MATANUSKA-SUSITNA BOROUGH
Planning and Land Use Department
Development Services Division
350 East Dahlia Avenue • Palmer, AK 99645
Phone (907) 861-7822
Email: permitcenter@matsugov.us

APPLICATION FOR A CONDITIONAL USE PERMIT FOR EARTH MATERIALS EXTRACTION – MSB 17.30

NOTE: *Carefully read instructions and applicable borough code. Fill out forms completely. Attach information as needed. Borough staff will not process incomplete applications.*

Application fee must be attached, check one:

____ $1000 for Administrative Permit (Less than two years ***or*** less than 7,000cy annually)

X $1,500 for Conditional Use Permit (More than two years ***and*** more than 7,000cy annually)

Required Attachments:

X Site plan as detailed on Page 2

X Narrative with operational details and all information required on Page 2

X Reclamation Plan

Subject Property:

MSB Tax Account ID#(s): 118N01E27D002, 118N01E27D001, 118N01E27A002

Street Address: 7955 E Bogard Rd., 3182 N. Trunk Rd., 7801 E Glade Ct., Palmer, AK

Facility/Business Name: Central Gravel Products

Name of Property Owner
See Owner's Document (attached)

Mailing: _____

_____

Phone: Cell _____

Wk _____ Hm _____

E-mail: _____

Name of Agent / Contact for application
Dan Steiner, PE

Mailing: 5900 W. Dewberry Dr.
Wasilla, AK 99623

Phone: Cell 907-715-7704

Wk 907-357-5609 Hm _____

E-mail: dsteiner@mtaonline.net

Attach a narrative describing the proposed extraction activities.	**Attached**
Describe the types of material being extracted.	✔
Provide total acreage of all parcels on which the activity will occur.	✔
Provide total acreage of earth material extraction activity.	✔
Provide total cubic yards to be extracted.	✔
Provide the estimated final year extraction will occur.	✔
Provide seasonal start and end dates.	✔
Provide hours of operation.	✔
Provide days of the week operations will take place.	✔
Provide proposed peak hour and traffic volume at the peak hour	✔
Provide estimated end date of extraction.	✔
Provide estimated end date of reclamation.	✔
Describe all other uses occurring on the site.	✔
Describe methods used to prevent problems on adjacent properties, such as lateral support (steep slopes), water quality, drainage, flooding, dust control, and maintenance of roads.	✔
Describe how the operation will monitor the seasonal high water table.	✔
Provide quantity estimates and topographical information such as cross section drawings depicting depth of excavation, slopes, and estimated final grade.	✔
Provide Reclamation Plan in accordance with MSB 17.28.063 and 17.28.067.	✔

Submit a detailed site plan, *drawn to scale*. Drawings under the seal of an engineer or surveyor are recommended but not required.	**Attached**
Identify location of permanent and semi-permanent structures on the site for verification of setback requirements. Include wells and septic systems.	✔
Depict buffer areas, driveways, dedicated public access easements, noise buffers (such as fences, berms or retained vegetated areas), and drainage control such as ditches, settling ponds, etc.	✔
Identify the entire area intended for gravel/material extraction activity.	✔
Identify the property boundary containing the operation.	✔
Identify ADEC Drinking Water Protection Areas wherever proposed project area boundaries fall within drinking water protection area buffer zones.	✔ See Narrative
Identify areas used for past and future phases of the activity.	✔
Provide road and access plan that includes anticipated vehicle routes and traffic volumes. If the level of activity exceeds the minimum levels specified in MSB 17.61.090, Traffic Standards, a traffic control plan consistent with state regulations may be required.	✔
Provide detailed description of the proposed visual screening.	✔ See Narrative
Provide measures to mitigate or lessen noise impacts on surrounding properties.	✔ See Narrative
Provide proposed lighting plan.	✔ See Narrative

Submit documentation showing compliance with borough, state, and federal laws.	**Applied for (list file #)**	**Attached (list file #) or N/A**
Submit mining permit as required by the Alaska State Department of Natural Resources (ADNR) if extraction activities are to take place on state land.		N/A
Provide reclamation plan as required by ADNR, pursuant to AS 27.19. Provide copy of reclamation financial assurance filed with the State of Alaska (If exempt, provide qualifying documents for exemption).	A reclamation plan has been submitted to ADNR. It is included with this submittal. Also included is the financial assurance information.	
Provide Notice of Intent (NOI) for construction general permit or multi-sector general permit and storm water pollution prevention plan, and other associated permits or plans required by the Environmental Protection Agency (EPA) pursuant to the National Pollutant Discharge Elimination System (NPDES) requirements.	SWPPP has been prepared and is included with this submittal. An NOI will be filed once the project is approved.	
Provide United States Army Corps of Engineers permit pursuant to Section 404 of the Clean Water Act, 33 U.S.C. 1344, if material extraction activity is to take place within wetlands, lakes, and streams.	See Narrative	N/A - See narrative.
Provide any other applicable permits, such as driveway/access permits; list as appropriate.	See narrative.	

Prior to the public hearing, the applicant must also pay the mailing and advertising fees associated with the application. Staff will provide applicant with a statement of advertising and mailing charges. Payment must be made **prior** to the application presentation at the public hearing.

OWNER'S STATEMENT: I am owner or authorized agent of the following property:

MSB Tax Account ID #(s)_____ and, I hereby apply for approval of conditional use permit for earth material extraction activities on the property as described in this application.

I understand all activity must be conducted in compliance with all applicable standards of MSB 17.28, MSB 17.30, and with all other applicable borough, state, and federal laws, including but not limited to, air quality, water quality, and use and storage of hazardous materials, waste and explosives, per MSB 17.30.055.

I understand that other rules such as local, state, and federal regulations, covenants, plat notes, and deed restrictions may be applicable and other permits or authorizations may be required. I understand that the borough may also impose conditions and safeguards designed to protect the public's health, safety, and welfare, and ensure the compatibility of the use with other adjacent uses.

I understand that it is my responsibility to identify and comply with all applicable rules and conditions, covenants, plat notes, and deed restrictions, including changes that may occur in such requirements.

I understand that this permit may transfer to subsequent owners of this land and that it is my responsibility to disclose the requirements of this status to operators on this property, and to the buyer when I sell the land. Additionally, I agree to comply with MSB 17.30.120, Transfer of Conditional Use Permit, in the event this permit is transferred to a subsequent property owner.

I grant permission for borough staff members to enter onto the property as needed to process this application and monitor compliance. Such access will at a minimum, be allowed when the activity is occurring and, with prior notice, and at other times necessary to monitor compliance.

The information submitted in this application is accurate and complete to the best of my knowledge.

See Attached		
Signature: Property Owner	Printed Name	Date
Dan Steiner	Dan Steiner	5/10/2024
Signature: Agent	Printed Name	Date

MATANUSKA-SUSITNA BOROUGH
Planning and Land Use Department
Development Services Division

APPLICATION FOR A CONDITIONAL USE PERMIT FOR EARTH MATERIALS EXTRACTION – MSB 17.30

Facility/Business Name: Central Gravel Products

NAME OF PROPERTY OWNER:

Lot A2 and Lot D2, Section 27 T18N, R1E Seward Meridian

Name: Bob Havemeister

Address: P.O. Box 467 Palmer, AK 99645

Phone Number: 907-232-0628

Email: Havemeistertrucking@gmail.com

OWNER'S STATEMENT: I am owner or authorized agent of the following property:

MSB Tax Account ID #(s) Lot A2 and Lot D2, Section 27 T18N, R1E Seward Meridian and, I hereby apply for approval of conditional use permit for earth material extraction activities on the property as described in this application.

I understand all activity must be conducted in compliance with all applicable standards of MSB 17.28, MSB 17.30, and with all other applicable borough, state, and federal laws, including but not limited to, air quality, water quality, and use and storage of hazardous materials, waste and explosives, per MSB 17.30.055.

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Signature: Property Owner	Printed Name	Date
	Bob Havemeister	5/2/24

MATANUSKA-SUSITNA BOROUGH
Planning and Land Use Department
Development Services Division

APPLICATION FOR A CONDITIONAL USE PERMIT FOR EARTH MATERIALS EXTRACTION – MSB 17.30

Facility/Business Name: Central Gravel Products

NAME OF PROPERTY OWNER:

Lot D1, Section 27, T18N, R1E, Seward Meridian

Name: Ralph Kircher

Address: 3182 N. Trunk Road Palmer, AK 99645

Phone Number: 253-850-9570

Email: preciousralph@AOL.com

OWNER'S STATEMENT: I am owner or authorized agent of the following property:

MSB Tax Account ID #(s) Lot D1, Section 27, T18N, R1E, Seward Meridian and, I hereby apply for approval of conditional use permit for earth material extraction activities on the property as described in this application.

I understand all activity must be conducted in compliance with all applicable standards of MSB 17.28, MSB 17.30, and with all other applicable borough, state, and federal laws, including but not limited to, air quality, water quality, and use and storage of hazardous materials, waste and explosives, per MSB 17.30.055.

I understand that other rules such as local, state, and federal regulations, covenants, plat notes, and deed restrictions may be applicable and other permits or authorizations may be required. I understand that the borough may also impose conditions and safeguards designed to protect the public's health, safety, and welfare, and ensure the compatibility of the use with other adjacent uses.

I understand that it is my responsibility to identify and comply with all applicable rules and conditions, covenants, plat notes, and deed restrictions, including changes that may occur in such requirements.

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I grant permission for borough staff members to enter onto the property as needed to process this application and monitor compliance. Such access will at a minimum, be allowed when the activity is occurring and, with prior notice, and at other times necessary to monitor compliance. The information submitted in this application is accurate and complete to the best of my knowledge.

Ralph O. Kircher	RALPH O. KIRCHER	5/2/2024
Signature: Property Owner	Printed	Name Date

5900 W. Dewberry Dr
Wasilla, AK 99623

SDCS, LLC
STEINER DESIGN & CONSTRUCTION SERVICES, LLC

Phone: (907) 357-5609
Fax: (907) 357-5608

January 21, 2025

Planning and Land Use Department
Development Services Division
Matanuska-Susitna Borough (MSB)
350 E. Dahlia Ave.
Palmer, AK 99645-6488

Re: Central Gravel Products (CGP) – Gravel Pit - Application for Condition Use
T18N, R1E, Section 27, Lots D1, D2, and A2
Engineering Narrative

To Whom it May Concern,

As part of the MSB "Earth Materials Extraction" application, the following information is provided as required on the **"APPLICATION FOR A CONDITIONAL USE PERMIT FOR EARTH MATERIALS EXTRACTION – MSB 17.30"**:

Narrative Describing the Proposed Extraction Activities

- Types of material being extracted: This gravel pit will extract sand and gravel material to be used in construction. Some of the material will be processed and/or crushed to be used as sewer rock and road section material. Also, there will be stockpiles of processed topsoil.
- Total acreage of gravel pit (all three parcels): 235 acres.
- Total acreage of earth material extraction activity: 153 acres.
- Total cubic yards to be extracted: 7,500,000 CY (This volume can change based on where groundwater is detected.) Approximately 230,000 CY will be extracted annually.
- Estimated final year extraction will occur: 2054
- Seasonal Start and End dates: Start on May 1 and end on November 1.
- Hours of operation: 8:00 am – 5:30 pm. The hours of operation are so the gravel pit can avoid rush hour traffic and traffic associated with Colony High School and Middle School starting in the morning.

- Days of operation: Monday – Saturday

- Proposed peak hour and traffic volume at the peak hour: Peak hour – 11:00 AM 24 (12 trips in, 12 trips out).

- Estimated End Date of Extraction: November 1, 2054

- Estimated End Date of Reclamation: November 1, 2055

- Other uses occurring on site: There are areas of the three parcels that will not be developed for material extraction. There are existing residential structures on the site. These structures will remain and the areas around them will be unchanged.

- Problem prevention:

  Lateral Support: Final slopes will be 3h:1v or flatter.

  Water Quality: A SWPPP has been prepared. It will be implemented by CGP as part of this project.

  Drainage: This action will create a low spot on the site. No runoff is anticipated to leave the site.

  Dust Control: Site vegetative buffers will block a lot of the dust from leaving the site. A water truck to sprinkle water at the site will be used if needed. If a water truck is needed, a filling pit will be excavated and groundwater near the surface will be pumped to fill the truck. If this is needed, the appropriate Alaska Department of Natural Resources (AK-DNR) permits will be obtained. Sweepers will be used to remove any soil tracked onto adjacent roads.

  Maintenance of Road: Site operators have the equipment needed to maintain on site roads.

  Flooding: No part of the soil extraction area is within the 100-year flood zone. No flooding is anticipated.

  Fuel Spills: The only two sources of fuel spills are fuel tanks on equipment and an on-site fuel tank. All trucks and equipment will be monitored to identify any fuel spills and address immediately. The on-site fuel tank will be an above ground 500-gallon tank. The fuel tank will be placed in a containment pond to catch any spilled fuel.

- Monitoring of the Seasonal High-Water Table: Monitoring wells be will installed in the areas where material extraction is taking place. The wells will be lowered as the soil is extracted to ensure that extraction is not closer than 4' to groundwater. See detail for well on sheet C1.0.

Detailed Site Plan

- Identify ADEC Drinking Water Protection Areas: There is one drinking water protection area near this project. It is for a site that obtains its drinking water adjacent to Wasilla Creek. This site is approximately one mile southwest of this site.

  I have discussed this project with ADEC. The only contaminate that they were concerned with was turbidity. Since the project will maintain a large vegetative buffer along the creek and the existing and finish topography of the developed areas drain away from the creek, ADEC is not concerned and has stated that no action is required.

- Visual Screening: Visual screening will be provided by either a 10' high soil berm, existing vegetation, existing buildings, or topography. See the included plans for locations of all the visual screening.

  If it is determined that the existing buildings, existing vegetation, and the proposed screening berms do not meet the MSB requirements, additional screening berms will be constructed.

- Noise Mitigation: Noise mitigation will be provided by the hours of operation and by maintaining equipment used on site. All the heavy equipment (excavators, loaders, etc.) and processing/crushing equipment will maintain all required mufflers and noise dampeners. Material extraction will also start near the middle of the site and at a lower elevation from the surrounding property. As work progresses, the extraction will continue to be at a lower level. This type of production also has strict OSHA regulations for noise levels that are stringently followed.

- Permanent and Semi-Permanent Structures: All permanent structures are shown on Sheet C1.0. All the processing equipment will be moved as areas are reclaimed and additional areas developed for extraction. All processing equipment (screening plants, crushers, conveyor belts, etc.), permanent and temporary structures, and material piles are to be always placed at least 40' from all perimeter property lines. See notes on Sheet C1.0.

It is planned to have 10 acres disturbed at a time. Once the 10 acres is done, an additional 10 acres will be developed, and the previous 10 acres will be reclaimed. The processing equipment will be moved to the new 10 acres each time. Each 10-acre "phase" will be approximately two years.

- Lighting Plan: The only exterior lights will be mounted on the proposed shop and scale house. These lights will be directed downward and will include shields, as needed, to prevent light spillage on to adjacent properties.

- Ditches, Settling Ponds, Wash Pit Ponds, etc.: There will be no washed products at this pit. No ditches, ponds, etc. will be needed.

Borough, State, and Federal Laws

- AK-DNR Reclamation Plan: A reclamation plan has been submitted to and approved by the AK-DNR. A copy of the plan has been sent to the MSB.

- Reclamation Financial Assurance: A copy of the reclamation financial assurance that was filed with the State of Alaska will be delivered to the MSB as soon as DNR determines what the fee will be and it has been paid.

- United States Army Corps of Engineers: There is a small area that has been identified as a wetland within the project parcels (see Sheet C0.2). No material extraction will take place in or near this area and the wetland will not be disturbed. As a precaution, a Jurisdictional Determination (JD) has been requested from the United States Army Corps of Engineers. Their response is that these wetlands do not require are Department of Army (DA) permit. A copy of the response has been sent to the MSB.

Additional Information

<u>Drifting Snow Along Engstrom Road</u>

The MSB has expressed concern about drifting snow along Engstrom Road and the increase in drifting that a 10' high soil berm would create. Based on calculations, a 10' high soil berm would produce a snowdrift that is approximately 130' long from the berm. As a result, the berm will be placed 200' from the Engstrom Road right-of-way. This would provide a factor of safety of 1.5 with regard to a snowdrift, created by the visual screening berms, reaching Engstrom Road.

The placement of this visual screening berm will most likely not prevent drifting snow onto Engstrom Road. Once the snow drift adjacent to the visual screening berm "matures" snow will continue past this drift toward Engstrom Road. However, the berm should not increase the drifting.

In fact, there is a good chance that this berm may decrease the volume of snow that drifts on to Engstrom Road since a portion of the snow that would usually reach Engstrom Road will now be stored behind the visual screening berm

See Sheet C1.0 for the location and detail of the visual screening berms.

Site Access

There will be two access points into the gravel pit. A driveway off Engstrom Road and a driveway off Bogard Road. The driveway from Engstrom Road will be an in-only driveway. Engstrom Road is MSB right-of-way. A MSB driveway permit has been obtained for this driveway.

Bogard Road is State of Alaska right-of-way. An Alaska Department of Transportation (ADOT) driveway permit has been applied for. At the time of this narrative, ADOT has provided verbal approval of the driveway permit. ADOT is currently preparing the "approval to construct" (ATC) for the appropriate signatures. A copy of the executed ATC will be provided to the MSB as soon as it is available. A special condition will be part of the ATC. Left turns out of the driveway onto Bogard Road will be allowed for two years. For left turns onto Bogard Road, CGP must provide a traffic control plan (TCP), including flaggers, to assist with the left turns. At the end of two years, CGP will be required to build an island at the driveway making the driveway a "right in, right out" only approach.

ADOT is planning to construct a roundabout at the intersection of Bogard Road and Engstrom Road. It should be completed when the Bogard Road driveway becomes a right out only driveway. At that time, trucks wanting to travel east on Bogard Road will turn right out of the driveway, make a u-turn at the roundabout, and then move east on Bogard Road.

Central Gravel Products has kept detailed records of how many trucks per day they serve for the life of their current pit. They plan on operating the proposed gravel pit in the same manner. This information was used to determine the peak hour traffic volume. The number that was submitted (12 in and 12 out) is from the busiest days they have recorded. With a peak hourly traffic volume of 12 trucks per hour (12 in, 12 out), no other mitigation is needed to provide access to and from the proposed gravel pit.

Traffic Routes

The gravel pit has no control over the route that the trucks of their customers take, but they anticipate that most trucks will travel along Bogard Road and Trunk Road to and from the gravel pit. Some traffic will be on Engstrom Road, but it is anticipated that this will be minimal traffic. Trucks will be encouraged to avoid residential areas as much as possible. Central Gravel Products has three vehicles that it uses to deliver gravel products. They always have their drivers

use main roads to their destination and will not send trucks along Engstrom Road later than 4:00 PM.

With the location of this gravel pit, most traffic should be able to use the higher volume roads to get close to their destinations (Bogard, Trunk, Palmer Fishhook, Wasilla-Fishhook, Palmer-Wasilla Highway).

Please note that the start and stop movements through residential areas discourage large trucks from traveling through residential areas. The starts and stops take a lot longer and even if that route is a shorter distance, it is usually much better for trucks to take the main roads.

Proposed End Use after Extraction

The use of the property after extraction has not been finalized.

Demand for Gravel Pits

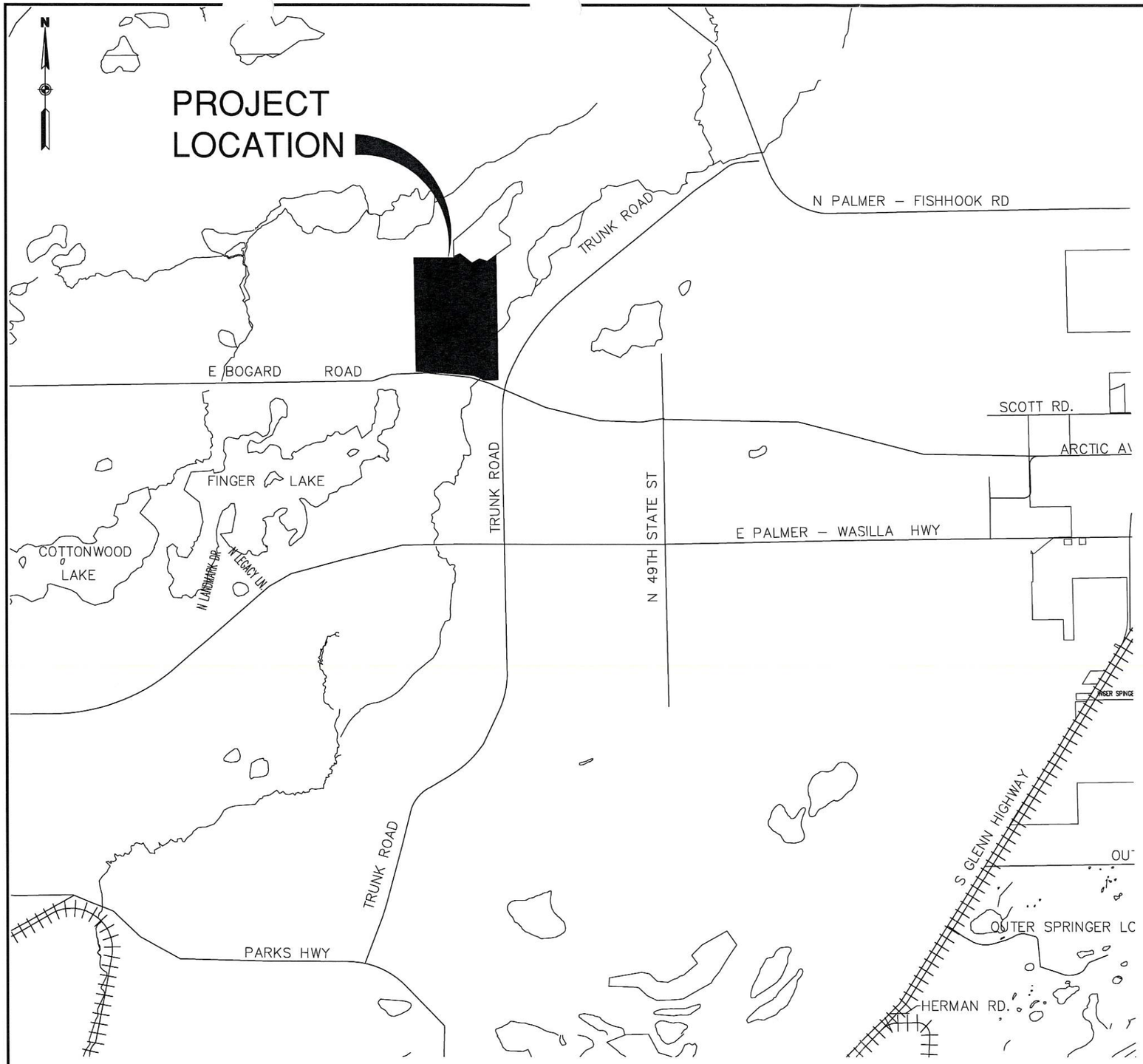
Central Gravel Products is anxious for this new gravel pit to be developed. There is a high demand for the soil products that it will provide. Central Gravel Products is concerned about the depletion of gravel pits in the Matanuska-Susitna Valley and knows that this proposed gravel pit will help meet the demand for gravel for many years to come.

Please let us know if you have any questions or need additional information.

Sincerely,

Dan Steiner, P.E.
Manager

des
encl.



VICINITY MAP

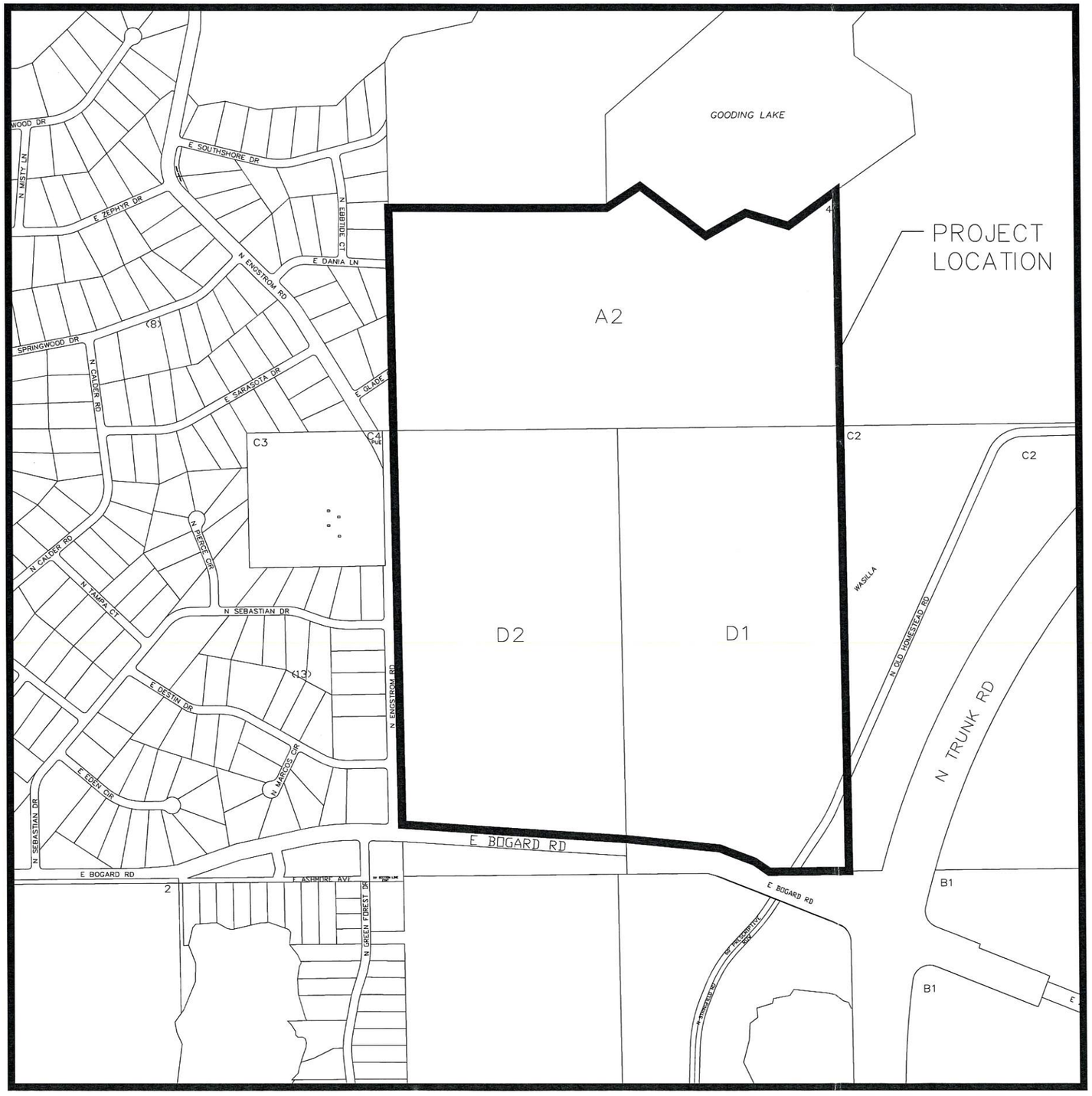
CENTRAL GRAVEL PRODUCTS
GRAVEL PIT DEVELOPMENT

LOTS A2, D1, D2,
TOWNSHIP 18N RANGE 1E SECTION 27
PALMER, AK

SHEET INDEX

SDCS, LLC
STEINER DESIGN & CONSTRUCTION SERVICES, LLC
5900 W. DEWBERRY DR. PH: (907) 357-5609
WASILLA, AK 99623 FAX: (907) 357-5608

PLAN SET DATE: 8/9/2024



LOCATION MAP

LEGEND

- PROPERTY LINE
- EASEMENT LINE
- EDGE OF VEGETATION
- EDGE OF GRAVEL DRIVEWAY
- EDGE OF PAVED DRIVEWAY
- CMP CULVERT WITH END SECTIONS
- AREA TO REMAIN UNDEVELOPED
- 10' HIGH SOIL BERM
- AREA WHERE 10' HIGH SOIL BERM IS NOT NEEDED

RECEIVED
AUG 9 2024
Mat-Su Borough
Development Services

SURVEY NOTES

1. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE POSITION OF THE HORIZONTAL AND VERTICAL CONTROL USED.
2. SURVEY PERFORMED BY KEYSTONE SURVEYING.

CALL BEFORE YOU DIG

The Contractor shall notify all area utility companies prior to commencement of excavation. The following is a partial list:

ALASKA DIG LINE (907) 278-3121, (800) 478-3121

STATE OF ALASKA
DAN E. STEINER
No. CE 9505
8/9/24
REGISTERED PROFESSIONAL ENGINEER

SDCS, LLC
STEINER DESIGN & CONSTRUCTION SERVICES, LLC
5900 W. DEWBERRY DR. PH:(907) 357-5609
WASILLA, AK 99623 FAX:(907) 357-5608

CENTRAL GRAVEL PRODUCTS

GRAVEL PIT DEVELOPMENT

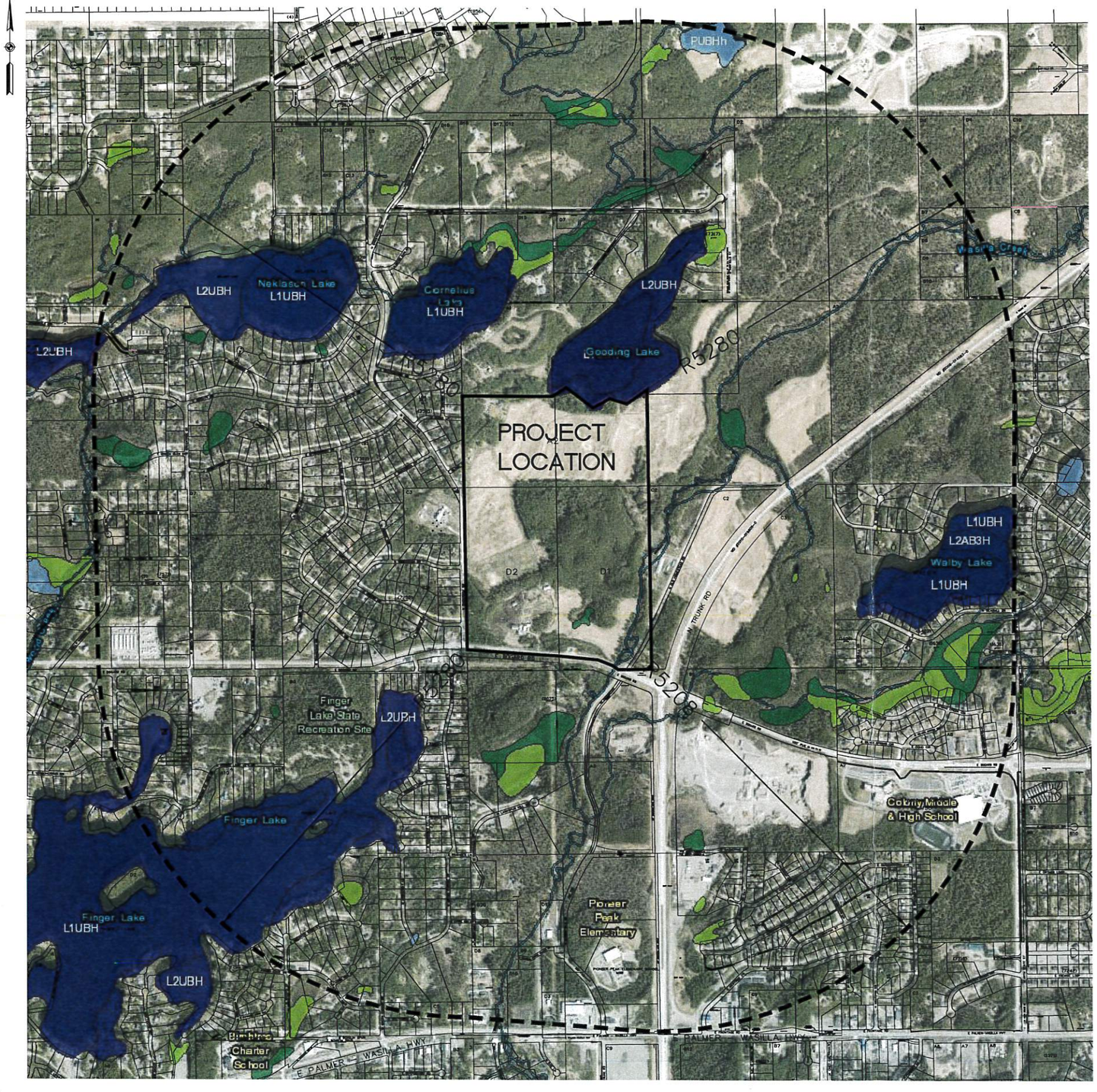
LOTS A2, D1, D2, TOWNSHIP 18N RANGE 1E SECTION 27

BY	DATE	REVISIONS

JOB NO.: 23-016
DATE: 8/9/2024
DRAWN: DES
REVIEWED: DES

SHEET TITLE
LOCATIONS MAP
LEGEND
CONSTRUCTION NOTES

SHEET
C0.1



- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

RECEIVED
AUG 9 2024
Mat-Su Borough
Development Services

STATE OF ALASKA
49TH
DAN E. STEINER
No. CE 9505
8/9/24
REGISTERED PROFESSIONAL ENGINEER

SDCS, LLC
STEINER DESIGN & CONSTRUCTION SERVICES, LLC
5900 W. DEWBERRY DR. PH:(907) 357-5609
WASILLA, AK 99623 FAX:(907) 357-5608

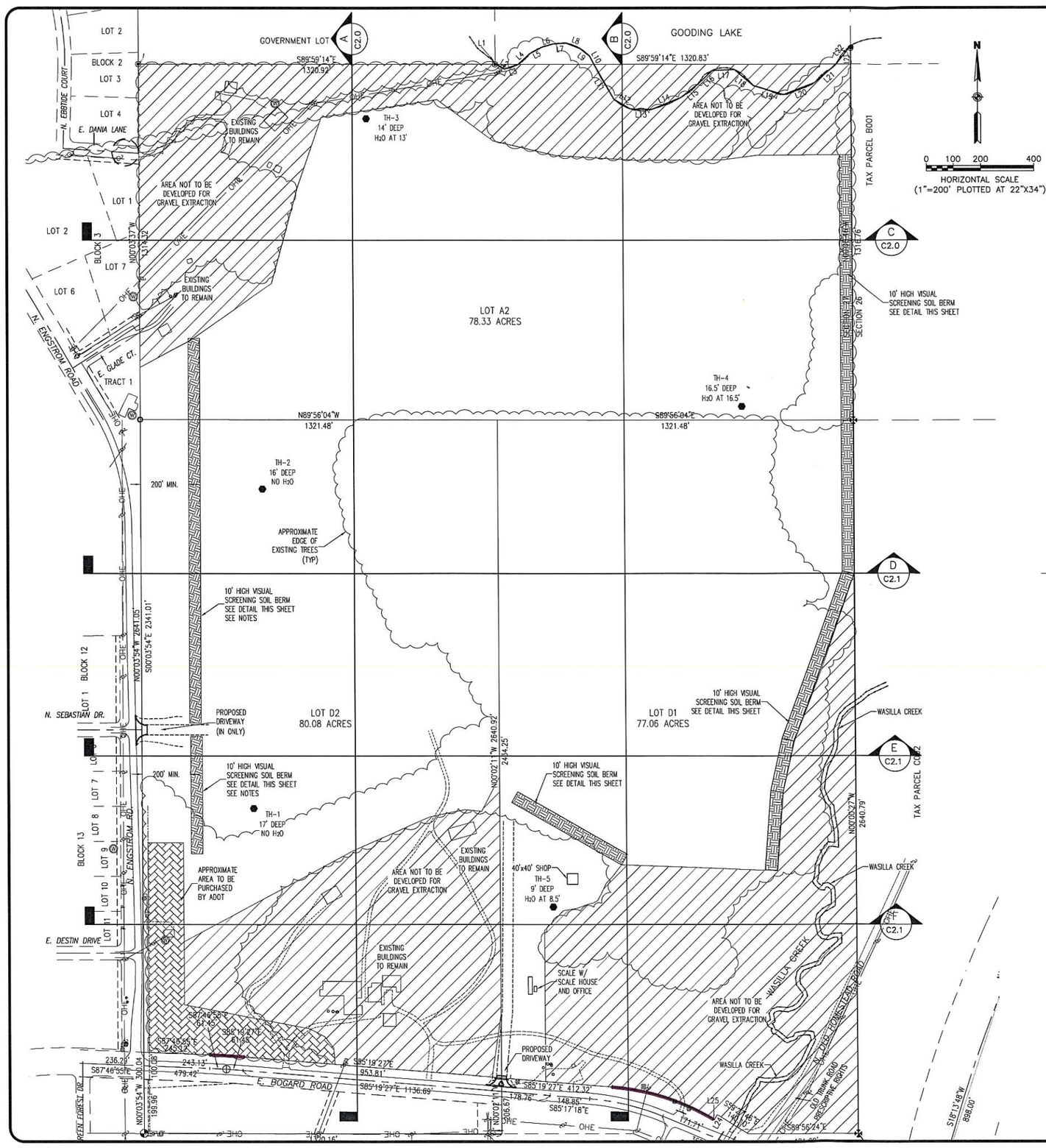
CENTRAL GRAVEL PRODUCTS
GRAVEL PIT DEVELOPMENT
LOTS A2, D1, D2, TOWNSHIP 18N RANGE 1E SECTION 27

BY	DATE	REVISIONS

JOB NO.: 23-016
DATE: 8/9/2024
DRAWN: DES
REVIEWED: DES

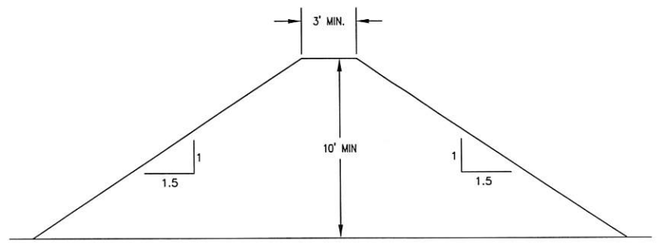
SHEET TITLE
WATERBODIES AND WETLANDS

SHEET
C0.2

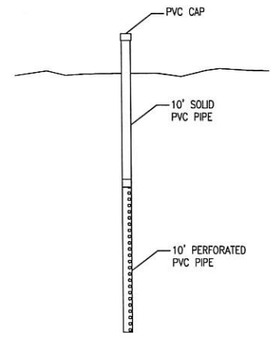


NOTES

1. LOCATION OF 10' HIGH VISUAL SCREENING BERM TO BE ADJUSTED AS NEEDED.
2. MATERIAL EXTRACTION TO BEGIN IN THE LOWER ELEVATION AREAS AND MOVE OUT FROM THERE.
3. ALL PROCESSING EQUIPMENT (SCREENING PLANTS, CRUSHERS, CONVEYOR BELTS, ETC.), PERMANENT AND TEMPORARY STRUCTURES, AND MATERIAL PILES ARE TO BE PLACED +40' AT ALL TIMES FROM ALL PROPERTY LINES.
4. THE VISUAL SCREENING BERM ALONG ENGSTROM ROAD CAN BE REMOVED WHEN EXTRACTION ACTIVITIES ARE AT A LOW ENOUGH ELEVATION THAT THE BERM IS NO LONGER NEEDED.



1 C1.0 10' HIGH SOIL BERM
SCALE: NOT TO SCALE



NOTES

1. INSTALL MONITORING WELLS AT THE PERIMETER OF THE AREA WHERE MATERIAL IS BEING EXTRACTED.
2. WHEN SOIL IS EXTRACTED TO TOP OF PERFORATED PIPE, REMOVE WELL AND RELOCATE IT AT A DEEPER ELEVATION.

RECEIVED
JAN 16 2025
Mat-Su Borough
Development Services

2 C1.0 GROUND WATER MONITORING WELL
SCALE: NOT TO SCALE

STATE OF ALASKA
49TH
DAN E. STEINER
No. CE 9505
1/16/25
REGISTERED PROFESSIONAL ENGINEER

SDCS, LLC
STEINER DESIGN & CONSTRUCTION SERVICES, LLC
5900 W. DEWBERRY DR. PH:(907) 357-5609
WASILLA, AK 99623 FAX:(907) 357-5608

CENTRAL GRAVEL PRODUCTS
GRAVEL PIT DEVELOPMENT
LOTS A2, D1, D2, TOWNSHIP 18N RANGE 1E SECTION 27

BY	DATE	REVISIONS

JOB NO.: 23-016
DATE: 1/16/2025
DRAWN: DES
REVIEWED: DES

SHEET TITLE
SITE PLAN

SHEET
C1.0

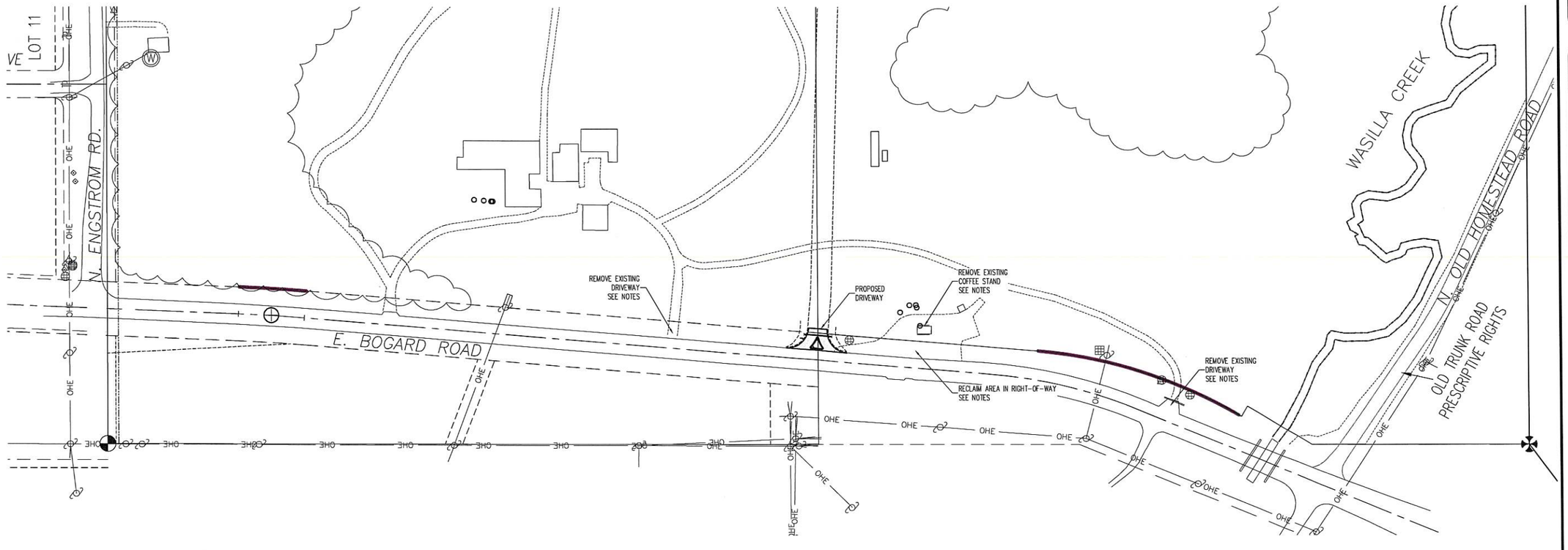
N

0 100 200 400

HORIZONTAL SCALE
(1"=200' PLOTTED AT 22"X34")

NOTES

1. REMOVE EXISTING DRIVEWAYS AS SHOWN.
2. EXISTING COFFEE STAND TO BE REMOVED AND RELOCATED TO A DIFFERENT LOCATION.
3. REMOVING DRIVEWAYS AND RECLAIMING THE AREAS IN THE RIGHT-OF-WAY INCLUDES THE FOLLOWING:
   - REMOVE ANY AC PAVEMENT NOT ASSOCIATED WITH BOGARD ROAD. ANY AC PAVEMENT TO BE REMOVED MUST BE VERTICALLY SAW-CUT.
   - REMOVE EXISTING SOIL USED FOR DRIVEWAYS OR COFFEE SHOP AREA AS NEEDED TO RESHAPE ROAD SHOULDER. MATCH EXISTING ROAD SHOULDER IN WIDTH, SLOPE, AND DEPTH.
   - SALVAGE ANY EXISTING CULVERTS TO ADOT. IF ADOT DOES NOT WANT EXISTING CULVERTS, CONTRACTOR TO DISPOSE OF CULVERT AND END SECTIONS.
   - ALL RESHAPED MATERIAL TO BE COMPACTED TO 95% OF MAXIMUM DENSITY AS DETERMINED BY ASTM D1557.
   - TOPSOIL AND SEED ALL DISTURBED AREAS WITHIN ADOT AND MSB RIGHT OF WAY. SEE TO BE CERTIFIED WEED FREE AND CONSISTS OF PLANTS NATIVE TO SOUTH CENTRAL ALASKA. CONTRACTOR TO GET APPROVAL FROM ENGINEER FOR SEED MIX BEFORE SEEDING.



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JAN 16 2025
Mat-Su Borough
Development Services

STATE OF ALASKA
49TH
DAN E. STEINER
No. CE 9505
1/14/25
REGISTERED PROFESSIONAL ENGINEER

SDCS, LLC
STEINER DESIGN & CONSTRUCTION SERVICES, LLC
5900 W. DEWBERRY DR. PH: (907) 357-5609
WASILLA, AK 99623 FAX: (907) 357-5608

CENTRAL GRAVEL PRODUCTS
GRAVEL PIT DEVELOPMENT
LOTS A2, D1, D2, TOWNSHIP 18N RANGE 1E SECTION 27

BY	DATE	REVISIONS

JOB NO.: 23-016
DATE: 1/14/2025
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REVIEWED: DES

SHEET TITLE
DEMOLITION PLAN

SHEET
C1.0.1

N

0 100 200 400

HORIZONTAL SCALE
(1"=200' PLOTTED AT 22"X34")

NOTES

1. FINISH GRADE IS SHOWN WITH FINAL CONTOURS. FINAL FINISH GRADE MAY CHANGE DEPENDING ON WHAT SOILS AND GROUNDWATER IS ENCOUNTERED AS MATERIAL EXTRACTION TAKES PLACE.

STATE OF ALASKA
49TH
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8/9/24

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CENTRAL GRAVEL PRODUCTS
GRAVEL PIT DEVELOPMENT

LOTS A2, D1, D2, TOWNSHIP 18N RANGE 1E SECTION 27

BY	DATE	REVISIONS

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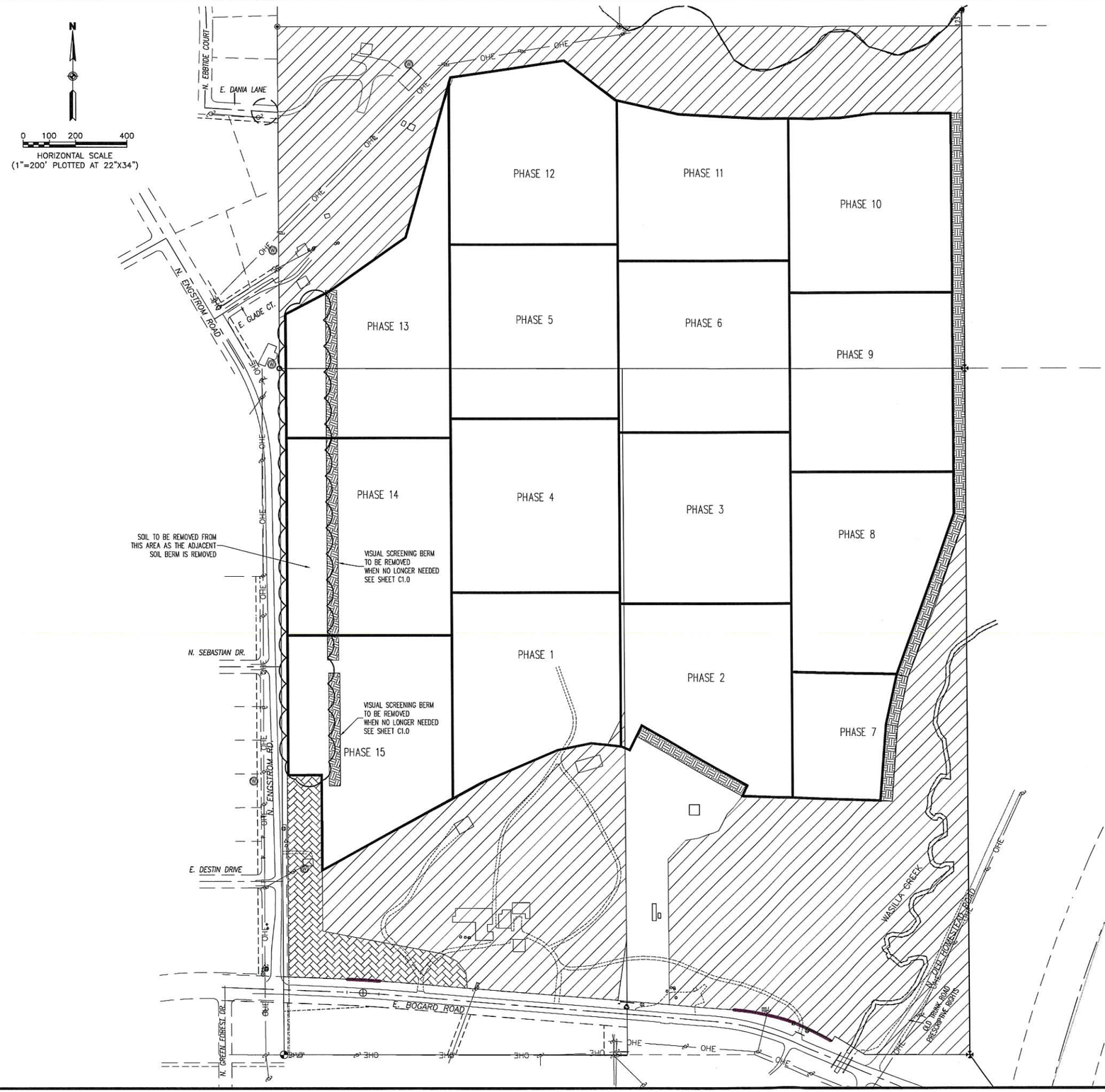
REVIEWED: DES

SHEET TITLE
TOPO PLAN

SHEET
C1.1



NOTES

1. THE PHASES SHOWN ARE 10 ACRES OR LESS.
2. NO MORE THAN 10 ACRES ARE DEVELOPED AT ONE TIME FOR MATERIAL EXTRACTION.
3. AS MORE ADDITIONAL AREA IS DEVELOPED, PREVIOUS DEVELOPED AREAS WILL BE RECLAIMED SO THAT NO MORE THAN 10 ACRES AT A TIME ARE DEVELOPED.
4. PHASES SHOWN ARE AN ESTIMATE. FUTURE EVENTS WILL IMPACT THE PHASING, BUT THE AREA DEVELOPED WILL ALWAYS BE 10 ACRES OR LESS.

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CENTRAL GRAVEL PRODUCTS
GRAVEL PIT DEVELOPMENT
LOTS A2, D1, D2, TOWNSHIP 18N RANGE 1E SECTION 27

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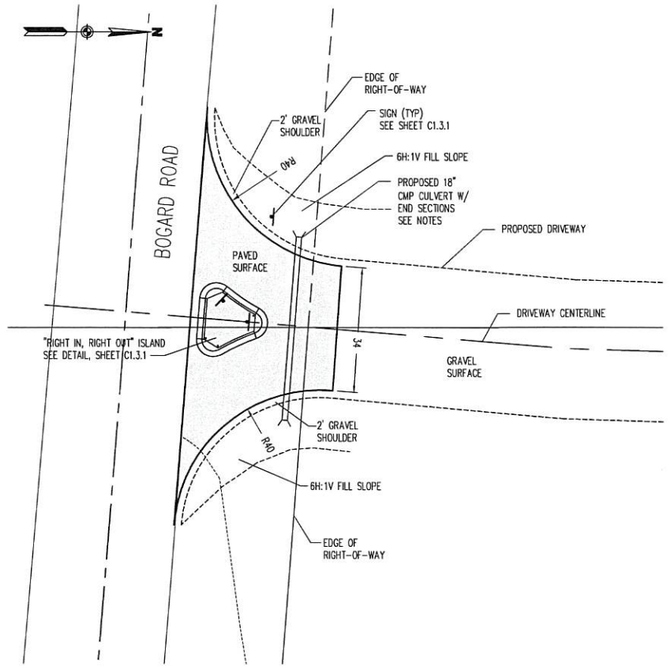
SHEET TITLE
PHASING PLAN

SHEET
C1.2



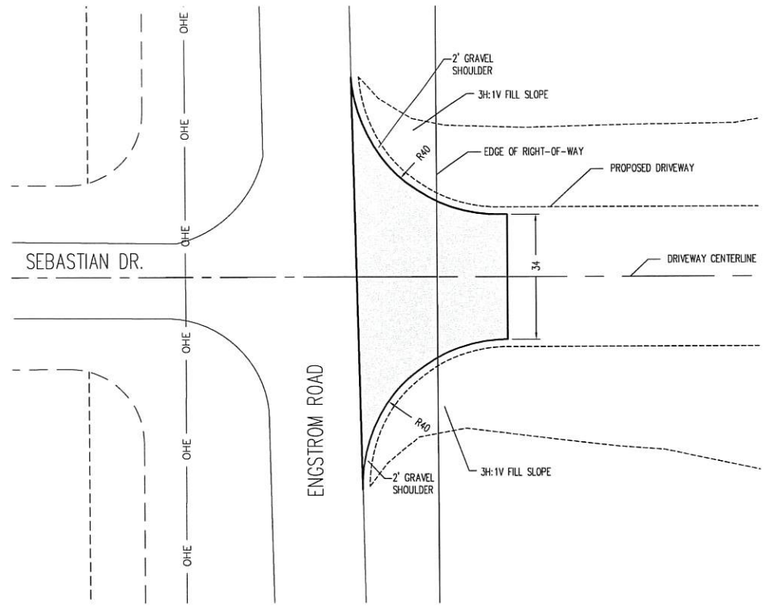
PLAN VIEW
BOGARD ROAD DRIVEWAY
(STATE OF ALASKA)

0 10 20 40
HORIZONTAL SCALE
(1"=20' PLOTTED AT 22"X34")
0 2 4 8
VERTICAL SCALE
(1"=4' PLOTTED AT 22"X34")

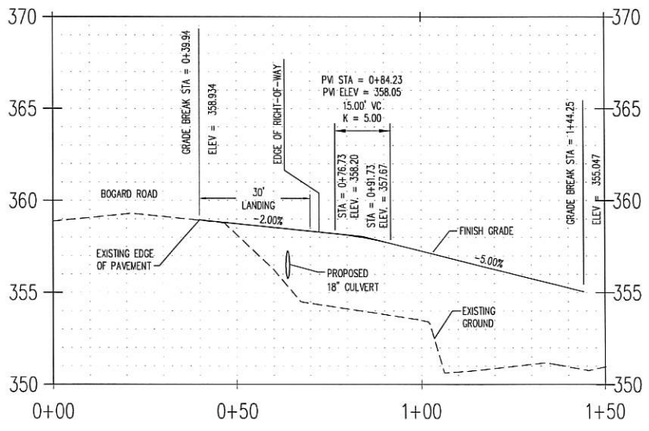
N

NOTES

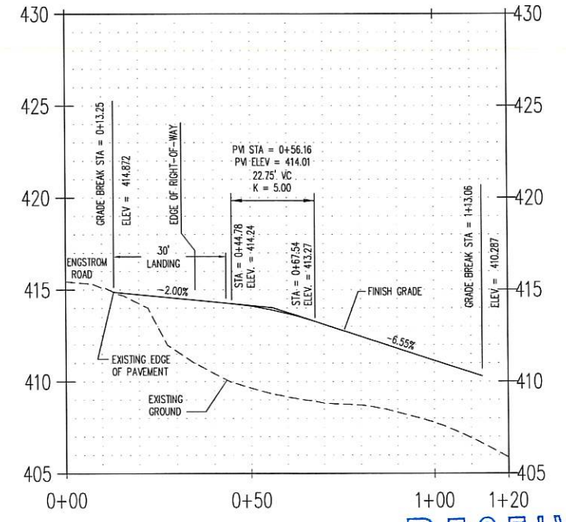
1. ALL WORK IN STATE OF ALASKA RIGHT-OF-WAY TO CONFORM TO THE ADOT DRIVEWAY PERMIT.
2. ALL WORK IN MSB RIGHT-OF-WAY TO CONFORM TO THE MSB DRIVEWAY PERMIT. .
3. ALL DRIVEWAYS TO BE PAVED WITHIN PUBLIC RIGHT-OF-WAY.
4. ENGSTROM ROAD DRIVEWAY TO BE "IN" ONLY.
5. DUE TO EXISTING TOPOGRAPHY, CULVERT NOT NEEDED AT ENGSTROM DRIVEWAY.
6. FILED LOCATED CULVERT AT BOGARD ROAD DRIVEWAY.



PLAN VIEW
ENGSTROM ROAD DRIVEWAY
(MSB)



PROFILE VIEW
BOGARD ROAD DRIVEWAY
(STATE OF ALASKA)



PROFILE VIEW
ENGSTROM ROAD DRIVEWAY
(MSB)

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CENTRAL GRAVEL PRODUCTS
GRAVEL PIT DEVELOPMENT
LOTS A2, D1, D2, TOWNSHIP 18N RANGE 1E SECTION 27

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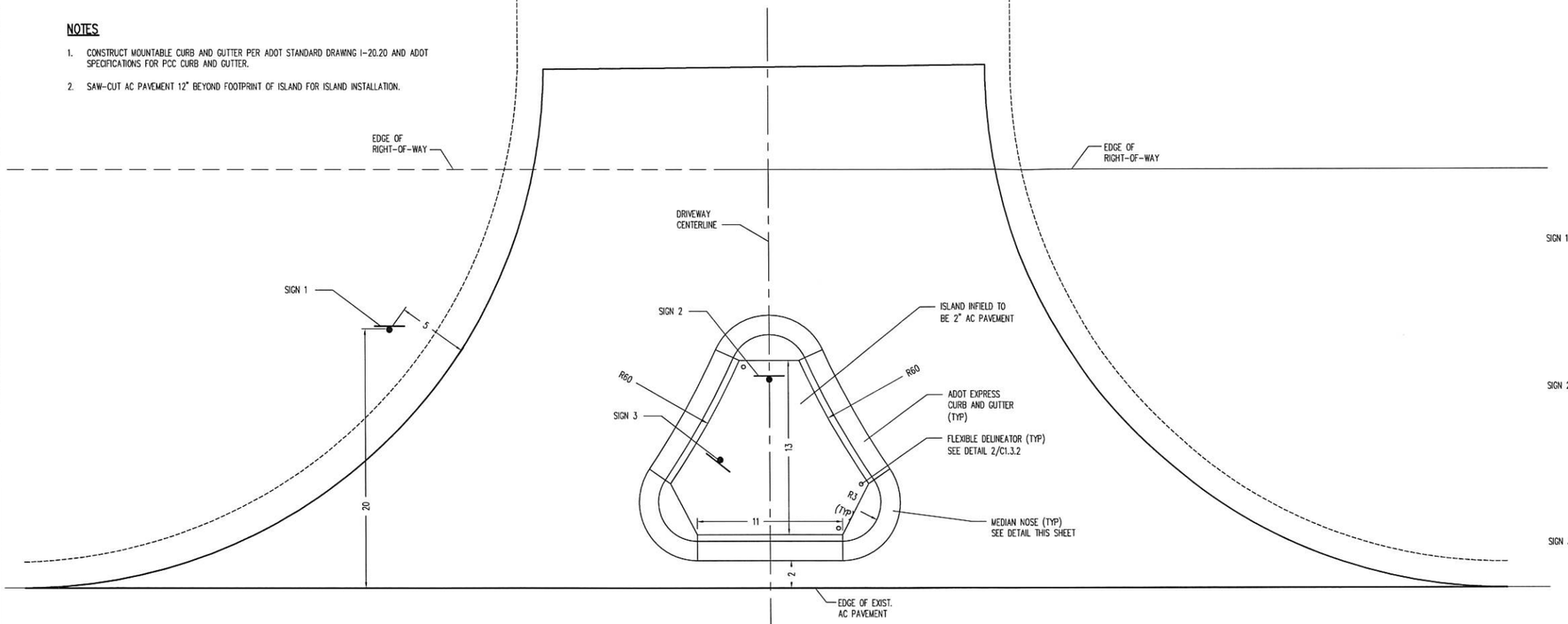
SHEET TITLE
DRIVEWAY
PLAN & PROFILE

SHEET
C1.3

NOTES

1. CONSTRUCT MOUNTABLE CURB AND GUTTER PER ADOT STANDARD DRAWING I-20.20 AND ADOT SPECIFICATIONS FOR PCC CURB AND GUTTER.
2. SAW-CUT AC PAVEMENT 12" BEYOND FOOTPRINT OF ISLAND FOR ISLAND INSTALLATION.



BOGARD ROAD

SIGN NOTES AND SCHEDULE

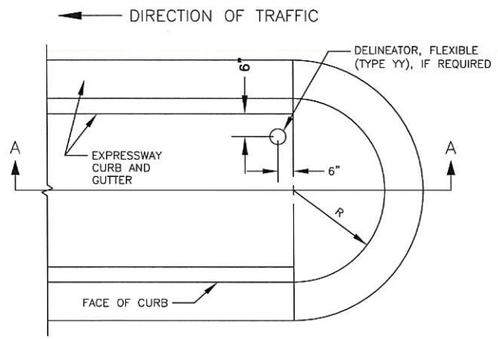
1. CONSTRUCT SIGNS PER ADOT REQUIREMENTS.
2. ALL SIGNS TO HAVE 3" STEEL POST WITH FRANGIBLE COUPLINGS AND BASES PER ADOT STANDARD DETAILS S-31.02.
3. SIGNS TO BE INSTALLED PER ADOT STANDARD DETAILS S-05.02.
4. SEE ADDITIONAL SIGN DETAILS ON SHEETS C1.3.2 AND C1.3.3.
5. CONSTRUCT SIGNS FACING AS SHOWN IN DETAIL, THIS SHEET.

SIGN 1 – R1-1 "STOP SIGN" 24"X24"

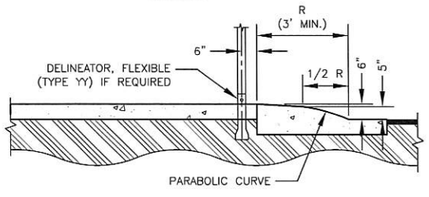
SIGN 2 – R3-5R "RIGHT TURN ONLY 18"X24"

SIGN 3 – R5-1 "DO NOT ENTER" 24"X24"

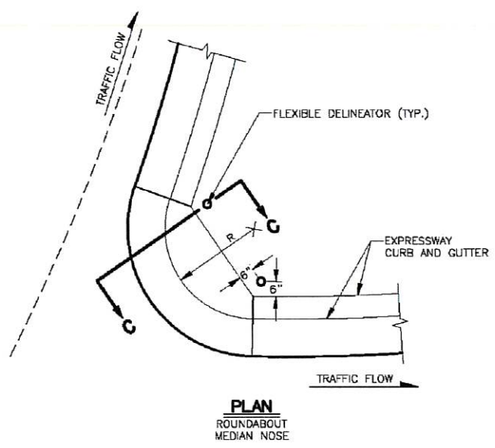
RIGHT IN, RIGHT OUT, ISLAND AND SIGNS



PLAN



SECTION A–A, C–C

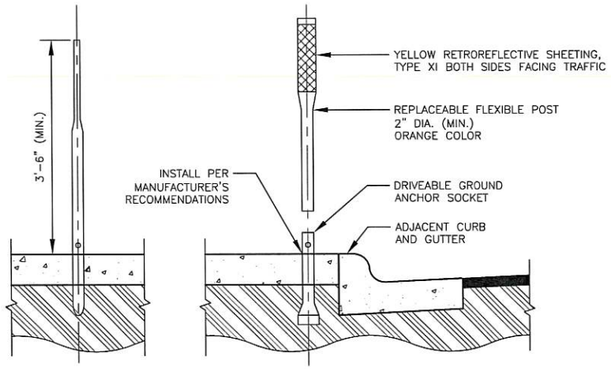


PLAN
ROUNDABOUT MEDIAN NOSE

SLOPED MEDIAN NOTES:

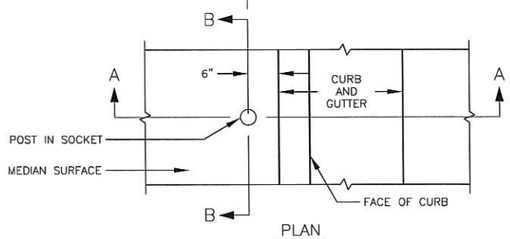
1. PAINT ALL SLOPED MEDIAN NOSES WITH YELLOW REFLECTORIZED PAINT. PAINT FOR NOSES IS SUBSIDIARY TO 670 ITEMS.

SLOPED MEDIAN NOSE



SECTION B–B

SECTION A–A



PLAN

DELINEATOR NOTES:

1. INSTALL DELINEATORS WHERE SHOWN IN THE SUMMARY TABLE, OR AS DIRECTED BY THE ENGINEER.
2. CENTER POINT OF THE DELINEATOR SHALL BE 6 INCHES FROM THE BACK OF CURB.
3. WHERE DELINEATORS ARE SET IN CONCRETE PAVEMENT, PLACE THEM IN EXPANSION JOINTS.

FLEXIBLE DELINEATOR

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CENTRAL GRAVEL PRODUCTS
GRAVEL PIT DEVELOPMENT
LOTS A2, D1, D2, TOWNSHIP 18N RANGE 1E SECTION 27

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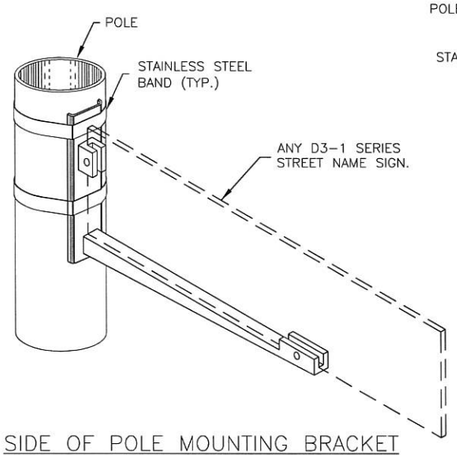
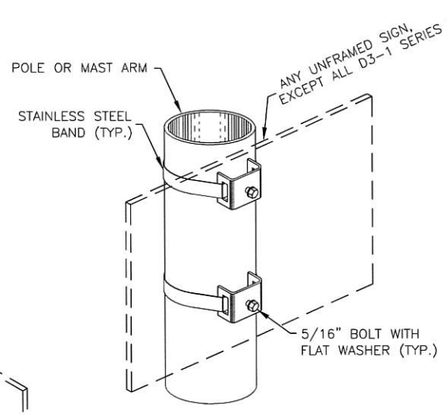
SHEET TITLE
BOGARD ROAD DRIVEWAY ISLAND AND SIGN DETAILS

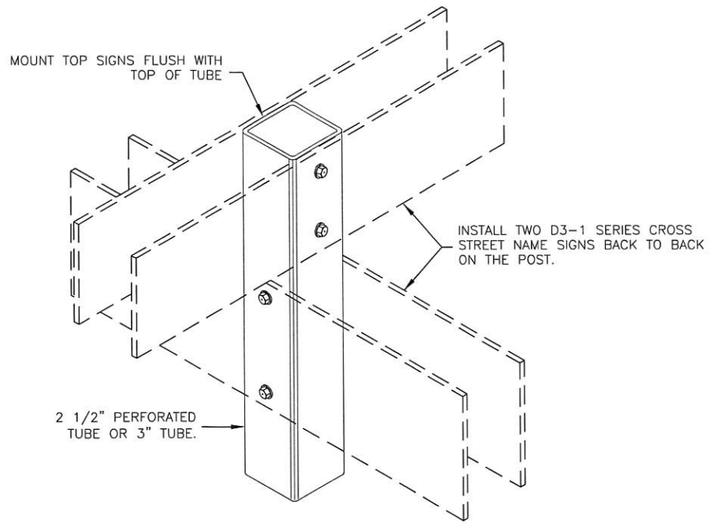
SHEET
C1.3.1



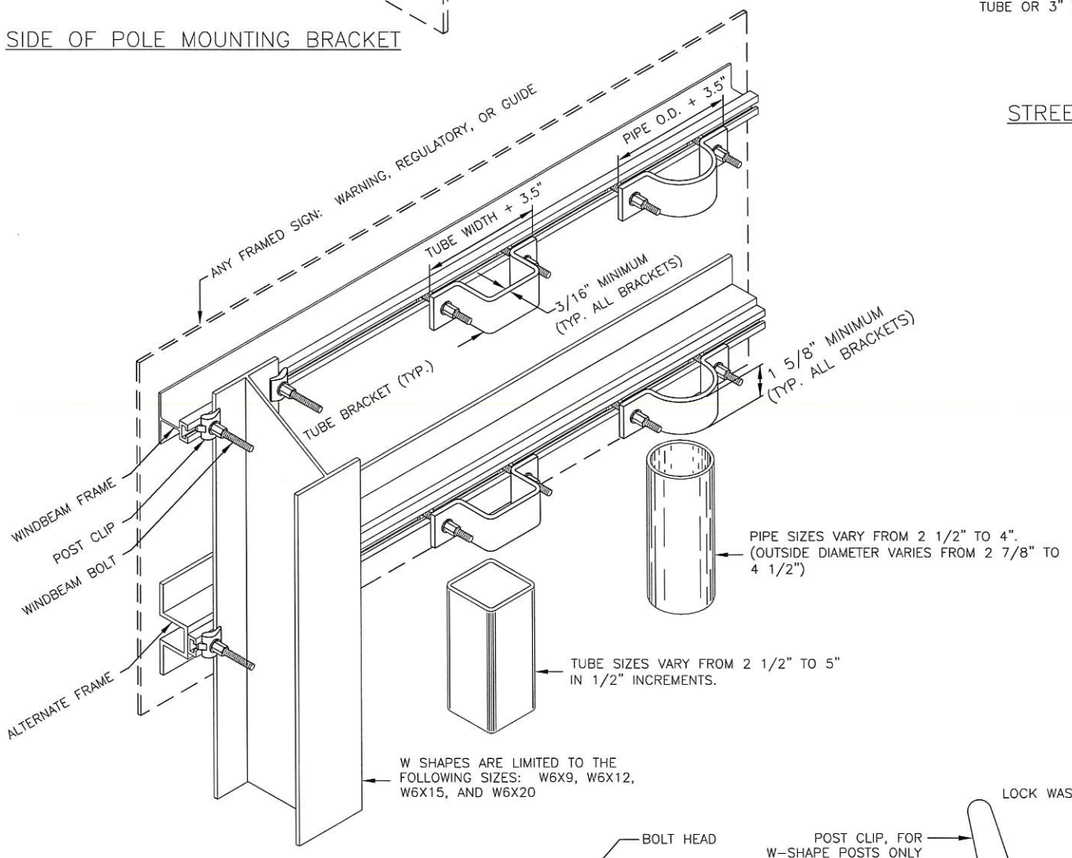
SIDE OF POLE MOUNTING BRACKET



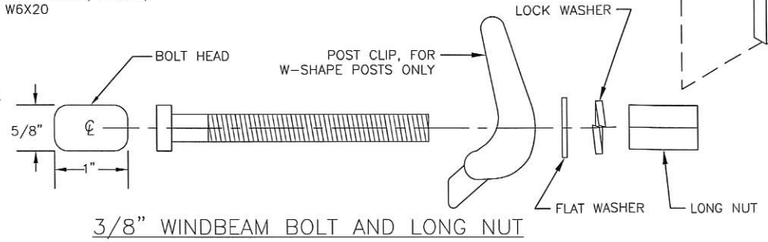
SADDLE BRACKETS



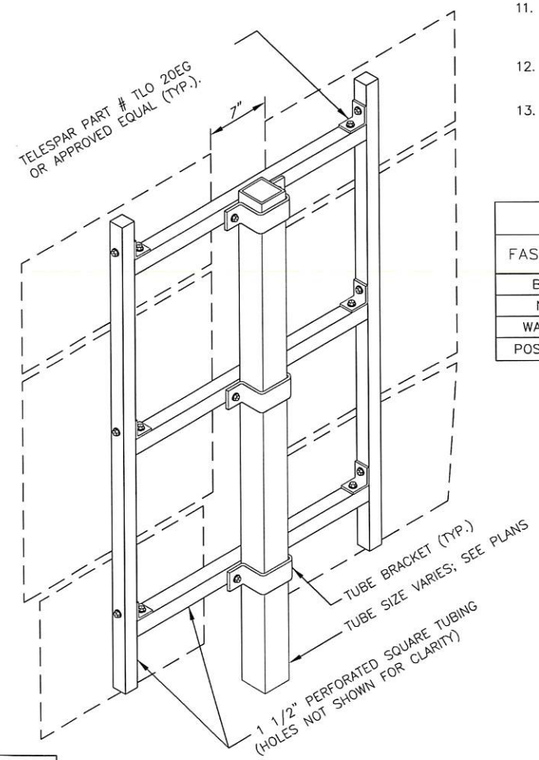
STREET NAME SIGN INSTALLATION



FRAMED SIGN ATTACHMENT BRACKETS



3/8" WINDBEAM BOLT AND LONG NUT



ROUTE MARKER TREE

NOTES:

1. EXCEPT FOR POLES AND MAST ARMS, ONLY USE TUBES TO SUPPORT SIGNS MOUNTED ON ONE POST.
2. ATTACH SIGNS, FRAMED AND UNFRAMED TO THEIR SUPPORTS WITH ZINC PLATED 3/8" BOLTS, EXCEPT ATTACH UNFRAMED SIGNS TO PERFORATED TUBES WITH ACCESSORY DRIVE RIVETS AND TO SADDLES WITH 5/16" BOLTS.
3. BOLT UNFRAMED SIGNS DIRECTLY TO TUBES IN TWO LOCATIONS, NEAR TOP AND NEAR BOTTOM OF MATING SURFACE. ATTACH THEM TO POLES AND MAST ARMS WITH TWO SADDLES.
4. ATTACH BRACKETS TO POLES AND MAST ARMS WITH DOUBLE WRAPS OF 3/4" WIDE BY 0.020" THICK STAINLESS STEEL BANDING MATERIAL. TIGHTEN EACH BAND UNTIL IT STOPS MOVING THROUGH THE BUCKLE.
5. ATTACH FRAMED SIGNS TO POSTS WHEREVER THE FRAMES CROSS THE POSTS. AT EACH CROSSING, ATTACH THE SIGN USING TWO POST CLIPS ON W-SHAPE POSTS, A U-SHAPED BRACKET ON PIPES, AND A BRACKET WITH SQUARE CORNERS ON TUBES.
6. THE TUBE BRACKETS USED ON EVEN INCH SIZE TUBES MAY ALSO BE USED ON TUBES 1/2" SMALLER IN SIZE.
7. ONLY USE THE SPECIAL WINDBEAM BOLTS TO ATTACH SIGNS FRAMED WITH THE WINDBEAM FRAMING MATERIAL.
8. ATTACH FRAMED SIGNS TO POLES AND MAST ARMS USING POLE PLATES INSTALLED ACCORDING TO ALASKA STANDARD PLAN S-23.
9. FOR ROUTE MARKER TREES, CUT PERFORATED TUBES TO ENSURE TIGHT FITTING JOINTS. ASSEMBLE THE PIECES WITH ACCESSORY ELL-SHAPED ANGLE BRACKETS.
10. INSTALL THE TOP EDGE OF SIGNS 1" ABOVE THE TOPS OF POSTS, EXCEPT FOR THE D3-1 STREET NAME SIGNS.
11. INSTALL THE TOP EDGE OF SIGNS 3" BELOW THE TOP OF POST, WHENEVER THEY ARE MOUNTED BELOW SIGNS SECURED BY POST TOP MOUNTING BRACKETS.
12. THE BRACKET DETAILS SHOWN INDICATE GENERAL DESIGNS ONLY. DESIGNS MAY VARY BY MANUFACTURER.
13. INSTALL WEATHER TIGHT CAPS ON ALL PIPE AND TUBE POSTS, EXCEPT PERFORATED TUBING.

FASTENER SPECIFICATION TABLE

FASTENERS	ALUMINUM	STEEL	STAINLESS STEEL
BOLTS	ASTM F468 2024-T4	ASTM A307	ASTM F593
NUTS	ASTM F467 2024-T4	ASTM A563	ASTM F594
WASHERS	ANSI B18.22.1	ASTM F844	ANSI B18.22.1
POST CLIPS	ASTM B179 356-T6	N/A	N/A

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CENTRAL GRAVEL PRODUCTS
GRAVEL PIT DEVELOPMENT
LOTS A2, D1, D2, TOWNSHIP 18N RANGE 1E SECTION 27

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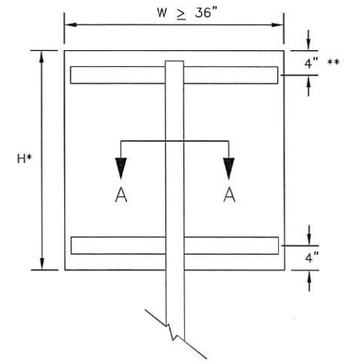
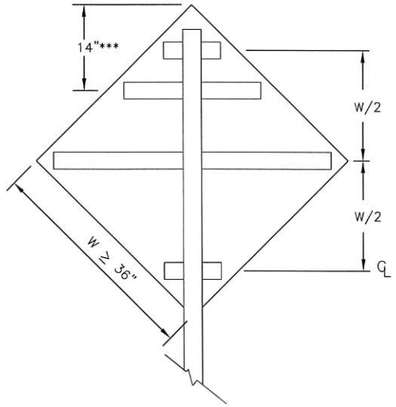
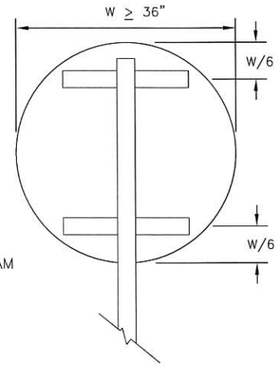
SHEET TITLE
SIGN ATTACHMENT DETAILS

SHEET
C1.3.2

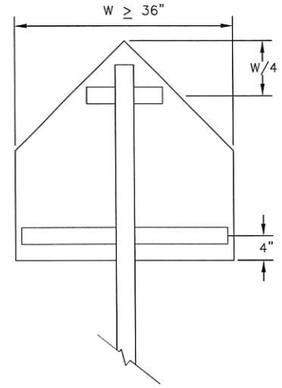


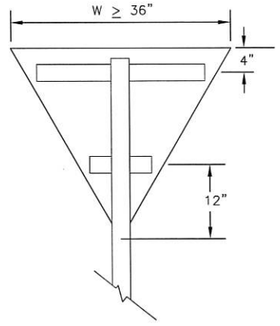
RECTANGLES AND TRAPEZOIDS





ROUNDS AND OCTAGONS





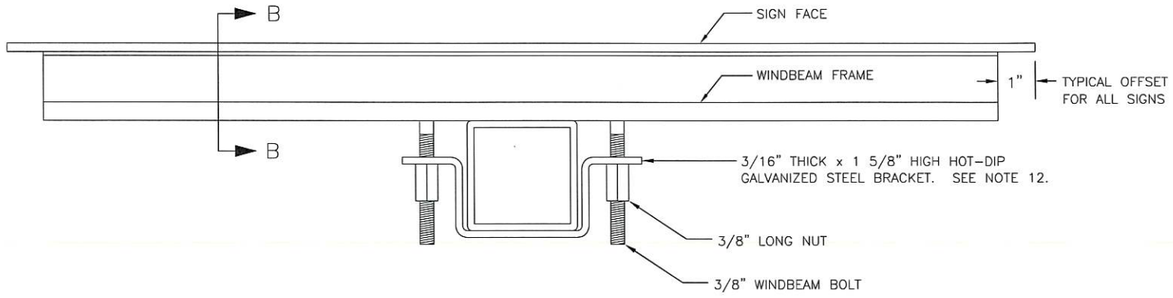
* WHEN H > 42 INCHES, INSTALL A 3RD WINDBEAM CENTERED ON THE SIGN.

** FOR S5-1 SIGNS MOUNTED ON FLASHING BEACON POSTS, USE A 10" OFFSET. OTHERWISE, USE 4".

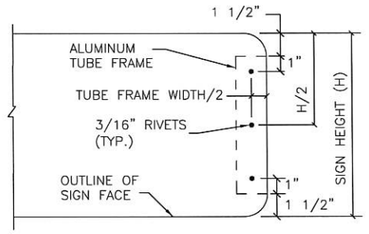
*** FOR WARNING SIGNS MOUNTED ON FLASHING BEACON POSTS, USE THE 14" OFFSET. OTHERWISE, USE W/2.

WINDBEAM LOCATIONS FOR EACH SIGN SHAPE

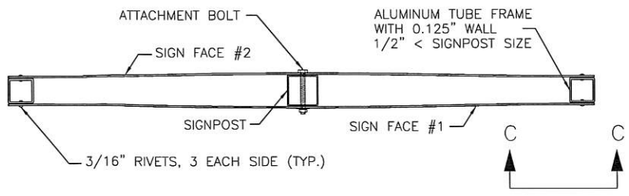
ELEVATION VIEW



SECTION A – A TYPICAL SIGN ATTACHMENT DETAILS AT EACH WINDBEAM

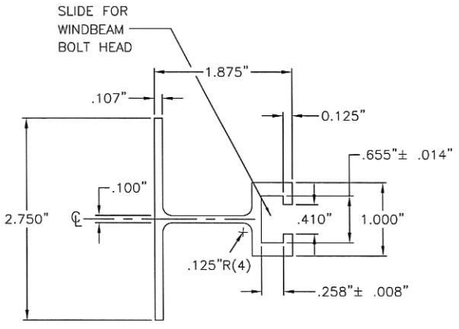


VIEW C – C

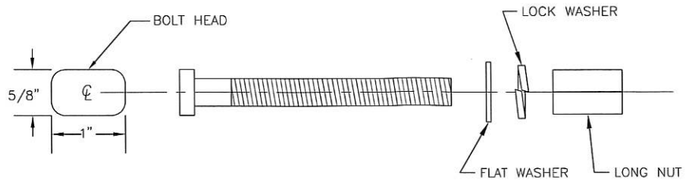


D3-1 STREET NAME SIGN FRAMING DETAIL

PLAN VIEW



SECTION B – B WINDBEAM CROSS SECTION



3/8" WINDBEAM BOLT AND LONG NUT

NOTES:

1. EXCEPT FOR POLES AND MAST ARMS, ONLY USE SQUARE STEEL TUBES TO SUPPORT SIGNS MOUNTED ON SINGLE POSTS.
2. INSTALL WINDBEAM OR ZEE SHAPED FRAMING MEMBERS ON DIAMOND SHAPED SIGNS 36 INCHES AND LONGER ON A SIDE AND ON OTHER SIGNS 36 INCHES WIDE AND WIDER.
3. IN HIGH WIND AREAS, THE PLANS MAY REQUIRE SIGNS SMALLER THAN THOSE LISTED IN NOTE 2 BE FRAMED AS SHOWN HERE IN.
4. THIS DRAWING DEPICTS THE WINDBEAM FRAMING AND ATTACHMENT SYSTEM. ATTACH SIGNS FRAMED WITH ZEE SHAPED FRAMING ACCORDING TO REGIONAL DRAWING "SIGN ATTACHMENT DETAILS", USING "U" SHAPED BRACKETS AND TWO BOLTS WITH NUTS.
5. THE ENGINEER MAY APPROVE OTHER FRAMING MEMBERS. SUBMIT DOCUMENTS THAT DETAIL THE FRAME'S CROSS SECTION AND STRENGTH, AND METHOD OF ATTACHING THE FRAME TO A POST.
6. USE FRAMING MEMBERS MADE FROM ALUMINUM ALLOY 6061-T6.
7. EACH FRAMING MEMBER SHALL BE ONE CONTINUOUS PIECE.
8. ATTACH FRAMING MEMBERS TO THE SIGN PANELS WITH RIVETS OR AN ENGINEER APPROVED, DOUBLE SIDED, HIGH STRENGTH, ADHESIVE TAPE.
9. WITH THE ADHESIVE TAPE, INSTALL TWO RIVETS IN BOTH ENDS OF EACH FRAMING MEMBER, AND ATTACH THE FRAMING MEMBERS TO THE SIGN PANELS ACCORDING TO THE TAPE MANUFACTURER'S WRITTEN INSTRUCTIONS, INCLUDING:
   A. THE CLEANING AND HANDLING OF THE SIGN PANELS AND FRAMING MEMBERS.
   B. THE APPLICATION OF THE ADHESIVE TAPE.
10. WHEN RIVETS ARE USED TO ATTACH FRAMING MEMBERS, INSTALL 2 RIVETS IN EACH END AND THE BALANCE ON 8" MAXIMUM CENTERS.
11. USE 3/16" DIAMETER RIVETS CONFORMING TO ALUMINUM ALLOY 6061-T6 FOR COLD DRIVEN RIVETS, OR ALUMINUM ALLOY 6061-T43 FOR HOT DRIVEN RIVETS.
12. THE BRACKETS USED ON EVEN INCH SIZE TUBES MAY ALSO BE USED ON TUBES 1/2" SMALLER IN SIZE.

RECEIVED
JAN 16 2025
Mat-Su Borough
Development Services

STATE OF ALASKA
49TH
DAN E. STEINER
No. CE 9505
1/14/25
REGISTERED PROFESSIONAL ENGINEER

SDCS, LLC
STEINER DESIGN & CONSTRUCTION SERVICES, LLC
5900 W. DEWBERRY DR. PH:(907) 357-5609
WASILLA, AK 99623 FAX:(907) 357-5608

CENTRAL GRAVEL PRODUCTS
GRAVEL PIT DEVELOPMENT
LOTS A2, D1, D2, TOWNSHIP 18N RANGE 1E SECTION 27

BY	DATE	REVISIONS

JOB NO.: 23-016
DATE: 1/14/2025
DRAWN: DES
REVIEWED: DES

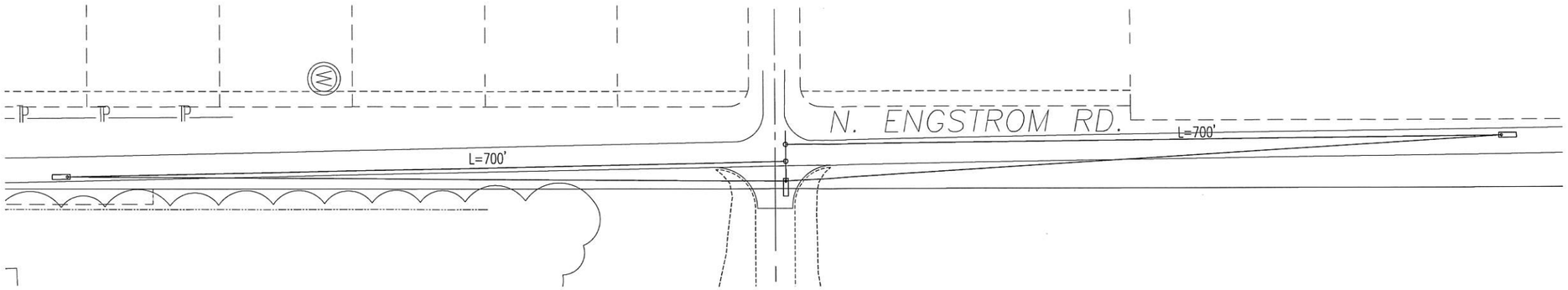
SHEET TITLE
SIGN ATTACHMENT DETAILS

SHEET
C1.3.3

NOTES

1. POSTED SPEED LIMIT IS 35 MPH. DESIGN SPEED IS 40 MPH.
2. MINIMUM SITE DISTANCE PER MSB IS 595 FEET.
3. MINIMUM SSD PER ADOT = 305 FEET.
4. MINIMUM ISD PER ADOT = 680' (BOTH DIRECTIONS)
5. ISD CONTROLS.

0 30 60 120
HORIZONTAL SCALE
(1"=60' PLOTTED AT 22"X34")

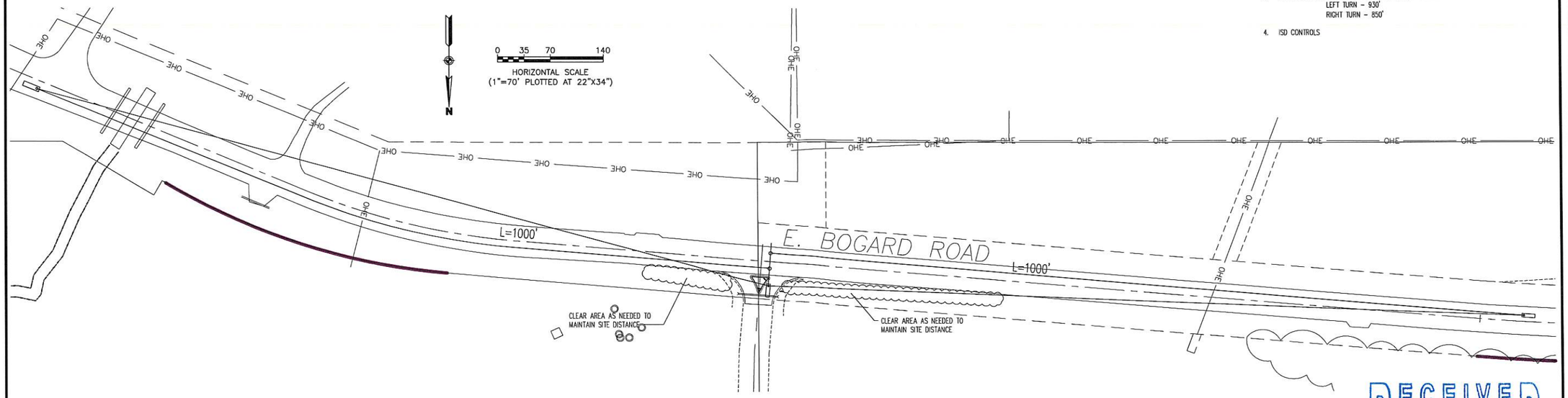


SITE DISTANCE
ENGSTROM ROAD DRIVEWAY
(MSB)

NOTES

1. POSTED SPEED LIMIT IS 50 MPH. DESIGN SPEED IS 55 MPH
2. MINIMUM STOPING SIGHT DISTANCE (SSD) PER ADOT IS 495 FEET.
3. MINIMUM INTERSECTION SIGHT DISTANCE (ISD) PER ADOT:
   LEFT TURN – 930'
   RIGHT TURN – 850'
4. ISD CONTROLS

0 35 70 140
HORIZONTAL SCALE
(1"=70' PLOTTED AT 22"X34")



SITE DISTANCE
BOGARD ROAD DRIVEWAY
(STATE OF ALASKA)

RECEIVED
JAN 16 2025
Mat-Su Borough
Development Services

STATE OF ALASKA
49TH
DAN E. STEINER
No. CE 9505
1/14/25
REGISTERED PROFESSIONAL ENGINEER

SDCS, LLC
STEINER DESIGN & CONSTRUCTION SERVICES, LLC
5900 W. DEWBERRY DR. PH: (907) 357-5609
WASILLA, AK 99623 FAX:(907) 357-5608

CENTRAL GRAVEL PRODUCTS
GRAVEL PIT DEVELOPMENT
LOTS A2, D1, D2, TOWNSHIP 18N RANGE 1E SECTION 27

BY	DATE	REVISIONS

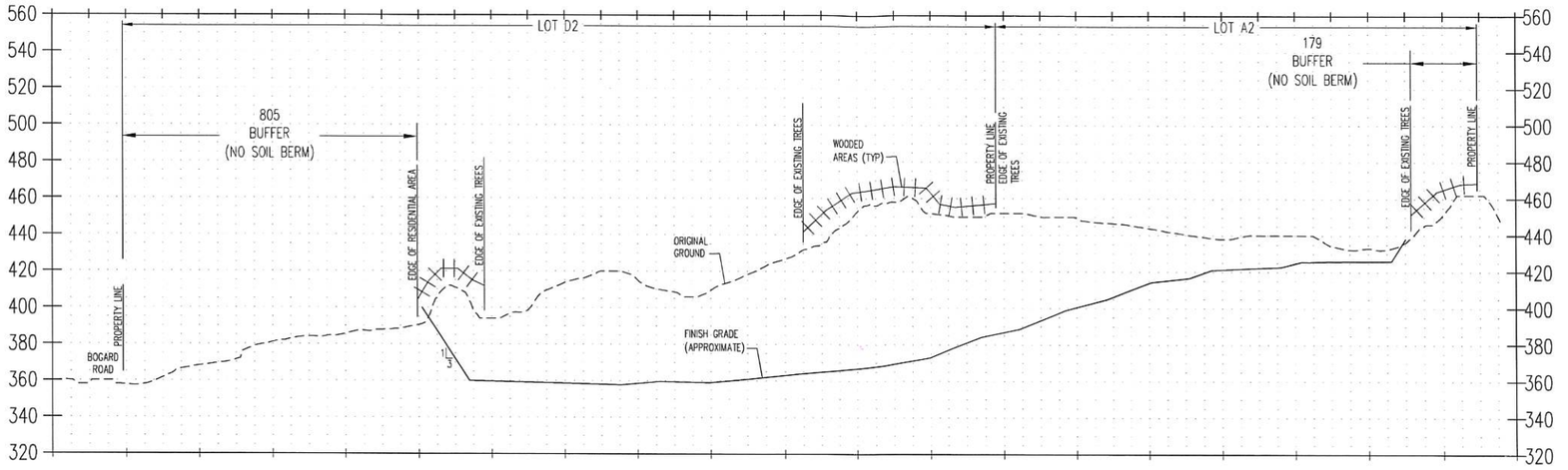
JOB NO.: 23-016
DATE: 1/14/2025
DRAWN: DES
REVIEWED: DES

SHEET TITLE
DRIVEWAY
SITE DISTANCE

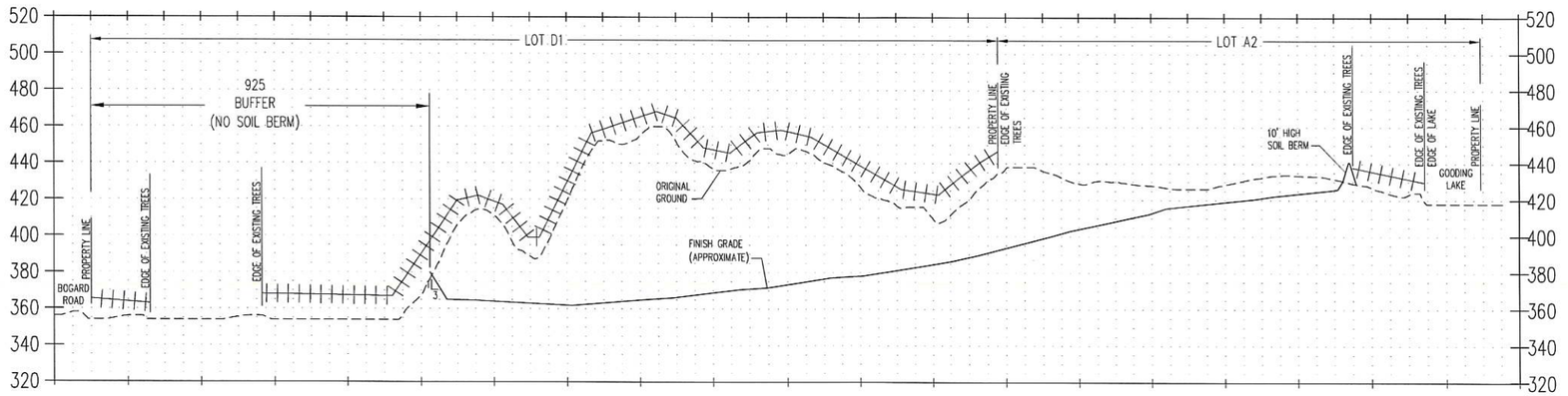
SHEET
C1.4

0 100 200 400
HORIZONTAL SCALE
(1"=200' PLOTTED AT 22"X34")

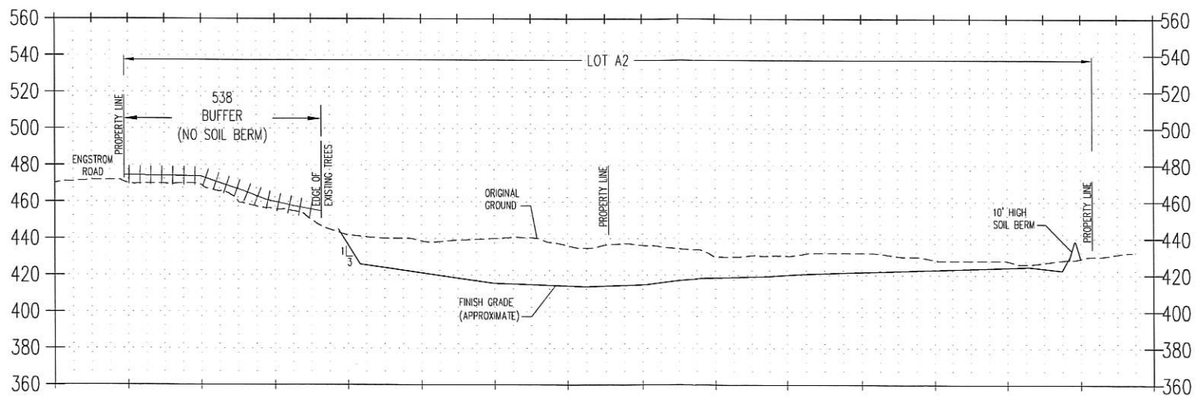
0 20 40 80
VERTICAL SCALE
(1"=40' PLOTTED AT 22"X34")



SECTION A



SECTION B



SECTION C

RECEIVED
AUG 29 2024
Mat-Su Borough
Development Services

STATE OF ALASKA
49TH
DAN E. STEINER
No. CE 9505
8/9/24
REGISTERED PROFESSIONAL ENGINEER

SDCS, LLC
STEINER DESIGN & CONSTRUCTION SERVICES, LLC
5900 W. DEWBERRY DR. PH:(907) 357-5609
WASILLA,AK 99623 FAX:(907) 357-5608

CENTRAL GRAVEL PRODUCTS
GRAVEL PIT DEVELOPMENT
LOTS A2, D1, D2, TOWNSHIP 18N RANGE 1E SECTION 27

BY	DATE	REVISIONS

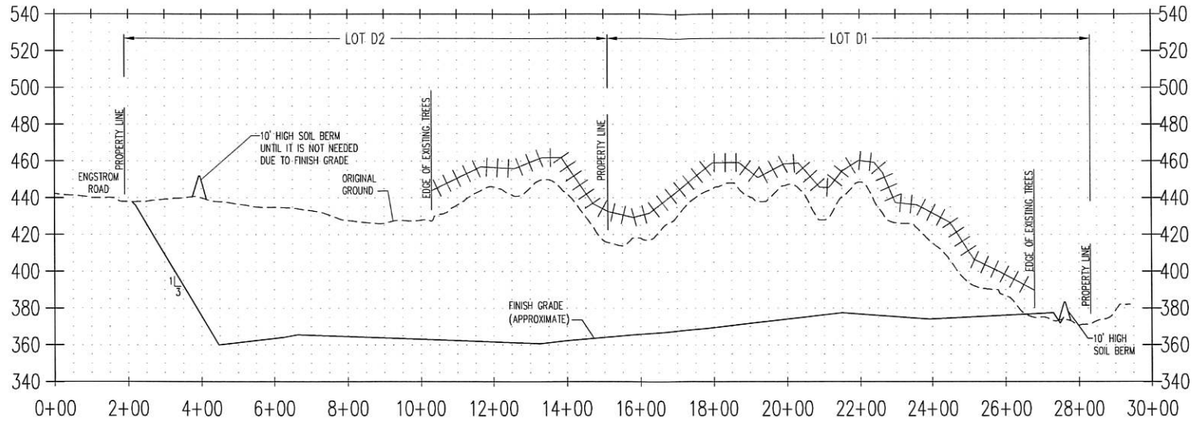
JOB NO.: 23-016
DATE: 8/9/2024
DRAWN: DES
REVIEWED: DES

SHEET TITLE
SITE SECTIONS
A, B, C

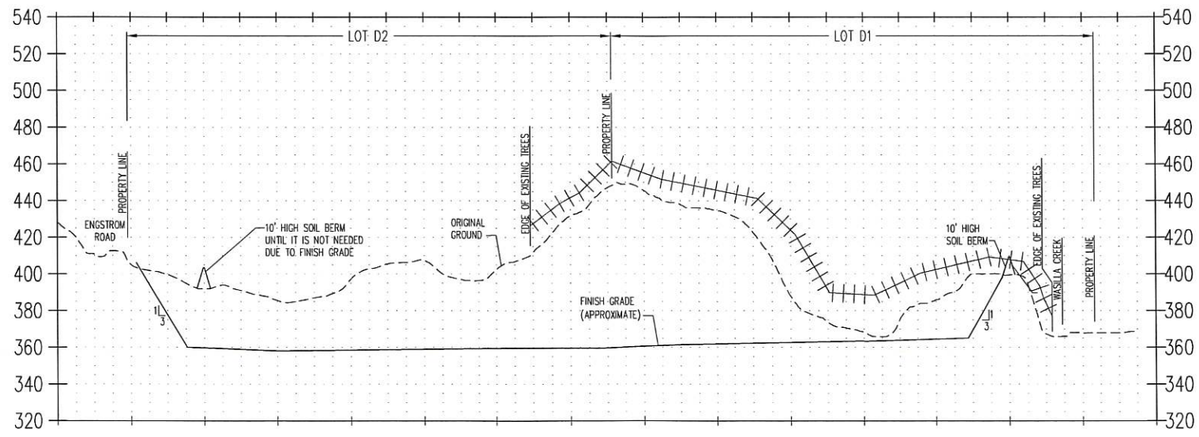
SHEET
C2.0

0 100 200 400
HORIZONTAL SCALE
(1"=200' PLOTTED AT 22"X34")

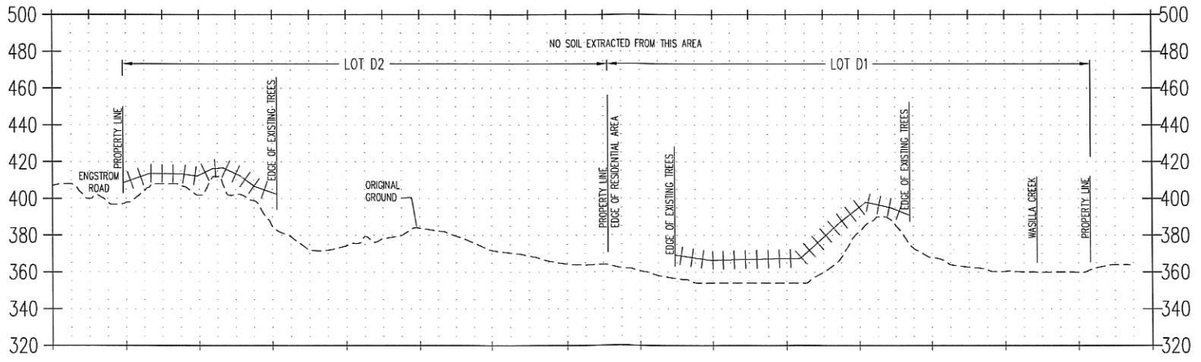
0 20 40 80
VERTICAL SCALE
(1"=40' PLOTTED AT 22"X34")



SECTION D



SECTION E



SECTION F

RECEIVED
JAN 16 2025
Mat-Su Borough
Development Services

STATE OF ALASKA
49TH
DAN E. STEINER
No. CE 9505
1/16/25
REGISTERED PROFESSIONAL ENGINEER

SDCS, LLC
STEINER DESIGN & CONSTRUCTION SERVICES, LLC
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WASILLA, AK 99623 FAX:(907) 357-5608

CENTRAL GRAVEL PRODUCTS
GRAVEL PIT DEVELOPMENT
LOTS A2, D1, D2, TOWNSHIP 18N RANGE 1E SECTION 27

BY	DATE	REVISIONS

JOB NO.: 23-016
DATE: 1/16/2025
DRAWN: DES
REVIEWED: DES

SHEET TITLE
SITE SECTIONS
D, E, F

SHEET
C2.1

NOTES

1. THE PLAN IS TO HAVE APPROXIMATELY 10 ACRES BEING WORKED AT ONE TIME. AS MORE AREA IS OPENED FOR MATERIAL EXTRACTION, THE PREVIOUSLY OPENED AREAS WILL BE RECLAIMED.
2. FINISH SLOPES WILL BE TRACK WALKED WITH TRACK EQUIPMENT AND COVERED WITH 4" OF TOPSOIL AND SEEDED.
3. ROOT/ORGANIC DEBRIS WILL EITHER BE BURNED, BURIED, OR LEVELED AND COVERED WITH TOPSOIL.
4. RECLAMATION PLAN MAY CHANGE AS OTHER DEVELOPMENT OPPORTUNITIES BECOME AVAILABLE. THE OWNER WILL UPDATE THE RECLAMATION PLAN AS NEEDED TO REPRESENT ANY CHANGES TO THE PLAN.
5. JUNK VEHICLES, JUNK VEHICLE PARTS, AND TRASH SHALL BE REMOVED IN ACCORDANCE WITH MSB 8.50.
6. SLOPES SHALL NOT BE STEEPER THAN 2H:1V OR THE NATURAL STABILIZED ANGLE OF REPOSE OF THE EXISTING EARTH MATERIAL.
7. SITE SOILS MORE SUSCEPTIBLE TO EROSION OR LIQUEFACTION REQUIRE A SLOPE ADEQUATE TO ENSURE STABILIZATION.
8. SLOPES SHALL BE GRADED TO BLEND WITH THE SURROUNDING UNDISTURBED TOPOGRAPHY.
9. SURFACE WATER QUALITY SHALL BE PROTECTED BY IMPLEMENTING APPLICABLE BEST MANAGEMENT PRACTICES DESCRIBED IN THE CURRENT PUBLICATION OF THE STATE OF ALASKA'S USER MANUAL BEST MANAGEMENT PRACTICES FOR GRAVEL PITS.
10. ALL DISTURBED AREAS SHALL BE COVERED WITH A MINIMUM COMPACTION DEPTH OF FOUR INCHES OF TOPSOIL STRIPPED AND STOCKPILED DURING INITIAL DEVELOPMENT ACTIVITIES. IN CASES WHERE THERE IS INSUFFICIENT TOPSOIL ON SITE TO PROVIDE THIS MINIMUM COVERAGE, ALL AVAILABLE TOPSOIL SHALL BE RETAINED FOR RECLAMATION.
11. NATURAL SUBSTANCES AND ORGANIC MATERIALS THAT HAVE WATER AND NUTRIENT HOLDING CAPACITY CONDUCIVE TO PLANT GROWTH MAY BEUSED AS A SUBSTITUTE FOR TOPSOIL.
12. ALL SURFACE AREAS SHALL BE STABILIZED AND PROTECTED AGAINST EROSION.
13. A VEGETATIVE COVER SHALL BE ESTABLISHED AND MAINTAINED OVER ALL DISTURBED AREAS ON THE MATERIAL EXTRACTION SITE IN CONFORMANCEWITH THE CURRENT ALASKA STATE DEPARTMENT OF NATURAL RESOURCES, DIVISION OF AGRICULTURE, REVEGETATION MANUAL FOR ALASKA.
14. SIXTY PERCENT LIVE PLANT COVER OF THE ENTIRE RESTORED AREA SHALL BE ACHIEVED BY THE END OF THE FOURTH GROWING SEASON AFTER THEPHASE IS COMPLETED.
15. RESEEDING OF RECLAIMED AREAS SHALL UTILIZE CERTIFIED SEED SUITABLE FOR ALASKA CONDITIONS THAT IS FREE OF NOXIOUS WEEDS OR UNDESIRABLEPLANT SPECIES IDENTIFIED IN 11 AAC 34.020, PROHIBITED AND RESTRICTED NOXIOUS WEEDS.
16. AREAS COVERED BY BUILDINGS, PAVED DRIVEWAYS, PAVED ROADS, AND PAVED PARKING LOTS AND AREAS WHERE FUTURE UTILITY EASEMENTS AND SEPTIC SYSTEMS WILL EXIST ARE EXEMPT FROM THE RECLAMATION STANDARDS OUTLINED IN SUBSECTIONS (F) THROUGH (H) OF THIS SECTION.

STATE OF ALASKA
49TH
DAN E. STEINER
No. CE 9505
8/12/24
REGISTERED PROFESSIONAL ENGINEER

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5900 W. DEWBERRY DR. PH: (907) 357-5609
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CENTRAL GRAVEL PRODUCTS
GRAVEL PIT DEVELOPMENT

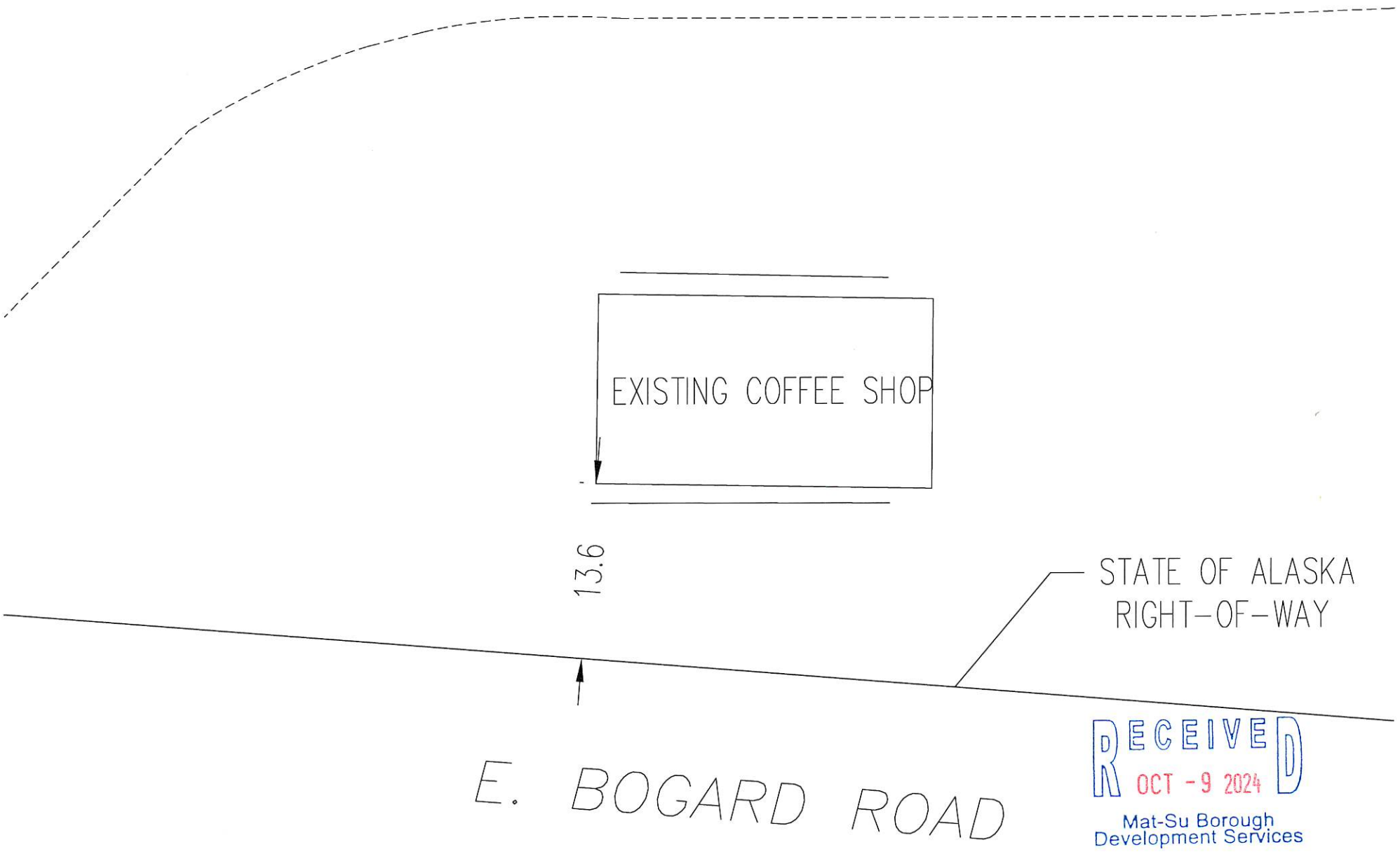
LOTS A2, D1, D2, TOWNSHIP 18N RANGE 1E SECTION 27

BY	DATE	REVISIONS

JOB NO.: 23-016
DATE: 8/12/2024
DRAWN: DES
REVIEWED: DES

SHEET TITLE
RECLAMATION PLAN

SHEET
C3.0



From:	dsteiner@mtaonline.net
To:	Peggy Horton; Tom Adams
Cc:	Jade Laughlin; "Gary LoRusso"
Subject:	Central Gravel Products - CUP Permit - Updates
Date:	Thursday, January 16, 2025 1:55:06 PM
Attachments:	C2.1.pdf C1.0.pdf C1.2.pdf CGP - MSB - Snowdrifting Memo.pdf

---

Peggy,

It has been determined that a visual screening berm will be placed adjacent to Engstrom Road. To keep the berm from increasing the problem with snow drifting on Engstrom Road, it will be placed 200' from the right-of-way line.

Attached are updated drawings that show the placement of the berm. Once soil extraction activities are at a low enough elevation that the berm is not warranted, the berm can be removed. This is also indicated on the plans.

Attached are updated plan sheets that show the proposed berm adjacent to Engstrom Road. This includes a new site plan, updated site sections, and an updated phasing plan. The phasing plan has been adjusted so that the last parts of this gravel pit to be utilized is the area adjacent to Engstrom Road.

Also attached is a memo that shows how it was determined how far the berm needed to be from Engstrom Road, so it did not exacerbate the snow drifting problem.

Please contact me if you have any questions or need additional information.

Dan Steiner, PE
SDCS, LLC
(wk) 907-357-5609
(cell) 907-715-7704

5900 W. Dewberry Dr.
Wasilla, AK 99622

SDCS, LLC

STEINER DESIGN & CONSTRUCTION SERVICES, LLC

Phone: (907) 357-5609
Fax: (907) 357-5608

Memorandum

To:	Tom Adams, PE MSB DPW Director	Company:	MSB – DPW	Date	1/16/2025
From:	Dan Steiner, PE				
Subject:	Central Gravel Products – New Gravel Pit Permitting – Concern about snow drifting on Engstrom Road caused by visual screening berms.				

As part of the above referenced project, a visual screening berm is needed to parallel Engstrom Road. Engstrom Road currently has snow drifting issues. The MSB has expressed concern that a visual screening berm could increase the problem of snow drifting in Engstrom Road.

The document "Controlling Blowing and Drifting Snow with Snow Fences and Road Design" (NCHRP-20-07147) was consulted regarding "snow drifting". The visual screening berm would be considered a snow fence with 0% porosity. Figure 5.17, on page 126, indicates that a 0% porosity snow fence would create a snow drift that is 13 times as long as the berm is high.

The proposed visual screening berms will be 10' high and would create a snow drift on the downwind side of approximately 130'. As a result, it is proposed that the visual screening berm be placed 200' from the west property line. This would provide a safety factor of 1.5 with regard to a snowdrift created by the visual screening berms reaching Engstrom Road.

The placement of this visual screening berm will most likely not prevent drifting snow onto Engstrom Road. Once the snow drift adjacent to the visual screening berm "matures" snow will continue past this drift toward Engstrom Road. However, the berm should not increase the drifting. In fact, there is a good chance that this berm may decrease the volume of snow that drifts on to Engstrom Road since a portion of the snow that would usually reach Engstrom Road will now be stored behind the visual screening berm.

From: dsteiner@mtaonline.net
To: Peggy Horton
Subject: FW: Central Gravel Products- DOT&PF ARR 33504
Date: Tuesday, January 21, 2025 3:58:34 PM

[**EXTERNAL EMAIL** - CAUTION: Do not open unexpected attachments or links.]
Sorry, I forgot to include you in the reply.

Dan Steiner, PE
SDCS, LLC
(wk) 907-357-5609
(cell) 907-715-7704

From: dsteiner@mtaonline.net <dsteiner@mtaonline.net>
Sent: Tuesday, January 21, 2025 3:54 PM
To: 'Walsh, Matthew H (DOT)' <matthew.walsh@alaska.gov>; 'Jade Laughlin' <Centralgravelproducts@hotmail.com>; 'Gary LoRusso' <garyl@keystonesurveyak.com>
Cc: 'Beckwith, Morris R (DOT)' <morris.beckwith@alaska.gov>; 'Adler, Clint J (DOT)' <clint.adler@alaska.gov>; 'Bosin, Anna D (DOT)' <anna.bosin@alaska.gov>; 'Bentz, Chris L (DOT)' <chris.bentz@alaska.gov>; 'Baski, Sean M (DOT)' <sean.baski@alaska.gov>
Subject: RE: Central Gravel Products- DOT&PF ARR 33504

Matt,

As the engineering working for CGP, I acknowledge the special condition regarding flagging prior to operation of the proposed driveway. I have invited CGP to do the same.

Dan Steiner, PE
SDCS, LLC
(wk) 907-357-5609
(cell) 907-715-7704

From: Walsh, Matthew H (DOT) <matthew.walsh@alaska.gov>
Sent: Tuesday, January 21, 2025 3:22 PM
To: dsteiner@mtaonline.net; 'Jade Laughlin' <Centralgravelproducts@hotmail.com>; 'Gary LoRusso' <garyl@keystonesurveyak.com>
Cc: Beckwith, Morris R (DOT) <morris.beckwith@alaska.gov>; Adler, Clint J (DOT) <clint.adler@alaska.gov>; Bosin, Anna D (DOT) <anna.bosin@alaska.gov>; Bentz, Chris L (DOT) <chris.bentz@alaska.gov>; Baski, Sean M (DOT) <sean.baski@alaska.gov>
Subject: RE: Central Gravel Products- DOT&PF ARR 33504

Dan,

ROW received approval that the attached have been approved to include in the Approval to

Construct.

Prior to moving forward, I want to confirm that DOT&PF will be including the below Special Condition regarding flagging prior to operations in the Approval to Construct. Please let me know if you have any concerns regarding the Special Condition.

Matt

Matt Walsh
ROW Property Management Supervisor, Central Region
Alaska Department of Transportation & Public Facilities
Office: 907-269-0700 • Direct: 907-269-0677 • matthew.walsh@alaska.gov
Keep Alaska Moving *through service and infrastructure.*

From: dsteiner@mtaonline.net <dsteiner@mtaonline.net>
Sent: Friday, January 17, 2025 2:43 PM
To: Walsh, Matthew H (DOT) <matthew.walsh@alaska.gov>; 'Jade Laughlin' <Centralgravelproducts@hotmail.com>; 'Gary LoRusso' <garyl@keystonesurveyak.com>
Cc: Beckwith, Morris R (DOT) <morris.beckwith@alaska.gov>; Adler, Clint J (DOT) <clint.adler@alaska.gov>; Bosin, Anna D (DOT) <anna.bosin@alaska.gov>; Bentz, Chris L (DOT) <chris.bentz@alaska.gov>; Baski, Sean M (DOT) <sean.baski@alaska.gov>
Subject: RE: Central Gravel Products- DOT&PF ARR 33504

Matt,

Thank you for the response. We really appreciate all your help with this.

Dan Steiner, PE
SDCS, LLC
(wk) 907-357-5609
(cell) 907-715-7704

From: Walsh, Matthew H (DOT) <matthew.walsh@alaska.gov>
Sent: Friday, January 17, 2025 2:40 PM
To: dsteiner@mtaonline.net; 'Jade Laughlin' <Centralgravelproducts@hotmail.com>; 'Gary LoRusso' <garyl@keystonesurveyak.com>
Cc: Beckwith, Morris R (DOT) <morris.beckwith@alaska.gov>; Adler, Clint J (DOT) <clint.adler@alaska.gov>; Bosin, Anna D (DOT) <anna.bosin@alaska.gov>; Bentz, Chris L (DOT) <chris.bentz@alaska.gov>; Baski, Sean M (DOT) <sean.baski@alaska.gov>
Subject: RE: Central Gravel Products- DOT&PF ARR 33504

Hi Dan,

It is not necessary that the TCP be in place and approved before the ATC but that the TCP is approved prior to operations. We are looking for acceptance and understanding of the special condition listed below.

There are other requirements for flagging operations including a temporary speed reduction to 45 MPH (down from 55 MPH) on Bogard as well as truck warning signs both Eastbound and Westbound. DOT&PF is aware of the January 21st deadline.

Matt

Matt Walsh
ROW Property Management Supervisor, Central Region
Alaska Department of Transportation & Public Facilities
Office: 907-269-0700 • Direct: 907-269-0677 • matthew.walsh@alaska.gov
Keep Alaska Moving *through service and infrastructure.*

From: dsteiner@mtaonline.net <dsteiner@mtaonline.net>
Sent: Friday, January 17, 2025 2:34 PM
To: Walsh, Matthew H (DOT) <matthew.walsh@alaska.gov>; 'Jade Laughlin' <Centralgravelproducts@hotmail.com>; 'Gary LoRusso' <garyl@keystonesurveyak.com>
Cc: Beckwith, Morris R (DOT) <morris.beckwith@alaska.gov>; Adler, Clint J (DOT) <clint.adler@alaska.gov>; Bosin, Anna D (DOT) <anna.bosin@alaska.gov>; Bentz, Chris L (DOT) <chris.bentz@alaska.gov>; Baski, Sean M (DOT) <sean.baski@alaska.gov>
Subject: RE: Central Gravel Products- DOT&PF ARR 33504

Matt,

Attached is a set of plans that have been submitted to ADOT with all the latest page updates.

It is going to take a little bit of time to put a traffic control plan together. Monday is a holiday. Will you be able to provide an email to Peggy Horton by January 21 that ADOT will allow access onto to Bogard Road even though we are still working out some of the final details?

Dan Steiner, PE
SDCS, LLC
(wk) 907-357-5609
(cell) 907-715-7704

From: Walsh, Matthew H (DOT) <matthew.walsh@alaska.gov>
Sent: Friday, January 17, 2025 2:06 PM
To: dsteiner@mtaonline.net; 'Jade Laughlin' <Centralgravelproducts@hotmail.com>; 'Gary LoRusso'

<garyl@keystonesurveyak.com>
Cc: Beckwith, Morris R (DOT) <morris.beckwith@alaska.gov>; Adler, Clint J (DOT) <clint.adler@alaska.gov>; Bosin, Anna D (DOT) <anna.bosin@alaska.gov>; Bentz, Chris L (DOT) <chris.bentz@alaska.gov>; Baski, Sean M (DOT) <sean.baski@alaska.gov>
Subject: RE: Central Gravel Products- DOT&PF ARR 33504

Hi Dan,

DOT&PF is continuing to move forward in our process in the driveway review. We are awaiting final approval of your submitted design comments. I will touch base with Chris on Tuesday when he returns. Can you please resend an updated plan set with all the changes?

ROW did receive one additional comment regarding the designs and turning movements; DOT&PF is requesting the following condition be including the in the Approval to Construct until the driveway becomes a right in/right out.

Prior to the initiation of trucking operations, a traffic control plan will need to be submitted and approved by DOT&PF for flagging operations associated with a left-hand turning movement. This traffic control plan will remain in effect until the improvements approved by DOT&PF in in the Central Gravel Products Gravel Development plan attached to this Approval to Construct are constructed limiting the access to a right in/right out turning movements.

Thanks,
Matt

Matt Walsh
ROW Property Management Supervisor, Central Region
Alaska Department of Transportation & Public Facilities
Office: 907-269-0700 • Direct: 907-269-0677 • matthew.walsh@alaska.gov
Keep Alaska Moving *through service and infrastructure.*

From: dsteiner@mtaonline.net <dsteiner@mtaonline.net>
Sent: Thursday, January 16, 2025 4:42 PM
To: Walsh, Matthew H (DOT) <matthew.walsh@alaska.gov>; 'Jade Laughlin' <Centralgravelproducts@hotmail.com>; 'Gary LoRusso' <garyl@keystonesurveyak.com>
Cc: Beckwith, Morris R (DOT) <morris.beckwith@alaska.gov>; Adler, Clint J (DOT) <clint.adler@alaska.gov>; Bosin, Anna D (DOT) <anna.bosin@alaska.gov>; Bentz, Chris L (DOT) <chris.bentz@alaska.gov>; Baski, Sean M (DOT) <sean.baski@alaska.gov>
Subject: RE: Central Gravel Products- DOT&PF ARR 33504

Matt,

I talked to Peggy Horton at the MSB today. Just to let you know, we don't need the permit to be issued by next Tuesday, she just needs something as simple as an email that states that ADOT is going to grant access on to Bogard road, even if there are still some design issues that we are working out.

Peggy also said that if there are conditions that ADOT will need to be part of the MSB permit, to let her know. Even if it is "the owner must comply with all conditions of the ADOT driveway permit" she can include that. They don't need anything, she just asked that I let you know, so I am letting you know.

Thank you for your help.

Dan Steiner, PE
SDCS, LLC
(wk) 907-357-5609
(cell) 907-715-7704

From: dsteiner@mtaonline.net <dsteiner@mtaonline.net>
Sent: Tuesday, January 14, 2025 11:33 AM
To: 'Walsh, Matthew H (DOT)' <matthew.walsh@alaska.gov>; 'Jade Laughlin' <Centralgravelproducts@hotmail.com>; 'Gary LoRusso' <garyl@keystonesurveyak.com>
Cc: 'Beckwith, Morris R (DOT)' <morris.beckwith@alaska.gov>; 'Adler, Clint J (DOT)' <clint.adler@alaska.gov>; 'Bosin, Anna D (DOT)' <anna.bosin@alaska.gov>; 'Bentz, Chris L (DOT)' <chris.bentz@alaska.gov>; 'Baski, Sean M (DOT)' <sean.baski@alaska.gov>
Subject: RE: Central Gravel Products- DOT&PF ARR 33504

See my responses below in red.

Please let me know if you need any other changes.

Dan Steiner, PE
SDCS, LLC
(wk) 907-357-5609
(cell) 907-715-7704

From: Walsh, Matthew H (DOT) <matthew.walsh@alaska.gov>
Sent: Monday, January 13, 2025 2:36 PM
To: dsteiner@mtaonline.net; 'Jade Laughlin' <Centralgravelproducts@hotmail.com>; 'Gary LoRusso' <garyl@keystonesurveyak.com>
Cc: Beckwith, Morris R (DOT) <morris.beckwith@alaska.gov>; Adler, Clint J (DOT) <clint.adler@alaska.gov>; Bosin, Anna D (DOT) <anna.bosin@alaska.gov>; Bentz, Chris L (DOT) <chris.bentz@alaska.gov>; Baski, Sean M (DOT) <sean.baski@alaska.gov>

Subject: RE: Central Gravel Products- DOT&PF ARR 33504

Dan,

To move towards your deadlines, I am providing the following comments made by our Highway Design section at this time instead of waiting for a complete review by all functional groups.

1. Sheet C1.0.1: Add note No. 4 to include topsoil and seed of all disturbed ground within DOT & MSB right of way. Seed is required to be weed free certified and be native plants to south central AK.
   Note added. Updated C1.0.1 attached.
2. Sheet C1.4: Please check/evaluate Stopping Sight Distance (SSD) and Intersection Sight Distance (ISD) as 5 MPH higher than posted (55 MPH for Bogard and 40 MPH for Engstrom). This is consistent with original design intent of the roads and accounts for some speeding which happens regularly on these roads. Both SSD and ISD are required to be met and shall be shown on the plans. Combination truck should be used for time gap (sec) for all maneuvers to and from the approaches per AASHTO A Policy on Geometric Design of Highways and Streets, 7th Edition 2018. Time gap does not need adjusted for grade as most of the grades up and downstream within ISD window are less than ±3%.
   SSD and ISD checked at both intersections. No adjustment needed or Enstrom road.
   Bogard road updated. Updated C1.4 attached
3. Sheet C1.3.1:
   a. All median noses are to be bullnosed per DOT details to mitigate plow strikes. Each Bullnose is required to be marked with a Flexible Delineator per attached Details. No sharp angles allowed at bullnose radiuses.
   b. All median curb shall be expressway curb and gutter not the mountable as shown on the plans.
   c. Median island is required to be paved or concrete.
   d. Note No. 1 shall be deleted and access is recommended to be constructed as right in right out with full median as shown on the plans. (this is recommended, plans indicate intent to do so only when roundabout is constructed. As the exact timing of that cannot be certain, design highly recommends there be no condition tied to the roundabouts construction.)
   e. All signs shall be installed with frangible couplings and bases for DOT Standard Plan S-31.02. Signs shall be mounted per Central Region Light Sign Framing and Attachment Details (see attached). Signs shall be installed per DOT Standard Plan S-05.02 for height and offset conditions. Signs posts should be checked for wind loading and sized appropriately with galvanized steel tube only (3” steel tube will likely suffice).

   All changes made. See updated/added sheets C1.3.1, C1.3.2, C1.3.3
4. Sheet C1.3:
   a. Vertical curves with a K value greater than or equal to 5 need to be added in the

profile grade.

b. Full 30’ at ±2% grade is required prior to start of the vertical curve is required.

All changes made. Updated C1.3 Attached.

Note that additional comments could still be generated by our other functional groups review that could require reconciliation.

Matt

Matt Walsh
ROW Property Management Supervisor, Central Region
Alaska Department of Transportation & Public Facilities
Office: 907-269-0700 • Direct: 907-269-0677 • matthew.walsh@alaska.gov
Keep Alaska Moving *through service and infrastructure.*

From: Walsh, Matthew H (DOT)
Sent: Monday, January 6, 2025 11:20 AM
To: dsteiner@mtaonline.net; 'Jade Laughlin' <Centralgravelproducts@hotmail.com>; 'Gary LoRusso' <garyl@keystonesurveyak.com>
Cc: Beckwith, Morris R (DOT) <morris.beckwith@alaska.gov>; Adler, Clint J (DOT) <clint.adler@alaska.gov>; Bosin, Anna D (DOT) <anna.bosin@alaska.gov>; Bentz, Chris L (DOT) <chris.bentz@alaska.gov>; Baski, Sean M (DOT) <sean.baski@alaska.gov>
Subject: RE: Central Gravel Products- DOT&PF ARR 33504

Dan,

Thank you for providing revised documents and follow up to our questions sent in the November 21st email. We will circulate the revised plans with your responses for internal review. DOT&PF does recognize the February 3 MSB Planning Commission Meting, however, beware that DOT&PF has many additional projects that require review of our functional groups and cannot guarantee an Approval to Construct by January 21st.

Thanks,
Matt

Matt Walsh
ROW Property Management Supervisor, Central Region
Alaska Department of Transportation & Public Facilities
Office: 907-269-0700 • Direct: 907-269-0677 • matthew.walsh@alaska.gov
Keep Alaska Moving *through service and infrastructure.*

From: dsteiner@mtaonline.net <dsteiner@mtaonline.net>
Sent: Monday, January 6, 2025 10:32 AM
To: Walsh, Matthew H (DOT) <matthew.walsh@alaska.gov>; 'Jade Laughlin' <Centralgravelproducts@hotmail.com>; 'Gary LoRusso' <garyl@keystonesurveyak.com>
Cc: Beckwith, Morris R (DOT) <morris.beckwith@alaska.gov>; Adler, Clint J (DOT) <clint.adler@alaska.gov>; Bosin, Anna D (DOT) <anna.bosin@alaska.gov>; Bentz, Chris L (DOT) <chris.bentz@alaska.gov>; Baski, Sean M (DOT) <sean.baski@alaska.gov>
Subject: RE: Central Gravel Products- DOT&PF ARR 33504

Matt,

Attached are updated drawings addressing the ADOT comments.

Please note a couple of things. Traffic counts have been obtained for the coffee shop. However, since then, It has been decided that the coffee stand will be removed from this site. The peak hour for the coffee shop included 40 vehicle trips. When the coffee shop is removed, the peak hour for the gravel pit will be approximately half of that.
Also, two driveways will be removed. With that and the coffee shop removal, four driveway access points will be reduced to one access point, the driveway to the gravel pit.

The paperwork (easements, power of attorney, etc.) are in the process of getting signatures.

We are trying to get things ready for he MSB Planning Commission Meeting on February 3. To do this, we need to get information to the MSB by January 21, including ADOT approval for the Bogard Road driveway. We respectfully request a review of the attached plans and any review comments within 10 calendar days. This would hopefully give us enough time to respond to comments and re-submit plans for approval by January 21.

Please let me know if you have any questions.

To be able to precede with our review, DOT&PF requests the following information:
-

- Traffic counts for the current coffee stand Fresh Start Expresso. N/A – Coffee shop to be relocated. See Demolition Sheet - C1.0.1
- Revised design plans with a demolition sheet showing the removal of the discussed access points. See Demolition Sheet - C1.0.1
- Revised design plans with the proposed design elements for a right-in/right-out driveway. See Sheets – C1.3 and C1.3.1

Specific design comments for the previously submitted design plans that require reconciliation are the following:

- C1.4 sight distance shown for Bogard Rd does not appear to use proper offset. The figure appears to show some unknown offset distance from what appears to be the center of travel lane. The offset distance must be 14.4-17.8' from the edge of travel way (fog line). Show all obstructions in the area and or plans for removal of obstructions, for example there are tress in close currently but not shown. Site Distance Sheet updated. Sheet - C1.4
- C1.3 note 5 states topography negates need for culvert. Would need to see a ditch profile to confirm this, else a cross culvert should be installed per standard. A culvert has been added. See Sheet – C1.3

Dan Steiner, PE
SDCS, LLC
(wk) 907-357-5609
(cell) 907-715-7704

Peggy Horton

From: dsteiner@mtaonline.net
Sent: Thursday, September 12, 2024 12:46 PM
To: Peggy Horton
Subject: FW: LAS35179 Reclamation Bond/Application

[**EXTERNAL EMAIL** - CAUTION: Do not open unexpected attachments or links.]
Peggy,

This is to let you know that they have completed the DNR stuff for the gravel pit.

Dan Steiner, PE
SDCS, LLC
(wk) 907-357-5609
(cell) 907-715-7704

From: Newcomb, Grace R (DNR) <grace.newcomb@alaska.gov>
Sent: Thursday, September 12, 2024 12:32 PM
To: Central Gravel <centralgravelproducts@hotmail.com>
Cc: 'Dan Steiner (dsteiner@mtaonline.net)' <dsteiner@mtaonline.net>; Micelotta, Cinnamon A (DNR) <cinnamon.micelotta@alaska.gov>
Subject: RE: LAS35179 Reclamation Bond/Application

Hello,

Thank you, we have received your signed bond document, and your letter of approval is now under review.

Best,

Grace Newcomb
Natural Resource Specialist

Department of Natural Resources
Division of Mining, Land, and Water
Material Sales Program
550 W 7th Ave Ste 900c
Anchorage, AK 99501-3577

Ph: (907) 269-8560
F: (907) 269-8913

From: Central Gravel <centralgravelproducts@hotmail.com>
Sent: Wednesday, September 11, 2024 12:27 PM
To: Newcomb, Grace R (DNR) <grace.newcomb@alaska.gov>
Cc: 'Dan Steiner (dsteiner@mtaonline.net)' <dsteiner@mtaonline.net>; Micelotta, Cinnamon A (DNR) <cinnamon.micelotta@alaska.gov>
Subject: LAS35179 Reclamation Bond/Application

Grace,

I just spoke with Lyncoln regarding payment.

Attached please find the bond paperwork and most recent Bienniel Report confirming my status as 50/50 member of the LLC that owns our gravel pit business.

If you have any questions please don't hesitate to contact me via email or on my cell (907) 223-5306.

Central Gravel Products
(907) 745-4044
https://www.facebook.com/Central-Gravel-Products-1399354943638372/

5900 W. Dewberry Dr
Wasilla, AK 99623

SDCS, LLC
STEINER DESIGN & CONSTRUCTION SERVICES, LLC

Phone: (907) 357-5609
Fax: (907) 357-5608

May 10, 2024

Colleen Lowe
State of Alaska Department of Natural Resources
Division of Mining, Land, and Water
550 West 7th Ave., Suite 900C
Anchorage, AK 99501-3577

Re: Central Gravel Products – Gravel Pit – Reclamation Plan for a New Gravel Pit
T18N, R1E, Section 27, Lots D1, D2, and A2
Reclamation Plan Narrative

Ms. Lowe,

Central Gravel Products is developing portions of the above referenced lots into a gravel pit. This gravel pit will produce pit run material and some processed soil (leveling course, sewer rock, etc.). The total acreage of these lots is 230 acres. There are some existing residential structures on these lots. These areas will not be developed as part of the gravel pit. The area that will be used for soil extraction is approximately 150 acres.

This letter is to serve as supplement information to the Material Site Reclamation Plan. The sections where the following information applies will be listed.

4. Description of the Reclamation Operation

a. The current plan is to develop 10 acres at a time. When additional areas are opened up for material extraction, previous areas will be reclaimed.

b. The following type of equipment will be used on site and as part of the reclamation process:

- Track type excavator.
- Large rubber wheeled loader.
- Skid-steer type loader.
- Track type dozer.
- Motor grader.
- Rock Truck
- Dump Truck

Time Schedule for Reclamation Measures - The initial 10 acres will be developed for soil extraction. When these 10 acres near depletion, a portion of the area will be reclaimed and additional area developed so that no more than 10 acres is disturbed at one time.

There will not be a stream channel diversion as part of this project.

No part of this development is in a flood plain.

6. Attachments

Central Gravel Products is leasing the land from the owners. They are:

Lot A2, Section 27, T18N, R1E, Seward Meridian
Name: Bob and Franci Havemeister
Address: P.O. Box 467 Palmer, AK 99645
Phone Number: 907-232-0628

Lot D1, Section 27, T18N, R1E, Seward Meridian
Name: Ralph Kircher
Address: 3182 N. Trunk Road Palmer, AK 99645
Phone Number:

Lot D1, Section 27, T18N, R1E, Seward Meridian
Name: Bob and Jean Havemeister
Address: P.O. Box 2349 Palmer, AK 99645
Phone Number:

Attached are maps showing the location of the parcels to be developed. They are not USGS maps but have more detail than the USGS maps would have.

Attached are plans for the development, however, it is us unknown right now where stockpiles, overburden disposal sites, etc. will be located.

The following equipment will be used for reclamation:

- Track type excavators. (1)
- Large rubber wheeled loader. (1)
- Skid-steer type loader. (1)
- Track type dozer. (1)
- Motor grader. (1)
- Rock Truck. (1)
- Dump Truck. (1)

- The exact dates for reclamation are not yet known.

- Included with this submittal are notarized letters from the owners authorizing developer (Central Gravel Products) to proceed with this work.

- An annual reclamation statement will be provided each year.

- The reclamation measures listed will be used.

Please let me know if you have any questions or need additional information. Thank you for your help with this project.

Sincerely,

Dan Steiner, P.E.
Manager

des
encl.

THE STATE of ALASKA
GOVERNOR MIKE DUNLEAVY

Department of Natural Resources
DIVISION OF MINING, LAND & WATER
Southcentral Regional Land Office
550 West 7th Avenue, Suite 900C
Anchorage, Alaska 99501-3577
Main: 907.269.8503
TTY: 711 or 800-770-8973
Fax: 907.269.8913

September 18, 2024

Central Gravel Products
P.O. Box 800 Palmer
Palmer, AK 99645

Re: LAS 35179 – Non-State Land Reclamation Plan Approval

Dear Kelly Heck, and Jade Laughlin,

The Department of Natural Resources (DNR), Division of Mining, Land and Water (DMLW), Southcentral Regional Office (SCRO), received your Non-State Reclamation Plan (NSRP) for the reclamation of 150 acres total, after extracting 230,000 cubic yards of material annually. According to the application, the subject site is located on private lands of Bob and Jean Havemeister, Ralph Kircher, and Bob and Franci Havemeister within Section 27 of Township 18 North, Range 1 East, Seward Meridian.

Thank you for submitting a NSRP for extraction activities taking place from 2024 through 2054. After reviewing the reclamation plan we have determined that the plan is complete as submitted. The proposed reclamation measures are appropriate provided that the operation is conducted in a manner that will prevent unnecessary and undue degradation of land and water resources, and the operation shall be reclaimed using current reclamation methods so that the site is left in a stable and safe condition.

Per Alaska Statute (AS) 27.19.040(a) financial assurance is required. Development of the proposed 150-acre material site requires $750 of financial assurance per acre of mined area. 11 AAC 97.420 (b) states *"(b) If a miner shows to the commissioner's satisfaction that the reasonable and probable costs of reclamation under an approved reclamation plan are less than $750 per acre, the commissioner will reduce the bond to those costs. The miner's showing must be submitted along with the proposed reclamation plan and must include an estimate of the labor and equipment costs that would be incurred to hire a third-party contractor to perform the reclamation in accordance with the plan. In evaluating a miner's proposal for reduction of the bond amount, the commissioner will consider the nature of the surface, its uses, improvements in the vicinity of the land, the degree of risk involved in the mining operation, and all other relevant factors. The commissioner will make a determination on this request of bond reduction in the time schedules set out in 11 AAC 97.300."*

Due to the mining area being disturbed 10-acres at a time, per year, and being reclaimed at the same rate, a reclamation bond is only required for the 10-acres disturbed annually, for a total bond of $7,500.00.

This acceptance letter does not alleviate the necessity to obtain authorizations required by other agencies and entities for this activity. If you have any questions, please feel free to contact Grace Newcomb at (907) 269-8560 or at grace.newcomb@alaska.gov.

Sincerely,

Joni Sweetman
Natural Resource Manager 2 Southcentral Regional Land Office

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

Division of Mining, Land and Water

Northern Regional Land Office
3700 Airport Way
Fairbanks, AK 99709-4699
(907) 451-2740
nro.lands@alaska.gov

Southcentral Regional Land Office
550 West 7th Ave, Suite 900C
Anchorage, AK 99501-3577
(907) 269-8503
dnr.pic@alaska.gov

Southeast Regional Land Office
P. O. Box 111020
Juneau, AK 99811-1020
(907) 465-3400
sero@alaska.gov

Statewide TTY – 771 for Alaska Relay or 1-800-770-8973

MATERIAL SITE RECLAMATION PLAN OR LETTER OF INTENT/ANNUAL RECLAMATION STATEMENT AS 27.19.030 – 27.19.050

In accordance with Alaska Statute 27.19, reclamation is required of all mining operations, including sand and gravel extraction. Completion of this form will meet the law's requirements for a **reclamation plan** (see below for filing requirements; due date: at least 45 days before mining is proposed to begin; requires approval by the Division of Mining, Land and Water). Completion of this form will also serve as a **letter of intent** for operations exempt from the plan requirement (due date: before mining begins). No approval is required for a letter of intent, but a miner who files a letter of intent must, before December 31, file an **annual reclamation statement** (Section 8 of this form).
Check applicable box:

☒ A. RECLAMATION PLAN (REQUIRED if the operation will disturb five or more acres this year, OR 50,000 cubic yards, OR if the operation has a cumulative disturbed area of five or more acres)

☐ B. RECLAMATION PLAN-VOLUNTARY (for an operation below the limits shown in Box A but wanting to qualify for the statewide bonding pool)

☐ C. LETTER OF INTENT (less than five acres to be disturbed AND less than 50,000 cubic yards AND less than five acres unreclaimed area) NOTE: A miner who files a letter of intent is also required to file an annual reclamation statement at the end of the year.

THIS RECLAMATION PLAN/LETTER OF INTENT IS FOR CALENDAR YEAR 2024-2054
(If you checked either box a or b above and propose a multi-year plan, state all years covered.)

1. **MINER INFORMATION** (If there is more than one miner, attach a list of the names, addresses, and telephone numbers of all other owners, operators, or leaseholders of the mining operation)

Jade Laughlin and Kelly Heck

Name of miner who will serve as agent for notice purposes

Mailing = P.O. Box 800 Palmer, AK 99645 Home/Office = 2151 N Hemmer Road Palmer, AK

Address (notify the department of any later change of address)

Palmer	AK	99645	907-841-7270
City	State	Zip code	Telephone

See attched information for property owners.

Name of landowner (if other than miner) or public land management agency

Attached are notarized signatures of the owners of the three lots being developed.

Federal or state casefile number (if any) assigned to the site

2. **LEGAL DESCRIPTION OF PROPOSED MINING SITE**

Lots D1, D2, and A2 of Section 27	18N	1E	Seward
Legal Subdivision/Section/Quarter-Section	Township	Range	Meridian

3. **DESCRIPTION OF THE MINING OPERATION** (if you checked box a or b on p. 1 of this form and are proposing a multi-year reclamation plan, attach separate sheets as needed showing acreage to be mined, volume to be mined, and existing acreage of mined area for each year covered by the plan)

   a. 10 Total acreage to be mined or disturbed during the year.

   b. 230,000 CY Estimated total volume to be mined or disturbed, including overburden.

   c. sand, gravel, topsoil Type of material (sand, gravel, peat, etc.).

   d. 0 Existing acreage of mined area (disturbed area that has not yet been reclaimed, but counting only acreage disturbed after October 15, 1991).

4. **DESCRIPTION OF THE RECLAMATION OPERATION**

   a. The total acreage that will be reclaimed during the year (or each year, if for a multi-year reclamation plan) is: 10 acres

   b. Provide a list of equipment (type and quantity) to be used during the reclamation operation.

   c. A time schedule of reclamation measures shall be included as part of the plan.

The following measures must be considered in preparing and implementing the reclamation plan. Please mark those measures appropriate to your reclamation activity:

☒ Topsoil that is not promptly redistributed to an area being reclaimed will be separated and stockpiled for future use. This material will be protected from erosion and contamination by acidic or toxic materials and preserved in a condition suitable for later use.

☒ The area will be backfilled, graded and recontoured using strippings, overburden, and topsoil to a condition that allows for the reestablishment of renewable resources on the site within a reasonable period of time. It will be stabilized to a condition that will allow sufficient moisture to be retained for natural revegetation.

☒ Stockpiled topsoil will be spread over the reclaimed area to promote natural plant growth that can reasonably be expected to revegetate the area within five years.

☐ Stream channel diversions will be relocated to a stable location in the flood plain.

☒ Exploration trenches or pits will be backfilled. Brush piles, vegetation, topsoil, and other organics will be spread on the backfilled surface to inhibit erosion and promote natural revegetation.

☒ All buildings and structures constructed, used, or improved on land owned by the State of Alaska will be removed, dismantled, or otherwise properly disposed of at the completion of the mining operation.

☒ Any roads, airstrips or other facilities constructed to provide access to the mining operation shall be reclaimed (unless otherwise authorized) and included in the reclamation plan.

☒ Peat and topsoil mine operations shall ensure a minimum of two inches of suitable growing medium is left or replaced on the site upon completion of the reclamation activity.

☐ If extraction occurs within a flood plain, the reclamation activity shall reestablish a stable bed and bank profile such that river currents will not be altered and erosion and deposition patterns will not change.

NOTE: If you propose to use reclamation measures other than those shown above, or if the private landowner or public land manager of the site requires you to use stricter reclamation measures than those shown above, attach a list of those measures to this plan.

5. **ALTERNATE POST-MINING LAND USE**

☐ The mining site is public land. The land management agency's land use plan (if any) for post-mining land use is:
N/A

☐ The mining site is public land. As allowed by AS 27.19.030(b), I propose to reclaim it to the following post-mining land use:
N/A

☒ The mining site is private property. The private landowner plans to use it for the following post-mining land use:
Residential Subdivision

6. **ATTACHMENTS**

☒ If the mining operation has additional owners, operators, or leaseholders not shown on p. 1 of this form, attach a list of their names, addresses, and telephone numbers.

☒ Attach a USGS map at a scale no smaller than 1:63,360 (inch to the mile) showing the general vicinity of the mining operation and the specific property to be mined. Option: If you checked Box C on the first page of this form and the mining site is adjacent to an airport or public highway, state the name of the airport or the name and milepost of the public highway.

☒ Attach a diagram of the mined area (this term includes the extraction site, stockpile sites, overburden disposal sites, stream diversions, settling ponds, etc.) and the mining operation as a whole (this term includes the roads you plan to build, your power lines, support facilities, etc.). Show and state the number of acres to be mined during the year. (If you checked Box A or B on the first page of this form and your plan covers more than one year, show each year's work.) Show the location corners or property boundaries of the site in relation to the reclamation work and any other areas affected by the operation.

☒ Attach a list of the equipment (type and quantity) to be used during the reclamation activity.

☒ A time schedule of events must be attached that includes dates and activities related to this reclamation plan.

☒ If the site is private land not owned by the miner, attach a signed, notarized statement from the landowner indicating the landowner's consent to the operation. The landowner may also use the consent statement to notify the department that the landowner plans a post-mining land use incompatible with natural revegetation and therefore believes that reclamation to the standard of AS 27.19.020 is not feasible.

☒ For those miners that are required to file an annual reclamation statement, attach photographs and/or videotapes dated and described as to location of the reclamation activity that was completed.

☒ If you propose to use reclamation measures other than those listed on this form, or if the private landowner or public land manager of the site requires you to use stricter reclamation measures, attach a list of those measures.

7. **RECLAMATION BONDING** (REQUIRED **ONLY** IF YOU CHECKED BOX A or B ON THE FIRST PAGE OF THIS FORM)

The total acreage of my mining operation that is subject to the bonding requirement for the current year is 10 acres (add acreages stated in Section 3(a) and 3(d) of this form).

The per-acre bond amount is $750/acre or a total bond amount of $ 7,500

Please check the appropriate bonding method that you will apply toward this reclamation plan:

☐ Participation in the statewide bonding pool.

☐ Posting a corporate surety bond.

☒ Posting a personal bond accompanied by a letter of credit, certificate of deposit, or a deposit of cash or gold.

☐ Posting a bond or financial guarantee with another government agency that has jurisdiction over the mining operation, as allowed by a cooperative management agreement between that agency and the Division of Mining, Land and Water.

☐ Posting a general performance bond with a state agency that meets the requirements of 11 AAC 97.400(4).

The above reclamation plan/letter of intent and all attachments are correct and complete to the best of my knowledge.

Signature of Miner

5/10/2024

Date

AS 27.19.030 and AS 27.19.050 require a miner either to file a reclamation plan for approval or to file a letter of intent followed by an annual reclamation statement. AS 38.05.035(a) authorizes the director to decide what information is needed to process an application for the sale or use of state land and resources. This information is made a part of the state public land records and becomes public information under AS 40.25.110 and 40.25.120 (unless the information qualifies for confidentiality under AS 38.05.035(a)(8) and confidentiality is requested, AS 43.05.230, or AS 45.48). Public information is open to inspection by you or any member of the public. A person who is the subject of the information may challenge its accuracy or completeness under AS 44.99.310, by giving a written description of the challenged information, the changes needed to correct it, and a name and address where the person can be reached. False statements made in an application for a benefit are punishable under AS 11.56.210. In submitting this form, the applicant agrees with the Department to use "electronic" means to conduct "transactions" (as those terms are used in the Uniform Electronic Transactions Act, AS 09.80.010 – AS 09.80.195) that relate to this form and that the Department need not retain the original paper form of this record: the department may retain this record as an electronic record and destroy the original. In submitting this form, the applicant certifies that he or she has not changed the original text of the form or any attached documents provided by the Division.

State of Alaska Department of Natural Resources
Division of Mining, Land, and Water

MATERIAL SITE RECLAMATION PLAN

AUTHORIZATION OF PROPERTY OWNER FOR GRAVEL PIT DEVELOPMENT

NAME OF PROPERTY OWNER:
Lot D1, Section 27, T18N, R1E, Seward Meridian
Name: Bob and Jean Havemeister
Address: P.O. Box 2349 Palmer, AK 99645
Phone Number: 907-232-0628
Email: HavemeisterTrucking@GMAIL.com

We, Bob or Jean Havemeister, owners of the above referenced property, authorized Central Gravel Products to develop the above referenced property as needed for material extraction (gravel pit). Central Gravel Products is responsible for following all federal, state, and local regulations including the reclamation plan associated with this submittal as required by the Alaska Department of Natural Resources, AS 27.19-030 – 27.19-050.

Signature: Property Owner | Bob Havemeister | 5/2/24
Printed Name | Date

This is to certify that on the 2nd day of MAY 2024, before me, the undersigned, a Notary Public, duly commissioned and sworn as such, personally appeared

Bob Havemeister and acknowledged the above instrument
(Printed Name of signer)
was signed and sealed as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Witnees my hand and official seal.

CYNTHIA BELGARDE
Notary Public
State of Alaska
My Commission Expires Feb 14, 2028

Notary Public in and for Alaska

My Commision Expires Feb. 14, 2028

State of Alaska Department of Natural Resources
Division of Mining, Land, and Water

MATERIAL SITE RECLAMATION PLAN

AUTHORIZATION OF PROPERTY OWNER FOR GRAVEL PIT DEVELOPMENT

NAME OF PROPERTY OWNER:

Lot D1, Section 27, T18N, R1E, Seward Meridian

Name: Ralph Kircher

Address: 3182 N. Trunk Road Palmer, AK 99645

Phone Number: 253-850-9570

Email: PRECIOUSRALPH@AOL.COM

We, Ralph Kircher, owner of the above referenced property, authorized Central Gravel Products to develop the above referenced property as needed for material extraction (gravel pit). Central Gravel Products is responsible for following all federal, state, and local regulations including the reclamation plan associated with this submittal as required by the Alaska Department of Natural Resources, AS 27.19-030 – 27.19-050.

Ralph O. Kircher RALPH O. KIRCHER 5/2/2024

Signature: Property Owner Printed Name Date

This is to certify that on the 02 day of May, before me, the undersigned, a Notary Public, duly commissioned and sworn as such, personally appeared

Ralph O. Kircher and acknowledged the above instrument

(Printed Name of signer)

was signed and sealed as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Witnees my hand and official seal.

Notary Public
State of Washington
TUAN LE
LICENSE # 23012376
MY COMMISSION EXPIRES
APRIL 18, 2027

Notary Public in and for ~~Alaska~~ WASHINGTON

My Commision Expires 04/18/2027

State of Alaska Department of Natural Resources
Division of Mining, Land, and Water

MATERIAL SITE RECLAMATION PLAN

AUTHORIZATION OF PROPERTY OWNER FOR GRAVEL PIT DEVELOPMENT

NAME OF PROPERTY OWNER:
Lot A2, Section 27, T18N, R1E, Seward Meridian
Name: Bob and Franci Havemeister
Address: P.O. Box 467 Palmer, AK 99645
Phone Number: 907-232-0628
Email: Havemeistertrucking@gmail.com

We, Bob or Franci Havemeister, owners of the above referenced property, authorized Central Gravel Products to develop the above referenced property as needed for material extraction (gravel pit). Central Gravel Products is responsible for following all federal, state, and local regulations including the reclamation plan associated with this submittal as required by the Alaska Department of Natural Resources, AS 27.19-030 – 27.19-050.

Signature: Property Owner | Bob Havemeister (Printed Name) | 5/24/24 (Date)

This is to certify that on the 2 day of May, 2024, before me, the undersigned, a Notary Public, duly commissioned and sworn as such, personally appeared

Bob G. Havemeister and acknowledged the above instrument
(Printed Name of signer)
was signed and sealed as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Witnees my hand and official seal.

HOLLY M. KRAMER
Notary Public
State of Alaska
My Commission Expires Jan 18, 2026

Holly M. Kramer
Notary Public in and for Alaska

My Commision Expires 01/18/2026

Storm Water Pollution Prevention Plan

for:

Central Gravel Products
7955 E. Bogard Road
Palmer, AK 99645
907-745-4044

SWPPP Contact(s):

Jade Laughlin
7955 E. Bogard Road
Palmer, AK 99645
907-745-4044
centralgravelproducts@hotmail.com

SWPPP Preparation Date:

05/11/2024

APDES Permit Tracking Number: AKR_____

Contents

SECTION 1: FACILITY DESCRIPTION AND CONTACT INFORMATION

1.1 Facility Information

Facility Information

Name of Facility: Central Gravel Products

Street: 7955 E. Bogard Road

City: Palmer State: AK ZIP Code: 99645

Borough or Similar Government Subdivision: Matanuska Susitna Borough

Permit Tracking Number: No previous permit (if covered under a previous permit)

Latitude/Longitude (Use one of three possible formats, and specify method)

Latitude:	Longitude:
3. 61.61629° N (decimal)	3. 149.24632° W (decimal)

Method for determining latitude/longitude (check one):

___USGS topographic map (specify scale:_____) ___ EPA Web site ___ GPS

X Other (please specify): Mat-Su Borough Parcel Viewer

Is the facility located in Indian Country? ___ Yes X No

If yes, name of Reservation, or if not part of a Reservation, indicate "not applicable." N/A

Is this facility considered a Federal Facility? ___ Yes X No

Estimated area of industrial activity at site exposed to storm water: 230 (acres)*

*Approximately 10 acres or less at a time will be disturbed.

Discharge Information

Does this facility discharge storm water into an MS4? ___ Yes X No

If yes, name of MS4 operator: N/A

Name(s) of water(s) that receive storm water from your facility: Wasilla Creek

Are any of your discharges directly into any segment of an "impaired" water? ___ Yes X No

If Yes, identify name of the impaired water (and segment, if applicable): N/A

Identify the pollutant(s) causing the impairment: N/A

For pollutants identified, which do you have reason to believe will be present in your discharge? N/A

For pollutants identified, which have a completed TMDL? N/A

Are any of your storm water discharges subject to effluent guidelines? ____ Yes X No

If Yes, which guidelines apply? N/A

Primary SIC Code or 2-letter Activity Code (refer to Appendix D of the 2020 MSGP): 1311

Identify your applicable sector and subsector: Sector J, Subsector J1

1.2 Contact Information/Responsible Parties

Facility Operator (s):

Name: Jade Laughlin
Title: Owner
Address: 7955 E. Bogard Road
City, State, Zip Code: Palmer , AK 99645
Telephone Number: 907-745-4044
Email address: centralgravelproducts@hotmail.com

Facility Owner (s):

Name: Jade Laughlin
Title: Owner
Address: 7955 E. Bogard Road
City, State, Zip Code: Palmer , AK 99645
Telephone Number: 907-745-4044
Email address: centralgravelproducts@hotmail.com

SWPPP Contact:
Name: Jade Laughlin
Telephone number: 907-745-4044
Email address: centralgravelproducts@hotmail.com

1.3 Storm Water Pollution Prevention Team

Staff Names	Individual Responsibilities
	Assisting the facility manager in developing and revising the facility's SWPPP.
	Implementing and maintaining control measures/BMPs, and taking corrective actions where required.
	Inspection and completing inspection reports.

1.4 Activities at the Facility

This facility will produce sand and gravel products for sale. This includes excavation of existing soil, sorting materials, and processing materials into usable sand and gravel products.

1.5 General Location Map

A copy of the general location map for this facility is in Appendix A.

1.6 Site Map(s)

A copy of the site map for this facility is in Appendix B.

SECTION 2: POTENTIAL POLLUTANT SOURCES

2.1 Industrial Activity and Associated Pollutants

Industrial Activity	Associated Pollutants
Fueling equipment.	Diesel and gasoline.
Processing Sand and Gravel	Hydraulic Fluid from machinery.
Servicing equipment.	Fuel, motor oil, antifreeze, other lubricants, grease.

2.2 Spills and Leaks

Areas of Site Where Potential Spills/Leaks Could Occur

Location	Outfalls
Fuel tanks (see site map)	None *
Maintenance Shop (fuel, motor oil, antifreeze, other lubricants, grease)	None*
*Wasilla Creek is at the southeast corner of this site. However, due to the vegetative buffer and the topography at the site, it would be virtually impossible for runoff from the site to reach the creek.	

Description of Past Spills/Leaks

This is a new facility. There are no past spills or leaks.

2.3 Non-Storm Water Discharges Documentation

This is a new facility. This section is not applicable.

2.4 Salt Storage

None.

2.5 Sampling Data Summary

N/A

SECTION 3: STORM WATER CONTROL MEASURES

3.1 Minimize Exposure

Though this site is 230 acres, approximately only ten acres at a time will be disturbed. As material extraction is completed in an area, the land will be reclaimed as additional area is opened for extraction. This will minimize the total area that is disturbed and exposed at one time.

3.2 Good Housekeeping

Due to the type of activities at this site, there will be very little chance for the accumulation of waste on the site. A visual inspection of the site will take place every two working days to see if there is garbage that needs to be collected and placed in garbage cans. Garbage cans will be emptied as needed. Garbage cans will have lids to prevent waste from being blown out of the cans.

Any fuel / oil containers will be visually inspected daily to check for any leaks.

3.3 Maintenance

The equipment that will be on site includes loader(s), excavator(s), screening and crushing equipment, other earth moving equipment, and trucks. All equipment will be inspected weekly to make sure there are no leaking fluids and is in operational condition.

3.4 Spill Prevention and Response

The only "tanks" that are anticipated to be on site will be a fuel tank(s) storing fuel for the equipment. However, if there are any other storage tanks on site, it is anticipated that all tanks will be property labeled and appropriately protected.

In the case of a release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under either 40 Code of Federal Regulations (CFR) Part 110, 40 CFR Part 117, or 40 CFR Part 302, occurs during a 24-hour period:

- The CONTRACTOR will call 911 and provide notice to the ADEC (269-3063) and the National Response Center at 800–424–8802 in accordance with the requirements of 40 CFR Part 110, 40 CFR Part 117, and 40 CFR Part 302 as soon as site staff have knowledge of the discharge.

3.5 Erosion and Sediment Controls

With the topography of the site, runoff will not leave the areas where soil extraction is taking place. There will also be a vegetative buffer consisting of existing vegetation and / or a 10' high soil berm surrounding the site. This buffer will remain in place during the life of the gravel pit and prevent erosion from leaving the site or entering water bodies.

3.6 Management of Runoff

With the topography of the site, runoff will not leave the areas where soil extraction is taking place. The existing soils are very permeable gravely sand. All rain, runoff, and snow melt will be absorbed into the ground.

3.7 Salt Storage Piles or Piles Containing Salt

No salt will be stored on site.

3.8 MSGP Sector-Specific Non-Numeric Effluent Limits

This project is a "Sector J" activity. There are no Sector-specific effluent limits that apply to Sector J activities.

3.9 Employee Training

All full-time employees will be trained on this SWPPP and their role in fulfilling the SWPPP requirements. This will take place at the time of hiring.

A review of the SWPPP and any changes will take place with full-time employees at least annually. An employee training log is located in the appendix.

3.10 Non-Storm Water Discharges

With the topography of the site, runoff will not leave the areas where soil extraction is taking place. As a result, there will be no non-storm water discharges as part of this project.

3.11 Waste, Garbage and Floatable Debris

There will be a garbage can on site that is maintained by the site owner. A portable toilet may also be on site and will be maintained by the company who provides the toilet. There is no control point for these items.

3.12 Dust Generation and Vehicle Tracking of Industrial Materials

If needed, dust will be controlled on the site by use of a water truck sprinkling the area. Any vehicle tracking soil onto the adjacent road will be cleaned with hand brooms or street sweeper.

SECTION 4: SCHEDULES AND PROCEDURES FOR MONITORING

Wasilla Creek is at the southeast corner of this site. However, due to the vegetative buffer and the topography at the site, it would be virtually impossible for runoff from the site to reach the creek. As a result, no monitoring will be needed.

SECTION 5: INSPECTIONS

For the routine facility inspection and the comprehensive site inspection to be performed at your site:

- The names of the person(s), or the positions of the person(s), responsible for inspection: Jade Laughlin or an appointed representative (add name here) .
- The schedule to be used for conducting the inspections. A comprehensive site inspection will take place on May 20, o each year.
-
- Specific areas of the facility to be inspected, including schedules for specific outfalls: No outfalls are anticipated. No inspection schedule is needed.

For the quarterly visual assessments to be performed at this site:

- The names of the person(s), or the positions of the person(s), responsible for inspection: Jade Laughlin or an appointed representative = .
- The schedules to be used for conducting inspections. Include here any tentative schedule that will be used for facilities in climates with irregular storm water runoff discharges (2020 MSGP, Part 6.2.3): No outfalls are anticipated. No inspection schedule is needed.

- Specific areas of the facility to be inspected, including schedules for specific outfalls: No outfalls are anticipated. No inspection schedule is needed.

Inactive and Unstaffed sites exception

This site will closed from November 2 to April 30. The site will have no one on site. No material will be excavated or processed during this time. No inspections will be needed during this time.

SECTION 6: SWPPP 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 gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name: _____ Title: _____

Signature: _____ Date: _____

SECTION 7: SWPPP MODIFICATIONS

- This SWPPP is a "living" document and is required to be modified and updated, as necessary, in response to corrective actions.
    - If you need to modify the SWPPP in response to a corrective action the certification statement in section 7 of this SWPPP

For any other SWPPP modification, you should keep a log with a description of the modification, the name of the person making it, and the date and signature of that person.

RECORD OF SWPPP AMENDMENTS

Date of Revision	Section	Description

RECORD OF SWPPP AMENDMENTS

Date of Revision	Section	Description

SWPPP APPENDICES

Attach the following documentation to the SWPPP:

Appendix A: General Location Map

Appendix B: Site Map

Appendix C: 2020 MSGP

Appendix D: NOI and Acknowledgement Letter from EPA/State

Appendix E: Corrective Action Log

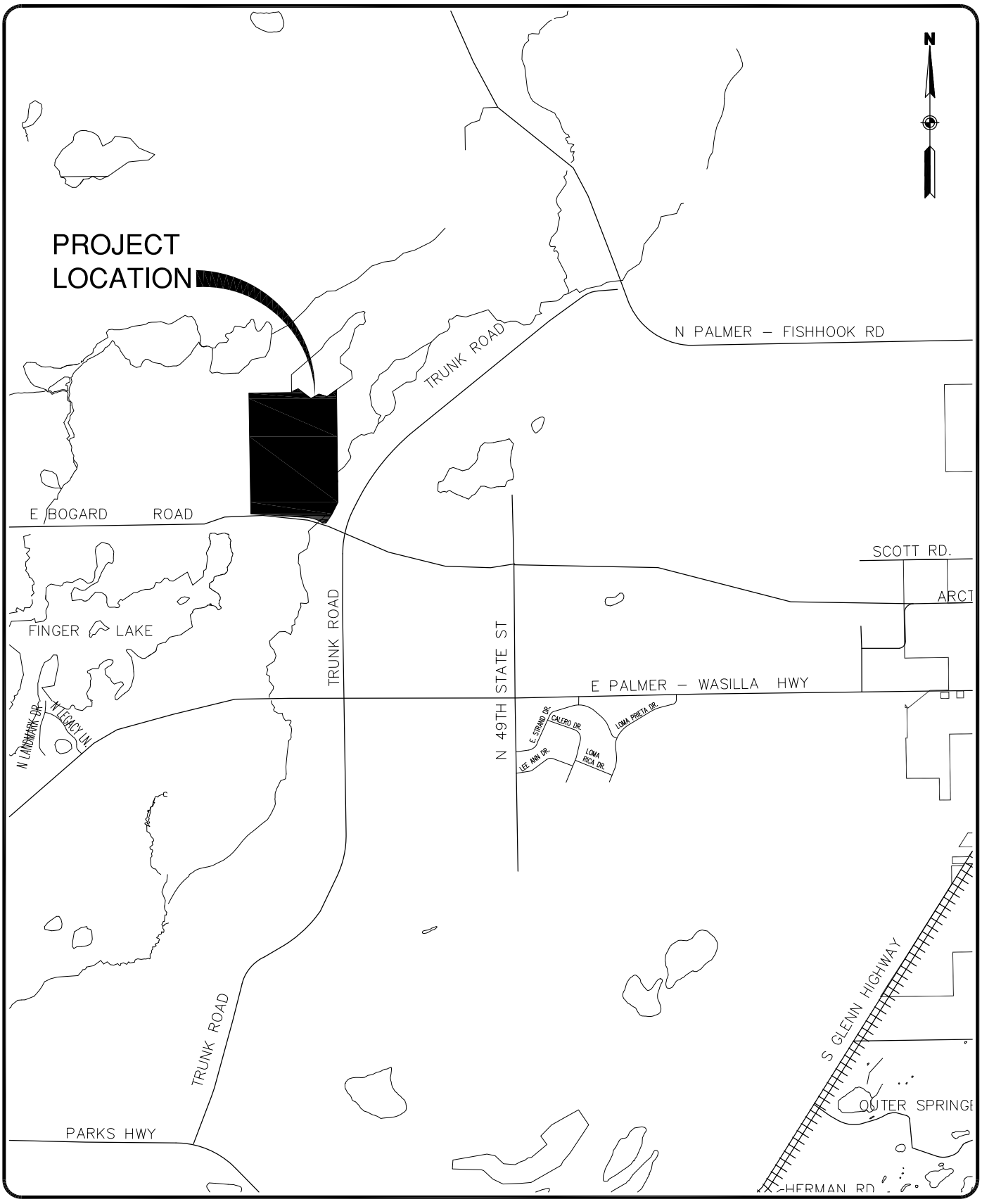
Appendix F: Employee Training Log

Appendix G: Stormwater Industrial Routine Facility Inspection Report

Appendix H: Quarterly Visual Assessment Reports

Appendix I: eNOI Instructions

Appendix A:
General Location Map



SDCS, LLC
STEINER DESIGN & CONSTRUCTION SERVICES, LLC
5900 W. DEWBERRY DR. PH: (907) 357-5609
WASILLA, AK 99623 FAX: (907) 357-5608

CENTRAL GRAVEL PRODUCTS
GRAVEL PIT DEVELOPMENT
MSGP – STORM WATER POLLUTION PREVENTION PLAN

VICINITY MAP

FIGURE 1A

SDCS, LLC
STEINER DESIGN & CONSTRUCTION SERVICES, LLC
5900 W. DEWBERRY DR. PH: (907) 357-5609
WASILLA, AK 99623 FAX: (907) 357-5608

CENTRAL GRAVEL PRODUCTS
GRAVEL PIT DEVELOPMENT
MSGP – STORM WATER POLLUTION PREVENTION PLAN

LOCATION MAP

FIGURE
1B

Appendix B:
Site Map

GOODING LAKE
S89°59'14"E 1320.83'
S89°59'14"E 1320.92'
N. EBBTIDE COURT
E. DANIA LANE
EXISTING BUILDINGS TO REMAIN
AREA NOT TO BE DEVELOPED FOR GRAVEL EXTRACTION
AREA NOT TO BE DEVELOPED FOR GRAVEL EXTRACTION
0 125 250 500
HORIZONTAL SCALE
(1"=250' PLOTTED AT 22"X34")
N00°03'37"W 1319.52'
EXISTING BUILDINGS TO REMAIN
N. ENGSTROM ROAD
E. GLADE CT.
LOT A2
78.33 ACRES
10' HIGH VISUAL SCREENING SOIL BERM SEE DETAIL THIS SHEET
N00°02'27"W 2640.79'
SECTION 28
N89°56'04"W 1321.45'
S89°56'04"E 1321.48'
APPROXIMATE EDGE OF EXISTING TREES (TYP.)
LOT D2
80.08 ACRES
LOT D1
77.08 ACRES
PROPOSED DRIVEWAY (IN ONLY)
10' HIGH VISUAL SCREENING SOIL BERM SEE DETAIL THIS SHEET
10' HIGH VISUAL SCREENING SOIL BERM SEE DETAIL THIS SHEET
WASILLA CREEK
N00°02'27"W 2640.79'
APPROXIMATE AREA TO BE PURCHASED BY ADOT
AREA NOT TO BE DEVELOPED FOR GRAVEL EXTRACTION
EXISTING BUILDINGS TO REMAIN
40'x40' SHOP
WASILLA CREEK
E. DESTIN DRIVE
EXISTING BUILDINGS TO REMAIN
SCALE W/ SCALE HOUSE AND OFFICE
AREA NOT TO BE DEVELOPED FOR GRAVEL EXTRACTION
PROPOSED DRIVEWAY
WASILLA CREEK
S. STRINGFIELD ROAD
OLD TRUNK ROAD PRESCRIPTIVE RIGHTS
E. BOGARD ROAD
E. GREEN FOREST DR.
S85°18'27"E 953.84'
S85°18'27"E 412.32'
S85°17'18"E 148.85'
S85°56'24"E 401.68'
S87°48'55"E 236.29'
S87°48'55"E 479.42'
S89°56'24"E 1320.16'
S89°56'24"E 2640.89'
N00°03'54"W 2641.85'
N00°03'54"W 1319.99'
N00°02'27"W 2640.79'
S18°13'48"W 898.00'
N18°27'32"E 252.17'
L25 S35°46'16"E 100.00'
121.71'
148.85'
243.13'
178.76'
320.16'
401.68'

CENTRAL GRAVEL PRODUCTS
GRAVEL PIT DEVELOPMENT
MSGP - SWPPP

SHEET TITLE
SITE PLAN

SHEET
2

Appendix C:
2020 MSGP

ALASKA POLLUTANT DISCHARGE ELIMINATION SYSTEM

MULTI-SECTOR GENERAL PERMIT FOR STORM WATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY (MSGP)

Permit Number: AKR060000 – **Final**

ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Wastewater Discharge Authorization Program
555 Cordova Street
Anchorage, AK 99501

In compliance with the provisions of the Clean Water Act (CWA), 33 U.S.C. §1251 *et seq*., as amended by the Water Quality Act of 1987, P.L. 100-4, this permit is issued under provisions of Alaska Statutes (AS) 46.03; the Alaska Administrative Code (AAC) as amended; and other applicable State laws and regulations. Operators of storm water discharges associated with industrial activity located in an area identified in Part 1.1 where the Alaska Department of Environmental Conservation (DEC) is the permitting authority are authorized to discharge to waters of the United States in accordance with the eligibility and Notice of Intent (NOI) requirements, effluent limitations, inspection requirements, and other conditions set forth in this permit. This permit is structured as follows:

- General requirements that apply to all facilities are found in Parts 1 through 10, and
- Industry sector-specific requirements are found in Part 11.

The Appendices (A through F) contain additional permit conditions that apply to all operators covered under this permit.

This permit becomes effective on April 1, 2020.

This permit and the authorization to discharge expire at midnight, March 31, 2025.

Signature	February 20, 2020 Date
Gene McCabe Printed Name	Program Manager Title

APDES MULTI-SECTOR GENERAL PERMITS FOR STORM WATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY

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Appendix D – Facilities and Activities Covered
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Appendix F – MSGP Forms

SCHEDULE OF SUBMISSIONS

The Schedule of Submissions summarizes some of the required submissions and activities the permittee must complete and/or submit to the Alaska Department of Environmental Conservation (DEC) during the term of this permit. The permittee is responsible for all submissions and activities even if they are not summarized below.

Table: Schedule of Submissions

Permit Part	Submittal or Completion	Frequency	Due Date	Submit to [a]
1.3	No Exposure Certification	Once, depending on facility status	Once every five years	Permitting Program
2.1.3, 5.2	Storm Water Pollution Prevention Plan (SWPPP)	Once at beginning of coverage	At filing of NOI	Permitting Program
2.1.5, 2.2	Notice of Intent (NOI)	Once at beginning of coverage	Once per permit cycle	Permitting Program
2.7	NOI Modification	As needed	As needed	Permitting Program
7.2.1.2, 7.2.2.1	Monitoring	Quarterly during first year	the 15th day of the following month	Compliance and Enforcement Program
9.3	Noncompliance Notification Form	Upon exceedance of effluent limit	the 15th day of the following month	Compliance and Enforcement Program
8.4	Corrective Action Report	Upon exceedance (See Part 8.1 and 8.2)	Submit with Annual Report	Compliance and Enforcement Program
9.2	Annual Report	Annually	By Feb 15th of the year following the reporting year	Compliance and Enforcement Program
9.4	Additional Reporting	See Section for details	See Section for details	Compliance and Enforcement Program
10.1	Notice of Termination	Once	At end of permit coverage	Permitting Program

Notes:
a. See Part 9.6 Addresses for Reports

Summary of Permit Required On-Site Documentation

Permit Part	Document Name or Title	Frequency	Purpose of Document
1.3	No Exposure Certification	Once every five years	To demonstrate facility has reviewed the permit and facility to determine they do not need to file for permit coverage
2.1.3, 5.2	SWPPP	Developed prior to submitting the NOI. Updated as necessary	To describe the project and the control measures to minimize the discharge of pollutants into waters of the U.S. Documents installation, maintenance, inspections, corrective actions, and reporting.
2.1.5, 2.2	NOI	Once at start of coverage	Applicant request for authorization to discharge under permit coverage
2.4	DEC NOI Reply Letter	Once at start of coverage	To provide permittee with DEC permit tracking number indicating project is covered by MSGP
2.7	NOI Modification	As needed	To modify the original NOI if facility conditions or lead personnel change
5.8.3	Copy of Permit Part 1-10 and Sector specific section	Include in SWPPP	To provide reference during permit period
6.1, 6.3.2	Inspection Reports	Conducted at frequency specified in MSGP and SWPPP	To monitor compliance with SWPPP and MSGP
7.2, 7.2.2.1 7.2.1.2	Monitoring Reports	Conducted at frequency specified in MSGP	To monitor compliance with MSGP
7.2.2.3, 9.3	Noncompliance Notification	As needed	To report any exceedances found during monitoring
8.4	Corrective Action Report	As needed	To report the corrective actions taken at the facility
9.2	Annual Report	Annually	To report annual results of inspections
9.4	Additional Reporting	As required	To provide additional information
10.1	Notice of Termination	Once	To close coverage by the permit.

1. Coverage under this Permit.

1.1 Permit Area.

This general permit covers waters of the United States (U.S.) located in the State of Alaska, except the Indian Reservation of Metlakatla and the Denali National Park and Preserve.

1.2 Eligibility.

1.2.1 **Facilities Covered**. To be eligible to discharge under this permit, a permittee must (1) have a storm water discharge associated with industrial activity from the permittee's primary industrial activity, as defined in Appendix C, provided their primary industrial activity is included in Appendix D, or (2) be notified by DEC that the permittee is eligible for coverage under Sector AD of this permit.

1.2.2 **Allowable Storm Water Discharges**. Unless otherwise made ineligible under Part 1.2.4, the following discharges are eligible for coverage under this permit:

1.2.2.1 Storm water discharges associated with industrial activity for any primary industrial activities and co-located industrial activities, as defined in Appendix C;

1.2.2.2 Discharges designated by DEC as needing a storm water permit as provided in Sector AD;

1.2.2.3 Discharges that are not otherwise required to obtain APDES permit authorization but are commingled with discharges that are authorized under this permit (i.e., allowable non-storm water discharges commingled with allowable storm water discharges); and

1.2.2.4 Discharges subject to any of the national storm water-specific effluent limitations guidelines listed in Table 1-1.

(Table 1-1: Storm Water-Specific Effluent Limitations Guidelines located on following page.)

Table 1-1: Storm Water-Specific Effluent Limitations Guidelines

Regulated Discharge	40 CFR Section	MSGP Sector	New Source Performance Standard (NSPS)	New Source Date
Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas	Part 429, Subpart I	A	Yes	1/26/81
Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished product, by-products or waste products (SIC 2874)	Part 418, Subpart A	C	Yes	4/8/74
Runoff from asphalt emulsion facilities	Part 443, Subpart A	D	Yes	7/28/75
Runoff from material storage piles at cement manufacturing facilities	Part 411, Subpart C	E	Yes	2/20/74
Mine dewatering discharges at crushed stone, construction sand and gravel, or industrial sand mining facilities	Part 436, Subparts B, C, and D	J	No	N/A
Runoff from hazardous waste and non-hazardous waste landfills	Part 445, Subparts A and B	K, L	Yes	2/2/00
Runoff from coal storage piles at steam electric generating facilities	Part 423	O	Yes	11/19/82 (10/8/74)[1]
Existing and new primary airports with 1,000 or more annual jet departures that discharge wastewater associated with airfield pavement deicing that contains urea commingled with stormwater	Part 449, Subpart A	S	Yes	6/15/12

1.2.3 **Allowable Non-Storm Water Discharges**. The following are the non-storm water discharges authorized under this permit, provided the non-storm water component of the permittees discharge is in compliance with Part 4.2.10:

- Discharges from emergency/unplanned fire-fighting activities;
- Fire hydrant flushings;
- Potable water, including water line flushings;
- Uncontaminated condensate from air conditioners, coolers, and other compressors and from the outside storage of refrigerated gases or liquids;
- Irrigation drainage;
- Landscape watering provided all pesticides, herbicides, and fertilizer have been applied in accordance with the approved labeling;

[1] NSPS promulgated in 1974 were not removed via the 1982 regulation; therefore wastewaters generated by Part 423-applicable sources that were New Sources under the 1974 regulations are subject to the 1974 NSPS.

- Pavement wash waters where no detergents or hazardous cleaning products are used (e.g., bleach, hydrofluoric acid, muriatic acid, sodium hydroxide, nonylphenols), and the wash waters do not come into contact with oil and grease deposits or any other toxic or hazardous materials (unless cleaned up using dry clean-up methods). The permittee is prohibited from directing any authorized pavement wash waters directly into any surface water or storm drain inlet unless the permittee has implemented appropriate control measures that meet the non-numeric effluent limits in Part 4.2. Where appropriate control measures are not in place, wash water runoff must first undergo treatment prior to discharge such as filtration, detention, or settlement;

- Routine external building washdown / power washwater that does not remove significant amount of building paint or use detergents or hazardous cleaning products, (such as those containing bleach, hydrofluoric acid, muriatic acid, sodium hydroxide, nonylphenols);

- Uncontaminated ground water or spring water;

- Foundation or footing drains where flows are not contaminated with process materials;

- 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);

- Discharges from the spray down of lumber and wood product storage yards where no chemical additives are used in the spray-down waters and no chemicals are applied to the wood during storage (applicable only to Sector A facilities provided the non-stormwater component of the discharge is in compliance with the non-numeric effluent limits requirements in Part 4.2).

- Other uncontaminated discharges meeting water quality criteria that the Department approves on a case-by-case basis.

1.2.3.1 Also allowed for all sectors are discharges of stormwater listed above in Parts 1.2.2 or authorized non-stormwater discharges in Part 1.2.3, mixed with a discharge authorized by a different APDES permit and/or a discharge that does not require APDES permit authorization. All other non-stormwater discharges requiring APDES permit coverage except those specifically listed in Part 1.2.3 are not authorized by this permit. If non-stormwater discharges requiring APDES permit coverage other than those specifically authorized in Part 1.2.3, including sector-specific non-stormwater discharges that are listed in Part 11 as prohibited (a non-exclusive list provided to raise awareness of contaminants or sources of contaminants characteristic of certain sectors), will be discharged, such non-stormwater discharges are not authorized by this permit and must either be eliminated or covered under another APDES permit.

1.2.4 **Limitations on Coverage**.

1.2.4.1 **Discharges Mixed with Non-Storm Water.** Storm water discharges that are mixed with non-storm water, other than those non-storm water discharges listed in Part 1.2.3, are not eligible for coverage under this permit.

1.2.4.2 **Discharges Associated with Construction Activity**. Storm water discharges associated with construction activity disturbing one acre or more, or that are part of a larger common plan of development or sale if the larger common plan will ultimately disturb one acre or more, are not eligible for coverage under this permit, unless in conjunction with mining activities or certain oil and gas extraction activities as specified in Sectors G, H, I, and J of this permit.

1.2.4.3 **Discharges Currently or Previously Covered by another Permit.** Unless the permittee received written notification from DEC specifically allowing these discharges to be covered under this permit, the permittee is not eligible for coverage under this permit for any of the following:

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

1.2.4.4 **Discharges Subject to Effluent Limitations Guidelines.** For discharges subject to storm water effluent limitation guidelines under 40 CFR, Subchapter N, only those storm water discharges identified in Table 1-1 are eligible for coverage under this permit.

1.2.4.5 **Eligibility for New Dischargers: Based on Water Quality Standards**. A new discharger (as defined in Appendix C), is not eligible for coverage under this permit for discharges that DEC, prior to authorization under this permit, determines will not meet WQS. Where such a determination is made prior to authorization, DEC may notify the applicant that an individual or other general permit APDES application is necessary in accordance with Part 2.8. However, DEC may authorize coverage under this permit after the applicant has included appropriate controls and implementation procedures designed to ensure the discharge meets WQS. In the absence of information demonstrating otherwise, DEC expects that compliance with the storm water control requirements of this permit, including the requirements applicable to such discharges in Part 4, will meet WQS.

1.2.4.6 **New Discharges to Water Quality Impaired Waters**.[2] If the permittee is a new discharger they are not eligible for coverage under this permit to discharge to an "impaired water", as defined in Appendix C unless they:

- Prevent all exposure to storm water of the pollutant(s) for which the waterbody is impaired, and retain documentation of procedures taken to prevent exposure onsite with the SWPPP; or

- Prior to submitting the permittee's NOI, provide to the Department technical information or other documentation that the pollutant(s) for which the waterbody is impaired is not present at the site, and retain documentation of this finding with their SWPPP; or

- Prior to submitting the permittee's NOI, provide to the Department data or other technical documentation to support a conclusion that the discharge is not expected to cause or contribute to an exceedance of a water quality standard (WQS), and retain such data onsite with the SWPPP. To do this, the permittee must provide data and other technical information to the Department sufficient to demonstrate:

  - For discharges to waters without an EPA approved or established Total Maximum Daily Load (TMDL), that the discharge of the pollutant for which the water is impaired will meet in-stream water quality criteria at the point of discharge to the waterbody; or

  - For discharges to waters with an EPA approved or established TMDL, that there are sufficient remaining wasteload allocations in an EPA approved or established TMDL to allow the permittees discharge and that existing dischargers to the waterbody are subject to compliance schedules designed to bring the waterbody into attainment with WQS. The permittee must also evaluate the recommendations in the Implementation Section of the EPA approved or established TMDL and incorporate applicable measures into their operations.

A permittee is eligible under Part 1.2.4.6 if they receive an affirmative determination from the Department that their discharge will not contribute to the existing impairment, in which case the permittee must maintain such determination onsite with the SWPPP, or if the Department fails to respond within 30 days of submission of data to the Department.

[2] The project will be considered to discharge to an impaired water if the first water of the U.S. to which the discharge enters is identified by the Department pursuant to Section 303(d) of the CWA as not meeting a WQS, 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 the discharge is the waterbody that receives the stormwater discharge from the storm sewer system.

1.3 Conditional Exclusion for No Exposure.

If the permittee is covered by this permit, and becomes eligible for a no exposure exclusion from permitting under 40 CFR 122.26(g), the permittee may file a No Exposure Certification. The permittee is no longer required to have a permit upon submission of a complete and accurate no exposure certification to DEC. If the permittee is no longer required to have permit coverage because of a no exposure exclusion and has submitted a No Exposure Certification form to DEC, they are required to submit a Notice of Termination (NOT) to terminate permit coverage before being covered by the No Exposure Certification. The permittee must submit a No Exposure Certification to DEC once every five years from the initial date of filing.

Facilities which have multiple industrial sectors covered under one permit can not use the No Exposure Certification form to remove those individual sectors from permit coverage. Upon a thorough evaluation to determine some sectors have no exposure to storm water, those areas must be noted in the facility wide SWPPP and inspected annually during the comprehensive site inspections to ensure no exposure exists. If inspections reveal those individual sectors eligible for coverage under this permit have exposure, the SWPPP must be updated to include those sectors and all permit requirements applied to those areas. The No Exposure Certification for Exclusion applies to an entire facility and not individual outfalls or areas located within the facility covered under a single permit.

2. Authorization under this Permit.

2.1 How to Obtain Authorization.

To obtain authorization under this permit, the permittee must:

2.1.1 Be located in the area where DEC is the permitting authority;

2.1.2 Meet the Part 1.2 eligibility requirements;

2.1.3 Develop a SWPPP according to the requirements in Part 5 of this permit. The permittee must submit a copy of the SWPPP to DEC as specified in Part 9.6;

2.1.4 Select, design, install, and implement control measures in accordance with Part 4.2 to meet numeric and non-numeric effluent limits;

2.1.5 Submit a complete and accurate Notice of Intent (NOI) either using DEC's electronic Notice of Intent (eNOI) system (accessible at http://dec.alaska.gov/water/wastewater/stormwater/apdesenoi/ or using a paper form (included in Appendix F of this permit) and then submitting that paper form to the address listed in Part 2.2.2; and

2.1.6 Pay the general permit authorization fee in accordance with 18 AAC 72. Existing permittees when renewing permit coverage do not need to pay two permit authorization fees in one calendar year;

2.1.7 DEC will post on the Internet, at http://dec.alaska.gov/Applications/Water/WaterPermitSearch/Search.aspx, all authorizations issued. Late NOIs will be accepted but authorization to discharge will not be retroactive.

2.1.8 If the information on the NOI is incorrect or is missing, the NOI will be deemed incomplete and permit authorization will not be granted. A complete NOI shall include the following information, at a minimum:

2.1.8.1 The operator information includes: Organization name, contact person, complete mailing address, telephone number and fax number and email address if available;

2.1.8.2 The billing contact information includes: organization name, contact person, complete mailing address, telephone number and fax number and email address if available. If the billing contact information is the same as the operator information, check the box on the NOI indicating that it is the same;

2.1.8.3 The industrial facility information includes: facility name, physical location, the city and zip code, the borough, latitude and longitude, how the latitude and longitude were determined, an estimate of the area of industrial activity exposed to storm water, if the facility storm water discharges have been previously permitted under an APDES permit, a brief description of activity(ies) carried out on-site;

2.1.8.4 The discharge information includes: does the facility discharge to a municipal separate storm sewer system (MS4), and if so the name of the MS4 operator, outfall(s) location (latitude/longitude), the name(s) of the water bodies to which the facility discharges, does the facility discharge to a water body that is impaired or have a TMDL, if it is the discharge is consistent with the assumptions and requirements of the TMDL, and is any storm water discharge subject to federal effluent limitation guideline and sector-specific requirements, and if so which affected MSGP Sector;

2.1.8.5 The additional information includes: the four-digit Standard Industrial Classification (SIC) code or two-letter Activity Code that best represents the products or services rendered by the facility in which it is primarily engaged in and applicable sector and subsectors of industry activity, including co-located industrial activity for which coverage is requested, and is the facility presently inactive or unstaffed and if so for how long;

2.1.8.6 The SWPPP information includes: SWPPP contact name, phone, email, and URL for SWPPP (if applicable) (the SWPPP does not need to be reposted on the internet each time it is updated);

2.1.8.7 The signatory information in compliance with Appendix A, Part 1.12

2.2 How to Submit an NOI.

2.2.1 Electronically (strongly encouraged) at http://dec.alaska.gov/water/wastewater/stormwater/apdesenoi/ . Operators who submit an eNOI must pay the general permit authorization fee during a step in the eNOI process where payment is required.

2.2.2 Through use of a paper form (available at the above web site) and then submit that paper form to Permitting Program address in Appendix A, Part 1.1.1.

2.2.3 Each operator submitting the NOI via paper form[3] must include a check payable to the "State of Alaska" for the amount of the General Permit Authorization Fee, in accordance with 18 AAC 72.

(Submission Deadlines continued on next page.)

[3] Note: Electronic submittal of an NOI will likely be processed more quickly and result in faster receipt of an authorization to discharge.

2.3 Submission Deadlines.

Timeframes for discharge authorization are contained in Table 2-1.

Table 2-1: NOI Submittal Deadlines/Discharge Authorization Dates

Category	NOI Submission Deadline	Discharge Authorization Date[1]	Fee
Existing Dischargers – in operation as of March 31, 2020 and authorized for coverage under 2015 MSGP.	Existing Dischargers must submit new NOI and SWPPP no later than one hundred twenty (120) calendar days after the effective date of this permit.	The date specified in the DEC authorization letter. The permittees authorization under the 2015 MSGP is automatically continued until they have been granted coverage under this permit or an alternative permit, or coverage is otherwise terminated.	Existing Dischargers pay annual fee based on invoice from DEC
New Dischargers or New Sources - who commence discharging one hundred twenty (120) calendar days after the effective date of this permit.	A minimum of thirty (30) calendar days prior to commencing discharge.	The date specified in the DEC authorization letter.	New Discharges pay fee at time of submitting NOI
New Owner/Operator of Existing Discharger - transfer of ownership and/or operation of a facility whose discharge is authorized under this permit	New Owner shall submit a new NOI no later than thirty (30) calendar days after the date that the transfer will take place to the new owner/operator.	The date specified in the DEC authorization letter.	New Owner pays fee upon reciept of invoice from DEC
Other Eligible Dischargers - in operation prior to March 31, 2020, but not covered under the 2015 MSGP or another APDES permit.	Immediately, to minimize the time discharges from the facility will continue to be unauthorized.	The date specified in the DEC authorization letter.	New Discharges pay fee at time of submitting NOI

Note:

1. Based on a review of the permittees NOI or other information, DEC may delay their authorization for further review, notify the permittee that additional effluent limitations or control measures are necessary, or may deny coverage under this permit and require submission of an application for an individual or other APDES general permit, as detailed in Part 2.8. In these instances, DEC will notify the permittee in writing of the delay, of the need for additional effluent limits or control measures, or of the request for submission of an individual APDES permit application.
2. If the permittee has missed the deadline to submit the NOI, any and all discharges from the industrial activities will continue to be unauthorized under the CWA until they are covered by this or a different APDES permit. DEC may take enforcement action for any unpermitted discharges that occur between the commencement of discharging and discharge authorization.
3. Discharges are not authorized if the NOI is incomplete or inaccurate or if the permittee was never eligible for permit coverage.

2.4 Date of Authorization to Begin Discharge.

An operator is authorized to discharge industrial storm water under the terms and conditions of this permit upon the date specified in the issuance of the DEC authorization letter, which is posted to the DEC's website (http://dec.alaska.gov/Applications/Water/WaterPermitSearch/Search.aspx). Once the authorization is granted by the Department the applicant is then considered a permittee covered by this permit.

2.5 Continuation of Expired General Permit.

2.5.1 If this permit is not reissued or replaced prior to the expiration date, it will be administratively continued in accordance with 18 AAC 83.155 and remain in force and effect for discharges that were covered prior to expiration. The permittee is required to abide by all limitations, monitoring, and reporting included herein if the permit enters administrative extension until such time a permit is reissued authorizing the discharge or an NOT is submitted by the permittee. If a permittee is authorized to discharge under this permit prior to the expiration date, any discharges authorized under this permit will automatically remain covered by this permit until the earliest of:

2.5.1.1 Authorization for coverage under a reissued permit or a replacement of this permit following a permittee's timely and appropriate submittal of a complete NOI requesting authorization to discharge under the new permit and compliance with the requirements of the new permit;

2.5.1.2 Submittal of a NOT;

2.5.1.3 Issuance or denial of an individual permit for the facility's discharges; or

2.5.1.4 A formal decision by DEC not to reissue this general permit or not cover a particular discharger previously covered by the general permit, at which time DEC will identify a reasonable time period for covered dischargers to seek coverage under an alternative general permit or an individual permit. Coverage under this permit will cease at the end of this time period.

2.5.2 Any permittee with a discharge covered under the 2015 MSGP that the Department determines shall transition to a different APDES permit for that discharge that filed a timely and complete NOI and was granted administrative extension of the 2015 MSGP, the administrative extension (i.e., continued permit coverage) from the 2015 MSGP survives the effective date of the 2020 MSGP until the facility receives coverage under the new APDES permit.

2.6 Permit Compliance.

Any noncompliance with any of the requirements of this permit constitutes a violation of the CWA. As detailed in Part 8 (Corrective Actions) of this permit, failure to take any required corrective actions constitute an independent, additional violation of this permit and the CWA. Any actions and time periods specified for remedying noncompliance do not absolve parties of the initial underlying noncompliance. Where corrective action is triggered by an event that does not itself constitute permit noncompliance, such as an exceedance of an applicable benchmark, there is no permit violation provided the permittee takes the required corrective action within the relevant deadlines established in Part 8.3.

2.7 Submittal of Modification to Original NOI.

2.7.1 For an existing permittee, if any of the information supplied on the NOI form changes such as name of receiving waterbody, acreage of industrial area exposed to storm water, addition or deletion of industrial sectors, and facility contact information, the permittee must submit an NOI Modification form within thirty (30) calendar days after the change. See Appendix F for the modification form.

2.7.2 At facilities where there is a transfer of ownership and/or a new operator takes over operational control at an existing facility the new operator shall submit an NOI no later than thirty (30) calendar days after a change in owner/operator. The previous owner/operator must submit a NOT no later than thirty (30) calendar days after DEC authorization of the new operator. The new operator does not need to pay a permit authorization fee if the facility has paid for the year in which the transfer occurs.

2.8 Alternative Permits.

2.8.1 **DEC Requiring Coverage under an Alternative Permit**.
DEC may require a permittee to apply for and/or obtain authorization to discharge under an alternative permit, i.e., either an individual APDES permit or an alternative APDES general permit in accordance with 40 CFR 122.64 and 124.5. Any interested person may petition DEC to take action under this paragraph. If DEC requires the permittee to apply for an alternative APDES permit, DEC will notify the permittee in writing that a permit application is required. This notification will include a brief statement of the reasons for this decision and will contain alternative permit application requirements, including deadlines for completing the application.

In addition, if the permittee is an existing discharger authorized to discharge under this permit, the notice will set a deadline to file the permit application, and will include a statement that on the effective date of the individual APDES permit, or the alternative general permit as it applies to the permittee, coverage under this general permit will terminate. DEC may grant additional time to submit the application if the permittee requests it. If the permittee is covered under this permit and fails to submit an alternative APDES permit application as required by DEC, then the applicability of this permit to the permittee is terminated at the end of the day specified by DEC as the deadline for application submittal. DEC may take appropriate enforcement action for any unpermitted discharge.

2.8.2 **Permittee Requesting Coverage under an Alternative Permit**.
A permittee may request to be excluded from coverage under this general permit by applying for an individual permit. In such a case, the permittee must submit an individual permit application in accordance with the requirements of 18 AAC 83.305 – 83.385 with reasons supporting the request, to DEC at the address listed in Part 9.6 of this permit. The request may be granted by issuance of an individual permit or authorization of coverage under an alternative general permit if the permittees reasons are adequate to support the request.

When an individual APDES permit is issued to a permittee or a permittee is authorized to discharge under an alternative APDES general permit, the permittees authorization to discharge under this permit is terminated on the effective date of the individual permit or the date of authorization of coverage under the alternative general permit.

3. Compliance with Standards and Limits.

3.1 Requirements for all Facilities.

3.1.1 A permittee must select, install, implement, and maintain control measures (described in Part 4) at the facility that minimize pollutants in the discharge as necessary to meet WQS (18 AAC 70). A permittee must comply with all permit conditions with respect to installation and maintenance of control measures, inspections, monitoring, corrective actions, reporting, and recordkeeping.

3.1.2 In general, except in situations explained in part 3.1.3, the storm water controls planned, developed, implemented, maintained, and updated by the permittee that are consistent with the provisions of Parts 3 through 9 and Part 11 are considered to meet the requirements of this permit to ensure that the discharges do not cause or contribute to an excursion above any WQS (18 AAC 70).

3.1.3 At any time after authorization, upon a DEC determination that the permittee's storm water discharges will cause, have a reasonable potential to cause, or contribute to an excursion above any WQS, DEC may require the permittee to:

3.1.3.1 Take corrective actions and modify storm water controls in accordance with Part 8 to adequately address the identified water quality concerns;

3.1.3.2 Submit valid and verifiable data and information that are representative of ambient conditions and indicate that the receiving water is attaining WQS; or

3.1.3.3 Minimize discharges of storm water from the facility or activity, implement corrective actions, and submit an individual permit application in accordance with Part 2.8.

3.1.4 All written responses required under Part 3.1 must include a signed certification consistent with Appendix A, Part 1.12.

3.2 Water Quality-Based Effluent Limitations.

3.2.1 **Water Quality Standards (WQS).**

3.2.1.1 A permittee's discharge must be controlled as necessary to meet a WQS (18 AAC 70) in relation to the pollutants of concern.

3.2.1.2 DEC expects that compliance with the other conditions in this permit will control discharges as necessary to meet a WQS. If at any time the permittee becomes aware, or DEC determines, that the permittee's discharge causes or contributes to an exceedance of a WQS in the receiving water, the permittee must:

- Take corrective action as required in Part 8.1;
- Document the corrective actions as required in Parts 8.4 and 5.8; and
- Report the corrective actions to DEC as required in Part 9.2.

3.2.1.3 Additionally, DEC may impose additional permit stipulations on a site-specific basis, or require the permittee to obtain coverage under an individual permit, if information in a permittees NOI, required reports, or from other sources indicates that their discharges are not controlled as necessary to meet a WQS in the receiving water.

3.2.2 **Discharges to Water Quality Impaired Waters**.[4]

3.2.2.1 ***Existing Discharge to an Impaired Water with an EPA Approved or Established TMDL.*** If the permittee discharges to an impaired water with an EPA approved or established TMDL, DEC will inform the permittee if any additional limits or controls are necessary for their discharge to be consistent with the assumptions of any available wasteload allocation in the TMDL, or if coverage under an individual permit is necessary in accordance with Part 2.8.1.

3.2.2.2 ***Existing Discharge to an Impaired Water without an EPA Approved or Established TMDL***. If the permittee discharges to an impaired water without an EPA approved or established TMDL, they are required to comply with Part 3.2.1 and the monitoring requirement of Part 7.2.3. Note that this provision also applies to situations where DEC determines that the permittees discharge is not controlled as necessary to meet WQS in a downstream water segment, even if their discharge is to a receiving water that is not specifically identified on a Section 303(d) list.

3.2.2.3 ***New Discharge to an Impaired Water***. If a permittees authorization to discharge under this permit relied on Part 1.2.4.6 for a new discharge to an impaired water, the permittee must implement and maintain any control measures or conditions at the facility that enabled the permittee to become eligible under Part 1.2.4.6, and modify such measures or conditions as necessary pursuant to any Part 5 corrective actions. The permittee is also required to comply with Part 3.2.1 and the monitoring requirements of Parts 7.2.3.

[4] The project will be considered to discharge to an impaired water if the first water of the U.S. to which the discharge enters is identified by the Department pursuant to Section 303(d) of the CWA as not meeting an WQS, 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 the discharge is the waterbody that receives the stormwater discharge from the storm sewer system.

4. Control Measures.

A permittee must select, design, install, and implement control measures (including best management practices) to address the selection and design considerations in Part 4.1, meet the non-numeric effluent limits in Part 4.2, and meet limits contained in applicable effluent limitations guidelines in Part 4.3. The selection, design, installation, and implementation of these control measures must be in accordance with good engineering practices and manufacturer's specifications. Note that the permittee may deviate from such manufacturer's specifications where the permittee provides justification for such deviation and includes documentation of their rationale in the part of the SWPPP that describes the permittees control measures, consistent with Part 5.2.5. If the permittee finds that their control measures are not achieving their intended effect of minimizing pollutant discharges, the permittee must modify these control measures in accordance with the corrective action requirements set forth in Part 8. Regulated storm water discharges from the permittees facility include storm water run-on that commingles with storm water discharges associated with industrial activity at the permittees facility.

In the technology-based limits included in Part 4.2 and in Part 11, the term "minimize" means reduce and/or eliminate to the extent achievable using control measures (including best management practices) that are technologically available and economically practicable and achievable in light of best industry practice.

4.1 Control Measure Selection and Design Considerations.

A permittee must use the following considerations when selecting and designing control measures:

- Preventing storm water from coming into contact with polluting materials is generally more effective, and less costly, than trying to remove pollutants from storm water;
- Using control measures in combination is more effective than using control measures in isolation for minimizing pollutants in the storm water discharge;
- Using technologically available and economically practicable and achievable in light of best industry practice;
- Assessing the type and quantity of pollutants, including their potential to impact receiving water quality, is critical to designing effective control measures that will achieve the limits in this permit;
- Minimizing impervious areas at the permittees facility and infiltrating runoff onsite (including bioretention cells, green roofs, and pervious pavement, among other approaches) can reduce runoff and improve groundwater recharge and stream base flows in local streams, although care must be taken to avoid ground water contamination;
- Attenuating flow using open vegetated swales and natural depressions can reduce in-stream impacts of erosive flows;

- Conserving and/or restoring of riparian buffers will help protect streams from storm water runoff and improve water quality; and
- Using treatment interceptors (e.g., swirl separators and sand filters) may be appropriate in some instances to minimize the discharge of pollutants.

4.2 Non-Numeric Technology-Based Effluent Limits.

In addition to complying with the non-numeric technology-based effluent limits in Part 11, the permittee must also:

4.2.1 **Minimize Exposure**.

A permittee must evaluate the facility regarding exposure of manufacturing, processing, and material storage areas (including loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations) to rain, snow, snowmelt, and runoff and minimize exposure by either locating these industrial materials and activities inside or protecting them with storm resistant coverings (although significant enlargement of impervious surface area is not recommended). In minimizing exposure, the permittee should pay particular attention to the following:

- Use grading, berming, or curbing to prevent runoff of contaminated flows and divert run-on away from these areas;
- Locate materials, equipment, and activities so that leaks are contained in existing containment and diversion systems (confine the storage of leaky or leak-prone vehicles and equipment awaiting maintenance to protected areas);
- Clean up spills and leaks promptly using dry methods (e.g., absorbents) to prevent the discharge of pollutants;
- Use drip pans and absorbents under or around leaky vehicles and equipment or store indoors where feasible;
- Use spill/overflow protection equipment;
- Drain fluids from equipment and vehicles that will be decommissioned or will remain unused for extended periods of time;
- Perform all cleaning operations indoors, under cover, or in bermed areas that prevent runoff and run-on and also that capture any overspray; and
- Ensure that all washwater, with the exception of discharges from pavement wash water and routine building washdown described in Part 1.2.3 drains to a sanitary sewer, sump, or other proper collection system (i.e., not the storm water drainage system).

The discharge of vehicle and equipment washwater, including tank cleaning operations, is not authorized by this permit. These wastewaters must be covered under a separate APDES permit, discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements, or disposed of otherwise in accordance with applicable law.

4.2.2 **Good Housekeeping**. A permittee must keep clean all exposed areas that are potential sources of pollutants, including but not limited to: using such measures as sweeping at regular intervals, keeping materials orderly and labeled, keeping all dumpster lids closed when not in use, and storing materials in appropriate containers.

4.2.3 **Maintenance**. A permittee must regularly inspect, test, maintain, and repair all industrial equipment and systems to avoid situations that may result in leaks, spills, and other releases of pollutants in storm water discharged to receiving waters. This includes performing inspections and preventive maintainance of storm water control measures and cleaning catch basins when the depth of debris reaches one-half (1/2) of the sump depth and keeping the debris surface at least six inches below the lowest outlet pipe. The permittee must maintain all control measures that are used to achieve the effluent limits required by this permit in effective operating condition. Record of routine maintainance to be kept onsite and made available upon request (it does not need to be stored with the SWPPP). Nonstructural control measures must also be diligently maintained (e.g., spill response supplies available, personnel appropriately trained). If the permittee finds that their control measures need to be replaced or repaired, the permittee must make the necessary repairs or modifications within 14 days or as expeditiously as practicable.

4.2.4 **Spill Prevention and Response Procedures**. A permittee must minimize the potential for leaks, spills and other releases that may be exposed to storm water and develop plans for effective response to such spills if or when they occur. At a minimum, the permittee must implement:

4.2.4.1 Procedures for plainly labeling containers (e.g., “Used Oil,” “Spent Solvents,” “Fertilizers and Pesticides,” etc.) that could be susceptible to spillage or leakage to encourage proper handling and facilitate rapid response if spills or leaks occur;

4.2.4.2 Procedures for material storage and handling, including the use of secondary containment and barriers between material storage and traffic areas, or a similarly effective means designed to prevent the discharge of pollutants from these areas;

4.2.4.3 Procedures for expeditiously stopping, containing, and cleaning up leaks, spills, and other releases. Employees who may cause, detect, or respond to a spill or leak must be trained in these procedures and have necessary spill response equipment available. If possible, one of these individuals should be a member of the permittees storm water pollution prevention team (see Part 5.1.1); and

4.2.4.4 Procedures for notification of appropriate facility personnel, emergency response agencies, and regulatory agencies. Where a leak, spill, or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under either 40 CFR Part 110, 40 CFR Part 117, 40 CFR Part 302, AS 75.300 and 18 AAC 75 Article 3 occurs, the permittee must notify the National Response Center (NRC) at (800) 424-8802. During normal business hours call the nearest DEC Area Response Team Office – Southeast (Juneau) 465-5340; Central (Anchorage) 269-3063; or Northern (Fairbanks) 451-2121. Outside of normal business hours, the permittee must call (800) 478-9300 as soon as the permittee has knowledge of the discharge. State or local requirements may necessitate reporting spills or discharges to local emergency response, public health, or drinking water supply agencies. Contact information must be posted, where practicable, in locations that are readily accessible and available.

4.2.4.5 The permittee must provide a description of the release, the circumstances leading to the release, and the date of the release to the nearest DEC Area Response Team Office, in accordance to AS 75.300 (See Part 4.2.4.4). The permittee must also implement measures to prevent the reoccurrence of such releases and to respond to such releases.

4.2.5 **Erosion and Sediment Controls**. A permittee must stabilize exposed areas and contain runoff using structural and/or non-structural control measures to minimize onsite erosion and sedimentation, and the resulting discharge of pollutants. Among other actions the permittee must take to meet this limit, the permittee must place flow velocity dissipation devices at discharge locations and within outfall channels where necessary to reduce erosion and/or settle out pollutants. In selecting, designing, installing, and implementing appropriate control measures, the permittee is encouraged to consult with EPA's internet-based resources relating to BMPs for erosion and sedimentation, including the sector-specific Industrial Stormwater Fact Sheet Series, (https://www.epa.gov/npdes/final-2015-msgp-documents), National Menu of Stormwater BMPs (https://www.epa.gov/npdes/national-menu-best-management-practices-bmps-stormwater#edu), and National Management Measures to Control Nonpoint Source Pollution from Urban Areas (https://www.epa.gov/nps/urban-runoff-national-management-measures), and any similar State or Tribal publications such as the Alaska Storm Water guide (http://dec.alaska.gov/water/wastewater/stormwater/guidance/) and the Best Management Practices Manual for Gravel Quarries found at http://dec.alaska.gov/water/wastewater/stormwater/gravel/ .

4.2.6 **Management of Runoff**. A permittee must divert, infiltrate, reuse, contain, or otherwise reduce storm water runoff, to minimize pollutants in their discharges. In selecting, designing, installing, and implementing appropriate control measures, permittees are encouraged to consult with EPA's internet-based resources relating to runoff management, including the sector-specific Industrial Storm Water Fact Sheet Series, (https://www.epa.gov/npdes/stormwater-discharges-industrial-activities#factsheet), National Menu of Storm Water BMPs (https://www.epa.gov/npdes/national-menu-best-management-practices-bmps-stormwater#edu), and National Management Measures to Control Nonpoint Source Pollution from Urban Areas (https://www.epa.gov/nps/urban-runoff-national-management-measures), and any similar State or Tribal publications.

4.2.7 **Salt Storage Piles or Piles Containing Salt**. A permittee must enclose or cover storage piles of salt, or piles containing salt, used for deicing or other commercial or industrial purposes, including maintenance of paved surfaces. A permittee must also implement appropriate measures (e.g., good housekeeping, diversions, containment) to minimize exposure resulting from adding to or removing materials from the pile.

4.2.8 **Sector Specific Technology-Based Effluent Limits**. A permittee must achieve any additional non-numeric limits stipulated in the relevant sector-specific section(s) of Part 11.

4.2.9 **Employee Training**. A permittee must train all employees who work in areas where industrial materials or activities are exposed to storm water, or who are responsible for implementing activities necessary to meet the conditions of this permit (e.g., inspectors, maintenance personnel), including all members of the permitttee's Pollution Prevention Team. Training must cover both the specific control measures used to achieve the effluent limits in this Part, and monitoring, inspection, planning, reporting, and documentation requirements in other parts of this permit. Training shall be conducted at least annually (or more often if employee turnover is high) and documented in the SWPPP (See Part 5.8.5).

4.2.10 **Non-Storm Water Discharges**. A permittee must eliminate non-storm water discharges not authorized by an APDES permit. See Part 1.2.3 for a list of non-storm water discharges authorized by this permit.

4.2.11 **Waste, Garbage and Floatable Debris**. A permittee must ensure that waste, garbage, and floatable debris are not discharged to receiving waters by keeping exposed areas free of such materials or by intercepting them before they are discharged.

4.2.12 **Dust Generation and Vehicle Tracking of Industrial Materials**. A permittee must minimize generation of dust and off-site tracking of raw, final, or waste materials. Appropriate BMPs to minimize tracking include the establishment of stabilized access and exit points.

4.3 Numeric Effluent Limitations Based on Effluent Limitations Guidelines.

If the permittee is in an industrial category subject to one of the effluent limitations guidelines identified in Table 7-1 (see Part 7.2.2.1), the permittee must meet the effluent limits referenced in Table 4-1 below:

Table 4-1: Applicable Effluent Limitations Guidelines

Regulated Activity	40 CFR Part/Subpart	Effluent Limit
Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas	Part 429, Subpart I	See Part 11.A.7
Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished product, by-products or waste products (SIC 2874)	Part 418, Subpart A	See Part 11.C.4
Runoff from asphalt emulsion facilities	Part 443, Subpart A	See Part 11.D.4
Runoff from material storage piles at cement manufacturing facilities	Part 411, Subpart C	See Part 11.E.5
Mine dewatering discharges at crushed stone, construction sand and gravel, or industrial sand mining facilities	Part 436, Subparts B, C, or D	See Part 11.J.9
Runoff from hazardous waste landfills	Part 445, Subpart A	See Part 11.K.6
Runoff from non-hazardous waste landfills	Part 445, Subpart B	See Part 11.L.10
Runoff from coal storage piles at steam electric generating facilities	Part 423	See Part 11.O.8
Existing and new primary airports with 1,000 or more annual jet departures that discharge wastewater associated with airfield pavement deicing that contains urea commingled with stormwater	Part 449	See Part 11.S.9

4.4 Plan Approval for Nondomestic Wastewater Treatment Works.

For all new facilities operators who construct, install or operate any part of a nondomestic wastewater treatment works shall submit a copy of the engineering plans to DEC for review at the address in Part 9.6, and pay an engineering plan review fee (see 18 AAC 72.600 and 18 AAC 72.955). Engineering plan approval must be obtained from DEC prior to construction. Nondomestic wastewater includes storm water runoff. All permanent storm water treatment devices shall receive engineering plan approval per 18 AAC 72.600. (For the purposes of Part 4.4 "permanent storm water treatment device" means a treatment device with a design life longer than two years.)

4.5 Projects near a Public Water System (PWS)

4.5.1 Where the facility intersects a PWS drinking water protection area (DWPA) (see Part 5.2.3.3), notify the PWS contact. PWS contact information can be obtained using the online application, Drinking Water Watch, http://dec.alaska.gov:8080/DWW by entering the appropriate 6-digit PWS ID (e.g., 225025).

4.5.2 Within the identified DWPA, restrict project activities that could significantly change the natural surface water drainage or groundwater gradient.

4.5.3 Immediately notify the nearby PWS of any identified potential contamination, such as reportable spills or excess erosion that intersects their PWS drinking water protection area.

5. Storm Water Pollution Prevention Plan (SWPPP).

A permittee must prepare a SWPPP for their facility before submitting their Notice of Intent (NOI) for permit coverage. If a permittee prepared a SWPPP for coverage under a previous APDES permit, the permittee must review and update the SWPPP to implement all provisions of this permit prior to submitting their NOI. The SWPPP does not contain effluent limitations; the limitations are contained in Part 4 of the permit, and for some sectors, Parts 11 of the permit. The SWPPP is intended to document the selection, design, and installation of control measures. As distinct from the SWPPP, the additional documentation requirements (see Part 5.8) are intended to document the implementation (including inspection, maintenance, monitoring, and corrective action) of the permit requirements.

5.1 Storm Water Pollution Prevention Plan (SWPPP).

For coverage under this permit, the SWPPP must contain all of the following elements:

5.1.1 Storm water pollution prevention team (see Part 5.2.2);

5.1.2 Site description (see Part 5.2.3);

5.1.3 Summary of potential pollutant sources (see Part 5.2.4);

5.1.4 Description of control measures (see Part 5.2.5);

5.1.5 Schedules and procedures (see Part 5.2.6); and

5.1.6 Signature requirements (see Part 5.2.7).

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

5.2 Contents of the SWPPP.

5.2.1 **Permittee.**
Identify the permittee for the facility.

5.2.2 **Storm Water Pollution Prevention Team**.
Identify the staff members (by name or title) that comprise the facility's storm water pollution prevention team as well as their individual responsibilities. The storm water pollution prevention team is responsible for assisting the facility manager in developing and revising the facility's SWPPP as well as maintaining control measures and taking corrective actions where required. Each member of the storm water pollution prevention team must have ready

access to either an electronic or paper copy of applicable portions of this permit and the SWPPP.

5.2.3 **Site Description**.
The SWPPP must include the following:

5.2.3.1 **Activities at the Facility**. Provide a description of the nature of the industrial activities at the facility.

5.2.3.2 **General location map**. Provide a general location map (e.g., U.S. Geological Survey (USGS) quadrangle map) with enough detail to identify the location of the facility and all receiving waters for the storm water discharges.

5.2.3.3 **Site map**. Provide a map showing:

- the size of the property in acres;
- the boundaries of the facility or activity;
- the location and extent of significant structures and impervious surfaces;
- directions of storm water flow (use arrows);
- locations of all existing structural control measures;
- locations of all receiving waters (including wetlands) in the immediate vicinity of the permittees facility, indicating if any of the waters are impaired and, if so, whether the waters have TMDLs established for them;
- locations of all storm water conveyances including ditches, pipes, and swales;
- locations of potential pollutant sources identified under Part 5.2.4.2;
- locations where significant spills or leaks identified under Part 5.2.4.3 have occurred;
- locations of all storm water monitoring points;
- locations of storm water inlets and outfalls, with a unique identification code for each outfall (e.g., Outfall No. 1, No. 2, etc), indicating if permittees are treating one or more outfalls as "substantially identical" under Parts 6.2.3, 5.2.6.2, and 7.1.1, and an approximate outline of the areas draining to each outfall;
- areas of designated critical habitat for endangered or threatened species located within 2,000 feet, if applicable;
- municipal separate storm sewer systems, where the facilities storm water discharges to them;
- locations and descriptions of all non-storm water discharges identified under Part 4.2.10;
- Location of existing public water system (PWS) drinking water protection areas (DWPA) for PWS sources (e.g. springs, wells, or surface water intakes) that intersect the boundary of the proposed project/permit area. The DWPAs can be found using the

interactive web map application, "*Alaska DEC Drinking Water Protection Areas*", located at http://dec.alaska.gov/das/GIS/apps.htm ;

- locations of the following activities where such activities are exposed to precipitation:
  - fueling stations;
  - vehicle and equipment maintenance and/or cleaning areas;
  - loading/unloading areas;
  - locations used for the treatment, storage, or disposal of wastes;
  - liquid storage tanks;
  - processing and storage areas;
  - immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility;
  - transfer areas for substances in bulk; and
  - machinery; and
- locations and sources of run-on to the facility from adjacent property that contains significant quantities of pollutants.

5.2.4 **Summary of Potential Pollutant Sources**.

A permittee must document areas at their facility where industrial materials or activities are exposed to storm water and from which allowable non-storm water discharges are released. Industrial materials or activities include, but are not limited to: material handling equipment or activities; industrial machinery; raw materials; industrial production and processes; and intermediate products, by-products, final products, and waste products. Material handling activities include, but are not limited to: the storage, loading and unloading, transportation, disposal, or conveyance of any raw material, intermediate product, final product or waste product. For each area identified, the description must include:

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

5.2.4.2 Pollutants. A list of the pollutant(s) or pollutant constituents (e.g., crankcase oil, zinc, sulfuric acid, and cleaning solvents) associated with each identified activity, which could be exposed to rainfall or snowmelt and could be discharged from the facility. The pollutant list must include all significant materials that have been handled, treated, stored, or disposed, and that have been exposed to storm water in the three years prior to the date the permittee prepared or amended the SWPPP.

5.2.4.3 ***Spills and Leaks.*** A permittee must document where potential spills and leaks could occur that could contribute pollutants to storm water discharges, and the corresponding outfall(s) that would be affected by such spills and leaks. The permittee must document all significant spills and leaks[5] of oil or toxic or hazardous pollutants that occurred in the three years prior to the date the permittee prepared the SWPPP for this permit term. Specifically, include spills or leaks that occurred in areas exposed to storm water or that drained to a storm water conveyance. The spill or leak history must be maintained in the SWPPP throughout this permit term. The permit term goes from the permit effective date to the permit expiration date.

5.2.4.4 ***Non-Storm Water Discharges.*** A permittee must document that they have evaluated for the presence of non-storm water discharges and that all unauthorized discharges have been eliminated. Documentation of the evaluation must include:

- The date of any evaluation;
- A description of the evaluation criteria used;
- A list of the outfalls or onsite drainage points that were directly observed during the evaluation;
- The different types of non-storm water discharge(s) and source locations; and
- The action(s) taken, such as a list of control measures used to eliminate unauthorized discharge(s), if any were identified. For example, a floor drain was sealed, a sink drain was re-routed to sanitary, or an APDES permit application was submitted for an unauthorized cooling water discharge.

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

5.2.4.6 ***Sampling Data***. A permittee must summarize all storm water discharge sampling data collected at their facility during the previous permit term. The summary shall include a narrative description (and may include data tables/figures) that adequately summarizes the collected sampling data to support identification of potential pollution sources at the facility.

[5] Significant spills and leaks include, but are not limited to, releases of oil or hazardous substances in excess of quantities that are reportable under CWA Section 311 (see 40 CFR 110.6 and 40 CFR 117.21) or Section 102 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 USC §9602. This permit does not relieve the permittee of the reporting requirements of 40 CFR 110, 40 CFR 117, 40 CFR 302, Alaska Statute 46.04 and Section 18 AAC Chapter 75 (i.e. 18 AAC 75.300) relating to spills or other releases of oils or hazardous substances. (See 4.2.4)

5.2.5 **Description of Control Measures**.

5.2.5.1 ***Control Measures to Meet Technology-Based and Water Quality-Based Effluent Limits***. A permittee must document the location and type of control measures installed and implemented at the facility to achieve the non-numeric effluent limits in Part 4.2, and where applicable in Part 11, the effluent limitations guidelines-based limits in Part 4.3, the water quality-based effluent limits in Part 3.2, and describe how the permittee addressed the control measure selection and design considerations in Part 4.1. This documentation must describe how the control measures at the facility address both the pollutant sources identified in Part 5.2.4, and any storm water run-on that commingles with any discharges covered under this permit.

5.2.6 **Schedules and Procedures.**

5.2.6.1 ***Pertaining to Control Measures Used to Comply with the Effluent Limits in Part 4***. The following must be documented in the SWPPP:

- *Good Housekeeping* (See Part 4.2.2) – A schedule for regular pickup and disposal of waste materials, along with routine inspections for leaks and conditions of drums, tanks and containers;

- *Maintenance* (See Part 4.2.3) – Preventative maintenance procedures, including regular inspections, testing, maintenance, and repair of all industrial equipment and systems, and control measures, to avoid situations that may result in leaks, spills, and other releases, and any back-up practices in place should a runoff event occur while a control measure is off-line. The SWPPP shall include the schedule or frequency for maintaining all control measures used to comply with the effluent limits in Part 4;

- *Spill Prevention and Response Procedures* (See Part 4.2.4) – Procedures for preventing and responding to spills and leaks. The permittee may reference the existence of other plans for Spill Prevention Control and Countermeasure (SPCC) developed for the facility under Section 311 of the CWA or BMP programs otherwise required by an APDES permit for the facility, provided that the permittee keeps a copy of that other plan onsite and makes it available for review consistent with Part 5.7; and

- *Employee Training* (Part 4.2.9) – The elements of the employee training plan shall include, but not be limited to, the requirements set forth in Part 4.2.9 and also the following:

    - The content of the training to include site, facility and sector-specifc details;

- The frequency/schedule of training for employees who work in areas where industrial materials or activities are exposed to storm water, or who are responsible for implementing activities necessary to meet the conditions of this permit; and
- A log of the dates on which specific employees received training (to be maintained in the SWPPP)

5.2.6.2 ***Pertaining to Monitoring and Inspection***. A permittee must document in the SWPPP procedures for conducting the four types of analytical monitoring specified by this permit, where applicable to the facility, including:

- Benchmark monitoring (see Part 7.2.1);
- Effluent limitations guidelines monitoring (see Part 7.2.2);
- Impaired waters monitoring (see Part 7.2.3); and
- Other monitoring as required by DEC (see Part 7.2.4).

For each type of monitoring, the SWPPP must document:

- Locations where samples are collected, including any determination that two or more outfalls are substantially identical;
- Parameters for sampling and the frequency of sampling for each parameter;
- Schedules for monitoring at the facility, including schedule for alternate monitoring periods for climates with irregular storm water runoff (see Part 7.1.6);
- Any numeric control values (benchmarks, effluent limitations guidelines, TMDL-related requirements, or other requirements) applicable to discharges from each outfall; and
- Procedures (e.g., responsible staff, logistics, laboratory to be used, etc.) for gathering storm event data, as specified in Part 7.1.
- If a permittee is invoking the exception for inactive and unstaffed sites for benchmark monitoring, the permittee must include in the SWPPP the information to support this claim as required by Part 7.2.1.6.

A permittee must document the following in the SWPPP if they plan to use the substantially identical outfall exception for quarterly visual assessment requirements in Part 6.2 or benchmark monitoring requirements in Part 7.2.1:

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

A permittee must document in the SWPPP their procedures for performing, as appropriate, the three types of inspections specified by this permit, including:

- Routine facility inspections (see Part 6.1);
- Quarterly visual assessment of storm water discharges (see Part 6.2); and
- Comprehensive site inspections (see Part 6.3).

For each type of inspection performed, the SWPPP must identify:

- Person(s) or positions of person(s) responsible for inspection;
- Schedules for conducting inspections, including tentative schedule for facilities in climates with irregular storm water runoff discharges (see Part 6.2.3); and
- Specific items to be covered by the inspection, including schedules for specific outfalls.

If the permittee is invoking the exception for inactive and unstaffed sites relating to routine facility inspections and quarterly visual assessments, the permittee must include in the SWPPP the information to support this claim as required by Parts 6.1.3and 6.2.3.

5.2.7 **Signature Requirements.**

A permittee must sign and date the SWPPP in accordance with Appendix A, Subsection 1.12, including the date of signature.

5.3 Inspections.

5.3.1 The SWPPP must document the procedures for performing facility inspections specified by this permit in Part 6, and where necessary, taking corrective actions, in accordance with Part 8. At a minimum the SWPPP must document the following:

5.3.1.1 Person(s) or position of person(s) responsible for conducting facility inspections;

5.3.1.2 Schedules to be followed for conducting inspections;

5.3.1.3 Any inspection checklist or form that will be used; and

5.3.1.4 How conditions that require corrective action will be addressed.

5.3.2 A record of each inspection and of any corrective actions taken in accordance with Parts 6 and 8 must be retained with the SWPPP for at least three (3) years from the date permit coverage expires or is terminated.

5.3.3 If a permittee is invoking the exception for inactive and unstaffed sites relating to routine facility inspections and quarterly visual assessments, the permittee must include in the SWPPP the information to support this claim as required by Parts 6.1.3 and 6.2.3.

5.4 Monitoring.

5.4.1 The SWPPP must document the procedures for performing facility monitoring specified by this permit in Part 7, and where necessary, taking corrective actions, in accordance with Part 8. At a minimum, the SWPPP must document the following:

5.4.1.1 Person(s) or position of person(s) responsible for conducting facility monitoring;

5.4.1.2 Schedules to be followed for conducting monitoring;

5.4.1.3 Any monitoring checklist or form that will be used; and

5.4.1.4 How conditions that require corrective action will be addressed.

5.4.2 A record of each monitoring event and of any corrective actions taken in accordance with Parts 7 and 8 must be retained with the SWPPP for at least three (3) years from the date permit coverage expires or is terminated.

5.5 Documentation of Permit Eligibility Related to a Total Maximum Daily Load.

The SWPPP must include documentation supporting determination of permit eligibility with regards to waters that have an EPA-established or approved TMDL. See Part 3.2.2 for additional information to determine permit eligibility related to a TMDL. The SWPPP must include the following:

5.5.1 Identification of whether the discharge is identified, either specifically or generally, in an EPA – established or approved TMDL and any associated allocations, requirements, and assumptions identified for the discharge;

5.5.2 Summaries of consultation with state or federal TMDL authorities on consistency of SWPPP conditions with the approved TMDL; and

5.5.3 Measures taken by the permittee to ensure that the discharge of pollutants from the facility is consistent with the assumptions and requirements of the EPA – established or approved TMDL, including any specific wasteload or load allocation that has been established that would apply to the discharge.

5.6 Maintaining and Updated SWPPP.

5.6.1 A permittee must modify the SWPPP whenever necessary to address any of the triggering conditions for corrective action in Part 8.1 and to ensure that they do not reoccur, or to reflect changes implemented when a review following the triggering conditions in Part 8.2 indicates that changes to the control measures are necessary to meet the effluent limits in this permit. Changes to the SWPPP document must be made in accordance with the corrective action deadlines in Parts 8.3 and 8.4, and must be signed and dated in accordance with Appendix A, Subsection 1.12.

5.6.2 A permittee must modify the SWPPP if inspections or investigations by facility staff or by state, federal, local or tribal officials determine that SWPPP modifications are necessary for compliance with this permit.

5.6.3 A permittee must modify the SWPPP to reflect any revisions to applicable state, federal, local or tribal law or regulations that affect the control measures implemented at the facility.

5.6.4 A permittee must keep a log showing dates, name of person authorizing the change, and a brief summary of changes for all significant SWPPP modifications (e.g. adding a new control measure, changes in facility layout or design, or significant storm events that cause for replacement of control measures).

5.6.5 A permittee must amend the SWPPP within thirty (30) calendar days whenever there is a change in design, construction, operation, or maintenance, which has a significant effect on the potential for the discharge of pollutants to waters of the U.S., or if the SWPPP proves to be ineffective in eliminating or significantly minimizing pollutants from sources identified in the SWPPP, or in otherwise achieving the general objectives of controlling pollutants in storm water discharges associated with industrial activity. The SWPPP must be updated at least annually.

5.7 SWPPP Availability.

A permittee must retain a copy of the current complete SWPPP required by this permit at the facility, and it must be immediately available to DEC or EPA at the time of an onsite inspection or upon request.

If the facility is inactive the SWPPP must be retained at a readily available location or the office of the operator. DEC may provide access to portions of the SWPPP to a member of the public upon request. Confidential Business Information (CBI) may be withheld from the public, but may not be withheld from those staff cleared for CBI review within DEC, EPA, USFWS, or NMFS.

DEC will allow electronic storage and accessibility of the SWPPP and all documents (inspection reports, training records, DMRs, and all additional documentation required by Part 5.8) where facility infrastructure supports immediate access, as long as the following conditions are met:

5.7.1 All permit required signatures must be signed by the appropriate official in accordance with Appendix A, Part 1.12. If an electronic signature is used it must be a certified electronic signature;

5.7.2 Modifications to the SWPPP must be documented with dated revision pages;

5.7.3 ALL supporting documents (required by Part 5.8) must meet permit requirements; and

5.7.4 The electronic SWPPP and all supporting documents must be available for review by a DEC or EPA inspector during a facility Inspection.

DEC encourages permittees to post their SWPPP online and provide the website address on the NOI (the SWPPP does not need to be reposted on the internet each time it is updated).

5.8 Additional Documentation Requirements.

A permittee is required to keep up-to-date copies of the following inspection, monitoring, corrective action, additional documentation, and certification records with the SWPPP:

5.8.1 A copy of the NOI submitted to DEC along with any correspondence exchanged between the permittee and DEC specific to coverage under this permit;

5.8.2 A copy of the acknowledgment letter the permittee receives from DEC or eNOI system assigning the permittees permit tracking number;

5.8.3 A copy of this permit (an electronic copy easily available to SWPPP personnel is also acceptable);

5.8.4 Descriptions and dates of any incidences of significant spills, leaks, or other releases that resulted in discharges of pollutants to waters of the U.S., through storm water or otherwise; the circumstances leading to the release and actions taken in response to the release; and measures taken to prevent the recurrence of such releases (see Part 4.2.4);

5.8.5 Records of employee training, including date training received (see Part 4.2.9);

5.8.6 Documentation of maintenance and repairs of control measures, including the date(s) of regular maintenance, date(s) of discovery of areas in need of repair/replacement, and for repairs, date(s) that the control measure(s) returned to full function, and the justification for any extended maintenance/repair schedules (see Part 4.2.3);

5.8.7 Log of SWPPP modifications;

5.8.8 All inspection reports, including the Routine Facility Inspection Reports (see Part 6.1), the Quarterly Visual Assessment Reports (see Part 6.2), and the Comprehensive Site Inspection Reports (see Part 6.3);

5.8.9 Description of any deviations from the schedule for visual assessments and/or monitoring, and the reason for the deviations (e.g., adverse weather or it was impracticable to collect samples within the first 30 minutes of discharge from a measurable storm event) (see Parts 6.2.1, 7.1.4, and 7.2.1.2);

5.8.10 Description of any corrective action taken at the permittees site shall be listed in a corrective action log, including triggering event and dates when problems were discovered and modifications occurred (see Part 8.4);

5.8.11 Documentation of any benchmark exceedances and how they were responded to, including either (1) corrective action taken, (2) a finding that the exceedence was due to natural background pollutant levels, or (3) a finding that no further pollutant reductions were technologically available and economically practicable and achievable in light of best industry practice consistent with Part 7.2.1.2;

5.8.12 Documentation of any effluent limitation exceedances and how they were responded to, including any corrective action;

5.8.13 Documentation to support any determination that pollutants of concern are not expected to be present above natural background levels if the permittee discharges directly to impaired waters, and that such pollutants were not detected in their discharge or were solely attributable to natural background sources (see Part 7.2.3.2); and

5.8.14 Documentation to support the permittees claim that the permittees facility has changed its status from active to inactive and unstaffed with respect to the requirements to conduct routine facility inspections (see Part 6.1.3), quarterly visual assessments (see Part 6.2.3), and/or benchmark monitoring (see Part 7.2.1.6).

6. Inspections.

A permittee must conduct the inspections in Parts 6.1, 6.2, and 6.3 at their facility.

6.1 Routine Facility Inspections.

6.1.1 **Routine Facility Inspection Procedures**.

During normal facility operating hours, the permittee must conduct inspections of areas of the facility covered by the requirements in this permit, including the following:

- Areas where industrial materials or activities are exposed to storm water.
- Areas identified in the SWPPP and those that are potential pollutant sources (see Part 5.1.3).
- Areas where spills and leaks have occurred in the past 3 years.
- Discharge points.
- Control measures used to comply with the effluent limits contained in this permit.

Inspections must be conducted at least quarterly (i.e., once each permit quarter), or in some instances more frequently (e.g., monthlyfor facilities that operate seasonally), as appropriate. Increased frequency may be appropriate for some types of equipment, processes, and stormwater control measures, or areas of the facility with significant activities and materials exposed to stormwater. At least one of the routine inspections must be conducted during a period when a stormwater discharge is occurring (in arid areas of the state this requirement is to be met as practicable). The permittee must specify the relevant inspection schedules in their SWPPP document as required in Part 5.2.6.

Inspections must be performed by qualified personnel (as defined in Appendix C) with at least one member of the permittee's stormwater pollution prevention team participating. Inspector(s) must consider the results of visual and analytical monitoring (if any) for the past year when planning and conducting inspections.

During the inspection the inspectors must examine or look out for the following:

- Industrial materials, residue or trash that may have or could come into contact with stormwater.
- Leaks or spills from industrial equipment, drums, tanks, and other containers.
- Offsite tracking of industrial or waste materials, or sediment where vehicles enter or exit the site.
- Tracking or blowing of raw, final or waste materials from areas of no exposure to exposed areas.
- Control measures needing replacement, maintenance, or repair.

During an inspection occurring during a stormwater discharge, control measures implemented to comply with effluent limits must be observed to ensure they are functioning correctly. Discharge points must also be observed during this inspection. If such discharge locations are inaccessible, nearby downstream locations must be inspected.

6.1.2 **Routine Facility Inspection Documentation**.

A permittee must document the findings of each routine facility inspection performed and maintain this documentation onsite with the SWPPP as required in Part 5.8. The permittee is not required to submit their routine facility inspection findings to DEC, unless specifically requested to do so. At a minimum, the permittees documentation of each routine facility inspection must include:

- The inspection date and time;
- The name(s) and signature(s) of the inspector(s);
- Weather information;
- All observations relating to the implementation of control measures at the facility, including:
  - A description of any discharges occurring at the time of the inspection;
  - Any previously unidentified discharges of pollutants from the site;
  - Any evidence of, or the potential for, pollutants entering the drainage system;
  - Observations regarding the physical condition of and around all outfalls including any flow dissipation devices, and evidence of pollutants in discharges and/or the receiving water;
  - Any control measures needing maintenance, repairs; or replacement;
- Any additional control measures needed to comply with the permit requirements; and
- Any incidents of noncompliance observed.

The inspection report must be signed and certified in accordance with Appendix A, Subsection 1.12 of the permit.

Any corrective action required as a result of a routine facility inspection must be performed consistent with Part 8 of this permit.

6.1.3 **Exceptions to Routine Facility Inspections**.

Inactive and Unstaffed Sites: The requirement to conduct routine facility inspections on a quarterly basis does not apply at a facility that is inactive and unstaffed, as long as there are no industrial materials or activities exposed to storm water. Such a facility is only required to conduct an annual comprehensive site inspection in accordance with the requirements of Part 6.3. To invoke this exception, the permittee must maintain a statement in the SWPPP pursuant to Part 5.2.6.2 indicating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to precipitation, in accordance with the substantive requirements in 40 CFR 122.26(g)(4)(iii). The statement must be signed and certified in accordance with Appendix A, Subsection 1.12. If circumstances change and industrial materials or activities become exposed to storm water or the facility becomes active and/or staffed, this exception no longer applies and the permittee must immediately resume quarterly facility inspections. If the permittee is not qualified for this exception at the time of authorization under this permit, but during the permit term becomes qualified because their facility is inactive and unstaffed, and there are no industrial materials or activities that are

exposed to storm water, then the permittee must include the same signed and certified statement as above and retain it with the facility records pursuant to Part 5.8.

Inactive and unstaffed facilities or those undergoing winter shutdown covered under Sectors G (Metal Mining), H (Coal Mines and Coal Mining-Related Facilities), and J (Non-Metallic Mineral Mining and Dressing), are not required to meet the "no industrial materials or activities exposed to storm water" standard to be eligible for this exception from routine inspections, consistent with the requirements established in Parts 11.G.8.4, 11.H.8.1, and 11.J.8.1.

6.2 Quarterly Visual Assessment of Storm Water Discharges.

6.2.1 **Quarterly Visual Assessment Procedures**.

Once each calendar quarter for the entire permit term, the permittee must collect a storm water sample from each outfall (except as noted in Part 6.2.3) and conduct a visual assessment of each of these samples. These samples are not required to be collected consistent with 40 CFR Part 136 procedures but should be collected in such a manner that the samples are representative of the storm water discharge. If no discharge occurs during the quarterly visual assessment period, the permittee must still report no discharge for this monitoring period and follow the requirements of Part 7.1.6.

The visual assessment must be made:

- Of a sample in a clean, clear glass, or plastic container, and examined in a well-lit area;
- On samples collected within the first 30 minutes of an actual discharge from a measurable storm event. If it is not possible to collect the sample within the first 30 minutes of discharge, the sample must be collected as soon as practicable after the first 30 minutes. The permittee must document in the SWPPP why it was not possible to take samples within the first 30 minutes and document in the SWPPP their alternative method/order for collecting samples. In the case of snowmelt, samples must be taken during a period with a measurable discharge from the permittees site; and
- For storm events, on discharges that occur at least 72 hours (3 days) from the previous discharge. The 72-hour (3-day) storm interval does not apply if the permittee documents that less than a 72-hour (3-day) interval is representative for local storm events during the sampling period.

A permittee must visually inspect the sample for the following water quality characteristics:

- Color;
- Odor;
- Clarity (dimished);
- Floating solids;

- Settled solids;
- Suspended solids;
- Foam;
- Oil sheen; and
- Other obvious indicators of storm water pollution.

6.2.2 **Quarterly Visual Assessment Documentation**.
A permittee must document the results of their visual assessments and maintain this documentation onsite with the SWPPP as required in Part 6.2.3. The permittee is not required to submit their visual assessment findings to DEC, unless specifically requested to do so. At a minimum, the permittees documentation of the visual assessment must include:

- Sample location(s)
- Sample collection date and time, and visual assessment date and time for each sample;
- Personnel collecting the sample and performing visual assessment, and their signatures;
- Nature of the discharge (i.e., runoff or snowmelt);
- Results of observations of the storm water discharge;
- Photographs of sample and sample location;
- Probable sources of any observed storm water contamination, and
- If applicable, why it was not possible to take samples within the first 30 minutes.
- Quarterly Visual Assessment Documentation must be signed and certified in accordance with Appendix A, Subsection 1.12 of the permit.

Any corrective action required as a result of a quarterly visual assessment must be performed consistent with Part 8 of this permit.

6.2.3 **Exceptions to Quarterly Visual Assessments**.
Adverse Weather Conditions: When adverse weather conditions prevent the collection of samples during the quarter, the permittee must take a substitute sample during the next qualifying storm event. Documentation of the rationale for no visual assessment for the quarter must be included with the SWPPP records as described in Part 5.8. Adverse conditions are those that are dangerous or create inaccessibility for personnel, such as local flooding, high winds, or electrical storms, or situations that otherwise make sampling impractical, such as drought or extended frozen conditions.

Climates with Irregular Storm Water Runoff: If the facility is located in an area where limited rainfall occurs during many parts of the year (e.g., arid or semi-arid climate) or in an area where freezing conditions exist that prevent runoff from occurring for extended periods, then the samples for the quarterly visual assessments may be distributed during seasons when precipitation runoff occurs. (See Part 7.1.6)

Areas Subject to Snow: In areas subject to snow, at least one quarterly visual assessment must capture snowmelt discharge, as described in Part 7.1.3, taking into account the exception described above for climates with irregular storm water runoff.

Inactive and Unstaffed Sites: The requirement for a quarterly visual assessment does not apply at a facility that is inactive and unstaffed, as long as there are no industrial materials or activities exposed to storm water. To invoke this exception, the permittee must maintain a statement in the SWPPP as required in Part 5.2.6.2 indicating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to precipitation, in accordance with the substantive requirements in 40 CFR 122.26(g)(4)(iii). The statement must be signed and certified in accordance with Appendix A, Subsection 1.12. If circumstances change and industrial materials or activities become exposed to storm water or the facility becomes active and/or staffed, this exception no longer applies and the permittee must immediately resume quarterly visual assessments. If the permittee is not qualified for this exception at the time they are authorized under this permit, but during the permit term they become qualified because their facility is inactive and unstaffed, and there are no industrial materials or activities that are exposed to storm water, then the permittee must include the same signed and certified statement as above and retain it with their records pursuant to Part 5.8.

Inactive and unstaffed facilities covered under Sectors G (Metal Mining), H (Coal Mines and Coal Mining-Related Facilities), and J (Non-Metallic Mineral Mining and Dressing), are not required to meet the "no industrial materials or activities exposed to storm water" standard to be eligible for this exception from quarterly visual assessment, consistent with the requirements established in Parts 11.G.8.4, 11.H.8.1, and 11.J.8.1.

Substantially Identical Outfalls: If a permittees facility has two or more outfalls that discharge substantially identical effluents, as documented in Part 5.2.6.2, the permittee may conduct quarterly visual assessments of the discharge at just one of the outfalls and report that the results also apply to the substantially identical outfall(s) provided that the permittee performs visual assessments on a rotating basis of each substantially identical outfall throughout the period of coverage under this permit.

If storm water contamination is identified through visual assessment performed at a substantially identical outfall, the permittee must assess and modify their control measures as appropriate for each outfall represented by the monitored outfall.

6.3 Comprehensive Site Inspections.

6.3.1 **Comprehensive Site Inspection Procedures**.

A permittee must conduct annual comprehensive site inspections while covered under this permit. Annual, as defined in this Part, means once during each of the following inspection periods beginning with the period the permittee is authorized to discharge under this permit:

Year 1:	Permit Effective Date	–	December 31, 2020
Year 2:	January 1, 2021	–	December 31, 2021
Year 3:	January 1, 2022	–	December 31, 2022
Year 4:	January 1, 2023	–	December 31, 2023
Year 5:	January 1, 2024	–	December 31, 2024

A permittee is waived from having to perform a comprehensive site inspection for an inspection period, as defined above, if authorization to discharge is obtained less than three months before the end of that inspection period.

Should a permittees coverage be administratively continued after the expiration date of this permit, the permittee must continue to perform these inspections annually until they are no longer covered.

Comprehensive site inspections must be conducted by qualified personnel with at least one member of the storm water pollution prevention team participating in the comprehensive site inspections.

The comprehensive site inspections must cover all areas of the facility affected by the requirements in this permit, including the areas identified in the SWPPP as potential pollutant sources (see Part 5.2.4) where industrial materials or activities are exposed to storm water, any areas where control measures are used to comply with the effluent limits in Part 3, and areas where spills and leaks have occurred in the past 3 years. If the permittee has documented in the SWPPP that some industrial sector sites within the facility have no exposure to storm water the comprehensive site inspection should include those sector areas as well to verify no exposure still exists. The inspections must also include a review of monitoring data collected in accordance with Part 7.2. Inspectors must use the results of the past year's visual and analytical monitoring when planning and conducting inspections. Inspectors must examine the following:

- Industrial materials, residue, or trash that may have or could come into contact with storm water;
- Leaks or spills from industrial equipment, drums, tanks, and other containers;
- Offsite tracking of industrial or waste materials, or sediment where vehicles enter or exit the site;
- Tracking or blowing of raw, final, or waste materials from areas of no exposure to exposed areas; and
- Control measures needing replacement, maintenance, or repair.

Storm water control measures required by this permit must be observed to ensure that they are functioning correctly. If discharge locations are inaccessible, nearby downstream locations must be inspected.

The annual comprehensive site inspection may also be used as one of the routine inspections, as long as all components of both types of inspections are included.

6.3.2 **Comprehensive Site Inspection Documentation**.
A permittee must document the findings of each comprehensive site inspection and maintain this documentation onsite with the SWPPP as required in Part 5.8. In addition, the permittee must submit this documentation in an annual report as required in Part 9.2. At a minimum, the permittees documentation of the comprehensive site inspection must include (see the Annual Reporting Form included in Appendix F):

- The date of the inspection;
- The name(s) and title(s) of the personnel making the inspection;
- Findings from the examination of areas of the facility identified in Part 6.3.1 including inspections of the individual industrial sectors within a facility under a single permit which have been noted as having no exposure in the SWPPP;
- All observations relating to the implementation of the permittees control measures including:
    - previously unidentified discharges from the site,
    - previously unidentified pollutants in existing discharges,
    - evidence of, or the potential for, pollutants entering the drainage system;
    - evidence of pollutants discharging to receiving waters at all facility outfall(s), and the condition of and around the outfall, including flow dissipation measures to prevent scouring, and
    - additional control measures needed to address any conditions requiring corrective action identified during the inspection.
- Any required revisions to the SWPPP resulting from the inspection;
- Any incidents of noncompliance observed or a certification stating the facility is in compliance with this permit (if there is no noncompliance); and
- A statement, signed and certified in accordance with Appendix A, Subsection 1.12 of the permit.

Any corrective action required as a result of the comprehensive site inspection must be performed consistent with Part 8 of this permit.

7. Monitoring.

A permittee must collect and analyze storm water samples and document monitoring activities consistent with the procedures described in Part 7 and Appendix A, Subsections 3.0, and any additional sector-specific requirements in Part 11. Refer to Part 9 for reporting and recordkeeping requirements.

7.1 Monitoring Procedures.

7.1.1 **Monitored Outfalls**.

Applicable monitoring requirements apply to each outfall authorized by this permit, except as otherwise exempt from monitoring as a "substantially identical outfall." If the permittees facility has two or more outfalls that they believe discharge substantially identical effluents, based on the similarities of the general industrial activities and control measures, exposed materials that may significantly contribute pollutants to storm water, and runoff coefficients of their drainage areas, they may monitor the effluent of just one of the outfalls and report that the results also apply to the substantially identical outfall(s). As required in Part 5.2.6.2, the SWPPP must identify each outfall authorized by this permit and describe the rationale for any substantially identical outfall determinations. The allowance for monitoring only one of the substantially identical outfalls is not applicable to any outfalls with numeric effluent limitations. The permittee is required to monitor each outfall covered by a numeric effluent limit as identified in Part 7.2.2.

7.1.2 **Commingled Discharges**.

If discharges authorized by this permit commingle with discharges not authorized under this permit, any required sampling of the authorized discharges must be performed at a point before they mix with other waste streams.

7.1.3 **Measurable Storm Events**.

All required monitoring must be performed on a storm event that results in an actual discharge from the facility ("measurable storm event") that follows the preceding measurable storm event by at least 72 hours (three days). The 72-hour (three-day) storm interval does not apply if the permittee is able to document that less than a 72-hour (three-day) interval is representative for local storm events during the sampling period. In the case of snowmelt, the monitoring must be performed at a time when a measurable discharge occurs at the facility.

For each monitoring event, except snowmelt monitoring, the permittee must identify the date and duration (in hours) of the rainfall event, rainfall total (in inches) for that rainfall event, and time (in days) since the previous measurable storm event. For snowmelt monitoring, the permittee must identify the date of the sampling event.

7.1.4 **Sample Type**.

A permittee must take a minimum of one grab sample from a discharge resulting from a measurable storm event as described in Part 7.1.3. Samples must be collected within the first 30 minutes of a discharge produced from a measurable storm event. If it is not possible to

collect the sample within the first 30 minutes of discharge, the sample must be collected as soon as practicable after the first 30 minutes and documentation must be kept with the SWPPP explaining why it was not possible to take samples within the first 30 minutes. In the case of snowmelt, samples must be taken during a period with a measurable discharge.

For facilities covered by Subparts 11.G, 11.H, and 11.J, they are exempt from the 30 minute requirement. These facilities must sample as soon as practical after a storm event. The SWPPP must contain a list and map of the monitoring locations and the order in which sample collection occurs.

7.1.5 **Adverse Weather Conditions**.

When adverse weather conditions as described in Part 6.2.3 prevent the collection of samples according to the relevant monitoring schedule, the permittee must take a substitute sample during the next qualifying storm event. Adverse weather does not exempt a permittee from having to file a benchmark monitoring report in accordance with their sampling schedule. The permittee must report any failure to monitor as specified in Part 9.1 indicating the basis for not sampling during the usual reporting period.

7.1.6 **Climates with Irregular Storm Water Runoff**.

If a permittees facility is located in areas where limited rainfall occurs during parts of the year (e.g., arid or semi-arid climates) or in areas where freezing conditions exist that prevent runoff from occurring for extended periods, required monitoring events may be distributed during seasons when precipitation occurs, or when snowmelt results in a measurable discharge from the facility. The permittee must still collect the required number of samples.

7.1.7 **Monitoring Periods**.

Monitoring requirements in this permit begin in the first full quarter following either April 1, 2020 or the permittees date of discharge authorization, whichever date comes later. If the permittees monitoring is required on a quarterly basis (e.g., benchmark monitoring), the permittee must monitor at least once in each of the following three-month intervals:

- **Quarter 1**: January 1 - March 31;
- **Quarter 2**: April 1 – June 30;
- **Quarter 3**: July 1 – September 30;
- **Quarter 4**: October 1 – December 31.

For example, if permit coverage was obtained on June 2, 2020, then the permittees first monitoring quarter is July 1 - September 30, 2020. This monitoring schedule may be modified in accordance with Part 7.1.6 if the revised schedule is documented with the SWPPP and provided to DEC with the first monitoring report.

7.1.8 **Monitoring for Allowable Non-Storm Water Discharges.**
The permittee is only required to monitor allowable non-storm water discharges (as delineated in Part 1.2.3) when they are commingled with storm water discharges associated with industrial activity.

7.2 Required Monitoring.

This permit includes four types of required analytical monitoring, one or more of which may apply to the permittees discharge:

- Quarterly benchmark monitoring (see Part 7.2.1)
- Annual effluent limitations guidelines monitoring (see Part 7.2.2);
- Impaired waters monitoring (see Part 7.2.3); and
- Other monitoring as required by DEC (see Part 7.2.4).

When more than one type of monitoring for the same parameter at the same outfall applies (e.g., total suspended solids once per year for an effluent limit and once per quarter for benchmark monitoring at a given outfall), the permittee may use a single sample to satisfy both monitoring requirements (i.e., one sample satisfying both the annual effluent limit sample and one of the four quarterly benchmark monitoring samples).

All required monitoring must be conducted in accordance with the procedures described in Appendix A, Subsection 3.0.

7.2.1 **Benchmark Monitoring**.
This permit stipulates pollutant benchmark concentrations that may be applicable to certain sectors / subsectors. Benchmark monitoring data are primarily for the permittees use to determine the overall effectiveness of the permittees control measures and to assist the permittee in knowing when additional corrective action(s) may be necessary to comply with the effluent limitations in Part 4.

The benchmark concentrations are not effluent limitations; a benchmark exceedance, therefore, is not a permit violation. However, if corrective action is required as a result of a benchmark exceedance, failure to conduct required corrective action is a permit violation.

At the permittee's discretion, more than four samples may be taken during separate runoff events and used to determine the average benchmark parameter concentration for facility discharges. These extra samples may be taken in any quarter of the permittees' choice.

7.2.1.1 ***Applicability of Benchmark Monitoring***. A permittee must monitor for any benchmark parameters specified for the industrial sector(s), both primary industrial activity and any co-located industrial activities, applicable to the permittees discharge. The industry-specific benchmark concentrations are listed in the sector-specific sections of Part 11. If the facility is in one of the industrial sectors subject to benchmark concentrations that are hardness-dependent, the permittee is required to submit to DEC with their first benchmark report a hardness value, established consistent with the procedures in Appendix E, which is representative of the receiving water.

Samples must be analyzed consistent with 40 CFR Part 136 analytical methods and using test procedures with quantitation limits at or below benchmark values for all benchmark parameters for which the permittee is required to sample.

7.2.1.2 ***Benchmark Monitoring Schedule***. Benchmark monitoring must be conducted quarterly, as identified in Part 7.1.7, for the permittees first four full consecutive quarters of permit coverage commencing no earlier than April 1, 2020. Facilities in climates with irregular storm water runoff, as described in Part 7.1.6, may modify this quarterly schedule provided that this revised schedule is reported to DEC when the first benchmark sample is collected and reported, and that this revised schedule is kept with the facility's SWPPP as specified in Part 5.2.6. When conditions prevent the obtaining of four samples in four consecutive quarters, continue monitoring until achieving the four samples required for calculating the benchmark monitoring average.

7.2.1.3 ***Data Not Exceeding Benchmarks.*** After collection of four quarterly samples, if the average of the four monitoring values for any parameter does not exceed the benchmark, the permittee has fulfilled their monitoring requirements for that parameter for the permit term. For averaging purposes, use a value of zero for any individual sample parameter, analyzed using procedures consistent with Part 7.2.1.1, which is determined to be less than the method detection limit. For sample values that fall between the method detection level and the quantitation limit (i.e., a confirmed detection but below the level that can be reliably quantified), use a value halfway between zero and the quantitation limit.

7.2.1.4 ***Data Exceeding Benchmarks.*** After collection of four quarterly samples, if the average of the four monitoring values for any parameter exceeds the benchmark, the permittee must, in accordance with Part 8.2, review the selection, design, installation, and implementation of their control measures to determine if modifications are necessary to meet the benchmarks in this permit, and either:

- Make the necessary modifications and continue quarterly monitoring until the permittee has completed four additional quarters of monitoring for which the average does not exceed the benchmark; or

- Make a determination that no further pollutant reductions are technologically available and economically practicable and achievable in light of best industry

practice to meet the technology-based effluent limits or are necessary to meet the water-quality-based effluent limitations in Part 3 of this permit, in which case the permittee must continue monitoring once per year. The permittee must also document their rationale for concluding that no further pollutant reductions are achievable, and retain all records related to this documentation with their SWPPP. The permittee must also notify DEC of this determination in their next benchmark monitoring report.

In accordance with Part 8.2, the permittee must review its control measures and perform any required corrective action immediately (or document why no corrective action is required), without waiting for the full four quarters of monitoring data, if an exceedance of the four quarter average is mathematically certain. If after modifying the permittees control measures and conducting four additional quarters of monitoring, their average still exceeds the benchmark (or if an exceedance of the benchmark by the four quarter average is mathematically certain prior to conducting the full four additional quarters of monitoring), the permittee must again review its control measures and take one of the two actions above.

7.2.1.5 ***Natural Background Pollutant Levels.*** Following the first four quarters of benchmark monitoring (or sooner if the exceedance is triggered by less than four quarters of data, see above), if the average concentration of a pollutant exceeds a benchmark value, and the permittee determines that exceedance of the benchmark is attributable solely to the presence of that pollutant in the natural background, the permittee is not required to perform corrective action or additional benchmark monitoring provided that:

- The average concentration of the permittees benchmark monitoring results is less than or equal to the concentration of that pollutant in the natural background;
- The permittee must document and maintain with the SWPPP, as required in Part 5.8, the supporting rationale for concluding that benchmark exceedances are in fact attributable solely to natural background pollutant levels. The permittee must include in their supporting rationale any data previously collected by the permittee or others (including literature studies) that describe the levels of natural background pollutants in their storm water discharge; and
- The permittee must notify DEC on their final quarterly benchmark monitoring report that the benchmark exceedances are attributable solely to natural background pollutant levels.

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

7.2.1.6 ***Exception for Inactive and Unstaffed Sites***[6]. The requirement for benchmark monitoring does not apply at a facility that is inactive and unstaffed, as long as there are no industrial materials or activities exposed to storm water. To invoke this exception, the permittee must do the following:

- Maintain a statement onsite with the SWPPP stating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to storm water in accordance with the substantive requirements in 40 CFR 122.26(g) and sign and certify the statement in accordance with Appendix A, Subsection 1.12; and

- If circumstances change and industrial materials or activities become exposed to storm water or the facility becomes active and/or staffed, this exception no longer applies and the permittee must immediately begin complying with the applicable benchmark monitoring requirements under Part 7.2 as if they were in their first year of permit coverage. The permittee must indicate in their first benchmark monitoring report that their facility has materials or activities exposed to storm water or has become active and/or staffed.

- If the permittee is not qualified for this exception at the time they are authorized under this permit, but during the permit term they become qualified because their facility is inactive and unstaffed, and there are no industrial materials or activities that are exposed to storm water, then the permittee must notify DEC of this change in their next benchmark monitoring report. A permittee may discontinue benchmark monitoring once they have notified DEC, and prepared and signed the certification statement described above concerning their facility's qualification for this special exception.

7.2.2 **Effluent Limitations Monitoring**.

7.2.2.1 ***Monitoring Based on Effluent Limitations Guidelines***. Table 7-1 identifies the storm water discharges subject to effluent limitation guidelines that are authorized for coverage under this permit. Beginning in the first full quarter following April 1, 2020 or the permittees date of discharge authorization, whichever date comes later, the permittee must monitor once per year at each outfall containing the discharges identified in Table 7-1 for the parameters specified in the sector-specific section of Part 11.

[6] This exception has different requirements for Sectors G, H, and J (see Part 11).

Table 7-1: Required Monitoring for Effluent Limits Based on Effluent Limitations Guidelines

Regulated Activity	Effluent Limit	Monitoring Frequency	Sample Type
Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas	See Part 11.A.7	1/year	Grab
Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished product, by-products or waste products (SIC 2874)	See Part 11.C.4	1/year	Grab
Runoff from asphalt emulsion facilities	See Part 11.D.4	1/year	Grab
Runoff from material storage piles at cement manufacturing facilities	See Part 11.E.5	1/year	Grab
Mine dewatering discharges at crushed stone, construction sand and gravel, or industrial sand mining facilities	See Part 11.J.9	1/year	Grab
Runoff from hazardous waste landfills	See Part 11.K.6	1/year	Grab
Runoff from non-hazardous waste landfills	See Part 11.L.10	1/year	Grab
Runoff from coal storage piles at steam electric generating facilities	See Part 11.O.8	1/year	Grab
Existing and new primary airports with 1,000 or more annual jet departures that discharge wastewater associated with airfield pavement deicing that contains urea commingled with stormwater	See Part 11.S.8	1/year	Grab

7.2.2.2 ***Substantially Identical Outfalls***. A permittee must monitor each outfall discharging runoff from any regulated activity identified in Table 7-1. The substantially identical outfall monitoring provisions are not available for numeric effluent limits monitoring.

7.2.2.3 **Follow-up Actions if Discharge Exceeds Numeric Effluent Limit**. The permittee must follow-up monitoring within 30 calendar days (or during the next qualifying runoff event, should none occur within 30 days) of implementing corrective action(s) taken pursuant to Part 8 in response to exceedance of a numeric effluent limit contained in this permit. Monitoring must be performed for any pollutant(s) that exceeds the effluent limit. If this follow-up monitoring exceeds the applicable effluent limitation, you must:

- **Submit a Noncompliance Notification Form**: The permittee must submit an Noncompliance Notification Form no later than the 15th day of the following month after they have received all the lab results; and

- **Continue to Monitor**: the permittee must monitor, at least quarterly, until the discharge is in compliance with the effluent limit or until DEC waives the requirement for additional monitoring.

7.2.3 **Discharges to Impaired Waters Monitoring**.

7.2.3.1 ***Permittees Required to Monitor Discharges to Impaired Waters***. If a permittee discharges to an impaired water, the permittee must monitor for all pollutants for which the waterbody is impaired and for which a standard analytical method exists (see 40 CFR Part 136).

If the pollutant for which the waterbody is impaired is suspended solids, turbidity or sediment/sedimentation, the permittee must monitor for Total Suspended Solids (TSS) and turbidity. If the pollutant for which the waterbody is impaired is expressed in the

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

7.2.3.2 ***Impaired Waters Monitoring Schedule***.

Discharges to impaired waters without an EPA approved or established TMDL: Beginning in the first full calendar quarter following April 1, 2020 or the permittees date of discharge authorization, whichever date comes later, the permittee must monitor once per year at each outfall (except substantially identical outfalls) discharging storm water to impaired waters without an EPA approved or established TMDL. This monitoring requirement does not apply after one year if the pollutant for which the waterbody is impaired is not detected above natural background levels in their storm water discharge, and the permittee must document, as required in Part 5.8 (Additional Documentation Requirements), that this pollutant is not expected to be present above natural background levels in the permittees discharge.

If the pollutant for which the water is impaired is not present and not expected to be present in the permittee's discharge, or it is present but the permittee has determined that its presence is caused solely by natural background sources, they should include a notification to this effect in their first monitoring report, after which they may discontinue annual monitoring. To support a determination that the pollutant's presence is caused solely by natural background sources, the permittee must keep the following documentation with their SWPPP records:

- An explanation of why the permittee believes that the presence of the pollutant causing the impairment in their discharge is not related to the activities at their facility; and
- Data and/or studies that tie the presence of the pollutant causing the impairment in their discharge to natural background sources in the watershed.

Natural background pollutants include those substances that are naturally occurring as a result of native soils, vegetation, wildlife, or groundwater. Natural background pollutants do not include legacy pollutants from earlier activity on the site, or pollutants in run-on from neighboring sources which are not naturally occurring.

Discharges to impaired waters with an EPA approved or established TMDL WLA: For storm water discharges to waters for which there is an EPA approved or established TMDL waste load allocation (WLA), the permittee is not required to monitor for the pollutant for which the TMDL was written unless DEC informs the permittee, upon examination of the applicable TMDL and/or WLA, that they are subject to such a requirement consistent with the assumptions of the applicable TMDL and/or WLA.

DEC's notice will include specifications on which pollutant to monitor and the required monitoring frequency during the first year of permit coverage. Following the first year of monitoring:

- If the TMDL pollutant is not detected in any of the permittees first year samples, they may discontinue further sampling, unless the TMDL has specific instructions to the contrary, in which case the permittee must follow those instructions. The permittee must keep records of this finding onsite with their SWPPP.
- If the permittee detects the presence (above background levels) of the pollutant causing the impairment in their storm water discharge for any of the samples collected in the first year, the permittee must continue monitoring annually throughout the term of this permit, unless the TMDL specifies more frequent monitoring, in which case the permittee must follow the TMDL requirements.

7.2.4 **Additional Monitoring Required by DEC**.
DEC may notify the permittee of additional discharge monitoring requirements. Any such notice will briefly state the reasons for the monitoring, locations, and parameters to be monitored, frequency and period of monitoring, sample types, and reporting requirements.

8. Corrective Actions.

8.1 Conditions Requiring Review and Revision to Eliminate Problem.

If any of the following conditions occur, the permittee must review and revise the selection, design, installation, and implementation of their control measures to ensure that the condition is eliminated and will not be repeated in the future:

8.1.1 An unauthorized release or discharge (e.g., spill, leak, or discharge of non-storm water not authorized by this or another APDES permit) occurs at the permittees facility;

8.1.2 A discharge violates a numeric effluent limit;

8.1.3 The permittee becomes aware, or DEC determines, that the permittee's control measures are not stringent enough for the discharge to meet a WQS in the receiving water;

8.1.4 An inspection or evaluation of the permittees facility by an DEC or EPA official determines that modifications to the control measures are necessary to meet the non-numeric effluent limits in this permit; or

8.1.5 The permittee finds in their routine operation, facility inspection, quarterly visual assessment, or comprehensive site inspection that their control measures are not being properly installed, operated and maintained.

8.2 Conditions Requiring Review to Determine if Modifications Are Necessary.

If any of the following conditions occur, the permittee must review the selection, design, installation, and implementation of their control measures to determine if modifications are necessary to meet the effluent limits in this permit:

8.2.1 Construction or a change in design, operation, or maintenance at a permittees facility significantly changes the nature of pollutants discharged in storm water from their facility, or significantly increases the quantity of pollutants discharged; or

8.2.2 The average of four quarterly sampling results exceeds an applicable benchmark. If less than four benchmark samples have been taken, but the results are such that an exceedence of the four quarter average is mathematically certain (i.e., if the sum of quarterly sample results to date is more than four times the benchmark level) this is considered a benchmark exceedence, triggering this review.

8.3 Corrective Action Deadlines.

A permittee must document their discovery of any of the conditions listed in Parts 8.1 and 8.2 within 24 hours of making such discovery. Subsequently, the permittee must comply with Appendix A Part 3.4 to document any corrective action(s) to be taken to eliminate or further investigate the deficiency, or if no corrective action is needed, the basis for that determination. Specific documentation required is detailed in Part 8.4. If a permittee determines that changes are necessary following their review, any modifications to their control measures must be made before the next storm event if possible, or as soon as practicable following that storm event. These time intervals are not grace periods, but are schedules considered reasonable for documenting a permittees findings and for making repairs and improvements. They are included in this permit to ensure that the conditions prompting the need for these repairs and improvements are not allowed to persist indefinitely.

8.4 Corrective Action Report.

8.4.1 Comply with Appendix A Part 3.4 upon discovery of any condition listed in Parts 8.1 and 8.2, the permittee must document the following information (i.e., questions 3-5 of the Corrective Actions section in the Annual Reporting Form, provided in Appendix F):

8.4.1.1 Identification of the condition triggering the need for corrective action review;

8.4.1.2 Description of the problem identified; and

8.4.1.3 Date the problem was identified.

8.4.2 Comply with Appendix A Part 3.4 upon discovery of any condition listed in Parts 8.1 and 8.2, the permittee must document the following information (i.e., questions 7-11 of the Corrective Actions section in the Annual Reporting Form, provided in Appendix F):

8.4.2.1 Summary of corrective action taken or to be taken (or, for triggering events identified in Part 8.2 where the permittee determines that corrective action is not necessary, the basis for this determination);

8.4.2.2 Notice of whether SWPPP modifications are required as a result of this discovery or corrective action;

8.4.2.3 Date corrective action initiated; and

8.4.2.4 Date corrective action completed or expected to be completed.

8.4.3 A permittee must submit this documentation in an annual report as required in Part 9.2 and retain a copy onsite with the SWPPP as required in Part 5.8.

8.5 Effect of Corrective Action.

If the event triggering the review is a permit violation (e.g., non-compliance with an effluent limit), it must be documented using the Noncompliance Notification Form (see http://dec.alaska.gov/water/compliance/permittee/). Furthermore, correcting it does not remove the original violation. Additionally, failing to take corrective action in accordance with this section is an additional permit violation.

8.6 Substantially Identical Outfalls.

If the event triggering corrective action is linked to an outfall that represents other substantially identical outfalls, the permittees review must assess the need for corrective action for each outfall represented by the outfall that triggered the review. Any necessary changes to control measures that affect these other outfalls must also be made before the next storm event if possible, or as soon as practicable following that storm event.

9. Reporting and Recordkeeping.

9.1 Reporting Monitoring Data to DEC.

All monitoring data collected pursuant to Parts 7.2 must be submitted to DEC using the NetDMR system (Part 9.8.1 E-Reporting Rule for DMR (Phase I)) (unless a waiver from electronic reporting has been granted, in which case you may submit a paper DMR form) no later than the 15th day of the following month after the permittee has received the complete laboratory results for all monitored outfalls for the reporting period. If a waiver from electronic reporting has been granted, paper reporting forms (DMR as provided in Appendix F) must be submitted by the deadline to the appropriate address identified in Part 9.6.

For benchmark monitoring, note that the permittee is required to submit sampling results to DEC no later than the 15th day of the following month after receiving all laboratory results for each quarter that are required to collect benchmark samples, in accordance with Part 7.2.1.2. If a permittee collects multiple samples in a single quarter (e.g., due to adverse weather conditions, climates with irregular storm water runoff, or areas subject to snow), they are required to submit all sampling results to DEC no

later than the 15th day of the following month after receiving all the laboratory results. If no discharge occurs during the benchmark monitoring period, the permittee must still report no discharge for this monitoring period.

9.2 Annual Report.

A permittee must submit an annual report to DEC that includes the findings from their Part 6.3 comprehensive site inspection and any corrective action documentation as required in Part 8.4. If corrective action is not yet completed at the time of submission of this annual report, the permittee must describe the status of any outstanding corrective action(s). In addition to the information required in Parts 8.4 (Corrective Action Report) and 6.3.2 (Comprehensive Site Inspection Documentation), the permittee must include the following information with their annual report:

- Facility name;
- APDES permit tracking number;
- Facility physical address; and
- Contact person name, title, and phone number.

DEC requires the permittee submit this report using the Annual Report provided as Appendix F. The Annual Report may be submited electronically through the DEC Online Application System (OASys) located at http://www.dec.alaska.gov/water/oasys/index.html. By February 15th of the year following the reporting year, the permittee must submit the annual report to DEC to the address identified in Part 9.6 or via OASys.

9.3 Noncompliance Notification for Numeric Effluent Limits.

If follow-up monitoring pursuant to Part 7.2.2.3 exceeds a numeric effluent limit, the permittee must submit a Noncompliance Notification Form (see http://dec.alaska.gov/water/compliance/permittee/) to DEC no later than the 15th day of the following month after they have received all their lab results. The permittees report must include the following:

- APDES permit tracking number;
- Facility name, physical address and location;
- Name of receiving water;
- Monitoring data from this and the preceding monitoring event(s);
- An explanation of the situation; what the permittee has done and intend to do (should their corrective actions not yet be complete) to correct the violation; and
- An appropriate contact name and phone number.

9.4 Additional Reporting.

9.4.1 A permittee is subject to the standard permit reporting provisions of Appendix A, Subsection 3.0.

9.4.2 Where applicable, the permittee must submit, and DEC must receive, the following reports at the appropriate address in Part 9.6. If the facility discharges through an MS4, the permittee must also submit these reports to the MS4 operator (identified pursuant to Part 5.2.3).

9.4.2.1 24-hour reporting (see Appendix A, Subsection 3.4) - A permittee must report any noncompliance which may endanger health or the environment. Any information must be provided orally within 24 hours from the time the permittee becomes aware of the circumstances;

9.4.2.2 Five (5)-day follow-up reporting to the 24 hour reporting (see Appendix A, Subsection 3.4) - A written submission must also be provided within five days of the time the permittee becomes aware of the circumstances;

9.4.2.3 Reportable quantity spills (see Part 4.2.4) - A permittee must provide notification, as required under Part 4.2.4, as soon as they have knowledge of a leak, spill, or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity.

9.4.3 Where applicable, the permittee must submit, and DEC must receive, the following reports at the appropriate address in Part 9.6:

9.4.3.1 Planned changes (see Appendix A, Subsection 2.1) – A Permittee must give notice to DEC as soon as possible of any planned physical alterations or additions to the permitted facility that qualify the facility as a new source or that could significantly change the nature or significantly increase the quantity of pollutants discharged;

9.4.3.2 Anticipated noncompliance (see Appendix A, Subsection 2.2) – A Permittee must give advance notice to DEC of any planned changes in the permitted facility or activity which they anticipate will result in noncompliance with permit requirements;

9.4.3.3 Transfer of ownership and/or operation – The new permittee must submit a complete and accurate NOI in accordance with the requirements of Appendix F of this permit and by the deadlines specified in Table 2-1;

9.4.3.4 Compliance schedules (see Appendix A, Subsection 2.4) – Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit must be submitted no later than 14 days following each schedule date;

9.4.3.5 Other noncompliance (see Appendix A, Subsection 3.5) - A permittee must report all instances of noncompliance not reported in their monitoring report (pursuant to Part 9.1), compliance schedule report, or 24-hour report at the time monitoring reports are submitted; and

9.4.3.6 Other information (see Appendix A, Subsection 2.5) – A permittee must promptly submit facts or information if they become aware that they failed to submit relevant facts in their NOI, or that they submitted incorrect information in their NOI or in any report.

9.5 Recordkeeping.

A permittee must retain copies of their SWPPP (including any modifications made during the term of this permit), additional documentation requirements pursuant to Part 5.8 (including documentation related to corrective actions taken pursuant to Part 5), all reports and certifications required by this permit, monitoring data, and records of all data used to complete the NOI to be covered by this permit, for a period of at least 3 years from the date that the permittees coverage under this permit expires or is terminated.

9.6 Addresses for Reports.

Notice of Intent, Notice of Intent modification, Notice of Termination, No Exposure Certificate, and SWPPP's should be submitted using DEC's eNOI system (http://dec.alaska.gov/water/wastewater/stormwater/apdesenoi/) or sent to the Permitting Program address in Appendix A, Part 1.1.1.

Paper copies of any reports required in Parts 7 through 9, not otherwise submitted electronically via DEC's eNOI system (http://dec.alaska.gov/water/wastewater/stormwater/apdesenoi/) must be sent to the Compliance and Enforcement Program address in Appendix A, Part 1.1.2.

9.7 Request for Submittal of Records.

The Department may request copies of all or a portion of the information collected and maintained in the SWPPP. A permittee must provide a response to written request for records to the Department within thirty (30) calendar days of receipt of a written request.

9.8 Electronic Reporting (E-Reporting) Rule

9.8.1 E-Reporting Rule for DMR (Phase I)

The Permittee must submit DMR data electronically through Network Discharge Monitoring Report (NetDMR) per Phase I of the E-Reporting Rule (40 CFR §127) upon the effective date of the Permit. Authorized persons may access permit information by logging into the NetDMR Portal (cdxnodengn.epa.gov/oeca-netdmr-web/action/login). DMRs submitted in compliance with the E-Reporting Rule are not required to be submitted as described in Appendix – A-Standard Conditions unless requested or approved by the Department. Any DMR data required by the Permit that cannot be reported in a NetDMR field (e.g., mixing zone receiving water data, etc.), shall be included as an attachment to the NetDMR submittal. DEC has established a website at dec.alaska.gov/water/compliance/electronic-reporting-rule/ that contains general information about this new reporting format. Training materials and webinars for NetDMR can be found at netdmr.zendesk.com/home/.

9.8.2 E-Reporting Rule for Other Reports (Phase II).

Phase II of the E-Reporting rule will integrate electronic reporting for all other reports required by the Permit (e.g., Annual Reports and Certifications) and implementation is expected to begin December 2020. Permittees should monitor DEC's E-Reporting Information website (dec.alaska.gov/water/compliance/electronic-reporting-rule) for updates on Phase II of the E-Reporting Rule and will be notified when they must begin submitting all other reports electronically. Until such time, other reports required by the Permit may be submitted in accordance with Appendix A – Standard Conditions.

9.9 Standard Conditions Applicable to Recording and Reporting

9.9.1 The permittee must comply with the following recording and reporting requirements, as described in Appendix A, Standard Conditions unless specified in the body of the permit:

9.9.1.1 Retention of Records, Part 1.11.2;

9.9.1.2 Records Contents, Part 1.11.3;

9.9.1.3 Special Reporting Obligations, Part 2.0; and

9.9.1.4 Monitoring, Recording, and Reporting Requirements, Part 3.0.

10. Terminating Coverage.

10.1 Submitting a Notice of Termination (NOT).

10.1.1 To terminate permit coverage, a permittee must submit a complete and accurate NOT (see Appendix F) to the Permitting Program address listed in Part 9.6. *(If a permittee submits a NOT without meeting one or more of the conditions identified in Part 10.1.2, then a permitttees NOT is not valid.)* The permittee is responsible for meeting the terms of this permit until their authorization is terminated.

10.1.2 A permittee must submit a NOT within 30 calendar days after one or more of the following conditions have been met:

10.1.2.1 A new owner or operator has taken over responsibility for the facility;

10.1.2.2 The permittee has ceased operations at the facility, there are not or no longer will be discharges of storm water associated with industrial activity from the facility, and has already implemented necessary sediment and erosion controls as required by Part 4.2.5;

10.1.2.3 The permittee is a Sector G, H, or J facility and has met the applicable termination requirements; or

10.1.2.4 The permittee has obtained coverage under an individual or alternative general permit for all discharges required to be covered by an APDES permit, unless DEC has required that they obtain such coverage under authority of Part 2.8.1, in which case coverage under this permit will terminate automatically.

10.1.3 All required reports (including DMR if applicable) and certifications have been submitted to DEC.

10.1.4 Termination is effective upon receiving written notification from the Department.

11. Sector-Specific Requirements for Industrial Activity.

11. Subpart A – Sector A – Timber Products.

A permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of the permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.A.1 Covered Storm Water Discharges.

The requirements in Subpart A apply to storm water discharges associated with industrial activity from Timber Products facilities as identified by the SIC Codes specified under Sector A in Table D-1 of Appendix D of the permit.

11.A.2 Limitation on Coverage.

11.A.2.1 Prohibition of Discharges. (See also Part 1.2.4) Not covered by this permit: storm water discharges from areas where there may be contact with the chemical formulations sprayed to provide surface protection. These discharges must be covered by a separate APDES permit.

11.A.2.2 Authorized Non-Storm Water Discharges. (See also Part 1.2.3) Also authorized by this permit, provided the non-storm water component of the discharge is in compliance with the requirements in Part 4.2 (Non-Numeric Effluent Limits): discharges from the spray down of lumber and wood product storage yards where no chemical additives are used in the spray-down waters and no chemicals are applied to the wood during storage.

11.A.3 Additional Technology-Based Effluent Limits.

11.A.3.1 Good Housekeeping. (See also Part 4.2.2) In areas where storage, loading and unloading, and material handling occur, perform good housekeeping to limit the discharge of wood debris, minimize the leachate generated from decaying wood materials, and minimize the generation of dust.

11.A.4 Additional SWPPP Requirements.

11.A.4.1 Drainage Area Site Map. (See also Part 5.2.3) The permittee must document in their SWPPP where any of the following may be exposed to precipitation or surface runoff: processing areas, treatment chemical storage areas, treated wood and residue storage areas, wet decking areas, dry decking areas, untreated wood and residue storage areas, and treatment equipment storage areas.

11.A.4.2 Inventory of Exposed Materials. (See also Part 5.2.4.2) Document in the SWPPP areas where contaminated soils, treatment equipment, and stored materials still remain and the management practices employed to minimize the contact of these materials with storm water runoff if the facility has used chlorophenolic, creosote, or chromium-copper-arsenic formulations for wood surface protection or preserving

11.A.4.3 Description of Storm Water Management Controls. (See also Part 5.2.5) Document measures implemented to address the following activities and sources: log, lumber, and wood product storage areas; residue storage areas; loading and unloading areas; material handling areas; chemical storage areas; and equipment and vehicle maintenance, storage, and repair areas. If the permittees facility performs wood surface protection and preservation activities, address the specific control measures, including any BMPs, for these activities.

11.A.5 Additional Inspection Requirements.

See also Part 6.1. If the permittees facility performs wood surface protection and preservation activities, inspect processing areas, transport areas, and treated wood storage areas monthly to assess the usefulness of practices to minimize the deposit of treatment chemicals on unprotected soils and in areas that will come in contact with storm water discharges.

11.A.6 Sector-Specific Benchmarks.

Table 11.A.6-1 identifies benchmarks that apply to the specific subsectors of Sector A. These benchmarks apply to both the permittees primary industrial activity and any co-located industrial activities.

(Table 11.A.6-1: Sector – Specific Benchmarks – Sector A located on following page.)

Table 11.A.6-1: Sector – Specific Benchmarks – Sector A

Subsector (Permittees may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
Subsector A1. General Sawmills and Planing Mills (SIC 2421)	Chemical Oxygen Demand (COD)	120.0 mg/L
	Total Suspended Solids (TSS)	100 mg/L
	Total Zinc (saltwater)[1] Total Zinc (freshwater)[2]	0.09 mg/L Hardness Dependent
Subsector A2. Wood Preserving (SIC 2491)	Total Arsenic (saltwater)[1] Total Arsenic (freshwater)[2]	0.069 mg/L 0.15 mg/L
	Total Copper (saltwater)[1] Total Copper (freshwater)[2]	0.0048 mg/L Hardness Dependent
Subsector A3. Log Storage and Handling (SIC 2411)	Total Suspended Solids (TSS)	100 mg/L
Subsector A4. Hardwood Dimension and Flooring Mills; Special Products Sawmills, not elsewhere classified; Millwork, Veneer, Plywood, and Structural Wood; Wood Pallets and Skids; Wood Containers, not elsewhere classified; Wood Buildings and Mobile Homes; Reconstituted Wood Products; and Wood Products Facilities not elsewhere classified (SIC 2426, 2429, 2431-2439 (except 2434), 2441, 2448, 2449, 2451, 2452, 2493, and 2499)	Chemical Oxygen Demand (COD)	120.0 mg/L
	Total Suspended Solids (TSS)	100.0 mg/L

Note:

1. Saltwater benchmark values apply to storm water discharges into saline waters where indicated.
2. The freshwater benchmark values of some metals are dependent on water hardness. For these parameters, permittees must determine the hardness of the receiving water (see Appendix E, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part 7.2.1.1, to identify the applicable 'hardness range' for determining their benchmark value applicable to their facility. The ranges occur in 25 mg/L increments. Hardness Dependent Benchmarks follow in the table below:

Water Hardness Range (mg/L)	Copper (mg/L)	Zinc (mg/L)
0 – < 25	0.0038	0.04
25 – < 50	0.0056	0.05
50 – < 75	0.0090	0.08
75 – < 100	0.0123	0.11
100 – < 125	0.0156	0.13
125 – < 150	0.0189	0.16
150 – < 175	0.0221	0.18
175 – < 200	0.0253	0.20
200 – < 225	0.0285	0.23
225 – < 250	0.0316	0.25
250+	0.0332	0.26

11.A.7 Effluent Limitations Based on Effluent Limitations Guidelines. (See also Part 7.2.2.1 of the permit.)

Table 11.A.7-1 identifies effluent limits that apply to the industrial activities described below. Compliance with these effluent limits is to be determined based on discharges from these industrial activities independent of commingling with any other wastestreams that may be covered under this permit.

Table 11.A.7-1: **Effluent Limitations Based on Effluent Limitations Guidelines**[1]

Industrial Activity	Parameter	Effluent Limit
Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas	pH	6.5 - 8.5 standard pH (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-in.) diameter round opening

Note:
1. Monitor annually.

11. Subpart B – Sector B – Paper and Allied Products.

A permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of the permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.B.1 Covered Storm Water Discharges.

The requirements in Subpart B apply to storm water discharges associated with industrial activity from Paper and Allied Products Manufacturing facilities, as identified by the SIC Codes specified under Sector B in Table D-1 of Appendix D of the permit.

11.B.2 Sector-Specific Benchmarks. (See also Part 7 of the permit.)

Table 11.B.2-1: Sector – Specific Benchmarks – Sector B

Subsector (Permittees may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
Subsector B1. Paperboard Mills (SIC Code 2631)	Chemical Oxygen Demand (COD)	120 mg/L

11. Subpart C – Sector C – Chemical and Allied Products Manufacturing, and Refining.

A permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of the permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.C.1 Covered Storm Water Discharges.

The requirements in Subpart C apply to storm water discharges associated with industrial activity from Chemical and Allied Products Manufacturing, and Refining facilities, as identified by the SIC Codes specified under Sector C in Table D-1 of Appendix D of the permit.

11.C.2 Limitations on Coverage.

11.C.2.1 Prohibition of Non-Storm Water Discharges. (See also Part 1.2.4) The following are not covered by this permit: non-storm water discharges containing inks, paints, or substances (hazardous, nonhazardous, etc.) resulting from an onsite spill, including materials collected in drip pans; washwater from material handling and processing areas; and washwater from drum, tank, or container rinsing and cleaning.

11.C.3 Sector-Specific Benchmarks.

Table 11.C.3-1 identifies benchmarks that apply to the specific subsectors of Sector C. These benchmarks apply to both the permittees primary industrial activity and any co-located industrial activities.

(Table 11.C.3-1: Sector – Specific Benchmarks – Sector C located on following page.)

Table 11.C.3-1: Sector – Specific Benchmarks – Sector C

Subsector (Permittees may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
Subsector C1. Agricultural Chemicals (SIC 2873-2879)	Nitrate plus Nitrite Nitrogen	0.68 mg/L
	Total Lead (saltwater)[1] Total Lead (freshwater)[2]	0.21 mg/L Hardness Dependent
	Total Iron	1.0 mg/L
	Total Zinc (saltwater)[1] Total Zinc (freshwater)[2]	0.09 mg/L Hardness Dependent
	Phosphorus	2.0 mg/L
Subsector C2. Industrial Inorganic Chemicals (SIC 2812-2819)	Total Aluminum	0.75 mg/ L
	Total Iron	1.0 mg/L
	Nitrate plus Nitrite Nitrogen	0.68 mg/L
Subsector C3. Soaps, Detergents, Cosmetics, and Perfumes (SIC 2841-2844)	Nitrate plus Nitrite Nitrogen	0.68 mg/L
	Total Zinc (saltwater)[1] Total Zinc (freshwater)[2]	0.09 mg/L Hardness Dependent
Subsector C4. Plastics, Synthetics, and Resins (SIC 2821-2824)	Total Zinc (saltwater)[1] Total Zinc (freshwater)[2]	0.09 mg/L Hardness Dependent

Notes:

1. Saltwater benchmark values apply to storm water discharges into saline waters where indicated.
2. The freshwater benchmark values of some metals are dependent on water hardness. For these parameters, permittees must determine the hardness of the receiving water (see Appendix E, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part 7.2.1.1, to identify the applicable 'hardness range' for determining their benchmark value applicable to their facility. The ranges occur in 25 mg/L increments. Hardness Dependent Benchmarks follow in the table below:

Water Hardness Range (mg/L)	Lead (mg/L)	Zinc (mg/L)
0 – < 25	0.014	0.04
25 – < 50	0.023	0.05
50 – < 75	0.045	0.08
75 – < 100	0.069	0.11
100 – < 125	0.095	0.13
125 – < 150	0.122	0.16
150 – < 175	0.151	0.18
175 – < 200	0.182	0.20
200 – < 225	0.213	0.23
225 – < 250	0.246	0.25
250+	0.262	0.26

11.C.4 Effluent Limitations Based on Effluent Limitations Guidelines. (See also Part 7.2.2.1 of the permit.)

Table 11.C.4-1 identifies effluent limits that apply to the industrial activities described below. Compliance with these effluent limits is to be determined based on discharges from these industrial activities independent of commingling with any other wastestreams that may be covered under this permit.

Table 11.C.4-1: **Effluent Limitations Based on Effluent Limitations Guidelines**[1]

Industrial Activity	Parameter	Effluent Limit
Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished product, by-products or waste products (SIC 2874)	Total Phosphorus (as P)	105.0 mg/L, daily maximum
		35 mg/L, 30-day avg.
	Fluoride	75.0 mg/L, daily maximum
		25.0 mg/L, 30-day avg.

1 Monitor annually.

11. Subpart D – Sector D – Asphalt Paving and Roofing Materials and Lubricant Manufacturing.

A permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of the permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.D.1 Covered Storm Water Discharges.

The requirements in Subpart D apply to storm water discharges associated with industrial activity from Asphalt Paving and Roofing Materials and Lubricant Manufacturing facilities, as identified by the SIC Codes specified under Sector D in Table D-1 of Appendix D of the permit.

11.D.2 Limitations on Coverage.

The following storm water discharges associated with industrial activity are not authorized by this permit (See also Part 1.2.4)

11.D.2.1 Discharges from petroleum refining facilities, including those that manufacture asphalt or asphalt products, that are subject to nationally established effluent limitation guidelines found in 40 CFR Part 419 (Petroleum Refining); or

11.D.2.2 Discharges from oil recycling facilities; or

11.D.2.3 Discharges associated with fats and oils rendering.

11.D.3 Sector-Specific Benchmarks.

Table 11.D.3-1 identifies benchmarks that apply to the specific subsectors of Sector D. These benchmarks apply to both the permittees primary industrial activity and any co-located industrial activities, which describe their facility activities.

Table 11.D.3-1: Sector – Specific Benchmarks – Sector D

Subsector	Parameter	Benchmark Monitoring Concentration
Subsector D1. Asphalt Paving and Roofing Materials (SIC 2951, 2952)	Total Suspended Solids (TSS)	100 mg/L

11.D.4 Effluent Limitations Based on Effluent Limitations Guidelines. (See also Part 7.2.2.1 of the permit.)

Table 11.D.4-1 identifies effluent limits that apply to the industrial activities described below. Compliance with these effluent limits is to be determined based on discharges from these industrial activities independent of commingling with any other wastestreams that may be covered under this permit.

Table 11.D.4-1:**Effluent Limitations Based on Effluent Limitations Guidelines**[1]

Industrial Activity	Parameter	Effluent Limit
Discharges from asphalt emulsion facilities.	Total Suspended Solids (TSS)	23.0 mg/L, daily maximum 15.0 mg/L, 30-day avg.
	pH	6.5 - 8.5 s.u.
	Oil and Grease	15.0 mg/L, daily maximum
		10 mg/L, 30-day avg.

1. Monitor annually.

11. Subpart E – Sector E – Glass, Clay, Cement, Concrete, and Gypsum Products.

A permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of the permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.E.1 Covered Storm Water Discharges.

The requirements in Subpart E apply to storm water discharges associated with industrial activity from Glass, Clay, Cement, Concrete, and Gypsum Products facilities, as identified by the SIC Codes specified under Sector E in Table D-1 of Appendix D of the permit.

11.E.2 Additional Technology-Based Effluent Limits.

11.E.2.1 Good Housekeeping Measures. (See also Part 4.2.2) With good housekeeping, prevent or minimize the discharge of spilled cement, aggregate (including sand or gravel), kiln dust, fly ash, settled dust, or other significant material in storm water from paved portions of the site that are exposed to storm water. Sweep regularly or use other equivalent measures to minimize the presence of these materials. Indicate in the SWPPP the frequency of sweeping or equivalent measures. Determine the frequency based on the amount of industrial activity occurring in the area and the frequency of precipitation, but it must be performed at least once a week if cement, aggregate, kiln dust, fly ash, or settled dust are being handled or processed. Permittee must also prevent the exposure of fine granular solids (cement, fly ash, kiln dust, etc.) to storm water, where practicable, by storing these materials in enclosed silos, hoppers, buildings, or under other covering.

11.E.3 Additional SWPPP Requirements.

11.E.3.1 Drainage Area Site Map. (See also Part 5.2.3) Document in the SWPPP the locations of the following, as applicable: bag house or other dust control device; recycle/sedimentation pond, clarifier, or other device used for the treatment of process wastewater; and the areas that drain to the treatment device.

11.E.3.2 Certification. (See also Part 5.2.4.4) For facilities producing ready-mix concrete, concrete block, brick, or similar products, include in the non-storm water discharge certification a description of measures that ensure that process waste waters resulting from washing trucks, mixers, transport buckets, forms, or other equipment are discharged in accordance with APDES requirements or are recycled.

11.E.4 Sector-Specific Benchmarks.

Table 11.E.4-1 identifies benchmarks that apply to the specific subsectors of Sector E. These benchmarks apply to both the permittees primary industrial activity and any co-located industrial activities, which describe their facility activities.

Table 11.E.4-1: Sector – Specific Benchmarks – Sector E

Subsector (Permittees may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Cutoff Concentration
Subsector E1. Clay Product Manufacturers (SIC 3251-3259, 3261-3269)	Total Aluminum	0.75 mg/L
Subsector E2. Concrete and Gypsum Product Manufacturers (SIC 3271-3275)	Total Suspended Solids (TSS)	100 mg/L
	Total Iron	1.0 mg/L

11.E.5 Effluent Limitations Based on Effluent Limitations Guidelines. (See also Part 7.2.2.1 of the permit.)

Table 11.E.5-1 identifies effluent limits that apply to the industrial activities described below. Compliance with these limits is to be determined based on discharges from these industrial activities independent of commingling with any other wastestreams that may be covered under this permit.

Table 11.E.5-1:Effluent Limitations Based on Effluent Limitations Guidelines[1]

Industrial Activity	Parameter	Effluent Limit
Discharges from material storage piles at cement manufacturing facilities	Total Suspended Solids (TSS)	50 mg/L, daily maximum
	pH	6.5 - 8.5 s.u.

1. Monitor annually.

11. Subpart F – Sector F – Primary Metals.

A permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of the permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.F.1 Covered Storm Water Discharges.

The requirements in Subpart F apply to storm water discharges associated with industrial activity from Primary Metals facilities, as identified by the SIC Codes specified under Sector F in Table D-1 of Appendix D of the permit.

11.F.2 Additional Technology-Based Effluent Limits.

11.F.2.1 Good Housekeeping Measures. (See also Part 4.2.2) As part of the permittees good housekeeping program, include a cleaning and maintenance program for all impervious areas of the facility where particulate matter, dust, or debris may accumulate, especially areas where material loading and unloading, storage, handling, and processing occur; and, where practicable, the paving of areas where vehicle traffic or material storage occur but where vegetative or other stabilization methods are not practicable (institute a sweeping program in these areas too). For unstabilized areas where sweeping is not practicable, use storm water management devices such as sediment traps, vegetative buffer strips, filter fabric fence, sediment filtering boom, gravel outlet protection, or other equivalent measures that effectively trap or remove sediment and debris.

11.F.3 Additional SWPPP Requirements.

11.F.3.1 Drainage Area Site Map. (See also Part 5.2.3) Identify in the SWPPP where any of the following activities may be exposed to precipitation or surface runoff: storage or disposal of wastes such as spent solvents and baths, sand, slag and dross; liquid storage tanks and drums; processing areas including pollution control equipment (e.g., baghouses); and storage areas of raw material such as coal, coke, scrap, sand, fluxes, refractories, or metal in any form. In addition, indicate where an accumulation of significant amounts of particulate matter could occur from such sources as furnace or oven emissions, pollution control devices, losses from coal and coke handling operations, etc., and could result in a discharge of pollutants to waters of the United States.

11.F.3.2 Inventory of Exposed Material. (See also Part 5.2.4.2) Include in the inventory of materials handled at the site that potentially may be exposed to precipitation or runoff, areas where deposition of particulate matter from process air emissions or losses during material-handling activities are possible

11.F.4 Additional Inspection Requirements. (See also Part 6.1) As part of conducting the permittees quarterly routine facility inspections (Part 6.1), address all potential sources of pollutants, including (if applicable) air pollution control equipment (e.g., baghouses, electrostatic precipitators, scrubbers, and cyclones), for any signs of degradation (e.g., leaks, corrosion, or improper operation) that could limit their efficiency and lead to excessive emissions. Monitor air flow at inlets and outlets (or use equivalent measures) to check for leaks (e.g., particulate deposition) or blockage in ducts. Also inspect all process and material handling equipment (e.g., conveyors, cranes, and vehicles) for leaks, drips, or the potential loss of material; and material storage areas (e.g., piles, bins, or hoppers for storing coke, coal, scrap, or slag, as well as chemicals stored in tanks and drums) for signs of material losses due to wind or storm water runoff.

11.F.5 Sector-Specific Benchmarks. (See also Part 7 of the permit.)

(Table 11.F.5-1: Sector – Specific Benchmarks –Sector F located on following page.)

Table 11.F.5-1: Sector – Specific Benchmarks –Sector F		
Subsector (Permittees may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
Subsector F1. Steel Works, Blast Furnaces, and Rolling and Finishing Mills (SIC 3312-3317)	Total Aluminum	0.75 mg/L
	Total Zinc (saltwater)[1] Total Zinc (freshwater)[2]	0.09 mg/L Hardness Dependent
Subsector F2. Iron and Steel Foundries (SIC 3321-3325)	Total Aluminum	0.75 mg/L
	Total Suspended Solids (TSS)	100 mg/L
	Total Copper (saltwater)[1] Total Copper (freshwater)[2]	0.0048 Mg/L Hardness Dependent
	Total Iron	1.0 mg/L
	Total Zinc (saltwater)[1] Total Zinc (freshwater)[2]	0.09 mg/L Hardness Dependent
Subsector F3. Rolling, Drawing, and Extruding of Nonferrous Metals (SIC 3351-3357)	Total Copper (saltwater)[1] Total Copper (freshwater)[2]	0.0048 mg/L Hardness Dependent
	Total Zinc (saltwater)[1] Total Zinc (freshwater)[2]	0.09 mg/L Hardness Dependent
Subsector F4. Nonferrous Foundries (SIC 3363-3369)	Total Copper (saltwater)[1] Total Copper (freshwater)[2]	0.0048 mg/L Hardness Dependent
	Total Zinc (saltwater)[1] Total Zinc (freshwater)[2]	0.09 mg/L Hardness Dependent

Notes:

1. Saltwater benchmark values apply to storm water discharges into saline waters where indicated.
2. The freshwater benchmark values of some metals are dependent on water hardness. For these parameters, permittees must determine the hardness of the receiving water (see Appendix E, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part 7.2.1.1, to identify the applicable 'hardness range' for determining their benchmark value applicable to their facility. The ranges occur in 25 mg/L increments. Hardness Dependent Benchmarks follow in the table below:

Water Hardness Range (mg/L)	Copper (mg/L)	Zinc (mg/L)
0 – < 25	0.0038	0.04
25 – < 50	0.0056	0.05
50 – < 75	0.0090	0.08
75 – < 100	0.0123	0.11
100 – < 125	0.0156	0.13
125 – < 150	0.0189	0.16
150 – < 175	0.0221	0.18
175 – < 200	0.0253	0.20
200 – < 225	0.0285	0.23
225 – < 250	0.0316	0.25
250+	0.0332	0.26

11. Subpart G – Sector G – Metal Mining.

A permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of the permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.G.1 Covered Storm Water Discharges.

The requirements in Subpart G apply to storm water discharges associated with industrial activity from Metal Mining facilities, including mines abandoned on Federal lands, as identified by the SIC Codes specified under Sector G in Table D-1 of Appendix D. Coverage is required for metal mining facilities that discharge storm water contaminated by contact with, or that has come into contact with, any overburden, raw material, intermediate product, finished product, byproduct, or waste product located on the site of the operation.

11.G.1.1 Covered Discharges from Inactive Facilities. All storm water discharges.

11.G.1.2 Covered Discharges from Active and Temporarily Inactive Facilities. Only the storm water discharges from the following areas are covered:

- Waste rock and overburden piles if composed entirely of storm water and not combining with mine drainage;
- Topsoil piles;
- Offsite haul and access roads;
- Onsite haul and access roads constructed of waste rock, overburden, or spent ore if composed entirely of storm water and not combining with mine drainage;
- Onsite haul and access roads not constructed of waste rock, overburden, or spent ore except if mine drainage is used for dust control;
- Runoff from tailings dams or dikes when not constructed of waste rock or tailings and no process fluids are present;
- Runoff from tailings dams or dikes when constructed of waste rock or tailings and no process fluids are present, if composed entirely of storm water and not combining with mine drainage;
- Concentration building if no contact with material piles;
- Mill site if no contact with material piles;

- Office or administrative building and housing if mixed with storm water from industrial area;
- Chemical storage area;
- Docking facility if no excessive contact with waste product that would otherwise constitute mine drainage;
- Explosive storage;
- Fuel storage;
- Vehicle and equipment maintenance area and building;
- Parking areas if mixed with industrial areas;
- Power plant;
- Truck wash areas if no excessive contact with waste product that would otherwise constitute mine drainage;
- Unreclaimed, disturbed areas outside of active mining area;
- Reclaimed areas released from reclamation requirements prior to December 17, 1990; and
- Partially or inadequately reclaimed areas or areas not released from reclamation requirements.

11.G.1.3 Covered Discharges from Exploration and Construction of Metal Mining and/or Ore Dressing Facilities. All storm water discharges.

11.G.1.4 Covered Discharges from Facilities Undergoing Reclamation. All storm water discharges.

11.G.2 Limitations on Coverage.

11.G.2.1 Prohibition of Storm Water Discharges. Storm water discharges not authorized by this permit include discharges from active metal mining facilities that are subject to effluent limitation guidelines for the Ore Mining and Dressing Point Source Category (40 CFR Part 440).

Note: Storm water runoff from these sources are subject to 40 CFR Part 440 if they are mixed with other discharges subject to Part 440. In this case, they are not eligible for coverage under this permit.

Discharges from overburden/waste rock and overburden/waste rock-related areas are not subject to 40 CFR Part 440 unless they:

(1) drain naturally (or are intentionally diverted) to a point source; and

(2) combine with "mine drainage" that is otherwise regulated under the Part 440 regulations.

For such sources, coverage under this permit would be available if the discharge composed entirely of storm water does not combine with other sources of mine drainage that are not subject to 40 CFR Part 440, and meets the other eligibility criteria contained in Part 1.2 of the permit.

Permit applicants bear the initial responsibility for determining if they are eligible for coverage under this permit, or must seek coverage under another APDES permit. DEC recommends that permit applicants contact the DEC for assistance to determine the nature and scope of the "active mining area" on a mine-by-mine basis, as well as to determine the appropriate permitting mechanism for authorizing such discharges.

11.G.2.2 Prohibition of Non-Storm Water Discharges. Not authorized by this permit: adit drainage, and contaminated springs or seeps discharging from waste rock dumps that do not directly result from precipitation events (see also the standard Limitations on Coverage in Part 1.2.4).

11.G.3 Definitions.

The following definitions are not intended to supersede the definitions of active and inactive mining facilities established by 40 CFR 122.26(b)(14)(iii).

11.G.3.1 Mining Operation - Consists of the active and temporarily inactive phases, and the reclamation phase, but excludes the exploration and construction phases.

11.G.3.2 Exploration Phase - Entails exploration and land disturbance activities to determine the financial viability of a site. The exploration phase is not considered part of “mining operations.”

11.G.3.3 Construction Phase - Includes the building of site access roads, facilities, and removal of overburden and waste rock to expose mineable minerals. The construction phase is not considered part of “mining operations.”

11.G.3.4 Active Phase - Activities including the extraction, removal or recovery of metal ore. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of “active mining area” found at 40 CFR 440.132(a). The active phase is considered part of “mining operations.”

11.G.3.5 Reclamation Phase - Activities undertaken, in compliance with applicable mined land reclamation requirements, following the cessation of the "active phase", intended to return the land to an appropriate post-mining land use in order to meet applicable Federal and State reclamation requirements. The reclamation phase is considered part of "mining operations."

11.G.3.6 Active Metal Mining Facility - A place where work or other activity related to the extraction, removal, or recovery of metal ore is being conducted. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of "active mining area" found at 40 CFR 440.132(a).

11.G.3.7 Inactive Metal Mining Facility - A site or portion of a site where metal mining and/or milling occurred in the past but is not an active facility as defined above, and where the inactive portion is not covered by an active mining permit issued by the applicable State or Federal agency. An inactive metal mining facility has an identifiable owner / operator. Sites where mining claims are being maintained prior to disturbances associated with the extraction, beneficiation, or processing of mined materials and sites where minimal activities are undertaken for the sole purpose of maintaining a mining claim are not considered either active or inactive mining facilities and do not require an APDES industrial storm water permit.

11.G.3.8 Temporarily Inactive Metal Mining Facility - A site or portion of a site where metal mining and/or milling occurred in the past but currently are not being actively undertaken, and the facility is covered by an active mining permit issued by the applicable State or Federal agency.

11.G.4 Technology-Based Effluent Limits for Clearing, Grading, and Excavation Activities.

Clearing, grading, and excavation activities being conducted as part of the exploration and construction phase of mining activities are covered under this permit.

11.G.4.1 Erosion Control Measures. A permittee must comply with the erosion control measures in this Part to minimize soil exposure on the site during construction.

11.G.4.1.1 Delineation of Site. A permittee must generally delineate (e.g., with flagging, stakes, signs, silt fence, etc.,) the location of specific areas that will be left undisturbed such as trees, boundaries of sensitive areas, or buffers established under Part 11.G.4.1.3.

11.G.4.1.2 Minimize the Amount of Soil Exposed during Construction Activity. A permittee must include the following considerations in the selection of control measures and the sequence of project construction as they apply to the project site:

- Preserve areas of native topsoil on the site, unless infeasible; and

- Sequence or phase construction activities to minimize the extent and duration of exposed soils to the extent practicable.

11.G.4.1.3 Maintain Natural Buffer Areas.

The permittee must maintain natural buffer areas at stream crossings and around the edge of any waters of the U.S. that are located within or immediately adjacent to the property where the construction activity will take place in accordance with the following:

- The buffer must be a minimum of twenty-five (25) feet wide, unless infeasible based on site dimensions, or the width as required by local ordinance.
- Exceptions are allowed for water dependent activities, specific water access activities, or necessary water crossings.
- A permittee should, to the extent practicable, use perimeter controls adjacent to buffers, and direct storm water sheet flow to buffer areas to increase sediment removal and maximize storm water infiltration, unless infeasible.

11.G.4.1.4 Control Storm Water Discharges and Flow Rates. A permittee must include the following control measures to handle storm water and total storm water volume discharges as they apply to the site:

- Divert storm water around the site so that it does not flow onto the project site and cause erosion of exposed soils;
- Slow down or contain storm water that may collect and concentrate within a site and cause erosion of exposed soils;
- Avoid placement of structural control measures in active floodplains to the degree technologically and economically practicable and achievable;
- Place velocity dissipation devices (e.g., check dams, sediment traps, or riprap) along the length of any conveyance channel to provide a non-erosive flow velocity. Also place velocity dissipation devices where discharges from the conveyance channel or structure join a water course to prevent erosion and to protect the channel embankment, outlet, adjacent stream bank slopes, and downstream waters; and
- Install permanent storm water management controls, if present at a site and where practical, so that they must be functional prior to construction of site improvements (e.g., impervious surfaces).

11.G.4.1.5 Protect Steep Slopes. A permittee must include the following considerations in the selection of control measures as they apply to the project site:

- Design and construct cut-and-fill slopes in a manner that will minimize erosion. Applicable practices include, but are not limited to, reducing continuous length of slope with terracing and diversions, reducing slope steepness, and roughening slope surfaces (e.g., track walking);

- Divert concentrated flows of storm water away from and around the disturbed portion of the slope. Applicable practices include, but are not limited to interceptor dikes and swales, grass-lined channels, pipe slope drains, subsurface drains, check dams; and

- Stabilize exposed areas of the slope in accordance with Part 11.G.4.4.

11.G.4.2 Sediment Control Measures. Sediment control measures (e.g. sediment ponds, traps, filters, etc.) must be constructed as one of the first steps in grading. These control measures must be functional before other land disturbing activities take place. A permittee must install, establish and use any of the following control measures that apply to the project site.

11.G.4.2.1 Storm Drain Inlet Protection Meaures. A permittee must install appropriate protection measures (e.g. filter berms, perimeter controls, temporary diversion dikes, etc.) to minimize the discharge of sediment prior to entry into the inlet for storm drain inlets located on site or immediately downstream of the site. Inlet protection measures must be cleaned or removed and replaced when sediment has filled one-third of the available storage.

11.G.4.2.2 Water Body Protection Measures. A permittee must install appropriate protection measures (Part 11.G.4.1.4) to minimize the discharge of sediment prior to entry into the water body for water bodies located on site or immediately downstream of the site. Protection measures must be cleaned or removed and replaced when sediment has filled one-third of the available storage.

11.G.4.2.3 Down-Slope Sediment Controls. A permittee must establish and use down-slope sediment controls (e.g., silt fence, temporary diversion dike, etc.) for any portion of the down-slope and side-slope perimeter where storm water will be discharged from disturbed areas of the site.

11.G.4.2.4 Stabilized Construction Vehicle Access and Exit Points. A permittee must establish construction vehicle access and exit points which must be stabilized. Access and exit points should be limited to one route, if possible. If sediment escapes the construction site, off-site accumulations of sediment must be removed at a frequency sufficient to minimize off-site impacts.

11.G.4.2.5 Dust Generation and Track-Out from Vehicles. A permittee must minimize the generation of dust through the application of water or other dust suppression techniques and prior to vehicle exit. A permittee must provide an effective way of minimizing off-site vehicle tracking of sediment from wheels to prevent track-out onto paved surfaces.

11.G.4.2.6 Soil Stockpiles. A permittee must stabilize or cover soil stockpiles, protect with sediment trapping measures, and where possible, locate soil stockpiles away from storm drain inlets, water bodies, and conveyance channels.

11.G.4.2.7 Authorized Non-Storm Water Discharges. A permittee must minimize any non-storm water authorized by this permit.

11.G.4.2.8 Sediment Basins, where applicable:

- For common drainage locations that serve an area with ten (10) or more acres disturbed at one time, a temporary (or permanent) sediment basin that provides storage for a calculated volume of runoff from the drainage area from a 2-year, 24-hour storm, or equivalent sediment control measures, must be installed, maintained, and used where practicable until final stabilization of the site. Where no such calculation has been performed, a temporary (or permanent) sediment basin providing 3,600 cubic feet of storage per acre drained, or equivalent sediment control measures, must be installed and used where practicable until final stabilization of the site. When computing the number of acres draining into a common location, it is not necessary to include flows from offsite areas and flows from on-site areas that are either undisturbed or have undergone final stabilization where such flows are diverted around both the disturbed area and the sediment basin. In determining whether installing a sediment basin is practicable, the permittee may consider factors such as site soils, slope, available area on-site, etc. In any event, the permittee must consider public safety, especially as it relates to children, as a design factor for the sediment basin, and alternative sediment control measures must be used where site limitations would preclude a safe design.

- For drainage locations which serve ten (10) or more disturbed acres at one time and where a temporary sediment basin or equivalent controls is not practicable, smaller sediment basins and/or sediment traps should be used. Silt fences, vegetative buffer strips, or equivalent sediment control measures are required for all down slope boundaries (and for those side slope boundaries deemed appropriate as dictated by individual site conditions).

- For drainage locations serving less than ten (10) acres, smaller sediment basins and/or sediment traps should be used. Silt fences, vegetative buffer strips, or equivalent sediment control measures are required for all down slope

boundaries (and for those side slope boundaries deemed appropriate as dictated by individual site conditions) of the construction area unless a sediment basin providing storage for a calculated volume of runoff from a 2-year, 24-hour storm event or 3,600 cubic feet of storage per acre drained is provided.

- When discharging from basins and impoundments, utilize outlet structures that withdraw water from the surface where practicable.
- Note: installing sediment basins in the presence of permafrost is challenging and might not be practicable in some instances because permafrost creates poor surface drainage that hinders the infiltration of runoff. Also, the excavation of permafrost in summer can trigger thawing and instability.

11.G.4.3 Dewatering.

11.G.4.3.1 If a construction activity includes excavation dewatering and has a discharge that could adversely impact a local drinking water well, an DEC-identified contaminated site, or a waters of the U.S., the permittee must review the DEC Excavation Dewatering General Permit (AKG002000, or most current version) for specific requirements the permittee may have to comply with in addition to the conditions of this permit.

11.G.4.3.2 A discharge from eligible dewatering activities, including discharges from dewatering of trenches and excavations are prohibited unless treated by appropriate control measures. Appropriate control measures include, but are not limited to, sediment basins or traps, dewatering tanks, weir tanks, or filtration systems designed to remove sediment.

11.G.4.4 Soil Stabilization.

11.G.4.4.1 Minimum Requirements for Soil Stabilization. A permittee must stabilize all disturbed areas of the site to minimize on-site erosion and sedimentation and the resulting discharge of pollutants according to the requirements of this Part. A permittee must ensure that existing vegetation is preserved wherever possible and that disturbed portions of the site are stabilized. Applicable stabilization control measures include, but are not limited to: temporary and permanent seeding, sodding, mulching, rolled erosion control product, compost blanket, soil application of polyacrylamide (PAM), the early application of gravel base on areas to be paved, and dust control. A permittee should avoid using impervious surfaces for stabilization. See the Alaska Plant Materials Center's A Revegetation Manual for Alaska at http://plants.alaska.gov for help in efforts to select appropriate seed mixes and some information on methods for revegetation. Also see the manual for coastal Alaska, Coastal Revegetation & Erosion Control Guide at http://plants.alaska.gov.

11.G.4.5 Treatment Chemicals. The use of treatment chemicals to reduce turbidity in a storm water discharge is allowed provided that all of the requirements of this Part are met.

11.G.4.5.1 Use of conventional sediment controls before and after the application of treatment chemicals. Chemicals may only be applied where storm water is treated upstream and is directed to a sediment control (e.g., sediment trap, sediment basin) before discharge.

11.G.4.5.2 Select appropriate treatment chemicals. Chemicals must be appropriately suited to the types of soils likely to be exposed during construction and present in the discharges being treated (i.e., the expected turbidity, pH, and flow rate of storm water flowing into the chemical treatment system or area, etc.)

11.G.4.5.3 Minimize discharge risk from stored chemicals. Store all treatment chemicals in leak-proof containers that are kept under storm-resistant cover and surrounded by secondary containment structures (e.g., spill berms, decks, spill containment pallets), with adequate spill kits available on-site to respond if the event of a discharge of treatment chemicals occurs.

11.G.4.5.4 Use chemicals in accordance with good engineering practices and specifications of the chemical provider/supplier, and with dosing specifications and sediment removal design specifications provided by the provider/supplier of the applicable chemicals, or document in your SWPPP specific departures from these specifications and how they reflect good engineering practice.

11.G.4.5.5 Application of treatment chemicals through the use of manufactured products (e.g., gel bars, gel logs, floc blocks, etc.) must be used in combination with adequate ditch check dams, sediment traps, sediment basins, or physical control measure designed to settle out chemically treated storm water and minimize the presence of treatment chemicals before discharges reach waters of the U.S.. At a minimum there must be adequate ditch length downstream of the last manufactured product prior to reaching the discharge point into a water of the U.S. to provide a place for sedimentation to occur.

11.G.4.5.6 Ensure proper training. Ensure that all persons who handle and use treatment chemicals at the construction site are provided with appropriate, product-specific training. Among other things, the training must cover proper dosing requirements.

11.G.4.5.7 Perform additional measures specified by the Department for the authorized use of cationic treatment chemicals. If the permittee plans to add “cationic treatment chemicals” (as defined in Appendix C) to storm water and/or authorized non-storm water prior to discharge, they must submit a request to the Department fourteen (14) calendar days in advance of proposed usage. The request must include the following:

- Operator Name, mailing address, phone number, and email address;

- Project/Site name, physical address, contact name, phone number, email address and MSGP permit authorization number;
- Site Map with all receiving waterbodies, proposed location of chemical treatment system, and proposed point of discharge into receiving waterbodies;
- Schematic drawing of the proposed treatment system; and
- Description of the proposed treatment system including; type of system being used, type of cationic chemicals being used, estimated start and finish date, sampling and recordkeeping schedule and reporting, and name of treatment system operator or company.

The permittee must perform all additional measures as conditioned by the Department authorization to ensure that the use of such chemicals will not cause an exceedance of water quality standards.

11.G.4.6 Prohibited Discharge. A permittee is prohibited from discharging the following from the site:

11.G.4.6.1 Wastewater from concrete washout, unless managed by an appropriate control measure;

11.G.4.6.2 Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials;

11.G.4.6.3 Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance; and

11.G.4.6.4 Soaps or solvents used in vehicle and equipment washing.

11.G.4.7 Good Housekeeping Measures. A permittee must design, install, implement, and maintain effective good housekeeping measures to prevent and/or minimize the discharge of pollutants. A permittee must include appropriate measures for any of the following activities that are used at the site.

11.G.4.7.1 Washing of Equipment and Vehicles and Wheel Wash-Down. If a permittee conducts washing of equipment or vehicles and/or wheel wash-down at the site the permittee must comply with the following requirements:

- Designate areas to be used for washing of equipment and vehicles and/or wheel wash-down and conduct such activities only in these areas;
- Locate such activities, to the extent practicable, away from storm water conveyance channels, storm drain inlets, and waters of the U.S.;

- Treat all wash water in a sediment basin or use alternative control measures that provide equivalent or better treatment prior to discharge; and
- To comply with the prohibition in Part 11.G.4.6.4, the discharge of soaps and solvents used in equipment and vehicle washing and/or wheel wash-down is strictly prohibited.

11.G.4.7.2 Fueling and Maintenance Areas. If a permittee conducts fueling and/or maintenance activities for equipment and vehicles at the site the permittee must comply with the following requirements:

- Designate areas to be used for fueling and/or maintenance of equipment and vehicles and conduct such activities only in these areas (the designated area may move from one location to another on linear projects);
- Locate such activities, to the extent practicable, away from storm water conveyance channels, storm drain inlets and waters of the U.S.;
- Minimize the exposure to precipitation and storm water or use secondary containment structures designed to eliminate the potential for spills or leaked chemicals; and
- To comply with the prohibition in Part 11.G.4.6.3, a permittee must:
    - Clean up spills or contaminated surfaces immediately;
    - Ensure adequate clean up supplies are available at all times to handle spills, leaks, and disposal of used liquids;
    - Use drip pans or absorbents under or around leaky equipment and vehicles; and
    - Dispose of liquid wastes or materials used for fueling and maintenance in accordance with Part 11.G.4.11.

11.G.4.8 Staging and Material Storage Areas. If a permittee maintains staging and material storage areas at the site the permittee must comply with the following requirements:

- Designate areas to be used for staging and material storage areas;
- Locate such activities, to the extent practicable, away from storm water conveyance channels, storm drain inlets, and waters of the U.S; and
- Minimize the exposure to precipitation and storm water and vandalism for all chemicals, treatment chemicals, liquid products, petroleum products, and other materials that have the potential to pose a threat to human health or the environment.

11.G.4.9 Washout of Applicators/Containers used for Paint, Concrete, and Other Materials. If a permittee conducts washing of applicators and/or containers used for paint, concrete, and other materials at the site, the permittee must comply with the following requirements:

- Designate areas to be used for washout;
- Locate such activities, to the extent practicable, away from storm water conveyance channels, storm drain inlets, and waters of the U.S.;
- Direct all concrete, paint, and other material washout activities into a lined, water-tight container or pit to ensure there is no discharge into the underlying soil and onto the surrounding areas;
- Dispose of liquid wastes in accordance with Part 11.G.4.11; and
- For concrete washout areas, remove hardened concrete waste when it has reached one-half (½) the height of the container or pit and dispose of in accordance with Part 11.G.4.11.

11.G.4.10 Fertilizer or Pesticide Use. If a permittee uses fertilizers or pesticides the permittee must comply with the following requirements:

- Application of fertilizers and pesticides in a manner and at application rates that will minimize the loss of chemical to storm water runoff. Manufacturers' label requirements for application rates and disposal requirements must be followed; and
- Use pesticides in compliance with federal, state and local requirements.

11.G.4.11 Storage, Handling, and Disposal of Construction Waste. If a permittee stores, handles and/or disposes of construction waste at the site, the permittee must comply with the following requirements:

- Locate areas dedicated for management or disposal of construction waste, to the extent practicable, away from storm water conveyance channels, storm drain inlets, and waters of the U.S.;
- Dispose of all collected sediment, asphalt and concrete millings, floating debris, paper, plastic, fabric, construction and demolition debris and other domestic wastes according to federal, state and local requirements;
- Store hazardous or toxic waste in appropriate sealed containers and dispose of these wastes in accordance with manufactures recommended method of disposal or federal, state or local requirements; and

- Provide containment of sanitation facilities (e.g., portable toilets) to prevent discharges of pollutants to the storm water drainage system or receiving water. Clean or replace sanitation facilities and inspect them regularly for leaks and spills.

11.G.4.12 Winter Considerations.

11.G.4.12.1 Winter Shutdown. A permittee who temporarily ceases construction for the winter and plans to resume construction the next summer must plan for winter shutdown. The permittee must identify the anticipated dates of fall freeze-up and spring thaw (see Appendix C) for their site and use these dates to plan for winter shutdown. For the purpose of planning ahead frozen ground by itself is not considered an acceptable control measure for stabilization. A permittee must provide for the following prior to, during, and at the conclusion of winter shutdown:

- Temporary or permanent stabilization for conveyance channels;
- Temporary or permanent stabilization for disturbed slopes, disturbed soils, and soil stockpiles; and
- Erosion and sediment control measures in anticipation of spring thaw.

11.G.4.12.2 Winter Construction. In several areas of Alaska, winter construction provides opportunities for construction not available during summer months. Permit coverage is not required for the construction of ice roads or the placement of sand or gravel on frozen tundra with no excavation or potential to pollute waters of the U.S. This permit does address those construction activities that have the potential for erosion or sediment runoff during spring thaw and summer rainfall. A permittee operating winter construction activities must plan for using appropriate control measures to minimize erosion or sediment runoff during spring thaw and summer rainfall. The Alaska Storm Water Guide, Chapters 3 and 4, provide guidance on the selection, design, and installation of winter construction practices and controls.

11.G.4.12.3 Late Winter Clearing. Cutting of trees and brush while the ground is frozen, without disturbing the vegetative mat, for the purpose of clearing in accordance with the U.S. Fish & Wildlife Service "Recommended Time Periods for Avoiding Vegetation Clearing" is allowed prior to the submittal of a project NOI. If the cutting occurs after the onset of spring thaw (as defined in Appendix C), conditions that consist of above freezing temperatures that cause melting of snow, then the permittee must develop a SWPPP and file an NOI, and receive authorization for coverage under this permit from DEC, and otherwise comply with the terms of this permit prior to such clearing.

11.G.4.13 Maintenance of Control Measures. A permittee must maintain all control measures, good housekeeping measures, and other protective measures in effective operating condition. If site inspections required by Part 6 identify control measures, good housekeeping measures, or other protective measures that are not operating effectively, the permittee must implement corrective actions in accordance with Part 8.

If existing control measures need to be modified or if additional control measures are necessary for any reason, the permittee must complete any corrective action in accordance with Part 8.3.

A permittee must remove sediment from silt fences, check dams, berms or other controls before the accumulated sediment reaches one-half (½) the distance up the above-ground height (or it reaches a lower height based on manufacturer's specifications) of the control measure. For sediment traps or sediment ponds, the permittee must remove accumulated sediment when the design capacity has been reduced by fifty (50%) percent.

11.G.4.14 Inspection of Clearing, Grading, and Excavation Activities. (See also Part 6)

11.G.4.14.1 Inspection Frequency. Inspections must be conducted at one of the following: at least once every 7 calendar days; or at least once every 14 calendar days and within 24 hours of the end of a storm event that resulted in a discharge from the site; or for areas of the state where the mean annual precipitation is forty (40) inches or greater, or relatively continuous precipitation or sequential storm events, inspect at least once every seven (7) calendar days. If the entire site is temporarily stabilized, inspection frequency may be reduced to at least once every month and within two business days of the end of a measurable storm event at actively staffed sites which resulted in a discharge from the site (pursuant to Part 11.G.4.15.2). Once active mining has begun, those areas comply with inspections according to 11.G.7. A permittee must specify in the SWPPP which schedule will be followed.

11.G.4.14.2 Winter Shutdown. If the exploration and construction phase is undergoing winter shutdown the permittee may stop inspections fourteen (14) calendar days after the anticipated fall freeze-up and must resume inspections at least twenty-one (21) calendar days prior to the anticipated spring thaw. The permittee shall identify the winter shutdown period in their SWPPP based upon the definitions of fall freeze-up and spring thaw.

11.G.4.14.3 Location of Inspections. Inspections must include all areas of the site disturbed by clearing, grading, and/or excavation activities and areas used for storage of materials that are exposed to precipitation. Sedimentation and erosion control measures must be observed to ensure proper operation. Discharge locations must be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to waters of the United States, where accessible. Where discharge locations are inaccessible, nearby downstream locations must be inspected to the extent that

such inspections are practicable. Locations where vehicles enter or exit the site must be inspected for evidence of significant off-site sediment tracking.

11.G.4.14.4 Inspection Reports. (See also Part 6.1) For each inspection required above, the permittee must complete an inspection report. At a minimum, the inspection report must include the information required in Part 6.1.

11.G.4.15 Requirements for Cessation of Clearing, Grading, and Excavation Activities.

11.G.4.15.1 Inspections and Maintenance. Inspections and maintenance of control measures, including BMPs, associated with clearing, grading, and/or excavation activities being conducted as part of the exploration and construction phase of a mining operation must continue until final stabilization has been achieved on all portions of the disturbed area, or until the commencement of the active mining phase for those areas that have been temporarily stabilized as a precursor to mining.

11.G.4.15.2 Temporary Stabilization of Disturbed Areas. Stabilization measures should be initiated immediately in portions of the site where clearing, grading and/or excavation activities have temporarily ceased, but in no case more than 14 days after the clearing, grading and/or excavation activities in that portion of the site have temporarily ceased. In arid, semi-arid, and drought-stricken areas, or in areas subject to snow or freezing conditions, where initiating perennial vegetative stabilization measures is not possible within 14 days after exploration, and/or construction activity has temporarily ceased, temporary vegetative stabilization measures must be initiated as soon as practicable.

The permittee must identify the anticipated dates of fall freeze-up and spring thaw (see Appendix C) for the site and use those dates to plan for winter shutdown. For the purpose of planning ahead frozen ground by itself is not considered an acceptable control measure for stabilization. Where temporary stabilization by the 14th day is precluded by snow cover or frozen ground conditions, stabilization measures must be initiated as soon as practicable following the actual spring thaw.

Until temporary vegetative stabilization is achieved, interim measures (e.g., surface roughening or a surface cover, including but not limited to, establishment of ground vegetation, application of mulch, or surface tackifiers with an appropriate seed base) must be employed. In areas of the site, where exploration and/or construction has permanently ceased prior to active mining, temporary stabilization measures must be implemented to minimize mobilization of sediment or other pollutants until such time as the active mining phase commences.

11.G.4.15.3 Final Stabilization of Disturbed Areas. Stabilization measures should be initiated immediately in portions of the site where mining, exploration, and/or construction activities have permanently ceased, but in no case more than 14 days after the exploration and/or construction activity in that portion of the site has permanently ceased. In arid, semi-arid, and drought-stricken areas, or in areas subject to snow or freezing conditions, where initiating perennial vegetative stabilization measures is not possible within 14 days after mining, exploration, and/or construction activity has permanently ceased, final vegetative stabilization measures must be initiated as soon as possible. Until final stabilization is achieved, temporary stabilization measures must be used.

11.G.5 Additional Technology-Based Effluent Limits.

11.G.5.1 Employee Training. (See also Part 4.2.9) Conduct employee training at least annually at active and temporarily inactive sites.

11.G.5.2 Good Housekeeping Measures. (See also Part 4.2.2) As part of the permittees good housekeeping program, implement the following, as practicable: use sweepers and covered storage, watering haul roads to minimize dust generation, and conserving vegetation (where possible) to minimize erosion.

11.G.5.3 Preventive Maintenance. (See also Part 4.2.3) Perform inspections or other equivalent measures of storage tanks and pressure lines of fuels, lubricants, hydraulic fluid, and slurry to prevent leaks due to deterioration or faulty connections.

11.G.5.4 Storm Water Controls. Apart from the control measures implemented to meet the Part 4 control measures, implement the following control measures at the facility, as practicable. The potential pollutants identified in Part 11.G.6.3 shall determine the priority and appropriateness of the control measures selected. If the permittee selects or develops a storm water control other than one described below, the permittee shall describe it in the SWPPP.

11.G.5.4.1 Storm Water Diversions. Divert storm water away from potential pollutant sources. Implement the following options, as practicable: interceptor or diversion controls (e.g., dikes, swales, curbs, or berms); pipe slope drains; subsurface drains; conveyance systems (e.g., channels or gutters, open-top box culverts, and waterbars; rolling dips and road sloping; roadway surface water deflector and culverts); or their equivalents.

11.G.5.4.2 Velocity Dissipation Devices. Place velocity dissipation devices (e.g., check dams, sediment traps, or riprap) as practicable, along the length of any conveyance channel to provide a non-erosive flow velocity. Also place velocity dissipation devices where discharges from the conveyance channel or structure join a water course to prevent erosion and to protect the channel embankment, outlet, adjacent stream bank slopes, and downstream waters.

11.G.5.4.3 Down-Slope Sediment Controls. Establish and use down-slope sediment controls (e.g., silt fence or temporary diversion dike) for any portion of the down-slope and side-slope perimeter where storm water will be discharged from disturbed areas of the site.

11.G.5.4.4 Stabilized Construction Vehicle Access and Exit Points. Establish stabilized vehicle access and exit points. Off-site accumulations of sediment must be removed at a frequency sufficient to minimize off-site impacts.

11.G.5.4.5 Capping. When capping is necessary to minimize pollutant discharges in storm water, identify the source being capped and the material used to construct the cap.

11.G.5.4.6 Treatment. If treatment of storm water (e.g., chemical or physical systems, oil and water separators, artificial wetlands) is necessary to protect water quality, describe the type and location of treatment used. All permanent storm water treatment devices shall receive engineering plan approval per 18 AAC 72.600. Passive and/or active treatment of storm water runoff is encouraged where practicable. Treated runoff may be discharged as a storm water source regulated under this permit provided the discharge is not combined with discharges subject to effluent limitation guidelines for the Ore Mining and Dressing Point Source Category (40 CFR Part 440).

11.G.5.5 Certification of Discharge Testing. (See also Part 5.2.4.4) Test or evaluate all outfalls covered under this permit for the presence of specific mining-related non-storm water discharges such as seeps or adit discharges, or discharges subject to effluent limitations guidelines (e.g., 40 CFR Part 440), such as mine drainage or process water. Alternatively (if applicable), the permittee may keep a certification with the SWPPP consistent with Part 11.G.6.6.

11.G.5.6 Overburden, Waste Rock, and Raw Material Piles. Overburden, topsoil, and waste rock, as well as raw material and intermediate and final product stockpiles, shall be located a minimum of 25 feet away from surface water, other sources of water, and from geologically unstable areas as practicable.

11.G.6 Additional SWPPP Requirements.

11.G.6.1 Nature of Industrial Activities. (See also Part 5.2.3) Document in the SWPPP the mining and associated activities that can potentially affect the storm water discharges covered by this permit, including a general description of the location of the site relative to major transportation routes and communities.

11.G.6.2 Site Map. (See also Part 5.2.3) The permittee must document in the SWPPP the locations of the following (as appropriate): mining or milling site boundaries; access and haul roads; outline of the drainage areas of each storm water outfall within the facility with indications of the types of discharges from the drainage areas; location(s) of all permitted discharges covered under an individual APDES permit, outdoor equipment storage, fueling, and maintenance areas; materials handling areas; outdoor manufacturing, outdoor storage, and material disposal areas; outdoor chemicals and explosives storage areas; overburden, materials, soils, or waste storage areas; location of mine drainage (where water leaves mine) or other process water; tailings piles and ponds (including proposed ones); heap leach pads; off-site points of discharge for mine drainage and process water; surface waters; boundary of tributary areas that are subject to effluent limitations guidelines; and location(s) of reclaimed areas.

11.G.6.3 Potential Pollutant Sources. (See also Part 5.2.4) For each area of the mine or mill site where storm water discharges associated with industrial activities occur, identify the types of pollutants (e.g., heavy metals, sediment) likely to be present in significant amounts. Monitor these factors, as relevant: the mineralogy of the ore and waste rock (e.g., acid forming); toxicity and quantity of chemicals used, produced, or discharged; the likelihood of contact with storm water; vegetation of site (if any); and history of significant leaks or spills of toxic or hazardous pollutants. Also include a summary of any existing ore or waste rock or overburden characterization data and test results for potential generation of acid rock. If any new data is acquired due to changes in ore type being mined, update the SWPPP with this information.

11.G.6.4 Documentation of Control Measures. Document all control measures that the permittee implements consistent with Part 11.G.5.4. If control measures are implemented or planned but are not listed in Part 11.G.5.4 (e.g., substituting a less toxic chemical for a more toxic one), include descriptions of them in the SWPPP.

11.G.6.5 Employee Training. To the extent practical, all supervisory personnel involved in directing the maintenance of storm water control measures shall be trained and qualified in the principles and practices of erosion and sediment control. All employee training(s) must be documented in the SWPPP.

11.G.6.6 Certification of Permit Coverage for Commingled Non-Storm Water Discharges. If a permittee determines that they are able to certify, consistent with Part 11.G.5.5, that a particular discharge composed of commingled storm water and non-storm water is covered under a separate APDES permit, and that permit subjects the non-storm water portion to effluent limitations prior to any commingling, retain such certification with the SWPPP. This certification must identify the non-storm water discharges, the applicable APDES permit(s), the effluent limitations placed on the non-storm water discharge by the permit(s), and the points at which the limitations are applied.

11.G.6.7 SWPPP Submittal. At least 45 calendar days prior to the start of initial construction of a new facility the permittee shall submit the construction phase SWPPP to DEC.

11.G.6.8 SWPPP Meeting. At least 20 calendar days before the start of initial construction for a new facility, representatives of the permittee and the prime site construction contractor shall meet with DEC in a pre-construction conference to discuss the details of storm water management during construction.

11.G.7 Additional Inspection Requirements.

(See also Part 6.1 and 11.G.4.14.) Except for areas of the site subject to clearing, grading, and/or excavation activities conducted as part of the exploration and construction phase, which are subject to Part 11.G.4.14.1, the permittee must inspect sites at least quarterly unless adverse weather conditions make the site inaccessible. Sites which discharge to waters designated as outstanding waters or waters which are impaired for sediment or nitrogen must be inspected monthly. See Part 11.G.8.4 for inspection requirements for inactive and unstaffed sites.

11.G.8 Sector-Specific Benchmarks. (See also Part 7 of the permit.)

Note: There are no Part 11.G.8 monitoring and reporting requirements for inactive and unstaffed sites.

11.G.8.1 Benchmark Monitoring for Active Copper Ore Mining and Dressing Facilities. Active copper ore mining and dressing facilities, the permittee must sample and analyze storm water discharges for the pollutants listed in Table 11.G.8-1.

Table 11.G.8-1: Benchmark Monitoring for Active Copper Ore Mining and Dressing Facilities

Subsector (Permittees may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
Subsector G1. Active Copper Ore Mining and Dressing Facilities (SIC 1021)	Total Suspended Solids (TSS)	100 mg/L
	Nitrate plus Nitrite Nitrogen	0.68 mg/L
	Chemical Oxygen Demand (COD)	120 mg/L

11.G.8.2 Benchmark Monitoring Requirements for Discharges from Waste Rock and Overburden Piles at Active Metal Mining Facilities. For discharges from waste rock and overburden piles, perform benchmark monitoring once in the first year for the parameters listed in Table 11.G.8-2, and twice annually in all subsequent years of coverage under this permit for any parameters for which the benchmark has been exceeded. The permittee is also required to conduct analytic monitoring for the parameters listed in Table 11.G.8-3 in accordance with the requirements in Part 11.G.8.3. The Department may also notify the permittee that the permittee must perform additional monitoring to accurately characterize the quality and quantity of pollutants discharged from their waste rock and overburden piles.

(Table 11.G.8-2: Benchmark Monitoring Requirements for Discharges from Waste Rock and Overburden Piles at Active Metal Mining Facilities located on following page.)

Table 11.G.8-2: Benchmark Monitoring Requirements for Discharges from Waste Rock and Overburden Piles at Active Metal Mining Facilities

Subsector (Permittees may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
Subsector G2. Iron Ores; Copper Ores; Lead and Zinc Ores; Gold and Silver Ores; Ferroalloy Ores, Except Vanadium; and Miscellaneous Metal Ores (SIC Codes 1011, 1021, 1031, 1041, 1044, 1061, 1081, 1094, 1099) (Note: when analyzing hardness for a suite of metals, it is more cost effective to add analysis of calcium and magnesium, and have hardness calculated than to require hardness analysis separately)	Total Suspended Solids (TSS)	100 mg/L
	Turbidity	See Note 1
	pH	6.5 - 8.5 s.u.
	Hardness (as CaCO3; calc. from Ca, Mg)[2]	no benchmark value
	Total Antimony	0.64 mg/L
	Total Arsenic (saltwater)[2] Total Arsenic (freshwater)	0.069 mg/L 0.15 mg/ L
	Total Beryllium	0.13 mg/L
	Total Cadmium (saltwater)[2] Total Cadmium (freshwater)[3]	0.04 mg/L Hardness Dependent
	Total Copper (saltwater)[2] Total Copper (freshwater)[3]	0.0048 mg/L Hardness Dependent
	Total Iron	1.0 mg/L
	Total Lead (saltwater)[2] Total Lead (freshwater)[3]	0.21 mg/L Hardness Dependent
	Total Mercury (saltwater)[2] Total Mercury (freshwater)[3]	0.0018 mg/L 0.0014 mg/L
	Total Nickel(saltwater)[2] Total Nickel (freshwater)[3]	0.074 mg/L Hardness Dependent
	Total Selenium	0.005 mg/L
	Total Silver (saltwater)[2] Total Silver (freshwater)[3]	0.0019 mg/L Hardness Dependent
	Total Zinc (saltwater)[2] Total Zinc (freshwater)[3]	0.09 mg/L Hardness Dependent

Note:

1. Turbidity in fresh water may not exceed 5 nephelometric turbidity units (NTU) above natural conditions when the natural turbidity is 50 NTU or less, and may not have more than 10% increase in turbidity when the natural turbidity is more than 50 NTU, not to exceed a maximum increase of 25 NTU. See 18 AAC 70.020(b)(12)(A)(i).
2. Saltwater benchmark values apply to storm water discharges into saline waters where indicated.
3. The freshwater benchmark values of some metals are dependent on water hardness. For these parameters, permittees must determine the hardness of the receiving water (see Appendix E, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part 7.2.1.1, to identify the applicable 'hardness range' for determining their benchmark value applicable to their facility. The ranges occur in 25 mg/L increments. Hardness Dependent Benchmarks follow in the table below:

Water Hardness Range (mg/L)	Cadmium (mg/L)	Copper (mg/L)	Lead (mg/L)	Nickel (mg/L)	Silver (mg/L)	Zinc (mg/L)
0 – < 25	0.0005	0.0038	0.014	0.15	0.0007	0.04
25 – < 50	0.0008	0.0056	0.023	0.20	0.0007	0.05
50 – < 75	0.0013	0.0090	0.045	0.32	0.0017	0.08
75 – < 100	0.0018	0.0123	0.069	0.42	0.0030	0.11
100 – < 125	0.0023	0.0156	0.095	0.52	0.0046	0.13
125 – < 150	0.0029	0.0189	0.122	0.61	0.0065	0.16
150 – < 175	0.0034	0.0221	0.151	0.71	0.0087	0.18
175 – < 200	0.0039	0.0253	0.182	0.80	0.0112	0.20
200 – < 225	0.0045	0.0285	0.213	0.89	0.0138	0.23
225 – < 250	0.0050	0.0316	0.246	0.98	0.0168	0.25
250+	0.0053	0.0332	0.262	1.02	0.0183	0.26

11.G.8.3 Additional Analytic Monitoring Requirements for Discharges from Waste Rock and Overburden Piles at Active Metal Mining Facilities. In addition to the monitoring required in Part 11.G.8.2 for discharges from waste rock and overburden piles, the permittee must also conduct monitoring for additional parameters based on the type of ore they mine at their facility. Where a parameter in Table 11.G.8-3 is the same as a pollutant the permittee is required to monitor for in Table 11.G.8-2 (i.e., for all of the metals, the permittee must use the corresponding benchmark in Table 11.G.8-2 and they may use any monitoring results conducted for Part 11.G.8.2 to satisfy the monitoring requirement for that parameter for Part 11.G.6.3. For radium and uranium, which do not have corresponding benchmarks in Table 11.G.8-2, there are no applicable benchmarks.) The frequency and schedule for monitoring for these additional parameters is the same as that specified in Part 7.2.1.2.

Table 11.G.8-3: Additional Monitoring Requirements for Discharges from Waste Rock and Overburden Piles

Supplemental Requirements			
Type of Ore Mined	Pollutants of Concern		
	Total Suspended Solids (TSS)	pH	Metals, Total
Tungsten Ore	X	X	Arsenic, Cadmium (H), Copper (H), Lead (H), Zinc (H)
Nickel Ore	X	X	Arsenic, Cadmium (H), Copper (H), Lead (H), Zinc (H)
Aluminum Ore	X	X	Iron
Mercury Ore	X	X	Nickel (H)
Iron Ore	X	X	Iron (Dissolved)
Platinum Ore			Cadmium (H), Copper (H), Mercury, Lead (H), Zinc (H)
Titanium Ore	X	X	Iron, Nickel (H), Zinc (H)
Vanadium Ore	X	X	Arsenic, Cadmium (H), Copper (H), Lead (H), Zinc (H)
Molybdenum	X	X	Arsenic, Cadmium (H), Copper (H), Lead (H), Mercury, Zinc (H)
Uranium, Radium, and Vanadium Ore	X	X	Chemical Oxygen Demand, Arsenic, Radium (Dissolved and Total), Uranium, Zinc (H)

Note: An "X" indicated for TSS and/or pH means that permittees are required to monitor for those parameters. (H) indicates that hardness must also be measured when this pollutant is measured.

11.G.8.4 Inactive and Unstaffed Sites – Conditional Exemption from No Exposure Requirements for Quarterly Visual Assessments and Routine Facility Inspections. As a Sector G facility, if the permittee is seeking to exercise a waiver from the quarterly visual assessment and routine facility inspection requirements for inactive and unstaffed sites (including temporarily inactive sites), they are conditionally exempt from the requirement to certify that "there are no industrial materials or activities exposed to storm water" in Part 6.2.3 and 7.2.1.6, respectively. Additionally, if the permittee is seeking to reduce their required quarterly routine inspection frequency to a once annual comprehensive inspection, as is allowed under Part 6.1.3, the permittee is also conditionally exempt from the requirement to certify that "there are no industrial materials or activities exposed to storm water." This exemption is conditioned on the following:

- If circumstances change and the permittees facility becomes active and/or staffed, this exception no longer applies and the permittee must immediately begin complying with the quarterly visual assessment requirements; and
- DEC retains the authority to revoke this exemption and/or the monitoring waiver where it is determined that the discharge causes, has a reasonable potential to cause, or contributes to an instream excursion above a WQS, including designated uses.

Subject to the two conditions above, if the permittees facility is inactive and unstaffed, they are waived from the requirement to conduct quarterly visual assessments and routine facility inspections. The permittee is not waived from conducting the Part 6.3 comprehensive site inspection. They are encouraged to inspect their site more frequently where they have reason to believe that severe weather or natural disasters may have damaged control measures or increased discharges.

(Table 11.G.8-4: Applicability of the Multi-Sector General Permit to Storm Water Runoff from Active Mining and Dressing Sites, Temporarily Inactive Sites, and Sites Undergoing Reclamation located on the following page.)

Table 11.G.8-4: Applicability of the Multi-Sector General Permit to Storm Water Runoff from Active Mining and Dressing Sites, Temporarily Inactive Sites, and Sites Undergoing Reclamation

Discharge/Source of Discharge	Note/Comment
Piles	
Waste rock/overburden	If composed entirely of storm water and not combining with mine drainage. See note below.
Topsoil	—
Roads Constructed of Waste Rock or Spent Ore	
Onsite haul roads	If composed entirely of storm water and not combining with mine drainage. See note below.
Offsite haul and access roads	—
Roads Not Constructed of Waste Rock or Spent Ore	
Onsite haul roads	Except if mine drainage is used for dust control
Offsite haul and access roads	—
Milling/Concentrating	
Runoff from tailings dams and dikes when constructed of waste rock/tailings	Except if process fluids are present and only if composed entirely of storm water and not combining with mine drainage. See Note below.
Runoff from tailings dams/dikes when not constructed of waste rock and tailings	Except if process fluids are present
Concentration building	If storm water only and no contact with piles
Mill site	If storm water only and no contact with piles
Ancillary Areas	
Office and administrative building and housing	If mixed with storm water from the industrial area
Chemical storage area	—
Docking facility	Except if excessive contact with waste product that would otherwise constitute mine drainage
Explosive storage	—
Fuel storage (oil tanks/coal piles)	—
Vehicle and equipment maintenance area/building	—
Parking areas	But coverage unnecessary if only employee and visitor-type parking
Power Plant	
Truck wash area	Except when excessive contact with waste product that would otherwise constitute mine drainage
Reclamation-Related Areas	
Any disturbed area (unreclaimed)	Only if not in active mining area
Reclaimed areas released from reclamation requirements prior to Dec. 17, 1990	—
Partially/inadequately reclaimed areas or areas not released from reclamation requirements	—

Note: Storm water runoff from these sources are subject to the APDES program for storm water unless mixed with discharges subject to 40 CFR Part 440 that are regulated by another permit prior to mixing. Non-storm water discharges from these sources are subject to APDES permitting and may be subject to the effluent limitation guidelines under 40 CFR Part 440. Discharges from overburden/waste rock and overburden/waste rock-related areas are not subject to 40 CFR Part 440 unless:

(1) it drains naturally (or is intentionally diverted) to a point source; and

(2) combines with "mine drainage" that is otherwise regulated under the Part 440 regulations. For such sources, coverage under this permit would be available if the discharge composed entirely of storm water does not combine with other sources of mine drainage that are not subject to 40 CFR Part 440, as well as meeting other eligibility criteria contained in Part 1.2 of the permit. Permittees bear the initial responsibility for determining the applicable technology-based standard for such discharges. DEC recommends that permittees contact the Department for assistance to determine the nature and scope of the "active mining area" on a mine-by-mine basis, as well as to determine the appropriate permitting mechanism for authorizing such discharges.

11.G.9 Termination of Permit Coverage.

11.G.9.1 Termination of Permit Coverage for Sites Reclaimed After December 17, 1990. A site or a portion of a site that has been released from applicable state or federal reclamation requirements after December 17, 1990, is no longer required to maintain coverage under this permit. If the site or portion of a site reclaimed after December 17, 1990, was not subject to reclamation requirements, the site or portion of the site is no longer required to maintain coverage under this permit if the site or portion of the site has been reclaimed as defined in Part 11.G.3.5.

11.G.9.2 Termination of Permit Coverage for Sites Reclaimed Before December 17, 1990. A site or portion of a site that was released from applicable state or federal reclamation requirements before December 17, 1990, or that was otherwise reclaimed before December 17, 1990, is no longer required to maintain coverage under this permit if the site or portion of the site has been reclaimed. A site or portion of a site is considered to have been reclaimed if: (1) storm water runoff that comes into contact with raw materials, intermediate byproducts, finished products, and waste products does not have the potential to cause or contribute to violations of state WQS, (2) soil disturbing activities related to mining at the sites or portion of the site have been completed, (3) the site or portion of the site has been stabilized to minimize soil erosion, and (4) as appropriate depending on location, size, and the potential to contribute pollutants to storm water discharges, the site or portion of the site has been revegetated, will be amenable to natural revegetation, or will be left in a condition consistent with the post-mining land use.

11. Subpart H – Sector H – Coal Mines and Coal Mining-Related Facilities.

A permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of the permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.H.1 Covered Storm Water Discharges.

The requirements in Subpart H apply to storm water discharges associated with industrial activity from Coal Mines and Coal Mining-Related facilities as identified by the SIC Codes specified under Sector H in Table D-1 of Appendix D.

11.H.2 Limitations on Coverage.

11.H.2.1 Prohibition of Non-Storm Water Discharges. (See also Part 1.2.4) Not covered by this permit: discharges from pollutant seeps or underground drainage from inactive coal mines, adit discharges and refuse disposal areas that do not result from precipitation events, and discharges from floor drains in maintenance buildings and other similar drains in mining and preparation plant areas. These unauthorized discharges should be covered under a separate APDES discharge permit.

11.H.2.2 Discharges Subject to Storm Water Effluent Guidelines. (See also Part 1.2.4.4) Not authorized by this permit: storm water discharges subject to an existing effluent limitation guideline at 40 CFR Part 434.

11.H.3 Definitions.

The following definitions are not intended to supersede the definitions of active and inactive mining facilities established by 40 CFR 122.26(b)(14)(iii).

11.H.3.1 Mining Operation - Consists of the active and temporarily inactive phases, and the reclamation phase, but excludes the exploration and construction phases.

11.H.3.2 Exploration Phase - Entails exploration and land disturbance activities to determine the financial viability of a site. The exploration phase is not considered part of "mining operations."

11.H.3.3 Construction Phase - Includes the building of site access roads, facilities, and removal of overburden and waste rock to expose mineable coal. The construction phase is not considered part of "mining operations."

11.H.3.4 *Active Phase* - Activities including the extraction, removal or recovery of coal. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of "active mining area" found at 40 CFR 434.11(b). The active phase is considered part of "mining operations."

11.H.3.5 *Reclamation Phase* - Activities undertaken, in compliance with applicable mined land reclamation requirements, following the cessation of the "active phase", intended to return the land to an appropriate post-mining land use. The reclamation phase is considered part of "mining operations."

11.H.3.6 *Active Coal Mining Facility* - A place where work or other activity related to the extraction, removal, or recovery of coal is being conducted. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of "active mining area" found at 40 CFR 434.11(b).

11.H.3.7 *Inactive Coal Mining Facility* - A site or portion of a site where coal mining and/or milling occurred in the past but is not an active facility as defined above, and where the inactive portion is not covered by an active mining permit issued by the applicable State or Federal agency. An inactive coal mining facility has an identifiable owner / operator. Sites where mining claims are being maintained prior to disturbances associated with the extraction, beneficiation, or processing of mined materials and sites where minimal activities are undertaken for the sole purpose of maintaining a mining claim are not considered either active or inactive mining facilities and do not require an APDES industrial storm water permit.

11.H.3.8 *Temporarily Inactive Coal Mining Facility* - A site or portion of a site where coal mining and/or milling occurred in the past but currently are not being actively undertaken, and the facility is covered by an active mining permit issued by the applicable State or Federal agency.

11.H.4 Technology-Based Effluent Limits for Clearing, Grading, and Excavation Activities.

Clearing, grading, and excavation activities being conducted as part of the exploration and construction phase of mining activities are covered under this permit.

11.H.4.1 *Erosion Control Measures.* A permittee must comply with the erosion control measures in this Part to minimize soil exposure on the site during construction.

11.H.4.1.1 *Delineation of Site.* A permittee must generally delineate (e.g., with flagging, stakes, signs, silt fence, etc.,) the location of specific areas that will be left undisturbed such as trees, boundaries of sensitive areas, or buffers established under Part 11.H.4.1.3.

11.H.4.1.2 Minimize the Amount of Soil Exposed during Construction Activity. A permittee must include the following considerations in the selection of control measures and the sequence of project construction as they apply to the project site:

- Preserve areas of native topsoil on the site, unless infeasible; and
- Sequence or phase construction activities to minimize the extent and duration of exposed soils to the extent practicable.

11.H.4.1.3 Maintain Natural Buffer Areas.

The permittee must maintain natural buffer areas at stream crossings and around the edge of any waters of the U.S. that are located within or immediately adjacent to the property where the construction activity will take place in accordance with the following:

- The buffer must be a minimum of twenty-five (25) feet wide, unless infeasible based on site dimensions, or the width as required by local ordinance.
- Exceptions are allowed for water dependent activities, specific water access activities, or necessary water crossings.
- A permittee should, to the extent practicable, use perimeter controls adjacent to buffers, and direct storm water sheet flow to buffer areas to increase sediment removal and maximize storm water infiltration, unless infeasible.

11.H.4.1.4 Control Storm Water Discharges and Flow Rates. A permittee must include the following control measures to handle storm water and total storm water volume discharges as they apply to the site:

- Divert storm water around the site so that it does not flow onto the project site and cause erosion of exposed soils;
- Slow down or contain storm water that may collect and concentrate within a site and cause erosion of exposed soils;
- Avoid placement of structural control measures in active floodplains to the degree technologically and economically practicable and achievable;
- Place velocity dissipation devices (e.g., check dams, sediment traps, or riprap) along the length of any conveyance channel to provide a non-erosive flow velocity. Also place velocity dissipation devices where discharges from the conveyance channel or structure join a water course to prevent erosion and to protect the channel embankment, outlet, adjacent stream bank slopes, and downstream waters; and

- Install permanent storm water management controls, if present at a site and where practical, so that they must be functional prior to construction of site improvements (e.g., impervious surfaces).

11.H.4.1.5 Protect Steep Slopes. A permittee must include the following considerations in the selection of control measures as they apply to the project site:

- Design and construct cut-and-fill slopes in a manner that will minimize erosion. Applicable practices include, but are not limited to, reducing continuous length of slope with terracing and diversions, reducing slope steepness, and roughening slope surfaces (e.g., track walking);

- Divert concentrated flows of storm water away from and around the disturbed portion of the slope. Applicable practices include, but are not limited to interceptor dikes and swales, grass-lined channels, pipe slope drains, subsurface drains, check dams; and

- Stabilize exposed areas of the slope in accordance with Part 11.H.4.4.

11.H.4.2 Sediment Control Measures. Sediment control measures (e.g. sediment ponds, traps, filters, etc.) must be constructed as one of the first steps in grading. These control measures must be functional before other land disturbing activities take place. A permittee must install, establish and use any of the following control measures that apply to the project site.

11.H.4.2.1 Storm Drain Inlet Protection Meaures. A permittee must install appropriate protection measures (e.g. filter berms, perimeter controls, temporary diversion dikes, etc.) to minimize the discharge of sediment prior to entry into the inlet for storm drain inlets located on site or immediately downstream of the site. Inlet protection measures must be cleaned or removed and replaced when sediment has filled one-third of the available storage.

11.H.4.2.2 Water Body Protection Measures. A permittee must install appropriate protection measures (Part 11.H.4.1.4) to minimize the discharge of sediment prior to entry into the water body for water bodies located on site or immediately downstream of the site. Protection measures must be cleaned or removed and replaced when sediment has filled one-third of the available storage.

11.H.4.2.3 Down-Slope Sediment Controls. A permittee must establish and use down-slope sediment controls (e.g., silt fence, temporary diversion dike, etc.) for any portion of the down-slope and side-slope perimeter where storm water will be discharged from disturbed areas of the site.

11.H.4.2.4 Stabilized Construction Vehicle Access and Exit Points. A permittee must establish construction vehicle access and exit points which must be stabilized. Access and exit points should be limited to one route, if possible. If sediment escapes the construction site, off-site accumulations of sediment must be removed at a frequency sufficient to minimize off-site impacts.

11.H.4.2.5 Dust Generation and Track-Out from Vehicles. A permittee must minimize the generation of dust through the application of water or other dust suppression techniques and prior to vehicle exit. A permittee must provide an effective way of minimizing off-site vehicle tracking of sediment from wheels to prevent track-out onto paved surfaces.

11.H.4.2.6 Soil Stockpiles. A permittee must stabilize or cover soil stockpiles, protect with sediment trapping measures, and where possible, locate soil stockpiles away from storm drain inlets, water bodies, and conveyance channels.

11.H.4.2.7 Authorized Non-Storm Water Discharges. A permittee must minimize any non-storm water authorized by this permit.

11.H.4.2.8 Sediment Basins, where applicable:

- For common drainage locations that serve an area with ten (10) or more acres disturbed at one time, a temporary (or permanent) sediment basin that provides storage for a calculated volume of runoff from the drainage area from a 2-year, 24-hour storm, or equivalent sediment control measures, must be installed, maintained, and used where practicable until final stabilization of the site. Where no such calculation has been performed, a temporary (or permanent) sediment basin providing 3,600 cubic feet of storage per acre drained, or equivalent sediment control measures, must be installed and used where practicable until final stabilization of the site. When computing the number of acres draining into a common location, it is not necessary to include flows from offsite areas and flows from on-site areas that are either undisturbed or have undergone final stabilization where such flows are diverted around both the disturbed area and the sediment basin. In determining whether installing a sediment basin is practicable, the permittee may consider factors such as site soils, slope, available area on-site, etc. In any event, the permittee must consider public safety, especially as it relates to children, as a design factor for the sediment basin, and alternative sediment control measures must be used where site limitations would preclude a safe design.

- For drainage locations which serve ten (10) or more disturbed acres at one time and where a temporary sediment basin or equivalent controls is not practicable, smaller sediment basins and/or sediment traps should be used. Silt fences, vegetative buffer strips, or equivalent sediment control measures are

required for all down slope boundaries (and for those side slope boundaries deemed appropriate as dictated by individual site conditions).

- For drainage locations serving less than ten (10) acres, smaller sediment basins and/or sediment traps should be used. Silt fences, vegetative buffer strips, or equivalent sediment control measures are required for all down slope boundaries (and for those side slope boundaries deemed appropriate as dictated by individual site conditions) of the construction area unless a sediment basin providing storage for a calculated volume of runoff from a 2-year, 24-hour storm event or 3,600 cubic feet of storage per acre drained is provided.

- When discharging from basins and impoundments, utilize outlet structures that withdraw water from the surface where practicable.

- Note: installing sediment basins in the presence of permafrost is challenging and might not be practicable in some instances because permafrost creates poor surface drainage that hinders the infiltration of runoff. Also, the excavation of permafrost in summer can trigger thawing and instability.

11.H.4.3 Dewatering.

11.H.4.3.1 If a construction activity includes excavation dewatering and has a discharge that could adversely impact a local drinking water well, an DEC-identified contaminated site, or a waters of the U.S., the permittee must review the DEC Excavation Dewatering General Permit (AKG002000, or most current version) for specific requirements the permittee may have to comply with in addition to the conditions of this permit.

11.H.4.3.2 A discharge from eligible dewatering activities, including discharges from dewatering of trenches and excavations are prohibited unless treated by appropriate control measures. Appropriate control measures include, but are not limited to, sediment basins or traps, dewatering tanks, weir tanks, or filtration systems designed to remove sediment.

11.H.4.4 Soil Stabilization.

11.H.4.4.1 Minimum Requirements for Soil Stabilization. A permittee must stabilize all disturbed areas of the site to minimize on-site erosion and sedimentation and the resulting discharge of pollutants according to the requirements of this Part. A permittee must ensure that existing vegetation is preserved wherever possible and that disturbed portions of the site are stabilized. Applicable stabilization control measures include, but are not limited to: temporary and permanent seeding, sodding, mulching, rolled erosion control product, compost blanket, soil application of polyacrylamide (PAM), the early application of gravel base on areas to be paved,

and dust control. A permittee should avoid using impervious surfaces for stabilization. See the Alaska Plant Materials Center's A Revegetation Manual for Alaska at http://plants.alaska.gov for help in efforts to select appropriate seed mixes and some information on methods for revegetation. Also see the manual for coastal Alaska, Coastal Revegetation & Erosion Control Guide at http://plants.alaska.gov.

11.H.4.5 Treatment Chemicals. The use of treatment chemicals to reduce turbidity in a storm water discharge is allowed provided that all of the requirements of this Part are met.

11.H.4.5.1 Use of conventional sediment controls before and after the application of treatment chemicals. Chemicals may only be applied where storm water is treated upstream and is directed to a sediment control (e.g., sediment trap, sediment basin) before discharge.

11.H.4.5.2 Select appropriate treatment chemicals. Chemicals must be appropriately suited to the types of soils likely to be exposed during construction and present in the discharges being treated (i.e., the expected turbidity, pH, and flow rate of storm water flowing into the chemical treatment system or area, etc.)

11.H.4.5.3 Minimize discharge risk from stored chemicals. Store all treatment chemicals in leak-proof containers that are kept under storm-resistant cover and surrounded by secondary containment structures (e.g., spill berms, decks, spill containment pallets), with adequate spill kits available on-site to respond if the event of a discharge of treatment chemicals occurs.

11.H.4.5.4 Use chemicals in accordance with good engineering practices and specifications of the chemical provider/supplier, and with dosing specifications and sediment removal design specifications provided by the provider/supplier of the applicable chemicals, or document in your SWPPP specific departures from these specifications and how they reflect good engineering practice.

11.H.4.5.5 Application of treatment chemicals through the use of manufactured products (e.g., gel bars, gel logs, floc blocks, etc.) must be used in combination with adequate ditch check dams, sediment traps, sediment basins, or physical control measure designed to settle out chemically treated storm water and minimize the presence of treatment chemicals before discharges reach waters of the U.S.. At a minimum there must be adequate ditch length downstream of the last manufactured product prior to reaching the discharge point into a water of the U.S. to provide a place for sedimentation to occur.

11.H.4.5.6 Ensure proper training. Ensure that all persons who handle and use treatment chemicals at the construction site are provided with appropriate, product-specific training. Among other things, the training must cover proper dosing requirements.

11.H.4.5.7 Perform additional measures specified by the Department for the authorized use of cationic treatment chemicals. If the permittee plans to add "cationic treatment chemicals" (as defined in Appendix C) to storm water and/or authorized non-storm water prior to discharge, they must submit a request to the Department fourteen (14) calendar days in advance of proposed usage. The request must include the following:

- Operator Name, mailing address, phone number, and email address;
- Project/Site name, physical address, contact name, phone number, email address and MSGP permit authorization number;
- Site Map with all receiving waterbodies, proposed location of chemical treatment system, and proposed point of discharge into receiving waterbodies;
- Schematic drawing of the proposed treatment system; and
- Description of the proposed treatment system including; type of system being used, type of cationic chemicals being used, estimated start and finish date, sampling and recordkeeping schedule and reporting, and name of treatment system operator or company.

The permittee must perform all additional measures as conditioned by the Department authorization to ensure that the use of such chemicals will not cause an exceedance of water quality standards.

11.H.4.6 Prohibited Discharge. A permittee is prohibited from discharging the following from the site:

11.H.4.6.1 Wastewater from concrete washout, unless managed by an appropriate control measure;

11.H.4.6.2 Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials;

11.H.4.6.3 Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance; and

11.H.4.6.4 Soaps or solvents used in vehicle and equipment washing.

11.H.4.7 Good Housekeeping Measures. A permittee must design, install, implement, and maintain effective good housekeeping measures to prevent and/or minimize the discharge of pollutants. A permittee must include appropriate measures for any of the following activities that are used at the site.

11.H.4.7.1 Washing of Equipment and Vehicles and Wheel Wash-Down. If a permittee conducts washing of equipment or vehicles and/or wheel wash-down at the site the permittee must comply with the following requirements:

- Designate areas to be used for washing of equipment and vehicles and/or wheel wash-down and conduct such activities only in these areas;
- Locate such activities, to the extent practicable, away from storm water conveyance channels, storm drain inlets, and waters of the U.S.;
- Treat all wash water in a sediment basin or use alternative control measures that provide equivalent or better treatment prior to discharge; and
- To comply with the prohibition in Part 11.H.4.6.4, the discharge of soaps and solvents used in equipment and vehicle washing and/or wheel wash-down is strictly prohibited.

11.H.4.7.2 Fueling and Maintenance Areas. If a permittee conducts fueling and/or maintenance activities for equipment and vehicles at the site the permittee must comply with the following requirements:

- Designate areas to be used for fueling and/or maintenance of equipment and vehicles and conduct such activities only in these areas (the designated area may move from one location to another on linear projects);
- Locate such activities, to the extent practicable, away from storm water conveyance channels, storm drain inlets and waters of the U.S.;
- Minimize the exposure to precipitation and storm water or use secondary containment structures designed to eliminate the potential for spills or leaked chemicals; and
- To comply with the prohibition in Part 11.H.4.6.3, a permittee must:
    - Clean up spills or contaminated surfaces immediately;
    - Ensure adequate clean up supplies are available at all times to handle spills, leaks, and disposal of used liquids;
    - Use drip pans or absorbents under or around leaky equipment and vehicles; and
    - Dispose of liquid wastes or materials used for fueling and maintenance in accordance with Part 11.H.4.11.

11.H.4.8 Staging and Material Storage Areas. If a permittee maintains staging and material storage areas at the site the permittee must comply with the following requirements:

- Designate areas to be used for staging and material storage areas;

- Locate such activities, to the extent practicable, away from storm water conveyance channels, storm drain inlets, and waters of the U.S; and
- Minimize the exposure to precipitation and storm water and vandalism for all chemicals, treatment chemicals, liquid products, petroleum products, and other materials that have the potential to pose a threat to human health or the environment.

11.H.4.9 Washout of Applicators/Containers used for Paint, Concrete, and Other Materials. If a permittee conducts washing of applicators and/or containers used for paint, concrete, and other materials at the site, the permittee must comply with the following requirements:

- Designate areas to be used for washout;
- Locate such activities, to the extent practicable, away from storm water conveyance channels, storm drain inlets, and waters of the U.S.;
- Direct all concrete, paint, and other material washout activities into a lined, water-tight container or pit to ensure there is no discharge into the underlying soil and onto the surrounding areas;
- Dispose of liquid wastes in accordance with Part 11.H.4.11; and
- For concrete washout areas, remove hardened concrete waste when it has reached one-half (½) the height of the container or pit and dispose of in accordance with Part 11.H.4.11.

11.H.4.10 Fertilizer or Pesticide Use. If a permittee uses fertilizers or pesticides the permittee must comply with the following requirements:

- Application of fertilizers and pesticides in a manner and at application rates that will minimize the loss of chemical to storm water runoff. Manufacturers' label requirements for application rates and disposal requirements must be followed; and
- Use pesticides in compliance with federal, state and local requirements.

11.H.4.11 Storage, Handling, and Disposal of Construction Waste. If a permittee stores, handles and/or disposes of construction waste at the site, the permittee must comply with the following requirements:

- Locate areas dedicated for management or disposal of construction waste, to the extent practicable, away from storm water conveyance channels, storm drain inlets, and waters of the U.S.;

- Dispose of all collected sediment, asphalt and concrete millings, floating debris, paper, plastic, fabric, construction and demolition debris and other domestic wastes according to federal, state and local requirements;

- Store hazardous or toxic waste in appropriate sealed containers and dispose of these wastes in accordance with manufactures recommended method of disposal or federal, state or local requirements; and

- Provide containment of sanitation facilities (e.g., portable toilets) to prevent discharges of pollutants to the storm water drainage system or receiving water. Clean or replace sanitation facilities and inspect them regularly for leaks and spills.

11.H.4.12 Winter Considerations.

11.H.4.12.1 Winter Shutdown. A permittee who temporarily ceases construction for the winter and plans to resume construction the next summer must plan for winter shutdown. The permittee must identify the anticipated dates of fall freeze-up and spring thaw (see Appendix C) for their site and use these dates to plan for winter shutdown. For the purpose of planning ahead frozen ground by itself is not considered an acceptable control measure for stabilization. A permittee must provide for the following prior to, during, and at the conclusion of winter shutdown:

- Temporary or permanent stabilization for conveyance channels;

- Temporary or permanent stabilization for disturbed slopes, disturbed soils, and soil stockpiles; and

- Erosion and sediment control measures in anticipation of spring thaw.

11.H.4.12.2 Winter Construction. In several areas of Alaska, winter construction provides opportunities for construction not available during summer months. Permit coverage is not required for the construction of ice roads or the placement of sand or gravel on frozen tundra with no excavation or potential to pollute waters of the U.S. This permit does address those construction activities that have the potential for erosion or sediment runoff during spring thaw and summer rainfall. A permittee operating winter construction activities must plan for using appropriate control measures to minimize erosion or sediment runoff during spring thaw and summer rainfall. The Alaska Storm Water Guide, Chapters 3 and 4, provide guidance on the selection, design, and installation of winter construction practices and controls.

11.H.4.12.3 Late Winter Clearing. Cutting of trees and brush while the ground is frozen, without disturbing the vegetative mat, for the purpose of clearing in accordance with the U.S. Fish & Wildlife Service "Recommended Time Periods for Avoiding Vegetation Clearing" is allowed prior to the submittal of a project NOI. If the cutting occurs after the onset of spring thaw (as defined in Appendix C), conditions that consist of above freezing temperatures that cause melting of snow, then the permittee must develop a SWPPP and file an NOI, and receive authorization for coverage under this permit from DEC, and otherwise comply with the terms of this permit prior to such clearing.

11.H.4.13 Maintenance of Control Measures. A permittee must maintain all control measures, good housekeeping measures, and other protective measures in effective operating condition. If site inspections required by Part 6 identify control measures, good housekeeping measures, or other protective measures that are not operating effectively, the permittee must implement corrective actions in accordance with Part 8.

If existing control measures need to be modified or if additional control measures are necessary for any reason, the permittee must complete any corrective action in accordance with Part 8.3.

A permittee must remove sediment from silt fences, check dams, berms or other controls before the accumulated sediment reaches one-half (½) the distance up the above-ground height (or it reaches a lower height based on manufacturer's specifications) of the control measure. For sediment traps or sediment ponds, the permittee must remove accumulated sediment when the design capacity has been reduced by fifty (50%) percent.

11.H.4.14 Inspection of Clearing, Grading, and Excavation Activities. (See also Part 6)

11.H.4.14.1 Inspection Frequency. Inspections must be conducted at one of the following: at least once every 7 calendar days; or at least once every 14 calendar days and within 24 hours of the end of a storm event that resulted in a discharge from the site; or for areas of the state where the mean annual precipitation is forty (40) inches or greater, or relatively continuous precipitation or sequential storm events, inspect at least once every seven (7) calendar days. If the entire site is temporarily stabilized, inspection frequency may be reduced to at least once every month and within two business days of the end of a measurable storm event at actively staffed sites which resulted in a discharge from the site (pursuant to Part 11.G.4.15.2). Once active mining has begun, those areas comply with inspections according to 11.G.7. A permittee must specify in the SWPPP which schedule will be followed.

11.H.4.14.2 Winter Shutdown. If the exploration and construction phase is undergoing winter shutdown the permittee may stop inspections fourteen (14) calendar days after the anticipated fall freeze-up and must resume inspections at least twenty-one (21) calendar days prior to the anticipated spring thaw. The permittee shall identify the winter shutdown period in their SWPPP based upon the definitions of fall freeze-up and spring thaw.

11.H.4.14.3 Location of Inspections. Inspections must include all areas of the site disturbed by clearing, grading, and/or excavation activities and areas used for storage of materials that are exposed to precipitation. Sedimentation and erosion control measures must be observed to ensure proper operation. Discharge locations must be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to waters of the United States, where accessible. Where discharge locations are inaccessible, nearby downstream locations must be inspected to the extent that such inspections are practicable. Locations where vehicles enter or exit the site must be inspected for evidence of significant off-site sediment tracking.

11.H.4.14.4 Inspection Reports. (See also Part 6.1) For each inspection required above, the permittee must complete an inspection report. At a minimum, the inspection report must include the information required in Part 6.1.

11.H.4.15 Requirements for Cessation of Clearing, Grading, and Excavation Activities.

11.H.4.15.1 Inspections and Maintenance. Inspections and maintenance of control measures, including BMPs, associated with clearing, grading, and/or excavation activities being conducted as part of the exploration and construction phase of a mining operation must continue until final stabilization has been achieved on all portions of the disturbed area or until the commencement of the active mining phase for those areas that have been temporarily stabilized as a precursor to mining.

11.H.4.15.2 Temporary Stabilization of Disturbed Areas. Stabilization measures should be initiated immediately in portions of the site where clearing, grading and/or excavation activities have temporarily ceased, but in no case more than 14 days after the clearing, grading and/or excavation activities in that portion of the site have temporarily ceased. In arid, semi-arid, and drought-stricken areas, or in areas subject to snow or freezing conditions, where initiating perennial vegetative stabilization measures is not possible within 14 days after exploration, and/or construction activity has temporarily ceased, temporary vegetative stabilization measures must be initiated as soon as practicable.

The permittee must identify the anticipated dates of fall freeze-up and spring thaw (see Appendix C) for the site and use those dates to plan for winter shutdown. For the purpose of planning ahead frozen ground by itself is not considered an acceptable control measure for stabilization. Where temporary stabilization by the 14th day is

precluded by snow cover or frozen ground conditions, stabilization measures must be initiated as soon as practicable following the actual spring thaw.

Until temporary vegetative stabilization is achieved, interim measures (e.g., surface roughening or a surface cover, including but not limited to, establishment of ground vegetation, application of mulch, or surface tackifiers with an appropriate seed base) must be employed. In areas of the site, where exploration and/or construction has permanently ceased prior to active mining, temporary stabilization measures must be implemented to minimize mobilization of sediment or other pollutants until such time as the active mining phase commences.

11.H.4.15.3 Final Stabilization of Disturbed Areas. Stabilization measures should be initiated immediately in portions of the site where mining, exploration, and/or construction activities have permanently ceased, but in no case more than 14 days after the exploration and/or construction activity in that portion of the site has permanently ceased. In arid, semi-arid, and drought-stricken areas, or in areas subject to snow or freezing conditions, where initiating perennial vegetative stabilization measures is not possible within 14 days after mining, exploration, and/or construction activity has permanently ceased, final vegetative stabilization measures must be initiated as soon as possible. Until final stabilization is achieved, temporary stabilization measures must be used.

11.H.5 Additional Technology-Based Effluent Limits.

11.H.5.1 Employee Training. (See also Part 4.2.9) Conduct employee training at least annually at active and temporarily inactive sites.

11.H.5.2 Good Housekeeping Measures. (See also Part 4.2.2) As part of the permittees good housekeeping program, implement the following, as practicable: use sweepers and covered storage, watering haul roads to minimize dust generation, and conserving vegetation (where possible) to minimize erosion.

11.H.5.3 Preventive Maintenance. (See also Part 4.2.3) Perform inspections or other equivalent measures of storage tanks and pressure lines of fuels, lubricants, hydraulic fluid, and slurry to prevent leaks due to deterioration or faulty connections.

11.H.5.4 Storm Water Controls. Apart from the control measures implemented to meet the Part 4 control measures, implement the following control measures at the facility, as practicable. The potential pollutants identified in Part 11.H.6.3 shall determine the priority and appropriateness of the control measures selected. If the permittee selects or develops a storm water control other than one described below, the permittee shall describe it in the SWPPP.

11.H.5.4.1 Storm Water Diversions. Diverting storm water away from potential pollutant sources. Implement the following options, as practicable: interceptor or diversion controls (e.g., dikes, swales, curbs, or berms); pipe slope drains; subsurface drains; conveyance systems (e.g., channels or gutters, open-top box culverts, and waterbars; rolling dips and road sloping; roadway surface water deflector and culverts); or their equivalents.

11.H.5.4.2 Velocity Dissipation Devices. Place velocity dissipation devices (e.g., check dams, sediment traps, or riprap) as practicable, along the length of any conveyance channel to provide a non-erosive flow velocity. Also place velocity dissipation devices where discharges from the conveyance channel or structure join a water course to prevent erosion and to protect the channel embankment, outlet, adjacent stream bank slopes, and downstream waters.

11.H.5.4.3 Down-Slope Sediment Controls. Establish and use down-slope sediment controls (e.g., silt fence or temporary diversion dike) for any portion of the down-slope and side-slope perimeter where storm water will be discharged from disturbed areas of the site.

11.H.5.4.4 Stabilized Construction Vehicle Access and Exit Points. Establish stabilized vehicle access and exit points. Off-site accumulations of sediment must be removed at a frequency sufficient to minimize off-site impacts.

11.H.5.4.5 Capping. When capping is necessary to minimize pollutant discharges in storm water, identify the source being capped and the material used to construct the cap.

11.H.5.4.6 Treatment. If treatment of storm water (e.g., chemical or physical systems, oil and water separators, artificial wetlands) is necessary to protect water quality, describe the type and location of treatment used. All permanent storm water treatment devices shall receive engineering plan approval per 18 AAC 72.600. Passive and/or active treatment of storm water runoff is encouraged where practicable. Treated runoff may be discharged as a storm water source regulated under this permit provided the discharge is not combined with discharges subject to effluent limitation guidelines for the Coal Mining Point Source Category (40 CFR Part 434).

11.H.5.5 Certification of Discharge Testing. (See also Part 5.2.4.4) Test or evaluate all outfalls covered under this permit for the presence of specific mining-related non-storm water discharges such as discharges subject to effluent limitations guidelines (e.g., 40 CFR Part 434). Alternatively (if applicable), the permittee may keep a certification with the SWPPP consistent with Part 11.H.6.6.

11.H.5.6 Overburden, Waste Rock, and Raw Material Piles. Overburden, topsoil, and waste rock, as well as raw material and intermediate and final product stockpiles, should be located a minimum of 25 feet away from surface water, other sources of water, and from geologically unstable areas as practicable.

11.H.6 Additional SWPPP Requirements.

11.H.6.1 Other Applicable Regulations. Most active coal mining-related areas (SIC Codes 1221-1241) are subject to sediment and erosion control regulations of the U.S. Office of Surface Mining (OSM) that enforces the Surface Mining Control and Reclamation Act (SMCRA). OSM has granted authority to most coal-producing states to implement SMCRA through State SMCRA regulations. All SMCRA requirements regarding control of storm water-related pollutant discharges must be addressed and then documented with the SWPPP (directly or by reference).

11.H.6.2 Site Map. (See also Part 5.2.3) The permittee must document in their SWPPP where any of the following may be exposed to precipitation or surface runoff: haul and access roads; railroad spurs, sliding, and internal hauling lines; conveyor belts, chutes, and aerial tramways; equipment storage and maintenance yards; coal handling buildings, areas, and structures; and inactive mines and related areas; acidic spoil, refuse, or unreclaimed disturbed areas; and liquid storage tanks containing pollutants such as caustics, hydraulic fluids, and lubricants.

11.H.6.3 Potential Pollutant Sources. (See also Part 5.2.4) The permittee must document in their SWPPP the following sources and activities that have potential pollutants associated with them: truck traffic on haul roads and resulting generation of sediment subject to runoff and dust generation; fuel or other liquid storage; pressure lines containing slurry, hydraulic fluid, or other potential harmful liquids; and loading or temporary storage of acidic refuse or spoil.

11.H.6.4 Employee Training. To the extent practical, all supervisory personnel involved in directing the maintenance of storm water control measures shall be trained and qualified in the principles and practices of erosion and sediment control. All employee training(s) must be documented in the SWPPP.

11.H.6.5 Certification of Permit Coverage for Commingled Non-Storm Water Discharges. If a permittee determines that they are able to certify, consistent with Part 11.G.5.5, that a particular discharge composed of commingled storm water and non-storm water is covered under a separate APDES permit, and that permit subjects the non-storm water portion to effluent limitations prior to any commingling, retain such certification with the SWPPP. This certification must identify the non-storm water discharges, the applicable APDES permit(s), the effluent limitations placed on the non-storm water discharge by the permit(s), and the points at which the limitations are applied.

11.H.6.6 SWPPP Submittal. At least 45 calendar days prior to the start of initial construction of a new facility the permittee shall submit the construction phase SWPPP to DEC for review.

11.H.6.7 SWPPP Meeting. At least 20 calendar days before the start of initial construction for a new facility, representatives of the permittee and the prime site construction contractor shall meet with DEC in a pre-construction conference to discuss the details of storm water management during construction.

11.H.7 Active Mining Additional Inspection Requirements.

11.H.7.1 Inspections of Active Mining-Related Areas. (See also Part 6) Except for areas of the site subject to clearing, grading, and/or excavation activities conducted as part of the exploration and construction phase, which are subject to Part 11.H.4.14.1 perform quarterly inspections of active mining areas covered by this permit, corresponding with the inspections as performed by SMCRA inspectors, of all mining-related areas required by SMCRA. Also maintain the records of the SMCRA authority representative. See Part 11.H.8.1 for inspection requirements for inactive and unstaffed sties.

11.H.7.2 Sediment and Erosion Control. (See also Part 4.2.5) As indicated in Part 11.H.6.1, SMCRA requirements regarding sediment and erosion control measures must be complied with for those areas subject to SMCRA authority, including inspection requirements.

11.H.7.3 Comprehensive Site Inspections. (See also Part 6.3) The permittees inspection program must include inspections for pollutants entering the drainage system from activities located on or near coal mining-related areas. Among the areas to be inspected are haul and access roads; railroad spurs, sliding, and internal hauling lines; conveyor belts, chutes, and aerial tramways; equipment storage and maintenance yards; coal handling buildings, areas, and structures; and inactive mines and related areas.

11.H.8 Sector-Specific Benchmarks. (See also Part 7 of the permit.)

Table 11.H.8-1: Sector – Specific Benchmarks – Sector H

Subsector (Permittees may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
Subsector H1. Coal Mines and Related Areas (SIC 1221-1241)	Total Aluminum	0.75 mg/L
	Total Iron	1.0 mg/L
	Total Suspended Solids (TSS)	100 mg/L

11.H.8.1 Inactive and Unstaffed Sites – Conditional Exemption from No Exposure Requirement for Routine Inspections, Quarterly Visual Assessments, and Benchmark Monitoring. As a Sector H facility, if the permittee is seeking to exercise a waiver from either the quarterly visual assessment or the benchmark monitoring requirements for inactive and unstaffed sites (including temporarily inactive sites), they are conditionally exempt from the requirement to certify that "there are no industrial materials or activities exposed to storm water" in Parts 6.2.3 and 7.2.1.6, respectively. Additionally, if the permittee is seeking to reduce their required quarterly routine inspection frequency to a once annual comprehensive inspection, as is allowed under Part 6.1.3, the permittee is also conditionally exempt from the requirement to certify that "there are no industrial materials or activities exposed to storm water." These conditional exemptions are based on the following requirements:

- If circumstances change and the permittees facility becomes active and/or staffed, this exception no longer applies and the permittee must immediately begin complying with the applicable benchmark monitoring requirements as if the permittee was in their first year of permit coverage, and the quarterly visual assessment requirements; and

- DEC retains the authority to revoke this exemption and/or the monitoring waiver where it is determined that the discharge causes, has a reasonable potential to cause or contribute to an instream excursion above a WQS, including designated uses.

Subject to the two conditions above, if the permittees facility is inactive and unstaffed, they are waived from the requirement to conduct quarterly visual assessments and routine facility inspections. The permittee is not waived from conducting the Part 6.3 comprehensive site inspection. The permittee is encouraged to inspect their site more frequently where they have reason to believe that severe weather or natural disasters may have damaged control measures or increased discharges.

11.H.9 Termination of Permit Coverage.

11.H.9.1 Termination of Permit Coverage for Sites Reclaimed After December 17, 1990. A site or a portion of a site that has been released from applicable state or federal reclamation requirements after December 17, 1990, is no longer required to maintain coverage under this permit. If the site or portion of a site reclaimed after December 17, 1990, was not subject to reclamation requirements, the site or portion of the site is no longer required to maintain coverage under this permit if the site or portion of the site has been reclaimed as defined in Part 11.H.3.5.

11.H.9.2 Termination of Permit Coverage for Sites Reclaimed Before December 17, 1990. A site or portion of a site that was released from applicable state or federal reclamation requirements before December 17, 1990, or that was otherwise reclaimed before December 17, 1990, is no longer required to maintain coverage under this permit if the site or portion of the site has been reclaimed. A site or portion of a site is considered to have been reclaimed if: (1) storm water runoff that comes into contact with raw materials, intermediate byproducts, finished products, and waste products does not have the potential to cause or contribute to violations of state WQS, (2) soil disturbing activities related to mining at the sites or portion of the site have been completed, (3) the site or portion of the site has been stabilized to minimize soil erosion, and (4) as appropriate depending on location, size, and the potential to contribute pollutants to storm water discharges, the site or portion of the site has been revegetated, will be amenable to natural revegetation, or will be left in a condition consistent with the post-mining land use.

11. Subpart I – Sector I – Oil and Gas Extraction.

A permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of the permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.I.1 Covered Storm Water Discharges.

The requirements in Subpart I apply to storm water discharges associated with industrial activity from Oil and Gas Extraction facilities as identified by the SIC Codes specified under Sector I in Table D-1 of Appendix D of the permit.

Discharges of storm water runoff from field activities or operations associated with oil and gas exploration, production, processing, or treatment operations or transmission facilities are exempt from APDES permit coverage unless, in accordance with 40 CFR 122.26(c)(1)(iii), the facility:

- Has had a discharge of storm water resulting in the discharge of a reportable quantity for which notification is or was required pursuant to 40 CFR 117.21 or 40 CFR 302.6 at anytime since November 16, 1987; or
- Has had a discharge of storm water resulting in the discharge of a reportable quantity for which notification is or was required pursuant to 40 CFR 110.6 at any time since November 16, 1987; or
- Contributes to a violation of a WQS.

Any storm water discharges that require permit coverage as a result of meeting one of the conditions of 40 CFR 122.26(c)(1)(iii) may be covered under this permit unless otherwise required to obtain coverage under an alternative APDES general permit or an individual APDES permit as specified in Part 2.8.1

Oil and Gas Facilities in the North Slope Borough with industrial storm water discharges to waters of the U.S. or directly to the tundra must file under APDES permit AKG331000 rather than this permit.

11.I.2 Limitations on Coverage.

11.I.2.1 Storm Water Discharges Subject to Effluent Limitation Guidelines. (See also Part 1.2.4.4) This permit does not authorize storm water discharges from petroleum drilling operations that are subject to nationally established effluent limitation guidelines found at 40 CFR Part 435, respectively.

11.I.2.2 Non-Storm Water Discharges. Discharges of vehicle and equipment washwater, including tank cleaning operations, are not authorized by this permit. Alternatively, washwater discharges must be authorized under a separate APDES permit, or be discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements.

11.I.3 Additional Technology-Based Effluent Limits.

11.I.3.1 *Storm Water Controls.* Apart from the control measures implemented to meet Part 4 control measures, implement the following control measures at the facility, as practicable. The potential pollutants identified in Part 11.I.4.2 shall determine the priority and appropriateness of the control measures selected. If the permittee selects or develops a storm water control other than one described below, the permittee shall describe it in the SWPPP.

11.I.3.1.1 *Vegetative Controls.* Implement vegetative practices designed to preserve existing vegetation, where attainable, and revegetate open areas as soon as practicable after grade drilling. Use one or more of the following (or equivalent measures), as practicable: temporary or permanent seeding, mulching, sod stabilization, vegetative buffer strips, and tree protection practices. Begin implementing appropriate vegetative practices on all disturbed areas within 14 days following the last activity in that area.

11.I.3.1.2 *Storm Water Diversions.* Divert storm water away from potential pollutant sources. Implement the following options, as practicable: interceptor or diversion controls (e.g., dikes, swales, curbs, or berms); pipe slope drains; subsurface drains; conveyance systems (e.g., channels or gutters, open-top box culverts, and waterbars; rolling dips and road sloping; roadway surface water deflector and culverts); or their equivalents.

11.I.3.1.3 *Velocity Dissipation Devices.* (e.g., check dams, sediment traps, or riprap) along the length of any conveyance channel to provide a non-erosive flow velocity. Also place velocity dissipation devices where discharges from the conveyance channel or structure join a water course to prevent erosion and to protect the channel embankment, outlet, adjacent stream bank slopes, and downstream waters.

11.I.3.1.4 *Down-Slope Sediment Controls.* Establish and use down-slope sediment controls (e.g., silt fence or temporary diversion dike) for any portion of the down-slope and side-slope perimeter where storm water will be discharged from disturbed areas of the site.

11.I.3.1.5 *Stabilized Vehicle Access and Exit Points.* Establish stabilized vehicle access and exit points. Off-site accumulations of sediment must be removed at a frequency sufficient to minimize off-site impacts.

11.I.4 Additional SWPPP Requirements.

11.I.4.1 *Drainage Area Site Map.* (See also Part 5.2.3) Document in the SWPPP where any of the following may be exposed to precipitation or surface runoff: Reportable Quantity (RQ) releases; locations used for the treatment, storage, or disposal of wastes; processing areas and storage areas; chemical mixing areas; construction and drilling areas; all areas subject to the effluent guidelines requirements for "No Discharge" in accordance with 40 CFR 435.32; and the structural controls to achieve compliance with the "No Discharge" requirements.

11.I.4.2 *Potential Pollutant Sources.* (See also Part 5.2.4) Also document in the SWPPP the following sources and activities that have potential pollutants associated with them: chemical, cement, mud, or gel mixing activities; drilling or mining activities; and equipment cleaning and rehabilitation activities. In addition, include information about the reportable quantity (RQ) release that triggered the permit application requirements: the nature of the release (e.g., spill of oil from a drum storage area), amount of oil or hazardous substance released, amount of substance recovered, date of the release, cause of the release (e.g., poor handling techniques and lack of containment in the area), areas affected by the release (i.e., land and water), procedure to clean up release, actions or procedures implemented to prevent or improve response to a release, and remaining potential contamination of storm water from release (taking into account human health risks, the control of drinking water intakes, and the designated uses of the receiving water).

11.I.4.3 *Erosion and Sedimentation Control.* (See also Part 4.2.5) The additional documentation requirements for sediment and erosion controls for well drillings and sand/shale mining areas include the following:

11.I.4.3.1 *Site Description.* Also include a description in the SWPPP of the nature of the exploration activity, estimates of the total area of site and area disturbed due to exploration activity, an estimate of runoff coefficient of the site, a site drainage map, including approximate slopes, and the names of all receiving waters.

11.I.4.3.2 *Vegetative Controls.* Document vegetative practices used consistent with Part 11.I.3.1 in the SWPPP.

11.I.5 Additional Inspection Requirements.

11.I.5.1 All erosion and sedimentation control measures must be inspected either: 1) every 7 days; or 2) once every 14 calendar days and within 24 hours of a storm event.

11. Subpart J – Sector J – Non-Metallic Mineral Mining and Dressing.

A permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of the permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.J.1 Covered Storm Water Discharges.

The requirements in Subpart J apply to storm water discharges associated with industrial activity from Active, Inactive, or Non-Traditional Non-Metallic Mineral Mining and Dressing facilities as identified by the SIC Codes specified under Sector J in Table D-1 of Appendix D of the permit.

11.J.1.1 *Covered Discharges from Inactive Facilities.* All storm water discharges.

11.J.1.2 *Covered Discharges from Active and Temporarily Inactive Facilities.* All storm water discharges, except for most storm water discharges subject to the existing effluent limitation guideline at 40 CFR Part 436. Mine dewatering discharges composed entirely of storm water or uncontaminated ground water seepage from: construction sand and gravel, industrial sand, and crushed stone mining facilities is covered by this permit.

11.J.1.3 *Covered Discharges from Exploration and Construction of Non-Metallic Mineral Mining Facilities.* All storm water discharges.

11.J.1.4 *Covered Discharges from Sites Undergoing Reclamation.* All storm water discharges.

11.J.2 Limitations on Coverage.

Most storm water discharges subject to an existing effluent limitation guideline at 40 CFR Part 436 are not authorized by this permit. The exceptions to this limitation, which are covered by this permit, are mine dewatering discharges composed entirely of storm water or uncontaminated ground water seepage from construction sand and gravel, industrial sand, and crushed stone mining facilities.

11.J.3 Definitions.

The following definitions are not intended to supersede the definitions of active and inactive mining facilities established by 40 CFR 122.26(b)(14)(iii).

11.J.3.1 *Mining Operations* - Consists of the active and temporarily inactive phases, and the reclamation phase, but excludes the exploration and construction phases.

11.J.3.2 *Exploration Phase* - Entails exploration and land disturbance activities to determine the financial viability of a site. The exploration phase is not considered part of "mining operations."

11.J.3.3 *Construction Phase* - Includes the building of site access roads, facilities, and removal of overburden and waste rock to expose mineable minerals. The construction phase is not considered part of "mining operations".

11.J.3.4 *Active Phase* - Activities including the extraction, removal or recovery of minerals. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of "active mining area" found at 40 CFR 440.132(a). The active phase is considered part of "mining operations."

11.J.3.5 *Reclamation Phase* - Activities undertaken, in compliance with applicable mined land reclamation requirements, following the cessation of the "active phase", intended to return the land to an appropriate post-mining land use. The reclamation phase is considered part of "mining operations".

11.J.3.6 *Non-Traditional Non-Metallic Mineral Mining Facility* - Consists of non-metallic mineral mining facilities which conduct mineral mining and dressing for the sale or distribution of aggregate materials from a non-commercial establishment to be used on multiple unrelated projects. These facilities consist of operations without any permanent sales offices, scales, or other facilities being operated by a commercial establishment that would otherwise clearly fit within one of the Standard Industrial Classification (SIC) codes found in Sector J of Appendix D of the permit. These non-traditional facilities are managed by an operator, who oversees the removal of aggregate from the site, with either written contracts for specified aggregate quantities or an informal notice approving the distribution of material. The operator of these facilities who executes the contracts or provides the authority for individuals or parties to remove aggregate would meet the definition of an operator under this permit and be the sole party responsible to obtain permit coverage, maintain a SWPPP, maintain BMPs, conduct inspections and monitoring, and submit reports.

NOTE: The following definitions are not intended to supersede the definitions of active and inactive mining facilities established by 40 CFR 122.26(b)(14)(iii).

11.J.3.7 *Active Mineral Mining Facility* - A place where work or other activity related to the extraction, removal, or recovery of minerals is being conducted. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of "active mining area" found at 40 CFR 440.132(a).

11.J.3.8 Inactive Mineral Mining Facility - A site or portion of a site where mineral mining and/or milling occurred in the past but is not an active facility as defined above, and where the inactive portion is not covered by an active mining permit issued by the applicable State or Federal agency. An inactive mineral mining facility has an identifiable owner / operator. Sites where mining claims are being maintained prior to disturbances associated with the extraction, beneficiation, or processing of mined materials, and sites where minimal activities are undertaken for the sole purpose of maintaining a mining claim are not considered either active or inactive mining facilities and do not require an APDES industrial storm water permit.

11.J.3.9 Temporarily Inactive Mineral Mining Facility - A site or portion of a site where mineral mining and/or milling occurred in the past but currently are not being actively undertaken, and the facility is covered by an active mining permit issued by the applicable State or Federal agency. A temporarily inactive facility includes sites that are temporarily stabilized and have small stockpiles of non-metallic mineral mining material (less than 250 cubic yards/year) for local use or road maintenance during the temporarily inactive phase.

11.J.4 Technology-Based Effluent Limits for Clearing, Grading, and Excavation Activities.

Clearing, grading, and excavation activities being conducted as part of the exploration and construction phase of mining activities are covered under this permit.

11.J.4.1 Erosion Control Measures. A permittee must comply with the erosion control measures in this Part to minimize soil exposure on the site during construction.

11.J.4.1.1 Delineation of Site. A permittee must generally delineate (e.g., with flagging, stakes, signs, silt fence, etc.,) the location of specific areas that will be left undisturbed such as trees, boundaries of sensitive areas, or buffers established under Part 11.J.4.1.3.

11.J.4.1.2 Minimize the Amount of Soil Exposed during Construction Activity. A permittee must include the following considerations in the selection of control measures and the sequence of project construction as they apply to the project site:

- Preserve areas of native topsoil on the site, unless infeasible; and
- Sequence or phase construction activities to minimize the extent and duration of exposed soils to the extent practicable.

11.J.4.1.3 Maintain Natural Buffer Areas.

The permittee must maintain natural buffer areas at stream crossings and around the edge of any waters of the U.S. that are located within or immediately adjacent to the property where the construction activity will take place in accordance with the following:

- The buffer must be a minimum of twenty-five (25) feet wide, unless infeasible based on site dimensions, or the width as required by local ordinance.
- Exceptions are allowed for water dependent activities, specific water access activities, or necessary water crossings.
- A permittee should, to the extent practicable, use perimeter controls adjacent to buffers, and direct storm water sheet flow to buffer areas to increase sediment removal and maximize storm water infiltration, unless infeasible.

11.J.4.1.4 Control Storm Water Discharges and Flow Rates. A permittee must include the following control measures to handle storm water and total storm water volume discharges as they apply to the site:

- Divert storm water around the site so that it does not flow onto the project site and cause erosion of exposed soils;
- Slow down or contain storm water that may collect and concentrate within a site and cause erosion of exposed soils;
- Avoid placement of structural control measures in active floodplains to the degree technologically and economically practicable and achievable;
- Place velocity dissipation devices (e.g., check dams, sediment traps, or riprap) along the length of any conveyance channel to provide a non-erosive flow velocity. Also place velocity dissipation devices where discharges from the conveyance channel or structure join a water course to prevent erosion and to protect the channel embankment, outlet, adjacent stream bank slopes, and downstream waters; and
- Install permanent storm water management controls, if present at a site and where practical, so that they must be functional prior to construction of site improvements (e.g., impervious surfaces).

11.J.4.1.5 Protect Steep Slopes. A permittee must include the following considerations in the selection of control measures as they apply to the project site:

- Design and construct cut-and-fill slopes in a manner that will minimize erosion. Applicable practices include, but are not limited to, reducing continuous length of slope with terracing and diversions, reducing slope steepness, and roughening slope surfaces (e.g., track walking);
- Divert concentrated flows of storm water away from and around the disturbed portion of the slope. Applicable practices include, but are not limited to

interceptor dikes and swales, grass-lined channels, pipe slope drains, subsurface drains, check dams; and

- Stabilize exposed areas of the slope in accordance with Part 11.J.4.4.

11.J.4.2 Sediment Control Measures. Sediment control measures (e.g. sediment ponds, traps, filters, etc.) must be constructed as one of the first steps in grading. These control measures must be functional before other land disturbing activities take place. A permittee must install, establish and use any of the following control measures that apply to the project site.

11.J.4.2.1 Storm Drain Inlet Protection Measures. A permittee must install appropriate protection measures (e.g. filter berms, perimeter controls, temporary diversion dikes, etc.) to minimize the discharge of sediment prior to entry into the inlet for storm drain inlets located on site or immediately downstream of the site. Inlet protection measures must be cleaned or removed and replaced when sediment has filled one-third of the available storage.

11.J.4.2.2 Water Body Protection Measures. A permittee must install appropriate protection measures (Part 11.J.4.1.4) to minimize the discharge of sediment prior to entry into the water body for water bodies located on site or immediately downstream of the site. Protection measures must be cleaned or removed and replaced when sediment has filled one-third of the available storage.

11.J.4.2.3 Down-Slope Sediment Controls. A permittee must establish and use down-slope sediment controls (e.g., silt fence, temporary diversion dike, etc.) for any portion of the down-slope and side-slope perimeter where storm water will be discharged from disturbed areas of the site.

11.J.4.2.4 Stabilized Construction Vehicle Access and Exit Points. A permittee must establish construction vehicle access and exit points which must be stabilized. Access and exit points should be limited to one route, if possible. If sediment escapes the construction site, off-site accumulations of sediment must be removed at a frequency sufficient to minimize off-site impacts.

11.J.4.2.5 Dust Generation and Track-Out from Vehicles. A permittee must minimize the generation of dust through the application of water or other dust suppression techniques and prior to vehicle exit. A permittee must provide an effective way of minimizing off-site vehicle tracking of sediment from wheels to prevent track-out onto paved surfaces.

11.J.4.2.6 Soil Stockpiles. A permittee must stabilize or cover soil stockpiles, protect with sediment trapping measures, and where possible, locate soil stockpiles away from storm drain inlets, water bodies, and conveyance channels.

11.J.4.2.7 Authorized Non-Storm Water Discharges. A permittee must minimize any non-storm water authorized by this permit.

11.J.4.2.8 Sediment Basins, where applicable:

- For common drainage locations that serve an area with ten (10) or more acres disturbed at one time, a temporary (or permanent) sediment basin that provides storage for a calculated volume of runoff from the drainage area from a 2-year, 24-hour storm, or equivalent sediment control measures, must be installed, maintained, and used where practicable until final stabilization of the site. Where no such calculation has been performed, a temporary (or permanent) sediment basin providing 3,600 cubic feet of storage per acre drained, or equivalent sediment control measures, must be installed and used where practicable until final stabilization of the site. When computing the number of acres draining into a common location, it is not necessary to include flows from offsite areas and flows from on-site areas that are either undisturbed or have undergone final stabilization where such flows are diverted around both the disturbed area and the sediment basin. In determining whether installing a sediment basin is practicable, the permittee may consider factors such as site soils, slope, available area on-site, etc. In any event, the permittee must consider public safety, especially as it relates to children, as a design factor for the sediment basin, and alternative sediment control measures must be used where site limitations would preclude a safe design.

- For drainage locations which serve ten (10) or more disturbed acres at one time and where a temporary sediment basin or equivalent controls is not practicable, smaller sediment basins and/or sediment traps should be used. Silt fences, vegetative buffer strips, or equivalent sediment control measures are required for all down slope boundaries (and for those side slope boundaries deemed appropriate as dictated by individual site conditions).

- For drainage locations serving less than ten (10) acres, smaller sediment basins and/or sediment traps should be used. Silt fences, vegetative buffer strips, or equivalent sediment control measures are required for all down slope boundaries (and for those side slope boundaries deemed appropriate as dictated by individual site conditions) of the construction area unless a sediment basin providing storage for a calculated volume of runoff from a 2-year, 24-hour storm event or 3,600 cubic feet of storage per acre drained is provided.

- When discharging from basins and impoundments, utilize outlet structures that withdraw water from the surface where practicable.

- Note: installing sediment basins in the presence of permafrost is challenging and might not be practicable in some instances because permafrost creates poor surface drainage that hinders the infiltration of runoff. Also, the excavation of permafrost in summer can trigger thawing and instability.

11.J.4.3 Dewatering.

11.J.4.3.1 If a construction activity includes excavation dewatering and has a discharge that could adversely impact a local drinking water well, an DEC-identified contaminated site, or a waters of the U.S., the permittee must review the DEC Excavation Dewatering General Permit (AKG002000, or most current version) for specific requirements the permittee may have to comply with in addition to the conditions of this permit.

11.J.4.3.2 A discharge from eligible dewatering activities, including discharges from dewatering of trenches and excavations are prohibited unless treated by appropriate control measures. Appropriate control measures include, but are not limited to, sediment basins or traps, dewatering tanks, weir tanks, or filtration systems designed to remove sediment.

11.J.4.4 Soil Stabilization.

11.J.4.4.1 Minimum Requirements for Soil Stabilization. A permittee must stabilize all disturbed areas of the site to minimize on-site erosion and sedimentation and the resulting discharge of pollutants according to the requirements of this Part. A permittee must ensure that existing vegetation is preserved wherever possible and that disturbed portions of the site are stabilized. Applicable stabilization control measures include, but are not limited to: temporary and permanent seeding, sodding, mulching, rolled erosion control product, compost blanket, soil application of polyacrylamide (PAM), the early application of gravel base on areas to be paved, and dust control. A permittee should avoid using impervious surfaces for stabilization. See the Alaska Plant Materials Center's *A Revegetation Manual for Alaska* at http://plants.alaska.gov for help in efforts to select appropriate seed mixes and some information on methods for revegetation. Also see the manual for *Coastal Alaska, Coastal Revegetation & Erosion Control Guide* at http://plants.alaska.gov.

11.J.4.5 Treatment Chemicals. The use of treatment chemicals to reduce turbidity in a storm water discharge is allowed provided that all of the requirements of this Part are met.

11.J.4.5.1 Use of conventional sediment controls before and after the application of treatment chemicals. Chemicals may only be applied where storm water is treated upstream and is directed to a sediment control (e.g., sediment trap, sediment basin) before discharge.

11.J.4.5.2 Select appropriate treatment chemicals. Chemicals must be appropriately suited to the types of soils likely to be exposed during construction and present in the discharges being treated (i.e., the expected turbidity, pH, and flow rate of storm water flowing into the chemical treatment system or area, etc.)

11.J.4.5.3 Minimize discharge risk from stored chemicals. Store all treatment chemicals in leak-proof containers that are kept under storm-resistant cover and surrounded by secondary containment structures (e.g., spill berms, decks, spill containment pallets), with adequate spill kits available on-site to respond if the event of a discharge of treatment chemicals occurs.

11.J.4.5.4 Use chemicals in accordance with good engineering practices and specifications of the chemical provider/supplier, and with dosing specifications and sediment removal design specifications provided by the provider/supplier of the applicable chemicals, or document in your SWPPP specific departures from these specifications and how they reflect good engineering practice.

11.J.4.5.5 Application of treatment chemicals through the use of manufactured products (e.g., gel bars, gel logs, floc blocks, etc.) must be used in combination with adequate ditch check dams, sediment traps, sediment basins, or physical control measure designed to settle out chemically treated storm water and minimize the presence of treatment chemicals before discharges reach waters of the U.S.. At a minimum there must be adequate ditch length downstream of the last manufactured product prior to reaching the discharge point into a water of the U.S. to provide a place for sedimentation to occur.

11.J.4.5.6 Ensure proper training. Ensure that all persons who handle and use treatment chemicals at the construction site are provided with appropriate, product-specific training. Among other things, the training must cover proper dosing requirements.

11.J.4.5.7 Perform additional measures specified by the Department for the authorized use of cationic treatment chemicals. If the permittee plans to add “cationic treatment chemicals” (as defined in Appendix C) to storm water and/or authorized non-storm water prior to discharge, they must submit a request to the Department fourteen (14) calendar days in advance of proposed usage. The request must include the following:

- Operator Name, mailing address, phone number, and email address;
- Project/Site name, physical address, contact name, phone number, email address and MSGP permit authorization number;
- Site Map with all receiving waterbodies, proposed location of chemical treatment system, and proposed point of discharge into receiving waterbodies;
- Schematic drawing of the proposed treatment system; and

- Description of the proposed treatment system including; type of system being used, type of cationic chemicals being used, estimated start and finish date, sampling and recordkeeping schedule and reporting, and name of treatment system operator or company.

The permittee must perform all additional measures as conditioned by the Department authorization to ensure that the use of such chemicals will not cause an exceedance of water quality standards.

11.J.4.6 Prohibited Discharge. A permittee is prohibited from discharging the following from the site:

11.J.4.6.1 Wastewater from concrete washout, unless managed by an appropriate control measure;

11.J.4.6.2 Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials;

11.J.4.6.3 Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance; and

11.J.4.6.4 Soaps or solvents used in vehicle and equipment washing.

11.J.4.7 Good Housekeeping Measures. A permittee must design, install, implement, and maintain effective good housekeeping measures to prevent and/or minimize the discharge of pollutants. A permittee must include appropriate measures for any of the following activities that are used at the site.

11.J.4.7.1 Washing of Equipment and Vehicles and Wheel Wash-Down. If a permittee conducts washing of equipment or vehicles and/or wheel wash-down at the site the permittee must comply with the following requirements:

- Designate areas to be used for washing of equipment and vehicles and/or wheel wash-down and conduct such activities only in these areas;
- Locate such activities, to the extent practicable, away from storm water conveyance channels, storm drain inlets, and waters of the U.S.;
- Treat all wash water in a sediment basin or use alternative control measures that provide equivalent or better treatment prior to discharge; and
- To comply with the prohibition in Part 11.J.4.6.4, the discharge of soaps and solvents used in equipment and vehicle washing and/or wheel wash-down is strictly prohibited.

11.J.4.7.2 Fueling and Maintenance Areas. If a permittee conducts fueling and/or maintenance activities for equipment and vehicles at the site the permittee must comply with the following requirements:

- Designate areas to be used for fueling and/or maintenance of equipment and vehicles and conduct such activities only in these areas (the designated area may move from one location to another on linear projects);
- Locate such activities, to the extent practicable, away from storm water conveyance channels, storm drain inlets and waters of the U.S.;
- Minimize the exposure to precipitation and storm water or use secondary containment structures designed to eliminate the potential for spills or leaked chemicals; and
- To comply with the prohibition in Part 11.J.4.6.3, a permittee must:
    - Clean up spills or contaminated surfaces immediately;
    - Ensure adequate clean up supplies are available at all times to handle spills, leaks, and disposal of used liquids;
    - Use drip pans or absorbents under or around leaky equipment and vehicles; and
    - Dispose of liquid wastes or materials used for fueling and maintenance in accordance with Part 11.J.4.11.

11.J.4.8 Staging and Material Storage Areas. If a permittee maintains staging and material storage areas at the site the permittee must comply with the following requirements:

- Designate areas to be used for staging and material storage areas;
- Locate such activities, to the extent practicable, away from storm water conveyance channels, storm drain inlets, and waters of the U.S; and
- Minimize the exposure to precipitation and storm water and vandalism for all chemicals, treatment chemicals, liquid products, petroleum products, and other materials that have the potential to pose a threat to human health or the environment.

11.J.4.9 Washout of Applicators/Containers used for Paint, Concrete, and Other Materials. If a permittee conducts washing of applicators and/or containers used for paint, concrete, and other materials at the site, the permittee must comply with the following requirements:

- Designate areas to be used for washout;

- Locate such activities, to the extent practicable, away from storm water conveyance channels, storm drain inlets, and waters of the U.S.;
- Direct all concrete, paint, and other material washout activities into a lined, water-tight container or pit to ensure there is no discharge into the underlying soil and onto the surrounding areas;
- Dispose of liquid wastes in accordance with Part 11.J.4.11; and
- For concrete washout areas, remove hardened concrete waste when it has reached one-half (½) the height of the container or pit and dispose of in accordance with Part 11.J.4.11.

11.J.4.10 Fertilizer or Pesticide Use. If a permittee uses fertilizers or pesticides the permittee must comply with the following requirements:

- Application of fertilizers and pesticides in a manner and at application rates that will minimize the loss of chemical to storm water runoff. Manufacturers' label requirements for application rates and disposal requirements must be followed; and
- Use pesticides in compliance with federal, state and local requirements.

11.J.4.11 Storage, Handling, and Disposal of Construction Waste. If a permittee stores, handles and/or disposes of construction waste at the site, the permittee must comply with the following requirements:

- Locate areas dedicated for management or disposal of construction waste, to the extent practicable, away from storm water conveyance channels, storm drain inlets, and waters of the U.S.;
- Dispose of all collected sediment, asphalt and concrete millings, floating debris, paper, plastic, fabric, construction and demolition debris and other domestic wastes according to federal, state and local requirements;
- Store hazardous or toxic waste in appropriate sealed containers and dispose of these wastes in accordance with manufactures recommended method of disposal or federal, state or local requirements; and
- Provide containment of sanitation facilities (e.g., portable toilets) to prevent discharges of pollutants to the storm water drainage system or receiving water. Clean or replace sanitation facilities and inspect them regularly for leaks and spills.

11.J.4.12 Winter Considerations.

11.J.4.12.1 Winter Shutdown. A permittee who temporarily ceases construction for the winter and plans to resume construction the next summer must plan for winter shutdown. The permittee must identify the anticipated dates of fall freeze-up and spring thaw (see Appendix C) for their site and use these dates to plan for winter shutdown. For the purpose of planning ahead frozen ground by itself is not considered an acceptable control measure for stabilization. A permittee must provide for the following prior to, during, and at the conclusion of winter shutdown:

- Temporary or permanent stabilization for conveyance channels;
- Temporary or permanent stabilization for disturbed slopes, disturbed soils, and soil stockpiles; and
- Erosion and sediment control measures in anticipation of spring thaw.

11.J.4.12.2 Winter Construction. In several areas of Alaska, winter construction provides opportunities for construction not available during summer months. Permit coverage is not required for the construction of ice roads or the placement of sand or gravel on frozen tundra with no excavation or potential to pollute waters of the U.S. This permit does address those construction activities that have the potential for erosion or sediment runoff during spring thaw and summer rainfall. A permittee operating winter construction activities must plan for using appropriate control measures to minimize erosion or sediment runoff during spring thaw and summer rainfall. The Alaska Storm Water Guide, Chapters 3 and 4, provide guidance on the selection, design, and installation of winter construction practices and controls.

11.J.4.12.3 Late Winter Clearing. Cutting of trees and brush while the ground is frozen, without disturbing the vegetative mat, for the purpose of clearing in accordance with the U.S. Fish & Wildlife Service "Recommended Time Periods for Avoiding Vegetation Clearing" is allowed prior to the submittal of a project NOI. If the cutting occurs after the onset of spring thaw (as defined in Appendix C), conditions that consist of above freezing temperatures that cause melting of snow, then the permittee must develop a SWPPP and file an NOI, and receive authorization for coverage under this permit from DEC, and otherwise comply with the terms of this permit prior to such clearing.

11.J.4.13 Maintenance of Control Measures. A permittee must maintain all control measures, good housekeeping measures, and other protective measures in effective operating condition. If site inspections required by Part 6 identify control measures, good housekeeping measures, or other protective measures that are not operating effectively, the permittee must implement corrective actions in accordance with Part 8.

If existing control measures need to be modified or if additional control measures are necessary for any reason, the permittee must complete any corrective action in accordance with Part 8.3.

A permittee must remove sediment from silt fences, check dams, berms or other controls before the accumulated sediment reaches one-half (½) the distance up the above-ground height (or it reaches a lower height based on manufacturer's specifications) of the control measure. For sediment traps or sediment ponds, the permittee must remove accumulated sediment when the design capacity has been reduced by fifty (50%) percent.

11.J.4.14 Inspection of Clearing, Grading, and Excavation Activities. (See also Part 6)

11.J.4.14.1 Inspection Frequency. Inspections must be conducted at one of the following: at least once every 7 calendar days; or at least once every 14 calendar days and within 24 hours of the end of a storm event that resulted in a discharge from the site; or for areas of the state where the mean annual precipitation is forty (40) inches or greater, or relatively continuous precipitation or sequential storm events, inspect at least once every seven (7) calendar days. If the entire site is temporarily stabilized, inspection frequency may be reduced to at least once every month and within two business days of the end of a measurable storm event at actively staffed sites which resulted in a discharge from the site (pursuant to Part 11.G.4.15.2). Once active mining has begun, those areas comply with inspections according to 11.G.7. A permittee must specify in the SWPPP which schedule will be followed.

11.J.4.14.2 Winter Shutdown. If the exploration and construction phase is undergoing winter shutdown the permittee may stop inspections fourteen (14) calendar days after the anticipated fall freeze-up and must resume inspections at least twenty-one (21) calendar days prior to the anticipated spring thaw. The permittee shall identify the winter shutdown period in their SWPPP based upon the definitions of fall freeze-up and spring thaw.

11.J.4.14.3 Location of Inspections. Inspections must include all areas of the site disturbed by clearing, grading, and/or excavation activities and areas used for storage of materials that are exposed to precipitation. Sedimentation and erosion control measures must be observed to ensure proper operation. Discharge locations must be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to waters of the United States, where accessible. Where discharge locations are inaccessible, nearby downstream locations must be inspected to the extent that such inspections are practicable. Locations where vehicles enter or exit the site must be inspected for evidence of significant off-site sediment tracking.

11.J.4.14.4 Inspection Reports. (See also Part 6.1) For each inspection required above, the permittee must complete an inspection report. At a minimum, the inspection report must include the information required in Part 6.1.

11.J.4.15 ***Requirements for Cessation of Clearing, Grading, and Excavation Activities***.

11.J.4.15.1 Inspections and Maintenance. Inspections and maintenance of control measures, including any BMPs, associated with clearing, grading, and/or excavation activities being conducted as part of the exploration and construction phase of a mining operation must continue until final stabilization has been achieved on all portions of the disturbed area or until the commencement of the active mining phase for those areas that have been temporarily stabilized as a precursor to mining.

11.J.4.15.2 Temporary Stabilization of Disturbed Areas. Stabilization measures should be initiated immediately in portions of the site where clearing, grading and/or excavation activities have temporarily ceased, but in no case more than 14 days after the clearing, grading and/or excavation activities in that portion of the site have temporarily ceased. In arid, semi-arid, and drought-stricken areas, or in areas subject to snow or freezing conditions, where initiating perennial vegetative stabilization measures is not possible within 14 days after exploration and/or construction activity has temporarily ceased, temporary vegetative stabilization measures must be initiated as soon as practicable.

The permittee must identify the anticipated dates of fall freeze-up and spring thaw (see Appendix C) for the site and use those dates to plan for winter shutdown. For the purpose of planning ahead frozen ground by itself is not considered an acceptable control measure for stabilization. Where temporary stabilization by the 14th day is precluded by snow cover or frozen ground conditions, stabilization measures must be initiated as soon as practicable following the actual spring thaw.

Until temporary vegetative stabilization is achieved, interim measures (e.g., surface roughening or a surface cover, including but not limited to, establishment of ground vegetation, application of mulch, or surface tackifiers with an appropriate seed base) must be employed. In areas of the site, where exploration and/or construction has permanently ceased prior to active mining, temporary stabilization measures must be implemented to minimize mobilization of sediment or other pollutants until such time as the active mining phase commences.

11.J.4.15.3 Final Stabilization of Disturbed Areas. Stabilization measures should be initiated immediately in portions of the site where mining, exploration, and/or construction activities have permanently ceased, but in no case more than 14 days after the exploration and/or construction activity in that portion of the site has permanently ceased. In arid, semi-arid, and drought-stricken areas, or in areas subject to snow or freezing conditions, where initiating perennial vegetative stabilization measures is not possible within 14 days after mining, exploration, and/or construction activity has permanently ceased, final vegetative stabilization measures must be initiated as soon as possible. Until final stabilization is achieved, temporary stabilization measures must be used.

11.J.5 Additional Technology-Based Effluent Limits.

11.J.5.1 Employee Training. (See also Part 4.2.9) Conduct employee training at least annually at active and temporarily inactive sites.

11.J.5.2 Good Housekeeping Measures. (See also Part 4.2.2) As part of the permittees good housekeeping program, implement the following, as practicable: use sweepers and covered storage, watering haul roads to minimize dust generation, and conserving vegetation (where possible) to minimize erosion.

11.J.5.3 Preventive Maintenance. (See also Part 4.2.3) Perform inspections or other equivalent measures of storage tanks and pressure lines of fuels, lubricants, and hydraulic fluid to prevent leaks due to deterioration or faulty connections.

11.J.5.4 Storm Water Controls. Apart from the control measures implemented to meet the Part 4 control measures, implement the following control measures at the facility as practicable. The potential pollutants identified in Part 11.J.5.5 shall determine the priority and appropriateness of the control measures selected. . If the permittee selects or develops a storm water control other than one described below, the permittee shall describe it in the SWPPP.

11.J.5.4.1 Storm Water Diversions. Divert storm water away from potential pollutant sources. Implement the following options, as practicable: interceptor or diversion controls (e.g., dikes, swales, curbs, or berms); pipe slope drains; subsurface drains; conveyance systems (e.g., channels or gutters, open-top box culverts, and waterbars; rolling dips and road sloping; roadway surface water deflector and culverts); or their equivalents.

11.J.5.4.2 Velocity Dissipation Devices. Place velocity dissipation devices (e.g., check dams, sediment traps, or riprap) as practicable, along the length of any conveyance channel to provide a non-erosive flow velocity. Also place velocity dissipation devices where discharges from the conveyance channel or structure join a water course to prevent erosion and to protect the channel embankment, outlet, adjacent stream bank slopes, and downstream waters.

11.J.5.4.3 Down-Slope Sediment Controls. Establish and use down-slope sediment controls (e.g., silt fence or temporary diversion dike) for any portion of the down-slope and side-slope perimeter where storm water will be discharged from disturbed areas of the site.

11.J.5.4.4 Stabilized Construction Vehicle Access and Exit Points. Establish stabilized vehicle access and exit points. Off-site accumulations of sediment must be removed at a frequency sufficient to minimize off-site impacts.

11.J.5.4.5 Capping. When capping is necessary to minimize pollutant discharges in storm water, identify the source being capped and the material used to construct the cap.

11.J.5.4.6 Treatment. If treatment of storm water (e.g., chemical or physical systems, oil and water separators, artificial wetlands) is necessary to protect water quality, describe the type and location of treatment used. All permanent storm water treatment devices shall receive engineering plan approval per 18 AAC 72.600. Passive and/or active treatment of storm water runoff is encouraged where practicable. Treated runoff may be discharged as a storm water source regulated under this permit provided the discharge is not combined with discharges subject to effluent limitation guidelines for the Mineral Mining and Processing Point Source Category (40 CFR Part 436).

11.J.5.5 Certification of Discharge Testing. (See also Part 5.2.4.4) Test or evaluate all outfalls covered under this permit for the presence of specific mining-related non-storm water discharges such as discharges subject to effluent limitations guidelines (e.g., 40 CFR Part 436). Alternatively (if applicable), the permittee may keep a certification with the SWPPP consistent with 11.J.6.5.

11.J.5.6 Overburden, Waste Rock, and Raw Material Piles. Overburden, topsoil, and waste rock, as well as raw material and intermediate and final product stockpiles, should be located a minimum of 25 feet away from surface water, other sources of water, and from geologically unstable areas as practicable.

11.J.6 Additional SWPPP Requirements.

The requirements in Part 11.J.6 are applicable for sites undergoing exploration and construction, active mineral mining facilities, temporarily inactive mineral mining facilities, and sites undergoing reclamation. The requirements in Part 11.J.6 are not applicable to inactive mineral mining facilities.

11.J.6.1 Nature of Industrial Activities. (See also Part 5.2.3) Document in the SWPPP the mining and associated activities that can potentially affect the storm water discharges covered by this permit, including a general description of the location of the site relative to major transportation routes and communities.

11.J.6.2 *Site Map.* (See also Part 5.2.3) The permittee must document in the SWPPP the locations of the following (as appropriate): mining or milling site boundaries; access and haul roads; outline of the drainage areas of each storm water outfall within the facility with indications of the types of discharges from the drainage areas; location(s) of all permitted discharges covered under an individual APDES permit, outdoor equipment storage, fueling, and maintenance areas; materials handling areas; outdoor manufacturing, outdoor storage, and material disposal areas; outdoor chemicals and explosives storage areas; overburden, materials, soils, or waste storage areas; location of mine drainage dewatering or other process water; heap leach pads; off-site points of discharge for mine dewatering and process water; surface waters; boundary of tributary areas that are subject to effluent limitations guidelines; and location(s) of reclaimed areas.

11.J.6.3 *Potential Pollutant Sources.* (See also Part 5.2.4) For each area of the mine or mill site where storm water discharges associated with industrial activities occur, document in the SWPPP the types of pollutants (e.g., heavy metals, sediment) likely to be present in significant amounts. For example, phosphate mining facilities will likely need to document pollutants such as selenium, which can be present in significant amounts in their discharges. Consider these factors: the mineralogy of the waste rock (e.g., acid forming); toxicity and quantity of chemicals used, produced, or discharged; the likelihood of contact with storm water; vegetation of site (if any); and history of significant leaks or spills of toxic or hazardous pollutants. Also include a summary of any existing waste rock or overburden characterization data and test results for potential generation of acid rock drainage.

11.J.6.4 *Storm Water Controls.* To the extent that a permittee uses any of the control measures in Part 11.J.5.4, document them in the SWPPP pursuant to Part 5.2.5. If control measures are implemented or planned but are not listed here (e.g., substituting a less toxic chemical for a more toxic one), include descriptions of them in the SWPPP.

11.J.6.5 *Certification of Permit Coverage for Commingled Non-Storm Water Discharges.* If a permittee determines that they are able to certify, consistent with Part 11.J.5.5, that a particular discharge composed of commingled storm water and non-storm water is covered under a separate APDES permit, and that permit subjects the non-storm water portion to effluent limitations prior to any commingling, the permittee must retain such certification with their SWPPP. This certification must identify the non-storm water discharges, the applicable APDES permit(s), the effluent limitations placed on the non-storm water discharge by the permit(s), and the points at which the limitations are applied.

11.J.6.6 Dewatering. Mine dewatering discharges composed entirely of storm water or ground water seepage from mines located within fifteen hundred feet of a DEC-identified contaminated site are required to have additional discharge authorization under the DEC Excavation Dewatering General Permit (AKG002000), or most current version. The Notice of Intent, NOI, application for authorization to discharge mine dewatering which may influence a contaminated area can be completed through the DEC's online application system at *http://www.dec.alaska.gov/water/oasys/index.html*.

11.J.7 Additional Inspection Requirements.

Except for areas of the site subject to clearing, grading, and/or excavation activities conducted as part of the exploration and construction phase, which are subject to Part 11.J.4.14.1, the permittee must inspect sites at least quarterly unless adverse weather conditions make the site inaccessible. Sites which discharge to waters which are designated as outstanding waters or waters which are impaired for sediment or nitrogen must be inspected monthly. See Part 11.J.8.1 for inspection requirements for inactive and unstaffed sites. (See also Part 6.1 and 11.J.4.14.)

11.J.8 Sector-Specific Benchmarks.

Table 11.J.8-1 identifies benchmarks that apply to the specific subsectors of Sector J. These benchmarks apply to both the permittees primary industrial activity and any co-located industrial activities, which describe their site activities.

Table 11.J.8-1: Sector – Specific Benchmarks – Sector J

Subsector (Permittees may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
Subsector J1. Sand and Gravel Mining (SIC 1442, 1446)	Nitrate plus Nitrite Nitrogen	0.68 mg/L
	Total Suspended Solids (TSS)	100 mg/L
Subsector J2. Dimension and Crushed Stone and Nonmetallic Minerals (except fuels) (SIC 1411, 1422-1429, 1481, 1499)	Total Suspended Solids (TSS)	100 mg/L

11.J.8.1 Inactive and Unstaffed Sites – Conditional Exemption from No Exposure Requirement for Routine Inspections, Quarterly Visual Assessments, and Benchmark Monitoring. As a Sector J facility, if the permittee is seeking to exercise a waiver from either the routine inspection, quarterly visual assessment or the benchmark monitoring requirements for inactive and unstaffed sites (including temporarily inactive sites), they are conditionally exempt from the requirement to certify that "there are no industrial materials or activities exposed to storm water" in Parts 6.2.3 and 7.2.1.6, respectively. Additionally, if the permittee is seeking to reduce their required quarterly routine inspection frequency to a once annual comprehensive inspection, as is allowed under Part 6.1.3, the permittee is also conditionally exempt from the requirement to certify that "there are no industrial materials or activities exposed to storm water." This exemption is conditioned on the following:

- If circumstances change and the permittees facility becomes active and/or staffed, this exception no longer applies and the permittee must immediately begin complying with the applicable benchmark monitoring requirements as if they were in their first year of permit coverage, and the quarterly visual assessment requirements; and

- DEC retains the authority to revoke this exemption and/or the monitoring waiver where it is determined that the discharge causes, has a reasonable potential to cause, or contributes to an instream excursion above a WQS, including designated uses.

Subject to the two conditions above, if the permittees facility is inactive and unstaffed, they are waived from the requirement to conduct quarterly visual assessments and routine facility inspections. The permittee is not waived from conducting the Part 6.3 comprehensive site inspection. The permittee is encouraged to inspect their site more frequently where they have reason to believe that severe weather or natural disasters may have damaged control measures or increased discharges.

11.J.9 Effluent Limitations Based on Effluent Limitations Guidelines. (See also Part 7.2.2.1 of the permit)

Table 11.J.9-1 identifies effluent limits that apply to the industrial activities described below. Compliance with these effluent limits is to be determined based on discharges from these industrial activities independent of commingling with any other wastestreams that may be covered under this permit.

Table 11.J.9-1: Effluent Limitations Based on Effluent Limitations Guidelines

Industrial Activity	Parameter	Effluent Limit[1]
Mine dewatering discharges at crushed stone mining facilities (SIC 1422 - 1429)	pH	6.5 – 8.5[2]
Mine dewatering discharges at construction sand and gravel mining facilities (SIC 1442)	pH	6.5 – 8.5[2]
Mine dewatering discharges at industrial sand mining facilities (SIC 1446)	Total Suspended Solids (TSS)	25 mg/L, monthly avg.
		45 mg/L, daily maximum
	pH	6.5 – 8.5[2]

Note:
1. Monitor annually.
2. pH shall be within the limits specified above.

11.J.10 Termination of Permit Coverage.

11.J.10.1 Termination of Permit Coverage for Sites Reclaimed After December 17, 1990. A site or a portion of a site that has been released from applicable state or federal reclamation requirements after December 17, 1990, is no longer required to maintain coverage under this permit. If the site or portion of a site reclaimed after December 17, 1990, was not subject to reclamation requirements, the site or portion of the site is no longer required to maintain coverage under this permit if the site or portion of the site has been reclaimed as defined in Part 11.J.3.5.

11.J.10.2 Termination of Permit Coverage for Sites Reclaimed Before December 17, 1990. A site or portion of a site that was released from applicable state or federal reclamation requirements before December 17, 1990, or that was otherwise reclaimed before December 17, 1990, is no longer required to maintain coverage under this permit if the site or portion of the site has been reclaimed. A site or portion of a site is considered to have been reclaimed if: (1) storm water runoff that comes into contact with raw materials, intermediate byproducts, finished products, and waste products does not have the potential to cause or contribute to violations of state WQS, (2) soil disturbing activities related to mining at the sites or portion of the site have been completed, (3) the site or portion of the site has been stabilized to minimize soil erosion, and (4) as appropriate depending on location, size, and the potential to contribute pollutants to storm water discharges, the site or portion of the site has been revegetated, will be amenable to natural revegetation, or will be left in a condition consistent with the post-mining land use.

11. Subpart K – Sector K – Hazardous Waste Treatment, Storage, or Disposal Facilities.

A permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of the permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.K.1 Covered Storm Water Discharges.

The requirements in Subpart K apply to storm water discharges associated with industrial activity from Hazardous Waste Treatment, Storage, or Disposal facilities (TSDFs) as identified by the Activity Code specified under Sector K in Table D-1 of Appendix D of the permit.

11.K.2 Industrial Activities Covered by Sector K.

This permit authorizes storm water discharges associated with industrial activity from facilities that treat, store, or dispose of hazardous wastes, including those that are operating under interim status or a permit under subtitle C of Resource Conservation and Recovery Act (RCRA).

Disposal facilities that have been properly closed and capped, and have no significant materials exposed to storm water, are considered inactive and do not require permits.

11.K.3 Limitations on Coverage.

11.K.3.1 Prohibition of Non-Storm Water Discharges. (See also Part 1.2.4) The following are not authorized by this permit: leachate, gas collection condensate, drained free liquids, contaminated ground water, laboratory-derived wastewater, and contact washwater from washing truck and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility.

11.K.4 Definitions.

11.K.4.1 Contaminated Storm Water - Storm water that comes into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater as defined in Part 11.K.4.5. Some specific areas of a landfill that may produce contaminated storm water 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.

11.K.4.2 Drained Free Liquids - Aqueous wastes drained from waste containers (e.g., drums) prior to landfilling.

11.K.4.3 *Landfill* - An area of land or an excavation in which wastes are placed for permanent disposal, but that is not a land application or land treatment unit, surface impoundment, underground injection well, waste pile, salt dome formation, salt bed formation, underground mine, or cave as these terms are defined in 40 CFR 257.2, 258.2, and 260.10.

11.K.4.4 *Landfill Wastewater* - As defined in 40 CFR Part 445 (Landfills Point Source Category), all wastewater associated with, or produced by, landfilling activities except for sanitary wastewater, non-contaminated storm water, contaminated groundwater, and wastewater from recovery pumping wells. Landfill wastewater includes, but is not limited to, leachate, gas collection condensate, drained free liquids, laboratory derived wastewater, contaminated storm water, and contact washwater from washing truck, equipment, and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility.

11.K.4.5 *Leachate* - Liquid that has passed through or emerged from solid waste and contains soluble, suspended, or miscible materials removed from such waste.

11.K.4.6 *Non-Contaminated Storm Water* - Storm water that does not come into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater as defined in Part 11.K.4.4. Non-contaminated storm water includes storm water that flows off the cap, cover, intermediate cover, daily cover, and/or final cover of the landfill.

11.K.5 Sector-Specific Benchmarks.

Table 11.K.5-1 identifies benchmarks that apply to the specific subsectors of Sector K. These benchmarks apply to both the permittees primary industrial activity and any co-located industrial activities, which describe their site activities.

(Table 11.K.5-1: Sector – Specific Benchmarks – Sector K located on following page.)

Table 11.K.5-1: Sector – Specific Benchmarks – Sector K

Subsector (Permittees may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
Subsector K1. ALL - Industrial Activity Code "HZ" (Note: permit coverage limited in some States). Benchmarks only applicable to discharges not subject to effluent limitations in 40 CFR Part 445 Subpart A (see below).	Ammonia	2.14 mg/L
	Total Magnesium	0.064 mg/L
	Chemical Oxygen Demand (COD)	120 mg/L
	Total Arsenic (saltwater)[1] Total Arsenic (freshwater)[2]	0.069 mg/L 0.15 mg/L
	Total Cadmium (saltwater)[1] Total Cadmium (freshwater)[2]	0.04 mg/L Hardness Dependent
	Total Cyanide (saltwater)[1] Total Cyanide (freshwater)[2]	0.001 mg/L 0.022 mg/ L
	Total Lead (saltwater)[1] Total Lead (freshwater)[2]	0.21 mg/L Hardness Dependent
	Total Mercury (saltwater)[1] Total Mercury (freshwater)[2]	0.0018 mg/L 0.0014 mg/ L
	Total Selenium (saltwater)[1] Total Selenium (freshwater)[2]	0.29 mg/L 0.005 mg/L
	Total Silver (saltwater)[1] Total Silver (freshwater)[2]	0.0019 mg/L Hardness Dependent

Note:

1. Saltwater benchmark values apply to storm water discharges into saline waters where indicated.
2. The freshwater benchmark values of some metals are dependent on water hardness. For these parameters, permittees must determine the hardness of the receiving water (see Appendix E, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part 7.2.1.1, to identify the applicable 'hardness range' for determining their benchmark value applicable to their facility. The ranges occur in 25 mg/L increments. Hardness Dependent Benchmarks follow in the table below:

Water Hardness Range (mg/L)	Cadmium (mg/L)	Lead (mg/L)	Silver (mg/L)
0 – < 25	0.0005	0.014	0.0007
25 – < 50	0.0008	0.023	0.0007
50 – < 75	0.0013	0.045	0.0017
75 – < 100	0.0018	0.069	0.0030
100 – < 125	0.0023	0.095	0.0046
125 – < 150	0.0029	0.122	0.0065
150 – < 175	0.0034	0.151	0.0087
175 – < 200	0.0039	0.182	0.0112
200 – < 225	0.0045	0.213	0.0138
225 – < 250	0.0050	0.246	0.0168
250+	0.0053	0.262	0.0183

11.K.6 Effluent Limitations Based on Effluent Limitations Guidelines. (See also Part 7.2.2.1 of the permit.)

Table 11.K.6-1 identifies effluent limits that apply to the industrial activities described below. Compliance with these effluent limits is to be determined based on discharges from these industrial activities independent of commingling with any other wastestreams that may be covered under this permit.

Table 11.K.6-1: Effluent Limitations Based on Effluent Limitations Guidelines

Industrial Activity	Parameter	Effluent Limit
Discharges from hazardous waste landfills subject to effluent limitations in 40 CFR Part 445 Subpart A (see footnote).	Biochemical Oxygen Demand (BOD_5)	220 mg/L, daily maximum
		56 mg/L, monthly avg. maximum
	Total Suspended Solids (TSS)	88 mg/L, daily maximum
		27 mg/L, monthly avg. maximum
	Ammonia	10 mg/L, daily maximum
		4.9 mg/L, monthly avg. maximum
	Alpha Terpineol	0.042 mg/L, daily maximum
		0.019 mg/L, monthly avg. maximum
	Aniline	0.024 mg/L, daily maximum
		0.015 mg/L, monthly avg. maximum
	Benzoic Acid	0.119 mg/L, daily maximum
		0.073 mg/L, monthly avg. maximum
	Naphthalene	0.059 mg/L, daily maximum
		0.022 mg/L, monthly avg. maximum
	p-Cresol	0.024 mg/L, daily maximum
		0.015 mg/L, monthly avg. maximum
	Phenol	0.048 mg/L, daily maximum
		0.029 mg/L, monthly avg. maximum
	Pyridine	0.072 mg/L, daily maximum
		0.025 mg/L, monthly avg. maximum
	Total Arsenic	1.1 mg/L, daily maximum
		0.54 mg/L, monthly avg. maximum
	Total Chromium	1.1 mg/L, daily maximum
		0.46 mg/L, monthly avg. maximum
	Total Zinc	0.535 mg/L, daily maximum
		0.296 mg/L, monthly avg. maximum
	pH	6.5 - 8.5 s.u. and within 0.5 s.u. of background level

Note:

1. Monitor annually. As set forth at 40 CFR Part 445 Subpart A, these numeric limitations apply to contaminated storm water discharges from hazardous waste landfills subject to the provisions of RCRA Subtitle C at 40 CFR Parts 264 (Subpart N) and 265 (Subpart N) except for any of the following facilities:
   a. Landfills operated in conjunction with other industrial or commercial operations when the landfill receives only wastes generated by the industrial or commercial operation directly associated with the landfill;
   b. Landfills operated in conjunction with other industrial or commercial operations when the landfill receives wastes generated by the industrial or commercial operation directly associated with the landfill and also receives other wastes, provided that the other wastes received for disposal are generated by a facility that is subject to the same provisions in 40 CFR Subchapter N as the industrial or commercial operation or that the other wastes received are of similar nature to the wastes generated by the industrial or commercial operation;
   c. Landfills operated in conjunction with Centralized Waste Treatment (CWT) facilities subject to 40 CFR Part 437, so long as the CWT facility commingles the landfill wastewater with other non-landfill wastewater for discharge. A landfill directly associated with a CWT facility is subject to this part if the CWT facility discharges landfill wastewater separately from other CWT wastewater or commingles the wastewater from its landfill only with wastewater from other landfills; or
   d. Landfills operated in conjunction with other industrial or commercial operations when the landfill receives wastes from public service activities, so long as the company owning the landfill does not receive a fee or other remuneration for the disposal service.

11. Subpart L – Sector L – Landfills, Land Application Sites, and Open Dumps.

A permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of the permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.L.1 Covered Storm Water Discharges.

The requirements in Subpart L apply to storm water discharges associated with industrial activity from Landfills and Land Application Sites and Open Dumps as identified by the Activity Code specified under Sector L in Table D-1 of Appendix D of the permit.

11.L.2 Industrial Activities Covered by Sector L.

This permit may authorize storm water discharges for Sector L facilities associated with waste disposal at landfills, land application sites, and open dumps that receive or have received industrial waste, including sites subject to regulation under Subtitle D of Resource Conservation and Recovery Act (RCRA). This permit does not cover discharges from landfills that receive only municipal wastes.

11.L.3 Limitations on Coverage.

11.L.3.1 Prohibition of Non-Storm Water Discharges. (See also Part 1.2.4) The following discharges are not authorized by this permit: leachate, gas collection condensate, drained free liquids, contaminated ground water, laboratory wastewater, and contact washwater from washing truck and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility. Discharges from open dumps as defined under RCRA are also not authorized under this permit.

11.L.4 Definitions.

11.L.4.1 Contaminated Storm Water - Storm water that comes into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater. Some areas of a landfill that may produce contaminated storm water 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.

11.L.4.2 Drained Free Liquids - Aqueous wastes drained from waste containers (e.g., drums) prior to landfilling.

11.L.4.3 *Landfill Wastewater* - As defined in 40 CFR Part 445 (Landfills Point Source Category) all wastewater associated with, or produced by, landfilling activities except for sanitary wastewater, non-contaminated storm water, contaminated groundwater, and wastewater from recovery pumping wells. Landfill process wastewater includes, but is not limited to, leachate; gas collection condensate; drained free liquids; laboratory-derived wastewater; contaminated storm water; and contact washwater from washing truck, equipment, and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility.

11.L.4.4 *Leachate* - Liquid that has passed through or emerged from solid waste and contains soluble, suspended, or miscible materials removed from such waste.

11.L.4.5 *Non-Contaminated Storm Water* - Storm water that does not come into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater. Non-contaminated storm water includes storm water that flows off the cap, cover, intermediate cover, daily cover, and/or final cover of the landfill.

11.L.5 Additional Technology-Based Effluent Limits.

11.L.5.1 *Preventive Maintenance Program.* (See also Part 4.2.3) As part of a permittees preventive maintenance program, maintain the following: all elements of leachate collection and treatment systems, to prevent commingling of leachate with storm water; the integrity and effectiveness of any intermediate or final cover (including repairing the cover as necessary), to minimize the effects of settlement, sinking, and erosion.

11.L.5.2 *Erosion and Sedimentation Control.* (See also Part 4.2.5) Provide temporary stabilization (e.g., temporary seeding, mulching, and placing geotextiles on the inactive portions of stockpiles) for the following: materials stockpiled for daily, intermediate, and final cover; inactive areas of the landfill or open dump; landfills or open dump areas that have gotten final covers but where vegetation has yet to establish itself; and land application sites where waste application has been completed but final vegetation has not yet been established.

11.L.5.3 *Storm Water Diversions.* Divert storm water away from potential pollutant sources. Implement the following options, as practicable: interceptor or diversion controls (e.g., dikes, swales, curbs, or berms); pipe slope drains; subsurface drains; conveyance systems (e.g., channels or gutters, open-top box culverts, and waterbars; rolling dips and road sloping; roadway surface water deflector and culverts); or their equivalents.

11.L.5.4 *Place Velocity Dissipation Devices:* (e.g., check dams, sediment traps, or riprap) along the length of any conveyance channel to provide a non-erosive flow velocity. Also place velocity dissipation devices where discharges from the conveyance channel or structure join a water course to prevent erosion and to protect the channel embankment, outlet, adjacent stream bank slopes, and downstream waters.

11.L.5.5 Unauthorized Discharge Test Certification. (See also Part 5.2.4.4) The discharge test and certification must also be conducted for the presence of leachate and vehicle washwater.

11.L.6 Additional SWPPP Requirements.

11.L.6.1 Drainage Area Site Map. (See also Part 5.2.3) The permittee must document in their SWPPP where any of the following may be exposed to precipitation or surface runoff: active and closed landfill cells or trenches, active and closed land application areas, locations where open dumping is occurring or has occurred, locations of any known leachate springs or other areas where uncontrolled leachate may commingle with runoff, and leachate collection and handling systems.

11.L.6.2 Summary of Potential Pollutant Sources. (See also Part 5.2.4) Document in the permittees SWPPP the following sources and activities that have potential pollutants associated with them: fertilizer, herbicide, and pesticide application; earth and soil moving; waste hauling and loading or unloading; outdoor storage of significant materials, including daily, interim, and final cover material stockpiles as well as temporary waste storage areas; exposure of active and inactive landfill and land application areas; uncontrolled leachate flows; and failure or leaks from leachate collection and treatment systems.

11.L.7 Additional Inspection Requirements. (See also Part 6)

11.L.7.1 Inspections of Active Sites. Except in arid and semi-arid climates, inspect operating landfills, open dumps, and land application sites at least once every seven (7) days. Focus on areas of landfills that have not yet been finally stabilized; active land application areas, areas used for storage of material and wastes that are exposed to precipitation, stabilization, and structural control measures; leachate collection and treatment systems; and locations where equipment and waste trucks enter and exit the site. Ensure that sediment and erosion control measures are operating properly. For stabilized sites and areas where land application has been completed, or where the climate is arid or semi-arid, conduct inspections at least once every month.

11.L.7.2 Inspections of Inactive Sites. Inspect inactive landfills, open dumps, and land application sites at least quarterly. Qualified Personnel must inspect landfill (or open dump) stabilization and structural erosion control measures, leachate collection and treatment systems, and all closed land application areas.

11.L.8 Additional Post-Authorization Documentation Requirements.

11.L.8.1 Recordkeeping and Internal Reporting. Keep records with the SWPPP of the types of wastes disposed of in each cell or trench of a landfill or open dump. For land application sites, track the types and quantities of wastes applied in specific areas.

11.L.9 Sector-Specific Benchmarks.

Table 11.L.9-1 identifies benchmarks that apply to the specific subsectors of Sector L. These benchmarks apply to both the permittees primary industrial activity and any co-located industrial activities. If the results of four quarters of benchmark monitoring exceeds the benchmark monitoring concentration specified in Table 11.L.9-1, then the permittee must take samples to monitor compliance with the concentrations specified in Table 11.L.10-1.

Table 11.L.9-1: Sector – Specific Benchmarks – Sector L

Subsector (Permittees may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration[1]
Subsector L1. All Landfill, Land Application Sites and Open Dumps (Industrial Activity Code "LF")	Total Suspended Solids (TSS)	100 mg/L
Subsector L2. All Landfill, Land Application Sites and Open Dumps, except Municipal Solid Waste Landfill (MSWLF) Areas Closed in Accordance with 40 CFR 258.60 (Industrial Activity Code "LF")	Total Iron	1.0 mg/L

Note:
1. Benchmark monitoring required only for discharges not subject to effluent limitations in 40 CFR Part 445 Subpart B (see Table 11.L 10-1).

11.L.10 Effluent Limitations Based on Effluent Limitations Guidelines. (See also Part 7.2.2.1 of the permit.)

Table 11.L.10-1 identifies effluent limits that apply to the industrial activities described below. Compliance with these effluent limits is to be determined based on discharges from these industrial activities independent of commingling with any other wastestreams that may be covered under this permit.

(Table 11.L.10-1: Effluent Limitations Based on Effluent Limitations Guidelines located on following page.)

Table 11.L.10-1: Effluent Limitations Based on Effluent Limitations Guidelines[1]

Industrial Activity	Parameter	Effluent Limit
Discharges from non-hazardous waste landfills subject to effluent limitations in 40 CFR Part 445 Subpart B.	Biochemical Oxygen Demand (BOD_5)	140 mg/L, daily maximum
		37 mg/L, monthly avg. maximum
	Total Suspended Solids (TSS)	88 mg/L, daily maximum
		27 mg/L, monthly avg. maximum
	Ammonia	10 mg/L, daily maximum
		4.9 mg/L, monthly avg. maximum
	Alpha Terpineol	0.033 mg/L, daily maximum
		0.016 mg/L monthly avg. maximum
	Benzoic Acid	0.12 mg/L, daily maximum
		0.071 mg/L, monthly avg. maximum
	p-Cresol	0.025 mg/L, daily maximum
		0.014 mg/L, monthly avg. maximum
	Phenol	0.026 mg/L, daily maximum
		0.015 mg/L, monthly avg. maximum
	Total Zinc	0.20 mg/L, daily maximum
		0.11 mg/L, monthly avg. maximum
	pH	6.5 - 8.5 s.u.

Note:

1. Monitor annually. As set forth at 40 CFR Part 445 Subpart B, these numeric limitations apply to contaminated storm water discharges from MSWLFs that have not been closed in accordance with 40 CFR 258.60, and to contaminated storm water discharges from those landfills that are subject to the provisions of 40 CFR Part 257 except for discharges from any of the following facilities:
   a. Landfills operated in conjunction with other industrial or commercial operations, when the landfill receives only wastes generated by the industrial or commercial operation directly associated with the landfill;
   b. Landfills operated in conjunction with other industrial or commercial operations, when the landfill receives wastes generated by the industrial or commercial operation directly associated with the landfill and also receives other wastes, provided that the other wastes received for disposal are generated by a facility that is subject to the same provisions in 40 CFR Subchapter N as the industrial or commercial operation, or that the other wastes received are of similar nature to the wastes generated by the industrial or commercial operation;
   c. Landfills operated in conjunction with Centralized Waste Treatment (CWT) facilities subject to 40 CFR Part 437, so long as the CWT facility commingles the landfill wastewater with other non-landfill wastewater for discharge. A landfill directly associated with a CWT facility is subject to this part if the CWT facility discharges landfill wastewater separately from other CWT wastewater or commingles the wastewater from its landfill only with wastewater from other landfills; or
   d. Landfills operated in conjunction with other industrial or commercial operations when the landfill receives wastes from public service activities, so long as the company owning the landfill does not receive a fee or other remuneration for the disposal service.

11. Subpart M – Sector M – Automobile Salvage Yards.

A permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of the permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.M.1 Covered Storm Water Discharges.

The requirements in Subpart M apply to storm water discharges associated with industrial activity from Automobile Salvage Yards as identified by the SIC Code specified under Sector M in Table D-1 of Appendix D of this permit.

11.M.2 Additional Technology-Based Effluent Limits.

11.M.2.1 Spill and Leak Prevention Procedures. (See also Part 4.2.4) Drain vehicles intended to be dismantled of all fluids upon arrival at the site (or as soon thereafter as feasible), or employ some other equivalent means to prevent spills and leaks. Collected automotive fluids should be containerized, labeled, and stored to minimize exposure to storm water. Salvage yard operators should develop and implement a mercury switch removal and disposal procedure to remove mercury as a potential pollutant source. All facilities should be provided with a nearby spill containment kit and fluids managed in accordance with all applicable state and federal regulations.

11.M.2.2 Employee Training. (See also Part 4.2.9) If applicable to the facility, address the following areas (at a minimum) in the permittees employee training program: proper handling (collection, storage, and disposal) of oil, used mineral spirits, anti-freeze, mercury switches, and solvents.

11.M.2.3 Management of Runoff. (See also Part 4.2.6) Use the following management practices, as practicable: berms or drainage ditches on the property line (to help prevent run-on from neighboring properties); berms for uncovered outdoor storage of oily parts, engine blocks, and above-ground liquid storage; installation of detention ponds; and installation of filtering devices and oil and water separators.

11.M.2.4 Vehicle Crushing Activities. If a crusher is used on-site provide timely maintenance and inspection of the crusher to prevent any fluid leaks and document in the SWPPP. The crusher should be provided with a device to capture any automotive fluids generated during crushing.

11.M.3 Additional SWPPP Requirements.

11.M.3.1 Drainage Area Site Map. (See also Part 5.2.3) Identify locations used for dismantling, storage, and maintenance of used motor vehicle parts. Also identify where any of the following may be exposed to precipitation or surface runoff: dismantling areas, parts (e.g., engine blocks, tires, hub caps, batteries, hoods, mufflers) storage areas, and liquid storage tanks and drums for fuel and other fluids.

11.M.3.2 Potential Pollutant Sources. (See also Part 5.2.4) Assess the potential for the following to contribute pollutants to storm water discharges: vehicle storage areas, dismantling areas, parts storage areas (e.g., engine blocks, tires, hub caps, batteries, hoods, mufflers), and fueling stations.

11.M.4 Additional Inspection Requirements.

(See also Part 6.1) Immediately (or as soon thereafter as feasible) inspect vehicles arriving at the site for leaks and inspect area designated for the draining and collecting of automotive fluids. Inspect quarterly for signs of leakage of all equipment containing oily parts, hydraulic fluids, any other types of fluids, or mercury switches. Also, inspect quarterly for signs of leakage of all vessels and areas where hazardous materials and general automotive fluids are stored, including, but not limited to, mercury switches, brake fluid, transmission fluid, radiator water, and antifreeze.

(Table 11.M.5-1: Sector – Specific Benchmarks – Sector M located on the following page.)

11.M.5 Sector-Specific Benchmarks. (See also Part 7 of the permit.)

Table 11.M.5-1: Sector – Specific Benchmarks – Sector M

Subsector (Permittees may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
Subsector M1. Automobile Salvage Yards (SIC 5015)	Total Suspended Solids (TSS)	100 mg/L
	Total Aluminum	0.75 mg/L
	Total Iron	1.0 mg/L
	Total Lead (saltwater)[1] Total Lead (freshwater)[2]	0.21 mg/L Hardness Dependent

Note:

1. Saltwater benchmark values apply to storm water discharges into saline waters where indicated.
2. The freshwater benchmark values of some metals are dependent on water hardness. For these parameters, permittees must determine the hardness of the receiving water (see Appendix E, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part 7.2.1.1, to identify the applicable 'hardness range' for determining their benchmark value applicable to their facility. The ranges occur in 25 mg/L increments. Hardness Dependent Benchmarks follow in the table below:

Water Hardness Range (mg/L)	Lead (mg/L)
0 – < 25	0.014
25 – < 50	0.023
50 – < 75	0.045
75 – < 100	0.069
100 – < 125	0.095
125 – < 150	0.122
150 – < 175	0.151
175 – < 200	0.182
200 – < 225	0.213
225 – < 250	0.246
250+	0.262

11. Subpart N – Sector N – Scrap Recycling and Waste Recycling Facilities.

A permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of the permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.N.1 Covered Storm Water Discharges.

The requirements in Subpart N apply to storm water discharges associated with industrial activity from Scrap Recycling and Waste Recycling facilities as identified by the SIC Code specified under Sector N in Table D-1 of Appendix D of the permit.

11.N.2 Limitation on Coverage.

Separate permit requirements have been established for recycling facilities that only receive source-separated recyclable materials primarily from non-industrial and residential sources (i.e., common consumer products including paper, newspaper, glass, cardboard, plastic containers, and aluminum and tin cans). This includes recycling facilities commonly referred to as material recovery facilities (MRF). See Part 11.N.3.3

11.N.2.1 Prohibition of Non-Storm Water Discharges. (See also Part 1.2.4) Non-storm water discharges from turnings containment areas are not covered by this permit (see also Part 11.N.3.2.3). Discharges from containment areas as well as all others in the absence of a storm event are prohibited unless covered by a separate APDES permit.

11.N.3 Additional Technology-Based Effluent Limits.

11.N.3.1 Scrap and Waste Recycling Facilities (Non-Source Separated, Nonliquid Recyclable Materials). Requirements for facilities that receive, process, and do wholesale distribution of nonliquid recyclable wastes (e.g., ferrous and nonferrous metals, plastics, glass, cardboard, and paper). These facilities may receive both nonrecyclable and recyclable materials. This section is not intended for those facilities that accept recyclables only from primarily non-industrial and residential sources.

11.N.3.1.1 Inbound Recyclable and Waste Material Control Program. Minimize the chance of accepting materials that could be significant sources of pollutants by conducting inspections of inbound recyclables and waste materials. Following are some control measure options: (a) provide information and education to suppliers of scrap and recyclable waste materials on draining and properly disposing of residual fluids (e.g., from vehicles and equipment engines, radiators and transmissions, oil filled transformers, and individual containers or drums) and removal of mercury switches from vehicles before delivery to the facility; (b) establish procedures to minimize the potential of any residual fluids from coming into contact with precipitation or runoff; (c) establish procedures for accepting scrap lead-acid batteries (additional requirements for the handling, storage, and disposal or recycling of batteries are contained in the scrap lead-acid battery program provisions in Part 11.N.3.1.6); (d) provide training targeted for those personnel engaged in the inspection and acceptance of inbound recyclable materials; and (e) establish procedures to ensure that liquid wastes, including used oil, are stored in materially compatible and non-leaking containers and are disposed of or recycled in accordance with the Resource Conservation and Recovery Act (RCRA).

11.N.3.1.2 Scrap and Waste Material Stockpiles and Storage (Outdoor). Minimize contact of storm water runoff with stockpiled materials, processed materials, and nonrecyclable wastes. Following are some control measure options: (a) permanent or semi-permanent covers; (b) sediment traps, vegetated swales and strips, catch basin filters, and sand filters to facilitate settling or filtering of pollutants; (c) dikes, berms, containment trenches, culverts, and surface grading to divert runoff from storage areas; (d) silt fencing; and (e) oil and water separators, sumps, and dry absorbents for areas where potential sources of residual fluids are stockpiled (e.g., automobile engine storage areas).

11.N.3.1.3 Stockpiling of Turnings Exposed to Cutting Fluids (Outdoor Storage). Minimize contact of surface runoff with residual cutting fluids by: (a) storing all turnings exposed to cutting fluids under some form of permanent or semi-permanent cover, or (b) establishing dedicated containment areas for all turnings that have been exposed to cutting fluids. Any containment areas must be constructed of concrete, asphalt, or other equivalent types of impermeable material and include a barrier (e.g., berms, curbing, elevated pads) to prevent contact with storm water run-on. Storm Water runoff from these areas can be discharged, provided that any runoff is first collected and treated by an oil and water separator or its equivalent. The permittee must regularly maintain the oil and water separator (or its equivalent) and properly dispose of or recycle collected residual fluids.

11.N.3.1.4 Scrap and Waste Material Stockpiles and Storage (Covered or Indoor Storage). Minimize contact of residual liquids and particulate matter from materials stored indoors or under cover with surface runoff. Following are some control measure options: (a) good housekeeping measures, including the use of dry absorbents or wet vacuuming to contain, dispose of, or recycle residual liquids originating from recyclable containers, or mercury spill kits for spills from storage of mercury switches; (b) not allowing washwater from tipping floors or other processing areas to discharge to the storm sewer system; and (c) disconnecting or sealing off all floor drains connected to the storm sewer system.

11.N.3.1.5 Scrap and Recyclable Waste Processing Areas. Minimize surface runoff from coming in contact with scrap processing equipment. Pay attention to operations that generate visible amounts of particulate residue (e.g., shredding) to minimize the contact of accumulated particulate matter and residual fluids with runoff (i.e., through good housekeeping, preventive maintenance, etc.). Following are some control measure options: (a) regularly inspect equipment for spills or leaks and malfunctioning, worn, or corroded parts or equipment; (b) establish a preventive maintenance program for processing equipment; (c) use dry-absorbents or other cleanup practices to collect and dispose of or recycle spilled or leaking fluids or use mercury spill kits for spills from storage of mercury switches; (d) on unattended hydraulic reservoirs over 150 gallons in capacity, install protection devices such as low-level alarms or equivalent devices, or secondary containment that can hold the entire volume of the reservoir; (e) containment or diversion structures such as dikes, berms, culverts, trenches, elevated concrete pads, and grading to minimize contact of storm water runoff with outdoor processing equipment or stored materials; (f) oil and water separators or sumps; (g) permanent or semi-permanent covers in processing areas where there are residual fluids and grease; (h) retention or detention ponds or basins; sediment traps, and vegetated swales or strips (for pollutant settling and filtration); (i) catch basin filters or sand filters.

11.N.3.1.6 Scrap Lead-Acid Battery Program. Properly handle, store, and dispose of scrap lead-acid batteries. Following are some control measure options (a) segregate scrap lead-acid batteries from other scrap materials; (b) properly handle, store, and dispose of cracked or broken batteries; (c) collect and dispose of leaking lead-acid battery fluid; (d) minimize or eliminate (if possible) exposure of scrap lead-acid batteries to precipitation or runoff; and (e) provide employee training for the management of scrap batteries.

11.N.3.1.7 Spill Prevention and Response Procedures. (See also Part 4.2.4) Install alarms and/or pump shutoff systems on outdoor equipment with hydraulic reservoirs exceeding 150 gallons in the event of a line break. Alternatively, a secondary containment system capable of holding the entire contents of the reservoir plus room for precipitation can be used. Use a mercury spill kit for any release of mercury from switches, anti-lock brake systems, and switch storage areas.

11.N.3.1.8 Supplier Notification Program. As appropriate, notify major suppliers which scrap materials will not be accepted at the facility or will be accepted only under certain conditions.

11.N.3.2 Waste Recycling Facilities (Liquid Recyclable Materials).

11.N.3.2.1 Waste Material Storage (Indoor). Minimize or eliminate contact between residual liquids from waste materials stored indoors and from surface runoff. The plan may refer to applicable portions of other existing plans, such as Spill Prevention, Control, and Countermeasure (SPCC) plans required under 40 CFR Part 112. Following are some control measure options (a) procedures for material handling (including labeling and marking); (b) clean up spills and leaks with dry absorbent materials, a wet vacuum system; (c) appropriate containment structures (trenching, curbing, gutters, etc.); and (d) a drainage system, including appurtenances (e.g., pumps or ejectors, manually operated valves), to handle discharges from diked or bermed areas. Drainage should be discharged to an appropriate treatment facility or sanitary sewer system, or otherwise disposed of properly. These discharges may require coverage under a separate APDES wastewater permit or industrial user permit under the pretreatment program.

11.N.3.2.2 Waste Material Storage (Outdoor). Minimize contact between stored residual liquids and precipitation or runoff. The plan may refer to applicable portions of other existing plans, such as SPCC plans required under 40 CFR Part 112. Discharges of precipitation from containment areas containing used oil must also be in accordance with applicable sections of 40 CFR Part 112. Following are some control measure options (a) appropriate containment structures (e.g., dikes, berms, curbing, pits) to store the volume of the largest tank, with sufficient extra capacity for precipitation; (b) drainage control and other diversionary structures; (c) corrosion protection and/or leak detection systems for storage tanks; and (d) dry-absorbent materials or a wet vacuum system to collect spills.

11.N.3.2.3 Trucks and Rail Car Waste Transfer Areas. Minimize pollutants in discharges from truck and rail car loading and unloading areas. Include measures to clean up minor spills and leaks resulting from the transfer of liquid wastes. Following are two control measure options: (a) containment and diversionary structures to minimize contact with precipitation or runoff, and (b) dry clean-up methods, wet vacuuming, roof coverings, or runoff controls.

11.N.3.3 Recycling Facilities (Source-Separated Materials). The following identifies considerations for facilities that receive only source-separated recyclables, primarily from non-industrial and residential sources.

11.N.3.3.1 Inbound Recyclable Material Control. Minimize the chance of accepting nonrecyclables (e.g., hazardous materials) that could be a significant source of pollutants by conducting inspections of inbound materials. Following are some control measure options: (a) providing information and education measures to inform suppliers of recyclables about acceptable and non-acceptable materials, (b) training drivers responsible for pickup of recycled material, (c) clearly marking public drop-off containers regarding which materials can be accepted, (d) rejecting nonrecyclable wastes or household hazardous wastes at the source, and (e) establishing procedures for handling and disposal of nonrecyclable material.

11.N.3.3.2 Outdoor Storage. Minimize exposure of recyclables to precipitation and runoff. Use good housekeeping measures to prevent accumulation of particulate matter and fluids, particularly in high traffic areas. Following are some control measure options (a) provide totally enclosed drop-off containers for the public; (b) install a sump and pump with each container pit and treat or discharge collected fluids to a sanitary sewer system; (c) provide dikes and curbs for secondary containment (e.g., around bales of recyclable waste paper); (d) divert surface water runoff away from outside material storage areas; (e) provide covers over containment bins, dumpsters, and roll-off boxes; and (f) store the equivalent of one day's volume of recyclable material indoors.

11.N.3.3.3 Indoor Storage and Material Processing. Minimize the release of pollutants from indoor storage and processing areas. Following are some control measure options (a) schedule routine good housekeeping measures for all storage and processing areas, (b) prohibit tipping floor washwater from draining to the storm sewer system, and (c) provide employee training on pollution prevention practices.

11.N.3.3.4 Vehicle and Equipment Maintenance. Following are some control measure options for areas where vehicle and equipment maintenance occur outdoors (a) prohibit vehicle and equipment washwater from discharging to the storm sewer system, (b) minimize or eliminate outdoor maintenance areas whenever practicable, (c) establish spill prevention and clean-up procedures in fueling areas, (d) avoid topping off fuel tanks, (e) divert runoff from fueling areas, (f) store lubricants and hydraulic fluids indoors, and (g) provide employee training on proper handling and storage of hydraulic fluids and lubricants.

11.N.4 Additional SWPPP Requirements.

11.N.4.1 Drainage Area Site Map. (See also Part 5.2.3) The permittee must document in the SWPPP the locations of any of the following activities or sources that may be exposed to precipitation or surface runoff: scrap and waste material storage, outdoor scrap and waste processing equipment; and containment areas for turnings exposed to cutting fluids.

11.N.4.2 Maintenance Schedules/Procedures for Collection, Handling, and Disposal or Recycling of Residual Fluids at Scrap and Waste Recycling Facilities. If the permittee is subject to Part 11.N.3.1.3, the SWPPP must identify any applicable maintenance schedule and the procedures to collect, handle, and dispose of or recycle residual fluids.

11.N.5 Additional Inspection Requirements.

11.N.5.1 Inspections for Waste Recycling Facilities. The inspections must be performed quarterly, pursuant to Part 6.1, and include, at a minimum, all areas where waste is generated, received, stored, treated, or disposed of and that are exposed to either precipitation or storm water runoff.

11.N.6 Sector-Specific Benchmarks. (See also Part 7 of the permit.)

(Table 11.N.6-1: Sector – Specific Benchmarks – Sector N located on following page.)

Table 11.N.6-1: Sector – Specific Benchmarks – Sector N

Subsector (Permittees may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
Subsector N1. Scrap Recycling and Waste Recycling Facilities except Source-Separated Recycling (SIC 5093)	Chemical Oxygen Demand (COD)	120 mg/L
	Total Suspended Solids (TSS)	100 mg/L
	Total Recoverable Aluminum	0.75 mg/L
	Total Copper (saltwater)[1] Total Copper (freshwater)[2]	0.0048 mg/L Hardness Dependent
	Total Recoverable Iron	1.0 mg/L
	Total Lead (saltwater)[1] Total Lead (freshwater)[2]	0.21 mg/L Hardness Dependent
	Total Zinc (saltwater)[1] Total Zinc (freshwater)[2]	0.09 mg/L Hardness Dependent

Note:

1. Saltwater benchmark values apply to storm water discharges into saline waters where indicated.
2. The freshwater benchmark values of some metals are dependent on water hardness. For these parameters, permittees must determine the hardness of the receiving water (see Appendix E, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part 7.2.1.1, to identify the applicable 'hardness range' for determining their benchmark value applicable to their facility. The ranges occur in 25 mg/L increments. Hardness Dependent Benchmarks follow in the table below:

Water Hardness Range (mg/L)	Copper (mg/L)	Lead (mg/L)	Zinc (mg/L)
0 – < 25	0.0038	0.014	0.04
25 – < 50	0.0056	0.023	0.05
50 – < 75	0.0090	0.045	0.08
75 – < 100	0.0123	0.069	0.11
100 – < 125	0.0156	0.095	0.13
125 – < 150	0.0189	0.122	0.16
150 – < 175	0.0221	0.151	0.18
175 – < 200	0.0253	0.182	0.20
200 – < 225	0.0285	0.213	0.23
225 – < 250	0.0316	0.246	0.25
250+	0.0332	0.262	0.26

11. Subpart O – Sector O – Steam Electric Generating Facilities.

A permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of the permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.O.1 Covered Storm Water Discharges.

The requirements in Subpart O apply to storm water discharges associated with industrial activity from Steam Electric Power Generating Facilities as identified by the Activity Code specified under Sector O in Table D-1 of Appendix D.

11.O.2 Industrial Activities Covered by Sector O.

This permit authorizes storm water discharges from the following industrial activities at Sector O facilities:

11.O.2.1 Steam electric power generation using coal, natural gas, oil, nuclear energy, etc., to produce a steam source, including coal handling areas;

11.O.2.2 Coal pile runoff, including effluent limitations established by 40 CFR Part 423; and

11.O.2.3 Dual fuel facilities that could employ a steam boiler.

11.O.3 Limitations on Coverage.

11.O.3.1 Prohibition of Non-Storm Water Discharges. Non-storm water discharges subject to effluent limitations guidelines are not covered by this permit.

11.O.3.2 Prohibition of Storm Water Discharges. Storm water discharges from the following are not covered by this permit:

11.O.3.2.1 Ancillary Facilities (e.g., fleet centers and substations) that are not contiguous to a stream electric power generating facility;

11.O.3.2.2 Gas Turbine Facilities (providing the facility is not a dual-fuel facility that includes a steam boiler), and combined-cycle facilities where no supplemental fuel oil is burned (and the facility is not a dual-fuel facility that includes a steam boiler); and

11.O.3.2.3 Cogeneration (combined heat and power) facilities utilizing a gas turbine.

11.O.4 Additional Technology-Based Effluent Limits. The following good housekeeping measures are required in addition to Part 4.2.2:

11.O.4.1 Fugitive Dust Emissions. Minimize fugitive dust emissions from coal handling areas. To minimize the tracking of coal dust offsite, adopt, as practicable, procedures such as installing specially designed tires or washing vehicles in a designated area before they leave the site and controlling the wash water.

11.O.4.2 Delivery Vehicles. Minimize contamination of storm water runoff from delivery vehicles arriving at the plant site. Adopt procedures to inspect delivery vehicles arriving at the plant site and ensure overall integrity of the body or container and procedures to deal with leakage or spillage from vehicles or containers.

11.O.4.3 Fuel Oil Unloading Areas. Minimize contamination of precipitation or surface runoff from fuel oil unloading areas. Use containment curbs in unloading areas, have personnel familiar with spill prevention and response procedures present during deliveries to ensure that any leaks or spills are immediately contained and cleaned up, and use spill and overflow protection devices (e.g., drip pans, drip diapers, or other containment devices placed beneath fuel oil connectors to contain potential spillage during deliveries or from leaks at the connectors).

11.O.4.4 Chemical Loading and Unloading. Minimize contamination of precipitation or surface runoff from chemical loading and unloading areas. Use containment curbs at chemical loading and unloading areas to contain spills, have personnel familiar with spill prevention and response procedures present during deliveries to ensure that any leaks or spills are immediately contained and cleaned up, and loading and unloading in covered areas and storing chemicals indoors.

11.O.4.5 Miscellaneous Loading and Unloading Areas. Minimize contamination of precipitation or surface runoff from loading and unloading areas. Use the following, as practicable, cover the loading area; grade, berm, or curb around the loading area to divert run-on; locate the loading and unloading equipment and vehicles so that leaks are contained in existing containment and flow diversion systems; or equivalent procedures.

11.O.4.6 Liquid Storage Tanks. Minimize contamination of surface runoff from above-ground liquid storage tanks. Use the following, as practicable, protective guards around tanks, containment curbs, spill and overflow protection, dry cleanup methods, or equivalent measures.

11.O.4.7 Large Bulk Fuel Storage Tanks. Minimize contamination of surface runoff from large bulk fuel storage tanks. Use containment berms (or their equivalent) as required by applicable State and Federal Laws. The permittee must also comply with applicable State and Federal laws, including Spill Prevention, Control and Countermeasure (SPCC) Plan requirements.

11.O.4.8 Spill Reduction Measures. Minimize the potential for an oil or chemical spill, or reference the appropriate part of the permittees SPCC plan. Visually inspect as part of the routine facility inspection the structural integrity of all above-ground tanks, pipelines, pumps, and related equipment that may be exposed to storm water, and make any necessary repairs immediately.

11.O.4.9 Oil-Bearing Equipment in Switchyards. Minimize contamination of surface runoff from oil-bearing equipment in switchyard areas. Use level grades and gravel surfaces to retard flows and limit the spread of spills, or collect runoff in perimeter ditches.

11.O.4.10 Residue-Hauling Vehicles. Inspect all residue-hauling vehicles for proper covering over the load, adequate gate sealing, and overall integrity of the container body. Repair vehicles without load covering or adequate gate sealing, or with leaking containers or beds.

11.O.4.11 Ash Loading Areas. Reduce or control the tracking of ash and residue from ash loading areas. Clear the ash building floor and immediately adjacent roadways of spillage, debris, and excess water before departure of each loaded vehicle.

11.O.4.12 Areas Adjacent to Disposal Ponds or Landfills. Minimize contamination of surface runoff from areas adjacent to disposal ponds or landfills. Reduce ash residue that may be tracked on to access roads traveled by residue handling vehicles, and reduce ash residue on exit roads leading into and out of residue handling areas.

11.O.4.13 Landfills, Scrap yards, Surface Impoundments, Open Dumps, General Refuse Sites. Minimize the potential for contamination of runoff from these areas.

11.O.5 Additional SWPPP Requirements.

11.O.5.1 Drainage Area Site Map. (See also Part 5.2.3) The permittee must document in the SWPPP the locations of any of the following activities or sources that may be exposed to precipitation or surface runoff: storage tanks, scrap yards, and general refuse areas; short- and long-term storage of general materials (including but not limited to supplies, construction materials, paint equipment, oils, fuels, used and unused solvents, cleaning materials, paint, water treatment chemicals, fertilizer, and pesticides); landfills and construction sites; and stock pile areas (e.g., coal or limestone piles).

11.O.5.2 Documentation of Good Housekeeping Measures. The permittee must document in the SWPPP the good housekeeping measures implemented to meet the effluent limits in Part 11.O.4.

11.O.6 Additional Inspection Requirements.

11.O.6.1 Comprehensive Site Compliance Inspection. (See also Part 6.3) As part of the permittees inspection, inspect the following areas monthly: coal handling areas, loading or unloading areas, switchyards, fueling areas, bulk storage areas, ash handling areas, areas adjacent to disposal ponds and landfills, maintenance areas, liquid storage tanks, and long term and short term material storage areas.

11.O.7 Sector-Specific Benchmarks

Table 11.O.7-1 identifies benchmarks that apply to the specific subsectors of Sector O. These benchmarks apply to both the permittees primary industrial activity and any co-located industrial activities, which describe their facility activities.

Table 11.O.7-1: Sector – Specific Benchmarks – Sector O

Subsector (Permittees may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
Subsector O1. Steam Electric Generating Facilities (Industrial Activity Code "SE")	Total Iron	1.0 mg/L

11.O.8 Effluent Limitations Based on Effluent Limitations Guidelines. (See also Part 7.2.2.1 of the permit.)

Table 11.O.8-1 identifies effluent limits that apply to the industrial activities described below. Compliance with these effluent limits is to be determined based on discharges from these industrial activities independent of commingling with any other wastestreams that may be covered under this permit.

Table 11.O.8-1: Effluent Limitations Based on Effluent Limitations Guidelines[1]

Industrial Activity	Parameter	Effluent Limit
Discharges from coal storage piles at Steam Electric Generating Facilities	TSS	50 mg/l [2]
	pH	6.5 - 8.5 s.u.

Notes:
1. Monitor annually.
2. If the permittees facility is designed, constructed, and operated to treat the volume of coal pile runoff that is associated with a 10-year, 24-hour rainfall event, any untreated overflow of coal pile runoff from the treatment unit is not subject to the 50 mg/L limitation for total suspended solids.

11. Subpart P – Sector P – Land Transportation and Warehousing.

A permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of the permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.P.1 Covered Storm Water Discharges.

The requirements in Subpart P apply to storm water discharges associated with industrial activity from Land Transportation and Warehousing facilities as identified by the SIC Codes specified under Sector P in Table D-1 of Appendix D of the permit.

11.P.2 Limitation on Coverage.

11.P.2.1 Prohibited Discharges. (See also Part 1.2.4) This permit does not authorize the discharge of vehicle/equipment/surface washwater, including tank cleaning operations. Such discharges must be authorized under a separate APDES permit, discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements, or recycled on-site.

11.P.3 Additional Technology-Based Effluent Limits.

11.P.3.1 Good Housekeeping Measures. (See also Part 4.2.2) In addition to the Good Housekeeping requirements in Part 4.2.2, the permittee must do the following. Recommended control measures are discussed as indicated:

11.P.3.1.1 Vehicle and Equipment Storage Areas. Minimize the potential for storm water exposure to leaky or leak-prone vehicles/equipment awaiting maintenance. Implement the following (or other equivalent measures), as practicable: use of drip pans under vehicles/equipment, indoor storage of vehicles and equipment, installation of berms or dikes, use of absorbents, roofing or covering storage areas, and cleaning pavement surfaces to remove oil and grease.

11.P.3.1.2 Fueling Areas. Minimize contamination of storm water runoff from fueling areas. Implement the following (or other equivalent measures), as practicable: Covering the fueling area; using spill/overflow protection and cleanup equipment; minimizing storm water run-on/runoff to the fueling area; using dry cleanup methods; and treating and/or recycling collected storm water runoff.

11.P.3.1.3 Material Storage Areas. Maintain all material storage vessels (e.g., for used oil/oil filters, spent solvents, paint wastes, hydraulic fluids) to prevent contamination of storm water and plainly label them (e.g., "Used Oil," "Spent Solvents," etc.). Implement the following (or other equivalent measures), as practicable: storing the materials indoors; installing berms/dikes around the areas; minimizing runoff of storm water to the areas; using dry cleanup methods; and treating and/or recycling collected storm water runoff.

11.P.3.1.4 Vehicle and Equipment Cleaning Areas. Minimize contamination of storm water runoff from all areas used for vehicle/equipment cleaning. Implement the following (or other equivalent measures), as practicable: performing all cleaning operations indoors; covering the cleaning operation, ensuring that all washwater drains to a proper collection system (i.e., not the storm water drainage system); treating and/or recycling collected washwater, or other equivalent measures.

11.P.3.1.5 Vehicle and Equipment Maintenance Areas. Minimize contamination of storm water runoff from all areas used for vehicle/equipment maintenance. Implement the following (or other equivalent measures), as practicable: performing maintenance activities indoors; using drip pans; keeping an organized inventory of materials used in the shop; draining all parts of fluid prior to disposal; prohibiting wet clean up practices if these practices would result in the discharge of pollutants to storm water drainage systems; using dry cleanup methods; treating and/or recycling collected storm water runoff, minimizing run on/runoff of storm water to maintenance areas.

11.P.3.1.6 Locomotive Sanding (Loading Sand for Traction) Areas. Implement the following (or other equivalent measures), as practicable: covering sanding areas; minimizing storm water run on/runoff; or appropriate sediment removal practices to minimize the offsite transport of sanding material by storm water.

11.P.3.2 Employee Training. (See also Part 4.2.9) Train personnel at least once a year and address the following activities, as applicable: used oil and spent solvent management; fueling procedures; general good housekeeping practices; proper painting procedures; and used battery management.

11.P.4 Additional SWPPP Requirements.

11.P.4.1 Drainage Area Site Map. (See also Part 5.2.3) The permittee must document in the SWPPP the following areas of the facility and indicate whether activities occurring there may be exposed to precipitation/surface runoff: Fueling stations; vehicle/equipment maintenance or cleaning areas; storage areas for vehicle/equipment with actual or potential fluid leaks; loading/unloading areas; areas where treatment, storage or disposal of wastes occur; liquid storage tanks; processing areas; and storage areas.

11.P.4.2 Potential Pollutant Sources. (See also Part 5.2.4) Assess the potential for the following activities and facility areas to contribute pollutants to storm water discharges: Onsite waste storage or disposal; dirt/gravel parking areas for vehicles awaiting maintenance; illicit plumbing connections between shop floor drains and the storm water conveyance system(s); and fueling areas. Describe these activities in the SWPPP.

11.P.4.3 Description of Good Housekeeping Measures. The permittee must document in the SWPPP the good housekeeping measures they implement consistent with Part 11.P.3.

11.P.4.4 Vehicle and Equipment Washwater Requirements. If applicable, attach to or reference in the SWPPP, a copy of the APDES permit issued for vehicle/ equipment washwater; if an APDES permit has not been issued, a copy of the pending application. If an industrial user permit is issued under a local pretreatment program, attach a copy to the SWPPP. In any case, implement all non-storm water discharge permit conditions or pretreatment conditions in the SWPPP. If washwater is handled in another manner (e.g., hauled offsite), describe the disposal method and attach all pertinent documentation/ information (e.g., frequency, volume, destination, etc.) in the plan.

11.P.5 Additional Inspection Requirements. (See also Part 6.1) Inspect all the following areas/activities: storage areas for vehicles/equipment awaiting maintenance, fueling areas, indoor and outdoor vehicle/equipment maintenance areas, material storage areas, vehicle/equipment cleaning areas, loading/unloading areas, and any petroleum bulk fuel storage areas. Quarterly visual assessment of the bulk fuel storage areas should focus on identifying any potential leaks in tanks, pipelines, valves, etc. and implementing temporary spill containment measures until permanent corrective actions can be made.

11. Subpart Q – Sector Q – Water Transportation.

A permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of the permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.Q.1 Covered Storm Water Discharges.

The requirements in Subpart Q apply to storm water discharges associated with industrial activity from Water Transportation facilities as identified by the SIC Codes specified under Sector Q in Table D-1 of Appendix D of the permit.

11.Q.2 Limitations on Coverage.

11.Q.2.1 Prohibition of Non-Storm Water Discharges. (See also Part 1.2.4) Not covered by this permit: bilge and ballast water, sanitary wastes, pressure wash water, and cooling water originating from vessels.

11.Q.3 Additional Technology-Based Effluent Limits.

11.Q.3.1 Good Housekeeping Measures. A permittee must implement the following good housekeeping measures in addition to the requirements of Part 4.2.2:

11.Q.3.1.1 Pressure Washing Area. If pressure washing is used to remove marine growth from vessels, the discharge water must be permitted by a separate APDES permit. Collect or contain the discharges from the pressure washing areas so that they are not co-mingled with storm water discharges authorized by this permit.

11.Q.3.1.2 Blasting and Painting Area. Minimize the potential for spent abrasives, paint chips, and overspray to discharge into receiving waters or the storm sewer systems. Contain all blasting and painting activities or use other measures to minimize the discharge of contaminants (e.g., hanging plastic barriers or tarpaulins during blasting or painting operations to contain debris). When necessary, regularly clean storm water conveyances of deposits of abrasive blasting debris and paint chips.

11.Q.3.1.3 Material Storage Areas. Store and plainly label all containerized materials (e.g., fuels, paints, solvents, waste oil, antifreeze, batteries) in a protected, secure location away from drains. Minimize the contamination of precipitation or surface runoff from the storage areas. Specify which materials are stored indoors, and consider containment or enclosure for those stored outdoors. If abrasive blasting is performed, discuss the storage and disposal of spent abrasive materials generated at the facility. Implement an inventory control plan to limit the presence of potentially hazardous materials onsite.

11.Q.3.1.4 Engine Maintenance and Repair Areas. Minimize the contamination of precipitation or surface runoff from all areas used for engine maintenance and repair. Implement the following (or their equivalents), as practicable: performing all maintenance activities indoors, maintaining an organized inventory of materials used in the shop, draining all parts of fluid prior to disposal, prohibiting the practice of hosing down the shop floor, using dry cleanup methods, and treating and/or recycling storm water runoff collected from the maintenance area.

11.Q.3.1.5 Material Handling Area. Minimize the contamination of precipitation or surface runoff from material handling operations and areas (e.g., fueling, paint and solvent mixing, disposal of process wastewater streams from vessels). Implement the following (or their equivalents), as practicable: covering fueling areas, using spill and overflow protection, mixing paints and solvents in a designated area (preferably indoors or under a shed), and minimizing runoff of storm water to material handling areas.

11.Q.3.1.6 Drydock Activities. Routinely maintain and clean the drydock to minimize pollutants in storm water runoff. Address the cleaning of accessible areas of the drydock prior to flooding, and final cleanup following removal of the vessel and raising the dock. Include procedures for cleaning up oil, grease, and fuel spills occurring on the drydock. Implement the following (or their equivalents), as practicable: sweeping rather than hosing off debris and spent blasting material from accessible areas of the drydock prior to flooding and making absorbent materials and oil containment booms readily available to clean up or contain any spills.

11.Q.3.2 Storm Water Diversions. Divert storm water away from potential pollutant sources. Implement the following options, as practicable: interceptor or diversion controls (e.g., dikes, swales, curbs, or berms); pipe slope drains; subsurface drains; conveyance systems (e.g., channels or gutters, open-top box culverts, and waterbars; rolling dips and road sloping; roadway surface water deflector and culverts); or their equivalents.

11.Q.3.3 Velocity Dissipation Devices. (e.g., check dams, sediment traps, or riprap) Place velocity dissipation devices, as practicable, along the length of any conveyance channel to provide a non-erosive flow velocity. Also place velocity dissipation devices where discharges from the conveyance channel or structure join a water course to prevent erosion and to protect the channel embankment, outlet, adjacent stream bank slopes, and downstream waters.

11.Q.3.4 Employee Training. (See also Part 4.2.9) As part of the permittees employee training program, address, at a minimum, the following activities (as practicable): used oil management, spent solvent management, disposal of spent abrasives, disposal of vessel wastewaters, spill prevention and control, fueling procedures, general good housekeeping practices, painting and blasting procedures, and used battery management.

11.Q.3.5 Preventive Maintenance. (See also Part 4.2.3) As part of the permittees preventive maintenance program, perform timely inspection and maintenance of storm water management devices (e.g., cleaning oil and water separators and sediment traps to ensure that spent abrasives, paint chips, and solids will be intercepted and retained prior to entering the storm drainage system), as well as inspecting and testing facility equipment and systems to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters.

11.Q.4 Additional SWPPP Requirements.

11.Q.4.1 Drainage Area Site Map. (See also Part 5.2.3) The permittee must document in the SWPPP where any of the following may be exposed to precipitation or surface runoff: fueling; engine maintenance and repair; vessel maintenance and repair; pressure washing; painting; sanding; blasting; welding; metal fabrication; loading and unloading areas; locations used for the treatment, storage, or disposal of wastes; liquid storage tanks; liquid storage areas (e.g., paint, solvents, resins); and material storage areas (e.g., blasting media, aluminum, steel, scrap iron).

11.Q.4.2 Summary of Potential Pollutant Sources. (See also Part 5.2.4) The permittee must document in the SWPPP the following additional sources and activities that have potential pollutants associated with them: outdoor manufacturing or processing activities (e.g., welding, metal fabricating) and significant dust or particulate generating processes (e.g., abrasive blasting, sanding, and painting.)

11.Q.5 Additional Inspection Requirements.

(See also Part 6.1) Include the following in all quarterly routine facility inspections: pressure washing area; blasting, sanding, and painting areas; material storage areas; engine maintenance and repair areas; material handling areas; drydock area; and general yard area.

11.Q.6 Sector-Specific Benchmarks.

(See also Part 7 of the permit.)

(Table 11.N.6-1: Sector – Specific Benchmarks – Sector N located on following page.)

Table 11.Q.6-1: Sector – Specific Benchmarks – Sector Q

Subsector (Permittees may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
Subsector Q1. Water Transportation Facilities (SIC 4412-4499)	Total Aluminum	0.75 mg/L
	Total Iron	1.0 mg/L
	Total Lead (saltwater)[1]	0.21 mg/L
	Total Lead (freshwater)[2]	Hardness Dependent
	Total Zinc (saltwater)[1]	0.09 mg/L
	Total Zinc (freshwater)[2]	Hardness Dependent

Note:

1. Saltwater benchmark values apply to storm water discharges into saline waters where indicated.
2. The freshwater benchmark values of some metals are dependent on water hardness. For these parameters, permittees must determine the hardness of the receiving water (see Appendix E, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part 7.2.1.1, to identify the applicable 'hardness range' for determining their benchmark value applicable to their facility. The ranges occur in 25 mg/L increments. Hardness Dependent Benchmarks follow in the table below:

Water Hardness Range (mg/L)	Lead (mg/L)	Zinc (mg/L)
0 – < 25	0.014	0.04
25 – < 50	0.023	0.05
50 – < 75	0.045	0.08
75 – < 100	0.069	0.11
100 – < 125	0.095	0.13
125 – < 150	0.122	0.16
150 – < 175	0.151	0.18
175 – < 200	0.182	0.20
200 – < 225	0.213	0.23
225 – < 250	0.246	0.25
250+	0.262	0.26

11. Subpart R – Sector R – Ship and Boat Building and Repair Yards.

A permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of the permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.R.1 Covered Storm Water Discharges.

The requirements in Subpart R apply to storm water discharges associated with industrial activity from Ship and Boat Building and Repair Yards as identified by the SIC Codes specified under Sector R in Table D-1 of Appendix D of the permit.

11.R.2 Limitations on Coverage.

11.R.2.1 Prohibition of Non-Storm Water Discharges. (See also Part 1.2.4) Discharges containing bilge and ballast water, sanitary wastes, pressure wash water, and cooling water originating from vessels are not covered by this permit.

11.R.3 Additional Technology-Based Effluent Limits.

11.R.3.1 Good Housekeeping Measures. (See also Part 4.2.2)

11.R.3.1.1 Pressure Washing Area. If pressure washing is used to remove marine growth from vessels, the discharged water must be permitted as a process wastewater by a separate APDES permit.

11.R.3.1.2 Blasting and Painting Area. Minimize the potential for spent abrasives, paint chips, and overspray to discharging into the receiving water or the storm sewer systems. To the extent practicable contain all blasting and painting activities, or use other measures to prevent the discharge of the contaminants (e.g., hanging plastic barriers or tarpaulins during blasting or painting operations to contain debris). When necessary, regularly clean storm water conveyances of deposits of abrasive blasting debris and paint chips.

11.R.3.1.3 Material Storage Areas. Store and plainly label all containerized materials (e.g., fuels, paints, solvents, waste oil, antifreeze, batteries) in a protected, secure location away from drains. Minimize the contamination of precipitation or surface runoff from the storage areas. If abrasive blasting is performed, discuss the storage and disposal of spent abrasive materials generated at the facility. Implement an inventory control plan to limit the presence of potentially hazardous materials onsite.

11.R.3.1.4 Engine Maintenance and Repair Areas. Minimize the contamination of precipitation or surface runoff from all areas used for engine maintenance and repair. Implement the following (or their equivalents), as practicable: perform all maintenance activities indoors, maintain an organized inventory of materials used in the shop, drain all parts of fluid prior to disposal, prohibit the practice of hosing down the shop floor, use dry cleanup methods, and treat and/or recycle storm water runoff collected from the maintenance area.

11.R.3.1.5 Material Handling Area. Minimize the contamination of precipitation or surface runoff from material handling operations and areas (e.g., fueling, paint and solvent mixing, disposal of process wastewater streams from vessels). Implement the following (or their equivalents), as practicable: cover fueling areas, use spill and overflow protection, mix paints and solvents in a designated area (preferably indoors or under a shed), and minimize storm water run-on to material handling areas.

11.R.3.1.6 Drydock Activities. Routinely maintain and clean the drydock to minimize pollutants in storm water runoff. Clean accessible areas of the drydock prior to flooding and final cleanup following removal of the vessel and raising the dock. Include procedures for cleaning up oil, grease, or fuel spills occurring on the drydock. Implement the following (or their equivalents), as practicable: sweep rather than hosing off debris and spent blasting material from accessible areas of the drydock prior to flooding, and have absorbent materials and oil containment booms readily available to clean up and contain any spills.

11.R.3.2 Storm Water Diversions. Divert storm water away from potential pollutant sources. Implement the following options, as practicable: interceptor or diversion controls (e.g., dikes, swales, curbs, or berms); pipe slope drains; subsurface drains; conveyance systems (e.g., channels or gutters, open-top box culverts, and waterbars; rolling dips and road sloping; roadway surface water deflector and culverts); or their equivalents.

11.R.3.3 Velocity Dissipation Devices. (e.g., check dams, sediment traps, or riprap) Place along the length of any conveyance channel to provide a non-erosive flow velocity. Also place velocity dissipation devices where discharges from the conveyance channel or structure join a water course to prevent erosion and to protect the channel embankment, outlet, adjacent stream bank slopes, and downstream waters.

11.R.3.4 Employee Training. (See also Part 4.2.9) As part of the permittees employee training program, address, at a minimum, the following activities (as applicable): used oil management, spent solvent management, disposal of spent abrasives, disposal of vessel wastewaters, spill prevention and control, fueling procedures, general good housekeeping practices, painting and blasting procedures, and used battery management.

11.R.3.5 Preventive Maintenance. (See also Part 4.2.3) As part of the permittees preventive maintenance program, perform timely inspection and maintenance of storm water management devices (e.g., cleaning oil and water separators and sediment traps to ensure that spent abrasives, paint chips, and solids will be intercepted and retained prior to entering the storm drainage system), as well as inspecting and testing facility equipment and systems to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters.

11.R.4 Additional SWPPP Requirements.

11.R.4.1 Drainage Area Site Map. (See also Part 5.2.3) The permittee must document in the SWPPP where any of the following may be exposed to precipitation or surface runoff: fueling; engine maintenance or repair; vessel maintenance or repair; pressure washing; painting; sanding; blasting; welding; metal fabrication; loading and unloading areas; treatment, storage, and waste disposal areas; liquid storage tanks; liquid storage areas (e.g., paint, solvents, resins); and material storage areas (e.g., blasting media, aluminum, steel, scrap iron).

11.R.4.2 Potential Pollutant Sources. (See also Part 5.2.4) The Permittee must document in the SWPPP the following additional sources and activities that have potential pollutants associated with them (if applicable): outdoor manufacturing or processing activities (e.g., welding, metal fabricating) and significant dust or particulate generating processes (e.g., abrasive blasting, sanding, and painting).

11.R.4.3 Documentation of Good Housekeeping Measures. The permittee must document in the SWPPP any good housekeeping measures implemented to meet the effluent limits in Part 11.R.3.

11.R.4.3.1 Blasting and Painting Areas. The permittee must document in the SWPPP any standard operating practices relating to blasting and painting (e.g., prohibiting uncontained blasting and painting over open water or prohibiting blasting and painting during windy conditions, which can render containment ineffective).

11.R.4.3.2 Storage Areas. Specify in the permittees SWPPP which materials are stored indoors, anddescribe containment or enclosure practices for those stored outdoors.

11.R.5 Additional Inspection Requirements.

(See also Part 6.1) Include the following in all quarterly routine facility inspections: pressure washing area; blasting, sanding, and painting areas; material storage areas; engine maintenance and repair areas; material handling areas; drydock area; and general yard area.

11. Subpart S – Sector S – Air Transportation.

A permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of the permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.S.1 Covered Storm Water Discharges.

The requirements in Subpart S apply to storm water discharges associated with industrial activity from Air Transportation facilities identified by the SIC Codes specified under Sector S in Table D-1 of Appendix D of the permit at primary airports.

11.S.2 Limitation on Coverage.

11.S.2.1 Limitations on Coverage. This permit authorizes storm water discharges from only those portions of the air transportation facility that are involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling and lubrication), equipment cleaning operations or deicing operations.

Note: "deicing" will generally be used to imply both deicing (removing frost, snow or ice) and anti-icing (preventing accumulation of frost, snow or ice) activities, unless specific mention is made regarding anti-icing and/or deicing activities.

11.S.2.2 Prohibition of Non-Storm Water Discharges. (See also Part 1.2.4 and Part 11.S.3) This permit does not authorize the discharge of aircraft, ground vehicle, runway and equipment washwaters; nor the dry weather discharge of deicing chemicals. Such discharges must be covered by separate APDES permit(s). Note that a discharge resulting from snowmelt is not a dry weather discharge.

11.S.3 Multiple Operators at Air Transportation Facilities

Air transportation facilities often have more than one operator who could discharge stormwater associated with industrial activity. Operators include the airport authority and airport tenants, including air passenger or cargo companies, fixed based operators, and other parties who routinely perform industrial activities on airport property.

11.S.3.1 *Permit Coverage/Submittal of NOIs.* Where an airport transportation facility has multiple industrial operators that discharge stormwater, each individual operator must obtain coverage under an APDES stormwater permit. To obtain coverage under the MSGP, all such operators must meet the eligibility requirements in Part 1.2 and must submit an NOI, per Part 2.2 (or, if appropriate, a no exposure certification per Part 1.3).

11.S.3.2 *MSGP Implementation Responsibilities for Airport Authority and Tenants.* The airport authority, in collaboration with its tenants, may choose to implement certain MSGP requirements on behalf of its tenants in order to increase efficiency and eliminate redundancy or duplication of effort. Options available to the airport authority and its tenants for implementation of MSGP requirements include:

11.S.3.2.1 The airport authority performs certain activities on behalf of itself and its tenants and reports on its activities*;*

11.S.3.2.2 Tenants provide the airport authority with relevant inputs about tenants' activities, including deicing chemical usage*, and the airport authority compiles and reports on tenants' and its own activities; or

11.S.3.2.3 Tenants independently perform, document and submit required information on their activities.

**Tenants who report their deicing chemical usage to the airport authority and rely on the airport authority to perform monitoring should not check the glycol and urea use box on their NOI forms.*

11.S.3.3 SWPPP Requirements. A SWPPP must be developed for all stormwater discharges associated with industrial activity at the airport before submittal of any NOIs. The airport authority, in collaboration with its tenants, may choose to develop a single comprehensive SWPPP, or they may choose to develop individual SWPPP. The comprehensive SWPPP should be developed collaboratively by the airport authority and tenants. If any operator develops a SWPPP for discharges from its own areas of the airport, that SWPPP must be coordinated and integrated with the comprehensive SWPPP. All operators and their separate SWPPP contributions and compliance responsibilities must be clearly identified in the comprehensive SWPPP, which all operators must sign and certify per Part 5.2.7. As applicable, the comprehensive SWPPP must clearly specify the MSGP requirements to be complied with by*:*

- The airport authority for itself;
- The airport authority on behalf of its tenants;
- Tenants for themselves.

For each activity that an operator (e.g., the airport authority) conducts on behalf of another operator (e.g., a tenant), the comprehensive SWPPP must describe a process for reporting results to the latter operator and for ensuring appropriate follow-up, if necessary, by all affected operators. This is to ensure all actions are taken to correct any potential deficiencies or permit violations. For example, where the airport authority is conducting monitoring for itself and its tenants, the comprehensive SWPPP must identify how the airport authority will share the monitoring results with its tenants, and then follow-up with its tenants where there are any exceedances of benchmarks, effluent limits, or water quality standards. In turn, the comprehensive SWPPP must describe how the tenants will also follow-up to ensure permit compliance. If the airport authority and its tenants choose to use a comprehensive SWPPP, they have one hundred eighty (180) days after the effective date of this permit to develop a comprehensive SWPPP and file the NOI according to Part 2.1.

11.S.3.4 Duty to Comply. All individual operators are responsible for implementing their assigned portion of the comprehensive SWPPP, and operators must ensure that their individual activities do not render another operator's stormwater controls ineffective. In addition, the standard permit conditions found in Appendix A apply to each individual operator, including 1.2 Duty to Comply (which states, in part, "A permittee [each individual operator] shall comply with all conditions of the permittee's APDES permit."). For multiple operators at an airport this means that each individual operator remains responsible for ensuring all requirements of its own MSGP are met regardless of whether the comprehensive SWPPP allocates the actual implementation of any of those responsibilities to another entity. That is, the failure of the entity allocated responsibility in the SWPPP to implement an MSGP requirement on behalf of other operators does not negate the other operators' ultimate liability.

11.S.4 Additional Technology-Based Effluent Limits.

11.S.4.1 Good Housekeeping Measures. (See also Part 4.2.2) Implement control measures (as described in 11.S.4.1.1 through 11.S.4.1.7–each list is not exclusive) where determined to be practicable and that accommodate considerations of safety, space, operational constraints, and flight considerations.

11.S.4.1.1 Aircraft, Ground Vehicle and Equipment Maintenance Areas. Minimize the contamination of storm water runoff from all areas used for aircraft, ground vehicle and equipment maintenance (including the maintenance conducted on the terminal apron and in dedicated hangers). Consider the following control measures: performing maintenance activities indoors; maintaining an organized inventory of material used in the maintenance areas; draining all parts of fluids prior to disposal; prohibiting the practice of hosing down the apron or hanger floor; using dry cleanup methods; and collecting the storm water runoff from the maintenance area and providing treatment or recycling.

11.S.4.1.2 Aircraft, Ground Vehicle and Equipment Cleaning Areas. Clearly demarcate these areas on the ground using signage or other appropriate means. Minimize the contamination of storm water runoff from cleaning areas.

11.S.4.1.3 Aircraft, Ground Vehicle and Equipment Storage Areas. Store all aircraft, ground vehicles and equipment awaiting maintenance in designated areas only and minimize the contamination of storm water runoff from these storage areas. Consider the following control measures, including any BMPs: store aircraft and ground vehicles indoors; use drip pans for the collection of fluid leaks; and perimeter drains, dikes or berms surrounding the storage areas.

11.S.4.1.4 Material Storage Areas. Maintain the vessels of stored materials (e.g., used oils, hydraulic fluids, spent solvents, and waste aircraft fuel) in good condition, to prevent or minimize contamination of storm water. Also plainly label the vessels (e.g., "used oil," "Contaminated Jet A," etc.). Minimize contamination of precipitation/runoff from these areas. Consider the following control measures: store materials indoors; store waste materials in a centralized location; and install berms/dikes around storage areas.

11.S.4.1.5 Airport Fuel System and Fueling Areas. Minimize the discharge of fuel to the storm sewer/surface waters resulting from fuel servicing activities or other operations conducted in support of the airport fuel system. Consider the following control measures: implement spill and overflow practices; use only dry cleanup methods; and collect storm water runoff.

11.S.4.1.6 Source Reduction. Minimize, and where practicable, eliminate the use of urea and glycol-based deicing chemicals, in order to reduce the aggregate amount of deicing chemicals used and/or lessen the environmental impact. Chemical options to replace ethylene glycol, propylene glycol and urea include: potassium acetate; magnesium acetate; calcium acetate; and anhydrous sodium acetate.

- *Runway Deicing Operation:* Minimize contamination of storm water runoff from runways as a result of deicing operations. Evaluate whether over-application of deicing chemicals occurs by analyzing application rates, and adjust as necessary, consistent with considerations of flight safety. Consider these control measure options: metered application of chemicals; pre-wetting dry chemical constituents prior to application; install a runway ice detection system; implement anti-icing operations as a preventive measure against ice buildup.

- *Aircraft Deicing Operations.* Minimize contamination of storm water runoff from aircraft deicing operations. Determine whether excessive application of deicing chemicals occurs and adjust as necessary, consistent with considerations of flight safety. Evaluate using alternative deicing/anti-icing

agents as well as containment measures for all applied chemicals. Consider these control measure options for reducing deicing fluid use: forced-air deicing systems, computer-controlled fixed-gantry systems, infrared technology, hot water, varying glycol content to air temperature, enclosed-basket deicing trucks, mechanical methods, solar radiation, hangar storage, aircraft covers, and thermal blankets for MD-80s and DC-9s. Also consider using ice-detection systems and airport traffic flow strategies and departure slot allocation systems. The evaluations and determinations required by this Part should be carried out by the personnel most familiar with the particular aircraft and flight operations and related systems in question (versus an outside entity such as the airport authority).

11.S.4.1.7 Management of Runoff.

(See also 4.2.6) Where deicing operations occur, implement a program to control or manage contaminated runoff to minimize the amount of pollutants being discharged from the site. Consider these control measure options: a dedicated deicing facility with a runoff collection/recovery system; using vacuum/collection trucks; storing contaminated storm water/deicing fluids in tanks and releasing controlled amounts to a publicly owned treatment works; collecting contaminated runoff in a wet pond for biochemical decomposition (be aware of attracting wildlife that may prove hazardous to flight operations); or directing runoff into vegetative swales or other infiltration measures. Also consider recovering deicing materials when these materials are applied during non-precipitation events (e.g., covering storm sewer inlets, using booms, installing absorptive interceptors in the drains, etc.) to prevent these materials from later becoming a source of storm water contamination. Deicing operations should be developed with an emphasis on using a combination of the BMPs listed above to contain, capture, and reuse deicing materials. Used deicing fluid should be recycled whenever practicable.

11.S.4.2 Deicing Season. (See also Part 11.S.7.) The permittee must determine the seasonal timeframe (e.g., December- February, October - March, etc.) during which deicing activities typically occur at the facility. Implementation of control measures, including any BMPs, facility inspections and monitoring must be conducted with particular emphasis throughout the defined deicing season. If the permittee meets the deicing chemical usage thresholds of 100,000 gallons glycol and/or 100 tons of urea, the deicing season they identified is the timeframe during which the permittee must obtain the four required benchmark monitoring event results for deicing-related parameters, i.e., BOD, COD, ammonia and pH.

11.S.5 Additional SWPPP Requirements.

An airport authority and tenants of the airport are encouraged to work in partnership in the development of a SWPPP. If an airport tenant obtains authorization under this permit and develops a SWPPP for

discharges from his or her own areas of the airport, prior to authorization, that SWPPP must be coordinated and integrated with the SWPPP for the entire airport. Tenants of the airport facility include air passenger or cargo companies, fixed based operators and other parties who have contracts with the airport authority to conduct business operations on airport property and whose operations result in storm water discharges associated with industrial activity.

11.S.5.1 Drainage Area Site Map. (See also Part 5.2.3) The permittee must document in the SWPPP the following areas of the facility and indicate whether activities occurring there may be exposed to precipitation/surface runoff: aircraft and runway deicing operations; fueling stations; aircraft, ground vehicle and equipment maintenance/cleaning areas; storage areas for aircraft, ground vehicles and equipment awaiting maintenance.

11.S.5.2 Potential Pollutant Sources. (See also Part 5.2.4) In the permittees inventory of exposed materials, describe in the SWPPP the potential for the following activities and facility areas to contribute pollutants to storm water discharges: aircraft, runway, ground vehicle and equipment maintenance and cleaning; aircraft and runway deicing operations (including apron and centralized aircraft deicing stations, runways, taxiways and ramps). If the permittee uses deicing chemicals, they must maintain a record of the types (including the Material Safety Data Sheets [MSDS]) used and the monthly quantities, either as measured or, in the absence of metering, as estimated to the best of the permittees knowledge. This includes all deicing chemicals, not just glycols and urea (e.g., potassium acetate), because large quantities of these other chemicals can still have an adverse impact on receiving waters. Tenants or other fixed-based operations that conduct deicing operations must provide the above information to the airport authority for inclusion with any comprehensive airport SWPPPs.

11.S.5.3 Vehicle and Equipment Washwater Requirements. Attach to or reference in the SWPPP, a copy of the APDES permit issued for vehicle/equipment washwater or, if an APDES permit has not been issued, a copy of the pending application. If an industrial user permit is issued under a local pretreatment program, include a copy in the SWPPP. In any case, if the permittee is subject to another permit, describe the control measures for implementing all non-storm water discharge permit conditions or pretreatment requirements in the SWPPP. If washwater is handled in another manner (e.g., hauled offsite, retained onsite), describe the disposal method and attach all pertinent documentation/information (e.g., frequency, volume, destination, etc.) in the SWPPP.

11.S.5.4 Documentation of Control Measures Used for Management of Runoff. Document in the SWPPP the control measures used for collecting or containing contaminated melt water from collection areas used for disposal of contaminated snow.

11.S.6 Additional Inspection Requirements.

11.S.6.1 Inspections. (See also Part 6.1) At a minimum, conduct routine facility inspections at least monthly during the deicing season (e.g., October through April for most airports). If a permittees facility needs to deice before or after this period, expand the monthly inspections to include all months during which deicing chemicals may be used. The Department may specifically require the permittee to increase inspection frequencies.

11.S.6.2 Comprehensive Site Inspections. (See also Part 6.3) Using only qualified personnel, conduct the annual site inspection during periods of actual deicing operations, if possible. If not practicable during active deicing because of weather, conduct the inspection during the season when deicing operations occur and the materials and equipment for deicing are in place.

11.S.7 Sector-Specific Benchmarks. (See also Part 7 of the permit.)

Monitor per the requirements in Table 11.S.7-1.

Table 11.S.7-1: Sector – Specific Benchmarks – Sector S

Subsector (Permittees may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
For airports where a single permittee, or a combination of permitted facilities use more than 100,000 gallons of pure glycol in glycol-based deicing fluids and/or 100 tons or more of urea on an average annual basis, monitor the first four parameters in ONLY those outfalls that collect runoff from areas where deicing activities occur (SIC 4512-4581).	Biochemical Oxygen Demand (BOD_5)[1]	30 mg/L
	Chemical Oxygen Demand (COD)[1]	120 mg/L
	Ammonia[1, 2]	2.14 mg/L
	pH[1]	6.5 – 8.5 s.u.

Note:
1. These are deicing-related parameters. Collect the four benchmark samples, and any required follow-up benchmark samples, during the timeframe defined in Part 11.S.4.2 when deicing activities are occurring.
2. If a permittee certifies annually that it does not use airfield deicing products that contain urea, then the permittee does not need to sample for ammonia.

11.S.8 Sector-Specific Effluent Limitation Guideline.

There shall be no discharge of airfield pavement deicers containing urea, unless there is monitoring. To comply with this limitation, any existing point source must certify annually that it does not use airfield deicing products that contain urea or alternatively, airfield pavement discharges at every discharge point must achieve the numeric limitations for ammonia in Table 11.S.8-1, prior to any dilution or commingling with any non-deicing discharge. The certification statement shall be maintained in the SWPPP and signed in accordance with Appendix A, Part 1.12. Monitor per the requirements in Table 11.S.8-1.

Table 11.S.8-1: Effluent Limitations Based on 40 CFR Part 449 BAT Limitations

Wastestream	Paramter	Daily Maximum
Runoff containing urea from airfield pavement deicing at existing primary airports with 1,000 or more annual non-propeller aircraft[1] departures.	Ammonia as Nitrogen[2]	14.7 mg/l

Note:
1. Annual non-propellar aircraft is the average annual aircraft departures of commercial turbine-engine aircraft that are propelled by jet, i.e., turbojet or turbofan as tabulated by the Federal Aviation Administration.
2. Monitor twice a deicing season during the timeframe defined in Part 11.S.4.2 when deicing activities are occuring.

11.S.9 Technology Based – Effluent Limits for New Sources with At Least 1,000 Annual Non-Propellar Aircraft Departures.

A new airport with at least 1,000 annual non-propeller aircraft departures must apply for an individual APDES permit.

11. Subpart T – Sector T – Treatment Works.

A permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of the permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.T.1 Covered Storm Water Discharges.

The requirements in Subpart T apply to storm water discharges associated with industrial activity from Treatment Works as identified by the Activity Code specified under Sector T in Table D-1 of Appendix D of the permit.

11.T.2 Industrial Activities Covered by Sector T.

The requirements listed under this part apply to all existing point source storm water discharges associated with the following activities:

11.T.2.1 *Treatment works treating domestic sewage,* or any other sewage sludge or wastewater treatment device or system used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated to the disposal of sewage sludge; that are located within the confines of a facility with a design flow of 1.0 million gallons per day (MGD) or more; or are required to have an approved pretreatment program under 40 CFR Part 403.

11.T.2.2 *The following are not required to have permit coverage:* farm lands, domestic gardens or lands used for sludge management where sludge is beneficially reused and which are not physically located within the facility, or areas that are in compliance with Section 405 of the CWA.

11.T.3 Limitations on Coverage.

11.T.3.1 *Prohibition of Non-Storm Water Discharges.* (See also Part 1.2.4) Sanitary and industrial wastewater and equipment and vehicle washwater are not authorized by this permit.

11.T.4 Additional Technology-Based Effluent Limits.

11.T.4.1 *Control Measures.* (See also the non-numeric effluent limits in Part 4.2) In addition to the other control measures, implement the following, as practicable: routing storm water to the treatment works; or covering exposed materials (i.e., from the following areas: grit, screenings, and other solids handling, storage, or disposal areas; sludge drying beds; dried sludge piles; compost piles; and septage or hauled waste receiving station).

11.T.4.2 Employee Training. (See also Part 4.2.9) At a minimum, training must address the following areas when applicable to a facility: petroleum product management; process chemical management; spill prevention and controls; fueling procedures; general good housekeeping practices; and proper procedures for using fertilizer, herbicides, and pesticides.

11.T.5 Additional SWPPP Requirements.

11.T.5.1 Site Map. (See also Part 5.2.3) The permittee must document in the SWPPP where any of the following may be exposed to precipitation or surface runoff: grit, screenings, and other solids handling, storage, or disposal areas; sludge drying beds; dried sludge piles; compost piles; septage or hauled waste receiving station; and storage areas for process chemicals, petroleum products, solvents, fertilizers, herbicides, and pesticides.

11.T.5.2 Potential Pollutant Sources. (See also Part 5.2.4) Document in the SWPPP the following additional sources and activities that have potential pollutants associated with them, as applicable: grit, screenings, and other solids handling, storage, or disposal areas; sludge drying beds; dried sludge piles; compost piles; septage or hauled waste receiving station; and access roads and rail lines.

11.T.5.3 Wastewater and Washwater Requirements. Keep a copy of all the permittees current APDES permits issued for wastewater and industrial, vehicle and equipment washwater discharges or, if an APDES permit has not yet been issued, a copy of the pending application(s) with the SWPPP. If the washwater is handled in another manner, the disposal method must be described and all pertinent documentation must be retained onsite.

11.T.6 Additional Inspection Requirements.

(See also Part 6.1) Include the following areas in all inspections: access roads and rail lines; grit, screenings, and other solids handling, storage, or disposal areas; sludge drying beds; dried sludge piles; compost piles; and septage or hauled waste receiving station.

11. Subpart U – Sector U – Food and Kindred Products.

A permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of the permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.U.1 Covered Storm Water Discharges.

The requirements in Subpart U apply to storm water discharges associated with industrial activity from Food and Kindred Products facilities as identified by the SIC Codes specified in Table D-1 of Appendix D of the permit.

11.U.2 Limitations on Coverage.

11.U.2.1 Prohibition of Non-Storm Water Discharges. (See also Part 1.2.4) The following discharges are not authorized by this permit: discharges containing boiler blowdown, cooling tower overflow and blowdown, ammonia refrigeration purging, and vehicle washing and clean-out operations.

11.U.3 Additional Technology-Based Limitations.

11.U.3.1 Employee Training. (See also Part 4.2.9) Address pest control in the permittees employee training program.

11.U.4 Additional SWPPP Requirements.

11.U.4.1 Drainage Area Site Map. (See also Part 5.2.3) The permittee must document in the SWPPP the locations of the following activities if they are exposed to precipitation or runoff: vents and stacks from cooking, drying, and similar operations; dry product vacuum transfer lines; animal holding pens; spoiled product; and broken product container storage areas.

11.U.4.2 Potential Pollutant Sources. (See also Part 5.2.4) The permittee must document in the SWPPP, in addition to food and kindred products processing-related industrial activities, application and storage of pest control chemicals (e.g., rodenticides, insecticides, fungicides) used on plant grounds.

11.U.5 Additional Inspection Requirements.

(See also Part 6.1) Inspect on a quarterly basis, at a minimum, the following areas where the potential for exposure to storm water exists: loading and unloading areas for all significant materials; storage areas, including associated containment areas; waste management units; vents and stacks emanating from industrial activities; spoiled product and broken product container holding areas; animal holding pens; staging areas; and air pollution control equipment.

11.U.6 Sector-Specific Benchmarks. (See also Part 7 of the permit.)

Table 11.U.6-1: Sector – Specific Benchmarks – Sector U

Subsector (Permittees may be subject to requirements for more than one Sector / Subsector)	Parameter	Benchmark Monitoring Concentration
Subsector U1. Grain Mill Products (SIC 2041-2048)	Total Suspended Solids (TSS)	100 mg/L
Subsector U2. Fats and Oils Products (SIC 2074-2079)	Biochemical Oxygen Demand (BOD_5)	30 mg/L
	Chemical Oxygen Demand (COD)	120 mg/L
	Nitrate plus Nitrite Nitrogen	0.68 mg/L
	Total Suspended Solids (TSS)	100 mg/L

11. Subpart V – Sector V – Textile Mills, Apparel, and Other Fabric Products.

A permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of the permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.V.1 Covered Storm Water Discharges.

The requirements in Subpart V apply to storm water discharges associated with industrial activity from Textile Mills, Apparel, and Other Fabric Product manufacturing as identified by the SIC Codes specified under Sector V in Table D-1 of Appendix D of the permit.

11.V.2 Limitations on Coverage.

11.V.2.1 Prohibition of Non-Storm Water Discharges. (See also Part 1.2.4) The following are not authorized by this permit: discharges of wastewater (e.g., wastewater resulting from wet processing or from any processes relating to the production process), reused or recycled water, and waters used in cooling towers. If the permittee has these types of discharges from the facility, the permittee must cover them under a separate APDES permit.

11.V.3 Additional Technology-Based Limitations.

11.V.3.1 Good Housekeeping Measures. (See also Part 4.2.2)

11.V.3.1.1 Material Storage Areas. Plainly label and store all containerized materials (e.g., fuels, petroleum products, solvents, and dyes) in a protected area, away from drains. Minimize contamination of the storm water runoff from such storage areas. Implement an inventory control plan to prevent excessive purchasing of potentially hazardous substances. For storing empty chemical drums or containers, ensure that the drums and containers are clean (consider triple-rinsing) and that there is no contact of residuals with precipitation or runoff. Collect and dispose of washwater from these cleanings properly.

11.V.3.1.2 Material Handling Areas. Minimize contamination of storm water runoff from material handling operations and areas. Implement the following (or their equivalents), as practicable: use of spill and overflow protection; cover fueling areas; and cover or enclose areas where the transfer of material may occur. When applicable, address the replacement or repair of leaking connections, valves, transfer lines, and pipes that may carry chemicals, dyes, or wastewater.

11.V.3.1.3 Fueling Areas. Minimize contamination of storm water runoff from fueling areas. Implement the following (or their equivalents), as practicable: cover the fueling area, use of spill and overflow protection, minimize run-on of storm water to the fueling areas, use of dry cleanup methods, and treating and/or recycling storm water runoff collected from the fueling area.

11.V.3.1.4 Above-Ground Storage Tank Area. Minimize contamination of the storm water runoff from above-ground storage tank areas, including the associated piping and valves. Implement the following (or their equivalents), as practicable: regular cleanup of these areas; include measures for tanks, piping and valves explicitly in the permittees SPCC program; minimize runoff of storm water from adjacent areas; restrict access to the area; insert filters in adjacent catch basins; provide absorbent booms in unbermed fueling areas; use dry cleanup methods; and permanently sealing drains within critical areas that may discharge to a storm drain.

11.V.3.2 Employee Training. (See also Part 4.2.9) As part of the permittees employee training program, address, at a minimum, the following activities (as applicable): use of reused and recycled waters, solvents management, proper disposal of dyes, proper disposal of petroleum products and spent lubricants, spill prevention and control, fueling procedures, and general good housekeeping practices.

11.V.4 Additional SWPPP Requirements.

11.V.4.1 Potential Pollutant Sources. (See also Part 5.2.4) The permittee must document in the SWPPP the following additional sources and activities that have potential pollutants associated with them: industry-specific significant materials and industrial activities (e.g., backwinding, beaming, bleaching, backing bonding, carbonizing, carding, cut and sew operations, desizing, drawing, dyeing locking, fulling, knitting, mercerizing, opening, packing, plying, scouring, slashing, spinning, synthetic-felt processing, textile waste processing, tufting, turning, weaving, web forming, winging, yarn spinning, and yarn texturing).

11.V.4.2 Description of Good Housekeeping Measures for Material Storage Areas. The permittee must document in the SWPPP the containment area or enclosure for materials stored outdoors in connection with Part 11.V.3.1.1 above.

11.V.5 Additional Inspection Requirements.

(See also Part 6.1) Inspect, at least monthly, the following activities and areas (at a minimum): transfer and transmission lines, spill prevention, good housekeeping practices, management of process waste products, and all structural and nonstructural management practices.

11. Subpart W – Sector W – Furniture and Fixtures.

A permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of a permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.W.1 Covered Storm Water Discharges.

The requirements in Subpart W apply to storm water discharges associated with industrial activity from Furniture and Fixtures facilities as identified by the SIC Codes specified under Sector W in Table D-1 of Appendix D of the permit.

11.W.2 Additional SWPPP Requirements.

11.W.2.1 Drainage Area Site Map. (See also Part 5.2.3) The permittee must document in the SWPPP where any of the following may be exposed to precipitation or surface runoff: material storage (including tanks or other vessels used for liquid or waste storage) areas; outdoor material processing areas; areas where wastes are treated, stored, or disposed of; access roads; and rail spurs.

11. Subpart X – Sector X – Printing and Publishing.

The permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of the permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.X.1 Covered Storm Water Discharges.

The requirements in Subpart X apply to storm water discharges associated with industrial activity from Printing and Publishing facilities as identified by the SIC Codes specified under Sector X in Table D-1 of Appendix D of the permit.

11.X.2 Additional Technology-Based Effluent Limits.

11.X.2.1 Good Housekeeping Measures. (See also Part 4.2.2)

11.X.2.1.1 Material Storage Areas. Plainly label and store all containerized materials (e.g., skids, pallets, solvents, bulk inks, hazardous waste, empty drums, portable and mobile containers of plant debris, wood crates, steel racks, and fuel oil) in a protected area, away from drains. Minimize contamination of the storm water runoff from such storage areas. Implement an inventory control plan to prevent excessive purchasing of potentially hazardous substances. In order to minimize storm water exposure materials should be stored indoors or under cover.

11.X.2.1.2 Material Handling Area. Minimize contamination of storm water runoff from material handling operations and areas (e.g., blanket wash, mixing solvents, loading and unloading materials). Implement the following (or their equivalents), as practicable: use spill and overflow protection, cover fueling areas, and cover or enclose areas where the transfer of materials may occur. When applicable, address the replacement or repair of leaking connections, valves, transfer lines, and pipes that may carry chemicals or wastewater.

11.X.2.1.3 Fueling Areas. Minimize contamination of storm water runoff from fueling areas. Implement the following (or their equivalents), as practicable: cover the fueling area, use spill and overflow protection, minimize runoff of storm water to the fueling areas, use dry cleanup methods, and treat aor recycle storm water runoff collected from the fueling area.

11.X.2.1.4 Above Ground Storage Tank Area. Minimize contamination of the storm water runoff from above-ground storage tank areas, including the associated piping and valves. Implement the following (or their equivalents), as practicable: regularly clean these areas, explicitly address tanks, piping and valves in the SPCC program, minimize storm water runoff from adjacent areas, restrict access to the area, insert filters in adjacent catch basins, provide absorbent booms in unbermed fueling areas, use dry cleanup methods, and permanently seal drains within critical areas that may discharge to a storm drain.

11.X.2.2 Employee Training. (See also Part 4.2.9) As part of the permittees employee training program, address, at a minimum, the following activities (as applicable): spent solvent management, spill prevention and control, used oil management, fueling procedures, and general good housekeeping practices.

11.X.3 Additional SWPPP Requirements.

11.X.3.1 Description of Good Housekeeping Measures for Material Storage Areas. In connection with Part 11.X.2.1.1, describe in the SWPPP the containment area or enclosure for materials stored outdoors.

11. Subpart Y – Sector Y – Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries.

A permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of the permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.Y.1 Covered Storm Water Discharges.

The requirements in Subpart Y apply to storm water discharges associated with industrial activity from Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries facilities as identified by the SIC Codes specified under Sector Y in Table D-1 of Appendix D of the permit.

11.Y.2 Additional Technology-Based Effluent Limits.

11.Y.2.1 Controls for Rubber Manufacturers. (See also Part 4.2) Minimize the discharge of zinc in a permittees storm water discharges. Parts 11.Y.2.1.1 to 11.Y.2.1.5 give possible sources of zinc to be reviewed and list some specific control measures to be considered for implementation (or their equivalents). Following are some general control measure options to consider: using chemicals purchased in pre-weighed, sealed polyethylene bags; storing in-use materials in sealable containers, ensuring an airspace between the container and the cover to minimize "puffing" losses when the container is opened, and using automatic dispensing and weighing equipment.

11.Y.2.1.1 Zinc Bags. Ensure proper handling and storage of zinc bags at the permittees facility. Following are some control measure options: employee training on the handling and storage of zinc bags, indoor storage of zinc bags, cleanup of zinc spills without washing the zinc into the storm drain, and the use of 2,500-pound sacks of zinc rather than 50- to 100-pound sacks.

11.Y.2.1.2 Dumpsters. Minimize discharges of zinc from dumpsters. Following are some control measure options: covering the dumpster, moving the dumpster indoors, or providing a lining for the dumpster.

11.Y.2.1.3 Dust Collectors and Baghouses. Minimize contributions of zinc to storm water from dust collectors and baghouses. Replace or repair, as appropriate, improperly operating dust collectors and baghouses.

11.Y.2.1.4 Grinding Operations. Minimize contamination of storm water as a result of dust generation from rubber grinding operations. One control measure option is to install a dust collection system.

11.Y.2.1.5 Zinc Stearate Coating Operations. Minimize the potential for storm water contamination from drips and spills of zinc stearate slurry that may be released to the storm drain. One control measure option is to use alternative compounds to zinc stearate.

11.Y.2.2 Controls for Plastic Products Manufacturers. Minimize the discharge of plastic resin pellets in the storm water discharges. Control measures to be considered for implementation (or their equivalents) include minimizing spills, cleaning up of spills promptly and thoroughly, sweeping thoroughly, pellet capturing, employee education, and disposal precautions.

11.Y.3 Additional SWPPP Requirements.

11.Y.3.1 Potential Pollutant Sources for Rubber Manufacturers. (See also Part 5.2.4) The permittee must document in the SWPPP the use of zinc at their facility and the possible pathways through which zinc may be discharged in storm water runoff.

11.Y.4 Sector-Specific Benchmarks. (See also Part 7 of the permit.)

Table 11.Y.4-1: Sector – Specific Benchmarks – Sector Y

Subsector (Permittees may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
Subsector Y1. Rubber Products Manufacturing (SIC 3011, 3021, 3052, 3053, 3061, 3069)	Total Zinc (saltwater)[1]	0.09 mg/L
	Total Zinc (freshwater)[2]	Hardness Dependent

Note:
1. Saltwater benchmark values apply to storm water discharges into saline waters where indicated.
2. The freshwater benchmark values of some metals are dependent on water hardness. For these parameters, permittees must determine the hardness of the receiving water (see Appendix E, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part 7.2.1.1, to identify the applicable 'hardness range' for determining their benchmark value applicable to their facility. The ranges occur in 25 mg/L increments. Hardness Dependent Benchmarks follow in the table below:

Water Hardness Range (mg/L)	Zinc (mg/L)
0 – < 25	0.04
25 – < 50	0.05
50 – < 75	0.08
75 – < 100	0.11
100 – < 125	0.13
125 – < 150	0.16
150 – < 175	0.18
175 – < 200	0.20
200 – < 225	0.23
225 – < 250	0.25
250+	0.26

11. Subpart Z – Sector Z – Leather Tanning and Finishing.

A permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of the permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.Z.1 Covered Storm Water Discharges.

The requirements in Subpart Z apply to storm water discharges associated with industrial activity from Leather Tanning and Finishing facilities as identified by the SIC Code specified under Sector Z in Table D-1 of Appendix D of the permit.

11.Z.2 Additional Technology-Based Effluent Limits.

11.Z.2.1 Good Housekeeping Measures. (See also Part 4.2.2)

11.Z.2.1.1 Storage Areas for Raw, Semiprocessed, or Finished Tannery By-products. Minimize contamination of storm water runoff from pallets and bales of raw, semiprocessed, or finished tannery by-products (e.g., splits, trimmings, shavings). Use indoor storage or protection with polyethylene wrapping, tarpaulins, roofed storage, etc. Place materials on an impermeable surface and enclose or put berms (or equivalent measures) around the area to prevent storm water run-on and runoff.

11.Z.2.1.2 Material Storage Areas. Label storage containers of all materials (e.g., specific chemicals, hazardous materials, spent solvents, waste materials) minimize contact of such materials with storm water.

11.Z.2.1.3 Buffing and Shaving Areas. Minimize contamination of storm water runoff with leather dust from buffing and shaving areas. Use dust collection enclosures, preventive inspection and maintenance programs, or other appropriate preventive measures.

11.Z.2.1.4 Receiving, Unloading, and Storage Areas. Minimize contamination of storm water runoff from receiving, unloading, and storage areas. If these areas are exposed, use the following (or their equivalents): covering all hides and chemical supplies, diverting drainage to the process sewer, or grade berming or curbing the area to prevent storm water runoff.

11.Z.2.1.5 Outdoor Storage of Contaminated Equipment. Minimize contact of storm water with contaminated equipment. Use the following (or their equivalents): covering equipment, diverting drainage to the process sewer, or cleaning thoroughly prior to storage.

11.Z.2.1.6 Waste Management. Minimize contamination of storm water runoff from waste storage areas. Use the following (or their equivalents): covering dumpsters, moving waste management activities indoors, covering waste piles with temporary covering material such as tarpaulins or polyethylene, or minimizing storm water runoff by enclosing the area or building berms around the area.

11.Z.3 Additional SWPPP Requirements.

11.Z.3.1 Drainage Area Site Map. (See also Part 5.2.3) The permittee must document in the SWPPP where any of the following may be exposed to precipitation or surface runoff: processing and storage areas of the beamhouse, tanyard, and re-tan wet finishing and dry finishing operations.

11.Z.3.2 Potential Pollutant Sources. (See also Part 5.2.4) The permittee must document in the SWPPP the following sources and activities that have potential pollutants associated with them (as appropriate): temporary or permanent storage of fresh and brine-cured hides; extraneous hide substances and hair; leather dust, scraps, trimmings, and shavings.

11. Subpart AA – Sector AA – Fabricated Metal Products.

A permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of the permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.AA.1 Covered Storm Water Discharges.

The requirements in Subpart AA apply to storm water discharges associated with industrial activity from Fabricated Metal Products facilities as identified by the SIC Codes specified under Sector AA in Table D-1 of Appendix D of the permit.

11.AA.2 Additional Technology-Based Effluent Limits.

11.AA.2.1 Good Housekeeping Measures. (See also Part 4.2.2)

11.AA.2.1.1 Raw Steel Handling Storage. Minimize the generation of and/or recover and properly manage scrap metals, fines, and iron dust. Include measures for containing materials within storage handling areas.

11.AA.2.1.2 Paints and Painting Equipment. Minimize exposure of paint and painting equipment to storm water.

11.AA.2.2 Spill Prevention and Response Procedures. (See also Part 4.2.4) Ensure that the necessary equipment to implement a cleanup is available to personnel. The following areas should be addressed:

11.AA.2.2.1 Metal Fabricating Areas. Maintain clean, dry, orderly conditions in these areas. Use dry clean-up techniques.

11.AA.2.2.2 Storage Areas for Raw Metal. Keep these areas free of conditions that could cause, or impede appropriate and timely response to, spills or leakage of materials. Implement the following (or their equivalents): maintaining storage areas so that there is easy access in the event of a spill, and labeling stored materials to aid in identifying spill contents.

11.AA.2.2.3 Metal Working Fluid Storage Areas. Minimize the potential for storm water contamination from storage areas for metal working fluids.

11.AA.2.2.4 Cleaners and Rinse Water. Control and clean up spills of solvents and other liquid cleaners, control sand buildup and disbursement from sand-blasting operations, and prevent exposure of recyclable wastes. Substitute environmentally benign cleaners when possible.

11.AA.2.2.5 Lubricating Oil and Hydraulic Fluid Operations. Minimize the potential for storm water contamination from lubricating oil and hydraulic fluid operations. Use appropriate monitoring methods or equipment or other devices to detect and control leaks and overflows. Install perimeter controls such as dikes, curbs, grass filter strips, or equivalent measures, as practicable.

11.AA.2.2.6 Chemical Storage Areas. Minimize storm water contamination and accidental spillage in chemical storage areas. Include a program to inspect containers and identify proper disposal methods.

11.AA.2.3 Spills and Leaks. (See also Part 5.2.4.3) In the permittees spill prevention and response procedures, required by Part 4.2.4, pay attention to the following materials (at a minimum): chromium, toluene, pickle liquor, sulfuric acid, zinc and other water priority chemicals, and hazardous chemicals and wastes.

11.AA.3 Additional SWPPP Requirements.

11.AA.3.1 Drainage Area Site Map. (See also Part 5.2.3) The permittee must document in the SWPPP where any of the following may be exposed to precipitation or surface runoff: raw metal storage areas; finished metal storage areas; scrap disposal collection sites; equipment storage areas; retention and detention basins; temporary and permanent diversion dikes or berms; right-of-way or perimeter diversion devices; sediment traps and barriers; processing areas, including outside painting areas; wood preparation; recycling; and raw material storage.

11.AA.3.2 Potential Pollutant Sources. (See also Part 5.2.4) The permittee must document in the SWPPP the following additional sources and activities that have potential pollutants associated with them: loading and unloading operations for paints, chemicals, and raw materials; outdoor storage activities for raw materials, paints, empty containers, corn cobs, chemicals, and scrap metals; outdoor manufacturing or processing activities such as grinding, cutting, degreasing, buffing, and brazing; onsite waste disposal practices for spent solvents, sludge, pickling baths, shavings, ingot pieces, and refuse and waste piles.

11.AA.4 Additional Inspection Requirements.

11.AA.4.1 Inspections. (See also Part 6) At a minimum, include the following areas in all inspections: raw metal storage areas, finished product storage areas, material and chemical storage areas, recycling areas, loading and unloading areas, equipment storage areas, paint areas, and vehicle fueling and maintenance areas.

11.AA.4.2 Comprehensive Site Inspections. (See also Part 6.3) As part of the permittees inspections, also inspect areas associated with the storage of raw metals, spent solvents and chemicals storage areas, outdoor paint areas, and drainage from roof. Potential pollutants include chromium, zinc, lubricating oil, solvents, aluminum, oil and grease, methyl ethyl ketone, steel, and related materials.

11.AA.5 Sector-Specific Benchmarks. (See also Part 7 of the permit.)

Table 11.AA.5-1: Sector – Specific Benchmarks – Sector AA

Subsector (Permittees may be subject to requirements for more than one sector/subsector)	Parameter	Benchmark Monitoring Concentration
Subsector AA1. Fabricated Metal Products, except Coating (SIC 3411-3499; 3911-3915)	Total Aluminum	0.75 mg/L
	Total Iron	1.0 mg/L
	Total Zinc (saltwater)[1] Total Zinc (freshwater)[2]	0.09 mg/L Hardness Dependent
	Nitrate plus Nitrite Nitrogen	0.68 mg/L
Subsector AA2. Fabricated Metal Coating and Engraving (SIC 3479)	Total Zinc (saltwater)[1] Total Zinc (freshwater)[2]	0.09 mg/L Hardness Dependent
	Nitrate plus Nitrite Nitrogen	0.68 mg/L

Note:

1. Saltwater benchmark values apply to storm water discharges into saline waters where indicated.
2. The freshwater benchmark values of some metals are dependent on water hardness. For these parameters, permittees must determine the hardness of the receiving water (see Appendix E, "Calculating Hardness in Receiving Waters for Hardness Dependent Metals," for methodology), in accordance with Part 7.2.1.1, to identify the applicable 'hardness range' for determining their benchmark value applicable to their facility. The ranges occur in 25 mg/L increments. Hardness Dependent Benchmarks follow in the table below:

Water Hardness Range (mg/L)	Zinc (mg/L)
0 – < 25	0.04
25 – < 50	0.05
50 – < 75	0.08
75 – < 100	0.11
100 – < 125	0.13
125 – < 150	0.16
150 – < 175	0.18
175 – < 200	0.20
200 – < 225	0.23
225 – < 250	0.25
250+	0.26

11. Subpart AB – Sector AB — Transportation Equipment, Industrial or Commercial Machinery Facilities.

A permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of the permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.AB.1 Covered Storm Water Discharges.

The requirements in Subpart AB apply to storm water discharges associated with industrial activity from Transportation Equipment, Industrial or Commercial Machinery facilities as identified by the SIC Codes specified under Sector AB in Table D-1 of Appendix D of the permit.

11.AB.2 Additional SWPPP Requirements.

11.AB.2.1 Drainage Area Site Map. (See also Part 5.2.3) Identify in the permittees SWPPP where any of the following may be exposed to precipitation or surface runoff: vents and stacks from metal processing and similar operations.

11. Subpart AC– Sector AC –Electronic and Electrical Equipment and Components, Photographic and Optical Goods.

A Permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of the permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.AC.1 Covered Storm Water Discharges.

The requirements in Subpart AC apply to storm water discharges associated with industrial activity from facilities that manufacture Electronic and Electrical Equipment and Components, Photographic and Optical goods as identified by the SIC Codes specified in Table D-1 of Appendix D of the permit.

11.AC.2 Additional Requirements.

No additional sector-specific requirements apply.

11. Subpart AD – Sector AD – Discharges Designated by the Director as Requiring Permits.

A permittee must comply with Part 11 sector-specific requirements associated with their primary industrial activity and any co-located industrial activities, as defined in Appendix C. The sector-specific requirements apply to those areas of the permittees facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

11.AD.1 Covered Discharges.

Sector AD is used to provide permit coverage for facilities designated by the Department.

11.AD.1.1 Eligibility for Permit Coverage. Because this sector is primarily intended for use by discharges designated by the Department as needing a permit (which is an atypical circumstance), the permittee must obtain the Department's written permission to use this permit prior to submitting an NOI. If a permittee is authorized to use this permit, they will still be required to ensure that their discharges meet the basic eligibility provisions of this permit at Part 1.2.

11.AD.3 Sector-Specific Benchmarks and Effluent Limits. (See also Part 7 of the permit.)

The Department will establish any additional monitoring and reporting requirements for the permittees facility prior to authorizing the permittee to be covered by this permit. Additional monitoring requirements would be based on the nature of activities at the facility and the storm water discharges.

Appendix A – Standard Conditions

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Appendix A of the permit contains standard regulatory language that must be included in all APDES permits. These requirements are based on the regulations and cannot be challenged in the context of an individual APDES permit action. The standard regulatory language covers requirements such as monitoring, recording, reporting requirements, compliance responsibilities, and other general requirements. Appendix A, Standard Conditoins is an integral and enforceable part of the permit. Failure to comply with a Standard Condition in this Appendix constitutes a violation of the permit and is subject to enforcement.

1.0 Standard Conditions Applicable to All Permits

1.1. Contact Information and Addresses

1.1.1. Permitting Program

Documents, reports, and plans required under the permit and Appendix A are to be sent to the following address:

State of Alaska
Department of Environmental Conservation
Division of Water
Wastewater Discharge Authorization Program
555 Cordova Street
Anchorage, Alaska 99501
Telephone (907) 269-6285
Fax (907) 269-3487
Email: DEC.Water.WQPermit@alaska.gov

1.1.2. Compliance and Enforcement Program

Documents and reports required under the permit and Appendix A relating to compliance are to be sent to the following address:

State of Alaska
Department of Environmental Conservation
Division of Water
Compliance and Enforcement Program
555 Cordova Street
Anchorage, Alaska 99501
Telephone Nationwide (877) 569-4114
Anchorage Area / International (907) 269-4114
Fax (907) 269-4604
Email: dec-wqreporting@alaska.gov

1.2. Duty to Comply

A permittee shall comply with all conditions of the permittee's APDES permit. Any permit noncompliance constitutes a violation of 33 U.S.C. 1251-1387 (Clean Water Act) and state law and is grounds for enforcement action including termination, revocation and reissuance, or modification of a permit, or denial of a permit renewal application. A permittee shall comply with effluent standards or prohibitions established under 33 U.S.C. 1317(a) for toxic pollutants

within the time provided in the regulations that establish those effluent standards or prohibitions even if the permit has not yet been modified to incorporate the requirement.

1.3. Duty to Reapply

If a permittee wishes to continue an activity regulated by this permit after its expiration date, the permittee must apply for and obtain a new permit. In accordance with 18 AAC 83.105(b), a permittee with a currently effective permit shall reapply by submitting a new application at least 180 days before the existing permit expires, unless the Department has granted the permittee permission to submit an application on a later date. However, the Department will not grant permission for an application to be submitted after the expiration date of the existing permit.

1.4. Need to Halt or Reduce Activity Not a Defense

In an enforcement action, a permittee may not assert as a defense that compliance with the conditions of the permit would have made it necessary for the permittee to halt or reduce the permitted activity.

1.5. Duty to Mitigate

A permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

1.6. Proper Operation and Maintenance

1.6.1. A permittee shall at all times properly operate and maintain all facilities and systems of treatment and control and related appurtenances that the permittee installs or uses to achieve compliance with the conditions of the permit. The permittee's duty to operate and maintain properly includes using adequate laboratory controls and appropriate quality assurance procedures. However, a permittee is not required to operate back-up or auxiliary facilities or similar systems that a permittee installs unless operation of those facilities is necessary to achieve compliance with the conditions of the permit.

1.6.2. Operation and maintenance records shall be retained and made available at the site.

1.7. Permit Actions

A permit may be modified, revoked and reissued, or terminated for cause as provided in 18 AAC 83.130. If a permittee files a request to modify, revoke and reissue, or terminate a permit, or gives notice of planned changes or anticipated noncompliance, the filing or notice does not stay any permit condition.

1.8. Property Rights

A permit does not convey any property rights or exclusive privilege.

1.9. Duty to Provide Information

A permittee shall, within a reasonable time, provide to the Department any information that the Department requests to determine whether a permittee is in compliance with the permit, or whether cause exists to modify, revoke and reissue, or terminate the permit. A permittee shall also provide to the Department, upon request, copies of any records the permittee is required to keep under the permit.

1.10. Inspection and Entry

A permittee shall allow the Department, or an authorized representative, including a contractor acting as a representative of the Department, at reasonable times and on presentation of credentials establishing authority and any other documents required by law, to:

1.10.1. Enter the premises where a permittee's regulated facility or activity is located or conducted, or where permit conditions require records to be kept;

1.10.2. Have access to and copy any records that permit conditions require the permittee to keep;

1.10.3. Inspect any facilities, equipment, including monitoring and control equipment, practices, or operations regulated or required under a permit; and

1.10.4. Sample or monitor any substances or parameters at any location for the purpose of assuring permit compliance or as otherwise authorized by 33 U.S.C. 1251-1387 (Clean Water Act).

1.11. Monitoring and Records

A permittee must comply with the following monitoring and recordkeeping conditions:

1.11.1. Samples and measurements taken for the purpose of monitoring must be representative of the monitored activity.

1.11.2. The permittee shall retain records in Alaska of all monitoring information for at least three years, or longer at the Department's request at any time, from the date of the sample, measurement, report, or application. Monitoring records required to be kept include:

1.11.2.1. All calibration and maintenance records,

1.11.2.2. All original strip chart recordings or other forms of data approved by the Department for continuous monitoring instrumentation,

1.11.2.3. All reports required by a permit,

1.11.2.4. Records of all data used to complete the application for a permit,

1.11.2.5. Field logbooks or visual monitoring logbooks,

1.11.2.6. Quality assurance chain of custody forms,

1.11.2.7. Copies of discharge monitoring reports, and

1.11.2.8. A copy of this APDES permit.

1.11.3. Records of monitoring information must include:

1.11.3.1. The date, exact place, and time of any sampling or measurement;

1.11.3.2. The name(s) of any individual(s) who performed the sampling or measurement(s);

1.11.3.3. The date(s) and time any analysis was performed;

1.11.3.4. The name(s) of any individual(s) who performed any analysis;

1.11.3.5. Any analytical technique or method used; and

1.11.3.6. The results of the analysis.

1.11.4. Monitoring Procedures

Analyses of pollutants must be conducted using test procedures approved under 40 CFR Part 136, adopted by reference at 18 AAC 83.010, for pollutants with approved test procedures, and using test procedures specified in the permit for pollutants without approved methods.

1.12. Signature Requirement and Penalties

1.12.1. Any application, report, or information submitted to the Department in compliance with a permit requirement must be signed and certified in accordance with 18 AAC 83.385. Any person who knowingly makes any false material statement, representation, or certification in any application, record, report, or other document filed or required to be maintained under a permit, or who knowingly falsifies, tampers with, or renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be subject to penalties under 33 U.S.C. 1319(c)(4), AS 12.55.035(c)(1)(B), (c)(2) and (c)(3), and AS 46.03.790(g).

1.12.2. In accordance with 18 AAC 83.385, an APDES permit application must be signed as follows:

1.12.2.1. For a corporation, a responsible corporate officer shall sign the application; in this subsection, a responsible corporate officer means:

1.12.2.1.1. 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

1.12.2.1.2. The manager of one of more manufacturing, production, or operating facilities, if

1.12.2.1.2.1. The manager is authorized to make management decisions that 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 statutes and regulations;

1.12.2.1.2.2. The manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and

1.12.2.1.3. Authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

1.12.2.2. For a partnership or sole proprietorship, by the general partner or the proprietor, respectively, shall sign the application.

1.12.2.3. For a municipality, state, federal, or other public agency, either a principal executive officer or ranking elected official shall sign the application; in this subsection, a principal executive officer of an agency means:

1.12.2.3.1. The chief executive officer of the agency; or

1.12.2.3.2. A senior executive officer having responsibility for the overall operations of a principal geographic unit or division of the agency.

1.12.3. Any report required by an APDES permit, and a submittal with any other information requested by the Department, must be signed by a person described in Appendix A, Part 1.12.2, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

1.12.3.1. The authorization is made in writing by a person described in Appendix A, Part 1.12.2;

1.12.3.2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, including the position of plant manager, operator of a well or a well field, superintendent, or position of equivalent responsibility; or an individual or position having overall responsibility for environmental matters for the company; and

1.12.3.3. The written authorization is submitted to the Department to the Permitting Program address in Appendix A, Part 1.1.1.

1.12.4. If an authorization under Appendix A, Part 1.12.3 is no longer effective because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Appendix A, Part 1.12.3 must be submitted to the Department before or together with any report, information, or application to be signed by an authorized representative.

1.12.5. Any person signing a document under Appendix A, Part 1.12.2 or Part 1.12.3 shall certify as follows:

"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."

1.13. Proprietary or Confidential Information

1.13.1. A permit applicant or permittee may assert a claim of confidentiality for proprietary or confidential business information by stamping the words “confidential business information” on each page of a submission containing proprietary or confidential business information. The Department will treat the stamped submissions as confidential if the information satisfies the test in 40 CFR §2.208, adopted by reference at 18 AAC 83.010, and is not otherwise required to be made public by state law.

1.13.2. A claim of confidentiality under Appendix A, Part 1.13.1 may not be asserted for the name and address of any permit applicant or permittee, a permit application, a permit, effluent data, sewage sludge data, and information required by APDES or NPDES application forms provided by the Department, whether submitted on the forms themselves or in any attachments used to supply information required by the forms.

1.13.3. A permittee's claim of confidentiality authorized under Appendix A, Part 1.13.1 is not waived if the Department provides the proprietary or confidential business information to the EPA or to other agencies participating in the permitting process. The Department will supply any information obtained or used in the administration of the state APDES program to the EPA upon request under 40 CFR §123.41, as revised as of July 1, 2005. When providing information submitted to the Department with a claim of confidentiality to the EPA, the Department will notify the EPA of the confidentiality claim. If the Department provides the EPA information that is not claimed to be confidential, the EPA may make the information available to the public without further notice.

1.14. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any action or relieve a permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject to under state laws addressing oil and hazardous substances.

1.15. Cultural and Paleontological Resources

If cultural or paleontological resources are discovered because of this disposal activity, work that would disturb such resources is to be stopped, and the Office of History and Archaeology, a Division of Parks and Outdoor Recreation of the Alaska Department of Natural Resources (http://www.dnr.state.ak.us/parks/oha/), is to be notified immediately at (907) 269-8721.

1.16. Fee

A permittee must pay the appropriate permit fee described in 18 AAC 72.

1.17. Other Legal Obligations

This permit does not relieve the permittee from the duty to obtain any other necessary permits from the Department or from other local, state, or federal agencies and to comply with the requirements contained in any such permits. All activities conducted and all plan approvals implemented by the permittee pursuant to the terms of this permit shall comply with all applicable local, state, and federal laws and regulations.

2.0 Special Reporting Obligations

2.1. Planned Changes

2.1.1. The permittee shall give notice to the Department as soon as possible of any planned physical alteration or addition to the permitted facility if:

2.1.1.1. The alteration or addition may make the facility a "new source" under one or more of the criteria in 18 AAC 83.990(44); or

2.1.1.2. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged if those pollutants are not subject to effluent limitations in the permit or to notification requirements under 18 AAC 83.610.

2.1.2. If the proposed changes are subject to plan review, then the plans must be submitted at least 30 days before implementation of changes (see 18 AAC 15.020 and 18 AAC 72 for plan review requirements). Written approval is not required for an emergency repair or routine maintenance.

2.1.3. Written notice must be sent to the Permitting Program address in Appendix A, Part 1.1.1.

2.2. Anticipated Noncompliance

2.2.1. A permittee shall give seven days' notice to the Department before commencing any planned change in the permitted facility or activity that may result in noncompliance with permit requirements.

2.2.2. Written notice must be sent to the Compliance and Enforcement Program address in Appendix A, Part 1.1.2.

2.3. Transfers

2.3.1. A permittee may not transfer a permit for a facility or activity to any person except after notice to the Department in accordance with 18 AAC 83.150. The Department may modify or revoke and reissue the permit to change the name of the permittee and incorporate such other requirements under 33 U.S.C. 1251-1387 (Clean Water Act) or state law.

2.3.2. Written notice must be sent to the Permitting Program address in Appendix A, Part 1.1.1.

2.4. Compliance Schedules

2.4.1. A permittee must submit progress or compliance reports on interim and final requirements in any compliance schedule of a permit no later than 14 days following the scheduled date of each requirement.

2.4.2. Written notice must be sent to the Compliance and Enforcement Program address in Appendix A, Part 1.1.2.

2.5. Corrective Information

2.5.1. If a permittee becomes aware that it failed to submit a relevant fact in a permit application or submitted incorrect information in a permit application or in any report to the Department, the permittee shall promptly submit the relevant fact or the correct information.

2.5.2. Information must be sent to the Permitting Program address in Appendix A, Part 1.1.1.

2.6. Bypass of Treatment Facilities

2.6.1. **Prohibition of Bypass**

Bypass is prohibited. The Department may take enforcement action against a permittee for any bypass, unless:

2.6.1.1. The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

2.6.1.2. There were no feasible alternatives to the bypass, including use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. However, this condition is not satisfied if the permittee, in the exercise of reasonable engineering judgment, should have installed adequate back-up equipment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance; and

2.6.1.3. The permittee provides notice to the Department of a bypass event in the manner, as appropriate, under Appendix A, Part 2.6.2.

2.6.2. **Notice of bypass**

2.6.2.1. For an anticipated bypass, the permittee submits notice at least 10 days before the date of the bypass. The Department may approve an anticipated bypass, after considering its adverse effects, if the Department determines that it will meet the conditions of Appendix A, Parts 2.6.1.1 and 2.6.1.2.

2.6.2.2. For an unanticipated bypass, the permittee submits 24-hour notice, as required in 18 AAC 83.410(f) and Appendix A, Part 3.4, Twenty-four Hour Reporting.

2.6.2.3. Written notice must be sent to the Compliance and Enforcement Program address in Appendix A, Part 1.1.2.

2.6.3. Notwithstanding Appendix A, Part 2.6.1, a permittee may allow a bypass that:

2.6.3.1. Does not cause an effluent limitation to be exceeded, and

2.6.3.2. Is for essential maintenance to assure efficient operation.

2.7. Upset Conditions

2.7.1. In any enforcement action for noncompliance with technology-based permit effluent limitations, a permittee may claim upset as an affirmative defense. A permittee seeking to establish the occurrence of an upset has the burden of proof to show that the requirements of Appendix A, Part 2.7.2 are met.

2.7.2. To establish the affirmative defense of upset, the permittee must demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that:

2.7.2.1. An upset occurred and the permittee can identify the cause or causes of the upset;

2.7.2.2. The permitted facility was at the time being properly operated;

2.7.2.3. The permittee submitted 24-hour notice of the upset, as required in 18 AAC 83.410(f) and Appendix A, Part 3.4, Twenty-four Hour Reporting; and

2.7.2.4. The permittee complied with any mitigation measures required under 18 AAC 83.405(e) and Appendix A, Part 1.5, Duty to Mitigate.

2.7.3. Any determination made in administrative review of a claim that noncompliance was caused by upset, before an action for noncompliance is commenced, is not final administrative action subject to judicial review.

2.8. Existing Manufacturing, Commercial, Mining, and Silvicultural Discharges

2.8.1. In addition to the reporting requirements under 18 AAC 83.410, an existing manufacturing, commercial, mining, and silvicultural discharger shall notify the Department as soon as that discharger knows or has reason to believe that any activity has occurred or will occur that would result in:

2.8.1.1. The discharge, on a routine or frequent basis, of any toxic pollutant that is not limited in the permit, if that discharge will exceed the highest of the following notification levels:

2.8.1.1.1. One hundred micrograms per liter (100 µg/L);

2.8.1.1.2. Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile, 500 micrograms per liter (500 µg/L) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol, and one milligram per liter (1 mg/L) for antimony;

2.8.1.1.3. Five times the maximum concentration value reported for that pollutant in the permit application in accordance with 18 AAC 83.310(c)-(g); or

2.8.1.1.4. The level established by the Department in accordance with 18 AAC 83.445.

2.8.1.2. Any discharge, on a non-routine or infrequent basis, of a toxic pollutant that is not limited in the permit, if that discharge will exceed the highest of the following notification levels:

2.8.1.2.1. Five hundred micrograms per liter (500 µg/L);

2.8.1.2.2. One milligram per liter (1 mg/L) for antimony;

2.8.1.2.3. Ten times the maximum concentration value reported for that pollutant in the permit application in accordance with 18 AAC 83.310(c)-(g); or

2.8.1.2.4. The level established by the Department in accordance with 18 AAC 83.445.

3.0 Monitoring, Recording, and Reporting Requirements

3.1. Representative Sampling

A permittee must collect effluent samples from the effluent stream after the last treatment unit before discharge into the receiving waters. Samples and measurements must be representative of the volume and nature of the monitored activity or discharge.

3.2. Reporting of Monitoring Results

At intervals specified in the permit, monitoring results must be reported on the EPA discharge monitoring report (DMR) form, as revised as of March 1999, adopted by reference.

3.2.1. Monitoring results shall be summarized each month on the DMR or an approved equivalent report. The permittee must submit reports monthly postmarked by the 15th day of the following month.

3.2.2. The permittee must sign and certify all DMRs and all other reports in accordance with the requirements of Appendix A, Part 1.12, Signature Requirement and Penalties. All signed and certified legible original DMRs and all other documents and reports must be submitted

to the Department at the Compliance and Enforcement Program address in Appendix A, Part 1.1.2.

3.2.3. If, during the period when this permit is effective, the Department makes available electronic reporting, the permittee may, as an alternative to the requirements of Appendix A, Part 3.2.2, submit monthly DMRs electronically by the 15th day of the following month in accordance with guidance provided by the Department. The permittee must certify all DMRs and other reports, in accordance with the requirements of Appendix A, Part 1.12, Signature Requirement and Penalties. The permittee must retain the legible originals of these documents and make them available to the Department upon request.

3.3. Additional Monitoring by Permittee

If the permittee monitors any pollutant more frequently than the permit requires using test procedures approved in 40 CFR Part 136, adopted by reference at 18 AAC 83.010, or as specified in this permit, the results of that additional monitoring must be included in the calculation and reporting of the data submitted in the DMR or annual report required by Appendix A, Part 3.2. All limitations that require averaging of measurements must be calculated using an arithmetic means unless the Department specifies another method in the permit. Upon request by the Department, the permittee must submit the results of any other sampling and monitoring regardless of the test method used.

3.4. Twenty-four Hour Reporting

A permittee shall report any noncompliance event that may endanger health or the environment as follows:

3.4.1. A report must be made:

3.4.1.1. Orally within 24 hours after the permittee becomes aware of the circumstances, and

3.4.1.2. In writing within five days after the permittee becomes aware of the circumstances.

3.4.2. A report must include the following information:

3.4.2.1. A description of the noncompliance and its causes, including the estimated volume or weight and specific details of the noncompliance;

3.4.2.2. The period of noncompliance, including exact dates and times;

3.4.2.3. If the noncompliance has not been corrected, a statement regarding the anticipated time the noncompliance is expected to continue; and

3.4.2.4. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

3.4.3. An event that must be reported within 24 hours includes:

3.4.3.1. An unanticipated bypass that exceeds any effluent limitation in the permit (see Appendix A, Part 2.6, Bypass of Treatment Facilities).

3.4.3.2. An upset that exceeds any effluent limitation in the permit (see Appendix A, Part 2.7, Upset Conditions).

3.4.3.3. A violation of a maximum daily discharge limitation for any of the pollutants listed in the permit as requiring 24-hour reporting.

3.4.4. The Department may waive the written report on a case-by-case basis for reports under Appendix A, Part 3.4 if the oral report has been received within 24 hours of the permittee becoming aware of the noncompliance event.

3.4.5. The permittee may satisfy the written reporting submission requirements of Appendix A, Part 3.4 by submitting the written report via e-mail, if the following conditions are met:

3.4.5.1. The Noncompliance Notification Form or equivalent form is used to report the noncompliance;

3.4.5.2. The written report includes all the information required under Appendix A, Part 3.4.2;

3.4.5.3. The written report is properly certified and signed in accordance with Appendix A, Parts 1.12.3 and 1.12.5;

3.4.5.4. The written report is scanned as a PDF (portable document format) document and transmitted to the Department as an attachment to the e-mail; and

3.4.5.5. The permittee retains in the facility file the original signed and certified written report and a printed copy of the conveying email.

3.4.6. The e-mail and PDF written report will satisfy the written report submission requirements of this permit provided the e-mail is received by the Department within five days after the time the permittee becomes aware of the noncompliance event and the e-mail and written report satisfy the criteria of Part 3.4.5. The e-mail address to report noncompliance is: dec-wqreporting@alaska.gov.

3.5. Other Noncompliance Reporting

A permittee shall report all instances of noncompliance not required to be reported under Appendix A, Parts 2.4 (Compliance Schedules), 3.3 (Additional Monitoring by Permittee), and 3.4 (Twenty-four Hour Reporting) at the time the permittee submits monitoring reports under Appendix A, Part 3.2. (Reporting of Monitoring Results). A report of noncompliance under this part must contain the information listed in Appendix A, Part 3.4.2 and be sent to the Compliance and Enforcement Program address in Appendix A, Part 1.1.2.

4.0 Penalties for Violations of Permit Conditions

Alaska laws allow the State to pursue both civil and criminal actions concurrently. The following is a summary of Alaska law. Permittees should read the applicable statutes for further substantive and procedural details.

4.1. Civil Action

Under AS 46.03.760(e), a person who violates or causes or permits to be violated a regulation, a lawful order of the Department, or a permit, approval, or acceptance, or term or condition of a permit, approval or acceptance issued under the program authorized by AS 46.03.020 (12) is liable, in a civil action, to the State for a sum to be assessed by the court of not less than $500

nor more than $100,000 for the initial violation, nor more than $10,000 for each day after that on which the violation continues, and that shall reflect, when applicable:

4.1.1. Reasonable compensation in the nature of liquated damages for any adverse environmental effects caused by the violation, that shall be determined by the court according to the toxicity, degradability, and dispersal characteristics of the substance discharged, the sensitivity of the receiving environment, and the degree to which the discharge degrades existing environmental quality;

4.1.2. Reasonable costs incurred by the State in detection, investigation, and attempted correction of the violation;

4.1.3. The economic savings realized by the person in not complying with the requirements for which a violation is charged; and

4.1.4. The need for an enhanced civil penalty to deter future noncompliance.

4.2. Injunctive Relief

4.2.1. Under AS 46.03.820, the Department can order an activity presenting an imminent or present danger to public health or that would be likely to result in irreversible damage to the environment be discontinued. Upon receipt of such an order, the activity must be immediately discontinued.

4.2.2. Under AS 46.03.765, the Department can bring an action in Alaska Superior Court seeking to enjoin ongoing or threatened violations for Department-issued permits and Department statutes and regulations.

4.3. Criminal Action

Under AS 46.03.790(h), a person is guilty of a Class A misdemeanor if the person negligently:

4.3.1. Violates a regulation adopted by the Department under AS 46.03.020(12);

4.3.2. Violates a permit issued under the program authorized by AS 46.03.020(12);

4.3.3. Fails to provide information or provides false information required by a regulation adopted under AS 46.03.020(12);

4.3.4. Makes a false statement, representation, or certification in an application, notice, record, report, permit, or other document filed, maintained, or used for purposes of compliance with a permit issued under or a regulation adopted under AS 46.03.020(12); or

4.3.5. Renders inaccurate a monitoring device or method required to be maintained by a permit issued or under a regulation adopted under AS 46.03.020(12).

4.4. Other Fines

Upon conviction of a violation of a regulation adopted under AS 46.03.020(12), a defendant who is not an organization may be sentenced to pay a fine of not more than $10,000 for each separate violation (AS 46.03.790(g)). A defendant that is an organization may be sentenced to pay a fine not exceeding the greater of: (1) $200,00; (2) three times the pecuniary gain realized by the defendant as a result of the offense; or (3) three times the pecuniary damage or loss

caused by the defendant to another, or the property of another, as a result of the offense (AS 12.55.035(c)(B), (c)(2), and (c)(3)).

APPENDIX B
ABBREVIATIONS AND ACRONYMS

Appendix B – Abbreviations and Acronyms

BOD_5 – Biochemical Oxygen Demand (5-day test)

BMP – Best Management Practice

CERCLA – Comprehensive Environmental Response, Compensation and Liability Act

CGP – Construction General Permit

COD – Chemical Oxygen Demand

CWA – Clean Water Act (or the Federal Water Pollution Control Act, 33 U.S.C. §1251 et seq)

CWT – Centralized Waste Treatment

DMR – Discharge Monitoring Report

EPA – U. S. Environmental Protection Agency

ESA – Endangered Species Act

FWS – U. S. Fish and Wildlife Service

LA – Load Allocations

MDMR – MSGP Discharge Monitoring Report

MGD – Million Gallons per Day

MOS – Margin of Safety

MS4 – Municipal Separate Storm Sewer System

MSDS – Material Safety Data Sheet

MSGP – Multi-Sector General Permit

NAICS – North American Industry Classification System

NEPA – National Environmental Policy Act

NHPA – National Historic Preservation Act

NMFS – U. S. National Marine Fisheries Service

NOI – Notice of Intent

NOT – Notice of Termination

NPDES – National Pollutant Discharge Elimination System

NRC – National Response Center

NRHP – National Register of Historic Places

NSPS – New Source Performance Standard

NTU – Nephelometric Turbidity Unit

OMB – U. S. Office of Management and Budget

ORW – Outstanding Resource Water

OSM – U. S. Office of Surface Mining

POTW – Publicly Owned Treatment Works

RCRA – Resource Conservation and Recovery Act

RQ – Reportable Quantity

SARA – Superfund Amendments and Reauthorization Act

SHPO – State Historic Preservation Officer

SIC – Standard Industrial Classification

SMCRA – Surface Mining Control and Reclamation Act

SPCC – Spill Prevention, Control, and Countermeasures

SWPPP – Stormwater Pollution Prevention Plan

THPO – Tribal Historic Preservation Officer

TMDL – Total Maximum Daily Load

TSDF – Treatment, Storage, or Disposal Facility

TSS – Total Suspended Solids

USGS – United States Geological Survey

WLA – Wasteload Allocation

WQS – Water Quality Standard

APPENDIX C
DEFINITIONS

Appendix C – Definitions (for the purposes of this permit).

Action Area – all areas to be affected directly or indirectly by the storm water discharges, allowable non-storm water discharges, and storm water discharge-related activities, and not merely the immediate area involved in these discharges and activities.

Arid Climate – areas where annual rainfall averages from 0 to 10 inches.

Best Management Practices (BMPs) – schedules of activities, practices (and prohibitions of practices), structures, vegetation, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. See 40 CFR 122.2.

Cationic Treatment Chemical – For the purposes of this permit, means polymers, flocculants, or other chemicals that contain an overall positive charge. Among other things, they are used to reduce turbidity in storm water discharges by chemically bonding to the overall negative charge of suspended silts and other soil materials and causing them to bind together and settle out. Common examples of cationic treatment chemicals are chitosan and cationic PAM.

Co-Located Industrial Activities – Any industrial activities, excluding your primary industrial activity(ies), located on-site that are defined by the storm water regulations at 122.26(b)(14)(i)-(ix) and (xi). An activity at a facility is not considered co-located if the activity, when considered separately, does not meet the description of a category of industrial activity covered by the storm water regulations or identified by the SIC code list in Appendix D.

Control Measure – refers to any BMP or other method (including effluent limitations) used to prevent or reduce the discharge of pollutants to waters of the United States.

Director – a Director of the Division of Water within the Department of Environmental Conservation.

Discharge – when used without qualification, means the "discharge of a pollutant." See 40 CFR 122.2.

Discharge of a Pollutant – any addition of any “pollutant” or combination of pollutants to “waters of the United States” from any “point source,” or any addition of any pollutant or combination of pollutants to the waters of the “contiguous zone” or the ocean from any point source other than a vessel or other floating craft which is being used as a means of transportation. This includes additions of pollutants into waters of the United States from: surface runoff which is collected or channeled by man; discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works. See 40 CFR 122.2.

Discharge-Related Activities – activities that cause, contribute to, or result in storm water and allowable non-storm water point source discharges, and measures such as the siting, construction and operation of BMPs to control, reduce, or prevent pollution in the discharges.

Drought-Stricken Area – a period of below average water content in streams, reservoirs, ground-water aquifers, lakes and soils.

EPA Approved or Established Total Maximum Daily Loads (TMDLs) – "EPA Approved TMDLs" are those that are developed by a State and approved by EPA. "EPA Established TMDLs" are those that are developed by EPA.

Existing Discharger – an operator applying for coverage under this permit for discharges authorized previously under an NPDES general or individual permit.

Facility or Activity – any NPDES "point source" (including land or appurtenances thereto) that is subject to regulation under the NPDES program. See 40 CFR 122.2.

Fall Freeze-up –For the purposes of this permit, means for planning purposes in the development of the SWPPP and initial planning of the control measure maintenance the date in the fall that air temperatures will be predominately below freezing. It is the date in the fall that has an 80% probability that a minimum temperature below a threshold of 32.5 degrees Fahrenheit will occur on or after the given date. This date can be found by looking up the "Fall 'Freeze' Probabilities" for the weather station closest to the facility on the website www.wrcc.dri.edu/summary/Climsmak.html. NOTE: This estimation of "Fall Freeze-up" is for planning purposes only. During construction and operation the permittee will need to maintain control measures based on actual conditions.

Federal Facility – any buildings, installations, structures, land, public works, equipment, aircraft, vessels, and other vehicles and property, owned by, or constructed or manufactured for the purpose of leasing to, the federal government.

Final Stabilization - For the purposes of this permit, means that:

1. All soil disturbing activities at the site have been completed and either of the two following criteria shall be met:

    a. a uniform (e.g., evenly distributed, without large bare areas) perennial vegetative cover with a density of 70 percent of the native background vegetative cover for the area has been established on all unpaved areas and areas not covered by permanent structures, or

    b. equivalent non vegetative permanent stabilization measures have been employed (such as the use of riprap, gabions, porous backfill (ADOT&PF Specification 703-2.10), railroad ballast or subballast, ditch lining (ADOT&PF Specification 610-2.01 with <3% smaller than #200 sieve), geotextiles, or fill material with low erodibility as determined by an engineer familiar with the site and documented in the SWPPP).

2. When background native vegetation will cover less than 100 percent of the ground (e.g., arid areas, beaches), the 70 percent coverage criteria is adjusted as follows: if the native vegetation covers 50 percent of the ground, then 70 percent of 50 percent (0.70 X 0.50 = 0.35) would

require 35 percent total cover for final stabilization. On a beach with no natural vegetation, no stabilization is required.

3. In arid and semi-arid areas only, all soil disturbing activities at the site have been completed and both of the following criteria have been met:

    a. Temporary erosion control measures (e.g., degradable rolled erosion control product) are selected, designed, and installed along with an appropriate seed base to provide erosion control for at least three years without active maintenance by the permittee;

    b. The temporary erosion control measures are selected, designed, and installed to achieve 70 percent vegetative coverage within three years.

Impaired Water (or "Water Quality Impaired Water" or "Water Quality Limited Segment") – A water is impaired for purposes of this permit if it has been identified by a State or EPA pursuant to Section 303(d) of the Clean Water Act as not meeting applicable State water quality standards (these waters are called "water quality limited segments" under 40 CFR 30.2(j)). Impaired waters include both waters with approved or established TMDLs, and those for which a TMDL has not yet been approved or established.

Indian Country – (a) all land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and including rights-of-way running through the reservation; (b) all dependent Indian communities within the borders of the United States, whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a State, and (c) all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same. This definition includes all land held in trust for an Indian tribe. (18 U.S.C. 1151)

Industrial Activity – the 10 categories of industrial activities included in the definition of "storm water discharges associated with industrial activity" as defined in 40 CFR 122.26(b)(14)(i)-(ix) and (xi).

Industrial Storm Water – storm water runoff from industrial activity.

Measurable Storm Event - a storm event that results in an actual discharge from the facility that follows the preceding measurable storm event by at least 72 hours (3 days). No specific storm magnitude (i.e., 0.1 inches or greater) is specified, only an event which results in a discharge. For snowmelt, an event which some point in time produces a measurable discharge from the facility.

Minimize – To reduce and/or eliminate to the extent achievable using control measures (including best management practices) that are technologically available and economically practicable and achievable in light of best industry practice.

Municipal Separate Storm Sewer System (MS4) – a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

a. Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States;

b. Designed or used for collecting or conveying storm water;

c. Which is not a combined sewer; and

d. Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2. See 40 CFR 122.26(b)(4) and (b)(7).

New Discharger – a facility from which there is a discharge, that did not commence the discharge at a particular site prior to August 13, 1979, which is not a new source, and which has never received a finally effective NPDES permit for discharges at that site. See 40 CFR 122.2.

New Source – any building, structure, facility, or installation from which there is or may be a "discharge of pollutants," the construction of which commenced:

- after promulgation of standards of performance under section 306 of the CWA which are applicable to such source, or

- after proposal of standards of performance in accordance with section 306 of the CWA which are applicable to such source, but only if the standards are promulgated in accordance with section 306 within 120 days of their proposal. See 40 CFR 122.2.

New Source Performance Standards (NSPS) – technology-based standards for facilities that qualify as new sources under 40 CFR 122.2 and 40 CFR 122.29.

No exposure – all industrial materials or activities are protected by a storm-resistant shelter to prevent exposure to rain, snow, snowmelt, and/or runoff. See 40 CFR 122.26(g).

Operator – any entity with a storm water discharge associated with industrial activity that meets either of the following two criteria:

a. The entity has operational control over industrial activities, including the ability to modify those activities;

b. The entity has day-to-day operational control of activities at a facility necessary to ensure compliance with the permit (e.g., the entity is authorized to direct workers at a facility to carry out activities required by the permit); or

c. The entity is either the owner or leasee of a parcel of land which is being used as a Non-Traditional Non-Metallic Mineral Mining facility.

Permittee – Is a person who is authorized to discharge pollutants to waters of the United States in accordance with the conditions and requirements of this permit.

Person – an individual, association, partnership, corporation, municipality, State or Federal agency, or an agent or employee thereof. See 40 CFR 122.2.

Point Source – any discernible, confined, and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel, or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff. See 40 CFR 122.2.

Pollutant – dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal and agricultural waste discharged into water. See 40 CFR 122.2.

Pollutant of Concern – A pollutant which causes or contributes to a violation of a water quality standard, including a pollutant which is identified as causing an impairment in a state's 303(d) list.

Polymer – For the purposes of this permit, means coagulants and flocculants used to enhance sediment removal capabilities of check dams, sediment traps, or basins. Common construction site polymers include polyacrylamide (PAM), chitosan, alum, polyaluminum, chloride, and gypsum.

Practicable – For the purposes of this permit, means capable of being done after taking into consideration costs, existing technology, standards of construction practice, impacts to water quality, site conditions, and logistics in light of the overall project purpose.

Primary Airport – are publicly owned airports that receive scheduled passenger service and have more than 10,000 passengers boarding each year.

Primary Industrial Activity – includes any activities performed on-site which are (1) identified by the facility's primary SIC code; or (2) included in the narrative descriptions of 122.26(b)(14)(i), (iv), (v), or (vii), and (ix). [For co-located activities covered by multiple SIC codes, it is recommended that the primary industrial determination be based on the value of receipts or revenues or, if such information is not available for a particular facility, the number of employees or production rate for each process may be compared. The operation that generates the most revenue or employs the most personnel is the operation in which the facility is primarily engaged. In situations where the vast majority of on-site activity falls within one SIC code, that activity may be the primary industrial activity.] Narrative descriptions in 40 CFR 122.26(b)(14) identified above include: (i) activities subject to storm water effluent limitations guidelines, new source performance standards, or toxic pollutant effluent standards; (iv) hazardous waste treatment storage, or disposal facilities including those that are operating under interim status or a permit under subtitle C of the Resource Conservation and Recovery Act (RCRA); (v) landfills, land application sites and open dumps that receive or have received industrial wastes; (vii)

steam electric power generating facilities; and (ix) sewage treatment works with a design flow of 1.0 mgd or more.

Qualified Personnel – Qualified personnel are those who possess the knowledge and skills to assess conditions and activities that could impact storm water quality at your facility, and who can also evaluate the effectiveness of control measures.

Reportable Quantity Release – a release of a hazardous substance at or above the established legal threshold that requires emergency notification. Refer to 40 CFR Parts 110, 117, and 302 for complete definitions and reportable quantities for which notification is required.

Runoff Coefficient – the fraction of total rainfall that will appear at the conveyance as runoff. See 40 CFR 122.26(b)(11).

Saline Water – salinity equal or exceed 0.5 parts per thousand (by mass).

Semi-Arid Climate – areas where annual rainfall averages from 10 to 20 inches.

Significant Materials – includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under section 101(14) of CERCLA; any chemical the facility is required to report pursuant to section 313 of Title III of SARA; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with storm water discharges. See 40 CFR 122.26(b)(12).

Special Aquatic Sites – sites identified in 40 CFR 230 Subpart E. These are geographic areas, large or small, possessing special ecological characteristics of productivity, habitat, wildlife protection, or other important and easily disrupted ecological values. These areas are generally recognized as significantly influencing or positively contributing to the general overall environmental health or vitality of the entire ecosystem of a region.

Spring Thaw –For the purposes of this permit, means for planning purposes in the development of the SWPPP and initial planning of the control measure maintenance the date in the spring that air temperatures will be predominately above freezing. It is the date in the spring that has a 20% probability that a minimum temperature below a threshold of 32.5 degrees Fahrenheit will occur on or after the given date. This date can be found by looking up the "Spring 'Freeze' Probabilities" for the weather station closest to the facility on the website www.wrcc.dri.edu/summary/Climsmak.html NOTE: This estimation of "Spring Thaw" is for planning purposes only. During construction and operation the permittee will need to maintain control measures based on actual conditions.

Storm Water – storm water runoff, snow melt runoff, and surface runoff and drainage. See 40 CFR 122.26(b)(13).

Storm Water Discharges Associated with Construction Activity – a discharge of pollutants in storm water runoff from areas where soil disturbing activities (e.g., clearing, grading, or excavating),

construction materials, or equipment storage or maintenance (e.g., fill piles, borrow areas, concrete truck washout, fueling), or other industrial storm water directly related to the construction process (e.g., concrete or asphalt batch plants) are located. See 40 CFR 122.26(b)(14)(x) and 40 CFR 122.26(b)(15).

Storm Water Discharges Associated with Industrial Activity – the discharge from any conveyance that is used for collecting and conveying storm water and that is directly related to manufacturing, processing or raw materials storage areas at an industrial plant. The term does not include discharges from facilities or activities excluded from the NPDES program under Part 122. For the categories of industries identified in this section, the term includes, but is not limited to, storm water discharges from industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process waste waters (as defined at part 401 of this chapter); sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials, and intermediate and final products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to storm water. For the purposes of this paragraph, material handling activities include storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product, by-product or waste product. The term excludes areas located on plant lands separate from the plant's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with storm water drained from the above described areas. Industrial facilities include those that are federally, State, or municipally owned or operated that meet the description of the facilities listed in 40 CFR 122.26(b)(14). The term also includes those facilities designated under the provisions of 40 CFR 122.26(a)(1)(v). See 40 CFR 122.26(b)(14).

Tackifier and Soil Stabilizer (binder) – For the purposes of this permit, means hydraulically applied chemicals derived from natural and synthetic sources used to promote adhesion among soil particles or mulch materials. In general soil stabilizers (also known as soil binders) are used to increase soil adhesion, which improves soil stabilization by reducing water and wind driven erosion. Tackifiers are used as “glue” to bind and immobilize straw, cellulose products, pine needles, or other mulch that has been applied to a seeded area. Common examples include polyacrylamide (PAM), guar, chloride compounds, psyllium, resins, enzymes, surfactants, and various polymers, starches, and other compounds.

Temporary Stabilization – measures taken to protect soils from erosion by rainfall, snow melt, runoff, or wind, with surface roughening or a surface cover, including, but not limited to, establishment of ground vegetation, application of mulch, surface tackifers, rolled erosion control products, gravel or paving.

Total Maximum Daily Loads (TMDLs) – A TMDL is a calculation of the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards, and an allocation of that amount to the pollutant's sources. A TMDL includes wasteload allocations (WLAs) for point source discharges; load allocations (LAs) for nonpoint sources and/or natural background, and must include a

margin of safety (MOS) and account for seasonal variations. (See Section 303(d) of the Clean Water Act and 40 CFR 130.2 and 130.7).

Treatment Chemicals – For the purposes of this permit, means polymers, flocculants, or other chemicals used to reduce turbidity in storm water. Tackifier and soil stabilizers (binders) are not considered treatment chemicals.

Uncontaminated – Free from the presence of pollutants attributable to industrial activity.

Water Quality Impaired – See 'Impaired Water'.

Water Quality Standards – For the purposes of this permit, means the Alaska Water Quality Standards (18 AAC 70) as approved by U.S. EPA. As defined in 40 CFR §131.3 water quality standards are provisions of State or Federal law which consist of a designated use or uses for the waters of the United States and water quality criteria for such waters based upon such uses. Water quality standards are to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act.

Winter Shutdown – The cessation of soil disturbing or soil stabilizing construction activity for the winter. Typically this period is from October/November to April/May and is approximately from fall freeze-up to spring thaw.

"You" and "Your" – as used in this permit are intended to refer to the permittee, the operator, or the discharger as the context indicates and that party's facility or responsibilities. The use of "you" and "your" refers to a particular facility and not to all facilities operated by a particular entity. For example, "you must submit" means the permittee must submit something for that particular facility. Likewise, "all your discharges" would refer only to discharges at that one facility.

APPENDIX D
ACTIVITIES COVERED

Appendix D – Facilities and Activities Covered

Your permit eligibility is limited to discharges from facilities in the "sectors" of industrial activity summarized in Table D-1. These sector descriptions are based on Standard Industrial Classification (SIC) Codes and Industrial Activity Codes. References to "sectors" in this permit (e.g., sector-specific monitoring requirements) refer to these groupings.

Table D-1. Sectors of Industrial Activity Covered by This Permit

Subsector (May be subject to more than one sector/subsector)	SIC Code or Activity Code[1]	Activity Represented
SECTOR A: TIMBER PRODUCTS		
A1	2421	General Sawmills and Planing Mills
A2	2491	Wood Preserving
A3	2411	Log Storage and Handling
A4	2426	Hardwood Dimension and Flooring Mills
	2429	Special Product Sawmills, Not Elsewhere Classified
	2431-2439 (except 2434)	Millwork, Veneer, Plywood, and Structural Wood (see Sector W)
	2448	Wood Pallets and Skids
	2449	Wood Containers, Not Elsewhere Classified
	2451, 2452	Wood Buildings and Mobile Homes
	2493	Reconstituted Wood Products
	2499	Wood Products, Not Elsewhere Classified
A5	2441	Nailed and Lock Corner Wood Boxes and Shook
SECTOR B: PAPER AND ALLIED PRODUCTS		
B1	2631	Paperboard Mills
B2	2611	Pulp Mills
	2621	Paper Mills
	2652-2657	Paperboard Containers and Boxes
	2671-2679	Converted Paper and Paperboard Products, Except Containers and Boxes
SECTOR C: CHEMICALS AND ALLIED PRODUCTS		
C1	2873-2879	Agricultural Chemicals
C2	2812-2819	Industrial Inorganic Chemicals
C3	2841-2844	Soaps, Detergents, and Cleaning Preparations; Perfumes, Cosmetics, and Other Toilet Preparations
C4	2821-2824	Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers Except Glass
C5	2833-2836	Medicinal Chemicals and Botanical Products; Pharmaceutical Preparations; in vitro and in vivo Diagnostic Substances; and Biological Products, Except Diagnostic Substances
	2851	Paints, Varnishes, Lacquers, Enamels, and Allied Products
	2861-2869	Industrial Organic Chemicals
	2891-2899	Miscellaneous Chemical Products
C5	3952 (limited to list of inks and paints)	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
	2911	Petroleum Refining

Table D-1. Sectors of Industrial Activity Covered by This Permit

Subsector (May be subject to more than one sector/subsector)	SIC Code or Activity Code[1]	Activity Represented
SECTOR D: ASPHALT PAVING AND ROOFING MATERIALS AND LUBRICANTS		
D1	2951, 2952	Asphalt Paving and Roofing Materials
D2	2992, 2999	Miscellaneous Products of Petroleum and Coal
SECTOR E: GLASS, CLAY, CEMENT, CONCRETE, AND GYPSUM PRODUCTS		
E1	3251-3259	Structural Clay Products
	3261-3269	Pottery and Related Products
E2	3271-3275	Concrete, Gypsum, and Plaster Products
E3	3211	Flat Glass
	3221, 3229	Glass and Glassware, Pressed or Blown
	3231	Glass Products Made of Purchased Glass
	3241	Hydraulic Cement
	3281	Cut Stone and Stone Products
	3291-3299	Abrasive, Asbestos, and Miscellaneous Nonmetallic Mineral Products
SECTOR F: PRIMARY METALS		
F1	3312-3317	Steel Works, Blast Furnaces, and Rolling and Finishing Mills
F2	3321-3325	Iron and Steel Foundries
F3	3351-3357	Rolling, Drawing, and Extruding of Nonferrous Metals
F4	3363-3369	Nonferrous Foundries (Castings)
F5	3331-3339	Primary Smelting and Refining of Nonferrous Metals
	3341	Secondary Smelting and Refining of Nonferrous Metals
	3398, 3399	Miscellaneous Primary Metal Products
SECTOR G: METAL MINING (ORE MINING AND DRESSING)		
G1	1021	Copper Ore and Mining Dressing Facilities
G2	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		
H1	1221-1241	Coal Mines and Coal Mining-Related Facilities
SECTOR I: OIL AND GAS EXTRACTION AND REFINING		
I1	1311	Crude Petroleum and Natural Gas
	1321	Natural Gas Liquids
	1381-1389	Oil and Gas Field Services
SECTOR J: MINERAL MINING AND DRESSING		
J1	1442	Construction Sand and Gravel
	1446	Industrial Sand
J2	1411	Dimension Stone
	1422-1429	Crushed and Broken Stone, Including Rip Rap
	1481	Nonmetallic Minerals Services, Except Fuels
	1499	Miscellaneous Nonmetallic Minerals, Except Fuels
J3	1455, 1459	Clay, Ceramic, and Refractory Materials
	1474-1479	Chemical and Fertilizer Mineral Mining

Table D-1. Sectors of Industrial Activity Covered by This Permit

Subsector (May be subject to more than one sector/subsector)	SIC Code or Activity Code[1]	Activity Represented
SECTOR K: HAZARDOUS WASTE TREATMENT, STORAGE, OR DISPOSAL FACILITIES		
K1	HZ	Hazardous Waste Treatment, Storage, or Disposal Facilities, including those that are operating under interim status or a permit under subtitle C of RCRA
SECTOR L: LANDFILLS, LAND APPLICATION SITES, AND OPEN DUMPS		
L1	LF	All Landfill, Land Application Sites and Open Dumps
L2	LF	All Landfill, Land Application Sites and Open Dumps, except Municipal Solid Waste Landfill (MSWLF) Areas Closed in Accordance with 40 CFR 258.60
SECTOR M: AUTOMOBILE SALVAGE YARDS		
M1	5015	Automobile Salvage Yards
SECTOR N: SCRAP RECYCLING FACILITIES		
N1	5093	Scrap Recycling and Waste Recycling Facilities except Source-Separated Recycling
N2	5093	Source-separated Recycling Facility
SECTOR O: STEAM ELECTRIC GENERATING FACILITIES		
O1	SE	Steam Electric Generating Facilities, including coal handling sites
SECTOR P: LAND TRANSPORTATION AND WAREHOUSING		
P1	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		
Q1	4412-4499	Water Transportation Facilities
SECTOR R: SHIP AND BOAT BUILDING AND REPAIRING YARDS		
R1	3731, 3732	Ship and Boat Building or Repairing Yards
SECTOR S: AIR TRANSPORTATION FACILITIES		
S1	4512-4581	Air Transportation Facilities
SECTOR T: TREATMENT WORKS		
T1	TW	Treatment Works treating domestic sewage or any other sewage sludge or wastewater treatment device or system, used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated to the disposal of sewage sludge that are located within the confines of the facility, with a design flow of 1.0 mgd or more, or required to have an approved pretreatment program under 40 CFR Part 403. Not included are farm lands, domestic gardens or lands used for sludge management where sludge is beneficially reused and which are not physically located in the confines of the facility, or areas that are in compliance with section 405 of the CWA
SECTOR U: FOOD AND KINDRED PRODUCTS		
U1	2041-2048	Grain Mill Products
U2	2074-2079	Fats and Oils Products
U3	2011-2015	Meat Products
	2021-2026	Dairy Products

Table D-1. Sectors of Industrial Activity Covered by This Permit

Subsector (May be subject to more than one sector/subsector)	SIC Code or Activity Code[1]	Activity Represented
U3	2032-2038	Canned, Frozen, and Preserved Fruits, Vegetables, and Food Specialties
	2051-2053	Bakery Products
	2061-2068	Sugar and Confectionery Products
	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		
V1	2211-2299	Textile Mill Products
	2311-2399	Apparel and Other Finished Products Made from Fabrics and Similar Materials
	3131-3199	Leather and Leather Products (note: see Sector Z1 for Leather Tanning and Finishing)
SECTOR W: FURNITURE AND FIXTURES		
W1	2434	Wood Kitchen Cabinets
	2511-2599	Furniture and Fixtures
SECTOR X: PRINTING AND PUBLISHING		
X1	2711-2796	Printing, Publishing, and Allied Industries
SECTOR Y: RUBBER, MISCELLANEOUS PLASTIC PRODUCTS, AND MISCELLANEOUS MANUFACTURING INDUSTRIES		
Y1	3011	Tires and Inner Tubes
	3021	Rubber and Plastics Footwear
	3052, 3053	Gaskets, Packing and Sealing Devices, and Rubber and Plastic Hoses and Belting
	3061, 3069	Fabricated Rubber Products, Not Elsewhere Classified
Y2	3081-3089	Miscellaneous Plastics Products
	3931	Musical Instruments
	3942-3949	Dolls, Toys, Games, and Sporting and Athletic Goods
	3951-3955 (except 3952 – see 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		
Z1	3111	Leather Tanning and Finishing
SECTOR AA: FABRICATED METAL PRODUCTS		
AA1	3411-3499 (except 3479)	Fabricated Metal Products, Except Machinery and Transportation Equipment, and Coating, Engraving, and Allied Services.
	3911-3915	Jewelry, Silverware, and Plated Ware
AA2	3479	Fabricated Metal Coating and Engraving
SECTOR AB: TRANSPORTATION EQUIPMENT, INDUSTRIAL OR COMMERCIAL MACHINERY		
AB1	3511-3599 (except 3571-3579)	Industrial and Commercial Machinery, Except Computer and Office Equipment (see Sector AC)

Table D-1. Sectors of Industrial Activity Covered by This Permit

Subsector (May be subject to more than one sector/subsector)	SIC Code or Activity Code[1]	Activity Represented
AB1	3711-3799 (except 3731, 3732)	Transportation Equipment Except Ship and Boat Building and Repairing (see Sector R)
SECTOR AC: ELECTRONIC, ELECTRICAL, PHOTOGRAPHIC, AND OPTICAL GOODS		
AC1	3571-3579	Computer and Office Equipment
	3812-3873	Measuring, Analyzing, and Controlling Instruments; Photographic and Optical Goods, Watches, and Clocks
	3612-3699	Electronic and Electrical Equipment and Components, Except Computer Equipment
SECTOR AD: NON-CLASSIFIED FACILITIES		
AD1	Other stormwater discharges designated by the Director as needing a permit (see 40 CFR 122.26(a)(9)(i)(C) & (D)) 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.	

[1] A complete list of SIC Codes (and conversions from the newer North American Industry Classification System" (NAICS)) can be obtained from the Internet at www.census.gov/epcd/www/naics.html or in paper form from various locations in the document titled *Handbook of Standard Industrial Classifications*, Office of Management and Budget, 1987.

Appendix E
Calculating Hardness in Receiving Waters for Hardness Dependent Metals

Appendix E – Calculating Hardness in Receiving Waters for Hardness Dependent Metals

E.1 Overview

DEC adjusted the benchmarks for six hardness-dependent metals (i.e., cadmium, copper, lead, nickel, silver, and zinc) to further ensure compliance with water quality standards and provide additional protection for endangered species and their critical habitat. For any sectors required to conduct benchmark samples for a hardness-dependent metal, DEC includes 'hardness ranges' from which benchmark values are determined. To determine which hardness range to use, you must collect data on the hardness of your receiving water(s). Once the site-specific hardness data have been collected, the corresponding benchmark value for each metal is determined by comparing where the hardness data fall within 25 mg/L ranges, as shown in Table E.1.

Table E.1: Hardness Ranges to Be Used to Determine Benchmark Values for Cadmium, Copper, Lead, Nickel, Silver, and Zinc.

	Benchmark Values (mg/L, total)					
Hardness (mg/L)	**Cadmium**	**Copper**	**Lead**	**Nickel**	**Silver**	**Zinc**
0 - 25	0.0005	0.0038	0.014	0.15	0.0007	0.04
25 - 50	0.0008	0.0056	0.023	0.20	0.0007	0.05
50 - 75	0.0013	0.0090	0.045	0.32	0.0017	0.08
75 - 100	0.0018	0.0123	0.069	0.42	0.0030	0.11
100 - 125	0.0023	0.0156	0.095	0.52	0.0046	0.13
125 - 150	0.0029	0.0189	0.122	0.61	0.0065	0.16
150 - 175	0.0034	0.0221	0.151	0.71	0.0087	0.18
175 - 200	0.0039	0.0253	0.182	0.80	0.0112	0.20
200 - 225	0.0045	0.0285	0.213	0.89	0.0138	0.23
225 - 250	0.0050	0.0316	0.246	0.98	0.0168	0.25
250+	0.0053	0.0332	0.262	1.02	0.0183	0.26

E.2 How to Determine Hardness for Hardness-Dependent Parameters.

You may select one of three methods to determine hardness, including; individual grab sampling, grab sampling by a group of operators which discharge to the same receiving water, or using third-party data. Regardless of the method used, you are responsible for documenting the procedures used for determining hardness values. Once the hardness value is established, you are required to include this information in your first benchmark report submitted to DEC so that the Department can make appropriate comparisons between your benchmark monitoring results and the corresponding benchmark. You must retain all report and monitoring data in accordance with Part 9.5 of the permit. The three method options for determining hardness are detailed in the following sections.

(1) Permittee Samples for Receiving Stream Hardness

This method involves collecting samples in the receiving water and submitting these to a laboratory for analysis. If you elect to sample your receiving water(s) and submit samples for analysis, hardness must be determined from the closest intermittent or perennial stream downstream of your point of discharge.

The sample can be collected during either dry or wet weather. Collection of the sample during wet weather is more representative of conditions during stormwater discharges; however, collection of in-stream samples during wet weather events may be impracticable or present safety issues.

Hardness must be sampled and analyzed using approved methods as described in 40 CFR Part 136 (Guidelines Establishing Test Procedures for the Analysis of Pollutants).

(2) Group Monitoring for Receiving Stream Hardness

You can be part of a group of permittees discharging to the same receiving waters and collect samples that are representative of the hardness values for all members of the group. In this scenario, hardness of the receiving water must be determined using 40 CFR Part 136 procedures and the results shared by group members. To use the same results, hardness measurements must be taken on a stream reach within a reasonable distance of the discharge points of each of the group members.

(3) Collection of Third-Party Hardness Data

You can submit receiving stream hardness data collected by a third party provided the results are collected consistent with the approved 40 CFR Part 136 methods. These data may come from a local water utility, previously conducted stream reports, TMDLs, peer reviewed literature, other government publications, or data previously collected by the permittee. Data should be less than 10 years old.

Water quality data for many of the nation's surface waters are available on-line or by contacting EPA or a state environmental agency. EPA's data system STORET, short for STOrage and RETrieval, is a repository for receiving water quality, biological, and physical data and is used by state environmental agencies, EPA and other federal agencies, universities, private citizens, and many others. Similarly, state environmental agencies and the U.S. Geological Service (USGS) also have water quality data available that, in some instances, can be accessed online. "Legacy STORET" codes for hardness include: 259 hardness, carbonate; 260 hardness, noncarbonated; and 261 calcium + magnesium, while more recent, "Modern STORET" data codes include: 00900 hardness, 00901 carbonate hardness, and 00902 noncarbonate hardness; or the discrete measurements of calcium (00915) and magnesium (00925) can be used to calculate hardness. Hardness data historically has been reported as "carbonate," "noncarbonate," or "Ca + Mg." If these are unavailable, then individual results for calcium (Ca) and magnesium (Mg) may be used to calculate hardness using the following equation:

$$\frac{mg}{L}CAO_3 = 2.497\left(Ca\frac{mg}{L}\right) + 4.118\left(Mg\ \frac{mg}{L}\right)$$

When interpreting the data for carbonate and non-carbonate hardness, note that total hardness is equivalent to the sum of carbonate and noncarbonate hardness if both forms are reported. If only carbonate hardness is reported, it is more than likely that noncarbonate hardness is absent and the total hardness is equivalent to the available carbonate hardness.

Appendix F – MSGP Forms

Notice of Intent (NOI) Form

To obtain coverage under this permit, you must submit a Notice of Intent (NOI). You must submit an NOI using either:

(1) DEC's Electronic Notice of Intent (eNOI) system, available at http://dec.alaska.gov/water/wastewater/stormwater/apdesenoi/, or

(2) file a paper copy of the NOI.

Notice of Termination (NOT) Form

To terminate coverage under this permit, you must submit a Notice of Termination (NOT). You must either

(1) terminate coverage using DEC's online eNOI system, available at http://dec.alaska.gov/water/wastewater/stormwater/apdesenoi/ or

(2) file a paper copy of the NOT.

The following forms are available at:

http://dec.alaska.gov/water/wastewater/stormwater/forms

- Notice of Intent (NOI) Form
- Notice of Termination (NOT) Form
- Annual Report Form
- Corrective Action Form
- NOI Modification Form
- No Exposure Certification Form
- Noncompliance Notification Form
- MSGP Industrial Discharge Monitoring Report (DMR)

Notice of Intent (NOI) for Storm Water Discharges Associated with Industrial Activity under the APDES Multi-Sector General Permit (MSGP)

Facility Information

Facility Name:

Have storm water discharges from your site been covered previously under an APDES Permit? ☐ Yes ☐ No

If Yes, provide the permit authorization number: _____

Street Location

Street:	Borough or similar government subdivision		
City:		State: Alaska	Zip:
Latitude:	Longitude:	Determined By: ☐ GPS ☐ Internet Map Service ☐ Other:	

Estimated area of industrial activity at your site exposed to storm water: _____ (acres)

Briefly describe the nature of the industrial activities at the facility:

Identify the 4-digit Standard Industrial Classification (SIC) code or 2-letter Activity Code that best represents the products produced or services rendered for which your facility is primarily engaged, as defined in the MSGP.

Primary SIC Code: _____ or Primary Activity Code: _____

Is your site presently inactive or unstaffed?* ☐ Yes ☐ No

** Note that if your facility becomes inactive and unstaffed during the permit term, you must submit an NOI modification to reflect the change.*

If Yes, is your site expected to be inactive and unstaffed for the entire permit term? ☐ Yes ☐ No

If No, indicate the length of time that you expect your facility to be inactive and unstaffed. _____

Federal Effluent Limitation Guidelines and Sector-Specific Requirements

Are you requesting permit coverage for storm water discharges subject to effluent limitation guidelines? ☐ Yes ☐ No

If yes, which effluent limitation guidelines apply to your storm water discharge?

40 CFR Part/Subpart	Eligible Discharges	Affected MSGP Sector	Check if applicable
Part 411, Subpart C	Runoff from material storage piles at cement manufacturing facilities.	E	☐
Part 418, Subpart A	Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished products, by-products, or waste products (SIC 2874).	C	☐
Part 423	Coal pile runoff at steam electric generating facilities.	O	☐
Part 429, Subpart I	Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas.	A	☐
Part 436, Subpart B, C, or D	Mine dewatering discharges at crushed stone mines, construction sand and gravel mines, or industrial sand mines.	J	☐
Part 443, Subpart A	Runoff from asphalt emulsion facilities.	D	☐
Part 445, Subparts A & B	Runoff from hazardous waste and non-hazardous waste landfills.	K, L	☐
Part 449, Subpart A	Runoff from Air Transportation	S	☐

If you are a Sector S (Air Transportation facility, do you anticipate using more than 100,000 gallons of glycol-based deicing/anti-icing chemicals and/or 100 tons or more of urea on an average annual basis? ☐ Yes ☐ No

Identify the applicable sector(s) and subsector(s) of industrial activity, including co-located industrial activity, for which you are requesting coverage:

Sector	Subsector	Sector	Subsector	Sector	Subsector	Sector	Subsector	Sector	Subsector	Sector	Subsector

Discharge Information

Does your facility discharge into a Municipal Separate Storm Sewer System (MS4)? ☐ Yes ☐ No

If Yes, provide the name of the MS4 Operator: ______________________________________

If you are subject to benchmark monitoring requirements for a hardness-dependent metal:

– What is the hardness of your receiving water(s) (See Appendix E)? ___________________

– Does your facility discharge into any saltwater receiving waters? ☐ Yes ☐ No

Outfalls: *(Attach a separate list if necessary)*

List all of the storm water outfalls from your facility. Each outfall must be identified by a unique 3-digit ID (e.g., 001, 002). Also provide the latitude and longitude in decimal degrees for each outfall.		**For each outfall, provide the following receiving water information**: Provide the name of the first water of the U.S. that receives storm water directly from the outfall and/or from the MS4 that the outfall discharges to:	If the receiving water is impaired (on the CWA 303(d) list), list the pollutants that are causing the impairment:	Are the pollutant(s) causing the impairment present in your discharge? Yes	No	If a TMDL has been completed for this receiving waterbody, provide the following information:
Outfall ID	001A			☐	☐	TMDL ID#:
Latitude						TMDL Name:
Longitude						Pollutant(s) for which there is a TMDL:
If substantially identical to other outfall, list identical outfall ID: ________						
Outfall ID				☐	☐	TMDL ID#:
Latitude						TMDL Name:
Longitude						Pollutant(s) for which there is a TMDL:
If substantially identical to other outfall, list identical outfall ID: ________						
Outfall ID				☐	☐	TMDL ID#:
Latitude						TMDL Name:
Longitude						Pollutant(s) for which there is a TMDL:
If substantially identical to other outfall, list identical outfall ID: ________						
Outfall ID				☐	☐	TMDL ID#:
Latitude						TMDL Name:
Longitude						Pollutant(s) for which there is a TMDL:
If substantially identical to other outfall, list identical outfall ID: ________						
Outfall ID				☐	☐	TMDL ID#:
Latitude						TMDL Name:
Longitude						Pollutant(s) for which there is a TMDL:
If substantially identical to other outfall, list identical outfall ID: ________						

Operator Information

Contact Name:	Organization:	Title:
Phone:	Fax (optional):	Email:

Mailing Address ☐ Check if same as Operator Information	Street (PO Box)		
	City	State	Zip

Storm Water Pollution Prevention Plan (SWPPP) Contact / Location Information

Contact Name:	Organization:	Title:
Phone:	Fax (optional):	Email:

Mailing Address ☐ Check if same as Operator Information	Street (PO Box)		
	City	State	Zip

Universal Resource Locator or URL:

Billing Contact / Location Information

Contact Name:	Organization:	Title:
Phone:	Fax (optional):	Email:

Mailing Address ☐ Check if same as Operator Information	Street (PO Box)		
	City	State	Zip

NOI Preparer Contact / Location Information *(Complete if NOI was prepared by someone other than the Certifier)*

Contact Name:	Organization:	Title:
Phone:	Fax (optional):	Email:

Mailing Address ☐ Check if same as Operator Information	Street (PO Box)		
	City	State	Zip

Document Attachments

Documents attached with this application:

☐ Storm Water Pollution Prevention Plan (SWPPP)

☐ Other:

Certification Information

An Alaska Pollutant Discharge Elimination System (APDES) permit application or report must be signed by an individual with the appropriate authority per 18 AAC 83.385. For additional information, please refer to 18 AAC 83.385 at the following link: http://www.legis.state.ak.us/basis/aac.asp#18.83.385.

Corporate Executive Officer 18 AAC 83.385 (a)(1)(A)	For a corporation, 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.
Corporate Operations Manager 18 AAC 83.385 (a)(1)(B)	For a corporation, the manager of one or more manufacturing, production, or operating facilities, if (i) the manager is authorized to make management decisions that 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 statutes and regulations; (ii) the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and (iii) authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
Sole Proprietor or General Partner 18 AAC 83.385 (a)(2)	For a partnership or sole proprietorship, the general partner or the proprietor respectively.
Public Agency, Chief Executive Officer 18 AAC 83.385 (a)(3)(A)	For a municipality, state, or other public agency, the chief executive officer of the agency.
Public Agency, Senior Executive Officer 18 AAC 83.385 (a)(3)(B)	For a municipality, state, or other public agency, a senior executive officer having responsibility for the overall operations of a principal geographic unit or division of the agency.

Any report required by an APDES permit, and a submittal with any other information requested by the department, must be signed by a person described in above, or by a duly authorized representative of that person.
**For Delegated Authority: the delegation must be made in writing and submitted to the DEC.*
Your signature will not be approved until DEC receives the written delegation.
An Example of written authorization delegating authority can be found on the Division of Water website:
http://dec.alaska.gov/media/13316/delegation-of-signatory-authority.pdf

Operations Manager *(Delegated Authority)** 18 AAC 83.385 (b)(2)(A)	For a duly authorized representative, an individual or a position having responsibility for the overall operation of the regulated facility or activity, including the position of plant manager, operator of a well or a well field, superintendent or position of equivalent responsibility.
Environmental Manager *(Delegated Authority)** 18 AAC 83.385 (b)(2)(B)	For a duly authorized representative, an individual or position having overall responsibility for environmental matters for the company.

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.

Organization:	Name:	Title:
Phone:	Fax (optional):	Email:

Mailing Address: ☐ Check if same as Operator Information	Street (PO Box):		
	City:	State:	Zip:

Signature/Responsible Official _____ Date _____

Instructions for Completing the Notice of Intent (NOI) for Storm Water Discharges Associated with Industrial Activity under the Multi-Sector General Permit (MSGP)

Who must file a NOI?

Under section 402(p) of the Clean Water Act (CWA) and regulations at 40 CFR Part 122.26, adopted by reference at 18 AAC 83.010 (3) storm water discharges associated with industrial activity are prohibited to waters of the United States unless authorized under an Alaska Pollutant Discharge Elimination System (APDES) permit. You can obtain coverage under the MSGP by submitting a completed NOI if you operate a facility that:

- is located in a jurisdiction where DEC is the permitting authority, listed in Part 1.1 of the MSGP;
- discharges storm water associated with industrial activities, identified in Appendix D of the MSGP;
- meet the eligibility requirements in Part 1.2 of the permit;
- develop a storm water pollution prevention plan (SWPPP) in accordance with Part 5 of the MSGP; and
- install and implement control measures in accordance with Part 4 to meet numeric and non-numeric effluent limits.

If you are unsure if you need an APDES storm water permit, contact your APDES storm water permit program. Contacts are listed at:

http://dec.alaska.gov/water/wastewater/stormwater/

One NOI must be submitted for each facility or site for which you are seeking permit coverage. You do not need to submit separate NOIs for each type of industrial activity present at your facility, provided your SWPPP covers all activities.

When to File the NOI Form

Do not file your NOI until you have obtained and thoroughly read a copy of the MSGP. A copy of the MSGP is located on the DEC website (http://dec.alaska.gov/water/wastewater/stormwater/multisector/). The MSGP describes procedures to ensure your eligibility, prepare your SWPPP, install and implement appropriate storm water control measures, and complete the NOI form questions – all of which must be done before you sign the NOI certification statement attesting to the accuracy and completeness of your NOI. You will also need a copy of the MSGP once you have obtained coverage so that you can comply with the implementation requirements of the permit.

Completing the NOI Form

To complete this form, type or print in the appropriate areas only. Please make sure you complete all questions. Make sure you make a photocopy for your records before you send the completed form to the address below. You may also use this paper form as a checklist for the information you will need when filing an NOI electronically via DEC's OASys system. http://dec.alaska.gov/water/oasys.aspx.

Facility Information

Enter the facility's official or legal name. Unless the name of your facility has changed, please use the same name provided on prior NOIs or permit applications.

Indicate if industrial storm water discharges from your facility were previously covered by an APDES permit.

If your facility was previously covered by the MSGP, please include the tracking number that you received in your confirmation letter or email from DEC's Storm water Program. You can find the tracking number assigned to your previous NOI on DEC's Online Permit Search: http://dec.alaska.gov/Applications/Water/WaterPermitSearch/search.

Enter the street address, including city, state, zip code, borough or similar government subdivision of the actual physical location of the facility. Do NOT use a P.O. Box.

Provide the facility latitude and longitude in decimal degrees format. You can obtain your facility's latitude and longitude though Global Positioning System (GPS) receivers, internet map service, U.S. Geological Survey (USGS) quadrangle or topographic maps, or EPA's web-based siting-tools, among other methods. For consistency, DEC requests that measurements be taken from the approximate center of the facility. Specify which method you used to determine latitude and longitude.

Identify the data source that you used to determine the facility latitude and longitude. If you did not use a USGS quadrangle or topographic map or GPS receivers, then select "Other" and write the method used on the line provided. If you used a USGS quadrangle or topographic map, write the map scale on the line provided. Scale should be identified on the map.

Enter the estimated area of industrial activity at your site exposed to storm water, in acres.

Briefly describe the nature of the industrial activities present at your facility.

Indicate whether your facility is currently inactive and unstaffed. If so then indicate whether your facility will be inactive and unstaffed for the entire permit term; or, if not, specify the specific length of time in units of days, weeks, months, or years (e.g. 3 months) that you expect the facility to be inactive and unstaffed.

Federal Effluent Limitation Guidelines and Sector-Specific Requirements

Depending on your industrial activities, your facility may be subject to effluent limitation guidelines which include additional effluent limits and monitoring requirements for your facility. Please review these requirements, described in Part 4.3 of the MSGP and check any appropriate boxes on the NOI form.

For Sector S facilities (Air Transportation), indicate whether you anticipate that the entire airport facility will use more than 100,000 gallons of glycol-based deicing/anti-icing chemicals and/or 100 tons or more of urea on an average annual basis. If so, additional effluent limits and monitoring conditions apply to your discharge (see Part 11 Sector S of the MSGP).

List the four-digit Standard Industrial Classification (SIC) code and/or two character activity code that best describes the primary industrial activities performed by your facility under which you are required to obtain permit coverage. Your primary industrial activity includes any activities performed on-site which are (1) identified by the facility's one SIC code for which the facility is primarily engaged; and (2) included in the narrative descriptions of 40 CFR 122.26(b)(14)(i), (iv), (v), or (vii), and (ix). See Appendix D of the MSGP for a complete list of SIC codes and activities codes.

If your site has co-located industrial activities that are not identified as your primary industrial activity, identify the sector and subsector codes that describe these other industrial activities. For a complete list of sector and subsector codes, see Appendix D of the MSGP.

Discharge Information

Receiving Waters and Wetlands

You must identify all the outfalls from your facility that discharge storm water. Each outfall must be assigned a unique 3-digit ID (e.g., 001, 002, 003). You must also provide the latitude and longitude for each outfall from your facility. Indicate whether any outfalls are substantially identical to an outfall already listed, and identify the outfall it is identical to. For each unique outfall you list, you must specify the name of the first water of the U.S. that receives storm water directly from the outfall and/or the Municipal Separate Storm Sewer System (MS4) that the outfall discharges to.

Your receiving water may be a lake, stream, river, ocean, wetland, or other waterbody, and may or may not be located adjacent to your facility. Your storm water may discharge directly to the receiving water or indirectly via a storm sewer system, an open drain or ditch, or other conveyance structure. Do NOT list a man-made conveyance, such as a storm sewer system, as your receiving water. Indicate the first receiving water your storm water discharge enters. For example, if your discharge enters a storm sewer system that empties into Trout Creek, which flows into Pine River, your receiving water is Trout Creek, because it is the first waterbody your discharge will reach. Similarly, a discharge into a ditch that feeds Spring Creek should be identified as "Spring Creek" since the ditch is a manmade conveyance. If you discharge into a MS4, you must identify the waterbody into which that portion of the storm sewer discharges and also provide the name of the MS4 operator. That information should be readily available from the operator of the MS4. If you are uncertain of the MS4 operator, contact DEC Division of Water for that information.

You must specify whether any receiving waters that you discharge to are listed as "impaired" as defined in Appendix C, and the pollutants for which the water is impaired. You must also check/identify any Total Maximum Daily Loads (TMDL) that have been completed for any of the waters of the U.S. that you discharge to. You must also provide information about the outfall latitude/ longitude. Further information regarding impaired waters and TMDLs can be found at http://dec.alaska.gov/water/water-quality/impaired-waters.

If you are subject to any benchmark monitoring requirements for metals (see the requirements applicable to your Sector(s) in Part 11 of the permit), indicate the hardness for your receiving water(s). See Appendix E of the permit for information about determining waterbody hardness.

If you are subject to benchmark monitoring requirements for hardness-dependent metals, you must also answer whether your facility discharges into any saltwater receiving waters.

Operator Information

Provide the name of the contact person and the legal name of the firm, public organization, or any other public entity that operates the facility described in this application. An operator of a facility is a legal entity that controls the operation of the facility.

Provide the operator's mailing address, telephone number, fax number (optional), and email address. Correspondence will be sent to this address.

Storm Water Pollution Prevention Plan (SWPPP) Contact Information

Identify the name, telephone number, and email address of the person who will serve as a contact for DEC on issues related to storm water management at your facility. This person should be able to answer questions related to storm water discharges, the SWPPP, and other issues related to storm water permit coverage or have immediate access to individuals with that knowledge. This person does not have to be the facility operator but should have intimate knowledge of storm water management activities at the facility.

If you are making your SWPPP publicly available on a website, provide the appropriate Internet URL address.

Billing Contact Information

Provide the name of the contact person and the legal name of the firm, public organization, or any other public entity that is responsible for accounts payable for this facility.

Provide the billing contact's mailing address, telephone number, fax number (optional), and email address. Correspondence for billing purposes will be sent to this address. If the billing contact address is the same as the operator, check the box and continue to Section III Facility Information. See 18 AAC 72.956 for applicable authorization fee to be paid with the submittal of the NOI.

Certification Information

The NOIs, must be signed as follows:

(1) For a corporation, a responsible corporate officer shall sign the NOI, a responsible corporate officer means:

  (A) 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

  (B) the manager of one or more manufacturing, production, or operating facilities, if

    (i) the manager is authorized to make management decisions that 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 statutes and regulations;

    (ii) the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and

    (iii) authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(2) For a partnership or sole proprietorship, the general partner or the proprietor, respectively; or

(3) for a municipality, state, or other public agency, either a principal executive officer or ranking elected official shall sign the application; in this subsection, a principal executive officer of an agency means

  (A) the chief executive officer of the agency; or

  (B) a senior executive officer having responsibility for the overall operations of a principal geographic unit or division of the agency.

Include the name, title, organization, and email address of the person signing the form and the date of signing. An unsigned or undated NOI form will not be considered valid application for permit coverage.

If the NOI was prepared by someone other than the certifier (for example, if the NOI was prepared by the facility SWPPP contact or a consultant for the certifier's signature), include the name, organization, telephone number, and email address of the NOI preparer.

Where to File the NOI Form

DEC encourages you to complete the NOI form and SWPPP electronically via the Internet. DEC's Online Application System (OASys) can be found at http://dec.alaska.gov/water/oasys.aspx. Filing electronically is the fastest way to obtain permit coverage and help ensure that your NOI is complete. If you choose not to file electronically, you must send the NOI to the address listed below.

If you file by mail, remember to retain a copy for your records.

NOIs sent by mail:

Alaska Dept. of Environmental Conservation
Wastewater Discharge Authorization Program
Storm Water NOI
555 Cordova Street
Anchorage, AK 99501
Phone: (907) 269-6285
dec.water.wqpermit@alaska.gov

Your SWPPP needs to be submitted with the NOI as required in Part 5 of the MSGP. You must keep a copy of your SWPPP on-site or otherwise make it available to facility personnel responsible for implementing provisions of the permit.

For Agency Use

Permit #_____

Notice of Termination (NOT) of Coverage for Storm Water Discharges Associated with Industrial Activity under an APDES General Permit

Submission of this Notice of Termination constitutes notice that the party identified in Section II of this form is no longer authorized to discharge storm water associated with industrial activity under the APDES program for the facility identified in Section III of this form. All necessary information must be included on the form. The NOT must be submitted within 30 days of one of the conditions in Section 10 of the MSGP being met. Refer to the instructions at the end of this form for information on submitting a Notice of Termination.

I. Permit Information

Permit Tracking Number:

Reason for Termination (Check only one):

- ☐ You transferred operational control to another operator.
- ☐ You no longer have storm water discharge associated with industrial activity subject to regulation under the APDES program, and you have already implemented necessary sediment and erosion controls as required by Part 4.2.5.
- ☐ You are a Sector G, H, or J facility and you have met the applicable termination requirements.
- ☐ You obtained coverage under an alternative APDES permit.

☐ All required reports (including DMR if applicable) and certifications have been submitted to DEC.

II. Operator Information

Contact Name:	Organization:	Title:
Phone:	Fax (optional):	Email:
Mailing Address — Street (PO Box)		
City	State	Zip

III. Facility Information

Facility Name:

Location Address:

City: State: Alaska Zip:

Borough or Similar Government Subdivision:

IV. Certification Information

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly 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.

Organization:	Name:	Title:
Phone:	Fax (optional):	Email:
Mailing Address: ☐ Check if same as Operator Information — Street (PO Box):		
City:	State:	Zip:

_____ Signature/Responsible Official

_____ Date

Instructions for Completing a Notice of Termination Form for Storm Water Discharges Associated with INDUSTRIAL ACTIVITY under the Multi-Sector General Permit (MSGP)

Who May File Notice of Termination (NOT) Form
A permittee currently covered by Alaska's APDES Storm water Multi-Sector General Permit may submit a Notice of Termination (NOT) form. You must submit an NOT within 30 days after one or more of the following conditions have been met:

- *a new owner or operator has assumed responsibility for the facility;*
- *you have ceased operations at the facility and there are nt or no longer will be discharges of storm water associated with industrial activity from the facility, and you have already implemented necessary sediment and erosion controls as required by Part 4.2.5;*
- *you are a Sector G, H, or J facility, and you have met the applicable termination requirements; or*
- *you have obtained coverage under an individual or alternative general permit for all discharges required to be covered by an APDES permit.*

See the MSGP Part 10 for more information.

Completing the Form

Type or print, in the appropriate areas only. "NA" can be entered in areas that are not applicable. If you have any questions about how or when to use this form, contact the DEC Storm Water Program at (907) 269-6285 or online at http://dec.alaska.gov/water/wastewater/stormwater/.

Section I. Permit Information
Enter the existing APDES Storm water General Permit Tracking Number assigned to the facility by DEC's Storm Water Program. If you do not know the tracking number, you can find the tracking number assigned to your facility on DEC's Water Permit Search http://dec.alaska.gov/Applications/Water/WaterPermitSearch//Search.aspx.

Indicate your reason for submitting the NOT by checking the appropriate box. (See MSGP Part 10 for more information) Check only one box.

Section II. Operator Information
Provide the legal name of the person, firm, public organization, or any other entity that operates the facility described in this application and is covered by the permit tracking number identified in Section I. The operator is the legal entity that controls the facility's operation, rather than the site manager. Enter the operator's complete mailing address, telephone number, email address, and. the fax number (optional) of the operator.

Section III. Facility Information
Enter the official or legal name and complete street address, including city, state, zip code, and borough or similar government subdivision of the facility.

Section IV. Certification Information
The NOTs, must be signed as follows:

(1) For a corporation, a responsible corporate officer shall sign the NOT, a responsible corporate officer means:

(A) 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

(B) the manager of one or more manufacturing, production, or operating facilities, if

(i) the manager is authorized to make management decisions that 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 statutes and regulations;

(ii) the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and

(iii) authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(2) For a partnership or sole proprietorship, the general partner or the proprietor, respectively; or

(3) for a municipality, state, or other public agency, either a principal executive officer or ranking elected official shall sign the application; in this subsection, a principal executive officer of an agency means

(A) the chief executive officer of the agency; or

(B) a senior executive officer having responsibility for the overall operations of a principal geographic unit or division of the agency.

Include the name, title, and email address of the person signing the form and the date of signing. An unsigned or undated NOT form will not be considered valid termination of permit coverage.

Where to File NOT form
DEC encourages you to complete the NOT form electronically via the Internet. DEC's Online Application System (OASys) can be found at http://dec.alaska.gov/water/oasys.aspx .Filing electronically is the fastest way to terminate permit coverage and help ensure that your NOT is complete. If you choose not to file electronically, you must send the NOT to the address listed below.

If you file by mail, please remember to retain a copy for your records.

NOTs sent by mail:

Alaska Dept. of Environmental Conservation
Wastewater Discharge Authorization Program
555 Cordova Street
Anchorage, AK 99501
Phone: (907) 269-6285

For Agency Use

Permit Tracking #: _____

Alaska Department of Environmental Conservation
MSGP Annual Reporting Form

Section I. General Information

Facility Name	APDES Permit Tracking Number

Facility Physical Address

Street	City	State	Zip Code
		Alaska	

Contact Person	Title	Phone	Email

Lead Inspector's Name	Additional Inspector's Name	Additional Inspector's Name	Inspection Date

Section II. General Inspection Findings

1. As part of this comprehensive site inspection, did you inspect all potential pollutant sources, including areas where industrial activity may be exposed to storm water? ☐ Yes ☐ No

   If NO, describe why not:

***Note**: Complete Section III of this form for each industrial activity area inspected and included in your SWPPP or as newly defined, in Section II parts 2 and 3 below, where pollutants may be exposed to storm water.*

2. Did this inspection identify any storm water or non-storm water outfalls not previously identified in your SWPPP? ☐ Yes ☐ No

   If YES, for each location, describe the sources of those storm water and non-storm water discharges and any associated control measures in place:

3. Did this inspection identify any sources of storm water or non-storm water discharges not previously identified in your SWPPP? ☐ Yes ☐ No

   If YES, describe these sources of storm water or non-storm water pollutants expected to be present in these discharges, and any control measures in place:

4. Did you review storm water monitoring data as part of this inspection to identify potential pollutant hotspots? ☐ Yes ☐ No ☐ NA, no monitoring performed

   If YES, summarize the findings of that review and describe any additional inspection activities resulting from this review:

5. Describe any evidence of pollutants entering the drainage system or discharging to surface waters, and the condition of and around outfalls, including flow dissipation measure to prevent scouring:

6. Have you taken or do you plan to take corrective actions, as specified in Part 8 of the permit, since your last annual report submission (or since you received authorization to discharge under this permit if this is your first annual report), including any corrective actions identified as a result of this annual comprehensive site inspection? ☐ Yes ☐ No

   If YES, how many conditions requiring review for corrective action as specified in Parts 8.1 and 8.2 of the MSGP were addressed by these corrective actions?

***Note**: Complete the attached Corrective Action Form (Section IV) for each condition identified, including any conditions identified as a result of this comprehensive storm water inspection.*

Section III. Industrial Activity Area Specific Findings

***Complete one block for each industrial activity area where pollutants may be exposed to storm water**. Copy this page for additional industrial activity areas. In reviewing each area, you should consider:*

- *Industrial materials, residue, or trash that may have or could come into contact with storm water;*
- *Leaks or spills from industrial equipment, drums, tanks, and other containers;*
- *Offsite tracking of industrial or waste materials from areas of no exposure to exposed areas; and*
- *Tracking or blowing of raw, final, or waste material from areas of no exposure to exposed areas.*

Industrial Activity Area:

1. Brief Description:

2. Are any control measures in need of maintenance or repair?	☐ Yes	☐ No
3. Have any control measures failed and require replacement?	☐ Yes	☐ No
4. Are any additional/revised control measures necessary in this area?	☐ Yes	☐ No

If YES, to any of these three questions, provide a description of the problem: *(Any necessary corrective actions should be described on the attached Corrective Action Form.)*

Industrial Activity Area:

1. Brief Description:

2. Are any control measures in need of maintenance or repair?	☐ Yes	☐ No
3. Have any control measures failed and require replacement?	☐ Yes	☐ No
4. Are any additional/revised control measures necessary in this area?	☐ Yes	☐ No

If YES, to any of these three questions, provide a description of the problem: *(Any necessary corrective actions should be described on the attached Corrective Action Form.)*

Industrial Activity Area:

1. Brief Description:

2. Are any control measures in need of maintenance or repair?	☐	Yes	☐	No
3. Have any control measures failed and require replacement?	☐	Yes	☐	No
4. Are any additional/revised control measures necessary in this area?	☐	Yes	☐	No

If YES, to any of these three questions, provide a description of the problem: *(Any necessary corrective actions should be described on the attached Corrective Action Form.)*

Industrial Activity Area:

1. Brief Description:

2. Are any control measures in need of maintenance or repair?	☐	Yes	☐	No
3. Have any control measures failed and require replacement?	☐	Yes	☐	No
4. Are any additional/revised control measures necessary in this area?	☐	Yes	☐	No

If YES, to any of these three questions, provide a description of the problem: *(Any necessary corrective actions should be described on the attached Corrective Action Form.)*

Section IV. Corrective Actions

Complete this page for each specific condition requiring a corrective action or a review determining that no corrective action is needed. Copy this page for additional corrective actions or reviews.

Include both corrective actions that have been initiated or completed since the last annual report, and future corrective actions needed to address problems identified in the comprehensive storm water inspection. Include an update on any outstanding corrective actions that had not been completed at the time of your previous annual report.

1. Corrective Action # of for this reporting period.

2. Is this corrective action:
   - ☐ An update on a corrective action from a previous annual report; or
   - ☐ A new corrective action?

3. Identify the condition(s) triggering the need for this review:
   - ☐ Unauthorized release of discharge
   - ☐ Numeric effluent limitation exceedance
   - ☐ Control measures inadequate to meet applicable water quality standards
   - ☐ Control measures inadequate to meet non-numeric effluent limitations
   - ☐ Control measures not properly operated or maintained
   - ☐ Change in facility operations necessitated change in control measures
   - ☐ Average benchmark value exceedance
   - ☐ Other (describe):

4. Briefly describe the nature of the problem identified:

5. Date problem identified:

6. How problem was identified:
   - ☐ Comprehensive site inspection
   - ☐ Quarterly visual assessment
   - ☐ Routine facility inspection
   - ☐ Notification by EPA or DEC
   - ☐ Other (describe):

7. Description of corrective action(s) taken or to be taken to eliminate or further investigate the problem (e.g., describe modifications or repairs to control measures, analysis to be conducted, etc.) or if no modification is needed, basis for that determination.

8. Did/will this corrective action require modification of your SWPPP? ☐ Yes ☐ No

9. Date corrective action initiated:

10. Date corrective action completed: Or expected to be completed:

11. If corrective action not yet completed, provide the status of the corrective action as the time of the comprehensive site inspections and describe any remaining steps (including timeframes associated with each step) necessary to complete the corrective action:

Section V. Annual Report Certification

Compliance Certification

Do you certify that your annual inspection has met the requirements of Part 6.3 of the permit, and that, based upon the results of this inspection, to the best of your knowledge, you are in compliance with the permit? ☐ Yes ☐ No

If NO, summarize why you are not in compliance with the permit:

Annual Report 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 person directly responsible for gathering the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name of Authorized Representative | Title | Email

Signature | Date Signed

For Agency Use

Permit Tracking #: _____

Alaska Department of Environmental Conservation
MSGP Corrective Action Form

Section I. General Information

Facility Name			APDES Permit Tracking Number
Facility Physical Address			
Street	City	State	Zip Code
		Alaska	

Contact Person	Title	Phone	Email

Lead Inspector's Name	Additional Inspector's Name	Additional Inspector's Name	Inspection Date

Section II. Corrective Actions

Complete this page for each specific condition requiring a corrective action or a review determining that no corrective action is needed. Copy this page for additional corrective actions or reviews.

Include both corrective actions that have been initiated or completed since the last annual report, and future corrective actions needed to address problems identified in the comprehensive storm water inspection. Include an update on any outstanding corrective actions that had not been completed at the time of your previous annual report.

1. Corrective Action # of for this reporting period.

2. Is this corrective action:
   - ☐ An update on a corrective action from a previous annual report; or
   - ☐ A new corrective action?

3. Identify the condition(s) triggering the need for this review:
   - ☐ Unauthorized release of discharge
   - ☐ Numeric effluent limitation exceedance
   - ☐ Control measures inadequate to meet applicable water quality standards
   - ☐ Control measures inadequate to meet non-numeric effluent limitations
   - ☐ Control measures not properly operated or maintained
   - ☐ Change in facility operations necessitated change in control measures
   - ☐ Average benchmark value exceedance
   - ☐ Other (describe):

4. Briefly describe the nature of the problem identified:

5. Date problem identified:

6. How problem was identified:
   - ☐ Comprehensive site inspection
   - ☐ Quarterly visual assessment
   - ☐ Routine facility inspection
   - ☐ Notification by EPA or DEC
   - ☐ Other (describe):

7. Description of corrective action(s) taken or to be taken to eliminate or further investigate the problem (e.g., describe modifications or repairs to control measures, analysis to be conducted, etc.) or if no modification is needed, basis for that determination.

8. Did/will this corrective action require modification of your SWPPP? ☐ Yes ☐ No

9. Date corrective action initiated:

10. Date corrective action completed: Or expected to be completed:

11. If corrective action not yet completed, provide the status of the corrective action as the time of the comprehensive site inspections and describe any remaining steps (including timeframes associated with each step) necessary to complete the corrective action:

Section III. Certification

Do you certify that your annual inspection has met the requirements of Part 6.3 of the permit, and that, based upon the results of this inspection, to the best of your knowledge, you are in compliance with the permit? ☐ Yes ☐ No

If NO, summarize why you are not in compliance with the permit:

Certification Statement

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

Name of Authorized Representative	Title	Email
Signature		Date Signed

Notice of Intent (NOI) Modification Form
for Storm Water Discharges Associated with Industrial Activity under the APDES Multi-Sector General Permit (MSGP)

Current NOI Information (Please copy content exactly from your NOI. Indicate changes on the next pages.)

Permit Number:

Facility Information (as it appears on your NOI):

Facility Name:				
Street Location	Street:		Borough or similar government subdivision	
	City:		State: Alaska	Zip:
	Latitude:	Longitude:	Determined By: ☐ GPS ☐ Internet Map Service ☐ Other:	

Operator Information (as it appears on your NOI):

Contact Name:	Organization:	Title:	
Phone:	Fax (optional):	Email:	
Mailing Address	Street (PO Box)		
	City	State	Zip

Instructions for Completing a Modification to an APDES Notice of Intent (NOI)

Use the form on the subsequent pages to indicate the items for which you are submitting this modification. Only enter information you wish to change. You may use this form to modify an NOI that you submitted to DEC for coverage under the Multi-Sector General Permit (MSGP) If you have any questions about modifying your NOI, call the DEC Storm Water Program at (907) 269-6285.

When Should You Modify Your Notice of Intent (NOI)?

You can use this form to update or correct information on your NOI, including:

- Owner/Operator address and contact information
- Changes to the SWPPP Contact
- Facility/Site information
- Acreage of industrial area exposed to storm water
- Changes in SIC code or industrial sector designation; or
- Changes to discharge information

When must you Submit a Notice of Termination (NOT) Instead of a Modification Form?

- The owner/operator has changed: You must submit an NOT when you transfer control of a site to a new owner/operator.
- The new owner/operator must then file a new NOI to obtain coverage under the MSGP. Coverage is not transferable.
- You have ceased operations at the facility and there are no longer discharges associated with industrial activity at the facility.
- You are a Sector G, H, or J facility and you have met the applicable termination requirements; or
- You have obtained coverage under an individual or alternative general permit for all discharges required to be covered by an APDES permit, unless ADEC has required that you obtain such coverage under authority of Part 2.8.1 of the MSGP, in which case coverage under this permit will terminate automatically.

Notice of Intent (NOI) for Storm Water Discharges Associated with Industrial Activity under the APDES Multi-Sector General Permit (MSGP)

Facility Information

Facility Name:

Have storm water discharges from your site been covered previously under an APDES Permit? ☐ Yes ☐ No

If Yes, provide the permit authorization number: _____

Street Location

Street:	Borough or similar government subdivision		
City:		State: Alaska	Zip:
Latitude:	Longitude:	Determined By: ☐ GPS ☐ Internet Map Service ☐ Other:	

Estimated area of industrial activity at your site exposed to storm water: _____ (acres)

Briefly describe the nature of the industrial activities at the facility:

Identify the 4-digit Standard Industrial Classification (SIC) code or 2-letter Activity Code that best represents the products produced or services rendered for which your facility is primarily engaged, as defined in the MSGP.

Primary SIC Code: _____ or Primary Activity Code: _____

Is your site presently inactive or unstaffed?* ☐ Yes ☐ No

** Note that if your facility becomes inactive and unstaffed during the permit term, you must submit an NOI modification to reflect the change.*

If Yes, is your site expected to be inactive and unstaffed for the entire permit term? ☐ Yes ☐ No

If No, indicate the length of time that you expect your facility to be inactive and unstaffed. _____

Federal Effluent Limitation Guidelines and Sector-Specific Requirements

Are you requesting permit coverage for storm water discharges subject to effluent limitation guidelines? ☐ Yes ☐ No

If yes, which effluent limitation guidelines apply to your storm water discharge?

40 CFR Part/Subpart	Eligible Discharges	Affected MSGP Sector	Check if applicable
Part 411, Subpart C	Runoff from material storage piles at cement manufacturing facilities.	E	☐
Part 418, Subpart A	Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished products, by-products, or waste products (SIC 2874).	C	☐
Part 423	Coal pile runoff at steam electric generating facilities.	O	☐
Part 429, Subpart I	Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas.	A	☐
Part 436, Subpart B, C, or D	Mine dewatering discharges at crushed stone mines, construction sand and gravel mines, or industrial sand mines.	J	☐
Part 443, Subpart A	Runoff from asphalt emulsion facilities.	D	☐
Part 445, Subparts A & B	Runoff from hazardous waste and non-hazardous waste landfills.	K, L	☐
Part 449, Subpart A	Runoff from Air Transportation	S	☐

If you are a Sector S (Air Transportation facility, do you anticipate using more than 100,000 gallons of glycol-based deicing/anti-icing chemicals and/or 100 tons or more of urea on an average annual basis? ☐ Yes ☐ No

Identify the applicable sector(s) and subsector(s) of industrial activity, including co-located industrial activity, for which you are requesting coverage:

Sector	Subsector	Sector	Subsector	Sector	Subsector	Sector	Subsector	Sector	Subsector	Sector	Subsector

Discharge Information

Does your facility discharge into a Municipal Separate Storm Sewer System (MS4)? ☐ Yes ☐ No

If Yes, provide the name of the MS4 Operator: ______________________________

If you are subject to benchmark monitoring requirements for a hardness-dependent metal:

– What is the hardness of your receiving water(s) (See Appendix E)? ________________

– Does your facility discharge into any saltwater receiving waters? ☐ Yes ☐ No

Outfalls: *(Attach a separate list if necessary)*

For each outfall, provide the following receiving water information:

List all of the storm water outfalls from your facility. Each outfall must be identified by a unique 3-digit ID (e.g., 001, 002). Also provide the latitude and longitude in decimal degrees for each outfall.		Provide the name of the first water of the U.S. that receives storm water directly from the outfall and/or from the MS4 that the outfall discharges to:	If the receiving water is impaired (on the CWA 303(d) list), list the pollutants that are causing the impairment:	Are the pollutant(s) causing the impairment present in your discharge? Yes	No	If a TMDL has been completed for this receiving waterbody, provide the following information:
Outfall ID	001A			☐	☐	TMDL ID#:
Latitude						TMDL Name:
Longitude						Pollutant(s) for which there is a TMDL:
If substantially identical to other outfall, list identical outfall ID: ________						
Outfall ID				☐	☐	TMDL ID#:
Latitude						TMDL Name:
Longitude						Pollutant(s) for which there is a TMDL:
If substantially identical to other outfall, list identical outfall ID: ________						
Outfall ID				☐	☐	TMDL ID#:
Latitude						TMDL Name:
Longitude						Pollutant(s) for which there is a TMDL:
If substantially identical to other outfall, list identical outfall ID: ________						
Outfall ID				☐	☐	TMDL ID#:
Latitude						TMDL Name:
Longitude						Pollutant(s) for which there is a TMDL:
If substantially identical to other outfall, list identical outfall ID: ________						
Outfall ID				☐	☐	TMDL ID#:
Latitude						TMDL Name:
Longitude						Pollutant(s) for which there is a TMDL:
If substantially identical to other outfall, list identical outfall ID: ________						

Operator Information

Contact Name:	Organization:	Title:
Phone:	Fax (optional):	Email:

Mailing Address ☐ Check if same as Operator Information	Street (PO Box)		
	City	State	Zip

Storm Water Pollution Prevention Plan (SWPPP) Contact / Location Information

Contact Name:	Organization:	Title:
Phone:	Fax (optional):	Email:

Mailing Address ☐ Check if same as Operator Information	Street (PO Box)		
	City	State	Zip

Universal Resource Locator or URL:

Billing Contact / Location Information

Contact Name:	Organization:	Title:
Phone:	Fax (optional):	Email:

Mailing Address ☐ Check if same as Operator Information	Street (PO Box)		
	City	State	Zip

NOI Preparer Contact / Location Information *(Complete if NOI was prepared by someone other than the Certifier)*

Contact Name:	Organization:	Title:
Phone:	Fax (optional):	Email:

Mailing Address ☐ Check if same as Operator Information	Street (PO Box)		
	City	State	Zip

Document Attachments

Documents attached with this application:

☐ Storm Water Pollution Prevention Plan (SWPPP)

☐ Other:

Certification Information

An Alaska Pollutant Discharge Elimination System (APDES) permit application or report must be signed by an individual with the appropriate authority per 18 AAC 83.385. For additional information, please refer to 18 AAC 83.385 at the following link: http://www.legis.state.ak.us/basis/aac.asp#18.83.385.

Corporate Executive Officer 18 AAC 83.385 (a)(1)(A)	For a corporation, 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.
Corporate Operations Manager 18 AAC 83.385 (a)(1)(B)	For a corporation, the manager of one or more manufacturing, production, or operating facilities, if (i) the manager is authorized to make management decisions that 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 statutes and regulations; (ii) the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and (iii) authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
Sole Proprietor or General Partner 18 AAC 83.385 (a)(2)	For a partnership or sole proprietorship, the general partner or the proprietor respectively.
Public Agency, Chief Executive Officer 18 AAC 83.385 (a)(3)(A)	For a municipality, state, or other public agency, the chief executive officer of the agency.
Public Agency, Senior Executive Officer 18 AAC 83.385 (a)(3)(B)	For a municipality, state, or other public agency, a senior executive officer having responsibility for the overall operations of a principal geographic unit or division of the agency.

Any report required by an APDES permit, and a submittal with any other information requested by the department, must be signed by a person described in above, or by a duly authorized representative of that person.
**For Delegated Authority: the delegation must be made in writing and submitted to the DEC.*
Your signature will not be approved until DEC receives the written delegation.
An Example of written authorization delegating authority can be found on the Division of Water website:
http://dec.alaska.gov/media/13316/delegation-of-signatory-authority.pdf

Operations Manager *(Delegated Authority)** 18 AAC 83.385 (b)(2)(A)	For a duly authorized representative, an individual or a position having responsibility for the overall operation of the regulated facility or activity, including the position of plant manager, operator of a well or a well field, superintendent or position of equivalent responsibility.
Environmental Manager *(Delegated Authority)** 18 AAC 83.385 (b)(2)(B)	For a duly authorized representative, an individual or position having overall responsibility for environmental matters for the company.

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.

Organization:	Name:	Title:
Phone:	Fax (optional):	Email:

Mailing Address: ☐ Check if same as Operator Information	Street (PO Box):		
	City:	State:	Zip:

Signature/Responsible Official _____ Date _____

Instructions for Completing the Notice of Intent (NOI) for Storm Water Discharges Associated with Industrial Activity under the Multi-Sector General Permit (MSGP)

Who must file a NOI?

Under section 402(p) of the Clean Water Act (CWA) and regulations at 40 CFR Part 122.26, adopted by reference at 18 AAC 83.010 (3) storm water discharges associated with industrial activity are prohibited to waters of the United States unless authorized under an Alaska Pollutant Discharge Elimination System (APDES) permit. You can obtain coverage under the MSGP by submitting a completed NOI if you operate a facility that:

- is located in a jurisdiction where DEC is the permitting authority, listed in Part 1.1 of the MSGP;
- discharges storm water associated with industrial activities, identified in Appendix D of the MSGP;
- meet the eligibility requirements in Part 1.2 of the permit;
- develop a storm water pollution prevention plan (SWPPP) in accordance with Part 5 of the MSGP; and
- install and implement control measures in accordance with Part 4 to meet numeric and non-numeric effluent limits.

If you are unsure if you need an APDES storm water permit, contact your APDES storm water permit program. Contacts are listed at:

http://dec.alaska.gov/water/wastewater/stormwater/

One NOI must be submitted for each facility or site for which you are seeking permit coverage. You do not need to submit separate NOIs for each type of industrial activity present at your facility, provided your SWPPP covers all activities.

When to File the NOI Form

Do not file your NOI until you have obtained and thoroughly read a copy of the MSGP. A copy of the MSGP is located on the DEC website (http://dec.alaska.gov/water/wastewater/stormwater/multisector/). The MSGP describes procedures to ensure your eligibility, prepare your SWPPP, install and implement appropriate storm water control measures, and complete the NOI form questions – all of which must be done before you sign the NOI certification statement attesting to the accuracy and completeness of your NOI. You will also need a copy of the MSGP once you have obtained coverage so that you can comply with the implementation requirements of the permit.

Completing the NOI Form

To complete this form, type or print in the appropriate areas only. Please make sure you complete all questions. Make sure you make a photocopy for your records before you send the completed form to the address below. You may also use this paper form as a checklist for the information you will need when filing an NOI electronically via DEC's OASys system. http://dec.alaska.gov/water/oasys.aspx.

Facility Information

Enter the facility's official or legal name. Unless the name of your facility has changed, please use the same name provided on prior NOIs or permit applications.

Indicate if industrial storm water discharges from your facility were previously covered by an APDES permit.

If your facility was previously covered by the MSGP, please include the tracking number that you received in your confirmation letter or email from DEC's Storm water Program. You can find the tracking number assigned to your previous NOI on DEC's Online Permit Search: http://dec.alaska.gov/Applications/Water/WaterPermitSearch/search.

Enter the street address, including city, state, zip code, borough or similar government subdivision of the actual physical location of the facility. Do NOT use a P.O. Box.

Provide the facility latitude and longitude in decimal degrees format. You can obtain your facility's latitude and longitude though Global Positioning System (GPS) receivers, internet map service, U.S. Geological Survey (USGS) quadrangle or topographic maps, or EPA's web-based siting-tools, among other methods. For consistency, DEC requests that measurements be taken from the approximate center of the facility. Specify which method you used to determine latitude and longitude.

Identify the data source that you used to determine the facility latitude and longitude. If you did not use a USGS quadrangle or topographic map or GPS receivers, then select "Other" and write the method used on the line provided. If you used a USGS quadrangle or topographic map, write the map scale on the line provided. Scale should be identified on the map.

Enter the estimated area of industrial activity at your site exposed to storm water, in acres.

Briefly describe the nature of the industrial activities present at your facility.

Indicate whether your facility is currently inactive and unstaffed. If so then indicate whether your facility will be inactive and unstaffed for the entire permit term; or, if not, specify the specific length of time in units of days, weeks, months, or years (e.g. 3 months) that you expect the facility to be inactive and unstaffed.

Federal Effluent Limitation Guidelines and Sector-Specific Requirements

Depending on your industrial activities, your facility may be subject to effluent limitation guidelines which include additional effluent limits and monitoring requirements for your facility. Please review these requirements, described in Part 4.3 of the MSGP and check any appropriate boxes on the NOI form.

For Sector S facilities (Air Transportation), indicate whether you anticipate that the entire airport facility will use more than 100,000 gallons of glycol-based deicing/anti-icing chemicals and/or 100 tons or more of urea on an average annual basis. If so, additional effluent limits and monitoring conditions apply to your discharge (see Part 11 Sector S of the MSGP).

List the four-digit Standard Industrial Classification (SIC) code and/or two character activity code that best describes the primary industrial activities performed by your facility under which you are required to obtain permit coverage. Your primary industrial activity includes any activities performed on-site which are (1) identified by the facility's one SIC code for which the facility is primarily engaged; and (2) included in the narrative descriptions of 40 CFR 122.26(b)(14)(i), (iv), (v), or (vii), and (ix). See Appendix D of the MSGP for a complete list of SIC codes and activities codes.

If your site has co-located industrial activities that are not identified as your primary industrial activity, identify the sector and subsector codes that describe these other industrial activities. For a complete list of sector and subsector codes, see Appendix D of the MSGP.

Discharge Information

Receiving Waters and Wetlands

You must identify all the outfalls from your facility that discharge storm water. Each outfall must be assigned a unique 3-digit ID (e.g., 001, 002, 003). You must also provide the latitude and longitude for each outfall from your facility. Indicate whether any outfalls are substantially identical to an outfall already listed, and identify the outfall it is identical to. For each unique outfall you list, you must specify the name of the first water of the U.S. that receives storm water directly from the outfall and/or the Municipal Separate Storm Sewer System (MS4) that the outfall discharges to.

Your receiving water may be a lake, stream, river, ocean, wetland, or other waterbody, and may or may not be located adjacent to your facility. Your storm water may discharge directly to the receiving water or indirectly via a storm sewer system, an open drain or ditch, or other conveyance structure. Do NOT list a man-made conveyance, such as a storm sewer system, as your receiving water. Indicate the first receiving water your storm water discharge enters. For example, if your discharge enters a storm sewer system that empties into Trout Creek, which flows into Pine River, your receiving water is Trout Creek, because it is the first waterbody your discharge will reach. Similarly, a discharge into a ditch that feeds Spring Creek should be identified as "Spring Creek" since the ditch is a manmade conveyance. If you discharge into a MS4, you must identify the waterbody into which that portion of the storm sewer discharges and also provide the name of the MS4 operator. That information should be readily available from the operator of the MS4. If you are uncertain of the MS4 operator, contact DEC Division of Water for that information.

You must specify whether any receiving waters that you discharge to are listed as "impaired" as defined in Appendix C, and the pollutants for which the water is impaired. You must also check/identify any Total Maximum Daily Loads (TMDL) that have been completed for any of the waters of the U.S. that you discharge to. You must also provide information about the outfall latitude/ longitude. Further information regarding impaired waters and TMDLs can be found at http://dec.alaska.gov/water/water-quality/impaired-waters.

If you are subject to any benchmark monitoring requirements for metals (see the requirements applicable to your Sector(s) in Part 11 of the permit), indicate the hardness for your receiving water(s). See Appendix E of the permit for information about determining waterbody hardness.

If you are subject to benchmark monitoring requirements for hardness-dependent metals, you must also answer whether your facility discharges into any saltwater receiving waters.

Operator Information

Provide the name of the contact person and the legal name of the firm, public organization, or any other public entity that operates the facility described in this application. An operator of a facility is a legal entity that controls the operation of the facility.

Provide the operator's mailing address, telephone number, fax number (optional), and email address. Correspondence will be sent to this address.

Storm Water Pollution Prevention Plan (SWPPP) Contact Information

Identify the name, telephone number, and email address of the person who will serve as a contact for DEC on issues related to storm water management at your facility. This person should be able to answer questions related to storm water discharges, the SWPPP, and other issues related to storm water permit coverage or have immediate access to individuals with that knowledge. This person does not have to be the facility operator but should have intimate knowledge of storm water management activities at the facility.

If you are making your SWPPP publicly available on a website, provide the appropriate Internet URL address.

Billing Contact Information

Provide the name of the contact person and the legal name of the firm, public organization, or any other public entity that is responsible for accounts payable for this facility.

Provide the billing contact's mailing address, telephone number, fax number (optional), and email address. Correspondence for billing purposes will be sent to this address. If the billing contact address is the same as the operator, check the box and continue to Section III Facility Information. See 18 AAC 72.956 for applicable authorization fee to be paid with the submittal of the NOI.

Certification Information

The NOIs, must be signed as follows:

(1) For a corporation, a responsible corporate officer shall sign the NOI, a responsible corporate officer means:

  (A) 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

  (B) the manager of one or more manufacturing, production, or operating facilities, if

    (i) the manager is authorized to make management decisions that 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 statutes and regulations;

    (ii) the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and

    (iii) authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(2) For a partnership or sole proprietorship, the general partner or the proprietor, respectively; or

(3) for a municipality, state, or other public agency, either a principal executive officer or ranking elected official shall sign the application; in this subsection, a principal executive officer of an agency means

  (A) the chief executive officer of the agency; or

  (B) a senior executive officer having responsibility for the overall operations of a principal geographic unit or division of the agency.

Include the name, title, organization, and email address of the person signing the form and the date of signing. An unsigned or undated NOI form will not be considered valid application for permit coverage.

If the NOI was prepared by someone other than the certifier (for example, if the NOI was prepared by the facility SWPPP contact or a consultant for the certifier's signature), include the name, organization, telephone number, and email address of the NOI preparer.

Where to File the NOI Form

DEC encourages you to complete the NOI form and SWPPP electronically via the Internet. DEC's Online Application System (OASys) can be found at http://dec.alaska.gov/water/oasys.aspx. Filing electronically is the fastest way to obtain permit coverage and help ensure that your NOI is complete. If you choose not to file electronically, you must send the NOI to the address listed below.

If you file by mail, remember to retain a copy for your records.

NOIs sent by mail:

Alaska Dept. of Environmental Conservation
Wastewater Discharge Authorization Program
Storm Water NOI
555 Cordova Street
Anchorage, AK 99501
Phone: (907) 269-6285
dec.water.wqpermit@alaska.gov

Your SWPPP needs to be submitted with the NOI as required in Part 5 of the MSGP. You must keep a copy of your SWPPP on-site or otherwise make it available to facility personnel responsible for implementing provisions of the permit.

For Agency Use

Permit Tracking #: _____

No Exposure Certification for Exclusion from APDES Storm Water Permitting

Submission of this No Exposure Certification constitutes notice that the entity identified in Section I does not require permit authorization for its storm water discharges associated with industrial activity in Alaska identified in Section II under ADEC's Storm Water Multi-Sector General Permit (MSGP) due to the existence of a condition of no exposure.

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

- drums, barrels, tanks, and similar containers that are tightly sealed, provided those containers are not deteriorated and do not leak. "Sealed" means banded or otherwise secured and without operational taps or valves;
- adequately maintained vehicles used in material handling; and
- final products, other than products that would be mobilized in storm water discharges (e.g., rock salt).

A No Exposure Certification must be provided for each facility qualifying for the no exposure exclusion. In addition, the exclusion from APDES permitting is available on a facility-wide basis only, not for individual outfalls. If any industrial activities or materials are or will be exposed to precipitation, the facility is not eligible for the no exposure exclusion.

By signing and submitting this No Exposure Certification form, the entity in Section I is certifying that a condition of no exposure exists at its facility or site, and is obligated to comply with the terms and conditions of 40 CFR 122.26(g), adopted by reference at 18 AAC 83.010(b)(3).

ALL INFORMATION MUST BE PROVIDED ON THIS FORM.

Detailed instructions for completing this form and obtaining the no exposure exclusion are provided on page 3.

Section I. Facility Operator Information

Organization: Contact Person:

Mailing Address:

Street (PO Box):

City: State: Zip:

Phone: Fax (optional): Mobile:

Email:

Section II. Facility Location Information

Facility Name:

Location Address:

Street: Borough or Similar Government Subdivision

City: State: Alaska Zip:

Latitude: Longitude: Determined By:

☐ GPS ☐ USGS Topographic Map

☐ Other:

If you used a USGS Topographic map, what was the scale?

Estimated area of industrial activity at your site exposed to storm water: (acres)

Is this a federal facility? ☐ Yes ☐ No Is this facility located on Indian Lands? ☐ Yes ☐ No

Identify the 4-digit Standard Industrial Classification (SIC) code or 2-letter Activity Code that best represents the products produced or services rendered for which your facility is primarily engaged, as define in MSGP:	Primary SIC Code: or Primary Activity Code:

Was the facility or site previously covered under an NPDES or APDES storm water permit? ☐ Yes ☐ No

a. If Yes, enter the NPDES or APDES permit number or tracking number:

Have you paved or roofed over a formerly exposed pervious area in order to qualify for the no exposure exclusion? ☐ Yes ☐ No

If yes, please indicate approximately how much area was paved or roofed over. Completing this question does not disqualify you for the no exposure exclusion. However, your permitting authority may use this information in considering whether storm water discharges from your site are likely to have an adverse impact on water quality, in which case you could be required to obtain permit coverage.

☐ Less than one acre ☐ One to five acres ☐ More than five acres

Section III. Exposure Checklist

Are any of the following materials or activities exposed to precipitation, now or in the foreseeable future? (Please check either "Yes" of "No" in the appropriate box.) **If you answer "Yes" to any of these questions, (1) through (11), you are not eligible for the no exposure exclusion.**	Yes	No
(1) Using, storing, or cleaning industrial machinery or equipment, and areas where residuals from using, storing, or cleaning industrial machinery or equipment remain and are exposed to storm water.	☐	☐
(2) Materials or residuals on the ground or in storm water inlets from spills/leaks.	☐	☐
(3) Materials or products from past industrial activity.	☐	☐
(4) Material handling equipment (except adequately maintained vehicles).	☐	☐
(5) Materials or products during loading/unloading or transporting activities.	☐	☐
(6) Materials or products stored outdoors (except final products intended for outside use [e.g., new cars] where exposure to storm water does not result in the discharge of pollutants).	☐	☐
(7) Materials contained in open, deteriorated, or leaking storage drums, barrels, tanks, and similar containers.	☐	☐
(8) Materials or products handled/stored on roads or railways owned or maintained by the discharger.	☐	☐
(9) Waste material (except waste in covered, non-leaking containers [e.g., dumpsters]).	☐	☐
(10) Application or disposal of process wastewater (unless otherwise permitted).	☐	☐
(11) Particulate matter or visible deposits of residuals from roof stacks and/or vents not otherwise regulated (i.e., under an air quality control permit) and evident in the storm water outflow.	☐	☐

Section VIII. Certification Information

I certify under penalty of law that I have read and understand the eligibility requirements for claiming a condition of "no exposure" and obtaining an exclusion from APDES storm water permitting under DEC Multi-Sector General Permit.

I certify under penalty of law that there are no discharges of storm water contaminated by exposure to industrial activities or materials from the industrial facility or site identified in this document (except as allowed under 40 CFR 122.26(g)(2)).

I understand that I am obligated to submit a no exposure certification form once every five years to the APDES permitting authority and, if requested, to the operator of the local municipal separate storm sewer system (MS4) into which the facility discharges (where applicable). I understand that I must allow the APDES permitting authority, or MS4 operator where the discharge is into the local MS4, to perform inspections to confirm the condition of no exposure and to make such inspection reports publicly available upon request. I understand that I must obtain coverage under an APDES permit prior to any point source discharge of storm water from the facility.

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

Printed Name of Authorized Official _____ Title _____

Signature _____ Date _____

Email _____

Instructions for the No Exposure Certification for Exclusion from APDES Storm Water Permitting

Who May File a No Exposure Certification

Federal law at 40 CFR Part 122.26, adopted by reference at 18 AAC 83.010(b)(3), prohibits point source discharges of storm water associated with industrial activity to waters of the U.S. without an Alaska Pollutant Discharge Elimination System (APDES) permit. However, APDES permit coverage is not required for discharges of storm water associated with industrial activities identified at 40 CFR 122.26(b)(14)(i)-(ix) and (xi) if the discharger can certify that a condition of "no exposure" exists at the industrial facility or site.

Storm water discharges from construction activities identified in 40 CFR 122.26(b)(14)(x) and (b)(15) are not eligible for the no exposure exclusion.

Obtaining and Maintaining the No Exposure Exclusion

This form is used to certify that a condition of no exposure exists at the industrial facility or site described herein. This certification is only applicable in jurisdictions where DEC is the NPDES permitting authority and must be re-submitted at least once every five years.

The industrial facility operator must maintain a condition of no exposure at its facility or site in order for the no exposure exclusion to remain applicable. If conditions change resulting in the exposure of materials and activities to storm water, the facility operator must obtain coverage under an APDES storm water permit immediately.

Completing the Form

You must type or print in appropriate areas only. One form must be completed for each facility or site for which you are seeking to certify a condition of no exposure. Additional guidance on completing this form can be accessed at DEC's Storm water Program website: http://dec.alaska.gov/water/wnpspc/stormwater/index.htm.

Please make sure you have addressed all applicable questions and have made a photocopy for your records before sending the completed form to this address.

Section I. Facility Operator Information

- Provide the legal name of the person, firm, public organization, or any other entity that operates the facility or site described in this certification. The name of the operator may or may not be the same as the name of the facility. The operator is the legal entity that controls the facility's operation, rather than the plant or site manager.
- Provide the telephone number of the facility operator.
- Provide the email address of the facility operator.
- Provide the mailing address of the operator (P.O. Box numbers may be used). Include the city, state, and zip code. All correspondence will be sent to this address.

Section II. Facility/Site Location Information

- Enter the official or legal name of the facility or site.
- Enter the complete street address (if no street address exists, provide a geographic description [e.g., Intersection of Routes 9 and 55]), city, state, zip code, and borough or similar government subdivision. Do not use a P.O. Box number.
- Indicate whether the facility is located on Indian Lands.
- Indicate whether the industrial facility is operated by a department or agency of the Federal Government (see also Section 313 of the Clean Water Act).
- Enter the latitude and longitude of the approximate center of the facility or site. The latitude and longitude of your facility can be determined in several different ways, including through the use of global positioning system (GPS) receivers, U.S. Geological Survey (U.S.G.S.) topographic or quadrangle maps, among others.
- Indicate whether the facility was previously covered under an NPDES or APDES storm water permit. If so, include the permit number or permit tracking number.
- List the four-digit Standard Industrial Classification (SIC) code and/or two character activity code that best describes the primary industrial activities performed by your facility. Your primary industrial activity includes any activities performed on-site which are:
  - (1) identified by the facility's one SIC code for which the facility is primarily engaged; and
  - (2) included in the narrative descriptions of 40 CFR 122.26(b)(14)(i), (iv), (v), or (vii), and (ix). See Appendix D of the MSGP for a complete list of SIC codes and activities codes.
- Enter the total size of the site associated with industrial activity in acres. Acreage may be determined by dividing square footage by 43,560.
- Check "Yes" or "No" as appropriate to indicate whether you have paved or roofed over a formerly exposed, pervious area (e.g., lawn, meadow, dirt or gravel road/parking lot) in order to qualify for no exposure. If yes, also indicate approximately how much area was paved or roofed over and is now impervious area.

Section III. Exposure Checklist

Check "Yes" or "No" as appropriate to describe the exposure condition at your facility. If you answer "Yes" to **ANY** of the questions, (1) through (11), in this section, a potential for exposure exists at your site and you cannot certify to a condition of no exposure. You must obtain (or already have) coverage under an APDES storm water permit. After obtaining permit coverage, you can institute modifications to eliminate the potential for a discharge of storm water exposed to industrial activity and then certify to a condition of no exposure.

Section IV. Certification Information

The Certification of No Exposure, must be signed as follows:

(1) For a corporation, a responsible corporate officer shall sign the Certification, a responsible corporate officer means:

- (A) 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
- (B) the manager of one or more manufacturing, production, or operating facilities, if
  - (i) the manager is authorized to make management decisions that 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 statutes and regulations;
  - (ii) the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and
  - (iii) authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(2) For a partnership or sole proprietorship, the general partner or the proprietor, respectively; or

(3) for a municipality, state, or other public agency, either a principal executive officer or ranking elected official shall sign the application; in this subsection, a principal executive officer of an agency means

- (A) the chief executive officer of the agency; or
- (B) a senior executive officer having responsibility for the overall operations of a principal geographic unit or division of the agency.

Include the name, title, and email address of the person signing the form and the date of signing. An unsigned or undated Certification form will not be considered valid exclusion from permit coverage.

Where to File Certification form

Please submit the Certification to DEC as follows:

If you file by mail, please submit the original form with a signature in ink. DEC will not accept a photocopied signature. Remember to retain a copy for your records.

Certifications sent by mail:

Alaska Dept. of Environmental Conservation
Wastewater Discharge Authorization Program
555 Cordova Street
Anchorage, AK 99501
Phone: (907) 269-6285

Alaska Department of Environmental Conservation

Division of Water, Compliance and Enforcement Program
555 Cordova Street
Anchorage, Alaska 99501
Nationwide Toll Free: 1(877) 569-4114 Anchorage/International: (907) 269-4114
Fax: (907) 269-4604 E-mail address: dec-wqreporting@alaska.gov.

NONCOMPLIANCE NOTIFICATION

GENERAL INFORMATION	PERMIT# (if any):	
Owner or Operator:	**Facility Name:**	**Facility Location:**
Person Reporting:	**Phone Numbers of Person Reporting:**	**Reported How? (e.g. by phone):**
Date/Time Event was Noticed:	**Date/Time Reported:**	**Name of DEC Staff Contacted:**

VERBAL NOTIFICATION MUST BE MADE TO ADEC WITHIN 24 HOURS OF DISCOVERY OF NONCOMPLIANCE

INCIDENT DETAILS (attach additional sheets, lab reports, and photos as necessary)

Period of Noncompliance	**Start Date/Time** (exact):	**End Date/Time** (exact):

If noncompliance has not been corrected, provide a statement regarding the anticipated time the noncompliance is expected to continue:

Estimated Quantity involved (volume or weight):

Description of the noncompliance and its cause (be specific):

Actions taken to reduce, eliminate, and prevent reoccurrence of noncompliance and Actual/Potential Impact on Environmental Health (describe in detail) (e.g. Supplied drinking water to nearby well owners and informed well owners not to drink from wells until further notice)

Permit Condition Deviation (Identify each permit condition exceeded during the event.)

Parameter (e.g. BOD pH)	Permit Limit	Exceedance (sample result)	Sample Date

Corrective Actions (Attach a description of corrective actions taken to restore the system to normal operation and to minimize or eliminate chances of recurrence.)

Environmental Damage: (if yes, provide details below) ☐ **Yes** ☐ **No** ☐ **Unknown**

Actual /Potential Impact on Environment/Public Health (describe in detail)

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.

Name: **Title:** **Signature:** **Date:**

FORMS MUST BE SENT TO ADEC WITHIN FIVE DAYS OF BECOMING AWARE OF THE EVENT.

Alaska Department of Environmental Conservation
Multi-Sector General Permit (MSGP)

Discharge Monitoring Report (DMR)

Part 9.1 requires you to use the electronic NetDMR system to prepare and submit your Discharge Monitoring Report (DMR) form. However, if you are given approval by the DEC (Permitting Program or Compliance and Enforcement Program, see Standard Conditions, Appendix A, Part 1.1 Contact Information and Addresses) to use a paper DMR form, and you elect to use it, you must complete and submit the following form.

Reason(s) for Submission *(Check all that apply)*

- ☐ Submitting monitoring data (fill in all Sections).
- ☐ Reporting no discharge for all outfalls for this monitoring period (fill in Sections I, II, III, IV, and VI).
- ☐ Reporting that your site status has changed to inactive and unstaffed (fill in Sections I, II, VI and include date of status change in comments field in Section V).
- ☐ Reporting that your site status has changed to active (fill in all sections and include date of status change in comments field in Section V).
- ☐ Reporting that no further pollutant reductions are achievable for all outfalls and for all pollutants via Part 7.2.1.4 of the MSGP (fill in Sections I, II, and VI).

Section I. Permit Information

Permit Authorization Number:

Section II. Facility Information

Facility Name:			
Street Location — Street:			
Street Location — City:		State: Alaska	Zip:

Contact Name:	Organization:	Title:
Phone:	Fax (optional):	Email:

DMR Preparer (Complete if DMR was prepared by someone other than the person signing the certification in Section VI):

Name:	Organization:	Title:
Phone:	Fax (optional):	Email:

Section III. Discharge Information

Identify Monitoring Period:	Check here if proposing alternative monitoring periods due to irregular storm water runoff. Identify alternative monitoring schedule and indicate for which alternative period you are reporting monitoring data.	
☐ Quarter 1 (January 1 – March 31)	Quarter 1: From:	To:
☐ Quarter 2 (April 1 – June 30)	Quarter 2: From:	To:
☐ Quarter 3 (July 1 – September 30)	Quarter 3: From:	To:
☐ Quarter 4 (October 1 – December 31)	Quarter 4: From:	To:

Are you required to monitor for cadmium, copper, chromium, lead, nickel, silver, or zinc? ☐ Yes, ☐ No (Skip to Section IV)
What is the hardness level of the receiving water? _____ mg/L

Section IV. Outfall Information

How many outfalls are identified in your SWPPP? _____ List names of outfalls required to be monitored in the table below.
Do any of your outfalls discharge substantially identifical effluents? ☐ Yes, ☐ No
If YES, for each monitored outfall, indicate outfall names that are substantially identical in the table below.

a. Monitored Outfall Name*	b. Substantially Identical Outfalls [List name(s) of outfall(s) that are substantially identical to outfall in a.]	c. No Discharge?

* Reference attachment if additional space is needed to complete the table.

Section V. Monitoring Information

Permit Tracking Number:

Nature of Discharge: ☐ Rainfall (complete a, b. and c below) ☐ Snowmelt

a. Duration of the rainfall event (hours): _____ b. Rainfall amount (inches): _____ c. Time since previous measurable storm event (days): _____

Outfall Name	Monitoring Type (QBM, ELG, S, I, O)*	Parameter	Quality or Concentration	Units	Results Description	Collection Date	Exceedance due to natural background pollutant levels	No further pollutant reductions achievable?

* (QBM) – Quarterly benchmark monitoring; (ELG) – Annual effluent limitation guidelines monitoring; (S) – State specific monitoring; (I) – Impaired waters monitoring; (O) – Other monitoring as required by DEC

Comment and/or Explanation of any Violations (Reference all attachments here)

Section VI. 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.

Organization:		Name:	Title:
Phone:	Fax (optional):	Email:	
Mailing Address:	Street (PO Box):		
	City:	State:	Zip:

_____ _____

Signature/Responsible Official Date

Instructions for Completing the MSGP Industrial Discharge Monitoring Report (DMR)

Who Must Submit A Discharge Monitoring Report to DEC?

- An operator or owner of a facility covered under the Multi-Sector General Permit (MSGP or permit) that are required to monitor pursuant to Parts 7.2.1, 7.2.2, 7.2.3, and 7.2.4 of the permit must submit the MSGP Discharge Monitoring Report (DMR) consistent with the reporting requirements specified in Part 9.1 of the permit.

Completing the Form

- Type or print, in the appropriate areas only. "NA" can be entered in areas that are not applicable. If you have any questions about how or when to use this form, contact the DEC Storm Water Program at (907) 269-6285 or online at http://dec.alaska.gov/water/wastewater/stormwater/.

Reasons for Submission

- Indicate your reason(s) for submitting this DMR by checking all boxes that apply. The reasons for submission are defined as follows:
- *Submitting monitoring data*: For each storm event sampled, submit one DMR form with data for all outfalls sampled. Select this reason even if you only have monitoring data for some of your outfalls (i.e., some outfalls did not discharge). If you select this reason, you are required to complete all Sections of the form.
- *Reporting no discharge for all outfalls for this monitoring period*: Indicates that there were no discharges from all outfalls during this monitoring period. If you select this reason, you are only required to complete Sections I, II, III, IV, and VI.
- *Reporting that your site status has changed to inactive and unstaffed*: Indicates that your facility is currently inactive and unstaffed (See Part 7.2.1.6 of the permit for more information). If you select this reason, you are only required to complete Sections I, II, and VI and include date of status change in the comment field in Section V.
- *Reporting that your site status has changed from inactive to active*: Indicates that your facility is currently active (See Part 7.2.1.6 of the permit for more information). If you select this reason, you are required to complete all Sections of the form and include date of status change in the comment field in Section V.
- Reporting that no further reductions are achievable for all outfalls and for all effluent monitoring pollutants via Part 7.2.1.4 and Parts 4 of the permit: Indicates that your facility has determined that no further pollutant reductions are technologically available and economically practicable and achievable in light of best industry practice to meet the technology-based effluent limitations or are necessary to meet the water-quality-based effluent limitations in Parts 4 of the permit (See Part7.2.1.4 of the permit for more information). If you select this reason, you are required to complete Sections I, II and VI. However, if you can make this finding for some outfalls and pollutants, but not for others, you cannot select this reason; you will instead be able to identify which outfalls and which pollutants you can make this finding for in Section V.

Section I. Permit Tracking Number

- Enter the APDES tracking number assigned by DEC to the facility. If you do not know the tracking number, you can find the tracking number assigned to your facility on DEC's Water Permit Search http://dec.alaska.gov/Applications/Water/WaterPermitSearch/Search.aspx

Section II. Facility Information

- Enter the facility's official or legal name. Unless the name of your facility has changed, please use the same name provided on your NOI. You can use ADEC's Water Permit Search, http://dec.alaska.gov/Applications/Water/WaterPermitSearch/Search.aspx to view your NOI.
- Enter the street address, including city, state, and zip code of the actual physical location of the facility. Do not use a P.O. Box.
- Identify the name, telephone number, and email address of the person who will serve as a contact for DEC on issues related to monitoring at your facility. This person should be able to answer questions related to stormwater discharges and monitoring or have immediate access to individuals with that knowledge. This person does not have to be the facility operator but should have intimate knowledge of monitoring activities at the facility.
- If the form was prepared by someone other than the person who is signing the certification statement in Section VI (for example, if the DMR was prepared by a member of the facility's storm water pollution prevention team or a consultant for the certifier's signature), include the name, organization, telephone number, and email address of the DMR preparer.

Section III. Discharge Information

- Indicate the appropriate monitoring period (Quarter 1, 2, 3, or 4) covered by the DMR. "Alternative" monitoring periods can apply to facilities located in arid and semi-arid climates or in areas subject to snow or prolonged freezing. To use alternative monitoring periods, you must provide a revised monitoring schedule here in the first monitoring report submitted and indicate for which alternative monitoring period you are reporting monitoring data. If using alternative monitoring periods, identify the first day of the monitoring period through the last day of the monitoring period for each of the four periods. The dates should be displayed as month (Mo) / day (Day). See Part 7.2.1.2 of the permit for more information.
- If you are submitting benchmark monitoring data, identify if your facility is required to collect benchmark samples for one or more hardness-dependent metals (i.e., cadmium, copper, lead, nickel, silver, and zinc). If you select "yes" to this question you must also complete the table in Section III., and if you select "no" to this question, you may skip to Section IV.
- If you selected "yes" for the previous question, then you are required to submit to DEC with your first benchmark report a hardness level established consistent with the procedures in Appendix E of the permit, which is representative of your receiving water. If your outfalls discharge to more than one receiving water, as reported in your NOI form, you should report hardness for the receiving water with the lowest hardness values. Hardness values must be reported in milligrams per liter (mg/L).

Section IV. Outfall Information

- Enter the total number of outfalls identified in your SWPPP. Outfalls are locations where storm water exits the facility, including pipes, ditches, swales, and other structures used to remove storm water from the facility.
- Indicate if your facility has two or more outfalls that you believe discharge substantially identical effluents (i.e., storm water), based on the similarities of the general industrial activities and control measures, exposed materials that may significantly contribute pollutants to storm water, and runoff coefficients of

their drainage areas. See Parts 5.2.6.2 and 6.2.3 of the permit for more information on substantially identical outfalls.

- If you selected "yes" for the previous question, then you must list the outfall name(s) in Column b that you expect to be substantially identical to the corresponding outfall in Column a.
  a. *Monitored Outfall Name:* List name(s) of outfall(s) you are required to monitor.
  b. *Substantially Identical Outfalls:* List name(s) of outfall(s) substantially identical to "*Monitored Outfall*" in Column a. (if applicable)].
  c. *No Discharge:* Check box if you are reporting "No Discharge" for the monitored outfall for the reporting period identified in Section III.

Example:

a. Monitored Outfall Name	b. Substantially Identical Outfall	c. No Discharge
Outfall A	Outfall B, Outfall C	☐
Outfall D		☒

Reference attachments if additional space is needed to complete the table in Section IV.

Section V. Monitoring Information

- Enter the APDES tracking number assigned to the facility reported in Section I.
- For the reported monitoring event, indicate whether the discharge was from a rainfall or snowmelt event. If you select "rainfall", then indicate:
  - the duration (in hours) of the rainfall event;
  - rainfall total (in inches) for that rainfall event; and
  - time (in days) since the previous measurable storm event.
- If the discharge occurs during a period of both rainfall and snowmelt, check both the rainfall and snowmelt boxes and report the appropriate rainfall information in items a-c. To report multiple monitoring events in the same reporting period, copy Page 2 of this Form and enter each monitoring event separately with data for all outfalls sampled.
- For each pollutant monitored at an outfall, you must complete one row in the Table as follows:
  - *Outfall Name*: Provide the outfall name for which you monitored (e.g., Outfall 1, Outfall 2, Outfall 3).
  - *Monitoring Type*: Provide the type of monitoring using the specified codes below:
    - QBM – Quarterly benchmark monitoring;
    - ELG – Annual effluent limitations guidelines monitoring;
    - S – State specific monitoring;
    - I - Impaired waters monitoring; or
    - O – Other monitoring as required by DEC.
- *Parameter(s)*: Enter each "Parameter" (or "pollutant") monitored. For QBM and ELG monitoring, use the same parameter name as in Part 11 of the permit.
- *Quality or Concentration*: Enter sample measurement value for each parameter analyzed and required to be reported. Enter "ND" (i.e., not detected) for any sample results below the method detection limit or "BQL" (i.e., below quantitation limit) for sample results above the detection limit but below the quantitation limit.
- *Units*: Enter the units for sample measurement values (e.g., "mg/L" for milligrams per liter) for each parameter analyzed and required to be reported. For monitoring results reported as ND or BQL, this space will be left blank and the units will be reported under Results Description.
- *Results Description*: This section must be completed for any monitoring results reported as ND or BQL in the "Quality or Concentration" column. For ND, report the laboratory detection level and units in this column. For BQL, report the laboratory quantitation limit and units in this column.
- *Collection Date*: Identify the sampling date for each parameter monitoring result reported on this form.
- *Exceedance due to natural background pollutant levels*: Check box if following the first 4 quarters of benchmark monitoring (or sooner if the exceedance is triggered by less than 4 quarters of data) you have determined that the exceedance of the benchmark is attributable solely to the presence of that pollutant in the natural background for that outfall and any substantially identical outfalls. See Part 7.2.1.5 of the permit for more information. Attach supporting rationale for your determination to the submitted DMR and reference attachment in comments portion of Section V.
- *No further pollutant reductions achievable*: Check box if after collection of 4 quarterly samples (or sooner if the exceedance is triggered by less than 4 quarters of data), the average of the 4 monitoring values for any parameter exceeds the benchmark and you have made the determination that no further pollutant reductions are technologically available and economically practicable and achievable in light of best industry practice to meet the technology-based effluent limitations or are necessary to meet the water-quality-based effluent limitations in Parts 4 of the permit (See Part 7.2.1.4 of the permit for more information) for that outfall and any substantially identical outfalls. Attach supporting rationale for your determination to the submitted DMR and reference attachment in comments portion of Section V.
- Where violations of the permit requirements are reported, include a brief explanation to describe the cause and corrective actions taken and reference each violation by date. Also, this section should include any additional comments such as are required when changing site status from inactive and unstaffed to active or vice versa. Attach additional pages if you need more space.
- Attach additional copies of Section V as necessary to address all outfalls and parameters.

Section VI. Certification

- Enter *Printed Name and Title of Principal Executive Officer or Authorized Agent* with *Signature of Principal Executive Officer or Authorized Agent*, and the *Date* this form was signed and the email address of the "*Principal Executive Officer or Authorized Agent*." If you submit multiple pages of Section V monitoring data, each page must be appropriately signed and certified as described below.

The DMRs must be signed as follows:

(1) For a corporation, a responsible corporate officer shall sign the DMR, a responsible corporate officer means:
  (A) 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
  (B) the manager of one or more manufacturing, production, or operating facilities, if
    (i) the manager is authorized to make management decisions that 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 statutes and regulations;

(ii) the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and
(iii) authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(2) For a partnership or sole proprietorship, the general partner or the proprietor, respectively; or

(3) for a municipality, state, or other public agency, either a principal executive officer or ranking elected official shall sign the application; in this subsection, a principal executive officer of an agency means
(A) the chief executive officer of the agency; or
(B) a senior executive officer having responsibility for the overall operations of a principal geographic unit or division of the agency.

- Include the name, title, and email address of the person signing the form and the date of signing. An unsigned or undated DMR will not be considered valid.

Where to File the DMR Form

- Monitoring data collected pursuant to Part 7.2 of the permit must be reported on the paper DMR form and sent to the following address:
- If you file by mail, remember to retain a copy for your records.
  - DMRs sent by mail:
    Alaska Dept. of Environmental Conservation
    Wastewater Discharge Authorization Program
    Office of Compliance
    555 Cordova Street
    Anchorage, AK 99501
    Phone: (907) 269-6285
    dec-wqreporting@alaska.gov

Appendix D:
NOI and Acknowledgement

Appendix E:
Corrective Action Log

Corrective Action Documentation

Instructions:

Within 24 hours of becoming aware of a condition identified in Parts 4.1 or 4.2 of the 2015 MSGP, document the existence of the condition and subsequent actions. Note that this information must be summarized in the annual report (as required in Part 7.5 of the 2015 MSGP).

Description of Condition:

For Spills and Leaks:

Description of Incident:

Material:

Date/Time:

Amount:

Location:

Reason for Spill:

Discharge to Waters of U.S.:

Date:

Immediate Actions:

Actions Taken within 14 Days:

14 Day Infeasibility:

45 Day Extension:

Appendix F:
Employee Training Log

Employee Training

Instructions:

- Keep records of employee training, including the date of the training (see Parts 2.1.2.8 and 5.2.5.1 of the 2015 MSGP).
- For in-person training, consider using the tables below to document your employee trainings. For computer-based or other types of training, keep similar records on who was trained, the training date, and the type of training conducted.

Training Date:	
Training Description:	
Trainer:	
Employee(s) trained	Employee signature

Appendix G:

Stormwater Industrial Routine Facility Inspection Report

Stormwater Industrial Routine Facility Inspection Report

General Information			
Facility Name			
NPDES Tracking No.			
Date of Inspection		**Start/End Time**	
Inspector's Name(s)			
Inspector's Title(s)			
Inspector's Contact Information			
Inspector's Qualifications			

Weather Information
Weather at time of this inspection? ❑ Clear ❑Cloudy ❑ Rain ❑ Sleet ❑ Fog ❑ Snow ❑ High Winds ❑ Other: Temperature:
Have any previously unidentified discharges of pollutants occurred since the last inspection? ❑Yes ❑No **If yes, describe:**
Are there any discharges occurring at the time of inspection? ❑Yes ❑No **If yes, describe:**

Control Measures

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

	Structural Control Measure	Control Measure is Operating Effectively?	If No, In Need of Maintenance, Repair, or Replacement?	Maintenance or Corrective Action Needed and Notes
1		❑Yes ❑No	❑ Maintenance ❑ Repair ❑ Replacement	
2		❑Yes ❑No	❑ Maintenance ❑ Repair ❑ Replacement	

	Structural Control Measure	Control Measure is Operating Effectively?	If No, In Need of Maintenance, Repair, or Replacement?	Maintenance or Corrective Action Needed and Notes
3		❑Yes ❑No	❑ Maintenance ❑ Repair ❑ Replacement	
4		❑Yes ❑No	❑ Maintenance ❑ Repair ❑ Replacement	
5		❑Yes ❑No	❑ Maintenance ❑ Repair ❑ Replacement	
6		❑Yes ❑No	❑ Maintenance ❑ Repair ❑ Replacement	
7		❑Yes ❑No	❑ Maintenance ❑ Repair ❑ Replacement	
8		❑Yes ❑No	❑ Maintenance ❑ Repair ❑ Replacement	
9		❑Yes ❑No	❑ Maintenance ❑ Repair ❑ Replacement	
10		❑Yes ❑No	❑ Maintenance ❑ Repair ❑ Replacement	

Areas of Industrial Materials or Activities Exposed to Stormwater

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

	Area/Activity	Inspected?	Controls Adequate (appropriate, effective and operating)?	Maintenance or Corrective Action Needed and Notes
1	**Material loading/unloading and storage areas**	❑Yes ❑No ❑ N/A	❑Yes ❑No	
2	**Equipment operations and maintenance areas**	❑Yes ❑No ❑ N/A	❑Yes ❑No	
3	**Fueling areas**	❑Yes ❑No ❑ N/A	❑Yes ❑No	
4	**Outdoor vehicle and equipment washing areas**	❑Yes ❑No ❑ N/A	❑Yes ❑No	
5	**Waste handling and disposal areas**	❑Yes ❑No ❑ N/A	❑Yes ❑No	
6	**Erodible areas/construction**	❑Yes ❑No ❑ N/A	❑Yes ❑No	
7	**Non-stormwater/ illicit connections**	❑Yes ❑No ❑ N/A	❑Yes ❑No	
8	**Salt storage piles or pile containing salt**	❑Yes ❑No ❑ N/A	❑Yes ❑No	
9	**Dust generation and vehicle tracking**	❑Yes ❑No ❑ N/A	❑Yes ❑No	
10	**Processing areas**	❑Yes ❑No ❑ N/A	❑Yes ❑No	

11	**Areas where industrial activity has taken place in the past and significant materials remain and are exposed to storm water**	❑Yes ❑No ❑ N/A	❑Yes ❑No	
12	I**mmediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility**	❑Yes ❑No ❑ N/A	❑Yes ❑No	
13	**(Other)**	❑Yes ❑No ❑ N/A	❑Yes ❑No	
14	**(Other)**	❑Yes ❑No ❑ N/A	❑Yes ❑No	

Discharge Points

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

Non-Compliance

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

Additional Control Measures

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

Notes

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

CERTIFICATION STATEMENT

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information 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 and title: _____

Signature: _____Date:_____

Appendix H:
Quarterly Visual Assessment Reports

MSGP Quarterly Visual Assessment Form

(Complete a separate form for each outfall you assess)

Name of Facility: NPDES Tracking No.

Outfall Name: "Substantially Identical Discharge Point"? ☐ Yes ☐ No

Person(s)/Title(s) collecting sample:

Person(s)/Title(s) examining sample:

Date & Time Discharge Began: Date & Time Sample Collected: Date & Time Sample Examined:

Substitute Sample? ☐ No ☐ Yes

Nature of Discharge: ☐ Rainfall ☐ Snowmelt

If rainfall: Rainfall Amount: _ Previous Storm Ended > 72 hours Before Start of This Storm? ☐ Yes ☐ No*

Pollutants Observed

Color ☐ None ☐ Other (describe): _____

Odor ☐ None ☐ Musty ☐ Sewage ☐ Sulfur ☐ Sour ☐ Petroleum/Gas ☐ Solvents ☐ Other (describe): _____

Clarity ☐ Clear ☐ Slightly Cloudy ☐ Cloudy ☐ Opaque ☐ Other

Floating Solids ☐ No ☐ Yes (describe): _____

Settled Solids** ☐ No ☐ Yes (describe): _____

Suspended Solids ☐ No ☐ Yes (describe): _____

Foam (gently shake sample) ☐ No ☐ Yes (describe): _____

Oil Sheen ☐ None ☐ Flecks ☐ Globs ☐ Sheen ☐ Slick ☐ Other (describe): _____

Other Obvious Indicators of Stormwater Pollution ☐ No ☐ Yes (describe): _____

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

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

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

Certification Statement (Refer to MSGP Subpart 11 Appendix B for Signatory Requirements)

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information 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.

A. Name: B. Title:

C. Signature: D. Date Signed:

Appendix I:
eNOI Instructions

Storm Water Multi-Sector General Permit eNOI

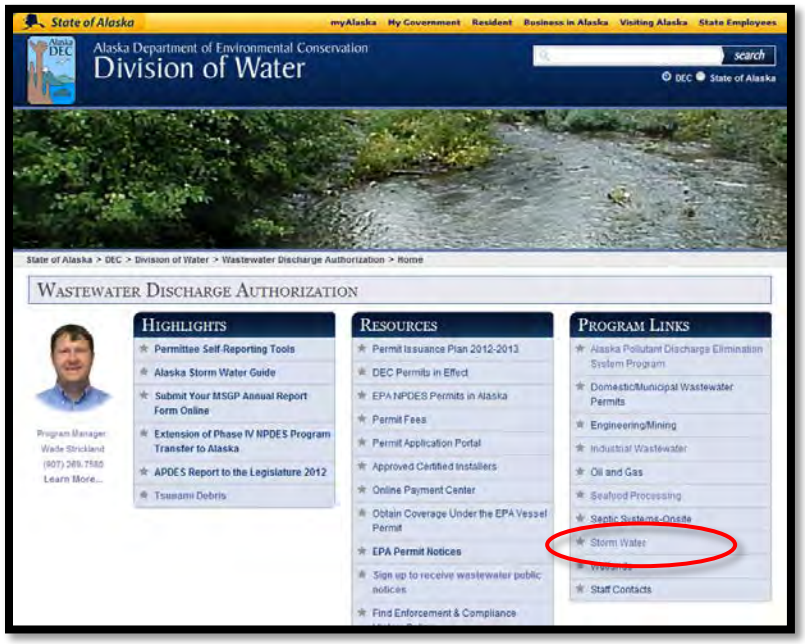
Step-by-Step Guide

The Multi-Sector General Permit (MSGP) Notice of Intent (NOI) can now be filled out using the Division of Water's Online Application System. This document will guide you through this online process.

2015 Multi-Sector General Permit eNOI

1 Go to the Division of Water's Wastewater Discharge Authorization home page at:
http://www.dec.state.ak.us/water/wwdp/index.htm

Select the "**Storm Water"** link under **Program Links**.



2

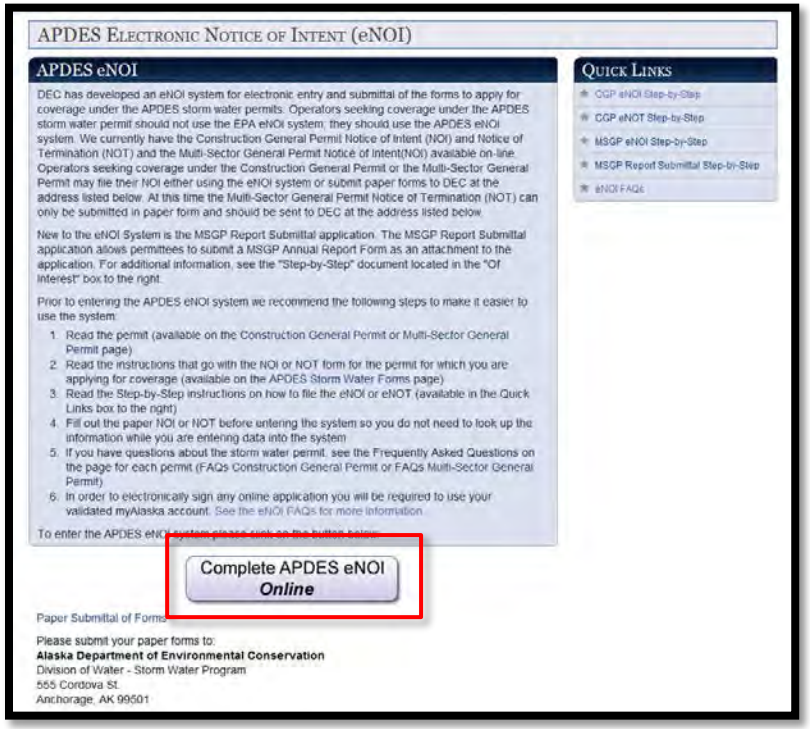
The Storm Water home page contains links to the Multi-Sector General Permit, APDES Storm Water Forms and many other resources for permittees.

When you are ready to begin the online eNOI application process, click on the **"APDES eNOI"** link under **Permits/Approvals**.

3

On the next page, click the **"Complete APDES eNOI Online"** button.

Storm Water eNOI System FAQs are available at: http://dec.alaska.gov/water/wnpspc/pdfs/eNOIFAQs.pdf



4

Welcome to the **Water Online Application System** (OASys)! From the OASys home page, you can continue to your application by clicking the **"Continue to MyAlaska"** button.

TIP: OASys requires an active myAlaska account. If you do not have a myAlaska account skip to step 6 below.

NOTE: If you have used a **myAlaska** account to apply for and e-sign a PDF then you already have an active myAlaska account.

5

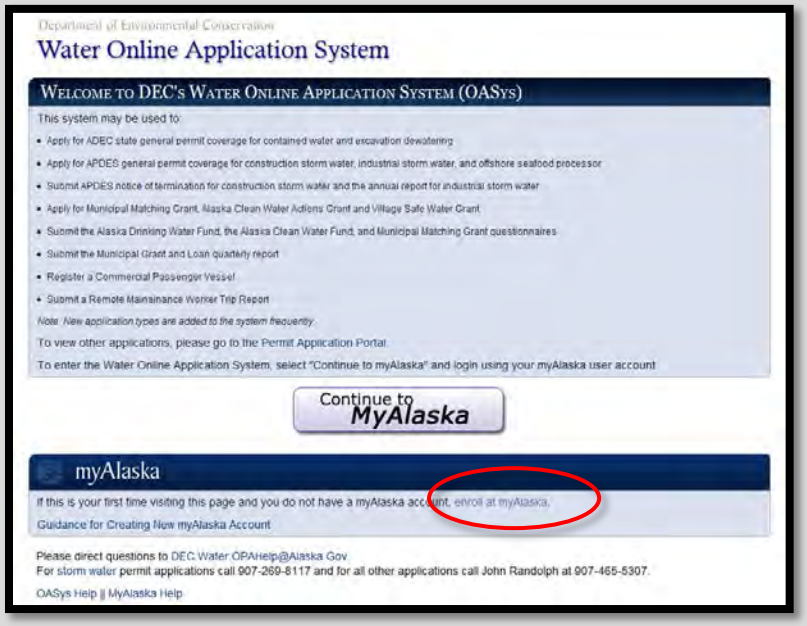
Log in to your myAlaska account and skip to step 7 in this guidance.

6

If you don't have a myAlaska account, select the **"enroll at myAlaska"** link. You only need to create a myAlaska account once.

Guidance for creating a new myAlaska account is available at:

http://dec.alaska.gov/water/OASysHelp/attachments/myAK_Reg_guidance.pdf



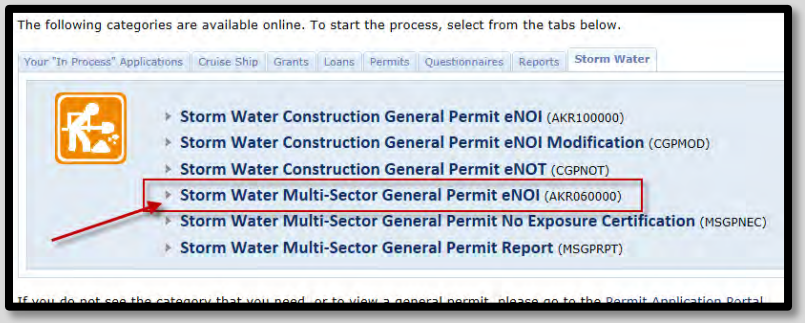
7

After successfully logging in to myAlaska, you will arrive at the Water Online Application system.

Select the "**Storm Water**" tab.

8

Select the "**Storm Water Multi-Sector General Permit eNOI"** from the available categories.

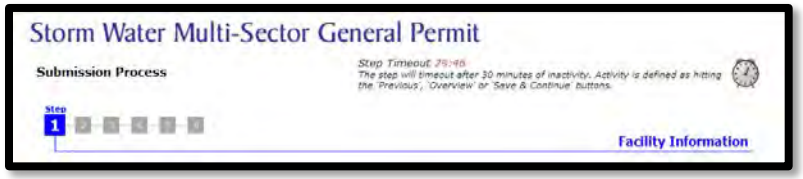


9

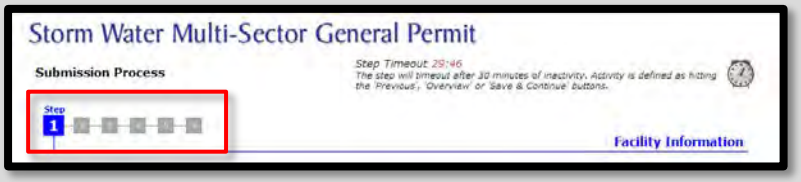
A series of steps will take you through the application, asking for information pertinent to your project.

Fill out the information on these pages as completely and thoroughly as possible.

(Below you will find a few "Tips" that provide additional information regarding navigation of these steps.)



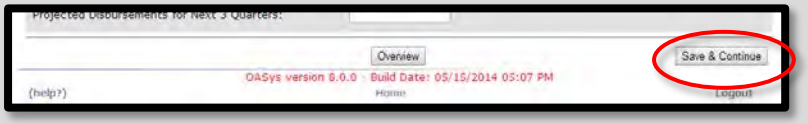
The step numbers at the top of the page can be used to navigate directly to pages that have already been completed.



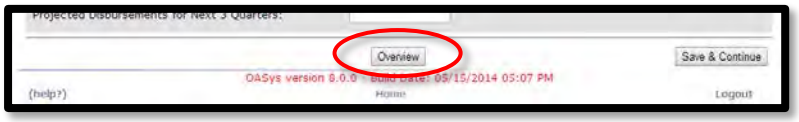
10 Any question with a red star (*) next to it is required and must be completed before the current step can be completed.

11 When finished with a step, go to the next page by selecting the "**Save & Continue"** button in the lower right corner of the page.

NOTE: At any time, you can logout, and your information will be saved, however changes to the current page are not saved until you hit **"Save & Continue"**.



12 At any time, you can also select the **"Overview"** button at the bottom of any page to go to the overview step (**last step**). This step allows you to review your information and to edit previously entered information.

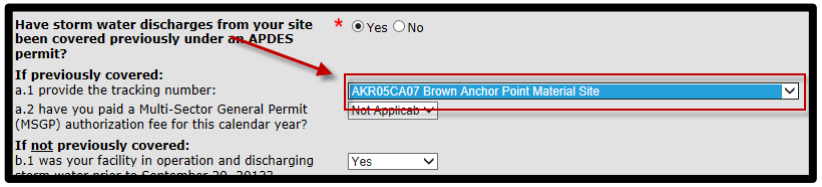


13 For **Step 1** of the application process carefully read the information provided on this page and answer all questions as required. then click **"Save & Continue"** to continue to the next step.

14

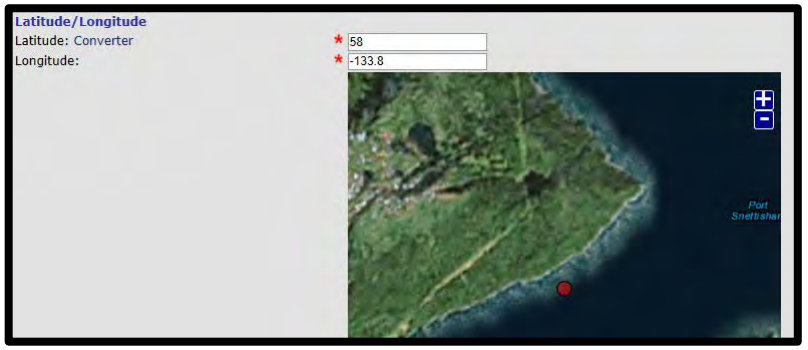
Highlighted Feature #1:

Step 1 contains a question regarding previous coverage. If your site was previously covered, you can select the tracking number from a list of valid MSGP authorizations in our database.



Highlighted Feature #2:

Step 1 contains a map that will display the location of the latitude and longitude you enter. This is for <u>display purposes only.</u> Note that you cannot move the red dot to update the latitude and longitude values.

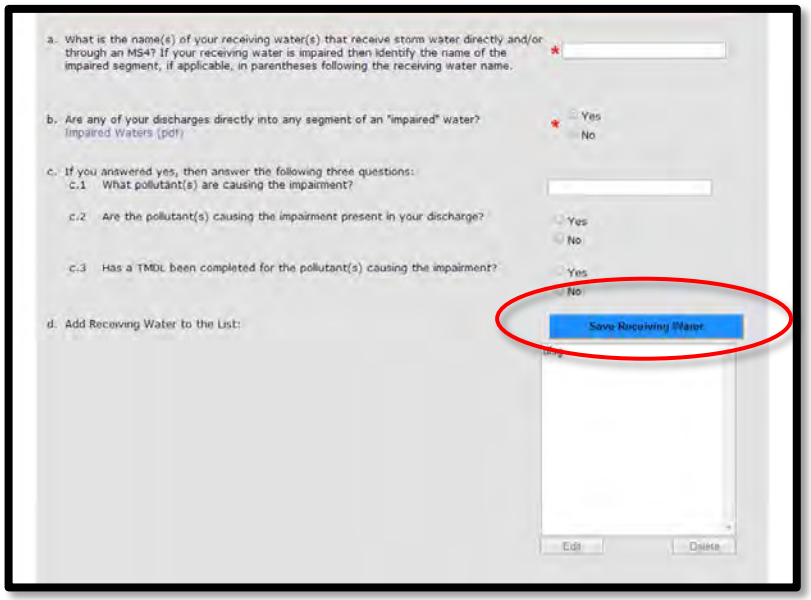


15

Step 2 collects information regarding your storm water discharge. Answer all questions as required then click **"Save & Continue"** to continue to the next step.

16

Step 3 collects information regarding the receiving waters into which storm water from your facility will discharge.



For each receiving water, complete the required questions "a." and "b." and if applicable, questions in part "c." and then click the blue **"Save Receiving Water"** button.

Once all receiving waters have been entered, click **"Save & Continue"** to continue to the next step.

17

Step 4 requires you to enter contact information for the Facility Operator, SWPPP Contact, NOI Preparer, Billing Contact and **NOI Certifier**. All contacts that are marked as required MUST have a contact that fulfills that role.

Click the "**Add"** button to access the Contact Details window. You must enter contact information for all required persons before continuing.

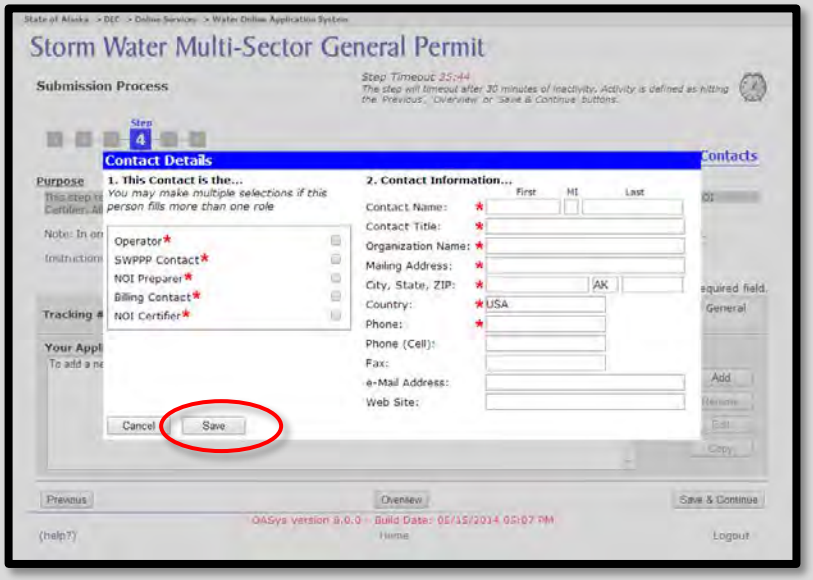
In the Contact Details pop out window answer all required fields and click the **"Save"** button.

Once completed, click **"Save & Continue"** to move to the next step.

TIP: You may enter multiple contacts and a single contact may fulfill multiple roles. Simply check all applicable roles for each contact.

IMPORTANT: The **NOI Certifier** must have the signing authority as required by 18 AAC 83.385 to sign the eNOI.

http://dec.alaska.gov/commish/regulations/pdfs/18%20AAC%2083.pdf#page=71



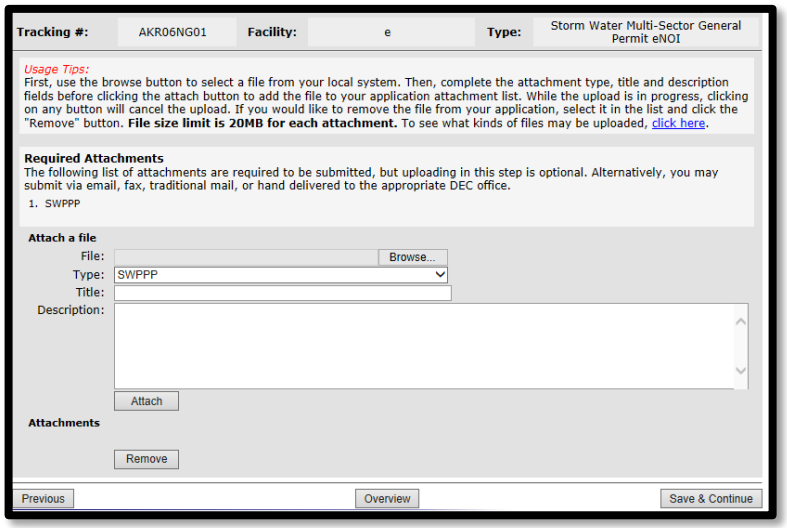
18

Step 5 allows you to electronically submit any supporting documents. If you don't supply the required documents here, you will need to send them in later.

To attach a file:

- Click the **"Browse…"** button
- A file browser window will open. Select the file you want to upload then click the Open button. The name of the file you selected will appear next to the "Browse…" button.
- Select what kind of file it is from the drop-down menu and add a title and description.
- Click **"Attach"** when you have all the information completed to submit your document.

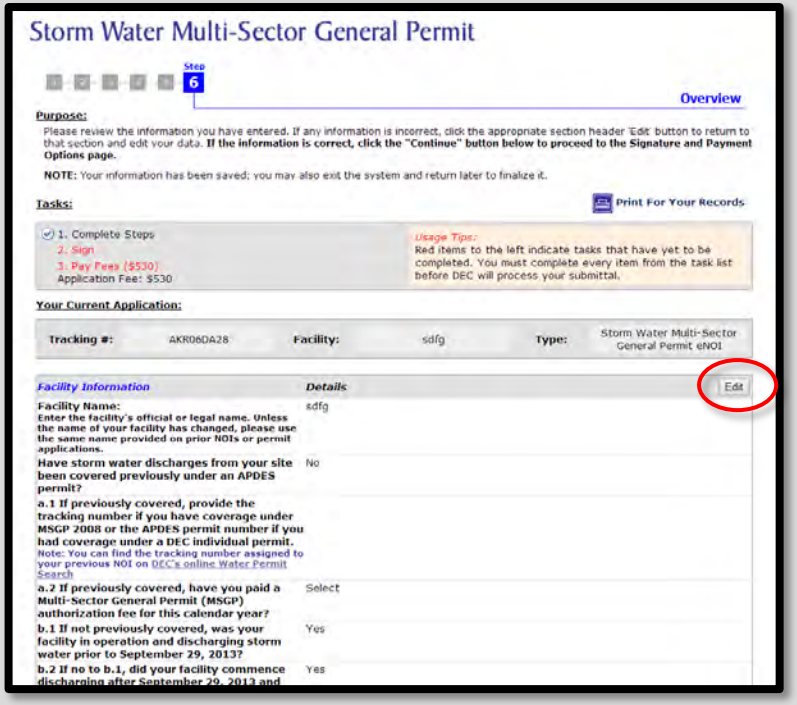
Click **"Save & Continue"** to continue to the next step.



19

Step 6 is the overview page. Here you can review all the information you have entered and make sure it is correct. You can use the **"Edit"** button for any given section to go back and make any necessary adjustments.

Any fields you have left blank will be highlighted yellow, so you can go back and edit them if you need to.

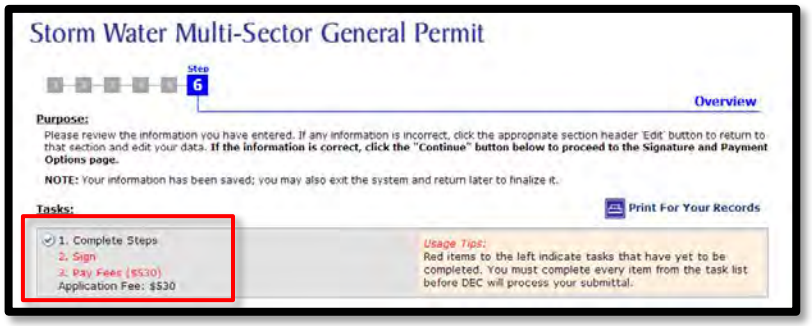


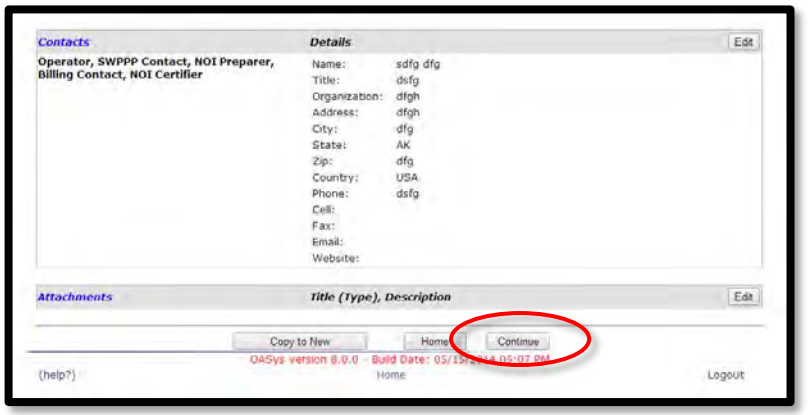
20

After all information is entered and you have finished adding all online attachments, you will need to sign and submit your application.

A check will appear next to **"Complete Steps"** if the application is complete and ready to be signed.

To go the **Final Steps** page, select the **"Sign"** link under tasks on the Application Overview page. You can also click on the **"Continue"** button at the bottom of the page.



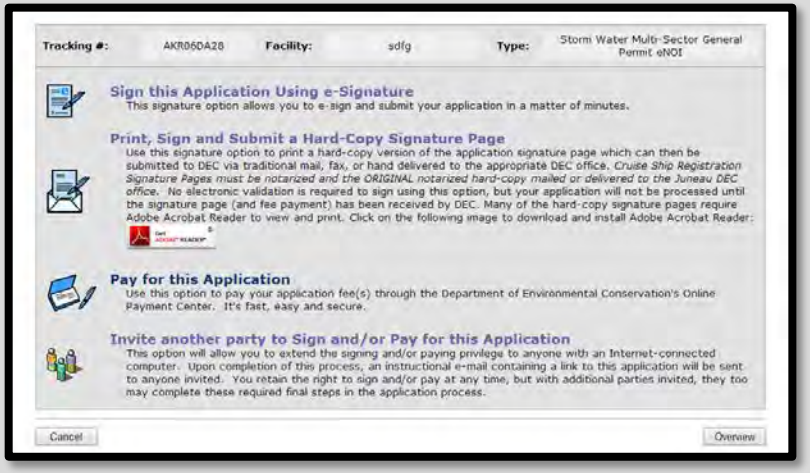


21

The **"Final Steps"** page presents the options for signing and paying for your application.

To sign your application, you may:

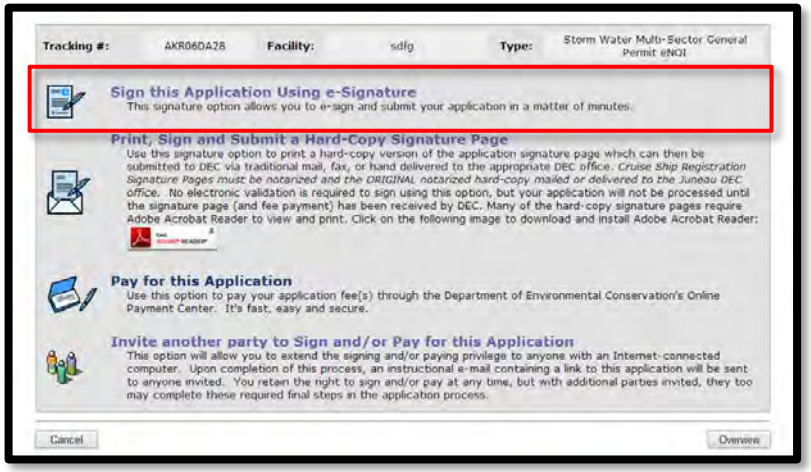
- Sign using an e-Signature
  (Continue to the step 19 of this guide)
- Print and sign a hard-copy
  (Skip to step 22 of this guide)
- Invite another party to sign your application
  (Skip to step 28 of this guide)



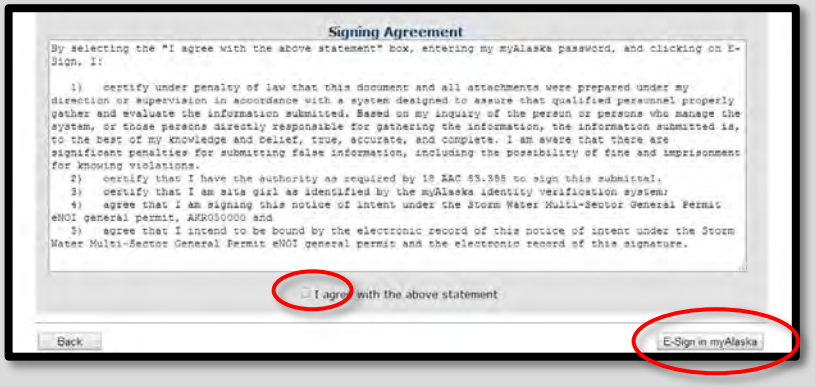
To pay for your application, you may either:

- Pay by credit card or electronic funds transfer
  (Skip to step 24 of this guide)
- Invite another party to pay for your application
  (Skip to step 27 of this guide)

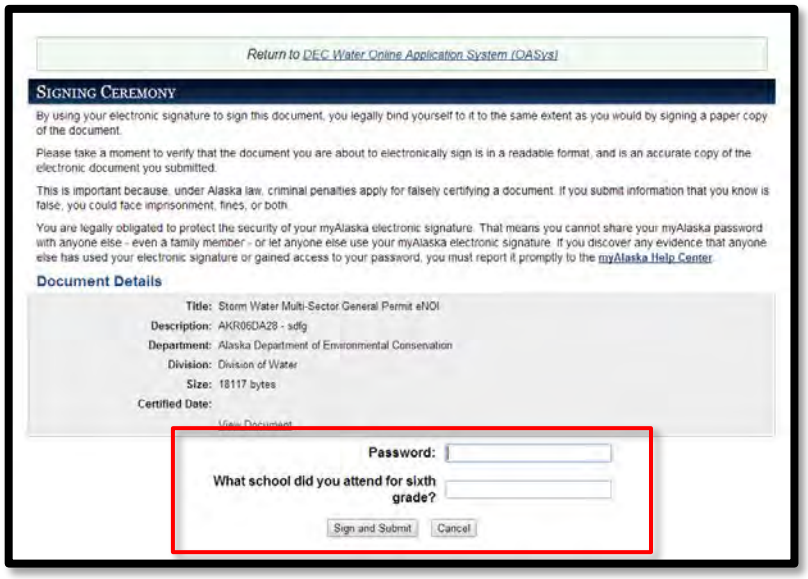
22 Select **"Sign this Application Using e-Signature"** if you are already approved to electronically sign an application.



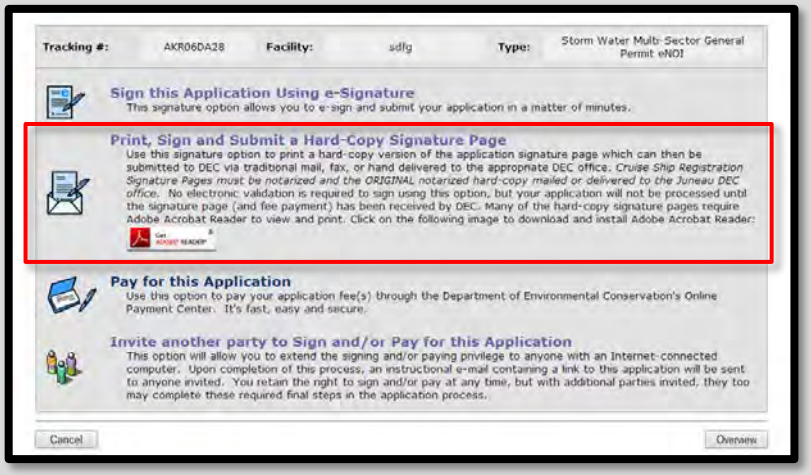
23 Check the box indicating that you agree with the Signing Agreement. To complete the signing process, click on the **"E-Sign in myAlaska"** button to continue to the Signing Ceremony.



24 To complete the signature process enter your myAlaska password, answer the secret question and click the **"Sign & Submit"** button to submit your signature.
(Skip to step 25 of this guidance)

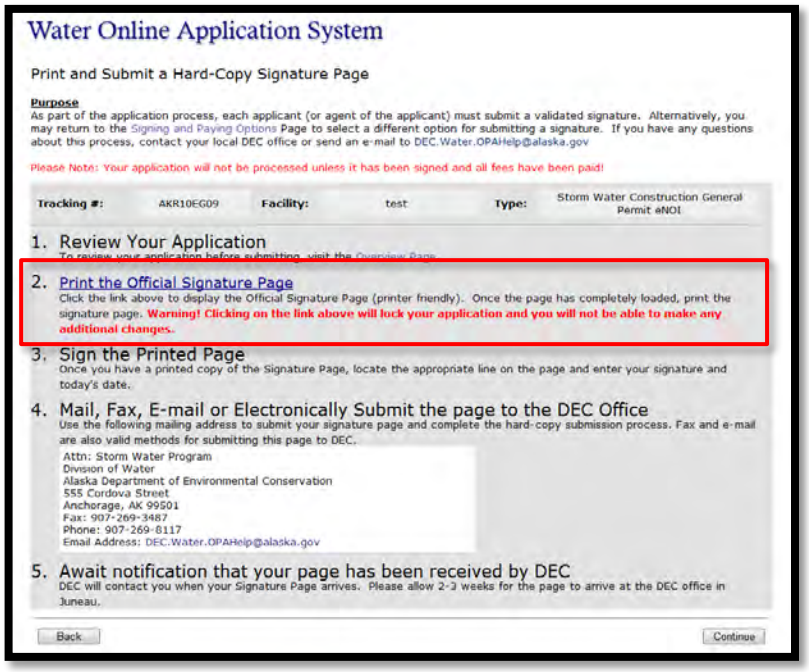


25 To print a hard-copy signature page, select **"Print, Sign and Submit a Hard-Copy Signature Page"**.



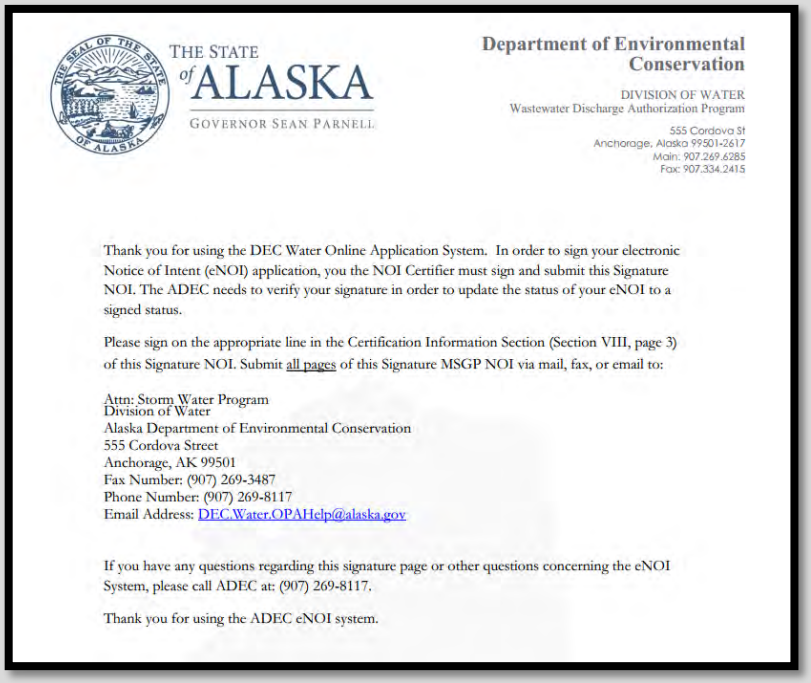
26 Carefully read the steps to submitting your application on this page. Click the **"Print the Official Signature Page"** link to access your printable signature page.

WARNING: Printing your official signature page will lock your application and you will not be able to make any additional changes.



27 When your document has finished downloading print it, sign it on the appropriate line and send it to the address provided in the Signature NOI:

Attn: Storm Water Program
Division of Water
Alaska Dept. of Environmental Conservation
555 Cordova Street
Anchorage, AK 99501



THE STATE of ALASKA
GOVERNOR SEAN PARNELL

Department of Environmental Conservation

DIVISION OF WATER
Wastewater Discharge Authorization Program

555 Cordova St
Anchorage, Alaska 99501-2617
Main: 907.269.6285
Fax: 907.334.2415

Thank you for using the DEC Water Online Application System. In order to sign your electronic Notice of Intent (eNOI) application, you the NOI Certifier must sign and submit this Signature NOI. The ADEC needs to verify your signature in order to update the status of your eNOI to a signed status.

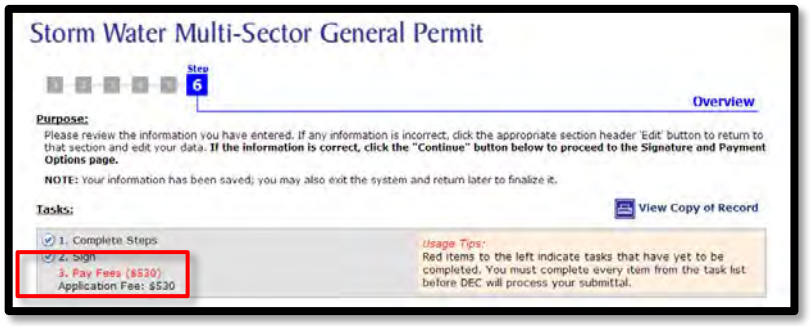
Please sign on the appropriate line in the Certification Information Section (Section VIII, page 3) of this Signature NOI. Submit all pages of this Signature MSGP NOI via mail, fax, or email to:

Attn: Storm Water Program
Division of Water
Alaska Department of Environmental Conservation
555 Cordova Street
Anchorage, AK 99501
Fax Number: (907) 269-3487
Phone Number: (907) 269-8117
Email Address: DEC.Water.OPAHelp@alaska.gov

If you have any questions regarding this signature page or other questions concerning the eNOI System, please call ADEC at: (907) 269-8117.

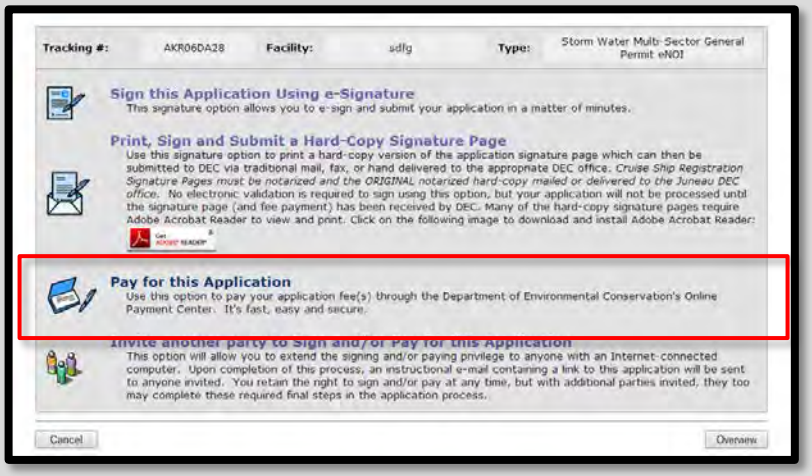
Thank you for using the ADEC eNOI system.

28 To pay for your application, on the Overview page click the **"Pay Fees ($530)"** link.



29 Select **"Pay for this Application."**

(If you will be inviting another party to pay for this application skip to step 28 of this guidance.)

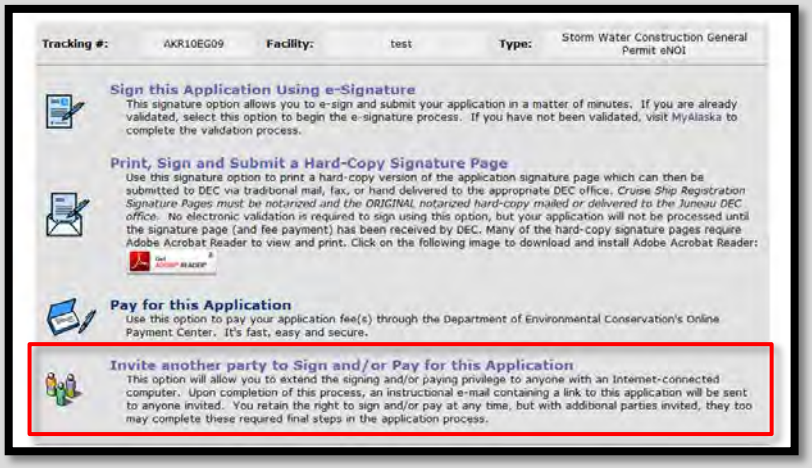


30 You will be taken to the **Payment Summary** page. From here, you can choose to pay via credit card or an electronic funds transfer from a checking or savings bank account.

Follow the on-screen instructions, you will be taken back to your application.

(Skip to step 33 of this guidance.)

31 If you require another party to sign or pay for your application, select the "**Invite another party to Sign and/or Pay for this Application**" and proceed to the next step of this guide.

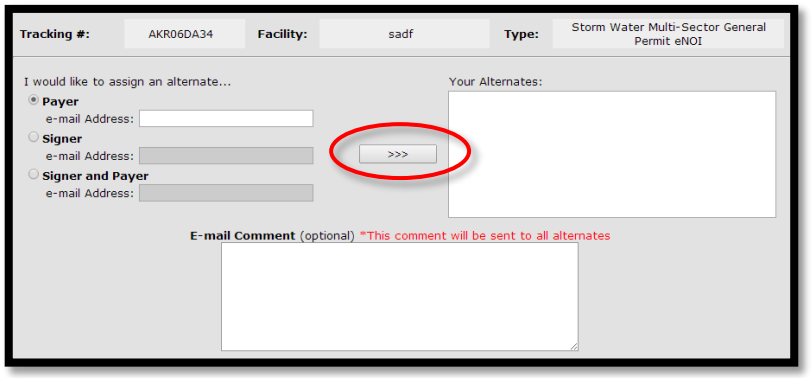


32 Depending on whether you are inviting another party to sign, pay, or both, select from the available options: **Payer, Signer,** or **Signer and Payer**. Then enter the email of your alternative signer/payer into the input field and click the >>> button to add that contact to the e-mail list.

TIP: You can enter multiple emails in this step. Simply enter each additional contact as described above, pressing the >>> button after each contact.

Click the "**Continue**" button and an email will be sent to each of your invited alternates.

WARNING: You must click the >>> button to add the e-mail to the displayed list of alternates before clicking the "Continue" button or else they won't receive an e-mail.



33 An instructional email containing a link to this application is sent to each alternate signer/payer allowing them to complete the final steps in the application process.

NOTE: The alternate signer will need to have a myAlaska account.

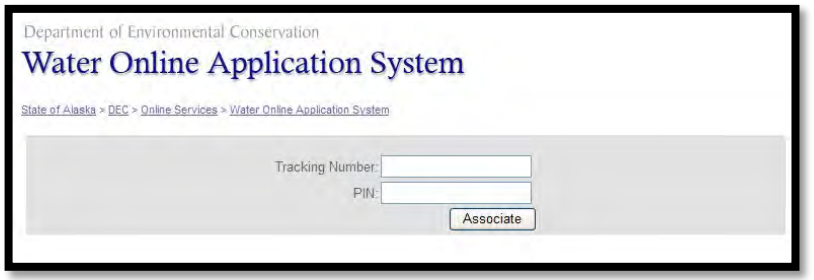

Storm Water Multi-Sector General Permit

sita d girl (salome.starbuck@alaska.gov) has identified you as the person responsible to sign and pay for application number 'AKR06DA34' for the facility: 'sadf'.
This application is for a discharge under the Storm Water Multi-Sector General Permit eNOI AKR06.

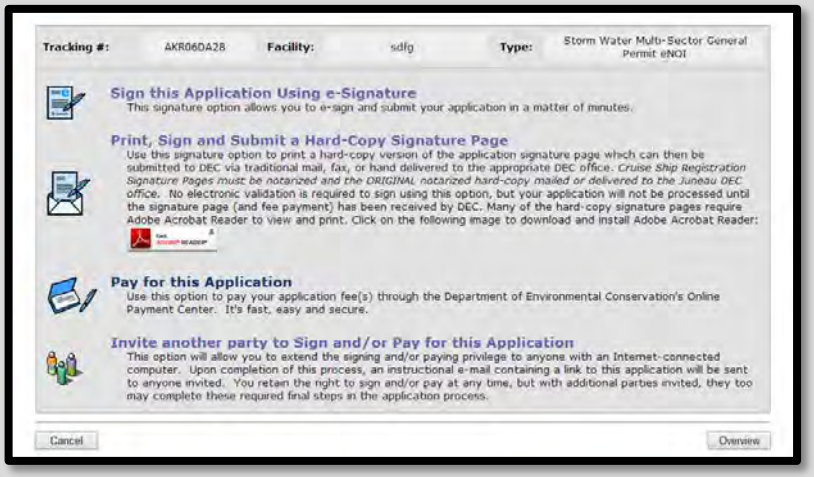
In order to access this application, you will need the following Tracking Number and PIN:
Tracking Number: AKR06DA34
Pin: 3582

To continue, please visit the Water Online Application (https://test.dec.alaska.gov/applications/water/osys/Associate.aspx) site.
Please direct questions to DEC.Water.OPAHelp@alaska.gov.
For storm water applications call 907-269-8117 and for all other applications call John Randolph at 907-465-5407.

34 After clicking on the link provided in the email, the alternate signer/payer will login to OASys and enter the Tracking Number and PIN which are also provided in the email.



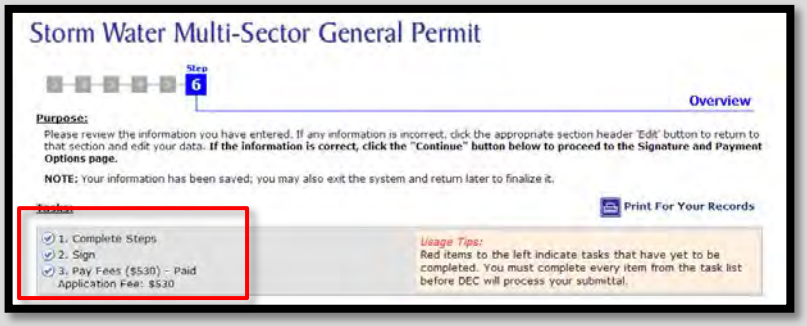
35 The alternate signer will be taken to the **"Final Steps"** page, giving them the opportunity to e-sign (if validated) or print, sign and submit a hard-copy signature page.



36 After your application has been signed or paid, you will receive an email certifying that your application was signed or paid and another after being both signed and paid that your application was successfully submitted.

If you submitted a hard-copy signature page, it may take a few days to process.

37 If you choose to return to the application in the Water Online Application System, the Application Overview will display all tasks completed.



38 **Highlighted Feature:**

The **"Copy to New"** button allows you to create a new questionnaire of the same type that pre-populates with information from a previous questionnaire.

To copy previously submitted information, open your original submittal and select **"Copy to New"** at the bottom of the questionnaire overview page.

For assistance with the online process, please contact the Division of Water at 907-465-5180 or email DEC.Water.OPAHelp@alaska.gov

DEPARTMENT OF THE ARMY
ALASKA DISTRICT, U.S. ARMY CORPS OF ENGINEERS
REGULATORY DIVISION
P.O. BOX 6898
JBER, AK 99506-0898

June 21, 2024

Regulatory Division
POA-2024-00081

Dan Steiner
SDCS, LLC
5900 W. Dewberry Dr.
Wasilla, AK 99623

Dear Mr. Steiner:

This is in response to your letter requesting a Department of the Army (DA) Jurisdictional Determination (JD) for an area in the parcel of land located within Section 27, T. 18 N., R. 1 E., Seward Meridian; Latitude 61.61605° N., Longitude 149.24436° W.; Matanuska-Susitna Borough, Lot D1; 3182 N Trunk Rd., in Palmer, Alaska.

Based on our review of information available to our office and the information you provided, we have determined that the subject parcel contains wetlands that are not a water of the U.S., under the U.S. Army Corps of Engineers (Corps) regulatory jurisdiction. The wetlands on your property are isolated, intrastate, non-navigable, and have no connection to interstate or foreign commerce. Therefore, pursuant to the federal guidance on the Solid Waste Agency of Northern Cook County versus U.S. Army Corps of Engineers consistent with Sackett, a DA permit is not required for any activities that may occur in the review area.

A copy of the Approved Jurisdictional Determination (AJD) form is available at: https://www.poa.usace.army.mil/Missions/Regulatory/Jurisdictional-Determinations/Issued-Approved-Jurisdictional-Determinations/ under June 2024, under your file number. It is also enclosed for your records.

This AJD does not establish any precedent with respect to any other JD under Section 404 of the Clean Water Act.

The wetlands on your parcel were reviewed pursuant to Section 404 of the Clean Water Act which requires that a DA permit be obtained for the placement or discharge of dredged and/or fill material into waters of the U.S., including wetlands, prior to conducting the work (33 U.S.C. 1344).

For regulatory purposes, the Corps defines wetlands as those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

This AJD is valid for a period of five (5) years from the date listed on the AJD form, unless new information supporting a revision is provided to us before the expiration date. Also enclosed is a Notification of Administrative Appeals Options and Process and Request for Appeal form regarding this AJD (see section labeled "Approved Jurisdictional Determination").

Nothing in this letter excuses you from compliance with other federal, state, or local statutes, ordinances, or regulations.

Please contact me via email at Emily.N.Vullo@usace.army.mil, by mail at the address above, by phone at (907) 753-2704, or toll free from within Alaska at (800) 478-2712, if you have questions. For more information about the Regulatory Program, please visit our website at www.poa.usace.army.mil/Missions/Regulatory.

Sincerely,

Emily Vullo

Emily Vullo
Project Manager

Enclosures

DEPARTMENT OF THE ARMY
ALASKA DISTRICT, U.S. ARMY CORPS OF ENGINEERS
REGULATORY DIVISION
P.O. BOX 6898
JBER, AK 99506-0898

CEPOA-RDS-SS

29 May 2024

MEMORANDUM FOR RECORD

SUBJECT: US Army Corps of Engineers (Corps) Pre-2015 Regulatory Regime Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023) ,[1] POA-2024-00081, MFR 2 of 2[2]

BACKGROUND. An Approved Jurisdictional Determination (AJD) is a Corps document stating the presence or absence of waters of the United States on a parcel or a written statement and map identifying the limits of waters of the United States on a parcel. AJDs are clearly designated appealable actions and will include a basis of JD with the document.[3] AJDs are case-specific and are typically made in response to a request. AJDs are valid for a period of five years unless new information warrants revision of the determination before the expiration date or a District Engineer has identified, after public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re-verification on a more frequent basis.[4] For the purposes of this AJD, we have relied on section 10 of the Rivers and Harbors Act of 1899 (RHA),[5] the Clean Water Act (CWA) implementing regulations published by the Department of the Army in 1986 and amended in 1993 (references 2.a. and 2.b. respectively), the 2008 *Rapanos-Carabell* guidance (reference 2.c.), and other applicable guidance, relevant case law and longstanding practice, (collectively the pre-2015 regulatory regime), and the *Sackett* decision (reference 2.d.) in evaluating jurisdiction.

This Memorandum for Record (MFR) constitutes the basis of jurisdiction for a Corps AJD as defined in 33 CFR §331.2. The features addressed in this AJD were evaluated consistent with the definition of "waters of the United States" found in the pre-2015 regulatory regime and consistent with the Supreme Court's decision in *Sackett*. This AJD did not rely on the 2023 "Revised Definition of 'Waters of the United States,'" as

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[1] While the Supreme Court's decision in *Sackett* had no effect on some categories of waters covered under the CWA, and no effect on any waters covered under RHA, all categories are included in this Memorandum for Record for efficiency.

[2] When documenting aquatic resources within the review area that are jurisdictional under the Clean Water Act (CWA), use an additional MFR and group the aquatic resources on each MFR based on the TNW, interstate water, or territorial seas that they are connected to. Be sure to provide an identifier to indicate when there are multiple MFRs associated with a single AJD request (i.e., number them 1, 2, 3, etc.).

[3] 33 CFR 331.2.

[4] Regulatory Guidance Letter 05-02.

[5] USACE has authority under both Section 9 and Section 10 of the Rivers and Harbors Act of 1899 but for convenience, in this MFR, jurisdiction under RHA will be referred to as Section 10.

amended on 8 September 2023 (Amended 2023 Rule) because, as of the date of this decision, the Amended 2023 Rule is not applicable in this state due to litigation.

1. SUMMARY OF CONCLUSIONS.

   a. Provide a list of each individual feature within the review area and the jurisdictional status of each one (i.e., identify whether each feature is/is not a water of the United States and/or a navigable water of the United States).

      i. Wetland 1; non-jurisdictional

2. REFERENCES.

   a. Final Rule for Regulatory Programs of the Corps of Engineers, 51 FR 41206 (November 13, 1986).

   b. Clean Water Act Regulatory Programs, 58 FR 45008 (August 25, 1993).

   c. U.S. EPA & U.S. Army Corps of Engineers, Clean Water Act Jurisdiction Following the U.S. Supreme Court's Decision in *Rapanos v. United States & Carabell v. United States* (December 2, 2008)

   d. *Sackett v. EPA*, 598 U.S. _, 143 S. Ct. 1322 (2023)

   e. 2008 Rapanos Guidance: List of Resources

   f. 2003 SWANCC Guidance: List of Resources

3. REVIEW AREA. The area of review is located at Lot D1, T18N, R1E, Section 27, Seward Meridian, 3182 N Trunk Rd. Palmer, AK and consists of a 3.16-acre area bound on the east side by Old Homestead Road and bound on the south side by East Bogard Road. There is a small creek (Wasilla Creek) outside of the review area to the east in-between the review area and Old Homestead Road. The area of review is contained within a parcel owned by Ralph Kircher. The northern portion of the lot is currently undeveloped and is uplands. The southern portion of the lot (surrounding the review area) and the lot to the west is developed as farmland. The approximate center of the area of review is located at latitude 61.61605° North, longitude 149.24436° West. No other AJDs have been done in the general vicinity.

4. NEAREST TRADITIONAL NAVIGABLE WATER (TNW), INTERSTATE WATER, OR THE TERRITORIAL SEAS TO WHICH THE AQUATIC RESOURCE IS CONNECTED. The nearest TNW is Knik Arm, which is part of the territorial seas.[6]

5. FLOWPATH FROM THE SUBJECT AQUATIC RESOURCES TO A TNW, INTERSTATE WATER, OR THE TERRITORIAL SEAS
   Wasilla Creek flows directly into Knick Arm, which is part of the territorial seas. However, Wetland 1 is not connected to Wasilla Creek or another TNW via a continuous surface connection. Available LiDAR and satellite imagery indicate that Wetland 1 is contained within a depression that is entirely surrounded by uplands. Neighboring vegetation is dominated by vegetation signatures that are indicative of upland communities.

   Additionally, no surface connection is indicated by the National Hydrography Dataset (NHD) nor National Wetland Inventory (NWI) or the Cook Inlet Wetlands Mapper. Satellite imagery, spanning several years and different seasons, shows no signs of surface water or hydrology patterns between the review wetland and a TNW, nor did Google Earth Street View. There are some aerial images which show a "path," but they have been confirmed to be ATV tracks and are not present on recent aerial imagery.

6. SECTION 10 JURISDICTIONAL WATERS[7]: Describe aquatic resources or other features within the review area determined to be jurisdictional in accordance with Section 10 of the Rivers and Harbors Act of 1899. Include the size of each aquatic resource or other feature within the review area and how it was determined to be jurisdictional in accordance with Section 10.[8] N/A

7. SECTION 404 JURISDICTIONAL WATERS: Describe the aquatic resources within the review area that were found to meet the definition of waters of the United States in accordance with the pre-2015 regulatory regime and consistent with the Supreme

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[6] This MFR should not be used to complete a new stand-alone TNW determination. A stand-alone TNW determination for a water that is not subject to Section 9 or 10 of the Rivers and Harbors Act of 1899 (RHA) is completed independently of a request for an AJD. A stand-alone TNW determination is conducted for a specific segment of river or stream or other type of waterbody, such as a lake, where upstream or downstream limits or lake borders are established.

[7] 33 CFR 329.9(a) A waterbody which was navigable in its natural or improved state, or which was susceptible of reasonable improvement (as discussed in § 329.8(b) of this part) retains its character as "navigable in law" even though it is not presently used for commerce, or is presently incapable of such use because of changed conditions or the presence of obstructions.

[8] This MFR is not to be used to make a report of findings to support a determination that the water is a navigable water of the United States. The district must follow the procedures outlined in 33 CFR part 329.14 to make a determination that water is a navigable water of the United States subject to Section 10 of the RHA.

Court's decision in *Sackett*. List each aquatic resource separately, by name, consistent with the naming convention used in section 1, above. Include a rationale for each aquatic resource, supporting that the aquatic resource meets the relevant category of "waters of the United States" in the pre-2015 regulatory regime. The rationale should also include a written description of, or reference to a map in the administrative record that shows, the lateral limits of jurisdiction for each aquatic resource, including how that limit was determined, and incorporate relevant references used. Include the size of each aquatic resource in acres or linear feet and attach and reference related figures as needed.

a. TNWs (a)(1): N/A

b. Interstate Waters (a)(2): N/A

c. Other Waters (a)(3): N/A

d. Impoundments (a)(4): N/A

e. Tributaries (a)(5): N/A

f. The territorial seas (a)(6): N/A

g. Adjacent wetlands (a)(7): N/A

8. NON-JURISDICTIONAL AQUATIC RESOURCES AND FEATURES

a. Describe aquatic resources and other features within the review area identified as "generally non-jurisdictional" in the preamble to the 1986 regulations (referred to as "preamble waters").[9] Include size of the aquatic resource or feature within the review area and describe how it was determined to be non-jurisdictional under the CWA as a preamble water. N/A

b. Describe aquatic resources and features within the review area identified as "generally not jurisdictional" in the *Rapanos* guidance. Include size of the aquatic resource or feature within the review area and describe how it was determined to be non-jurisdictional under the CWA based on the criteria listed in the guidance.

Wetland 1 (0.47-acres) is not adjacent to or abutting a jurisdictional water and therefore would not be considered jurisdictional. The nearest jurisdictional water, Wasilla Creek, is about 0.1 miles (170 meters) southeast of the review area and

[9] 51 FR 41217, November 13, 1986.

is separated due to changes in topography. The wetland is in a depression. No culverts are present to facilitate a continuous surface connection to Wasilla Creek. Given the lack of reasonable proximity or hydrologic connection, the review wetlands are unlikely to have more than a speculative or insubstantial effect on the chemical, physical, and/or biological integrity of Wasilla Creek or Knik Arm.

c. Describe aquatic resources and features identified within the review area as waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of CWA. Include the size of the waste treatment system within the review area and describe how it was determined to be a waste treatment system. N/A

d. Describe aquatic resources and features within the review area determined to be prior converted cropland in accordance with the 1993 regulations (reference 2.b.). Include the size of the aquatic resource or feature within the review area and describe how it was determined to be prior converted cropland. N/A

e. Describe aquatic resources (i.e. lakes and ponds) within the review area, which do not have a nexus to interstate or foreign commerce, and prior to the January 2001 Supreme Court decision in "*SWANCC*," would have been jurisdictional based solely on the "Migratory Bird Rule." Include the size of the aquatic resource or feature, and how it was determined to be an "isolated water" in accordance with *SWANCC*.

Wetland 1 (0.47-acre) is a non-navigable intrastate water that does not have a nexus to interstate or foreign commerce. It is located on private property and is not accessible to the public. Wetland 1 is not currently being used for commercial navigation, has not historically been used for commercial navigation, nor is susceptible to being used in the future for commercial navigation, including commercial water-borne recreation as they contain no open water. The wetlands are not adjacent to or abutting a jurisdictional water and therefore would not be considered jurisdictional. Hydrologic connectivity to jurisdictional waters is broken by uplands and lack culverts to support a continuous surface or subsurface connection. Given the absence of reasonable proximity or hydrologic connection to a jurisdictional water and the lack of a nexus to interstate or foreign commerce, the review wetland is considered an isolated water. This wetland would only have been jurisdictional based on the Migratory Bird Rule.

f. Describe aquatic resources and features within the review area that were determined to be non-jurisdictional because they do not meet one or more categories of waters of the United States under the pre-2015 regulatory regime

consistent with the Supreme Court's decision in *Sackett* (e.g., tributaries that are non-relatively permanent waters; non-tidal wetlands that do not have a continuous surface connection to a jurisdictional water).

Wetland 1 is not a TNW or tributary to a TNW. The non-tidal wetland is a combination of palustrine scrub shrub (PSS) and palustrine emergent (PEM) wetlands and does not have a continuous surface water connection to a jurisdictional water as discussed in 8 (b) and 8 (e) above. Therefore, the review wetlands are considered non-jurisdictional.

9. DATA SOURCES. List sources of data/information used in making determination. Include titles and dates of sources used and ensure that information referenced is available in the administrative record.

   a. U.S. Fish and Wildlife Service. 2023. National Wetlands Inventory website. U.S. Department of the Interior, Fish, and Wildlife Service, Washington, D.C. http://www.fws.gov/wetlands/; accessed April 2024

   b. USDA Soil Mapper; https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey; accessed April 2024

   c. Cook Inlet Wetland Mapper; https://msb.maps.arcgis.com/apps/webappviewer/index.html?id=15658472427f459ab6d73b1d3ca5ab77; accessed April 2024

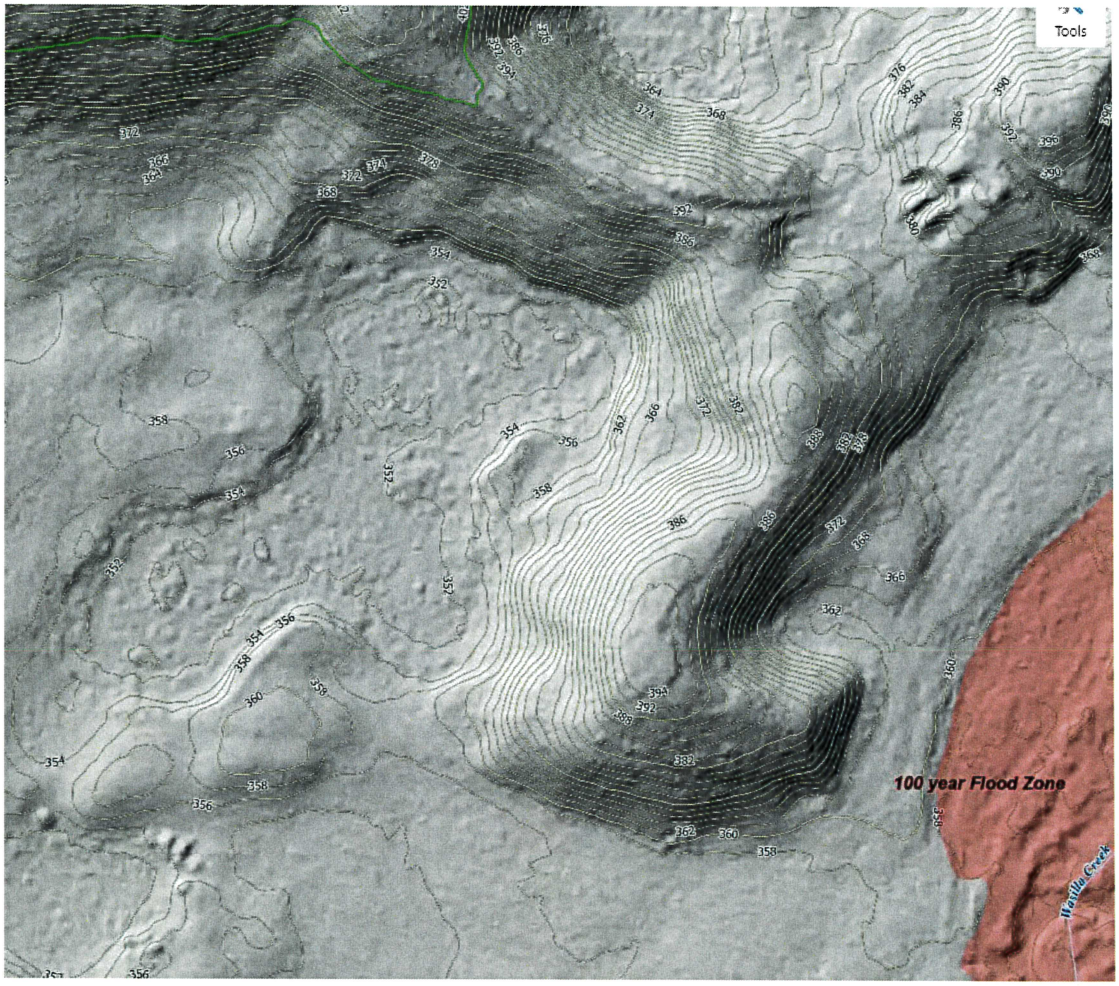
   d. Matanuska-Susitna Borough Mapper, 2019 USGS LiDAR Contours and Imagery: https://mapping.matsugov.us/Html5Viewer/index.html?viewer=MSB_Parcel_Viewer; accessed May 29, 2024

10. OTHER SUPPORTING INFORMATION. The on-site wetland is not adjacent to or abutting a TNW and therefore cannot be considered jurisdictional. The wetland is bordered by uplands. The nearest RPW that flows into a TNW, Wasilla Creek, is over 0.1-mile east of the review area. As described in Sections 8 (b), (e), and (f) above, there is no continuous surface water connection between the review area wetland and an RPW or a TNW. Given the lack of reasonable proximity or hydrologic connection to a jurisdictional water, the review wetlands are considered non-jurisdictional.

11. NOTE: The structure and format of this MFR were developed in coordination with the EPA and Department of the Army. The MFR's structure and format may be

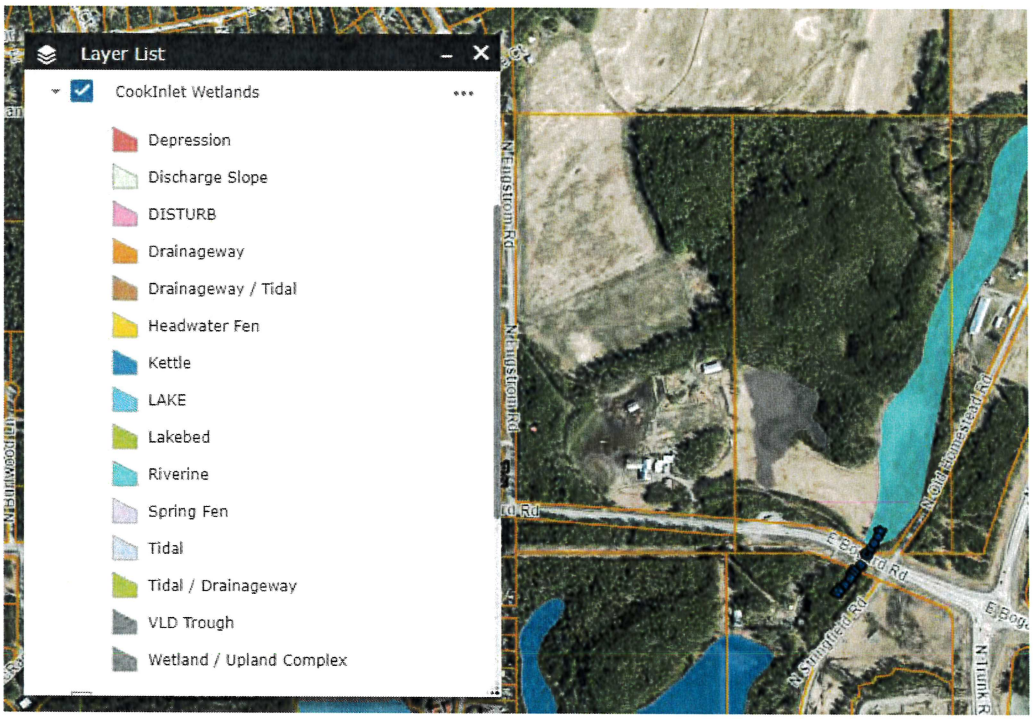
subject to future modification or may be rescinded as needed to implement additional guidance from the agencies; however, the approved jurisdictional determination described herein is a final agency action.


Tools
S18N01E27
AREA IN QUESTION
3182
Wasilla Creek
S18N01E26
3400
N Trunk Rd
7927
7955
E Bogard Rd
N Old Homestead Rd
S18N01E34
8110
S18N01E35

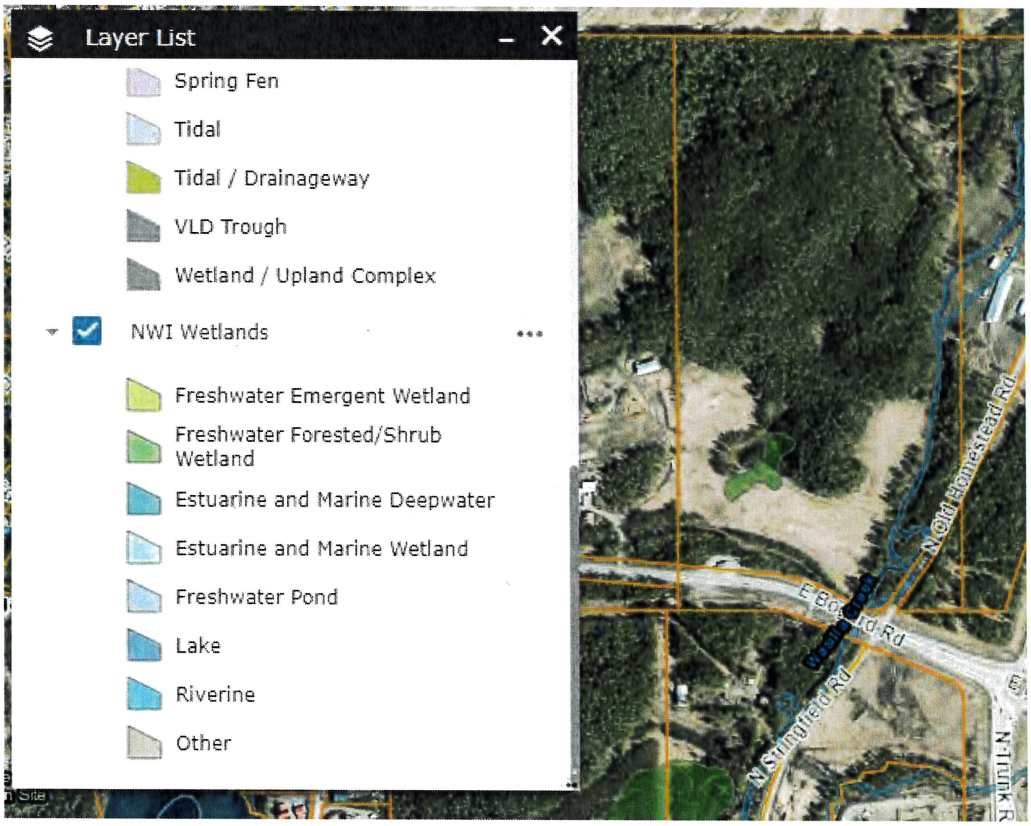


2019 Matanuska-Susitna Borough Mapper, 2019 USGS LiDAR Hillshade and Contours

Wetland 1



Cook Inlet Wetlands



NWI Wetlands

2022 imagery

2021 imagery

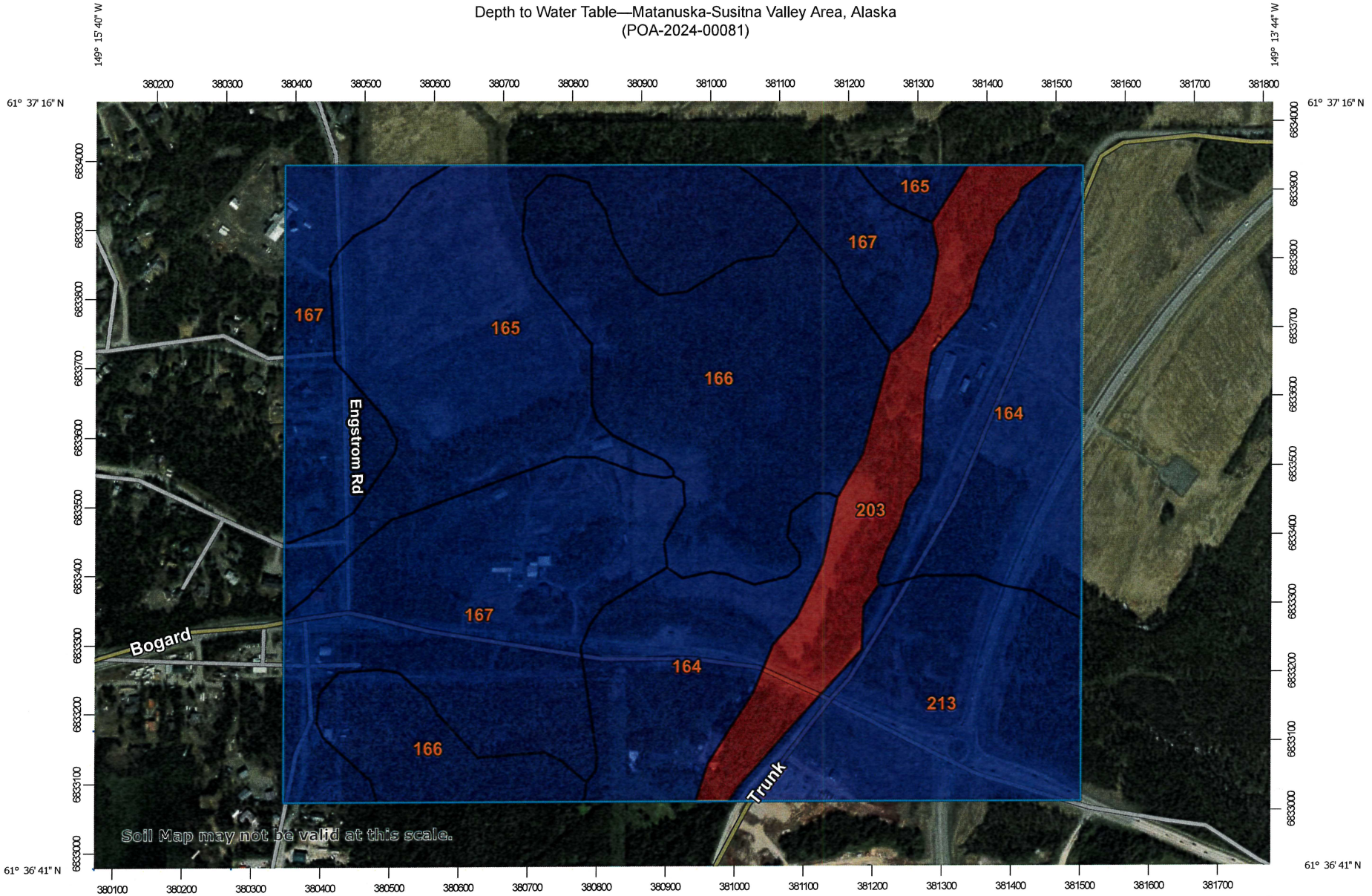
2019 imagery

2017 imagery

2016 imagery

2011 imagery

Depth to Water Table—Matanuska-Susitna Valley Area, Alaska
(POA-2024-00081)



Map Scale: 1:7,780 if printed on A landscape (11" x 8.5") sheet.

N

Meters: 0 100 200 400 600

Feet: 0 350 700 1400 2100

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 6N WGS84

MAP LEGEND

Area of Interest (AOI)

Area of Interest (AOI)

Soils

Soil Rating Polygons

- 0 - 25
- 25 - 50
- 50 - 100
- 100 - 150
- 150 - 200
- > 200
- Not rated or not available

Soil Rating Lines

- 0 - 25
- 25 - 50
- 50 - 100
- 100 - 150
- 150 - 200
- > 200
- Not rated or not available

Soil Rating Points

- 0 - 25
- 25 - 50
- 50 - 100
- 100 - 150
- 150 - 200
- > 200
- Not rated or not available

Water Features

- Streams and Canals

Transportation

- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background

- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Matanuska-Susitna Valley Area, Alaska
Survey Area Data: Version 21, Sep 6, 2023

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Mar 25, 2015—Oct 19, 2023

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Depth to Water Table

Map unit symbol	Map unit name	Rating (centimeters)	Acres in AOI	Percent of AOI
164	Knik silt loam, 0 to 3 percent slopes	>200	50.2	19.0%
165	Knik silt loam, gently sloping and moderately steep	>200	49.0	18.6%
166	Knik silt loam, steep and sloping	>200	50.7	19.2%
167	Knik silt loam, undulating	>200	64.8	24.6%
203	Typic Cryaquents, 0 to 2 percent slopes	23	19.5	7.4%
213	Yensus silt loam, sloping and moderately steep	>200	29.7	11.2%
Totals for Area of Interest			**264.0**	**100.0%**

Description

"Water table" refers to a saturated zone in the soil. It occurs during specified months. Estimates of the upper limit are based mainly on observations of the water table at selected sites and on evidence of a saturated zone, namely grayish colors (redoximorphic features) in the soil. A saturated zone that lasts for less than a month is not considered a water table.

This attribute is actually recorded as three separate values in the database. A low value and a high value indicate the range of this attribute for the soil component. A "representative" value indicates the expected value of this attribute for the component. For this soil property, only the representative value is used.

Rating Options

Units of Measure: centimeters

Aggregation Method: Dominant Component

Component Percent Cutoff: None Specified

Tie-break Rule: Lower

Interpret Nulls as Zero: No

Beginning Month: January

Ending Month: December

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: Dan Steiner	File Number: POA-2024-00081	Date: June 21, 2024

Attached is:		See Section Below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
	PERMIT DENIAL	C
X	APPROVED JURISDICTIONAL DETERMINATION	D
	PRELIMINARY JURISDICTIONAL DETERMINATION	E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at http://www.usace.army.mil/CECW/Pages/reg_materials.aspx or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- OBJECT: If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- APPEAL: If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- APPEAL: If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:	If you only have questions regarding the appeal process you may also contact:
Emily Vullo Alaska District Corps of Engineers CEPOA-RD-S P.O. Box 6898 JBER, AK 99506-0898 907-753-2704 Emily.N.Vullo@usace.army.mil	Ms. Kate Bliss Regulatory Program Manager U.S. Army Corps of Engineers, Pacific Ocean Division CEPOD-PDC, Bldg. 525 Fort Shafter, HI 96858-5440 (808) 835-4626 Kate.M.Bliss@usace.army.mil

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

_____ Signature of appellant or agent.	Date:	Telephone number:

Matanuska-Susitna Borough
Planning and Land Use Department
Development Services Division
350 East Dahlia Ave Palmer, AK 99645
Phone (907) 861-7822 / Fax (907) 861-8158
www.matsugov.us

AUTHORIZATION TO CONSTRUCT DRIVEWAY

PERMIT # D31515
TAX PARCEL ID # 18N01E27D002
Engstrom Road

November 6, 2024

All driveway installations shall comply with MSB Title 11.12. This authorization will expire **one year** from the date of this notice.

Call before you dig. Dial 811 to have utilities located before starting any dirt work.

The driveway access must adhere to the specifications outlined in the engineering plans, drawings, and other relevant documents submitted during the application process.

NO CULVERT REQUIRED

- Ditch and driveway apron shall be clear of rocks larger than 6" and any debris.
- Driveways fronting on paved roadway surfaces shall have a paved apron to the furthest point of curvature from the roadway.
- Signage and striping, if used, shall conform to the "2016 Alaska Traffic Manual" (Alaska Department of Transportation and Public Facilities) and shall be maintained by the landowner.
- This approval is for single-direction access only. Any future change in land use or traffic patterns affecting this driveway's functional use will require a new application to be submitted and reviewed.

When driveway construction is complete, call the Inspection Request Line at 861-7822 option 2 or email PermitCenter@matsugov.us to request a final inspection. Be sure to reference the permit number shown above.

Sincerely,

Michelle Olsen

Michelle Olsen, RWA
Permit Center