include coal pile effluent limitation monitoring), Part II and Part III pages, and appropriate Part IV Sector Specific pages (include all that apply for co-located industrial activities) should be assembled. The general permit coverage number for the facility will need to be entered on the cover page, as well as in the upper right hand corner of each Part I, II, III and IV page. The page numbering in the upper right hand corner of each permit page will also need to be checked and adjusted as necessary. No other changes to the language of the general permit are necessary or authorized.

All ISWGP permit coverage numbers begin with VAR05, and are 9 digits long. Existing permittees that reapply will retain the same permit coverage number that they currently have. New permit coverage numbers will continue to be assigned by CEDS.

Attachment D contains example letters to use to transmit the permit and DMRs (if applicable) to the permittee. Do not copy OWP or EPA on any facility GP coverage transmittals, unless requested. Also note that the GP coverage transmittal letter does not contain the two paragraphs referencing the owner's right to appeal the decision to cover them under a general permit.

If the permittee has monitoring, they must submit DMRs. The transmittal letter should indicate when the DMRs are due and where the DMRs are to be sent. Note that we have included a paragraph on e-DMR, which is now available for the ISWGP. If a "non-ChesBay" TMDL applies to the facility, the transmittal letter must notify the permittee of this, and if there is associated TMDL monitoring, this needs to be spelled out as well. If the facility discharges to an impaired water that does not have a TMDL developed, the owner will have monitoring for the pollutants of concern, and the transmittal letter must notify the permittee of this. And finally, all permittees in the Chesapeake

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

Bay watershed have special monitoring for TSS, TN and TP for the first two years of permit coverage (four sampling periods).

Monitoring and DMRs

There are four types of monitoring requirements in the permit that may require the permittee to submit a DMR:

- Benchmark Monitoring (also called Analytical Monitoring);
- Compliance Monitoring for Facilities Subject to Effluent Limitations (including separate requirements for any facility with coal pile discharges);
- Impaired Waters Monitoring (for discharges to waters both with and without an approved TMDL); and
- Chesapeake Bay TMDL Monitoring (permit Special Condition #7).

a. Monitoring Periods

All benchmark monitoring, effluent limitation monitoring, and impaired waters monitoring (for waters both with and without an approved TMDL) will now be conducted **semi-annually** each year of permit coverage, with the semi-annual periods being January through June, and July through December.

For this reissuance, the permit specifies that monitoring commences with the first full monitoring period after the owner is granted coverage under the permit. The first DMR will be due the 10th of the month following the first monitoring period. This will all be based on the DTSIGN date, and is consistent with the way other permits are set up.

The permit Transmittal Letter should list the "Monitoring Start Date" (MSD) to let the permittee know what we expect. All permits with a DTSIGN of July 1, 2014 or earlier should have a MSD of July 1, 2014. All permits with a DTSIGN after July 1, 2014 should have the MSD based on the next full monitoring period (i.e., January 1, 2015, July 1, 2015, January 1, 2016, etc.). It is important to get as many of these GPs reissued by July 1st as possible so that we don't lose the first monitoring period, but that may be a problem for some facilities depending on when the registrations come in, and with problems getting the permittees to respond to corrections and incomplete submittals.

b. Representative Outfalls - Substantially Identical Discharges

If a facility has two or more outfalls that discharge substantially identical effluents, based on similarities of the industrial activities, significant materials, size of drainage areas, and stormwater management practices occurring within the drainage areas of the outfalls, the permittee may conduct monitoring on the effluent of just one of the outfalls and report that the observations also apply to the substantially identical outfall or outfalls. Consistent with EPA's 2008 MSGP, the substantially identical outfall monitoring provisions now apply to quarterly visual monitoring, benchmark monitoring, and impaired waters monitoring (both those with and without an approved TMDL). The substantially identical outfall monitoring provision **does not apply to numeric effluent limits monitoring**.

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

On paper DMRs that the permittee submits, the sampled representative outfall will be reported on the DMR, and the outfalls that are represented by the sampled outfall will be listed in the comment section of the DMR. Signed DMRs are not required for each of the outfalls that are represented by the sampled outfall. In e-DMR, DMRs are required for all outfalls that discharge substantially identical effluents. The sampled outfall is identified as the "Representative" outfall, and the outfalls that are represented by the sampled outfall are identified as "Substantially Identical" outfalls.

The permittee also has to include the following information in their SWPPP (for this reissuance we dropped the "runoff coefficient" estimate requirement):

1. The locations of the outfalls;
2. Why the outfalls are expected to discharge substantially identical effluents, including evaluation of monitoring data, where available; and
3. Estimates of the size of the drainage area (in square feet) for each of the outfalls.

The permittee's representative outfall designation does not require formal approval from DEQ. It is not unusual for a permittee's assessment of representative outfalls/substantially identical effluents to be very different than DEQ's. If there is disagreement between DEQ and the permittee in making the representative outfall determination; and/or if subsequent information becomes available (such as through an inspection) that would support modifying (or even canceling altogether) the designation, DEQ, as the permitting authority, has the final say.

c. Inactive and Unstaffed Sites (Including Temporarily Inactive Sites)

The inactive/unstaffed provision has been expanded significantly for this reissuance.

1. A waiver of the quarterly visual assessments, routine facility inspections, and monitoring requirements (including benchmark, effluent limitation, and impaired waters monitoring) may be granted by the Board (Regional Office) at a facility that is both inactive and unstaffed, as long as the facility remains inactive and unstaffed and there are no industrial materials or activities exposed to stormwater. These facility owners are only required to conduct an annual comprehensive site inspection in accordance with the permit SWPPP requirements in Part III E.
2. An inactive and unstaffed sites waiver request has to be submitted to the Board (Regional Office) for approval, and include the following information:
 - (i) the name of the facility;
 - (ii) the facility's VPDES general permit registration number;
 - (iii) a contact person, phone number and email address (if available);
 - (iv) the reason for the request; and
 - (v) the date the facility became or will become inactive and unstaffed.

The waiver request has to be signed and certified in accordance with the permit Part II K. If the waiver is granted, a copy of the request and the Board's written approval of the waiver has to be maintained with the SWPPP (see [example letter #4 in Attachment D](#)).

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

3. If circumstances change and industrial materials or activities become exposed to stormwater, or the facility becomes either active or staffed, the permittee has to notify the Department within 30 days, and all quarterly visual assessments, routine facility inspections, and monitoring requirements have to be resumed immediately.
4. The Board retains the right to revoke this waiver when it is determined that the discharge is causing, has a reasonable potential to cause, or contributes to a water quality standards violation.
5. Inactive and unstaffed facilities covered under Sector G (Metal Mining) and Sector H (Coal Mines and Coal Mining-Related Facilities) are not required to meet the "no industrial materials or activities exposed to stormwater" standard to be eligible for this waiver. This is consistent with the conditional exemption requirements established in the permit Sectors G and H.

d. Benchmark Monitoring

Permittees in certain industrial sectors are required to conduct benchmark monitoring of their industrial activity stormwater discharges for specified pollutants of concern. In some cases, the monitoring is applicable only to a sub-sector rather than the entire industrial sector. If there are co-located industrial activities at a facility that are described in more than one sector, the permittee has to comply with all the applicable benchmark monitoring requirements from each sector. The permittee should have identified in the RS the outfalls at the facility and the industrial sectors associated with each outfall. DMRs should be prepared for each outfall with the appropriate sector benchmark monitoring parameters for the facility. Benchmark Monitoring DMR examples for each Sector that has benchmark monitoring requirements are on DEQNet at: [2014 Industrial Stormwater GP documents](#). For outfalls that have multiple sector monitoring requirements, duplicate benchmark parameters should be listed only once. CEDS has been updated for this reissuance and should correctly print the DMRs for us, including those for outfalls with multiple sectors.

All benchmark monitoring is semi-annual for this reissuance. Table 3 lists the industrial sectors and sub-sectors, the applicable SIC codes, and the associated monitoring parameters for facilities that have benchmark monitoring requirements.

TABLE 3. INDUSTRIAL SECTORS SUBJECT TO BENCHMARK MONITORING.

Sector	Industry Sub-Sector	Benchmark Monitoring Parameters
A	General Sawmills and Planing Mills (SIC 2421)	TSS.
	Wood Preserving Facilities (SIC 2491)	Arsenic, Chromium, Copper.
	Log Storage and Handling (SIC 2411)	TSS.
	Hardwood Dimension and Flooring Mills, and Misc. Timber Product Facilities (SIC 2426, 2429, 2431-2439 (except 2434), 2448, 2449, 2451, 2452, 2493, and 2499)	TSS.
	Mulch, Wood and Bark Facilities (SIC 2499-1303)	BOD, TSS.
	Mulching Dying Operations (SIC 2499-1303)	BOD, TSS, COD, Aluminum, Arsenic, Cadmium, Chromium, Copper, Iron,

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

		Lead, Manganese, Mercury, Nickel, Selenium, Silver, Zinc, Total N, Total P.
B	Paperboard Mills (SIC 2631)	BOD ₅ .
C	Industrial Inorganic Chemicals (SIC 2812-2819)	Aluminum, Iron, Total N.
	Plastics, Synthetic Resins, etc. (SIC 2821-2824)	Zinc.
	Soaps, Detergents, Cosmetics, Perfumes (2841-2844)	Total N, Zinc.
	Agricultural Chemicals (SIC 2873-2879)	Total N, Iron, Zinc, Total P.
	Composting Facilities (SIC 2875)	TSS, BOD, COD, Ammonia, Total N, Total P.
D	Asphalt Paving and Roofing Materials (SIC 2951, 2952)	TSS.
E	Clay Products (SIC 3251-3259, 3261-3269)	Aluminum.
	Lime and Gypsum Products (SIC 3274, 3275)	TSS, pH, Iron.
F	Steel Works, Blast Furnaces, and Rolling and Finishing Mills (SIC 3312-3317)	Aluminum, Zinc.
	Iron and Steel Foundries (SIC 3221-3225)	Aluminum, TSS, Copper, Iron, Zinc.
	Nonferrous Metals Rolling and Drawing (SIC 3351-3357)	Copper, Zinc.
	Nonferrous Foundries (3363-3369)	Copper, Zinc.
G	Active Copper Ore Mining and Dressing (1021)	TSS
	Ore Waste Rock & Overburden Piles (SIC 1011, 1021, 1031, 1041, 1044, 1061, 1081, 1094, 1099)	pH, TSS, Hardness, Nickel, Silver, Zinc, Cadmium, Copper, Arsenic, Lead, Mercury, Iron, Selenium, Beryllium, Antimony, Turbidity
H	Coal Mines and Coal-Mining Related Facilities (SIC 1221-1241)	TSS, Aluminum, Iron
K	Hazardous Waste Treatment, Storage or Disposal (HZ)	TKN, TSS, TOC, Arsenic, Cadmium, Cyanide, Lead, Magnesium, Mercury, Selenium, Silver.
L	Landfills, Land Application Sites, & Open Dumps (LF)	TSS.
M	Automobile Salvage Yards (SIC 5015)	TSS, Aluminum, Iron, Lead.
N	Scrap Recycling and Waste Recycling Facilities (SIC 5093)	Aluminum, Cadmium, Chromium, Copper, Iron, Lead, Zinc, TSS.
	Ship Dismantling, Marine Salvaging and Marine Wrecking (SIC 4499 - Limited to list)	Aluminum, Cadmium, Chromium, Copper, Iron, Lead, Zinc, TSS.
O	Steam Electric Generating Facilities (SE)	Iron.
P	Land Transportation and Warehousing (SIC 4011, 4013, 4111-4173, 4212-4231, 4311, and 5171)	TPH, TSS.
Q	Water Transportation Facilities (SIC 4412-4499)	TSS, Copper, Zinc.
R	Ship and Boat Building or Repairing Yards (SIC	TSS, Copper, Zinc.

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

	3731, 3732)	
S	Airports (SIC 4512-4581)	TSS, TPH.
U	Dairy Products (SIC 2021-2026)	BOD ₅ , TSS.
	Grain Mill Products (SIC 2041-2048)	TSS, TKN.
	Fats and Oils (SIC 2074-2079)	BOD ₅ , Total N, TSS.
Y	Rubber Products (SIC 3011-3069)	Zinc.
Z	Leather Tanning and Finishing (SIC 3111)	TKN.
AA	Fabricated Metal Products Except Coating (SIC 3411-3471, 3482-3499, 3911-3915)	Iron, Aluminum, Copper, Zinc.
	Fabricated Metal Coating and Engraving (SIC 3479)	Zinc.
AB	Transportation Equipment Manufacturing (SIC 35, except 357; and SIC 37, except 373)	TSS, TPH, Copper, Zinc
AD	Non-classified Facilities/Stormwater Discharges Designated By the Board As Requiring Permits	TSS.

For this reissuance, benchmark monitoring is to be conducted at least once during each of the first four, and potentially all, monitoring periods after the owner is granted coverage under the permit. Depending on the results of four consecutive monitoring periods, the permittee may qualify for a waiver that would not require benchmark monitoring to be conducted in subsequent monitoring periods.

Benchmark Monitoring Waivers.

Waivers from benchmark monitoring are available to permittees whose discharges are below benchmark concentration values on an outfall-by-outfall basis. The requirements have changed somewhat for this reissuance. The permittee can receive a waiver from benchmark monitoring in subsequent monitoring periods during the term of this permit provided that:

- (1) Samples were collected in four consecutive monitoring periods, and the average of the four samples for all parameters at the outfall is below the applicable benchmark concentration value in the permit Part IV sector specific section(s) (*Note: permittees that were covered under the 2009 ISWGP may use sampling data from the last two monitoring periods of that permit [i.e., the last two they were required to sample - - if they received a waiver under the 2009 ISWGP, they can use the data from those two periods in the calculation] and the first two monitoring periods of this permit to satisfy the four consecutive monitoring periods requirement*); and
- (2) The facility is not subject to a numeric effluent limitation established in Part I A 1 c (1) (Stormwater Effluent Limitations), Part I A 1 c (2) (Coal Pile Runoff), or Part IV (Sector Specific Permit Requirements) for any of the parameters at that outfall; and
- (3) A waiver request is submitted to and approved by the Board (the regions actually do the approving for the Board). The waiver request must be sent to the Regional Office, along with the supporting monitoring data for four consecutive monitoring periods, and a certification that, based on current potential pollutant sources and control measures used,

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

discharges from the facility are reasonably expected to be essentially the same (or cleaner) than the waiver benchmark monitoring results.

The Regional Office should evaluate the waiver request based upon:

- The average of the four samples for all parameters at the outfall is below the benchmark concentration value;
- A favorable compliance history (including inspection results); and
- No outstanding enforcement actions.

The Regional Office may revoke the monitoring waiver for just cause. If the monitoring waiver is revoked, the permittee must be notified by the Regional Office in writing, and told that the benchmark monitoring requirements are again in force and will remain in effect until the permit's expiration date.

e. Compliance Monitoring for Facilities Subject to Effluent Limitations

The effluent limitations in the permit are from EPA's stormwater effluent limitation guidelines (ELG), and are listed in Table 4. There are now eight categories of effluent limitations in the permit (we added the Airport Deicing ELG), and only certain SIC codes or certain types of discharges are subject to these limitations. Permittees with co-located industrial activities at a facility (those that are described in more than one sector in the permit) have to comply on a discharge-by-discharge basis with all applicable effluent limitations from each sector.

All effluent limitation monitoring is semi-annual for this reissuance.

In the Registration Statement the permittee should have identified the outfalls at the facility, and the industrial sectors associated with each outfall. They also should have answered the extra questions in Item # 10, which will assist with the determination if effluent limitations apply at that outfall.

For Hazardous Waste Treatment, Storage, or Disposal (TSD) facilities and Landfill facilities, numeric effluent limitations apply to contaminated stormwater discharges. For these facilities, contaminated stormwater is defined as stormwater that comes in direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater. Some specific areas of a landfill that may produce contaminated stormwater include, but are not limited to: the open face of an active landfill with exposed waste (no cover added); the areas around wastewater treatment operations; trucks, equipment or machinery that has been in direct contact with the waste; and waste dumping areas.

Note that Coal Pile Runoff effluent limitations could potentially apply to any facility.

DMRs should be prepared for each outfall with the appropriate effluent limitations. Example Effluent Limitation Monitoring DMRs for each Sector that has effluent limitation monitoring requirements are on DEQNet at: [2014 Industrial Stormwater GP documents](#).

TABLE 4. NUMERIC EFFLUENT LIMITATIONS

Industrial Sector	Parameter	Effluent Limitation
Coal Pile Runoff. Coal pile runoff at any	TSS	50 mg/L, max

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

covered facility (40 CFR Part 423).	pH	Within the range of 6.0 - 9.0 s.u.	
Sector A - Timber Products. Wet Decking Discharges at Log Storage and Handling Areas [SIC 2411] (40 CFR Part 429 Subpart I).	pH	Within the range of 6.0 - 9.0 s.u.	
	Debris (woody material such as bark, twigs, branches, heartwood, or sapwood)	No discharge of debris that will not pass through a 2.54 cm (1") diameter round opening.	
Sector C - Chemical and Allied Products Manufacturing. Phosphate Subcategory of the Fertilizer Manufacturing Point Source Category [SIC 2874] (40 CFR 418.10).	Total Phosphorus (as P)	105 mg/L, daily max.	35 mg/L, 30-day ave.
	Fluoride	75 mg/L, daily max.	25 mg/L, 30-day ave.
Sector D - Asphalt Paving and Roofing Materials. Discharges from areas where production of asphalt paving and roofing emulsions occurs [SIC 2951 & 2952] (40 CFR Part 443 Subpart A).	TSS	23 mg/L, daily max.	15 mg/L, 30-day ave.
	Oil and Grease	15 mg/L, daily max.	10 mg/L, 30-day ave.
	pH	Within the range of 6.0 - 9.0 s.u.	
Sector E - Glass, Clay, Cement, Concrete and Gypsum Products. Cement Manufacturing Facility, Material Storage Run-off (40 CFR Part 411 Subpart C).	TSS	50 mg/L, Daily Maximum	
	pH	Within the range of 6.0 - 9.0 s.u.	
Sector K - Hazardous Waste TSD Facilities. Hazardous Waste Treatment, Storage, or Disposal Facilities [Industrial Activity Code "HZ"] - Contaminated stormwater discharges (40 CFR Part 445 Subpart A).		Maximum Daily	Max. Monthly Ave.
	BOD ₅	220 mg/L	56 mg/L
	TSS	88 mg/L	27 mg/L
	Ammonia	10 mg/L	4.9 mg/L
	Alpha Terpineol	0.042 mg/L	0.019 mg/L
	Aniline	0.024 mg/L	0.015 mg/L
	Benzoic Acid	0.119 mg/L	0.073 mg/L
	Naphthalene	0.059 mg/L	0.022 mg/L
	p-Cresol	0.024 mg/L	0.015 mg/L
	Phenol	0.048 mg/L	0.029 mg/L
	Pyridine	0.072 mg/L	0.025 mg/L
	Arsenic (Total)	1.1 mg/L	0.54 mg/L
	Chromium (Total)	1.1 mg/L	0.46 mg/L
	Zinc (Total)	0.535 mg/L	0.296 mg/L
pH	Within the range of 6.0 - 9.0 s.u.		
Sector L – Landfills. Landfills [Industrial Activity Code "LF"] - Contaminated stormwater discharges (40 CFR Part 445		Maximum Daily	Max. Monthly Ave.
	BOD ₅	140 mg/L	37 mg/L

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

Subpart B).	TSS	88 mg/L	27 mg/L
	Ammonia	10 mg/L	4.9 mg/L
	Alpha Terpineol	0.033 mg/L	0.016 mg/L
	Benzoic Acid	0.12 mg/L	0.071 mg/L
	p-Cresol	0.025 mg/L	0.014 mg/L
	Phenol	0.026 mg/L	0.015 mg/L
	Zinc (Total)	0.20 mg/L	0.11 mg/L
	pH	Within the range of 6.0 - 9.0 s.u.	
Sector S – Air Transportation.			
<u>Airfield pavement deicing.</u> Existing primary and new source primary airports with at least 1,000 annual jet departures discharging wastewater associated with airport pavement deicing comingled with stormwater (40 CFR Part 449).	Ammonia as Nitrogen	14.7 mg/L, Daily Maximum	
<u>Aircraft deicing.</u> New source airports with 10,000 annual departures, and located in cold climate zones, shall collect at least 60% of available aircraft deicing fluid (ADF) after deicing, and achieve the effluent limits for available ADF collected (40 CFR Part 449).	Chemical Oxygen Demand (COD)	271 mg/L, Daily Maximum	154 mg/L, Weekly Average

f. Impaired Waters Monitoring

Two types of impaired waters monitoring are included in the permit:

- Facilities discharging to impaired waters with an approved TMDL WLA (other than the EPA Chesapeake Bay TMDL); and
- Facilities discharging to impaired waters without an approved TMDL WLA.

All impaired waters monitoring is semi-annual for this reissuance (including both those with and without an approved TMDL).

(1) Facilities Discharging to Impaired Waters WITH an Approved TMDL WLA (other than the EPA ChesBay TMDL)

(See subsection (3) below for ChesBay TMDL requirements)

The permit includes monitoring requirements for facilities subject to TMDL WLAs to ensure that dischargers are in compliance with the TMDL allocations. Permittees are only required to monitor if the facility has been specifically identified in the TMDL and has been assigned a WLA in the TMDL. If the facility has been identified in the TMDL, but does not have a WLA, the permittee has to address the TMDL in their SWPPP, but they do not have to monitor.

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

Only TMDLs that are approved prior to July 1, 2014 apply to ISWGP facilities for this permit term. TMDLs that are approved July 1, 2014 and later are not applicable to ISWGP facilities until the 2019 permit reissuance.

The Regional Office will need to notify the permittee in writing that they are subject to the TMDL requirements of the permit. This should be done in the permit transmittal letter (see [example letter #2 in Attachment D](#)). If the TMDL has a WLA assigned to the facility, the permittee is required to monitor their discharges for the pollutant of concern to evaluate compliance with the TMDL allocation. They should also be notified of this requirement in the permit transmittal letter. A TMDL DMR needs to be prepared and included with the permit package. The TMDL DMR should include the concentration for the pollutant of concern upon which the TMDL WLA was based. An example TMDL Monitoring DMR is on DEQNet at: [2014 Industrial Stormwater GP documents](#).

If the permitted facility is a new facility that began discharging after the TMDL was developed, the permit writer should coordinate with the regional TMDL staff to determine how the facility will be incorporated into the TMDL. Depending on the TMDL, there may be several options for this. If other industrial stormwater facilities are listed in the TMDL and have a WLA (and therefore have TMDL monitoring), then TMDL monitoring should be included for the new facility as well.

PCB TMDL Waters.

For facilities discharging to an impaired waterbody with an approved PCB TMDL, [GM09-2001](#) outlines the procedures that are to be followed for this monitoring. Note that there is also some new PCB guidance that has recently been released: GM14-2004 – "Procedures for reviewing and deriving total PCB concentrations from samples analyzed using low-level PCB method 1668 to be used in the development and implementation of TMDLs".

PCB sampling is expensive, so we don't want to ask the permittees to sample for this any more than we have to. If the permittee monitored for PCBs for the 2009 GP, the results of that sampling should be analyzed to determine what will need to be done for this permit reissuance. If the results of the sampling indicate that the facility is not a source of PCBs, then no PCB TMDL requirements should be needed for this permit term. If the results of the sampling are inconclusive (i.e., they did not follow GM09-2001), then PCB sampling should be continued in accordance with GM09-2001 for this permit term, and that should be spelled out in the transmittal letter.

If the results of the PCB sampling are sufficient to indicate a "reasonable potential" to exceed the water quality criterion, or actually exceed the WLA specified in the PCB TMDL, then the facility should be moved to the PMP phase, and those requirements should be spelled out in the transmittal letter (see [example letter #2 in Attachment D](#)).

TMDL Monitoring Waivers.

This has changed for this reissuance. If the pollutant subject to the TMDL WLA is below the quantitation level in all of the samples from the first four monitoring periods (i.e., the first two years of coverage under the permit), the permittee may request in writing to the Board

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

(Regional Office) that further sampling be discontinued, unless the TMDL has specific instructions to the contrary (in which case those instructions have to be followed). The laboratory certificate of analysis has to be submitted with the request. The 2009 permit used the term "not detected" (from EPA's MSGP), but that term was not defined, so this provision was seldom used (if at all). We changed the term to "quantitation level" based on discussions with the TAC. This gives the permittee a number to shoot for, and gives us a way to evaluate the request.

If the pollutant subject to the TMDL WLA is above the quantitation level in any of the samples from the first four monitoring periods, the permittee has to continue the scheduled TMDL monitoring throughout the term of the permit.

(2) Facilities Discharging to Impaired Waters WITHOUT an Approved TMDL WLA

The permit includes monitoring requirements for facilities discharging to impaired waters without an approved TMDL WLA to determine if discharges from the facility are causing or contributing to the water quality impairment. For this reissuance, we are using the [2012 Final 305\(b\)/303\(d\) Water Quality Assessment Integrated Report](#) to determine which waters are impaired. This is the approved Integrated Report (IR) that will be in effect when the permit becomes effective on July 1st, and we will not be using subsequently approved IRs to determine impaired waters until the next permit reissuance in 2019.

EPA's definition of "Impaired Water" in the 2013 Proposed MSGP states:

"Your industrial facility will be considered to discharge to an impaired water if the first water of the U.S. to which you discharge is identified by a state, tribe, or EPA pursuant to Section 303(d) of the CWA as not meeting an applicable water quality standard, or is included in an EPA-approved or established total maximum daily load (TMDL). For discharges that enter a storm sewer system prior to discharge, the first water of the U.S. to which you discharge is the waterbody that receives the stormwater discharge from the storm sewer system."

We will use this same interpretation for this reissuance of the ISWGP. For our purposes, "water of the U.S." equals "surface waters" in Virginia. If the facility is discharging to an unnamed tributary of the impaired water, then no impaired waters monitoring is required.

The Regional Office has to notify permittees in writing that they are subject to the impaired waters monitoring requirements of the permit. This should be done in the permit transmittal letter (see [example letter #2 in Attachment D](#)). An Impaired Waters Monitoring DMR needs to be prepared and included with the permit package. An example Impaired Waters Monitoring DMR is on DEQNet at: [2014 Industrial Stormwater GP documents](#).

The regulation requires permittees to monitor their discharges for all pollutants for which the waterbody is impaired, and for which a standard analytical method exists, at least once during each of the monitoring periods after the owner is granted coverage under the permit.

If the pollutant for which the waterbody is impaired is suspended solids, turbidity or sediment/sedimentation, the permittee has to monitor for TSS. If the pollutant for which the waterbody is impaired is expressed in the form of an indicator or surrogate pollutant, the

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

permittee has to monitor for that indicator or surrogate pollutant. No monitoring is required when a waterbody's biological communities are impaired but no pollutant, including indicator or surrogate pollutants, is specified as causing the impairment, or when a waterbody's impairment is related to hydrologic modifications, impaired hydrology, or temperature.

Due to the more precise methods used to make allocations in bacteria impaired waters, it is anticipated that few industrial facilities will receive an allocation for bacteria. Owners of facilities discharging into a waterbody with a bacteriological impairment do not need to do bacteria monitoring unless the Regional Office believes there is a compelling reason to monitor (e.g., there is an obvious failing drainfield at the facility; there is composting with human or animal wastes; there is land application of industrial wastes containing sewage; there are combined sewers with overflow points; etc.).

For benthic and DO impairments, the Regional Office permit writers should coordinate with their TMDL staff prior to including any benthic/DO monitoring requirements in the permit.

PCB Impaired Waters.

For facilities discharging to PCB impaired waters without an approved TMDL, [GM09-2001](#) outlines the procedures that are to be followed for this monitoring. The Regional Office permit writers should coordinate with their TMDL staff prior to including any PCB monitoring requirements in the permit.

Note that there is also some new PCB guidance that has recently been released: GM14-2004 – "Procedures for reviewing and deriving total PCB concentrations from samples analyzed using low-level PCB method 1668 to be used in the development and implementation of TMDLs".

PCB sampling is expensive, so we don't want to ask the permittees to sample for this any more than we have to. Since the Impaired Waters Monitoring was included in the 2009 GP, some permittees have already performed PCB sampling. If the results of the sampling indicate that the facility is not a source of PCBs, then no additional PCB sampling should be required for this permit term. If the results of the sampling are inconclusive (i.e., they did not follow GM09-2001), then PCB sampling should be continued in accordance with GM09-2001 for this permit term, and that should be spelled out in the transmittal letter.

If the results of the PCB sampling are sufficient to indicate a "reasonable potential" to exceed the water quality criterion, or actually do exceed the criterion, then this should be stated in the transmittal letter. The permittee should be asked to contact the Regional Office to discuss voluntarily actions the permittee may wish to take to reduce the PCB discharges from the site (see [example letter #2 in Attachment D](#)). Until the TMDL is actually developed and approved, we cannot require them to do a PMP. If the TMDL is approved during this permit term, the PMP requirements would not kick in until the beginning of the next GP term (i.e., in 2019).

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

Discontinuation of Impaired Waters Monitoring.

This has changed for this reissuance. If the pollutant for which the water is impaired is below the quantitation level in all the discharges from the facility, or it is above the quantitation level but its presence is caused solely by natural background sources, the permittee may request to the Board (Regional Office) in writing that further impaired water monitoring be discontinued. The laboratory certificate of analysis has to be submitted with the request. If approved, the permittee has to keep documentation of this with the SWPPP. The 2009 permit used the term "not present" (from EPA's MSGP), but that term was not defined, so this provision was seldom used (if at all). We changed the term to "quantitation level" based on discussions with the TAC. This gives the permittee a number to shoot for, and gives us a way to evaluate the request.

To support a determination that the pollutant's presence is caused solely by natural background sources, the following documentation has to be submitted with the request and kept with the SWPPP:

- (a) An explanation of why the permittee believes that the presence of the impairment pollutant in the facility's discharge is not related to the activities at the facility; and
- (b) Data or studies that tie the presence of the impairment pollutant in the facility's discharge to natural background sources in the watershed.

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

(3) Facilities Discharging to the Chesapeake Bay Watershed (i.e., Facilities Subject to EPA's Chesapeake Bay TMDL)

EPA imposed their Chesapeake Bay TMDL on the Bay states on December 29, 2010. For this permit reissuance we have included special ChesBay TMDL monitoring requirements for ALL facilities in the Chesapeake Bay Watershed (see permit Special Condition #7 b). All owners of ChesBay facilities must monitor for TSS, TN and TP semi-annually for the first two years of permit coverage (four consecutive monitoring periods). The regulation allows facilities that were covered under the 2009 ISWGP that sampled for TSS, TN or TP to use applicable sampling data from the last two monitoring periods of that permit and the first two monitoring periods of this permit to satisfy the four consecutive monitoring periods requirement.

The Regional Office has to notify all ChesBay permittees in writing that they are subject to the ChesBay TMDL monitoring requirements of the permit. This should be done in the permit transmittal letter (see [example letter #2 in Attachment D.](#)) The Chesapeake Bay TMDL DMR needs to be included with the permit package. We have set up special ChesBay TMDL CEDS parameter codes for TSS (929), TN (930) and TP (931). An example Chesapeake Bay TMDL DMR is on DEQNet at: [2014 Industrial Stormwater GP documents.](#)

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

Here's the background for all this: EPA's Chesapeake Bay TMDL includes WLAs for VPDES permitted industrial stormwater facilities as part of the regulated stormwater aggregate load. EPA used data submitted by Virginia for the Phase I WIP, including the number of industrial stormwater permits per county and the number of urban acres regulated by industrial stormwater permits, as part of their development of the aggregate load. Aggregate loads for industrial stormwater facilities were appropriate because actual facility loading data were not available to develop individual facility WLAs.

Virginia estimated the loadings from industrial stormwater facilities using actual and estimated facility acreage information, and TP, TN, and TSS loading values from the Northern Virginia Planning District Commission (NVPDC) *Guidebook for Screening Urban Nonpoint Pollution Management Strategies*, prepared for the Metropolitan Washington Council of Governments. Annandale, VA. November, 1979. The loading values used were as follows:

- TP - High (80%) imperviousness industrial; 1.5 lb/ac/yr
- TN - High (80%) imperviousness industrial; 12.3 lb/ac/yr
- TSS - High (80%) imperviousness industrial; 440 lb/ac/yr

The actual facility area information, and the TP, TN and TSS data collected for this permit will be used by the Board to quantify the nutrient and sediment loads from VPDES permitted industrial stormwater facilities, and will be submitted to EPA to aid them in further refinements to their Chesapeake Bay TMDL model. The loading information will also be used by the Board to determine any additional load reductions needed for industrial stormwater facilities for the next reissuance of this permit.

Data Analysis and Chesapeake Bay TMDL Action Plans.

The permittee has to analyze the nutrient and sediment data collected to determine if additional action is needed during this permit term. The permittee has to average the data collected at the facility for each of the pollutants of concern (POC) (i.e., TP, TN and TSS) and compare the results to the loading values for TP, TN and TSS above. To calculate the facility loadings, the permittee may use either: (i) actual annual average rainfall data for the facility location (in inches/year), or the Virginia annual average rainfall of 44.3 inches/year; or (ii) another method approved by the Board.

The regulation included the following formula for the permittee to use to determine the facility specific loading values:

$$L = (0.2263 \times R \times C) / A$$

where:

- L = the POC loading value (lb/acre/year)
- R = the annual average rainfall (inches/year)
- C = the POC average concentration of all facility samples (mg/L)
- A = the facility industrial activity area (acres)
- 0.2263 = the unit conversion factor

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

However, the above equation from the regulation has an error. The correct equation that should be used to calculate the loading values is:

$$L = 0.226 \times R \times C \quad \text{Equation (1)}$$

where:

L = the POC loading value (lb/acre/year)

C = the POC average concentration of all facility samples (mg/L)

0.226 = unit conversion factor

R = annual runoff (in/yr), calculated as: $R = P \times P_j \times R_v$

where:

P = annual rainfall (in/yr)

P_j = fraction of annual events that produce runoff (usually 0.9)

R_v = runoff coefficient, which can be expressed as: $R_v = 0.05 + (0.9 \times I_a)$

I_a = the impervious fraction (the ratio of facility impervious area to the total facility area, or, $I_a = \text{AREA}_{\text{IMPERVIOUS}} / \text{AREA}_{\text{TOTAL}}$)

Substituting in Equation (1):

$$L = 0.226 \times P \times P_j \times (0.05 + (0.9 \times I_a)) \times C \quad \text{Equation (2)}$$

In the original equation the numerator should NOT have been divided by the facility area. The facility area, in conjunction with the rainfall, is used to calculate the flow value for the equation. In addition, the original equation assumes 100% of the rainfall runs off the site, which is not correct.

We have developed an Errata Sheet (see Attachment E) that gives the correct loading equation to use, and also includes an example loading calculation. This should be included with every permit package that goes to a facility located in the Chesapeake Bay watershed.

We will probably get calls from both permittees and consultants requesting help with the calculations. Refer them to the Errata Sheet (which is also on our web site at this address: <http://www.deq.virginia.gov/Programs/Water/PermittingCompliance/PollutionDischargeElimination/PermitsFees.aspx#isw>), and if they have additional questions that the region would like help with, contact the OWP staff in Central Office.

If the calculated facility loading value for TP or TN or TSS is above the NVPDC loading values for TP or TN or TSS presented above, then the permittee has to develop and submit to the Board for review and approval a Chesapeake Bay TMDL Action Plan. Based on the information submitted by the permittee on their RS, and the submitted monitoring data, we can make rough calculations to get an idea of which facilities probably should be submitting Action Plans. It is not necessary for the region to run the calculations for each facility, but if the monitoring data concentrations at a facility look high, then it may be useful to run the calculations so that we can compare our numbers to the permittees at the time of an inspection.

The plan is to be submitted by the permittee within 90 days from the end of the second year's monitoring period (the regulation states by September 28, 2016, but the actual date would depend on when permit coverage is issued and they do the monitoring). The Regional Office

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

should review any action plans received and compare them to the plan requirements listed below. If a plan contains all the required elements, and they actually propose to do something to reduce the loadings, then the plan should be approved. See [example letter #5 in Attachment D](#).

The permittee must implement the approved plan over the remaining term of this permit to achieve all the necessary reductions by June 30, 2024. The action plan must include:

- (a) A determination of the total pollutant load reductions for TP, TN and TSS (as appropriate) necessary to reduce the annual loads from industrial activities. This is to be determined by calculating the difference between the NVPDC loading values, and the average of the sampling data for TP, TN or TSS (as appropriate) for the entire facility. The reduction applies to the total difference calculated for each pollutant of concern;
- (b) The means and methods, such as management practices and retrofit programs, that the permittee will use to meet the required reductions determined above, and a schedule to achieve those reductions by June 30, 2024. The schedule should include annual benchmarks to demonstrate the ongoing progress in meeting those reductions;
- (c) The regulation allows the permittee to consider utilization of any pollutant trading or offset program in accordance with §§ [62.1-44.19:20 through 62.1-44.19:23](#) of the Code of Virginia, governing trading and offsetting, to meet the required reductions.

Design specifications and pollutant removal efficiencies for the management practices and retrofit programs the permittee might use for specific BMPs can be found on the [Virginia Stormwater BMP Clearinghouse website](#).

Permittees that are required to develop and implement a Chesapeake Bay TMDL Action Plan have to submit an Annual Report to the Department by June 30th of each year describing the progress in meeting the required reductions. We have added Event Codes in CEDS to track receipt of ChesBay TMDL Action Plans, and the ChesBay TMDL Annual Reports, where applicable.

Additional Requirements For ChesBay Facilities – Industrial Area Expansions

The Phase I WIP states that the wasteloads from any expansion of an existing permitted facility discharging stormwater in the Chesapeake Bay watershed cannot exceed the nutrient and sediment loadings that were discharged from the expanded portion of the land prior to the land being developed for the expanded industrial activity. What this means is that any industrial activity expansions have to meet a requirement of "no net increase" of nutrients and sediment. Here are the particulars from the regulation:

- (a) For any industrial activity area expansions (i.e., construction activities, including clearing, grading and excavation activities) that commence on or after July 1, 2014 (the effective date of this permit), the permittee has to document in the SWPPP the information and calculations used to determine the nutrient and sediment loadings discharged from the expanded land area prior to the land being developed, and the measures and controls that were employed to meet the no net increase of stormwater nutrient and sediment load as a result of the expansion of the industrial activity. If the

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

land disturbance does not fit the definition of "large" or "small" construction activity from the VSMP Regulation, it does not require permitting under the VPDES construction stormwater GP regulation, and is exempt from this "expansion" requirement (see the Construction GP Regulation, [9VAC25-880](#), Section 10, Purpose, and the VSMP Regulation, [9VAC25-870](#), Section 10, Definitions, and the definitions of "Large construction activity" and "Small construction activity").

(b) The permittee may use the VSMP water quality design criteria to meet the requirements of subsection (a) above. Under these criteria, the total phosphorus load is not to exceed the greater of: (i) the total phosphorus load that was discharged from the expanded portion of the land prior to the land being developed for the industrial activity, or (ii) 0.41 pounds per acre per year. Compliance with the water quality design criteria may be determined utilizing the [Virginia Runoff Reduction Method](#) or another equivalent methodology approved by the Board. Design specifications and pollutant removal efficiencies for specific BMPs can be found on the [Virginia Stormwater BMP Clearinghouse website](#).

(c) The permittee may consider using of any pollutant trading or offset program in accordance with §§ [62.1-44.19:20 through 62.1-44.19:23](#) of the Code of Virginia, governing trading and offsetting, to meet the no net increase requirement.

6. Corrective Actions

The Corrective Actions section of the permit (Part I A 6) has changed for this reissuance. The corrective action requirements are unchanged, but we **no longer require the permittee to do follow-up monitoring**. Any time monitoring results indicate that facility discharges exceed an effluent limitation, a TMDL WLA, or the Department determines that facility discharges are causing or contributing to an exceedance of a water quality standard, the permittee is required to take corrective actions (same as before). For this reissuance, within 30 calendar days of implementing the relevant corrective actions, the permittee has to submit an exceedance report (i.e., a Corrective Action Report) to the Department.

The following information must be included in the report:

- (i) general permit registration number;
- (ii) facility name, address, and location;
- (iii) receiving water;
- (iv) monitoring data from this event;
- (v) an explanation of the situation;
- (vi) a description of what has been done and the intended actions (should the corrective actions not yet be complete) to further reduce pollutants in the discharge; and
- (vii) an appropriate contact name and phone number.

The follow-up monitoring in the 2009 permit was very difficult for the Department to track, and confusing for the permittees to implement. Often, the follow-up monitoring had to be conducted during the next monitoring period (because many permittees only do their sampling at the end of the monitoring period), which led to confusion as to whether the follow-up sampling qualified as the permittee's normal sampling for that monitoring period as well. The revised permit now requires the

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

permittee to take corrective action and submit a corrective action report to the Department whenever effluent limits or TMDL WLAs are exceeded. This change will allow the Department and the permittee to see quickly when a facility is having a stormwater quality issue, and let the Department know what measures the permittee is taking to correct the problem. With the sampling periods now changed to semi-annual for all monitoring types, the permittee will know exactly when sampling is required, and the Department will be able to track compliance with the monitoring requirement.

Corrective Action Requirements.

The permit corrective action section (Part I A 6) specifies what the permittee must do if benchmark monitoring concentration values are exceeded, if inspections turn up a deficiency at the facility, or if there is an exceedance of effluent limitations, TMDL WLAs, or a water quality standard. The permit stipulates time limits for implementing actions to remedy deficiencies. It should be emphasized that these time frames are not grace periods within which an operator is relieved of any liability for a permit violation. If the original inadequacy constitutes a permit violation, then that violation is not deferred by the time frame the permit has allotted for corrective action. The time limits are those that DEQ considers reasonable for making the necessary repairs or modifications, and are included specifically so that inadequacies are not allowed to persist indefinitely. Failure to take the necessary corrective action within the stipulated time limit could constitute an additional and independent permit violation.

a. Data Exceeding Benchmark Concentration Values.

If benchmark monitoring results exceed the benchmark concentration value for a parameter, the permittee must review the SWPPP and modify it to address any deficiencies which caused the exceedance. The permittee has to make revisions to the SWPPP within 30 days after an exceedance is discovered, and when BMPs need to be modified or added, the permittee has to implement the changes before the next anticipated storm event if possible, but no later than 60 days after the exceedance is discovered.

If the concentration of a pollutant exceeds a benchmark concentration value, and the permittee determines that exceedance of the benchmark is attributable solely to the presence of that pollutant in the natural background, corrective action is not required provided that:

- (1) The concentration of the benchmark monitoring result is less than or equal to the concentration of that pollutant in the natural background;
- (2) 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. The supporting rationale has to include any data previously collected by the permittee or others (including literature studies) that describe the levels of natural background pollutants in the facility's stormwater discharges; and
- (3) The permittee notifies the Department on the benchmark monitoring DMR 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

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

activity on the facility's site, or pollutants in run-on from neighboring sources which are not naturally occurring.

The permittee's determination does not require formal approval from DEQ. However, if (a) there is disagreement between DEQ and the permittee in the initial determination; and/or (b) if subsequent information becomes available (such as through an inspection or from monitoring data) that would support rescinding the determination, the determination is subject to DEQ approval and/or question, and DEQ, as the permitting authority, has the final say.

b. Corrective Actions.

The permittee has to take corrective actions whenever:

- (1) Routine facility inspections, comprehensive site compliance evaluations, inspections by local, state or federal officials, or any other process, observation or event result in discovery of any deficiency; or
- (2) There is an exceedance of any effluent limitation (including coal pile runoff), TMDL WLA, or water quality standard.

The permittee has to review the SWPPP and modify it as necessary to address any deficiencies. Revisions to the SWPPP have to be completed within 30 days following the discovery of the deficiency. When BMPs need to be modified or added, implementation has to be completed before the next anticipated storm event if possible, but no later than 60 days after the deficiency is discovered. All corrective actions taken also have to be documented and retained with the SWPPP.

c. Follow-up Reporting.

Any time monitoring results indicate that discharges from the facility exceed an effluent limitation or a TMDL WLA, or that discharges from the facility are causing or contributing to an exceedance of a water quality standard, the permittee has to take immediate steps to eliminate the exceedances. Within 30 calendar days of implementing the relevant corrective actions, an exceedance report has to be submitted to the Department. The following information must be included in the report:

- (i) general permit registration number;
- (ii) facility name, address, and location;
- (iii) receiving water;
- (iv) monitoring data from the event that caused the exceedance;
- (v) an explanation of the situation;
- (vi) a description of what has been done and the intended actions (should the corrective actions not yet be complete) to further reduce pollutants in the discharge; and
- (vii) an appropriate contact name and phone number.

Since we now get the effluent monitoring and TMDL monitoring semi-annually, we will know by January 10th or July 10th that an exceedance has occurred. Based on the timelines in the permit, we should have a Corrective Action Report from the permittee no later than 90-days after we get the DMR showing the exceedance. If we do not receive the report within that timeframe, the permittee should be contacted to determine where they are in the corrective action process.

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

Based on their response (or if there is a lack of corrective action), a site inspection may be warranted.

7. Termination of Coverage and Change of Ownership

a. Termination of Coverage.

An owner may terminate coverage under this general permit by submitting a complete Notice of Termination. For this reissuance we have moved the termination requirements out of the regulation (was in Section 65) and into the permit itself as Special Condition # 14. This was done because the permittee will usually only have a copy of the permit itself (and not the regulation), so the requirements needed to be in the permit.

A Notice of Termination may be submitted after one or more of the following conditions have been met:

- (1) Operations have ceased at the facility and there are no longer discharges of stormwater associated with industrial activity from the facility;
- (2) A new owner has assumed responsibility for the facility (NOTE: A notice of termination does not have to be submitted if a VPDES Change of Ownership Agreement form has been submitted);
- (3) All stormwater discharges associated with industrial activity have been covered by an individual VPDES permit; or
- (4) Termination of coverage is being requested for another reason, provided the Board agrees that coverage under this general permit is no longer needed.

The permittee is NOT required to use our Notice of Termination form to terminate coverage, however, they must submit all the required information listed in the special condition, including the certification. The Notice of Termination form and its instructions are included with this guidance as [Attachment B](#). If an owner requests termination of coverage under the general permit the Regional Office can terminate coverage under regional letterhead (see [example letter #3 in Attachment D](#)).

b. Change of Ownership.

This has changed for this reissuance. The permit Part II (Conditions Applicable to All Permits), section Y (Transfer of Permits) now reads:

Y. Transfer of Permits.

Permits are not transferable to any person except after notice to the Department. Coverage under this permit may be automatically transferred to a new permittee if:

- 1. The current permittee notifies the Department within 30 days of the proposed transfer of the title to the facility or property, unless permission for a later date has been granted by the Board;*

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

2. The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and

3. The Board does not notify the existing permittee and the proposed new permittee of its intent to deny the new permittee coverage under the permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in Part II Y 2.

In "Y 1" above, this wording gives the permittee a 30-day window on either side of the transfer for them to notify us and be "on time". With the change of ownership agreement, the new owner assumes the coverage under the general permit and the permit number does not change.

New for this reissuance, the new owner MUST submit a new Registration Statement within 30 days of the ownership change (see section 60 B 3 - New Owners of Existing Facilities in the "Registration Statement and SWPPP" section). We deleted the provision that allowed the old and new owners to just send a "Change of Ownership" form. A "Change of Ownership" form should be sent by the old owner, which will contain the pertinent information about the new owner, but we now want the new owner to submit a complete registration statement. This will allow us to make changes to CEDS (if necessary) to reflect the actual operations of the new owner at the site.

8. Compliance Reporting

This has changed for this reissuance. All DMRs are now due to the Regional Office by January 10th and July 10th following the applicable semi-annual monitoring period. The reporting schedule is specified in Part I A 5 of the permit, and this schedule overrides the Part II C 1 requirement for DMRs to be submitted "not later than the 10th day of the month after monitoring takes place".

Also new for this reissuance, for each outfall sampled, one signed DMR is to be submitted to the Department per storm event sampled. For paper DMRs with representative outfalls, the sampled outfall will be reported on the DMR, and the outfalls that are represented by the sampled outfall will be listed in the comment section of the DMR. Signed DMRs are not required for each of the outfalls that are represented by the sampled outfall. For e-DMR participants, DMRs are required for all outfalls that discharge substantially identical effluents. The sampled outfall is identified as the "Representative" outfall, and the outfalls that are represented by the sampled outfall are identified as "Substantially Identical" outfalls in e-DMR, and "Rep" and "SI", respectively, on the CEDS DMR screen.

Tracking of compliance with the effluent limits and other requirements of the permit should be done according to the Compliance Auditing System already established. Reporting requirements for noncompliance, unusual or extraordinary discharges, etc. are the same as for individual permits.

Additional Reporting.

Permittees with at least one industrial activity stormwater discharge through a regulated MS4 must submit signed copies of their DMRs to the MS4 operator at the same time that they submit them to DEQ. For this reissuance, we are only requiring them for regulated MS4s. A spreadsheet with a list of the currently "regulated" MS4s is on the DEQ web site. There are tabs at the bottom of the spreadsheet for both individual and general MS4 permits.

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

Significant Digits.

No change for this reissuance. The permittee still has to report at least the same number of significant digits as a numeric effluent limitation or TMDL WLA for a given parameter; otherwise, at least two significant digits have to be reported for a given parameter. Regardless of the rounding convention used by the permittee (i.e., five always rounding up or to the nearest even number), the permittee has to use the convention consistently and must ensure that consulting laboratories employed by him use the same convention.

9. Inspection of the Permitted Facility

Facilities covered under this general permit are subject to the requirements for the industrial minor/small category of facilities as set forth in DEQ's inspection strategy. As such, they should be inspected at least once every five years. More frequent inspections can help prevent compliance problems and each Regional Office should consider more frequent inspections as time and resources allow.

The inspections should verify that the SWPPP has been developed and implemented, and that corrections, updates and record keeping are being done. Also verify that the permittee is performing quarterly visual examinations, routine facility inspections, the annual site compliance evaluations, and chemical monitoring (if applicable). Also verify that the permittee is properly operating and maintaining the facility's stormwater BMPs, and verify the discharge points, either to MS4s or directly to surface waters. If corrective actions are warranted, verify that the permittee is complying with the requirements and the time schedules. Take pictures whenever possible if concerns are noted.

The permittee is required to evaluate all of the facility outfalls annually for unauthorized discharges. This was part of the Annual Site Compliance Evaluation for the 2009 GP, but we changed it back to a stand-alone requirement for this reissuance. The permittee may request in writing to the Department that they be allowed to conduct annual outfall evaluations at 20% of the outfalls. This should only be needed where a facility has many outfalls...If approved by the Regional Office, the permittee has to evaluate at least 20% of the facility outfalls each year on a rotating basis such that all facility outfalls will be evaluated during the period of coverage under the permit. The permittee now has to include a summary of the latest annual evaluation in the Annual Site Compliance Evaluation.

10. Record Keeping, Audit and CEDS

Tracking of coverage under this general permit will be in CEDS. CEDS is being modified to bring it up-to-date with this reissuance of the permit. The specific CEDS procedures and requirements are in the updated [Industrial Stormwater GP CEDS User Manual](#).

It is important that CEDS is kept updated with relevant information pertaining to the general permit, and this information is subject to audit. Database information must include, but is not limited to, facilities registered under the permit, permittees, contact information, outfalls and associated sectors/SIC codes.

The file of record must be maintained in the DEQ ECM system. Electronic files that must be retained and are subject to audit include, but are not limited to, the following:

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

- a. A copy of the Registration Statement, and all information required to be included with the registration package;
- b. A copy of the general permit and DMR(s) sent to the permittee;
- c. Correspondence documents;
- d. DMRs; and
- e. Copies of all inspection reports related to the facility.

11. Monitoring Data Review at Reissuance

All monitoring data collected during the permit term will be evaluated prior to the next round of general permit reissuance. Specifically, the ChesBay TMDL monitoring data will be analyzed to determine if additional reductions will be required for the next permit term to meet the Chesapeake Bay TMDL requirements.

The Regional Office should ensure that all relevant monitoring records are maintained and data entered into CEDS. The DMR data will be presented to the next TAC for discussion and consideration of possible permit changes, and the Chesapeake Bay data will be used to update the Virginia Chesapeake Bay TMDL WIP, if necessary/appropriate.

12. Additional Considerations for Specific Permit Special Conditions

Several Special Conditions have not been discussed elsewhere in this guidance, but need some explanation.

SC 11 Adding/Deleting Stormwater Outfalls.

This special condition allows the permittee to add new and/or delete existing outfalls at the facility as necessary during the term of the permit. The permittee has to update his SWPPP and notify the Regional Office of all outfall changes within 30 days of the change. The permittee also has to submit a copy of the updated SWPPP site map with their notification. The permit writer will need to update CEDS with the changes, and for a deleted outfall, check the "End Outfall" box and add a comment. For new outfalls, the permit writer will need to send a copy of the new DMR to the permittee.

SC 12 Antidegradation Requirements for New or Increased Discharges to High Quality Waters.

This special condition was added for the 2009 reissuance to be consistent with a similar requirement in EPA's 2008 MSGP. The special condition discusses how new or expanded discharges from a facility may be subject to additional SWPPP control measures, or the permittee may be required to apply for an individual permit in order to meet the applicable antidegradation requirements. If a facility is discharging to high quality waters and outfalls are added, or discharges from existing outfalls are increased, the Regional Office will need to evaluate whether additional SWPPP controls are needed by the permittee, or alternatively, whether the permittee should be required to get an individual permit with tailored controls to meet the antidegradation requirements.

Implementation Guidance for Reissuance of the General VPDES Permit for Stormwater Discharges Associated With Industrial Activity, VAR05

Attachments:

- A. Registration Statement Form and Instructions
- B. Notice of Termination Form and Instructions
- C. Example Letter - Existing Permittees Reapplication Reminder
- D. Example Transmittal Letters
 - 1. Issuance/Reissuance - No Monitoring Required
 - 2. Issuance/Reissuance – Facilities With Any Type Of Monitoring
 - 3. Termination Letter
 - 4. Inactive and Unstaffed Facility Approval Letter
 - 5. ChesBay TMDL Action Plan Approved / Not Approved Letter
- E. Errata Sheet – Correction to the Chesapeake Bay TMDL Loading Calculations

**ATTACHMENT A -
Registration Statement Form and Instructions**

**VPDES General Permit for Industrial Activity Stormwater Discharges (VAR05)
Registration Statement**

(Please Type or Print All Information)

1a. Facility Owner

Name: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____ Phone: _____

E-Mail Address (where available): _____

1b. Operator Applying For Permit Coverage (if different than "1a")

Name: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____ Phone: _____

E-Mail Address (where available): _____

2. Facility Information

Facility Name: _____

Street Address: _____

City: _____ State: _____ Zip: _____ FAX Number: _____

County Name: _____

Contact Name: _____ Phone: _____

E-Mail Address (where available): _____

3. Nature of business (provide a brief description): _____

4. Names of the receiving waters for all industrial activity discharges: _____

5. Are any of the discharges through a municipal separate storm sewer system (MS4)? Yes No

If "yes", provide the name of the MS4 owner: _____

Note: Permit Special Condition 13 requires the permittee to notify the MS4 owner in writing of the existence of the discharge within 30 days of coverage under this permit. The notification must include the following information: the name of the facility, a contact person and phone number, the location of the discharge, the nature of the discharge, and the facility's VPDES general permit registration number. DEQ must be copied with the notification.

6. Permit Numbers for any existing VPDES permits assigned to the facility: _____

7. For a new facility, a facility previously covered by an expiring individual permit, or an existing facility not currently covered by a VPDES permit, has a SWPPP been prepared? Yes No

8. Identify up to four 4-digit Standard Industrial Classification (SIC) Codes or 2-letter Industrial Activity Codes that best represent the principal products or services rendered by the facility and major co-located activities.

The 2-letter Industrial Activity Codes are: HZ - hazardous waste treatment, storage, or disposal facilities; LF - landfills/disposal facilities that receive or have received any industrial wastes; SE - steam electric power generating facilities; or, TW - treatment works treating domestic sewage.

4-Digit SIC Codes or 2-letter Industrial Activity Codes:

9. Attach a list identifying all the applicable industrial sectors that cover the stormwater discharges from the industrial activities at the facility, and from major co-located industrial activities that will be covered under this permit (see instructions). Also identify the stormwater outfalls associated with each identified sector. In addition to attaching the list, answer the questions below as they apply to the facility's discharges:

- a. For landfills (Sector L), indicate the type of landfill: _____
- b. For timber products operations (Sector A), indicate which outfalls (if any) receive discharges from wet decking areas: _____
- c. For all facilities, indicate which outfalls (if any) receive discharges from coal storage piles: _____
- d. For asphalt paving and roofing materials manufacturers (Sector D), indicate which outfalls (if any) receive discharges from asphalt paving and roofing emulsions production areas: _____
- e. For cement manufacturing facilities (Sector E), indicate which outfalls (if any) receive discharges from material storage piles: _____
- f. For (Sector N) scrap recycling/waste recycling facilities that receive only source-separated recyclable materials, indicate which outfalls (if any) receive discharges from this activity. Also list the metals that are received (if any).

- g. For primary airports (Sector S), list the average deicing season, and indicate which outfalls (if any) receive discharges from deicing of non-propeller aircraft, and the annual average departures of non-propeller aircraft.

10. Facility area information. List the total area of the facility (in acres), the area of industrial activity at the facility (in acres), the total impervious area of the industrial activity at the facility (in acres), and the area (in acres) draining to each industrial activity outfall at the facility. _____

11. Attach the following maps to the registration statement:

- a. **General location map.** A USGS 7.5 minute topographic map, or other equivalent computer generated map, with sufficient resolution to clearly show the location of the facility and the surrounding locale; and
- b. **Site map.** A map showing the property boundaries, the location of all industrial activity areas, all stormwater outfalls, and all water bodies receiving stormwater discharges from the site.

12. Is this a new facility where construction commenced after June 30, 2014, located in the Chesapeake Bay watershed, and you are applying for first time general permit coverage? (see instructions) Yes No
If "yes", attach the required documentation (see instructions).

13. **Certification:** "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations."

Print Name _____ Title: _____

Signature: _____ Date: _____

14. Would you like a copy of your permit sent to you electronically? Yes No

If "Yes", please list the email address to send it to: _____

For Department of Environmental Quality Use Only

Accepted/Not Accepted by: _____ Date: _____

Basin _____ Stream Class _____ Section _____ Special Standards _____

Antidegradation Checked? Y N Impaired Waters Discharge? Y N TMDL approved? Y N

**REGISTRATION STATEMENT INSTRUCTIONS for DEQ WATER FORM SWGP-VAR05-RS
VPDES General Permit for Industrial Activity Stormwater Discharges (VAR05)**

WHO MUST FILE THE REGISTRATION STATEMENT

The owner of any new or existing facility that has discharges of stormwater associated with industrial activity through a point source to surface waters, or through a municipal or non-municipal separate storm sewer system (MS4) to surface waters, may request coverage under this general permit by completing and submitting this Registration Statement. (See Table 1 for a list of the specific industrial activity sectors eligible for coverage under this general permit).

WHERE TO FILE THE REGISTRATION STATEMENT

Submit the completed and signed Registration Statement to the DEQ Regional Office that serves the area where your facility is located. The Registration Statement may be submitted by either postal or electronic mail. The Permit Application Fee Form and your check for \$500 (made payable to "Treasurer of Virginia") should be sent to DEQ Receipts Control, P.O. Box 1104, Richmond, VA 23218. The Fee Form, Regional Office addresses and email addresses are available online at www.deq.virginia.gov, or by calling the DEQ at (804) 698-4000.

COMPLETENESS

In order for your application to be deemed complete and permit registration to proceed, all items must be completed, or "NA" entered if the item is not applicable. Attach extra sheets of paper if you need more space than the form allows.

ANTIDEGRADATION REQUIREMENTS

Coverage under this general permit will not be granted unless the facility's stormwater discharges comply with Virginia's Antidegradation Policy under 9VAC25-260-30 of the Water Quality Standards. An individual permit application may be required to allow a proposed discharge to High Quality Waters (see 9VAC25-260-30 A 2), or permit coverage may be denied for a proposed discharge to Exceptional Waters (see 9VAC25-260-30 A 3). The Department will notify you if your discharges will not comply with the antidegradation requirements.

SECTION-BY-SECTION INSTRUCTIONS

Section 1 Owner and Operator Information

Give the legal name of the person, firm, public organization, or other entity that owns the facility described in this Registration Statement. The name of the owner may or may not be the same as the name of the facility operator. The operator is the legal entity that controls the facility's operation. Do not use a colloquial name. Enter the complete address, phone number, and email address (if available) of the owner and the operator.

Section 2 Facility Information

Enter the facility's or site's official name and complete street address (911 address), including city, state, ZIP code, FAX number, and county name. Also include a contact name, phone number, and email address (if available).

Section 3 Nature of the Business

Provide a brief description of the nature of the business at the facility.

Section 4 Name of the Receiving Waters

Enter the names of the receiving waters for all the facility's industrial activity discharges (e.g., Clear Creek; unnamed tributary to Dragon Run; Southern Branch Elizabeth River; etc.).

Section 5 Discharges to a Municipal Separate Storm Sewer System (MS4)

If the facility discharges stormwater to an MS4, enter the name of the MS4 operator (e.g., municipality name, county name, VDOT, etc.). An MS4 is a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that is owned or operated by the state (e.g., VDOT roadside ditch or catch basin), city, town, county, district, association, or other public body, which is designed or used for collecting or conveying stormwater.

Note: the general permit Special Condition 13 requires you to notify the MS4 owner in writing of the existence of the discharge within 30 days of coverage under this permit. The notification must include the following information: the name of the facility, a contact person and phone number, the location of the discharge, the nature of the discharge, and the facility's VPDES general permit registration number. DEQ must be copied with the notification.

Section 6 Existing VPDES Permits

List the permit numbers of any existing VPDES permits issued for the facility.

Section 7 Stormwater Pollution Prevention Plan (SWPPP)

Owners of new facilities, facilities previously covered by an expiring individual permit, and existing facilities not currently covered by a VPDES permit who are applying for coverage under this general permit must prepare and implement a written SWPPP for the facility in accordance with the general permit requirements (see 9VAC25-151-70 et seq.) prior to submitting the Registration Statement.

If this is a new facility, a facility previously covered by an expiring individual permit, or an existing facility not currently covered by a VPDES permit, indicate if a SWPPP has been prepared.

Section 8 Facility SIC Codes

Identify up to four separate 4-digit Standard Industrial Classification (SIC) codes or 2-letter Industrial Activity Codes that best represent the principal products or services rendered by the facility and major co-located industrial activities. The 2-letter Industrial

Activity Codes are: HZ - hazardous waste treatment, storage, or disposal facilities; LF - landfills/disposal facilities that receive or have received any "industrial activity" wastes; SE - steam electric power generating facilities; or, TW - treatment works treating domestic sewage.

Section 9 Applicable Industrial Sectors

Attach a list identifying all the applicable industrial sectors that cover the stormwater discharges from the industrial activities at the facility, and from any co-located industrial activities that will be covered under this permit. Also identify the stormwater outfalls associated with each identified sector. The industrial sectors are listed in Table 1 (see page 3 of the instructions). Outfall numbers should match those shown on the Site Map required by Section 11. In addition to attaching the list, answer the seven additional questions in Section 9 as they apply to the facility's discharges.

Section 10 Facility Area Information

List the total area of the facility (in acres), the area of industrial activity at the facility (in acres), the total impervious area of the industrial activity at the facility (in acres), and the area (in acres) draining to each industrial activity outfall at the facility. Outfall numbers should match those shown on the Site Map required by Section 11.

Section 11 Required Maps to Attach

- a. **General location map.** Attach a USGS 7.5 minute topographic map, or other equivalent computer generated map, with sufficient resolution to clearly show the location of the facility and the surrounding locale; and
- b. **Site map.** Attach a map showing the property boundaries, the location of all industrial activity areas, all stormwater outfalls, and all water bodies receiving stormwater discharges from the site. Number the outfalls using a unique numerical identification code for each outfall (e.g., Outfall No. 001, No. 002, etc.). If you are reapplying for coverage under this general permit, outfall numbers should match what was previously submitted.

Section 12 New Facilities in the Chesapeake Bay Watershed that Commenced Construction After June 30, 2014

Virginia's Phase I Chesapeake Bay TMDL Watershed Implementation Plan (November 29, 2010) states that wasteloads for future growth for new facilities in the Chesapeake Bay watershed with industrial stormwater discharges cannot exceed the nutrient and sediment loadings that were discharged prior to the land being developed for the industrial activity. For purposes of this permit regulation, owners that commence construction after June 30, 2014 must be consistent with this requirement to be eligible for coverage under this general permit.

If this is a new facility where construction commenced after June 30, 2014, located in the Chesapeake Bay watershed, and you are applying for first time general permit coverage, you must attach documentation to the Registration Statement to show either:

- a. That the total phosphorus load does not exceed the greater of: (i) the total phosphorus load that was discharged from the industrial area of the property prior to the land being developed for the new industrial activity, or (ii) 0.41 pounds per acre per year (the Virginia Stormwater Management Program water quality design criteria). The documentation must include the measures and controls that were employed to meet this requirement, along with the supporting calculations. You may include additional non-industrial land on the site as part of any plan to comply with the no net increase requirement. Consistent with the definition of "site", this includes adjacent land used in connection with the facility.

Compliance with the water quality design criteria may be determined utilizing the Virginia Runoff Reduction Method or another equivalent methodology approved by the Board. Design specifications and pollutant removal efficiencies for specific Best Management Practices (BMPs) can be found on the Virginia Stormwater BMP clearing house website at www.vwrrc.vt.edu/swc; or

- b. You may consider utilization of any pollutant trading or offset program in accordance with §§ 62.1-44.19:23 of the Code of Virginia, governing trading and offsetting, to meet the no net increase requirement.

Section 13 Signature and Certification

State regulations require this Registration Statement to be signed as follows:

- For a corporation: by a responsible corporate officer. A responsible corporate officer means: (1) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (2) the manager of one or more manufacturing, production, or operating facilities provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures; **[Note: if the title of the individual signing this form is "Plant Manager", submit a written verification that the authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures];**
- For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
- For a municipality, state, Federal, or other public facility: by a principal executive officer or ranking elected official.

Section 14 Delivery of Your Permit Electronically

If you would you like your copy of the permit sent to you electronically, check the box and list the email address where you would like the document sent.

TABLE 1. SECTORS OF INDUSTRIAL ACTIVITY COVERED BY VAR05

SIC Code or Activity Code	Activity Represented
Sector A: Timber Products	
2411	Log Storage and Handling (Wet deck storage areas are only authorized if no chemical additives are used in the spray water or applied to the logs).
2421	General Sawmills and Planing Mills.
2426	Hardwood Dimension and Flooring Mills.
2429	Special Product Sawmills, Not Elsewhere Classified.
2431-2439 (except 2434 - see Sector W)	Millwork, Veneer, Plywood, and Structural Wood.
2441, 2448, 2449	Wood Containers.
2451, 2452	Wood Buildings and Mobile Homes.
2491	Wood Preserving.
2493	Reconstituted Wood Products.
2499	Wood Products, Not Elsewhere Classified.
Sector B: Paper and Allied Products	
2611	Pulp Mills.
2621	Paper Mills.
2631	Paperboard Mills.
2652-2657	Paperboard Containers and Boxes.
2671-2679	Converted Paper and Paperboard Products, Except Containers and Boxes.
Sector C: Chemical and Allied Products	
2812-2819	Industrial Inorganic Chemicals.
2821-2824	Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers Except Glass.
2833-2836	Medicinal Chemicals and Botanical Products; Pharmaceutical Preparations; In Vitro and In Vivo Diagnostic Substances; Biological Products, Except Diagnostic Substances.
2841-2844	Soaps, Detergents, & Cleaning Preparations; Perfumes, Cosmetics, & Other Toilet Preparations.
2851	Paints, Varnishes, Lacquers, Enamels, and Allied Products.
2861-2869	Industrial Organic Chemicals.
2873-2879	Agricultural Chemicals.
2891-2899	Miscellaneous Chemical Products.
3952 (limited to list)	Inks and Paints, Including China Painting Enamels, India Ink, Drawing Ink, Platinum Paints for Burnt Wood or Leather Work, Paints for China Painting, Artist's Paints and Artist's Watercolors.
Sector D: Asphalt Paving and Roofing Materials and Lubricants	
2951, 2952	Asphalt Paving and Roofing Materials.
2992, 2999	Miscellaneous Products of Petroleum and Coal.
Sector E: Glass Clay, Cement, Concrete, and Gypsum Products	
3211	Flat Glass.
3221, 3229	Glass and Glassware, Pressed or Blown.
3231	Glass Products Made of Purchased Glass.
3241	Hydraulic Cement.
3251-3259	Structural Clay Products.
3261-3269	Pottery and Related Products.
3271-3275 (except 3273)	Concrete, Gypsum and Plaster Products, Except Ready-mixed Concrete Facilities.
3281	Cut Stone and Stone Products
3291-3299	Abrasive, Asbestos, and Miscellaneous Non-metallic Mineral Products.
Sector F: Primary Metals	
3312-3317	Steel Works, Blast Furnaces, and Rolling and Finishing Mills.
3321-3325	Iron and Steel Foundries.
3331-3339	Primary Smelting and Refining of Non-ferrous Metals.
3341	Secondary Smelting and Refining of Non-ferrous Metals.
3351-3357	Rolling, Drawing, and Extruding of Non-ferrous Metals.
3363-3369	Non-ferrous Foundries (Castings).
3398, 3399	Miscellaneous Primary Metal Products.
Sector G: Metal Mining (Ore Mining and Dressing)	
1011	Iron Ores.
1021	Copper Ores.
1031	Lead and Zinc Ores.
1041, 1044	Gold and Silver Ores.
1061	Ferroalloy Ores, Except Vanadium.
1081	Metal Mining Services.
1094, 1099	Miscellaneous Metal Ores.
Sector H: Coal Mines and Coal Mining Related Facilities	
1221-1241	Coal Mines and Coal Mining-Related Facilities.
Sector I: Oil and Gas Extraction and Refining	
1311	Crude Petroleum and Natural Gas.
1321	Natural Gas Liquids.
1381-1389	Oil and Gas Field Services.
2911	Petroleum Refineries.
Sector K: Hazardous Waste Treatment, Storage, or Disposal Facilities	
HZ	Hazardous Waste Treatment Storage or Disposal.
Sector L: Landfills and Land Application Sites	
LF	Landfills, Land Application Sites, and Open Dumps.
Sector M: Automobile Salvage Yards	
5015	Automobile Salvage Yards.
Sector N: Scrap Recycling Facilities	
5093	Scrap Recycling Facilities.

4499 (limited to list)	Dismantling Ships, Marine Salvaging, and Marine Wrecking - Ships For Scrap
Sector O: Steam Electric Generating Facilities	
SE	Steam Electric Generating Facilities.
Sector P: Land Transportation and Warehousing	
4011, 4013	Railroad Transportation.
4111-4173	Local and Highway Passenger Transportation.
4212-4231	Motor Freight Transportation and Warehousing.
4311	United States Postal Service.
5171	Petroleum Bulk Stations and Terminals.
Sector Q: Water Transportation	
4412-4499 (except 4499 facilities in Sector N)	Water Transportation.
Sector R: Ship and Boat Building or Repairing Yards	
3731,3732	Ship and Boat Building or Repairing Yards.
Sector S: Air Transportation	
4512-4581	Air Transportation Facilities.
Sector T: Treatment Works	
TW	Treatment Works.
Sector U: Food and Kindred Products	
2011-2015	Meat Products.
2021-2026	Dairy Products.
2032-2038	Canned, Frozen and Preserved Fruits, Vegetables and Food Specialties.
2041-2048	Grain Mill Products.
2051-2053	Bakery Products.
2061-2068	Sugar and Confectionery Products.
2074-2079	Fats and Oils.
2082-2087	Beverages.
2091-2099	Miscellaneous Food Preparations and Kindred Products.
2111-2141	Tobacco Products.
Sector V: Textile Mills, Apparel, and Other Fabric Product Manufacturing, Leather and Leather Products	
2211-2299	Textile Mill Products.
2311-2399	Apparel and Other Finished Products Made From Fabrics and Similar Materials.
3131-3199 (except 3111 - see Sector Z)	Leather and Leather Products, except Leather Tanning and Finishing.
Sector W: Furniture and Fixtures	
2434	Wood Kitchen Cabinets.
2511-2599	Furniture and Fixtures.
Sector X: Printing and Publishing	
2711-2796	Printing, Publishing, and Allied Industries.
Sector Y: Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries.	
3011	Tires and Inner Tubes.
3021	Rubber and Plastics Footwear.
3052, 3053	Gaskets, Packing, and Sealing Devices and Rubber and Plastics Hose and Belting.
3061, 3069	Fabricated Rubber Products, Not Elsewhere Classified.
3081-3089	Miscellaneous Plastics Products.
3931	Musical Instruments.
3942-3949	Dolls, Toys, Games and Sporting and Athletic Goods.
3951-3955 (except 3952 facilities in Sector C)...	Pens, Pencils, and Other Artists' Materials.
3961, 3965	Costume Jewelry, Costume Novelties, Buttons, and Miscellaneous Notions, Except Precious Metal.
3991-3999	Miscellaneous Manufacturing Industries.
Sector Z: Leather Tanning and Finishing	
3111	Leather Tanning, Currying and Finishing.
Sector AA: Fabricated Metal Products	
3411-3499	Fabricated Metal Products, Except Machinery and Transportation Equipment.
3911-3915	Jewelry, Silverware, and Plated Ware
Sector AB: Transportation Equipment, Industrial or Commercial Machinery	
3511-3599 (except 3571-3579 - see Sector AC)	Industrial and Commercial Machinery (Except Computer and Office Equipment).
3711-3799 (except 3731, 3732 - see Sector R)	Transportation Equipment (Except Ship and Boat Building and Repairing).
Sector AC: Electronic, Electrical, Photographic, and Optical Goods	
3571-3579	Computer and Office Equipment.
3612-3699	Electronic, Electrical Equipment and Components, Except Computer Equipment.
3812-3873	Measuring, Analyzing and Controlling Instrument; Photographic and Optical Goods.
Sector AD: Non-Classified Facilities/Stormwater Discharges Designated By the Board As Requiring Permits	
N/A	Other Stormwater Discharges Designated By the Board As Needing a Permit (see 9VAC25-31-120 A 1 e) or Any Facility Discharging Stormwater Associated With Industrial Activity Not Described By Any of Sectors A-AC. Note: Facilities may not elect to be covered under Sector AD. Only the Director may assign a facility to Sector AD.

**ATTACHMENT B -
Notice of Termination Form and Instructions**

**VPDES General Permit for Industrial Activity Stormwater Discharges (VAR05)
Notice Of Termination**

(Please Type or Print All Information)

1. Owner Information

Name: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____ Phone: _____

Email Address (where available): _____

2. Facility Information

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

3. VPDES Stormwater General Permit Registration Number: _____

4. Check the appropriate box indicating the reason for terminating coverage under the general permit.

- A new owner has assumed responsibility for the facility.**
- Operations have ceased at the facility and there are no longer discharges of stormwater associated with industrial activity from the facility.**
- All stormwater discharges associated with industrial activity have been covered by an individual VPDES permit.**
- Other (specify)** _____

5. Certification: "I certify under penalty of law that all stormwater discharges associated with industrial activity from the identified facility that are authorized by this VPDES general permit have been eliminated, or covered under a VPDES individual permit, or that I am no longer the owner of the industrial activity, or permit coverage should be terminated for another reason listed above. I understand that by submitting this Notice of Termination, that I am no longer authorized to discharge stormwater associated with industrial activity in accordance with the general permit, and that discharging pollutants in stormwater associated with industrial activity to surface waters is unlawful where the discharge is not authorized by a VPDES permit. I also understand that the submittal of this Notice of Termination does not release an owner from liability for any violations of this permit or the Clean Water Act."

Print Name _____ Title: _____

Signature: _____ Date: _____

Phone Number: _____ Email Address: _____

For Department of Environmental Quality Use Only

Accepted/Not Accepted by: _____ Date: _____

**NOTICE OF TERMINATION INSTRUCTIONS for DEQ-WATER FORM SWGP-VAR05-NOT
VPDES General Permit for Industrial Activity Stormwater Discharges (VAR05)**

WHEN SHOULD A NOTICE OF TERMINATION BE FILED?

A VPDES General Permit Notice of Termination may be submitted when an owner no longer wishes to be covered under the VPDES General Permit for Stormwater Discharges Associated with Industrial Activity (VAR05).

Section 1 Facility Owner Information

Give the legal name of the person, firm, public organization, or other entity that owns the facility or site described in this Notice of Termination, and was issued coverage under the general permit for the facility. The name of the owner may or may not be the same as the name of the facility. Do not use a colloquial name. Enter the complete address, phone number and email address (where available) of the owner.

Section 2 Facility Location Information

Enter the facility's or site's official name and complete street address, including city, state and ZIP code.

Section 3 Permit Information

Enter the existing VPDES Stormwater General Permit registration number assigned to the facility or site identified in Section 2.

Section 4 Reason for Termination

Check the appropriate statement indicating the reason for submitting this Notice of Termination.

Section 5 Certification

State statutes provide for severe penalties for submitting false information on this Termination Notice. State regulations require this Notice of Termination to be signed as follows:

For a corporation: by a responsible corporate officer. A responsible corporate officer means: (1) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (2) the manager of one or more manufacturing, production, or operating facilities provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

For a municipality, state, Federal, or other public facility: by either a principal executive officer or ranking elected official.

The Department of Environmental Quality reserves the right to request additional information not directly addressed by the Notice of Termination if, in its discretion, a facility or operation poses a potential impact on water quality.

**ATTACHMENT C -
Example Letter - Existing Permittees Reapplication Reminder**

Transmittal Letter
2014 ISWGP – Existing Permittees Reapplication Reminder

[Regional Letterhead]

Date

Permittee
Company
Address
City, State ZIP

RE: 2014 Reissuance of the VPDES Industrial Stormwater General Permit (VAR05)

Dear Permittee:

The existing VPDES Industrial Stormwater General Permit (ISWGP) will expire on June 30, 2014. The State Water Control Board adopted the final amendments to the Industrial Stormwater General Permit Regulation at their December 17, 2013 meeting, and the new general permit will be effective on July 1, 2014. If you plan to continue to operate your facility and discharge stormwater beyond the expiration date of the current permit, you must reapply for authorization under the new permit.

Option 1 (include the forms with the letter)

Attached is the 2014 Registration Statement form and instructions to reapply for permit coverage. Also attached is the DEQ Water Permit Fee Form. (These forms are also available electronically online at: <http://www.deq.virginia.gov/Programs/Water/PermittingCompliance/PollutionDischargeElimination/PermitsFees.aspx>.) **The revised Regulation requires existing permittees to submit Registration Statements by May 2, 2014, and authorizes us to administratively continue coverage for permittees under the 2009 general permit if a complete Registration Statement is submitted no later than June 30, 2014 (see section 9VAC25-151-60 B 4 of the ISW GP Regulation).**

Option 2 (just include the link to the forms)

The forms to reapply for permit coverage (the 2014 Registration Statement form and the DEQ Water Permit Fee Form) are not included with this letter, but are available electronically online at: <http://www.deq.virginia.gov/Programs/Water/PermittingCompliance/PollutionDischargeElimination/PermitsFees.aspx>. If you need these forms sent to you, please contact this office. **The revised Regulation requires existing permittees to submit Registration Statements by May 2, 2014, and authorizes us to administratively continue coverage for permittees under the 2009 general permit if a complete Registration Statement is submitted no later than June 30, 2014 (see section 9VAC25-151-60 B 4 of the ISW GP Regulation).**

To renew permit coverage, please return the completed Registration Statement and the required attachments to the DEQ **[RO NAME]** Regional Office at the following address:

DEQ **[RO NAME]** Regional Office
[RO ADDRESS]
[RO CITY], VA **[RO ZIP]**

Registration Statements may also be submitted electronically to your DEQ regional office at the following e-mail address: **[insert mailbox name@deq.virginia.gov]**. Please be sure to include all attachments and make sure the registration is signed by the appropriate person (see the Registration Statement instructions).

The Fee Form and your check for \$500.00 (made out to "Treasurer of Virginia") should be mailed to:

DEQ Receipts Control
P.O. Box 1104
Richmond, VA 23218.

DEQ launched an electronic Discharge Monitoring Report (e-DMR) program that now allows you to submit your stormwater DMR data electronically. We hope that every permittee will sign up for e-DMR access when they receive their general permit coverage, but it is not mandatory at this time. Note that EPA is moving towards

making electronic reporting a mandatory requirement nationwide, so this may become a requirement in the future. There are many benefits to both DEQ and the permittee when e-DMR is utilized for monitoring data submissions:

- 1) Fewer revisions of the data since the e-DMR program automatically flags omissions before the data is submitted;
- 2) Cost savings on postage, copying, and paper;
- 3) No concerns about using the most current DMR form – e-DMR refreshes the required parameters automatically when changes are needed;
- 4) Submittals can be made on a timelier basis;
- 5) e-DMR participants instantly receive a system-generated email notification/documentation with the exact time and date of when the e-DMR was submitted; and
- 6) Electronic signatures from multiple people are allowed, and e-DMR can be accessed from multiple computer locations.

We ask that you apply for e-DMR participation now, although you may apply at any time. Your regional e-DMR administrator *[INSERT NAME, PHONE NUMBER and EMAIL]* can assist you. The following website provides details, training videos and Frequently Asked Questions:

<http://www.deq.virginia.gov/Programs/Water/PermittingCompliance/ElectronicDMRsubmissions.aspx>

If you have any questions, you may contact me at xxx-xxx-xxxx or by email at *[regional ISW permit writer@deq.virginia.gov]*.

Sincerely,

Permit Writer

(Include this if you went with Option 1 above, or if you added an Attachment)

Attachments:

2014 Registration Statement Form

DEQ Water Permit Fee Form

**ATTACHMENT D -
Example Transmittal Letters**

- (1) Issuance/Reissuance - No Monitoring Required**
- (2) Issuance/Reissuance – Facilities With Any Type of Monitoring**
- (3) Termination Letter**
- (4) Inactive and Unstaffed Facility Approval Letter**
- (5) Chesapeake Bay TMDL Action Plan Approved / Not Approved Letter**

Example Transmittal Letters

1. Issuance/Reissuance - No Monitoring Required (Facilities Not In ChesBay Watershed)

[Regional Letterhead]

Date

Owner
Facility
Address
City, State ZIP

RE: Coverage under the VPDES Industrial Stormwater General Permit, Registration # VAR05_____

Dear Permittee:

We have reviewed your Registration Statement received on _____, and have determined that stormwater discharges from the above facility are hereby covered under the referenced VPDES general permit. Your coverage under this permit is effective as of **[Insert July 1, 2014, or the DTSIGN date (whichever is later) for the date of coverage]**. The enclosed copy of the general permit contains the applicable stormwater pollution prevention plan (SWPPP), sector specific requirements, and other conditions of coverage.

[Include this paragraph if this is an existing facility renewing coverage] The general permit requires that you update your Stormwater Pollution Prevention Plan (SWPPP) within 90-days of your date of coverage under the permit to incorporate the SWPPP changes that the Department made for this permit reissuance.

This general permit will expire on June 30, 2019. The permit requires that you submit a new registration statement at least 60 days prior to that date if you wish continued coverage under the general permit, unless permission for a later date has been granted by the Board. Permission cannot be granted to submit the registration statement after the expiration date of the permit.

If you have any questions, please contact **[insert permit writer name]** at **[insert contact information]**.

Sincerely,

Regional WPM Name (or Permit Writer in BRRO)
Water Permit Manager (in BRRO, Permit Writer)

Example Transmittal Letters

2. Issuance/Reissuance – Facilities With Any Type of Monitoring

[*Regional Letterhead*]

Date

Owner
Facility
Address
City, State ZIP

RE: Coverage under the VPDES Industrial Stormwater General Permit, Registration # VAR05_____

Dear Permittee:

We have reviewed your Registration Statement received on _____, and have determined that stormwater discharges from the above facility are hereby covered under the referenced VPDES general permit. Your coverage under this permit is effective as of [*Insert July 1, 2014, or the DTSIGN date (whichever is later) for the date of coverage*]. The enclosed copy of the general permit contains the applicable stormwater pollution prevention plan (SWPPP), sector specific requirements, monitoring requirements, and other conditions of coverage.

[*Include this paragraph if this is an existing facility renewing coverage*] The general permit requires that you update your Stormwater Pollution Prevention Plan (SWPPP) within 90-days of your date of coverage under the permit to incorporate the SWPPP changes that the Department made for this permit reissuance.

[*Include this if the facility has any monitoring requirements*] For this reissuance, all permit discharge monitoring is semi-annual (i.e., once per six months). Monitoring for your facility begins with the [*Insert July 1st, 2014 if permit coverage is issued by July 1st; if permit coverage is issued AFTER July 1, 2014, insert the first FULL monitoring period start date (i.e., January 1st, 2015, July 1st 2015, January 1st 2016, etc.)*] monitoring period.

Discharge Monitoring Reports (DMRs) for your monitoring type(s) and outfalls are included with the permit. Each DMR specifies the applicable monitoring parameters required by the permit. A DMR should be completed for each permitted outfall for each monitoring period. DMRs must be submitted to this office by January 10th and July 10th each year. The first DMR is due [*Insert the first DMR due date*] for the monitoring period of [*Insert the first monitoring period "from" and "to" dates*].

You are responsible for obtaining additional copies of the DMRs. (See the **e-DMR** note at the end of this letter). Note that Representative Outfall sampling and reporting is allowed for all monitoring types **except** Effluent Limitation Monitoring. See the permit Part I A 2 f for details, and Part I A 5 for instructions on submitting DMRs with representative outfalls.

Note that permittees with at least one industrial activity stormwater discharge through a regulated municipal separate storm sewer system (MS4) have to submit signed copies of DMRs to the MS4 operator at the same time as the reports are submitted to the Department. A spreadsheet listing the regulated MS4s and their addresses is on DEQ's web site at: <http://www.deq.virginia.gov/Programs/Water/StormwaterManagement/VSMPPPermits/MS4Permits.aspx> (at the bottom of the page).

[*Include only those that apply.*] The following discharge monitoring applies to your facility:

- **Benchmark monitoring.** Specific stormwater monitoring for your facility based on the industrial sectors that apply to your facility (see the enclosed DMR). Refer to the permit Part I A 1 b for the benchmark monitoring requirements, and the sector specific sections for the benchmark monitoring applicable to your facility.
- **Effluent Limitation Monitoring.** Specific stormwater monitoring based on EPA's Effluent Limitation Guidelines requirements (see the enclosed DMR). This monitoring is limited to specific categories of dischargers within a specific sector. Refer to the permit Part I A 1 c (1) and (2) for effluent limitation

monitoring requirements, and the sector specific sections for the effluent limitation monitoring applicable to your facility.

- Impaired Waters Monitoring – Waters Without An Approved TMDL. Your facility discharges to an impaired waterbody that does not have an approved Total Maximum Daily Load (TMDL) Wasteload Allocation. You are required to monitor your stormwater discharges for the pollutant(s) that are causing the impairment (see the enclosed DMR). Refer to the permit Part I A 1 c (4) for the Impaired Waters monitoring requirements.

[Include this if the facility has a TMDL WLA and requires TMDL Monitoring for a specific parameter (other than PCBs)]

- Impaired Waters Monitoring – Waters With An Approved TMDL (other than PCBs or ChesBay). Your facility has been identified as discharging the pollutant of concern to an impaired waterbody that has an approved Total Maximum Daily Load (TMDL) Wasteload Allocation. As such, you are required to modify your SWPPP to implement best management practices (BMPs) designed to meet the allocation in the TMDL (see the attached relevant pages from the TMDL) **[Attach the relevant pages from the TMDL]**. The TMDL contains a specific wasteload allocation for your facility. Therefore, you are required to monitor your stormwater discharges for the TMDL pollutant of concern (see the enclosed DMR). Refer to the permit Part I A 1 c (3) for TMDL monitoring requirements, and permit Special Condition # 7a (permit Part I B 7 a) regarding TMDL requirements.

[Include this if the facility discharges to a PCB impaired water with an approved TMDL]

[Scenario 1 – Facility Has Done No PCB Monitoring]

- Impaired Waters Monitoring – PCB Impaired Waters With An Approved TMDL. Your facility discharges to a polychlorinated biphenyl (PCB) impaired waterbody that has an approved Total Maximum Daily Load (TMDL) Wasteload Allocation, and has been identified as a facility that may possibly contribute to the PCB contamination. You are required to monitor your stormwater discharges for PCBs in accordance with the attached guidance, GM09-2001. **[Attach GM09-2001]** Refer to the permit Part I A 1 c (3), and the permit Special Condition # 7a (permit Part I B 7 a) regarding additional TMDL requirements.

[Scenario 2 – Facility Has Done PCB Monitoring, and needs the PMP stage]

- Impaired Waters Monitoring – PCB Impaired Waters With An Approved TMDL. Your facility discharges to a polychlorinated biphenyl (PCB) impaired waterbody that has an approved Total Maximum Daily Load (TMDL) Wasteload Allocation. The results of your previous PCB sampling indicate a "reasonable potential" to exceed the water quality criterion, or actually exceed the WLA specified in the PCB TMDL. As such, you are required to develop and implement a Pollutant Minimization Plan (PMP) in accordance with the attached requirements. **[Attach the PMP requirements]** Refer to the permit Part I A 1 c (3), and the permit Special Condition # 7a (permit Part I B 7 a) regarding additional TMDL requirements.

[Include this if the facility discharges to a PCB impaired water without an approved TMDL]

[Scenario 1 – Facility Has Done No PCB Monitoring]

- Impaired Waters Monitoring – PCB Impaired Waters Without An Approved TMDL. Your facility discharges to a polychlorinated biphenyl (PCB) impaired waterbody, and has been identified as a facility that may possibly contribute to the PCB contamination. You are required to monitor your stormwater discharges for PCBs in accordance with the attached guidance, GM09-2001. **[Attach GM09-2001]** Refer to the permit Part I A 1 c (4) regarding additional Impaired Waters requirements.

[Scenario 2 – Facility Has Done PCB Monitoring, But Needs to Continue The Monitoring]

- Impaired Waters Monitoring – PCB Impaired Waters Without An Approved TMDL. Your facility discharges to a polychlorinated biphenyl (PCB) impaired waterbody, and has been identified as a facility that may possibly contribute to the PCB contamination. You are required to continue to monitor your stormwater discharges for PCBs in accordance with the attached guidance, GM09-2001.

[Attach GM09-2001] Refer to the permit Part I A 1 c (4) regarding additional Impaired Waters requirements.

[Scenario 3 – Facility Has Done PCB Monitoring, and Needs to Begin Reducing PCBs]

- Impaired Waters Monitoring – PCB Impaired Waters Without An Approved TMDL. Your facility discharges to a polychlorinated biphenyl (PCB) impaired waterbody. The results of your previous PCB sampling indicate a "reasonable potential" to exceed the PCB water quality criterion, or actually do exceed the criterion. A TMDL has not yet been developed and approved for your watershed. Please contact this office to discuss voluntarily actions you may wish to take to reduce the PCB discharges from your site.

[Include this for ALL facilities in the Chesapeake Bay Watershed]

- Impaired Waters Monitoring – Chesapeake Bay TMDL – Special Monitoring For Facilities In The Chesapeake Bay Watershed. In response to EPA's Chesapeake Bay Total Maximum Daily Load (TMDL) (December 2010), all owners of facilities in the Chesapeake Bay watershed are required to monitor their stormwater discharges for total suspended solids (TSS), total nitrogen (TN), and total phosphorus (TP) to characterize the contributions from their facility's specific industrial sector for these parameters (see the enclosed DMR). After you are granted coverage under the permit, stormwater samples are to be collected during each of the first four monitoring periods (i.e., the first two years of permit coverage). Refer to the permit Special Condition # 7b (permit Part I B 7 b) for the specific Chesapeake Bay TMDL requirements. Also note that Special Condition # 7b(3) (permit Part I B 7 b (3)) requires you to analyze the collected data and possibly develop a Chesapeake Bay TMDL Action Plan based on the results of the sampling. Please refer to the enclosed Errata Sheet for the correct equation to use for the Chesapeake Bay TMDL loading calculations. **[Include the Errata Sheet from Attachment E with the permit package for all facilities in the Chesapeake Bay Watershed.]**

[Include this if the facility discharges to an impaired waterbody with an approved TMDL (other than PCBs), but the TMDL does not contain a specific WLA for the facility]

Your facility has been determined to discharge the pollutant of concern to an impaired waterbody that has an approved Total Maximum Daily Load (TMDL) Wasteload Allocation. As such, you are required to modify your Stormwater Pollution Prevention Plan (SWPPP) to implement best management practices (BMPs) designed to meet the requirements in the TMDL (see the attached relevant pages from the TMDL).

[Include this paragraph if the facility is in the Chesapeake Bay watershed] Virginia's Phase I Chesapeake Bay Total Maximum Daily Load (TMDL) Watershed Implementation Plan (November 29, 2010), states that the wasteloads from any expansion of an existing permitted facility discharging stormwater in the Chesapeake Bay watershed cannot exceed the nutrient and sediment loadings that were discharged from the expanded portion of the land prior to the land being developed for the expanded industrial activity. For any industrial activity area expansions (i.e., construction activities, including clearing, grading and excavation activities) that commence on or after July 1, 2014 (the effective date of this permit), you must document in the SWPPP the information and calculations used to determine the nutrient and sediment loadings discharged from the expanded land area prior to the land being developed, and the measures and controls that were employed to meet the no net increase of stormwater nutrient and sediment load as a result of the expansion of the industrial activity. Any land disturbance that is not required to be permitted under the VPDES construction stormwater general permit regulation (9VAC25-880) is exempt from this requirement.

[Include all the rest]

DEQ launched an electronic Discharge Monitoring Report (e-DMR) program that now allows you to submit your stormwater DMR data electronically. We hope that every permittee will sign up for e-DMR access when they receive their general permit coverage, but it is not mandatory at this time. Note that EPA is moving towards making electronic reporting a mandatory requirement nationwide, so this may become a requirement in the future. There are many benefits to both DEQ and the permittee when e-DMR is utilized for monitoring data submissions:

- 1) Fewer revisions of the data since the e-DMR program automatically flags omissions before the data is submitted;
- 2) Cost savings on postage, copying, and paper;
- 3) No concerns about using the most current DMR form – e-DMR refreshes the required parameters automatically when changes are needed;
- 4) Submittals can be made on a timelier basis;
- 5) e-DMR participants instantly receive a system-generated email notification/ documentation with the exact time and date of when the e-DMR was submitted; and
- 6) Electronic signatures from multiple people are allowed, and e-DMR can be accessed from multiple computer locations.

We ask that you apply for e-DMR participation now, although you may apply at any time. Your regional e-DMR administrator **[INSERT NAME, PHONE NUMBER and EMAIL]** can assist you. The following website provides details, training videos and Frequently Asked Questions:

<http://www.deq.virginia.gov/Programs/Water/PermittingCompliance/ElectronicDMRsubmissions.aspx>

This general permit will expire on June 30, 2019. The permit requires that you submit a new registration statement at least 60 days prior to that date if you wish continued coverage under the general permit, unless permission for a later date has been granted by the Board. Permission cannot be granted to submit the registration statement after the expiration date of the permit.

If you have any questions, please contact **[insert permit writer name]** at **[insert contact information]**.

Sincerely,

Regional WPM Name (or Permit Writer in BRRO)
Water Permit Manager (in BRRO, Permit Writer)

Example Transmittal Letters

3. Termination Letter

[Regional Letterhead]

Date

Owner
Facility Name
Address
City, State ZIP

RE: Termination of Coverage under the General VPDES Permit for Discharges of Storm Water
Associated With Industrial Activity, Registration # VAR05_____

Dear Permittee:

DEQ agrees to terminate your coverage under the General VPDES Permit for Discharges of Storm Water Associated With Industrial Activity, permit registration number VAR05_____. Termination will become effective 30 days from the date of this notification unless you provide an objection in accordance with one of the two paragraphs below.

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have thirty days from the date of service (the date you actually received this decision or the date it was mailed to you, whichever occurred first) within which to appeal this decision by filing a notice of appeal in accordance with the Rules of the Supreme Court of Virginia with the Director of the Virginia Department of Environmental Quality. In the event that this decision is served on you by mail, three days are added to that period.

Alternatively, any owner under §§ 62.1-44.16, 62.1-44.17 and 62.1-44.19 of the State Water Control Law aggrieved by any action of the State Water Control Board taken without a formal hearing, or by inaction of the Board, may demand in writing a formal hearing of such owner's grievance, provided a petition requesting such hearing is filed with the Board. Said request must meet the requirements set forth in 9VAC25-230-130 (Procedural Rule No. 1 – Petition for Formal Hearing). In cases involving actions of the Board, such petition must be filed within 30 days after notice of such action is mailed to such owner by certified mail.

If you have any questions, please contact **[insert permit writer name]** at **[insert contact information]**.

Sincerely,

Regional WPM Name (or Permit Writer in BRRO)
Water Permit Manager (in BRRO, Permit Writer)

Example Transmittal Letters

4. Inactive and Unstaffed Facility Approval Letter

[*Regional Letterhead*]

Date

Owner
Facility Name
Address
City, State ZIP

RE: Inactive and Unstaffed Site Waiver at [*facility name and permit registration number*]

Dear Permittee:

The Board has reviewed your Inactive and Unstaffed Site waiver request for the [*facility name*] site and approves the waiver. As of the date of this letter, you are no longer required to conduct quarterly visual assessments, routine facility inspections, and all outfall monitoring (including benchmark, effluent limitation, and impaired waters monitoring). You are still required to conduct annual comprehensive site inspections in accordance with the requirements in permit Part III E.

If circumstances change and industrial materials or activities become exposed to stormwater, or the facility becomes either active or staffed, you must notify the Department within 30 days, and all quarterly visual assessments, routine facility inspections, and monitoring requirements shall be resumed immediately.

The Board retains the right to revoke this waiver when it is determined that facility discharges are causing, have a reasonable potential to cause, or contribute to a water quality standards violation.

If you have any questions, please contact [*insert permit writer name*] at [*insert contact information*].

Sincerely,

Regional WPM Name (or Permit Writer in BRRO)
Water Permit Manager (in BRRO, Permit Writer)

CC: [*insert name of compliance auditor*]

Example Transmittal Letters

5. ChesBay TMDL Action Plan Approved / Not Approved Letter

[*Regional Letterhead*]

Date

Owner
Facility Name
Address
City, State ZIP

RE: Chesapeake Bay TMDL Action Plan at [*facility name and permit registration number*]

Dear Permittee:

Use this for Approvals:

The Board has reviewed your Chesapeake Bay TMDL Action Plan submitted for the [*facility name*] site, and has approved the plan.

You are required to submit an Annual Report to the Department by June 30th of each year describing the progress in meeting the required reductions.

Use this if the plan needs corrections or is missing required elements:

The Board has reviewed your Chesapeake Bay TMDL Action Plan submitted for the [*facility name*] site. We cannot approve your plan because it does not contain the following required information:

(List all that apply)

- (a) A determination of the total pollutant load reductions for TP, TN and TSS (as appropriate) necessary to reduce the annual loads from industrial activities. This is to be determined by calculating the difference between the NVPDC loading values, and the average of the sampling data for TP, TN or TSS (as appropriate) for the entire facility. The reduction applies to the total difference calculated for each pollutant of concern;
- (b) The means and methods, such as management practices and retrofit programs, that the permittee will use to meet the required reductions determined above, and a schedule to achieve those reductions by June 30, 2024. The schedule should include annual benchmarks to demonstrate the ongoing progress in meeting those reductions.

Note that the permit allows you to consider utilization of any pollutant trading or offset program in accordance with §§ [62.1-44.19:20 through 62.1-44.19:23](#) of the Code of Virginia, governing trading and offsetting, to meet the required reductions.

Please make the necessary corrections and resubmit the plan for approval within 45 days of the date of this letter.

(Include this for both Approved and Not Approved)

If you have any questions, please contact [*insert permit writer name*] at [*insert contact information*].

Sincerely,

Regional WPM Name (or Permit Writer in BRRO)
Water Permit Manager (in BRRO, Permit Writer)

CC: [*insert name of compliance auditor*]

**ATTACHMENT E -
Errata Sheet – Correction to the Chesapeake Bay TMDL Loading
Formula and Example Calculations**

Chesapeake Bay TMDL Loadings Errata Sheet

Correct Formula To Use and Example Calculations

The 2014 Industrial Stormwater General Permit (VAR05) requires permittees in the Chesapeake Bay watershed to calculate the facility specific loadings for total suspended solids (TSS), total nitrogen (TN) and total phosphorus (TP) (see permit Part I B 7 b (3) [Special Condition #7]). Nutrient and sediment data are to be collected for the first four (4) permit monitoring periods (i.e., every six months for the first two years of permit coverage). The facility-wide average data for each pollutant (i.e., average of all samples for each pollutant from all the outfalls at the facility) are to be used in the calculation.

The correct formula that should be used to calculate the loading values is:

$$L = 0.226 \times R \times C \quad \text{Equation (1)}$$

where:

L = the Pollutant of Concern (POC) loading value (lb/acre/year)

C = the POC average concentration of all facility samples (mg/L)

0.226 = unit conversion factor

R = annual runoff (in/yr), calculated as: $R = P \times P_j \times R_v$

where:

P = annual rainfall (in/yr) [use the Virginia annual average of 44.3 in/yr, or site specific annual rainfall for your area of the State, or another Board approved method]

P_j = the fraction of annual events that produce runoff (usually 0.9)

R_v = the runoff coefficient, which can be expressed as: $R_v = 0.05 + (0.9 \times I_a)$

I_a = the impervious fraction [the ratio of facility impervious area to the total facility area]

or, $I_a = \text{AREA}_{\text{IMPERVIOUS}} / \text{AREA}_{\text{TOTAL}}$

Substituting in Equation (1):

$$L = 0.226 \times P \times P_j \times (0.05 + (0.9 \times I_a)) \times C \quad \text{Equation (2)}$$

Example Calculation (assumes the permit coverage begins 7/1/2014):

Facility has one (1) storm water outfall; collects four (4) grab samples for total phosphorus, total nitrogen, and TSS (with the last samples collected by 6/30/2016).

Calculate the loading (L) in lb/acre/year, using: P = 44.3 in/yr, $P_j = 0.9$, $I_a = 0.80$, and

C = 0.35 mg/L total phosphorus (TP) (average of all samples from all outfalls)

2.0 mg/L total nitrogen (TN) (average of all samples from all outfalls)

70.0 mg/L total suspended solids (TSS) (average of all samples from all outfalls)

Calculated Loadings for the Facility

L = 2.43 lb/ac/yr TP

13.88 lb/ac/yr TN

485.67 lb/ac/yr TSS

Chesapeake Bay TMDL Loading Values

1.5 lb/ac/yr TP

12.3 lb/ac/yr TN

440 lb/ac/yr TSS

In the example above, the facility calculated TP, TN, and TSS loading values (L) are above the Chesapeake Bay TMDL Loading Values, so the permittee would be required to submit a Chesapeake Bay TMDL Action Plan within 90 days from the end of the second year's monitoring period (September 28, 2016). See the permit Part I B 7 b (3) (c) for the TMDL Action Plan requirements, and Part I B 7 b (3) (d) for the Action Plan Annual Reports that are due June 30th of each year.